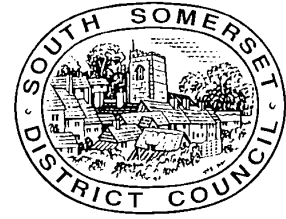


South Somerset District Council

Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 26 March 2014

1.30pm

**Council Chamber
Council Offices
Brympton Way
Yeovil
BA20 2HT**

(please note change of venue and start time)

(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 3.00pm.

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

email: becky.sanders@southsomerset.gov.uk

website: www.southsomerset.gov.uk

This Agenda was issued on Tuesday 18 March 2014.

Ian Clarke, Assistant Director (Legal & Corporate Services)

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



INVESTOR IN PEOPLE

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 3.00pm following a break for refreshments, in the order shown on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

A representative from the Area Highways Office will normally attend Area North Committee quarterly in February, May, August and November – they will be available from 1.40pm 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.

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 (unless specified otherwise).

Agendas and minutes of area committees are published on the council’s website www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

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 26 March 2014

Agenda

Preliminary Items

1. **To approve as a correct record the minutes of the meeting held on 26 February 2014.**
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, Sylvia Seal and Paul Thompson.

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 is scheduled to be held at 2.00pm on **Wednesday 23 April 2014** at the **Village Hall, Norton Sub Hamdon**.

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

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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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Area North Committee – 26 March 2014

8. Community Health and Leisure Service Update

Strategic Director: Vega Sturgess, Operations and Customer Focus
Assistant Director: Steve Joel, Health and Wellbeing
Service Manager: Lynda Pincombe, Community Health and Leisure Manager
Lead Officer: Lynda Pincombe, Community Health and Leisure Manager
Contact Details: lynda.pincombe@southsomerset.gov.uk or 01935 462614

Purpose of the Report

This report provides an update on the work of the Community Health and Leisure Service in Area North.

Public Interest

This report seeks to provide Area North members with a progress report on the work undertaken by the Council's Community Health and Leisure Service in the last 12 months. This report highlights specific examples of work undertaken within the area so that members can gain an understanding of how the service is creating value and making a difference for residents in their respective communities.

Recommendations

- (1) That the Area North Committee notes the content of this report.
- (2) That Members contact the Community Health and Leisure Manager, if they would like to discuss the current service delivery programme or recommend future priorities. Service planning takes place on an annual basis and draft plans for 2014/15 are being drafted and refined over the next few months.

Background

The services provided by the Community Health and Leisure team are summarised in the table below:

What?	Why?
Healthy Lifestyles	To provide a high quality physical activity and healthy lifestyles programme to enable more people to become active and healthier in South Somerset in line with Council Plan Focus 4.1 and the South Somerset Health and Wellbeing Strategy.
Sports Development	To develop and support community sports clubs and other voluntary organisation to deliver excellent sporting opportunities for all residents in South Somerset in line with Council Plan Focus 4.1.
Play and Youth Facilities	To increase the quality and quantity of play opportunities in South Somerset in line with Council Plan Focus 4.3

Opportunities for Young People	To provide and support the development of positive activities for young people in South Somerset in line with Council Plan Focus 4.1.
Leisure Facility Development/Management	To manage and develop sports facilities that help to provide a healthy living environment and sustainable communities in line with Council Plan 4.3

Report

1. Healthy Lifestyles

Core Work:

- To increase the utilisation of the outdoors and green spaces for exercise and health related activity.
- To decrease the number of adults and children in South Somerset who are currently inactive.
- To reduce the number of overweight and obese adults and children in South Somerset

Area North delivery summary in the last 12 months

Health Walks

Since November 2012, five residents in Area North have undertaken the Health Walk Leader training. Two of these leaders will lead walks with the Stoke Sub Hamdon Health Walk Group and will be responsible for leading the new beginners shorter walks offered by the Stoke Walking Group.

The Stoke Sub Hamdon group continue to walk on a fortnightly basis and have maintained their numbers of approximately 20 per walk.

One volunteer and one member of staff from South Somerset Mind have been trained up to lead Health Walks in Langport. Health Walks are now happening monthly from the Angel Café in Langport.

The Health Walk Directory continues to be updated detailing all the walking groups across the district. The latest refreshed directory for winter 2014 was publicised and circulated in January 2014.

Health Inequalities

Health testing and lifestyle advice has been delivered at the Gypsy Traveller site at Ilton.

Support has been given to South Somerset Mind staff and volunteers to set up their Health Walks Group at Langport and promote it in the local community

Active Ageing

Flexercise is a countywide project to train up staff and volunteers to deliver chair based physical activity sessions. There are now 40 Flexercise Leaders delivering Flexercise Sessions in Area North in approximately 15 venues. These venues range from Nursing Homes, Residential Homes, Sheltered Housing Schemes, Care Homes, Day Centres and Active Living Centres.

Since November 2013, one Flexercise Workshop has been delivered in Area North with seven individuals from Area North attending the training. No leaders from Area North attended the Update Workshops that have been run this year.

Attending falls network meetings to try and improve/develop the community based falls prevention service in South Somerset.

We have supported Yarlinton Housing Group schemes with health testing and healthy lifestyles advice at Parsonage Close, Somerton and Laburnum Drive, Somerton. Boccia and Ping Sessions have been delivered at both schemes and the equipment has been loaned to them for use on a weekly basis.

Healthy Communities

One volunteer from Area North has been trained in the Run England, Leadership in Running Fitness qualification. We have worked with the leader to establish a beginners group which forms part of the Langport Runners Club, the beginners running group costs £1 to attend and runs from Langport and Huish Sports a Social Club. To date an average of 6-10 new runners have attended per week.

Three Active Somerset classes continue to run on a self-sufficient basis in Long Load, Martock and Stoke Sub Hamdon. We are currently working with community representatives to set up a further class at East Lambrook and a class for more elderly residents in Stoke Sub Hamdon.

Officers attended the Area North Community Event to raise awareness of the Healthy Lifestyles Team and how we can support communities and groups to be more active and lead a healthier lifestyle.

Supported the CIC in South Petherton at the Folk Fest promoting the work of the Healthy Lifestyle Team and the activities that happen in and around the South Petherton Area.

We have been liaising with the Surgery in Somerton and their Patient Participation Group (PPG) regarding supporting them to develop some community initiatives to increase activity and promote healthy lifestyles. The initiatives will run on a 'self health' theme aiming to organise educational activities and support groups to help keep patients out of the surgery and maximise their chance of staying well.

Funding of £250 was given to the Martial Arts and Self Defence club run by two volunteers from Somerton. The club works in Somerton and the surrounding area offering classes in Schools and community venues. As well as learning self-defence techniques and physical exercise the classes also focus on improving confidence, developing life skills and teaching discipline. The fund will be specifically used to support low income families to access the classes.

Seven health check sessions have been organised in Area North during March. Locations include; Martock, Stoke Sub Hamdon, Tintinhull, Ash, Long Load, Ilchester and Norton Sub Hamdon. Six of the seven sessions are being funded through County Councillor John Bailey's Health and Wellbeing funding. Checks will offer blood pressure, blood sugar, cholesterol, BMI, Lung function and Body Fat Percentage as well as advice and information on local activity opportunities. The checks aim to raise awareness of the risk of developing cardiovascular disease and where possible develop new activity opportunities in communities.

Children's Centres, Schools and Young People

This year we have worked with two Children's Centres covering Area North; Little Marsh at Ilchester and The Levels at Langport.

Health Testing and healthy lifestyle support and information given at a number of groups for the Children's Centres including Active Tots, Little Explorers and the Little Fishes group in Stoke Sub Hamdon

Martock Buggy Walks are on hold at the moment due to the member of staff running them is currently on maternity leave. They plan to re-start these walks in the spring.

The Buggy Walk at South Petherton ran throughout the summer and autumn and was popular with parents of the Ilchester and Langport centres, however this walk is also currently on hold until the spring due to the bad weather.

Buggy Walk routes have been mapped and uploaded to the Walks with Buggies website www.walkswithbuggies.com for families to access.

A Get Set Cook course was delivered at the Levels Children's Centre by Somerset Community Food to improve cooking skills and understanding surrounding a healthy balanced diet. Six families accessed this course.

We have attended Advisory Board and Annual Conversation meetings for the Cluster of Children's Centres run by Action for Children at The Levels Langport and Little Marsh at Ilchester offering centres a range of initiatives and programmes to support family health.

Three physical activity talk and health testing sessions have been delivered to the Post Natal Group that is run by Somerset Partnership. Discussions are held about when and how to exercise and where to find out about opportunities to be active.

A British Heart Foundation Active Clubs training day was offered to all primary schools in the district to give them skills to run exercise and activity sessions for children in schools and at after school clubs. The workshop was attended by 9 members of staff from various schools, 4 of which were from schools in Area North (Tintinhull, Kingsbury Episcopi, Somerton and Langport).

A healthy eating session was delivered at Monteclefe School in Somerton. Twenty students attended representing the 13 schools who form the Huish Community Learning Partnership. Students were given ideas and resources to take back to their schools to help educate other children and improve healthy eating habits in their school

Presentation delivered at the Health and Wellbeing in Learning Healthy Weight Conference to a number of Schools from across Somerset. The team have offered a menu of activities to support schools to be more active and encourage healthy lifestyles.

Work of district wide significance in the last 12 months

Healthy Workplaces - workplaces that have been involved in the healthy workplace programme this year include; Pittards, Screwfix, Asda, Yarlinton, SSDC, Yeovil College, Yeovil District Hospital, BAE systems and Westlands.

Twelve different initiatives have been delivered, these include: the weightloss challenge, blood pressure monitoring, two rounders tournaments, three Pilates classes and a bike fix.

Pad-e continues to be updated and populated with new information. We have received some valuable user feedback and this has helped inform new design to improve the user-friendliness of the site. It is important to note, that there is no cost to this service other than officer time as we are utilising in house web design and development skills. Over 500 activities are listed with in excess of 500 hits received in the first month and consistent visits since the launch.

Secured external funding for the Healthy Lifestyles Team for the period April 2014 to March 2015 from Public Health at Somerset County Council (formally Public Health at NHS Somerset)

One member of the Healthy Lifestyles Team (Cheryl Lingard) has left the team and is on secondment for two years until October 2015. Cheryl has been replaced by a Healthy Lifestyles Graduate (similar to an intern but for a 2 year period) Sam Wenden-De-Lira.

Emerging Priorities for the year ahead

The development of at least one 321 route in a location in Area North. 321 routes are permanent 1, 2 or 3km routes marked with way markers to encourage residents to begin walking or running. They provide safe, way marked and measured routes for all residents to access at any time free of charge.

Building on the success of the Sport50 project in Area North by developing adapted sports and activity sessions for the 50+ population at community venues in Area North.

We will be working with Jo Morgan, SSDC's Equalities Officer and South Somerset Disability Forum to refresh the mapped walking routes for South Somerset. This piece of work will involve assessing the accessibility of all of the mapped routes (55 in total covering the entire district) and redesigning the leaflets.

2. Sports Development

Core Work:

- To support the development of new and existing community sports clubs.
- To support the development of coaches, volunteers and officials.
- To seek to enhance school sport.

Area North delivery summary in the last 12 months

Sport Specific Development

Tennis

Martock Tennis Club from Area North along with four other tennis clubs across the district took part in the 5th South Somerset Mini Tennis Red Schools Project. At Martock Tennis Club, 16 participants from two primary schools (Ash and Norton Sub Hamdon) took part in the project.

The final of the South Somerset Mini Red Schools project took part at Martock Tennis Club in June 2013, attended by 10 primary schools and 40 young people. Keinton Mandeville School won the final, beating Milford Junior from Yeovil. Eight young leaders from Stanchester Academy supported the event scoring matches between schools.

Somerton, Tintinhull and Martock Tennis Clubs are three of seven clubs across South Somerset who continues to host events within the South Somerset Mini Tennis Series. Since September 2012, Somerton, Tintinhull and Martock Tennis Clubs have hosted 17 competitions between them. The income from the South Somerset Mini Tennis Series is re-invested back into supporting tennis development in the district.

Rugby

In partnership with the RFU also supported Martock RFC to deliver a secondary school teacher CPD course to PE teachers and delivered a Year 10 rugby festival supported by young leaders from Stanchester Academy. Five schools and 35 children attended the seven's rugby festival.

Officers have supported Martock RFC to host school area rugby finals and county semi-finals.

Supported four 6th form girls from Huish Episcopi Academy to attend RFU scrum factory course and they are now using the skills developed to run after school rugby club supporting Somerset RFU, giving 24 volunteering hours to support this and the seven's rugby festival at Martock.

Badminton

The South Somerset Community Badminton Network (CBN), which was set up by the Sports Development team in 2009 has continued to lead the development of badminton across South Somerset in partnership with key partners and Badminton England. The following represents some of the development work within Area North over the last 12 months.

Badminton coaching was delivered over six weeks to Norton Sub Hamdon and Ash primary schools, 54 children attended.

Continue to deliver the Martock Badminton Breakfast club which is funded by the school and delivered by the South Somerset CBN, 16 participants take part in this weekly session.

Officers delivered a primary schools badminton festival at Huish Episcopi Academy in February, this was attended by 5 schools in Area North; Huish Episcopi, Curry Rivel, Hambridge, Kingsbury Episcopi and Long Sutton. Thirty-six children took part in the festival.

Officers delivered a primary schools badminton festival at Stanchester Academy in partnership with Yeovil Graduates BC. Martock, Ash and Norton primary schools took part and 16 children took part.

Officers delivered a new Badminton Schools Recreation League, to increase the competitive opportunities for young people to play badminton. There were three central venues; one was at Huish Episcopi this was attended by six secondary schools and 24 participants. Four young leaders from Huish Episcopi were also trained to support the officiating of this event.

Hockey

In partnership with Somerset Activity and Sports Partnership and Yeovil and Sherborne Hockey Club, SSDC has invested into a self-employed Community Hockey Coach who will deliver a number of development programmes at the new Artificial Grass Pitch (AGP).

Since September 2013, 204 sessions have been delivered by the Community Hockey Coach, with throughput of 4,277 juniors and 2,349 adults, across the district.

The following represents hockey development work within Area North, since September 2013:

- The Community Hockey Coach delivered a Boys Hockey Festival at Yeovil AGP, which was attended by Stanchester Academy.
- The Community Hockey coach has also delivered a taster session for Quicksticks to Kingsbury Episcopi primary school.
- Delivered a primary schools hockey festival at Yeovil AGP, attended by Ash, Martock and All Saints (Montacute) primary schools from Area North. This event was attended by over 60 children.
- Officers have worked with Stanchester Academy to train three students as young leaders who have supported the secondary school hockey festival delivered at Yeovil AGP.

Yeovil Federation – Five primary schools (Ash, Chilthorne Domer, South Petherton, Martock and Norton) from Area North took part in an Olympic Legacy project which was delivered for schools within Yeovil Federation, 19 schools in total were involved in the project and around 900 young people received coaching from qualified coaches and 29 teachers were given a CPD opportunity in a particular sport in order to increase their confidence of teaching that sport. The programme for the five schools included; gymnastics, tag rugby, tennis, hockey, badminton and cricket, with 310 children receiving coaching.

Disability Sport – Officers delivered a sportability festival at Stanchester Academy, which was attended by Ash, Norton and St Margaret's (Tintinhull). This festival targeted children with low confidence or special educational needs, with 22 children attending and the event was supported by 8 leaders from Stanchester Academy.

Work of district wide significance in the last 12 months

Yeovil Artificial Grass Pitch - A new sand dressed Artificial Grass Pitch was opened at Yeovil Recreation Centre in August 2013, the £800k facility was delivered on budget and on time. The facility has 25 hours of regular use during weekdays and 7 hours of use on Saturday's. The facility has 71% occupancy on weekday peak times (6-9.30pm).

Join In (Yeovil) - Delivered a second successful Join In Local Sport event in July 2013 in the Quedam Shopping Centre, Yeovil. This event was a celebration of grassroots sports where shoppers could try taster sessions in a variety of different sports. Ten local sports clubs from the Yeovil area took part in the event which was attended by over 150 shoppers throughout the morning.

Sport Specific Development - Delivered a programme of sports specific development opportunities in partnership with key community sports clubs and NGB's for residents. Sports included Tennis, Badminton, Hockey, Gymnastics, Athletics and Swimming.

Emerging Priorities for the year ahead

Delivering the South Somerset Community Badminton Network Action Plan 2014/15 across the district, this has received £2.5k funding from Badminton England. This will include two Smash Up badminton clubs at Stanchester and Huish Academies, continuing with the breakfast badminton club at Martock and hopefully continuing the re-launched the community badminton club at Hambridge.

Deliver another successful South Somerset Mini Tennis Red Schools development programme in 2014, working with local tennis clubs (including Martock and Somerton Tennis Clubs), schools and the Lawn Tennis Association. Officers have already been working with a new coaching team at Somerton Tennis Club linking up with 5 primary schools for 2014 schools programme and to establish a new after school tennis coaching programme with Huish Leisure.

Continue to develop the hockey development programme within the district, working with Stanchester and Huish Episcopi academies to develop opportunities for both curriculum and after school hockey. We also hope to be working with both Martock and All Saints (Montacute) primary schools in the Spring/Summer 2014.

Officers also working with Huish Episcopi Academy and British Cycling to host a cyclo cross event at the school in May 2014. 160 young people will take part in the event and maximum capacity has been reached for the event, despite further interest.

3. Play and Youth Facilities

Core Work:

- To work in partnership with others to provide a range of challenging and exciting play spaces and youth facilities across the district.
- To offer annual, quarterly and routine play inspection service to not-for-profit organisations.

Area North delivery summary in the last 12 months

Abbeyfields Play Area, Curry Rivel –The improvements to this play area included installing a butterfly seesaw, extending the activity trail, refurbishing the toddler climbing frame and painting the existing equipment. The improvements have enhanced the play opportunities and ensured the facility can provide a venue for play for many years to come.

Thurlocks Play Area, Tintinhull – Following public consultation this play area has been refurbished and new facilities provided. The improvements include a new roundabout, junior swings, basket swing, agility trail, impact absorbing surfaces, improved access, tree planting and repainting/refitting existing play equipment.

Lightgate Lane Play Area & MUGA, South Petherton – The extensive construction of this new play area and MUGA for South Petherton was completed in the spring of 2013, following delays in the construction work due to wet site conditions over the winter of 2012/13. The new facilities look superb and are being well used.

Chilthorne Domer Recreation Ground – Officers supported Chilthorne Domer Recreation Field Committee and Parish Council with their plans and delivery of new play equipment and landscaping. In February and March 2014 a new zip line, basket swing, climbing frame and circular footpath and seating were constructed at the recreation ground. These improvements were possible following the community securing significant external funding.

Copse Lane Play Area, Ilton – Following consultation with officers the parish council was awarded a grant of £5,715 towards the provision of a new roundabout at the play area. The grant award utilises funding received through a S106 agreement secured from

the adjoining Yarlington Homes development. The new roundabout is expected to be installed at any moment and should be available for the public to use this spring.

Work of district wide significance in the last 12 months

Play and Youth Facility Officers have completed five play area refurbishments within the capital programme across the district in the current financial year as well as providing a chargeable annual inspection service to 66 play and youth facility providers (22 in Area North, 24 in Area East, 16 in Area West and 4 in Area South) as well as offering a quarterly or routine inspection service. The value of capital improvement schemes directly delivered, or with partners, totals nearly £700,000.

The team directly manages 56 play areas across the district.

Emerging Priorities for the year ahead

Stanchester Way Play Area, Curry Rivel – This play area has been designed and public consultation completed. In the spring/early summer of 2014 the play area will be refurbished and ready for all to enjoy this summer.

Lavers Oak Play Area, Martock – Officer plan to consult stakeholders, design and refurbish this small play area on the outskirts of Martock during 2014/15.

4. Opportunities for Young People

Core Work:

- To support the development of stimulating things to do and places to go.
- To support the development of new and existing youth clubs.
- To develop opportunities for young people to volunteer and become involved in their communities.
- To support the development of playschemes and targeted holiday activity programmes.

Area North delivery summary in the last 12 months

Youth Club Leader Training – Officers organised free First Aid and Food Hygiene level 2 training for volunteers working in youth clubs in South Somerset. Those attending included volunteers working with groups in Area North.

Holiday Playscheme Awards - £100 awards provide to Chilthorne Domer, Curry Rivel, Aller and Martock and helped to enable more play opportunities for children in Area North.

Duke of Edinburgh Awards – The service funded the cost of the Octagon Theatre to enable the annual awards ceremony to take place. Young people many from Area North participated in the event, at which a total of 240 awards were presented to young people from across the district.

Somerset Rural Youth Project (SRYP) – The district council has a service level agreement with the SRYP and over the last year they have provided youth work across the district, including communities in Area North. A more detailed breakdown of the work they do and where it has happened can be found in the report presented to District Executive on 6th March 2014.

Work of district wide significance in the last 12 months

National Playday - On the 7th August 2013 a National Play Day was held at Yeovil Country Park, which was attended by an estimated 5000 people. The day was part of a national event held each year to celebrate children's right to play.

Gold Star Awards – were held at the Octagon Theatre Yeovil on 29th October 2013 with a full auditorium. The event recognises the achievement of volunteers and young people across the district. There were 72 nominations in 11 categories. Working in conjunction with the Western Gazette for the first time, there was positive press coverage of the event in

Emerging Priorities for the year ahead

Play Day Programme – Another year of Play Days is planned for 2014 and will include settlements in Area North. The planning of these days is in progress, but at the time of writing the report the communities to be included in the plan have not been confirmed.

Deliver another successful National Play Day at Yeovil Country Park on Wednesday 6th August 2014.

To support the new and existing youth clubs that have been established in Area North.

Agreeing a new Service Level Agreement with the SRYP to cover the work they carry out over 2014/15.

5. Leisure Facility Development and Management

Core Work:

- To provide sports clubs and community organisations with specialist advice and support to develop their facility projects.
- To secure appropriate leisure contributions from housing development to enhance local and strategic sport and recreation provision.
- To maximise access to existing dual use school sports facilities.
- To effectively and efficiently manage the Council's Facilities at Yeovil Recreation Centre.

Area North delivery summary in the last 12 months

Huish Episcopi AGP – support has been provided to progress the Academy's aspiration to turn their red-gra area into a third generation artificial grass pitch suitable primarily for football and hockey. The project is progressing well, although there is still some further football development planning to be undertaken in order to be in a position to apply for Football Foundation funding later in the year.

Work of district wide significance in the last 12 months

Planning consultation responses – the service responded comprehensively to 75 planning application consultation requests during 2013; 21 (28%) were for applications in Area North; several of which have been quite complex involving detailed conversations with parish councils.

We are finding that members and town and parish councils across the district are engaging more in the consultation process prior to the service submitting its final consultation response to planning which is positive progress.

The service has also prepared two Proofs of Evidence for planning appeals (Templecombe and Chard) to defend our methodology and requests. At the recent appeal relating to Templecombe, the Inspector found the evidence for Community Health and Leisure contributions to be sound which reaffirms the views of other inspectors presiding over local appeals that our evidence base is currently robust.

Off-site S106 contributions received for leisure through this team's work total over £2.6 million. In Area North, over £1.8 million of capital and commuted sums have been secured via signed S106 agreements and £588,380 of capital and commuted sums have been received. A total of £176,332 (capital and revenue) has been spent on facility projects to date.

Planning workshops – The service manager and Leisure Policy Officer delivered a workshop for 19 members in July 2013 to explain how the service calculates S106 contribution requests, to clarify the process and some common misconceptions. Positive feedback was received.

A similar leisure planning workshop was delivered to the Somerset Association of Local Council members last December in West Camel to help parish and town councils to gain a better understanding of the process too. Again, feedback was positive.

Passport to Leisure – allows residents on low incomes to obtain discounts on the cost of certain leisure and cultural activities at Wincanton Sports Centre, Crewkerne Aqua Centre, Goldenstones Leisure Centre, Octagon Theatre, SSDC directly organised holiday activities, St Michael's Hall and Yeovil Recreation Centre. The service administers the scheme (free of charge) and currently there are 398 valid cards which breaks down by area as follows:

East	56 (14%)
North	39 (9%)
South	287 (72%)
West	16 (4%)

Emerging Priorities for the year ahead

Continue to secure appropriate leisure contributions from developments in Area North.

Continue to provide support to Huish Academy to deliver a new AGP.

Work with Huish and Langport Cricket Club to complete facility development improvements using remaining Section 106 funding.

Work with Ilton Parish Council/the Warren Trust/Area Development to potentially develop a new recreation ground within Ilton.

6. Other service delivery/achievements

The Resource Service transferred to The Hub from 1st April 2013 for five years. The transfer is projected to bring cost savings of up to £130,000 over 5 years. The Hub is currently projecting to deliver the service within budget at the end of year 1.

Communications – The service directly generated 35 press releases in the last 12 months and produces a monthly communication to 5200 people on our Health & Well Being newsletter mailing list.

Between 1200-1400 (25%+) actively open this newsletter (industry average is 20%). Between 150 – 300 people click through to specific articles (way up on average of 17%). These figures have been sustained and improved over the last five years showing that this is a valued resource for our customers. Opt outs over the year are only 0.2% which is remarkable given the amount of newsletters and spam people receive.

Facebook - a new Play Youth South Somerset page set up in July. Through promotion the 'likes' are now in excess of 100 and rising. Further promotions are planned soon to boost the number of likes. We are also in the process of setting up a Yeovil Rec Facebook page.

Financial Implications

No new implications.

Corporate Priority Implications

The work of the Community Health and Leisure service contributes to the following aims within the Health and Communities Focus of the Council Plan:

- Ensure that the strategic priorities of the Somerset Health and Well-being Board reflect local needs and align council resources to deliver projects to address those needs
- Maintain and enhance the South Somerset network of leisure and cultural facilities, optimising opportunities for external funding to promote healthy living.

Equality and Diversity Implications

Consideration is given by the service to ensure that all facilities and services are accessible.

Background Papers: *None*

Area North Committee – 26 March 2014

9. Flooding Update

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

The Area Development Manager (North) will provide a verbal update on the latest situation regarding the flooding affecting South Somerset.

Area North Committee – 26 March 2014

10. Community Grant - Chilthorne Domer Village Hall (Executive Decision)

Strategic Director: Rina Singh, Place and Performance
Assistant Director: Kim Close/Helen Rutter, Communities
Service Manager: Charlotte Jones, Area Development Manager (North)
Lead Officer: James Divall, Neighbourhood Development Officer (North)
Contact Details: james.divall@southsomerset.gov.uk or (01935) 462249

Purpose of the Report

Councillors are asked to consider awarding a community grant for £5,000 towards the cost of an extension to the store room at Chilthorne Domer Village Hall.

Public Interest

The management committee of the Chilthorne Domer Village Hall has applied for a community grant towards physical improvements to the hall. The application has been assessed by the Neighbourhood Development Officer who has submitted this report to allow the Area North Committee to make an informed decision on the application.

Recommendation

It is recommended that councillors award a grant of £5,000 to the Chilthorne Domer Village Hall towards the cost of an extension to the store room, to be allocated from the Area North capital programme (Local Priority Schemes), subject to SSDC standard conditions for community grants (appendix A).

Application Details

Name of applicant	Chilthorne Domer Village Hall
Project	Extension to village hall store room
Project description	To extend the village hall main store room to improve the storage capacity, improving accessibility and safety for users.
Total project cost	£19,201
Amount requested from SSDC	£5,000 (26%)
Recommended special conditions	None - SSDC standard grant conditions
Application assessed by	James Divall, Neighbourhood Development Officer (North)

Community Grants Assessment Score

The table below shows the grant scoring for this application. In order to be considered for SSDC funding under the Community Grants policies, applications need to meet the minimum score of 22.

Category	Actual Score	Maximum score possible
A Eligibility	Y	
B Target groups	6	7
C Project	4	5
D Capacity of organisation	13	15
E Financial need	6	7
F Innovation	2	3
Grand Total	31	37

Background

Chilthorne Domer is a small village situated three miles North West of Yeovil with an approximate population of 500 people living in 210 houses. The Village has a primary school with 140 children on role, who all rely on the village hall for a number of school activities including physical education, drama and fund raising events.

The village hall, which is situated in the middle of the village, was built in the late 1950's at a cost of £3240 on land donated by a resident of the village at the time. Since then the hall has been refurbished and extended in 2001 helping to provide alternative meeting space as well as facilities to home a post office and a tea room.

Since the 2001 use of the village hall has increased three fold, however, the hall has been unable to keep pace with the demand for accessible safe storage. The current situation has led to growing frustration amongst user groups which has to be addressed.

The main store is currently full with 60% of the store used to accommodate the schools physical education equipment, 30% to store the fifty chairs and tables with the final 10% used to provide a secure store for the post office equipment.

The Project

This project is part of a programme of improvements which are split into two stages and detailed in the village hall's business plan.

Phase one of the action plan involved the removal of the wall between the main and garden stores during 2012 which was funded by the parish council, school governors and management committee. The extra space is used to store 50 chairs which was previously store on the stage.

Phase two of the action plan involves extending the main store (and in turn village hall) to increase capacity and accessibility which will cost £19,201.

Project Costs

Building costs	£17,940
Electrics	£1,011
Site supervision – visits by the architect	£250
Total project cost	£19,201

Funding Plan

Funding Source (secured)	Funds Secured
Village Hall Management Committee: own funds	£5,001
Chilthorne Domer Parish Council	£2,500
Chilthorne Domer School Governors	£2,500
Total secured	£10,001 (52.8% of total cost)

Additional funding required	£9,200
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Funding Source (in application)	Funding sought
Awards for All	£4,200
Total	£4,200

Amount requested from SSDC	£5,000*
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*This is 26% of the total project cost.

Chilthorne Domer Parish Council has awarded £2,500 in the current financial year towards this project (13% of the project costs).

The Future

The village hall management committee aim to significantly increase accessibility and usage of the hall following the redevelopment work. The removal of hall equipment from the stage into the proposed new store will increase the amount of time and usage for the drama groups using the hall.

The improved capacity and accessibility of the new main store will to provide additional storage for current users and improve accessibility to the equipment which in turn will help increase the length of time within activity sessions (i.e. school PE, community programmes, meetings, etc) as well as helping to provide a safer environment for all.

Conclusion and Recommendation

This grant application is for £5,000, which represents 26% of the project cost. If the final funding applications are successful building will commence.

Both the amount and percentage are in keeping with SSDC grants policies.

The committee's efforts are to be congratulated, particularly for their efforts to form a longer term plan of carefully costed staged projects. There has been significant community involvement throughout, including an active fundraising programme with increased use of the hall and new ideas in the pipeline.

It is recommended that this application for £5,000 is supported.

Financial Implications

There is £239,536 available in the Area North Capital programme for Local Priority Schemes. If the recommended grant of £5,000 is awarded, £234,536 will remain in this allocation for 2013-14 and for future years.

Council Plan Implications

Focus Four: Health & Communities: encouraging communities to be healthy, self-reliant and with individuals who are willing to help each other.

Carbon Emissions & Climate Change Implications

The overall programme of works has aimed to maximise energy efficiency and minimise heating costs.

Equality and Diversity Implications

Local consultation revealed that access for disabled users can be problematic during busy social events at the hall. The committee have been assisted by an access review conducted by the South Somerset Disability Forum. The project design has taken account of the issues raised, and access will be improved.

Background papers: None

Appendix A

Standard Grant Conditions

The funding support is offered subject to the following conditions:

1.	The funding has been awarded based on the information provided on the application form for your application number AN13/10 for 26% of the total cost.
2.	The attached signed "Advice of Acceptance of Funding Offer" to be returned before payment is made to Area Development North, SSDC, Unit 10 Bridge Barns, Long Sutton, TA10 9PZ. An SAE is enclosed.
3.	Confirmation that all other funding sources are secured.
4.	The applicant demonstrates an appropriate Parish Council contribution.
5.	SSDC is acknowledged on any publicity and on any permanent acknowledgement of assistance towards the project.
6.	The applicant will work, in conjunction with SSDC Officers, to monitor the success of the scheme and the benefits to the community, resulting from SSDC's contribution to the project. A project update will be provided on request.
7.	Should the scheme be delayed or unable to commence within twelve months from the date of this committee, SSDC must be notified in writing.
8.	Should the final cost be less than the estimate considered by the Committee, the funding will be proportionately reduced. However, if the cost exceeds that estimate, no further funding will normally be available.
9.	SSDC must be notified of, and approve, any proposed changes to the project.
10.	The applicant will share good practice with other organisations if successful in securing external funding.
11.	Grants can only be paid for a single year and a second application is not allowed for the same project within 3 years (unless Service Level Agreement).

Area North Committee – 26 March 2014

11. Capital Expenditure – Footpath at Minchington Close, Norton Sub Hamdon (Executive Decision)

Strategic Director: Rina Singh, Place and Performance
Assistant Director: Kim Close/Helen Rutter, Communities
Service Manager: Charlotte Jones, Area Development Manager (North)
Lead Officer: Teresa Oulds, Neighbourhood Development Officer (North)
Contact Details: teresa.oulds@southsomerset.gov.uk or (01935) 462254

Purpose of the Report

Councillors are asked to consider the allocation of £13,000 from the Area North capital programme (Local Priority Schemes) towards the cost of the construction of a hard surface footpath across SSDC owned land at Minchington Close, together with improved access to Skinners Lane in Norton-sub-Hamdon.

Public Interest

There is currently no footpath along Skinner's Lane into the village of Norton-sub-Hamdon and those living there either walk along the side of a narrow road or cross SSDC land, which has no hard surface and leads to steep stone steps down to the road. A hard surface footpath is planned to go across the land, together with improvements to visibility and access where the path would meet the highway as a slope rather than steps. This would greatly improve the safety of pedestrians.

Recommendation

It is recommended that councillors allocate £13,000 from the Area North capital programme (Local Priority Schemes) for the construction of a footpath in Norton-sub-Hamdon, the scheme to be project managed by SSDC Engineering and Property Services. After completion any sum not required will be returned to Area North balances.

Background

SSDC owns a small piece of land at Minchington Close, managed as public open space by Streetscene Services. It includes an equipped play area.

Planning consent to Yarlington Homes was granted for the construction of 10 affordable homes for local people in Minchington Close, Norton-sub-Hamdon in August 2013. Construction has already started and it is to be expected that this will result in an increase in the number of people travelling to and from other parts of the village, in particular children and families going to and from school.

Currently, residents either have to walk down a narrow road which does not have a pavement or cross the SSDC owned open space which can be muddy and leads to uneven stone steps down to the road. The visibility here is not good and there are concerns for the safety of pedestrians. It is not currently practical to cross the land with a buggy or wheelchair due to the soft ground and the steps.

The Project

The project is to construct a hard surface footpath across SSDC owned land at Minchington Close, together with improved access to Skinners Lane in Norton-sub-Hamdon.

The project will provide a fully accessible and safe route into the village of Norton-sub-Hamdon from Minchington Close and neighbouring properties which will avoid the need to walk along a narrow road.

The expected local benefits are to improve residents' feeling of safety when walking through the village, thus encouraging people to walk rather than drive, and to improve the environment of the open space, encouraging its use by all members of the community.

Detailed consultation was carried out with the Highways Department at Somerset County Council, the Parish Council and the ward member for The Hamdons to ensure the most appropriate footpath was designed. It was recognised that to build a path without improving the point where it met the highway would significantly reduce its value to the community and therefore designs were agreed whereby the road would be hatched and bollards installed in order to ensure as good visibility as possible.

The Parish Council is keen to promote the provision of an all-weather footpath, recognising that this would have several benefits including the encouragement of residents to use and enjoy the existing, well-maintained open space and the provision of a much safer route for pedestrians to walk from one end of the village to the other. The latter would include the additional school children expected as a result of the new houses.

Consents, project management and future maintenance

Planning consent is not required to construct the pathway. On-going costs can be met from existing budgets with any work necessary in the future carried out by Streetscene Services as part of the normal maintenance programme for the area.

The SSDC Open Spaces Officer supports the project.

Project Costs

Quotations were invited from outside contractors and a quote of £17,000 was received which is believed to be reasonable and to provide value for money. The quotation is valid for 90 days. If the capital funding is approved, the work will be carried out by the approved contractor as soon as practical.

Funding Source	Amount
Norton sub Hamdon Parish Council	£ 1000 Secured
Yarlington Housing Group	£ 3000 Secured
Total secured	£ 4000
Requested from SSDC	£13000*

*This has been left at £13,000 to allow for contingencies, any money not spent will be returned to the Area North budget.

Funding from other sources has been sought but none has been successful; this is likely to be because the land is owned by SSDC.

Conclusion and Recommendation

This project is strongly supported by the parish council and local ward member. It will address a problem for the community travelling to and from Minchington Close in particular (poor pedestrian access along Skinners Lane) and will provide enhanced access to the public open space.

The scheme has been carefully designed in full consultation with SCC Highways, and will be managed by SSDC's Engineering and Property Services.

It is recommended that an allocation of £13,000 is approved towards the total cost of the project. After completion any sum not required will be returned to Area North balances.

Financial Implications

If approval for the grant to Chilthorne Domer Village Hall (previous item on the agenda) was agreed, there is £234,536 available in the Area North Capital programme for Local Priority Schemes. If the recommended funding of £13,000 is allocated to the Norton-sub-Hamdon project, £221,536 will remain in this allocation for 2013-14 and for future years.

Council Plan Implications

Focus Two: Environment: Continue to deliver schemes with local communities that enhance the appearance of their local areas.

Carbon Emissions & Climate Change Implications

The construction of an all-weather footpath could reasonably be expected to lead to a reduction in the number of car journeys to and from the school and recreation field, resulting in a reduction in carbon emissions generated by vehicles.

Equality and Diversity Implications

The Council is committed to promoting equality, recognising and valuing diversity and ensuring equal opportunities chances for all and this project will be fully compliant with these aims and the legislation laid down in the Equality Act 2010.

Background papers: None

Area North Committee – 26 March 2014

12. 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 SSSDC 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
23 Apr '14.	<i>Building at Risk (Confidential)</i>	<i>A report on a particular historic building in Area North, with an assessment of the council's options for its longer term conservation. NB: This report may be delayed due to the requirement for detailed financial information.</i>	<i>Ian Clarke, Assistant Director (Legal and Corporate Services)</i>
23 Apr '14	Area Development Plan update	A report on the achievements during 2013-14 in support of Area Development Plan (North) – the programme of investment into local community priorities supported by the Area Committee.	Charlotte Jones, Area Development Manager (North)
28 May '14	<i>Community Safety</i>	<i>Update report on Community Safety and Neighbourhood Policing in Area North.</i>	<i>Steve Brewer, Community Safety & Projects Co-ordinator, and a representative from Avon and Somerset Constabulary.</i>
28 May '14	Highways Update	Half yearly report - update on SCC Highways Services.	Neil McWilliams, Assistant Highway Service Manager (SCC)
28 May '14	Streetscene Update	Half yearly update on the performance of SSDC Streetscene Services	Chris Cooper, Streetscene Manager
Jun/Jul '14	<i>Arts and Entertainment</i>	<i>Service update report.</i>	<i>Adam Burgan, Arts & Entertainment Manager and Pauline Burr, Arts Development Officer</i>
25 Jul '14	<i>Local Housing Needs in Area North</i>	<i>A report on the services provided by the Housing and Welfare Team and an update on housing need in Area North.</i>	<i>Kirsty Larkins, Housing and Welfare Manager</i>

TBC	<i>Community Youth Project</i>	<i>A presentation 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>
TBC	<i>Economic Development in Area North</i>	<i>Presentation / discussion on opportunities to promote local economic development</i>	
TBC	<i>Somerset Levels and Moors Action Plan</i>	<i>A progress report on the Somerset Levels and Moors Action Plan</i>	<i>Charlotte Jones, Area Development Manager (North)</i>
TBC	<i>Area North Affordable Housing Programme</i>	<i>Update on the progress of the current programme of affordable housing in Area North</i>	<i>Jo Calvert Rural Housing Development Officer / Charlotte Jones Area Development Manager</i>

Area North Committee – 26 March 2014

13. Planning Appeals

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

Purpose of the Report

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

Public Interest

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the Committee.

Recommendation

That members comment upon and note the report.

Appeals Lodged

None

Appeals Dismissed

13/01607/FUL – Rose Cottage, Church Street, Kingsbury Episcopi TA12 6AU.
 Formation of vehicular access and parking area, erection of dwelling.

13/02712/FUL – Land opposite 18 Broadmead Lane, Norton Sub Hamdon (also referred to as land adjoining 15 Broadmead Lane).
 Erection of an eco-friendly bungalow and relocation and alterations to existing access.

Appeals Allowed

13/02709/OUT – Land off Burton Close, Heale Lane, Curry Rivel TA10 0PG.
 Outline application for up to 16 dwellings.

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

Appeal Decision

Site visit made on 3 March 2014

by Simon Miles BA(Hons) MSc MRTPI

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

Decision date: 10 March 2014

Appeal Ref: APP/R3325/A/13/2209530

Rose Cottage, Church Street, Kingsbury Episcopi, Martock TA12 6AU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Legg against the decision of South Somerset District Council.
 - The application Ref 13/01607/FUL, dated 22 April 2013, was refused by notice dated 18 June 2013.
 - The development proposed is formation of vehicular access and parking area and erection of dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposed development on the living conditions at the proposed dwelling and existing neighbouring properties.

Reasons

3. The appeal relates to a small parcel of land adjacent to Rose Cottage. The site is adjacent to Church Street and lies to the west of a small residential terrace, including Rose Cottage. There is a narrow footpath, providing pedestrian access, between the site and the terrace. The existing terraced dwellings are very close to the site and their upper floor windows would look directly down onto the amenity area for the proposed dwelling. Potential occupiers of the proposed dwelling would therefore suffer from a severe lack of privacy in relation to the use of their garden.
 4. In reaching this view, I acknowledge the existing boundary treatments and the potential for further screening and landscaping. However, this would not be sufficient to overcome my concern, given the limited separation between the existing terrace and the proposed dwelling and the height of the upper floor windows in the adjacent terrace. Although a degree of overlooking already occurs between nearby properties, my assessment indicates that the degree of harm in this case would be beyond reasonable limits, bearing in mind the general standards of the area.
-

5. Being set somewhat forward of the existing terrace, the proposed dwelling would not cause an unacceptable loss of light. However, given the limited separation, I am concerned that the proposed development would have an unduly overbearing impact on the outlook from the front of the nearest terraced dwellings, which are orientated such that their principal windows face towards the site.
6. As regards the residential use of the site and the potential for noise and disturbance, I consider that the Council has over-stated the effect of the proposed development. In particular, I consider that any noise and disturbance would be within acceptable limits, having regard to the existing residential use of the land and noise and activity associated with the use of Church Street and the footpath between the site and the adjacent terrace.
7. Whilst in certain respects I have found in the appellant's favour, my findings indicate that the proposed development would cause significant harm to the living conditions at the proposed dwelling and existing neighbouring properties in relation to privacy and outlook. It follows that saved Policy ST6 of the adopted South Somerset Local Plan 2006 is not satisfied in terms of the need to avoid unacceptable harm to residential amenity. This policy is consistent with the approach set out in the National Planning Policy Framework, whereby a good standard of amenity should always be sought for all existing and future occupants of land and buildings.
8. In other respects, the site is within the Kingsbury Episcopi Conservation Area. However, having regard to the traditional design of the proposed dwelling, I am satisfied that the character and appearance of the conservation area, and its significance as a heritage asset, would be preserved.
9. Overall, although the proposal would increase the supply of housing in the settlement, in accordance with the Framework, it would fail to achieve an appropriate standard of amenity. In view of this, and given my findings, the balance weighs against approval. Accordingly, and for the reasons given, the appeal does not succeed.

Simon Miles

INSPECTOR

Appeal Decision

Site visit made on 4 February 2014

by Nick Fagan BSc(Hons) DipTP MRTPI

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

Decision date: 19 February 2014

Appeal Ref: APP/R3325/A/13/2206487

Land opposite 18 Broadmead Lane, Norton Sub Hamdon, Somerset TA14 6SS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Clive Grinter against the decision of South Somerset District Council.
 - The application Ref 1/02712/FUL, dated 24 June 2013, was refused by notice dated 30 August 2013.
 - The development proposed is the development of an eco-friendly bungalow.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the adjacent Norton Sub Hamdon conservation area.

Reasons

3. Broadmead Lane is a dead-end narrow lane on the eastern side of the village, which tapers into a track next to the stream just north of the site. The site itself is a paddock raised above the road level on the eastern side of the lane opposite two terraces of cottages on its western side. Immediately to the south is a bungalow. To the north and east are open fields on the edge of the village. The site lies outside the village's development boundary. The lane and the cottages opposite are within the Norton Sub Hamdon conservation area, which encompasses the older and major part of the village. The scene is dominated by the bulk of Ham Hill to the north-east. It has a distinctly rural character.
4. The proposed bungalow would be set at a level about a metre below the current ground level on the site. Whilst this would serve to some extent to minimise any impact it would have on the aspect from the cottages opposite or the bungalow to the south it would fail to preserve the openness of this land on the eastern edge of the village. It would also be at odds with this curving rural lane, which is characterised by mainly vernacular cottages set at road level.
5. The design of the proposed bungalow, although it exhibits some 'eco' features and Ham stone facing, would otherwise be typically suburban in appearance

- and would not match the distinctive vernacular of much of the village and most of the cottages on this lane, including those opposite the site. Its design would be alien to that of the conservation area, which it adjoins.
6. Policy EH1 of the South Somerset District Plan (2006) [LP] states that development in a conservation area or outside such an area but which would affect the settings or views in or out of it, should make a positive contribution to such character and setting. The setting of this part of the Norton Sub Hamdon conservation area includes this open land and the aspect across it from the lane. There are also clear views of the site and the lane from Ham Hill. By building on this open land the proposal would seriously compromise the conservation area's eastern setting.
 7. The proposal would involve slightly moving the current access into the site to the north. The submitted plans do not show a satisfactory visibility splay, which would be required to ensure safe access to and from the site. Although in principle this would be possible, it would necessitate removal of a large part of the bank and hedge to its north and south. This in turn would have a significant detrimental impact on the character of this part of the lane, in spite of the fact that a new hedge could be replanted further back into the site.
 8. Although I acknowledge the appellant's desire to live in the village he grew up in, this is irrelevant to the consideration of this appeal, as is the suggestion that the land will be left to become overgrown and unsightly if this proposal is not allowed. I must determine the appeal on its planning merits, and these constitute the issues set out above.
 9. I conclude, for the above reasons, that the proposal would seriously harm the character of the area and fail to preserve or enhance the character or appearance of the adjacent Norton Sub Hamdon conservation area. It would therefore fail to comply with LP Policy EH1. LP Policies ST5 and ST6 require, amongst other things, development proposals to respect the form, character and setting of the locality and maintain local distinctiveness. Again, for the above reasons, the proposal would fail to comply with these policies. The appellant implies these 'saved' policies are out of date and fail to comply with current national policy. I disagree; they are fully in accordance with the National Planning Policy Framework in terms of its guidance on design and heritage assets.
 10. For the reasons given above I conclude that the appeal should be dismissed.

Nick Fagan

INSPECTOR

Appeal Decision

Site visit made on 4 February 2014

by Nick Fagan BSc(Hons) DipTP MRTPI

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

Decision date: 5 March 2014

Appeal Ref: APP/R3325/A/13/2206933

**Land off Burton Close, Heale Lane, Curry Rivel, Langport, Somerset
TA10 0PG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by West of England Developments (Taunton) Ltd against the decision of South Somerset District Council.
 - The application Ref 13/02709/OUT, dated 3 July 2013, was refused by notice dated 30 September 2013.
 - The development proposed is for residential development.
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Decision

1. The appeal is allowed and outline planning permission is granted for residential development in accordance with the terms of the application, Ref 13/02709/OUT, dated 3 July 2013, subject to the following conditions:
 - 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
 - 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan.
 - 5) Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.
 - 6) The development hereby permitted shall comprise no more than 16 dwellings.

Main Issues

2. The main issues are whether this site is in a sustainable location, and the effect of the proposal on the character and appearance of the area.

Reasons

Location

3. Curry Rivel is a large village with a number of facilities including a variety of shops, a primary school, garage, pub and a number of employment opportunities. The site is on the western edge of the village about a mile or so from most of these facilities, but is linked by a continuous footpath as well as a regular bus service connecting the village to Taunton, Langport and Street where there are a wide range of jobs, shops and facilities. There is a bus stop on the main road less than 200m from the site.
4. The site lies outside the defined development area of the village. Policy ST3 of the South Somerset Local Plan (2006) [LP] states that development will be strictly controlled outside such development area boundaries and the proposal is therefore contrary to this policy.
5. However, the Council, in its Committee report on this application, highlights the fact that it does not currently have a five year housing supply, which invokes the presumption in favour of sustainable development as set out in paragraphs 14 and 49 of the National Planning Policy Framework [NPPF]. Whilst this presumption does not negate Policy ST3, it is a relevant consideration that I must weigh in the balance in terms of the contribution this site can make to housing delivery, including affordable housing.
6. There have been a number of recent housing developments on this side of the village including Chatham Rise and Burton Close to the north-east and south-west of the site, and Westfield on the south side of the main road – the A378. The former two developments are clearly very recent and the appeal site directly abuts them and would give access onto them. The Council has also resolved to grant outline permission for six dwellings on the appeal site¹ very recently.
7. Although I am unaware whether all these recent schemes are located within or outside Curry Rivel's development boundary, this indicates to me that the Council must consider development at this end of the village to be in a sustainable location. This is particularly so because houses on the appeal site would be no further away from the village's facilities than those in Burton Close or Westfield.
8. Given the size and number of facilities in Curry Rivel, the presence of the continuous footpath to them from the site, and the regular bus service and nearby bus stop, I conclude that this site would be in a sustainable location.
9. In concluding this I have also had regard to the fact that Curry Rivel is identified as a village with a reasonable range of facilities in Policy ST2 of the LP. I have also had regard to Policy SS2 of the emerging Local Plan, which also intends to designate Curry Rivel as a Rural Settlement where modest development may be acceptable. Whilst I cannot give this substantial weight,

¹ 13/04224/OUT

in part because of the suspension in the new Plan's Examination process, I consider it is relevant because it shows the Council's intended direction for such larger villages.

Character and Appearance

10. The application is in outline with all matters reserved. However, the Planning Layout submitted with it shows that 16 houses can be accommodated on the site along with an area of public open space. This would equate to a density of 32.6 dwellings per hectare on a 0.49 hectare site. Such a density would be comparable with that on adjoining sites. The Planning Layout drawing illustrates that this amount of houses can be comfortably accommodated on the site and that 16 houses would not result in a cramped form of development.
11. The land rises gently upwards towards Heale and indicated residential development at similar heights to the adjacent dwellings in Chatham Rise would not look out of place in the landscape. The northern edge of the site, where it adjoins the public footpath, is more or less in line with the edge of the development at Chatham Rise and this proposal would in effect 'round off' this western edge of the village.
12. I noticed on my visit that the mature hedges to the north, east and west (Heale Lane) boundaries of the site had been recently pruned but these hedges remain as substantial landscaped features that the developer intends to keep, and such hedges would form a logical stop to development on this edge of the village.
13. The public footpath running along the inside of the northern boundary is shown retained in its existing position in the Planning Layout drawing. In any case the appellant must satisfy rights of way legislation if it wishes to divert this footpath. The detailed alignment of the public footpath can accordingly be determined at reserved matters stage.
14. I am satisfied that a satisfactory means of access can be created to the site off Burton Close at the location indicated on the Planning Layout. Although several residents have pointed out that this access is steep, I note that there are no highway objections to such an access and from my observations I consider this would be quite satisfactory.
15. I conclude that a development of up to 16 houses could be accommodated at a satisfactory density in a way that would respect the form, character and setting of this locality, as required by Policies ST5 and ST6 of the LP.

Other Matters

16. I note that a signed and dated 106 Agreement has been submitted requiring the appellant to make a range of financial contributions to a range of off-site outdoor playing space, sport and recreation facilities in accordance with 'saved' Policies CR2, CR3, ST5 and ST10 of the LP. These contributions have been arrived at by a logical methodology and will fund a range of projects likely to be used by residents of the proposed houses and so these contributions meet Regulation 122 of the *Community Infrastructure Levy Regulations 2010* as well as paragraph 204 of the NPPF.

17. The 106 Agreement also commits the appellant to 50% of the dwellings on the site being affordable. I consider this obligation also weighs in the proposal's favour, especially as the recent scheme for six houses on the site has no affordable element.
18. I note the 23 objections to the scheme from local residents, but consider the main issues are those I have indicated above and none of the other concerns raised lead me to conclude that the proposal is unacceptable.

Conditions

19. The Council suggests a number of conditions are necessary, as set out in its Committee report. I agree these are necessary although I have varied the wording of some of them in the interests of precision. A condition is necessary specifying the location plan of the site for the avoidance of doubt and in the interests of good planning. Details of drainage are required to ensure the site is properly drained. And a condition is necessary stating that the development shall be limited to 16 dwellings in the interests of the character of the area and to ensure that there is sufficient mitigation through necessary off-site contributions.

Conclusion

20. For the reasons given above I conclude that the appeal should be allowed, subject to the above conditions.

Nick Fagan

INSPECTOR

Area North Committee – 26 March 2014

14. 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 – 26 March 2014

Planning Applications will be considered no earlier than 3.00pm

Members of the public who wish to speak about a particular planning item are recommended to arrive for 2.50pm.

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	37	LANGPORT & HUIISH	13/03483/OUT	Outline application for residential development & the provision of access from Wincanton Road.	The Trial Ground, Somerton Road, Langport.	The Lloyds Family Trust
2	59	WESSEX	13/04943/FUL	Change of use of land to 1 No Traveller pitch and associated works etc etc.	Land OS 5937 part, Street Road, Compton Dundon.	Ms E Brown
3	72	WESSEX	13/03983/OUT	Residential development of land for up to two dwellings and formation of new vehicular and pedestrian access.	Land at Laws farm, Middle Way, Compton Dundon.	Mr & Mrs M A Searle
4	82	MARTOCK	14/00020/FUL	Change of use of agriculture to caravan and camping site including formation of new access and erection of pavilion and two WC / wash blocks.	Land adj. Southfork Caravan Park, Parrett Works, Martock.	Mr M Broadley
5	94	TURN HILL	14/00105/FUL	Erection of a detached dwellinghouse with a detached garage/car port, bicycle store and new vehicular / pedestrian access.	Land and buildings adjoining Greystones, Shute Lane, Long Sutton.	Mr & Mrs P Tulk
6	102	TURN HILL	14/00227/FUL	Proposed demolition of existing bungalow, formation of new vehicular access and erection of 2no dwellings (Revised application)	Poplins Barton. Martock Road, Long Sutton.	Mr P Mephram
7	108	TURN HILL	14/00327/FUL	Proposed erection of single storey detached double garage.	Land off Cross Lane, Long Sutton, Langport.	Mr S Pledger

Area North Committee – 26 March 2014

Officer Report On Planning Application: 13/03483/OUT

Proposal :	Outline application for residential development and the provision of access from Wincanton Road. (GR 342616/127443)
Site Address:	The Trial Ground, Somerton Road, Langport.
Parish:	Huish Episcopi
LANGPORT & HUIISH Ward (SSDC Member)	Cllr Roy Mills
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	13th December 2013
Applicant :	The Lloyds Family Trust
Agent: (no agent if blank)	Mrs Catherine Knee, WYG. Hawkrigde House. Chelston Business Park, Wellington TA21 8YA
Application Type :	Major Dwlgs 10 or more or site 0.5ha+

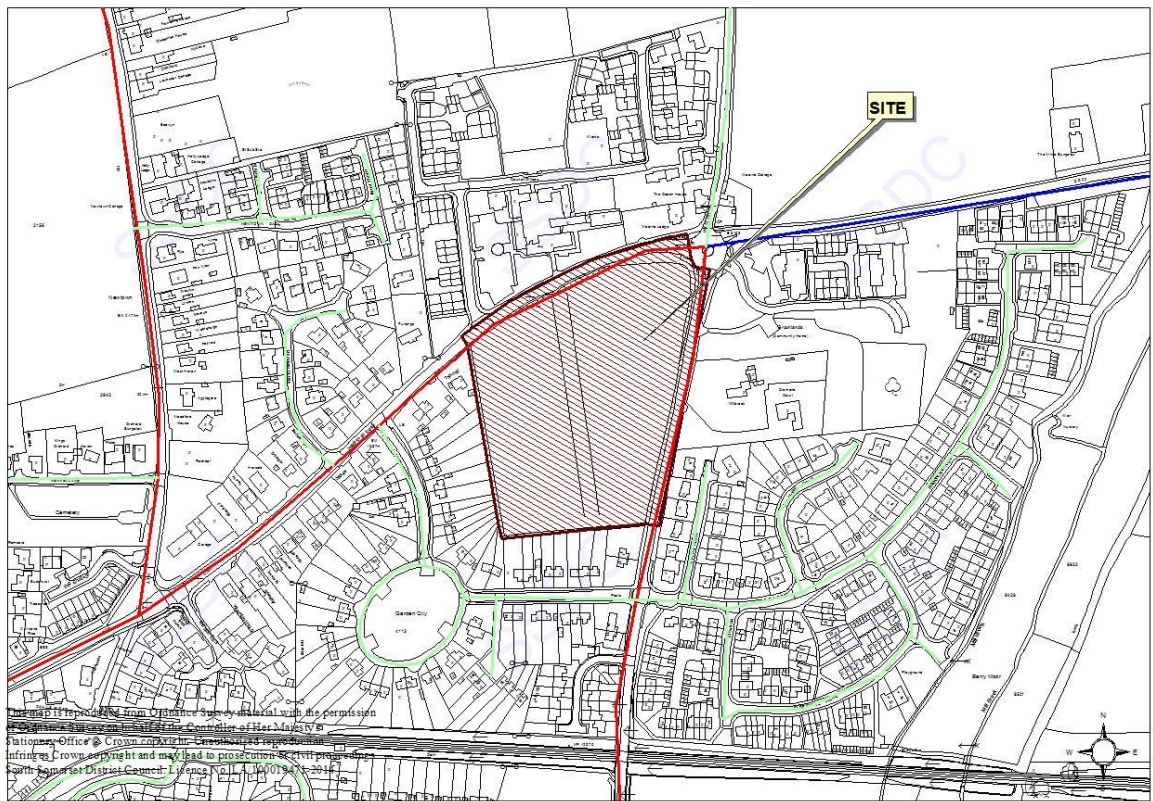
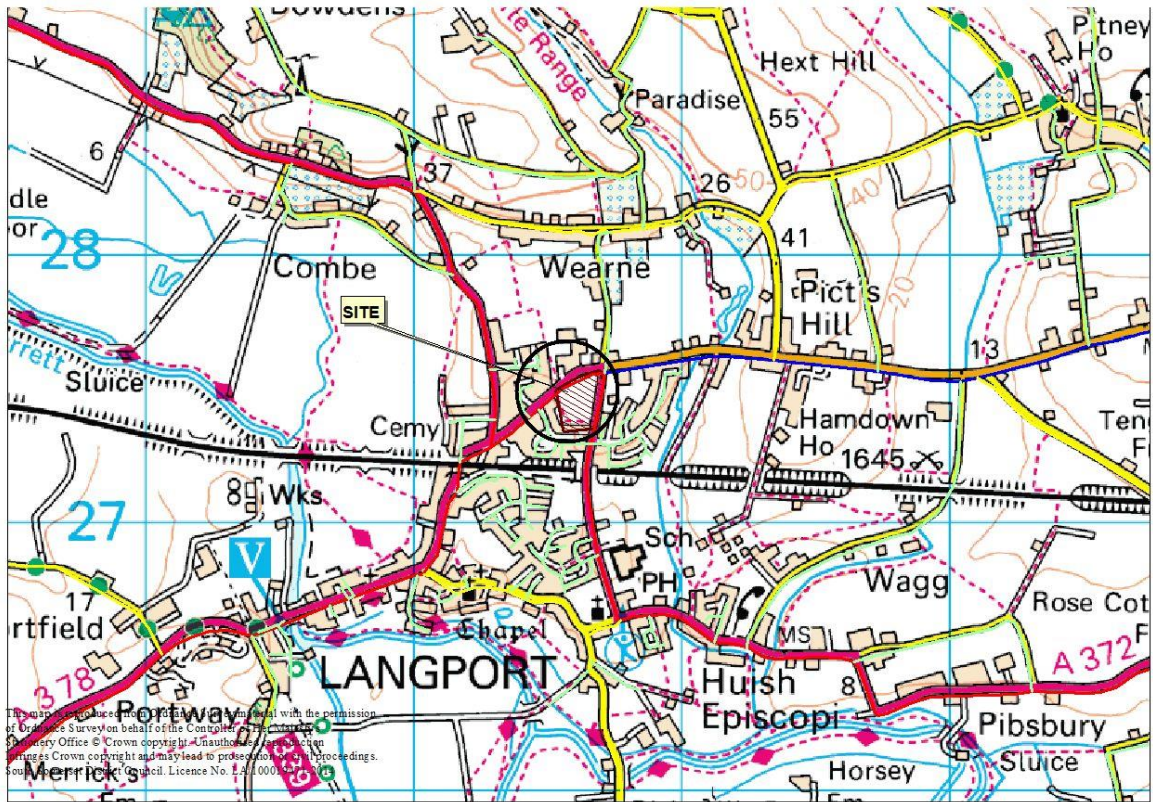
REASON FOR REFERRAL TO COMMITTEE

The application was originally referred to this committee for the reason outlined below. The committee discussed the application on 26th February 2014. The committee resolved to defer the application to allow further discussion/negotiation regarding land offered for community use to be off set against sports, arts and leisure obligations and to establish the value of the land offered for community use. The applicant has declined to have the land independently valued, and have withdrawn the offer of transferring the land to the community in lieu of financial contributions towards sports, arts and leisure obligations. They have confirmed that they will pay the requested contributions. It has therefore been impossible to negotiate further on this point. The application is therefore referred back to committee with the same recommendation as previously. The report has been updated to reflect this new position. The sections of the report dealing with archaeology and the impact on the nearby listed building have also been updated slightly since the application was last considered by this committee, but with no overall change to the recommendation.

ORIGINAL REASON FOR REFERRAL TO COMMITTEE

This application for residential development is recommended for approval as a departure from saved policy ST3 of the South Somerset Local Plan which seeks to constrain development within Development Areas. However, given the Council's current lack of a demonstrable 5 year housing land supply, ST3, as a policy to constrain development, conflicts with the National Planning Policy Framework. Accordingly the application is referred to committee to enable the justification for the development to be considered in light of the issues raised locally.

SITE DESCRIPTION AND PROPOSAL



This application seeks outline permission for the residential development of land. All matters are to be reserved with the exception of access. The site consists of two agricultural fields currently in arable use. The two fields are broadly flat and divided a by

a large hedge made up of a double line of trees. The site is bounded by a variety of residential properties to all sides, with some commercial properties to the north, including a Grade II listed building. The site is not within a development area as defined by the local plan.

It is proposed to provide vehicular access to the site through the eastern boundary from the existing classified highway known as Field Road (A372), with various proposed pedestrian links to the east and north of the site, including a pedestrian crossing over the A372 to the north.

The indicative layout shows the retention of much of the existing hedgerow to the east of the site, additional coppiced planting to the west and south. The layout shows an area of open space to the north of the site.

The application is supported by:

- Design and Access Statement
- Planning Statement
- Statement of Community Involvement
- Ground Conditions Desk Study Report
- Flood Risk Assessment and Drainage Assessment
- Transportation Assessment
- Archaeology and Heritage Desk-Based Assessment
- Extended Phase 1 Habitat Survey Report
- Interim Hazel Dormouse Presence/Likely Absence Survey Report
- Hazel Dormouse Presence/Likely Absence Survey Report
- Bat Activity Survey Report
- Bat Roost Assessment of Trees
- Hedgerow Survey
- Various indicative plans.

Within the Planning Statement it is suggested that an area of land to the south of the railway line, next to the cricket ground, could be offered to a 'Town Trust' as a contribution towards sport and leisure facilities.

HISTORY

- | | |
|----------------|---|
| 13/02232/EIASS | Request for a screening opinion concerning residential development - EIA not required 14/06/2013 |
| 99/00034/OUT | Construction of class A1 retail store with restaurant/café, associated car park, petrol filling station, construction of new access, landscaping and other works - Application withdrawn 23/03/1999 |

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 South Somerset Local Plan.

The policies of most relevance to the proposal are:

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

ST1 – Rural Centre
 ST3 - Development Area
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 ST7 - Public Space
 ST9 - Crime Prevention
 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
 CR4 - Amenity Open Space
 HG7 - Affordable Housing
 EH5 - Setting of Listed Buildings
 EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological Interest.

National Planning Policy Framework

Chapter 4 - Promoting Sustainable Transport
 Chapter 6 - Delivering a Wide Choice of High Quality Homes
 Chapter 7 - Requiring Good Design
 Chapter 8 - Promoting Healthy Communities
 Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
 Chapter 11 - Conserving and Enhancing the Natural Environment
 Chapter 12 - Conserving and Enhancing the Historic Environment

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments
 Goal 4 - Services and Facilities
 Goal 8 - High Quality Homes

Other Policy Considerations

Verrington Hospital Appeal Decision 11/02835/OUT – this established that the Council did not then have a demonstrably deliverable 5-year housing land supply as required by the NPPF (para. 47).

Slades Hill Appeal Decision 12/03277/OUT – on the basis of the Annual Housing Monitoring Report 2012 the Council conceded that it could not demonstrate a deliverable 5 year housing land supply. This was accepted by the Inspector (29/10/13).

The 2013 Annual Housing Monitoring Report to District Executive demonstrates that, as of 31st December 2013 the Council still does not have a demonstrably deliverable 5 year housing land supply. District Executive resolved (06/02/13) to undertake 6 monthly monitoring to keep the situation under continual review.

Nevertheless 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) and 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 Areas) no longer applies in relation to housing or mixed use proposals which should not be refused simply on the basis that they are outside Settlement Limits.

CONSULTATIONS

Huish Episcopi Parish Council - Recognises that the site is a prime location for development but recommends rejection of any estate development applications until specific local sustainability issues have been addressed. They have particular concerns regarding the present sewage and waste water systems, the lack of local employment and the resulting likely congestion, and the provision of medical and dental facilities.

The parish council welcome the offer of the land adjoining the cricket pitch for community recreational use but are dismayed by the suggestion of an additional large Community Infrastructure Levy' unless that will fund facilities on the land. They therefore recommend refusal, but note that if it is permitted the following would be welcome:

- a) Light controlled pedestrian crossings on Somerton Road and on Field Road.
- b) Retention of part of the beech avenue or a similar avenue panting with benches as a reminder of the original.
- c) Consideration given to the provision of bungalows for the elderly or infirm.
- d) Every effort is made to take advantage of the generous offer of land for community recreational use.

Langport Town Council (adjoining town council) - Recommend refusal as there is no evidence that present infrastructure can support further development (particularly sewerage and water services), existing community facilities (Huish Academy, Langport Surgery and Langport Dental) will not be able to cope with additional level of housing, and there is a lack of employment opportunities in the immediate area meaning new residents would have to travel therefore increasing vehicle movements. The town council also express an opinion that there should be approvals of future significant housing developments in Langport and Huish Episcopi until the District Plan has been finalised and approved by the planning inspector.

County Highway Authority - Notes the site is outside the development area, but leaves it to the LPA to determine whether development is acceptable in principle. The highway authority raises no objection to the development subject to conditions to control:

- A construction management plan
- A condition survey of the existing highway
- The disposal of surface water
- The details of estate roads, footways, cycleways, etc.
- Servicing of dwellings with roads prior to occupation
- A drainage scheme
- The implementation of the proposed vehicular access and pedestrian crossing
- A service road
- A network of cycleway and footpath connections
- Parking and turning for proposed dwellings
- The preparation and implementation of a travel plan
- Details of the proposed vehicular access

SSDC Climate Change Officer - Objects to the outline application as it currently stands because the precise road layout does not maximise the opportunity for south facing roof space or garden space.

SSDC Housing Officer - Notes the policy requirement of 35% affordable housing, split 67:33 social rent: intermediate. On the basis of 80 residential units they would require 28 units, of which at least 19 should be for social rent. She proposes the following property mix based on the current Housing Need Register data:

08 x 1 bed
11 x 2 bed
08 x 3 bed
01 x 4 bed

She also states that she would expect the housing to be pepper potted throughout the site, the units design to blend in with other housing, and for 1 beds to be houses or have the appearance of houses. She would also expect the units to meet the minimum space standards as adopted by our approved housing association partners.

SSDC Conservation Officer - Notes proximity of site to listed buildings, but states he is happy with proposed access point away from the frontage with the listed buildings. He notes the indicative layout indicates a soft planting area opposite the listed buildings which is happy with. He states that the indicative layout otherwise needs attention, highlighting vistas along the streets and the position of buildings adjacent to the access.

Natural England - Raises no objection subject to the imposition of a condition to secure the submission and implementation of a detailed mitigation and monitoring strategy in relation to bats and dormice. They note the requirement for a European Protected Species license. They note the applicant's and LPA's duties in relation to local wildlife site, biodiversity enhancements and landscape enhancements.

SSDC Environmental Protection Unit - No observations

SSDC Trees - He states he has no objection to the removal of the parallel double beech hedgerows, notes that the retention of the northern roadside tress is welcome, and states that the indicative planting is promising. He states that the installation of pathways and hard surfacing near retained trees will require a degree of care. He states he has no objections but suggests the use of a tree protection condition.

SSDC Planning Policy - Notes that the proposal is contrary to saved policy ST3 of the adopted local plan but the current lack of a 5 year housing land supply means that there must be significant reasons to object to the scheme. He notes that the site is located within the direction of growth and is consistent with the approximate scale of growth identified for the settlement in the emerging Local Plan. He therefore concludes that he raises no objection, subject to there being no adverse impacts raised by other consultees that would significantly and demonstrably outweigh the benefits of additional housing provision.

SSDC Landscape Architect - He notes that a 2008 peripheral landscape study of Langport/Huish Episcopi found that the site has a high capacity to accommodate built development. Consequently he raises no objection to the principle of development within the site. He notes the indicative layout and states he is supportive of the general approach but suggests it is need of some refinement when worked up to a detailed layout. In this respect he suggests that further thought is given to the definition of the site's entrance and nodal points through built form, the arrangement of open space, along with the treatment and height of the building facades facing the listed buildings. He agrees to the removal of the central beech trees, which he states are structurally poor, and to the retention of the site's best trees as features within the layout. He thinks it unlikely that the hedge was planted as a commemorative feature and in order for it to flourish it would have to be reduced to the point that it would have minimal visual impact.

He is also concerned that its retention would compromise the potential urban design.

He notes the intention to add to the boundary planting, which he states is acceptable providing clear and deliverable management prescriptions form part of the landscape proposal. He suggests the use of a condition to ensure that a detailed landscape proposal comes forward allied to the site layout.

SSDC Community, Health and Leisure - Seeks contributions of £206,605.16 towards local facilities, £95,566.51 towards strategic facilities, £67,586.51 in commuted sums, and £3,697.58 as an administration fee. They note the offer of land in lieu of the requested contributions, but believe that the value of the land for community benefit is likely to be somewhere in the region of £20,000 to £25,000 and would only be prepared to offset contributions if the amount to be offset is fairly related to the value of the land in question.

SCC Education - He states that the local primary school would be likely to be over-crowded taking into account demographic factors alone. It is therefore appropriate for all new development to contribute to meeting the likely shortfall in primary school places. He states that the cost attributed to each primary school place is £12,257. If 80 dwellings are provided this would equate to 16 places, which would mean needing to secure £196,112 or £2,451.40 per dwelling.

Environment Agency - No objections subject to conditions to control the provision and future maintenance of a sustainable drainage system, and notes regarding surface water drainage systems, pollution prevention during construction, and waste management.

Parrett Drainage Board - The Board notes that the site lies outside of its area, but states that any increased surface water run-off will discharge into their area. They state that insufficient definite information has been provided with the application to assess the likely impacts. As such they raise no objections subject to the following condition:

"No development should proceed until the foul, surface water and land drainage proposal have been agreed with the Local Planning Authority in conjunction with the Parrett Internal Drainage Board.

Reason: The application has insufficient information to determine if the drainage matters will be properly addressed. It is therefore not possible to determine if the site will have an adverse impact on flood risk elsewhere which is contrary to principles set out in Section 103 of the national Planning Policy Framework and Section 2 of the Technical Guidance to the National Planning Policy Framework."

SSDC Ecologist - Satisfied with and generally agrees with the conclusions of the various ecological reports and makes the following comments and recommendations:

BATS: Recommends the tree removal measures outlined in submitted report are made the subject of a condition but is otherwise satisfied that bat activity levels do not represent a significant constraint.

NESTING BIRDS: He notes that the removal of the central hedge has a high potential to disturb nesting birds and therefore recommends the use of a condition to control when such works are carried out.

JAPANESE KNOTWEED: Notes the presence of Japanese Knotweed on the site and recommends the use of a condition to secure a scheme for the eradication of the plant from the site.

REPTILES: He recommends the use of an informative regarding the small number of slow worms on the site.

BIODIVERSITY ENHANCEMENT: He recommends the use of a condition to secure measure for biodiversity enhancement in line with the provisions of the NPPF.

DORMICE: He notes that a dormouse nest has been found on site confirming their presence. However he states that the site is too small to maintain a self-sustaining population, and with very poor links to other suitable habitat, the importance of the site to dormice is likely to be very low. He therefore concludes that the proposed development would not be detrimental to the Habitats Regulations test of 'maintaining favourable conservation status'. He states that any section of hedge or shrub could be occupied by a dormouse, so some mitigation will be required. He therefore recommends the use of a condition to secure the submission (at reserved matters stage) and implementation of a dormouse mitigation strategy, and an informative regarding the need for a European Protected Species Mitigation Licence. He notes the local objection to the removal of the central beech hedges, but concludes that such a single species hedge is likely to be of limited value in terms of providing food and supporting dormice. Given the other limitations on the site, he does not regard the presence of dormice as justifying the retention of the beech hedge. He notes that as the development will affect dormice, the committee report must include an assessment against the three Habitats Regulations tests and provides some guidance as to what this involves.

SCC Rights of Way - Confirms presence of a restricted byway abutting the proposed development. Welcomes proposed links onto the existing byway, but notes that these should be discussed with the Rights of Way Team. They state that no works should encroach on the width of the byway. They note the rules and regulations surrounding the use of a restricted byway. They also note the circumstances in which authorisation for the proposed works must be sought from the SCC Rights of Way Group, and when a temporary closure order may need to be obtained.

Wessex Water - Notes that connection to the existing foul sewer will require the provision of a pumping station or access across third party land. They state that the need for downstream capacity improvements will require assessment. They state that there must be no surface water connections to the public sewerage network. They recommend the use of the following condition:

"The development shall not be commenced until a foul and surface water drainage strategy is submitted and approved in writing by the local planning authority and Wessex Water. The drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority."

Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property."

They also note that there is limited capacity available in the water supply network and suggest that network modelling will be required to assess the level of off-site reinforcement required.

Somerset Wildlife Trust - They support the suggested enhancements contained within the submitted survey reports. They state they would also like to see the provision of green corridors to maximise connectivity within the final layout.

SCC Archaeology - No objection to this proposal being granted permission and no further archaeological work is required.

REPRESENTATIONS

Fourteen letters of objection have been received. Nine were from the occupiers of properties in Langport and Huish Episcopi. One from the occupier of a property in Pibsbury, two from the occupiers of properties in Wearne, one with no address given, and one from an agent acting on behalf of the company that owns the Old Kelways complex of buildings. Additionally a petition was received requesting that developers and planners give serious consideration to incorporating the beech avenue into the plans. The petition was signed by 99 people from a variety of addresses across the nearby area.

Objections were raised on the following grounds:

Principle of Development:

- Current infrastructure (schools, doctor's surgery, dentists, community nurses, sewage system) is inadequate and problems will be exacerbated by the development.
- The area has already contributed enough towards meeting housing targets.
- Why is all the development in Huish Episcopi rather than Langport?
- Houses will be to provide a 'dormitory' facility for Yeovil, Taunton and Bridgwater.
- There will be little benefit to residents of Huish Episcopi/Langport. Contributions should be towards local facilities, not facilities in Yeovil.
- There is a limited market for new houses in the local area.
- The parish council is being 'bribed' by the offer of land, which would serve little practical purpose and could be sold to Railtrack if a stopover is created nearby. Such a scheme could be a threat to the Cricket Club.
- As an outline permission the developers would not be restricted to just 80 houses. It is likely that to maximise profits the development would be at a higher density.

Highways:

- The site is close to the A372, which skirts the site on two sides, and as such safety issues could be caused.
- The safety of the students who walk along Field Road could be affected.
- Traffic is already heavy and will be made worse. The estimate of 40 additional cars is ludicrously low. It is unlikely that public transport will be used in such a rural location.
- The proposal will create a hazard for the residential properties opposite the proposed junction.
- Street lighting is currently inconsistent and therefore hazardous.
- Other hazards are ignored in the submitted report.
- Vehicular traffic should not be off Field Road but off the existing island (roundabout).
- The proposal indicates access from Wincanton Road, but the plans show access from Field Road.

Residential Amenity:

- There should be substantial planting to form a buffer between the site and the properties in Garden City.
- Proposed pedestrian access will have an adverse impact on objector's residential amenity by way of noise, due to youngsters gathering and from pub users, and through light pollution.
- Currently no light intrusion into objector's property, development will undoubtedly change that.
- Privacy will be invaded.

Visual Amenity:

- Street lighting can cause considerable light pollution and should be controlled.
- Loss of one of the last remaining green sites (the last field in Field Road).
- Only the southern portion of the site is suitable for development in order to preserve the setting of the listed buildings at old Kelways.
- The site is a gateway to Langport and more attention should be paid to preserving the northern part of the site and the design of the proposed dwellings.

Other Matters:

- Property values in the area could be lowered.
- The perimeter hedge has historical significance and its retention should be investigated before it is too late.
- The central hedge line has historical significance (being planted to commemorate a royal occasion), is a carefully designed landscape feature, and should not be lost.
- The central hedge is a haven for wildlife and should be retained.
- If the development is allowed the central hedge should be returned to its 'former glory' as a promenade.
- Existing hedges and trees around the perimeter of the site should be retained as a setting for the listed building opposite.
- The submitted plan is plotted incorrectly as a large extension on 17 Garden City is not shown.
- There is no Statement of Community Involvement, Planning Statement of detailed Heritage Impact Statement. As such, proper consideration cannot be given to these areas.

APPLICANT'S CASE

"The relevant Development Plan is out of date so the National Planning Policy Framework (the Framework) carries significant weight in respect of the application.

The Framework confirms that where a Development Plan is out of date there is a presumption in favour of sustainable development where there is no conflict with any other of its policies and where any adverse impacts of a development do not significantly and demonstrably outweigh the benefits.

Recent appeal decisions indicate that a five year housing land supply, as required by the Framework, cannot be demonstrated. The emerging Local Plan also confirms that Langport is suitable location for new housing and least 85 new dwellings will be required.

The development proposals are considered to be a sustainable form of development on the basis that they will deliver a mix of housing to meet a local and identified need.

The proposals would not conflict with any policies in the Framework and would not give rise to any impacts that would significantly and demonstrably outweigh the benefits.

The submitted technical reports that accompany the application and planning reasons identified in this statement demonstrate that the proposed development is acceptable in planning terms.

The Framework confirms that planning permission should be granted for sustainable developments, such as that proposed, given the fact that the Council cannot demonstrate a five-year supply of deliverable housing sites. Using the definition of sustainable development within the Framework, the development performs strongly in respect of social and economic environmental roles."

CONSIDERATIONS

The main areas of consideration are considered to be:

- Principle of Development
- Flooding and Drainage
- Sewerage and Water Supply
- Highways
- Visual Amenity
- Residential Amenity
- Ecology
- Planning Obligations
- Trees and Hedges
- Infrastructure and Facilities
- Archaeology

Principle of Development

It is accepted that the site is located outside the defined development area of Langport/Huish Episcopi, where residential development is normally strictly controlled by local and national planning policies. However in a recent appeal decision in relation to a residential development at Verrington Hospital in Wincanton (11/02835/OUT) a planning inspector concluded that SSDC cannot demonstrate a deliverable 5-year land supply as required by paragraph 47 of the National Planning Policy Framework (NPPF). More recently (29/10/13) the Inspector at the Slades Hill, Templecombe appeal (12/03277/OUT) concluded that the Council was still unable to show a five- year land supply.

In such circumstances, the NPPF advises that policies for the supply of housing should not be considered up to date (para 49). Housing applications must therefore be considered in the context of the presumption in favour of development. Accordingly, policy ST3, which seeks to limit development outside settlement limits, can no longer be regarded as a constraint on residential development simply because it is outside development areas.

The Council's position in light of this decision is that sites outside, but adjacent to current settlement boundaries, may be acceptable in principle for residential development subject to there being no other significant objections on other grounds. This stance reflects two considerations. Firstly the development areas were drawn around the larger villages and settlements that were considered to be sustainable locations where development was seen as acceptable in principle. In Langport's case the previous local plan designated the town as a Rural Centre (ST1) and appropriate for development given the:-

"...generally superior service provision, better accessibility, generally better employment opportunities and capacity in terms of both physical and community infrastructure to absorb further development..." (para. 2.48)

Secondly it acknowledges that the emerging local plan designates Langport/Huish Episcopi as a Market Town capable of accommodating at least 85 additional dwellings up to 2028 (policy SS5, Proposed Submission of Local plan, June 2012). It is not proposed to allocate sites at this stage; rather it would be a case of responding to each proposal on its merits. This reflects the fact that Langport/Huish Episcopi contains a variety of shops, services, facilities, and employment opportunities and is a sustainable location for residential development.

The 80 dwellings proposed by the current scheme, taken with the 36 allowed at appeal at Newtown (13/00314/OUT) and the 25 approved to the rear of Badger Cottage (13/03115/OUT) exceeds the 85 dwellings identified for Langport/Huish Episcopi up until 2028 through the emerging plan (policy SS5), however, it should be noted that this figure is the minimum requirement identified for the settlement and not the maximum. It is considered that Langport's role and function as a Market Town makes it suitable, in principle, to absorb further housing growth to that identified. In this instance the additional housing proposed through the current scheme is not considered to be disproportionate in scale bearing in mind the settlement's role, function and size.

It is considered that this position is consistent with the advice of the NPPF, which 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.

On this basis, and notwithstanding the various objections from the parish council and neighbouring occupiers in relation to principle, it is considered that the principle of the residential development of this site is acceptable and the application therefore falls to be determined on the basis of its impacts. It is considered that the proposal would not set any kind of undesirable precedent.

Flooding and Drainage

The Environment Agency, the Parrett Drainage Board, and Wessex Water have been consulted as to the potential flooding impacts of the development and the proposed surface water drainage scheme. They are all content with the principle of the scheme, subject to the imposition of various conditions and informatives on any permission granted. The site is located within the Environment Agency flood zone 1 and is therefore not considered to be an area at risk of flooding. Therefore, subject to the imposition of suitable conditions on any permission issued, it is considered that the proposed development would not increase the risk of flooding to existing properties in accordance with the aims and objectives of the NPPF and the local plan. The drainage proposals are considered to be adequate subject to conditions to secure further details.

Sewerage and Water Supply

Concerns have been raised regarding the adequacy of the local sewerage and water supply network. Wessex Water has indicated that there are potentially issues in regard to both of these factors. However, they are content that these issues can be adequately controlled through the imposition of a suitable condition on any permission issued, and that financial contributions can be secured using the Water Industry Act 1991.

Highways

Concerns have been raised by neighbouring occupiers, and the parish and town councils regarding the potential impact of the proposed development on the surrounding highway network, in regard to traffic generation and highway safety. The county highway authority was consulted as to these impacts and all highway aspects relating to the development. They have assessed the impact of the proposal including the submitted transport assessment. They have concluded that there is no traffic impact grounds for a recommendation of refusal, subject to the imposition of certain conditions on any

permission issued.

Accordingly, whilst local concerns are noted, it is considered that the proposed access arrangements and local highway network are capable of accommodating the traffic generated by the development without detriment to highway safety. As such the proposal complies with saved policies ST5, TP1 and TP4 of the local plan.

Parking provision and other matters of detail (footpaths etc.) would be assessed at the reserved matter stage and need not be conditioned at this stage as requested by the highways officer.

It has been pointed out by a local objector that the description of development indicates that access will be derived from Wincanton Road, whilst the submitted plans indicate that the access will derive from Field Road. There has clearly been error in the description of development, but the submitted plans make it completely clear where the proposed access will be located.

The parish council have stated that light controlled pedestrian crossings on Somerton Road and Field Road would be welcome. However, whilst they may be welcome they are not considered necessary to make the development acceptable. As they have not been proposed by the applicant it would therefore be unreasonable to insist on their provision.

Visual Amenity

Concerns have been raised regarding the impact of the proposal on the character of the area and the setting of the nearby listed buildings. The SSDC Landscape Architect and the SSDC Conservation Officer were consulted as to the visual impacts of the scheme. The landscape architect noted that the application site was evaluated as having a capacity for development in the peripheral landscape study of Langport/Huish Episcopi carried out in 2008, and concluded that there is no landscape issue with the principle of developing the site for housing. He had some concerns as to the detailed design, but was satisfied that these could be satisfactorily resolved at the reserved matters stage and through the imposition of a suitable landscaping condition. A neighbouring occupier has also suggested that the double hedge feature should be returned to its 'former glory' as a promenade. It is considered that these matters should be considered as part of any reserved matters application.

The site is located in close proximity to a Grade II listed building. As such, the conservation officer was consulted and he has carefully considered the impact on the character and setting of that building. He has reviewed the information submitted by the applicant in relation to this impact. He indicated that he is content with the principle of the scheme, and that he is happy that the site can be developed for residential purposes without causing significant adverse impact on the setting of the listed building. He did indicate that he had some concerns as to the indicative layout, but these would have to be resolved at the reserved matters stage. The LPA has therefore had special regard to the desirability of preserving the setting of the listed building in accordance with its duties.

On this basis, and subject to the agreement of a suitable design and appropriate landscaping measures at the reserved matter stage, it is considered that the proposal complies with saved policies EH5, ST5, ST6 and EC3 and would not have such a harmful impact that permission should be withheld on the grounds of visual amenity. The various concerns of the neighbouring occupiers regarding the impact of any development on the visual amenity of the area have been considered but are not considered to outweigh the conclusions of the SSDC Landscape Architect and the SSDC Conservation Officer as to the visual impacts of the scheme.

Residential Amenity

Concerns have been raised by the occupiers of neighbouring properties regarding the potential impacts of the development on their residential amenity by way of loss of privacy, light pollution, and noise generated by users of the footpath shown on the indicative layout plan. However, subject to the consideration of the layout at reserved matters stage it is not considered that the development of this site would give rise to any loss of privacy to any existing residents in these areas. The indicative layout shows a pedestrian access at a particular point. However, the layout is indicative only and as such the impacts of a possible pedestrian access on residential amenity should be considered at the reserved matters stage. There will inevitably be some impact from increased lighting levels when moving from a completely un-developed site to a residential estate. However, it is considered that the detail of any lighting can be adequately controlled at the reserved matters stage, so as to prevent the harm being significant enough to warrant refusal of the scheme.

The occupier of a neighbouring property has requested that there should be substantial planting to form a buffer between the site and the properties in Garden City. However, detailed consideration of whether such a buffer is necessary is best left to the reserved matters stage.

It can therefore be concluded that the proposed development will not cause demonstrable harm to the residential amenity of adjoining occupiers in accordance with policy ST6 of the South Somerset Local Plan.

Ecology

Concerns have been raised in relation to the impact of the proposal on local ecology, in particular in relation to the potential loss of the central hedgerow. Natural England, the SSDC Ecologist, and the Somerset Wildlife Trust all made comments in relation to this aspect. All three support the findings of the submitted ecological reports and none raise any concerns regarding the principle of the development. All refer to specific improvements that can be incorporated into the design of the scheme, but these are considered to be matters best dealt with as part of any reserved matters application. A survey has been submitted that found evidence of dormouse activity on site. The SSDC Ecologist is satisfied that the site is too small to maintain a self-sustaining population, and with very poor links to other suitable habitat, the importance of the site to dormice is likely to be very low. The presence of dormice on the site does mean that the development must be assessed against the three Habitats Regulations tests. The tests are:

1. the development must meet a purpose of 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'
2. 'there is no satisfactory alternative'
3. the development 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

The ecologist has indicated that he is satisfied that test 3 is satisfied and that broad interpretation of tests 1 and 2 would be appropriate and proportionate in this case. In terms of test 1 the development will be providing approximately 80 residential units (a number of which will be affordable) in a time of national housing shortages. The development is therefore considered to be imperative for reasons of public interest. In regard to test 2 the applicant has submitted a document demonstrating in what ways they have considered the development against the test, demonstrating that 'there is no

satisfactory alternative'. Their submission rests heavily on the argument that South Somerset cannot demonstrate a five year housing land supply and that the land is within the identified direction of growth for Langport/Huish Episcopi. However, they have clearly demonstrated that reasonable steps have been taken to minimise the impacts of the development on dormice, and have considered the 'do nothing' scenario. The second test is therefore considered to be met.

As such, notwithstanding the concerns raised, the proposal is considered not to have an impact on local ecology or protected species significant enough to warrant refusal of the scheme in accordance with policy EC8 of the South Somerset Local Plan and the aims and objectives of the NPPF.

Planning Obligations

- Sport, Art and Leisure - a contribution of £373,455.77 (£4,668.20 per dwelling) has been sought. The applicant has offered an area of land in their ownership to the local community in lieu of these contributions. However, the SSDC Community, Health and Leisure department has made it clear that they would only be prepared to offset the contributions by an amount that fairly represents the value of the land (which they put at £20,000 - £25,000 in the absence of any evidence from the applicant as to its value). The applicant has indicated that they would prefer to pay the contributions and keep the land than accept an offset to the value of the land placed on it by the Community, Health and Leisure department, or to argue a higher value for the land. Therefore, whilst it is recognised that Huish Episcopi Parish Council have a desire to obtain the land in question for the community, the £373,455.77 offset sought by the applicant is not considered reasonable by the Community, Health and Leisure department of SSDC. As such, the full contribution will be sought.
- Affordable Housing - whilst the housing officer requests 28 affordable houses this is an outline application with all matters reserved. The application seeks permission for approximately 80 dwellings, however the actual number would be finalised at the reserved matters stage. At this point the S106 agreement should oblige the developer to provide at least 35% of the dwellings as affordable with a tenure split of 67:33 in favour of rented accommodation over other intermediate types.
- Travel Plan - the developer needs to agree the content of the Travel Plan as part of a S.106 agreement.
- Education - A contribution of £196,112 (£2451.40 per dwelling) towards primary school places is sought towards the shortage of places that the proposed development would generate.
- A monitoring fee of 20% of the application fee is sought

Accordingly, 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.
- Secure the agreed contribution towards education.
- Ensure that 35% of the dwellings units are affordable and remain so in perpetuity.
- Provide an appropriate Travel Plan.

- Secure the agreed monitoring fee.

The applicant has agreed to these obligations, and the proposal would therefore comply with saved policies ST5, ST10, CR2 and HG7 of the local plan.

Trees and Hedges

Much concern has been raised regarding the potential loss of the double row of beech hedges that currently traverses the site. However, firstly, it should be noted that the whilst the submitted layout plan show the removal of this feature, the layout is only indicative and the loss of the hedgerow is by no means certain if the current application was approved. Secondly, the SSDC Tree Officer and the SSDC Landscape Architect were consulted directly about the possible loss of beech hedges. Both confirmed that the hedges are structurally poor and neither raised an objection to their loss. The landscape architect pointed out that there is no evidence that the trees were planted for any sort of commemorative purposes and therefore puts little store in the cultural significance argued by the objectors. He further argues that their retention could significantly compromise the urban design of the site, thereby detracting from the setting of the nearby listed buildings and the wider character of the area. Finally, it must be taken into account that, as the beech trees have been considered for but concluded as not worthy of a tree preservation order, they could be removed tomorrow with no further reference to the planning system. It must therefore be concluded, notwithstanding the concerns of the objectors and parish council, that the potential removal of this landscape feature should not constrain the development of the site. A neighbour has raised similar concerns regarding the historical significance of the perimeter hedge. However, there is no evidence to suggest that the perimeter hedge is of any historic or cultural significance.

The tree officer is content with the approach taken to the trees and hedges on site, subject to a condition to secure suitable protection measure for the retained trees and hedges, including the three with preservation orders at the northern end of the site.

Infrastructure and Facilities

A number of concerns have been raised regarding whether Langport/Huish Episcopi has the necessary infrastructure and facilities to cope with the proposed development. However such concerns are not supported by technical consultees or service providers and, where necessary, details can be conditioned. No service supply issues (e.g. education, healthcare etc.) have been identified in Langport/Huish Episcopi by the local plan process and the emerging local plan indicates that at least 85 houses can be provided in Langport/Huish Episcopi without significant adverse impact on the settlement's infrastructure. Indeed no critical infrastructure issues relevant to this development are identified by the Council's Report on Infrastructure Planning in South Somerset. As discussed above a contribution towards education provision has been sought and agreed by the applicant.

Archaeology

The County Archaeologist has reviewed the submitted information in relation to archaeology and indicated that further evaluation of the site was required prior to determination, involving trial trenching and a metal detecting survey. On inspection of the further work, the County Archaeologist confirmed that he had no objection to the proposal being granted permission and confirmed that no further archaeological work is required.

EIA

The requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 have been considered. A screening and scoping assessment was carried out in accordance with the regulations. The screening opinion issued by the LPA was that, given the nature of the site and the type of development proposed, the development will not have significant environmental effects and that no environmental statement is required for the purposes of environmental impact assessment.

Other Matters

The application site is classified as Grade 2 agricultural land, which, along with Grade 1 and Grade 3a, is considered to be the best and most versatile agricultural land. Paragraph 112 of the NPPF states that:

"Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality."

In this case, although the fact that the land is of a higher quality tells against the scheme, it is only one consideration amongst many, and is not considered to outweigh the benefits of the scheme.

A concern has been raised the new houses will be to provide a dormitory to Yeovil, Taunton and Bridgwater. However, Langport/Huish Episcopi is considered to be sustainable location for new development in its own right with access to employment opportunities and public transport. As such, there is no reason to assume that new development would automatically serve as dormitory accommodation to the nearby larger settlements. It has been further argued that there is a limited market for new houses in the local area. However, it is clear that there is national and district wide shortage of housing that this development would help to alleviate.

A concern has been raised that there will be no benefits to the residents of Huish Episcopi and Langport from the proposed scheme. However, the scheme will consist of 35% affordable housing and will attract significant contributions towards local and strategic leisure facilities.

A concern has been raised that the offer of land is a 'bribe' to the parish council to accept the scheme, and the land in question could later be sold to Railtrack, which would be threat to the nearby Cricket Club. However, the parish council have still objected to the proposed development despite the offer of land. In any case, such an offer cannot be considered as a 'bribe' but instead a perfectly legitimate planning matter if it offered a tangible community benefit. In this case the recommendation is not to accept the offer, as the value of the land is not considered to outweigh the substantial offset being sought by the applicant. It would depend on the use of the land as to whether it posed any sort of threat to the functioning of the nearby Cricket Club, and the use of the land in question cannot be determined as part of this scheme regardless of whether the offer of land is accepted.

It has been argued that as the permission is outline only the developer would not be restricted to just 80 houses, and that it is likely that development would be at a higher density to maximise developer profits. A condition to ensure that the development is not carried out a higher density than currently indicated is considered to be appropriate in this case, due to the sensitive location of the site.

A concern has been raised that the development could lower adjoining property values. However, in this instance any effect on property values is not a material consideration.

A neighbour has raised a concern that the submitted plans have been plotted incorrectly as they do not show the presence of a large extension to the rear of 17 Garden City. It is not considered that this omission is significant to the consideration of this outline scheme.

The parish council have indicated that the provision of bungalows for the elderly or infirm would be welcome if the application was to be approved. This is a matter best considered at the reserved matters stage, but can be drawn to the applicant's attention by way of informative on any consent issued.

Finally an objector has pointed out that no Planning Statement, detailed Heritage Impact Statement, or Statement of Community Involvement were submitted with the application. However, both a Planning Statement and a Statement of Community Involvement were submitted. They were posted to the public file sometime into the application process, but a new consultation process was carried out to ensure that all interested parties were aware of their existence. No detailed Heritage Impact Statement has been submitted, but heritage aspects are considered to be adequately discussed in the Planning Statement and the Design and Access Statement.

Conclusion

Given the Council's lack of a five year housing land supply and the site's location adjacent to the settlement limits of Langport/Huish Episcopi, it is considered that, in principle, it is a sustainable location for development. No adverse impacts on the landscape, ecology, drainage, residential amenity or highway safety have been identified that justify withholding outline planning permission and all matters of detail would be adequately assessed at the reserved matters stage or by the agreement of details required by condition. The applicant has agreed to pay the appropriate contributions.

Therefore, notwithstanding the various concerns raised, the proposed development is considered to be in accordance with policies EH5, ST3, ST5, ST6, ST7, ST9, ST10, EC3, EC8, EU4, TP1, TP2, TP4, TP7, CR2, CR4, EH12 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 application reference 13/03483/OUT be approved subject to:-

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-
 - 1) Secure a contribution of £4,668.20 per dwelling towards the increased demand for outdoor playing space, sport and recreation facilities to the satisfaction of the Assistant Director (Wellbeing).
 - 2) Ensure at least 35% of the dwellings are affordable with a tenure split of 67:33 in favour of rented accommodation over other intermediate types, to the satisfaction of the Corporate Strategic Housing Manager.

- 3) Provide for Travel Planning measures to the satisfaction of the County Highway Authority with the agreement of the Development Manager and fully implemented in accordance with the agreed details.
- 4) Secure a contribution of £2451.40 per dwelling towards primary school places to the satisfaction of Somerset County Council.
- 5) Provide for a S.106 monitoring fee based on 20% of the outline application fee.

b) The following conditions:

Justification

01. Notwithstanding the local concerns, the provision of approximately 80 houses in this sustainable location would contribute to the council's housing supply without demonstrable harm to the setting of the nearby listed building, archaeology, residential amenity, highway safety, ecology or visual amenity, and without compromising the provision of services and facilities in the settlement. As such the scheme is considered to comply with the saved policies of the local plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The site hereby approved for development shall be as shown on the submitted location plan A081486[C]drg01 revision B received 16 September 2013.

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

02. Details of the appearance, landscaping, layout and scale (herein after called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

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

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

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

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

05. No work shall commence on any dwelling on the development site hereby permitted until the access/off-site highway works shown generally in accordance with Drawing Number LGPS/Lloyd/Langport/RTB/SK04 and LGPS/Lloyd/Langport/PR/SK02 (Annex G) have been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

06. The development hereby permitted shall not be brought into use until that part of the service road that provides access to it has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

07. No part of the development site hereby permitted shall not be commenced until details of proposed parking spaces for any proposed dwelling and properly consolidated and surfaced turning spaces for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

08. No development shall take place until detailed plans have been submitted to and approved in writing by the Local Planning Authority (in conjunction with the local highway authority) relating to line, level and layout of the access road junction and its means of construction and surface water drainage. The approved access road junction shall be laid out constructed in accordance with the requirements of a Section 278 Agreement under the provisions of the Highway Act 1980.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

09. No development shall commence until a surface water drainage scheme for the site, based on the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

10. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To ensure adequate adoption and maintenance and therefore better working and longer lifetime of surface water drainage schemes.

11. Prior to the commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a tree & hedgerow protection plan and an arboricultural method statement relating to retained trees & hedgerows within or adjoining the site, shall be submitted to and agreed in writing with the Council and they shall include the following details:
- the installation and locations of protective fencing, root protection areas & construction exclusion zones clearly detailed upon a tree & hedgerow protection plan and;
 - details of special tree & hedgerow protection measures for any required installation of built structures, below-ground services and hard surfacing within the root protection areas of retained trees & hedgerows.

Upon approval by the Council, the measures specified within the agreed tree protection plan and the arboricultural method statement shall be implemented in their entirety for the duration of the construction of the development and the required terms of the tree planting scheme.

Reason: To secure the planting and establishment of new trees and shrubs, and to preserve the health, structure and amenity value of existing landscape features (hedgerows & trees) in accordance with the objectives within saved Policy ST6 (The Quality of Development) of the South Somerset Local Plan 2006 and those statutory duties as defined within the Town & Country Planning Act, 1990 (as amended)[1].

12. Details of a dormouse mitigation plan shall be submitted with any future reserved matters application. The works shall be implemented in accordance with the approved details and timing of the mitigation plan, as modified to meet the requirements of any 'European Protected Species Mitigation Licence' issued by Natural England, unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of legally protected species of recognised nature conservation importance in accordance with Policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

13. The measures with regard to tree removal detailed in section 4.2 (Bat Roost Assessment Of Trees, WYG, 9 September 2013) shall be fully implemented if any trees are to be removed to accommodate the development hereby approved.

Reason: To protect protected species in accordance with policy Ec8 of the South Somerset local Plan.

14. The development shall not commence (specifically including any site clearance or ground works) until a scheme for the eradication of Japanese Knotweed from the site has been submitted to, and approved in writing, by the local planning authority. The approved scheme shall be implemented in full unless otherwise agreed in writing.

Reason: For the protection of amenity of future owners/occupiers of the site and neighbours, and to ensure compliance with The Wildlife and Countryside Act 1981 (as amended).

15. As part of any reserved matters application details of measures for the enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with NPPF.

16. The residential development hereby approved shall comprise no more than 80 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location and commensurate with levels of contributions sought in accordance with ST5, EH5, ST6, ST10 and EC3 of the South Somerset Local Plan.

Informatives:

01. You are reminded that the County Highway Authority have requested that a Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development will have to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
02. You are reminded of the contents of the Parrett Drainage Board's letter of 08 October 2013 which is available on the council's web-site.
03. You are reminded of the contents of the Environment Agency's letter of 15 October 2013 which is available on the council's web-site.
04. You are reminded of the comments of the Council's Climate Change Officer dated 27 September 2013 which is available on the council's web-site.
05. You are reminded of the comments of the parish council indicating that the provision of bungalows for the elderly or infirm would be welcome.
06. Before this development can commence, a European Protected Species Mitigation Licence (under The Conservation (Natural Habitats, &c.) Regulations 2010) will be required from Natural England. You will need to liaise with your ecological consultant for advice and assistance on the application for this licence. Natural England will normally only accept applications for such a licence after full planning permission has been granted and all relevant (protected species) conditions have been discharged.
07. Reptiles (particularly slow worms) are present on the site and could be harmed by construction activity, contrary to legislation (Wildlife and Countryside Act 1981), unless appropriate precautionary measures are employed. Suitable measures could include appropriate management of the vegetation to discourage reptiles away from areas of risk, reptile exclusion fencing, and/or translocation of animals from the site. An ecological consultant should be commissioned to undertake further reptile specific survey and provide site specific advice.

Area North Committee – 26 March 2014

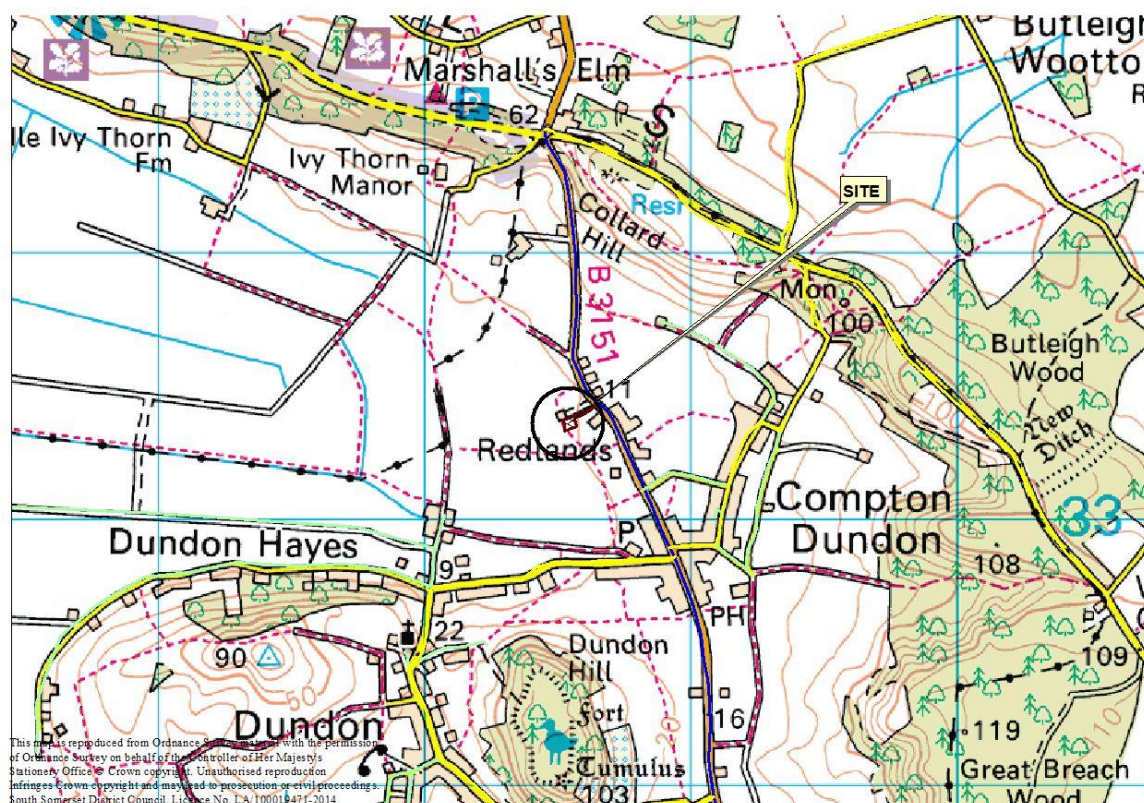
Officer Report On Planning Application: 13/04943/FUL

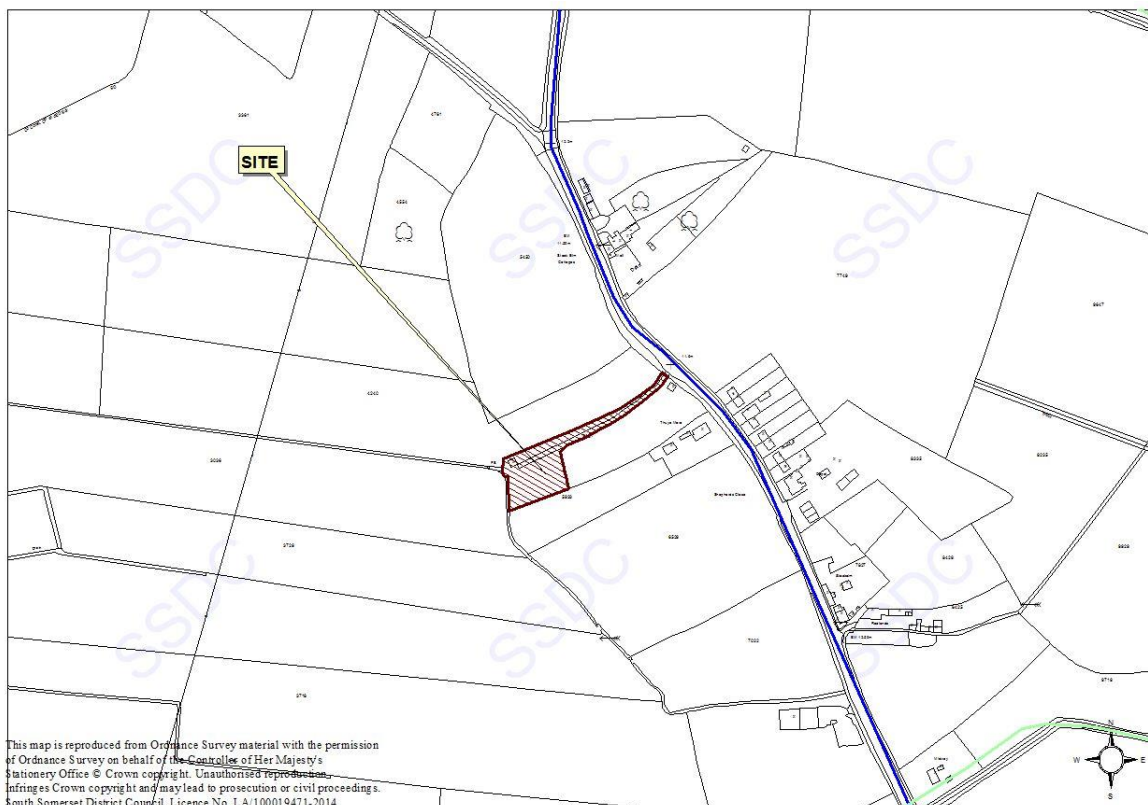
Proposal :	Change of use of land to 1 No Traveller pitch and associated works comprising 1 No mobile home; 1 No Touring Caravan; 1 No ISO container; 1 No shed; 1 No compost toilet and a polytunnel; use of shed and land for siting/storage of domestic items; access and associated hardstanding (GR 348655/133428)
Site Address:	Land Os 5937 Part, Street Road, Compton Dundon.
Parish:	Compton Dundon
WESSEX Ward (SSDC Members)	Cllr P Clarke Cllr D J Norris
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	17th February 2014
Applicant :	Ms E. Brown
Agent: (no agent if blank)	Dr Simon Ruston, The Picton Street Centre, 10-12 Picton Street, Montpelier, Bristol BS6 5QA
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee at the request of the Ward Member and Area Chair, to ensure full discussion of the detail and public interest in the application.

SITE DESCRIPTION AND PROPOSAL





The site is located approximately 0.5 Km north of Compton Dundon, on the west side of the B3151 (Street Road). It comprises the rear portion (approx. 2000 sq m) of a field, set back 200m from the highway. The field is bordered by hedging and surrounded by open agricultural land. On the land to the south of the site a bungalow is sited adjacent to the highway. The bungalow is some 200m from the eastern edge of the site. There is a ribbon strip of dwellinghouses on the east side of Street Road, across the road from the bungalow.

Permission is sought (partially retrospective) for the creation of a single, permanent traveller pitch, with the siting of 1 Static Caravan (Mobile Home) , 1 Touring Caravan, 1 ISO container, 1 storage shed, a composting toilet and a polytunnel.

HISTORY

No relevant recent history.

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 decisions 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 South Somerset Local Plan.

The policies of most relevance to the proposal are:

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

ST3 - Development Areas
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EC3 - Landscape Character
 HG11 - Long term gypsy /traveller sites.

National Planning Policy Framework (March 2012):

4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
11. Conserving and enhancing the natural environment

Policy-related Material Considerations

Planning Policy for Traveller Sites (PPTS) - Communities and Local Government, March 2012

South Somerset Sustainable Community Strategy

Somerset County Council Parking Strategy, March 2012 and September 2013.
 Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: Recommends refusal for the following reasons:

1. *Policy EC3: The Parish Council believes the site is in a visually sensitive location being easily viewable from properties at Stockelm (east of the site), from public footpath L7/30, from footpaths on the Polden Hills and from Public Access land at Lollover Hill. The proposal introduces adverse visual impact into the countryside surroundings.*
2. *Environmental sustainability - apart from the above comments there are serious questions regarding waste disposal and flooding. A composting toilet is deemed totally unacceptable in a location where due to the high water table, cesspits have historically been proven not to work and to contaminate local water courses affecting livestock. Contrary to assertions in the application a water course runs to the west of the proposed site.*
3. *No mention is made of mains electricity on the site and concern was raised about the 24 hour use of generators and related safety, noise, fire, fuel leakage and exhaust pollution risk of regular use.*
4. *Highways - contrary to various statements access to the site is not particularly safe bearing in mind the volume and average speeds recorded at the bend north of the access point. The Parish Council notes all accidents throughout the village whether reported to the police or not. To the immediate north of the access there have been three accidents in the last 6 months and 2 fatalities in the past. Safety officers have recently attended a meeting with Councillors at the location to determine how to avoid further incidents.
 The proposed site itself does not appear to have a sufficient turning circle since vehicles are reversing onto the main road.*
5. *GTAA - Information from SSDC indicates that the District has fully met assessed Traveller Housing Needs in the area.*

6. *Integration with the local community - This is an invasive development being pushed through as retrospective planning. Footpath L7/30 is already obstructed by soil spoil heaps and a stile has been damaged.*

Comments are also made, as follows:

1. *A pitch can consist of up to 2 accommodation units. These need to be specifically identified in the application and other potential accommodation units removed from the site. It is requested that permitted development rights be removed and any changes including substitution, removal or addition including accommodation units be subject to planning application.*
2. *No subsidiary business activities should be allowed on the site and therefore the Council questions the need for a 40ft "blue" shipping container.*
3. *The application should be personal to the applicant, for use only by the applicant and their immediate dependants.*
4. *That the polytunnel be used exclusively for horticulture.*
5. *That landscape be protected by ensuring the hedge to the northern boundary is maintained to the existing shape and height and that the container, horse boxes, caravans and vehicles be screened from all aspects.*
6. *No impediment should be made to users of the public footpath - soil spoil heaps should be removed from the footpath and dogs should be restrained.*

Highways Authority: *The level of available visibility is commensurate with the standard laid down in the Manual for Streets document published in March 2007. As such I can see no reason to refuse the application on highway safety grounds. The officer confirmed that, on checking the accident records, he is satisfied that there are no accidents within 100m of this site access which would raise a concern of highway safety that would warrant a refusal of the application.*

SSDC Area Engineer: Drainage issues have been checked, and there are no objections to the proposal.

SSDC Landscape Officer: The Landscape Officer has provided a detailed assessment of the impact of the proposal on the local landscape. In summary, his view is:

In summary, I can offer you grounds for a landscape objection to this proposal, as set out above. However, this is not a heavily-weighted objection, and I am aware that there is a district-wide need for pitches for the gypsy and travelling community. Should the policy view consider this site to be suitable in meeting that need, then I can advise that the landscape objection is not necessarily of such weight as to over-ride that view. However, that is with the proviso that an acceptable level of mitigation can be achieved.

Subsequent to this consultation response, the applicant has submitted details of a landscape mitigation scheme that are acceptable to the Landscape Officer. This mitigation can be secured by condition.

SSDC Environmental Protection Unit: No objection.

SSDC Planning Policy: *In September 2013 Dr Jo Richardson of De Montfort University in partnership with John Bloxson finalised the Gypsy and Traveller Needs Assessment Update for the Somerset Local Planning Authorities. This update builds upon the Somerset Gypsy and Traveller Accommodation Assessment carried out in 2010 (Final edit published January 2011) and identifies need up until 2032. With regards to residential pitches the report identifies that against the requirement for 10 additional pitches between 2010 and 2015 (GTAA, 2011) South Somerset District Council has delivered 12 pitches therefore exceeding identified need by 2. Since publication of the*

update report 2 further pitches have been approved at appeal (personal permission - permanent).

In the light of this updated evidence Proposed Main Modification 8 of the recently published Proposed Main Modifications Consultation Document (November 2013) proposes to amend emerging Local Plan Policy HG7 by identifying that site allocations will be made to accommodate at least 23 residential pitches (from 2013 onwards), 10 transit pitches and 6 Travelling Showpeople plots over the plan period to 2028 in order to meet identified need.

Environment Agency: *In regards to this application there is no mapped flood zone, so your drainage engineers would advise on any local flood risk issues. In regards to the composting toilet these are not regulated under the Environmental Permitting Regulation (except for the potential spreading on compost on land) so this would principally be an environmental health matter. In summary no reason for the EA to comment.*

SSDC Licensing Officer: If approved, the site would require a caravan site licence.

SSDC Rights of Way Officer: *I object to this development and would recommend refusal on the grounds LP policy EC3ii. If you are minded to grant permission then I would recommend that the western boundary is enhanced with additional appropriate planting to screen both immediate views from the footpath and more distant ones from the higher ground. The applicant also owns the field to the west so the common hedgerow would be in their control. I do not know who owns the remnant hedges around the application site which have not been managed for some decades. I would recommend additional planting within the field boundaries and in the vicinity of the structures.*

SSDC Solicitor: The confidential evidence submitted by the applicant has been assessed against case law and current policy and legislation. The Solicitor is of the view that the applicant can be regarded as enjoying traveller status for purposes of the application.

Wessex Water: Water supply can be provided; existing water mains are located within the blue-line part of the applicant's land. Advisory notes to applicant - no building permitted over water mains without agreement of Wessex Water.

REPRESENTATIONS

26 letters of representation have been received. 25 of these object to the application, raising the following concerns:

- the access is unsafe and will present a highway safety risk;
- parking/turning area needs to be kept clear to ensure safe exit from the site;
- accident and speed monitoring statistics endorse the highway safety concerns;
- the applicant's traveller status is queried;
- there are environmental health concerns about the siting and layout; also the safety of the occupants in relation to fire risk, etc;
- the accuracy of submitted layout and site details is queried;
- there will be noise concerns for occupants of the site (related to the highway);
- the Council's quota of traveller pitches has been met, and therefore there is no justification for the proposal;
- the site might be occupied by further travellers in future;
- the composting toilet does not appear to comply with building and other regulations, and represents an environmental risk; the sewerage and drainage arrangements are

inadequate;

- the proposal harms the landscape and local setting;
- visual amenity from the highway and adjacent footpath will be harmed;
- there are inadequate local facilities, such as schools;
- the applicant's dogs cause a nuisance and raise highway and other safety issues;
- a retrospective application is not considered acceptable - there are objections to the occupation of the site without the necessary permission;
- light, noise and water pollution could result from the proposal;
- the site is not stock proof;
- there is concern that public access and use of the public footpath will be compromised;
- the LPA's capacity to monitor the site and enforce conditions is queried;
- an unnecessarily large amount of storage space is applied for;
- there is a concern about the scale of business proposed on the site.

One letter of support has been received, from the charity 'Friends Families & Travellers', dealing with the personal circumstances of the applicant's family, and recommending approval of the application.

CONSIDERATIONS

'Planning Policy for Traveller Sites' (March 2012) sets out Government guidance on consideration of traveller applications. Apart from setting out the need for Planning Authorities to make long term provision for traveller sites, guidance is also given for the determination of planning applications:

Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites*
- b) the availability (or lack) of alternative accommodation for the applicants*
- c) other personal circumstances of the applicant*
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites*
- e) that they should determine applications for sites from any travellers and not just those with local connections*

This should be read in tandem with saved Policy HG11 of the Local Plan, which supports traveller sites in rural locations provided that:

1. Vehicle Movements, noise, fumes or any subsidiary business activities would not harm the residential amenities of neighbouring dwellings or the character of the area.
2. The site is reasonably well related to schools and other community facilities.
3. No serious highway problem would result.
4. The site includes the following facilities:
 - A refuse collection point.
 - Access to a drinking water supply.
 - A satisfactory means of sewage disposal/ management and surface water disposal.
 - Hard-standing for living vehicles and ancillary parking spaces.
 - A defined safe play area for children.

The main considerations, therefore, are:

- Whether the applicant meets the definition of a gypsy/ traveller (Annex 1 to the guidance),
- The need for sites
- Alternative sites
- Impact on residential amenity,
- Accessibility to services and facilities
- Highway issues,
- On site facilities
- Character and appearance

Applicant's Circumstances

The Planning Guidance for travellers is inclusive, and does not focus specifically on gypsies or Irish or other traditional groups. It is appropriate for the LPA to clarify the status of an applicant in such a case, in terms of the definition within the guidance, and case law. In this instance, confidential evidence submitted by the applicant in support of her case included:

- a personal statement of the applicant, with reference to her partner and offspring;
- further response to questions raised by the case officer and SSDC Solicitor;
- various supporting original documents: letter from Midwife; reference letter;
- photographs;
- letter from Brithdir Mawr Housing Co-operative;
- Statutory declaration by former fellow-student and long-term acquaintance

The Council's Solicitor has assessed the evidence submitted and commented as follows:

It appears that the applicant has travelled for economic purposes for a significant portion of at least the last 10 years. The majority of her moving from place to place has been to find/take up work, and she has links with other members of the traveller community. Although she will soon have two young children whose health & educational needs will have to be taken into consideration, she does not appear to have permanently abandoned the nomadic habit. She still accompanies her partner regularly on the journeys he makes in relation to work (taking opportunities to sell her own products at the same time), and they attend "many" horse fairs and traveller gatherings.

In response to a letter from *Friends Families and Travellers* the Solicitor notes that this document carries significant weight, and together with the various items submitted corroborates the applicant's contention that she lives a travelling lifestyle within the terms of the definition set out in the NPPF.

Current Need for Traveller Sites

As summarised in the Policy Officer's comments above, current provision for traveller sites, whilst exceeding the original assessment of need, is below the assessed need in the medium to longer term. A provision of 23 residential pitches is being considered necessary from 2013 onwards.

Alternative Sites

The Council has two sites with pitches available to travellers. These are well used and subject to waiting lists. There is no immediate availability of a suitable pitch on one of these sites. Other pitches are privately owned and used. There is not considered to be any alternative available site for the applicant within the District. Under these

circumstances, the advice in the Planning Policy for Traveller Sites requires that *the locally specific criteria which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites.*

Impact on Residential Amenity

The site is set back from the highway, and at a distance of 200m from the nearest dwelling. The proposal is for siting of a single family, with any ancillary business activity limited to storage within the container on site. The site is well screened by hedges, which can be improved and maintained by condition. The access point is not adjacent to a dwellinghouse. Whilst concerns about residential amenity have been raised by local residents, it is not considered that any demonstrable harm can be shown that would warrant refusal of the application.

Accessibility to Services and Facilities: Sustainability

Policy HG11 of the Local Plan and the NPPF and Traveller policy anticipate that traveller sites are likely to be located in rural areas. Such sites should, therefore, be acceptable, in principle, provided that they are within reasonable, not necessarily walking, distance of local services and facilities. Compton Dundon is poorly served by local services, the school having recently closed, with a pub in the village. However, the site is on the B3151, and enjoys access to a good bus service (Service 377) linking Compton Dundon to facilities in Street (distance approx 3 Km) or Somerton (distance approx 5.5Km) - although the bus stop is some 600m from the site. Whilst this is not ideal, the site is not considered so remote that it would justify refusal of a traveller site on the basis of creation of an unacceptable number of private vehicle trips. It is helpful to consider the approach taken by Planning Inspectors in this regard, who take a broad view of sustainability, and who acknowledge that traveller sites are essentially different from traditional housing, in that they are expected to be located in rural areas, and that acceptable levels of travel to services can be greater. In a recent case (January 2014) in Devon, the Inspector noted:

The appeal site is in the countryside adjacent to the A3052 about half way between Exeter and Sidmouth which are both about 12 kilometres away. There is a filling station and small general store 200 metres to the east. A wider selection of fresh food and groceries is available at the Greendale Farm Shop on the main road some 2 kilometres to the west, with supermarkets in Sidmouth and on the fringe of Exeter where there is also a park and ride for the city centre. There are general practitioner health services in Ottery St Mary (8 kilometres) and Woodbury (6 kilometres) and a primary school in Woodbury Salterton (3 kilometres). Exeter itself is a major service and employment centre with a regional hospital. The appeal site would therefore be within a reasonable drive time of a good range of services.

He went on to conclude:

unlike conventional housing, a gypsy caravan site is acceptable in rural settings. Even so the PPTS advises that gypsy site development in open countryside that is away from existing settlements should be strictly controlled. In this instance I do not consider the site is so isolated from nearby settlements as to conflict with this objective. I am also satisfied that the sustainability criteria for access to health and education referred to in paragraph 11 of the PPTS would be met.

It is noted that sustainability rests on three aspects (as set out in the NPPF): economic, social and environmental. When considering sustainability in these broader terms, not just in terms of travel distances the site is considered to represent a sustainable option

for the applicant, being reasonably located in relation to a number of nearby larger villages and towns. It also raises other advantages, in that the applicant would have a settled base to operate from, reducing future harm of moving to other, possibly unauthorised localities. It would enable her family to attend schools and medical facilities on a reliable and regular basis.

For purposes of Policy HG11 and the Planning Policy for Traveller Sites, the site is considered to be reasonably well located in relation to schools (secondary and primary schools in Street; primary school in Somerton), and local medical and other facilities, and to represent broadly sustainable development in principle.

Highways Issues

Many comments have been made on the safety of the access to the site. These comments have been referred to the Highways Authority, and a highways officer has visited the site and reviewed the available accident data. His recommendation is set out above. Given the scale of the proposal, and the detailed layout of the existing access, it is not considered that there is any highway safety reason for refusal of the application, subject to appropriate conditions.

On-site Facilities

Many of these issues have been referred to in representations received. As set out in Policy HG11, the following categories can be considered:

- **refuse collection:** as this is only a single family domestic site, the issue of storage of refuse on site can be secured by condition;
- **water supply:** mains water is available
- **sewage disposal and surface water management:** no objections are raised by the EA, the Council's Engineer or EPU in relation to the proposed measures for dealing with these issues; the sewage and drainage management measures are considered acceptable;
- **hardstanding:** this has mostly been provided on site, and is shown on the layout plan; the details, which are for only a single family site, are considered acceptable; hardstanding for living vehicles can be secured by way of condition;
- **play area:** this is a single family residential site, and the area provided within a fenced off residential area is considered acceptable as safe playing area for children.

Character and Appearance of Locality

Whilst the site is essentially outside the local settlement, it is capable of being screened, and is in a position well set back from the public highway. It is not poorly related to existing development (the nearby bungalow and houses to the east of that). The Council's Landscape Officer has raised concerns about the general impact on the character of the setting. However, he has concluded that, should the site be regarded as generally acceptable as a traveller site, mitigation measures are capable of integrating the site into the landscape without undue harm. The applicant has submitted a detailed scheme of planting (new planting along the eastern edge of the site, with enhancement of existing hedging) which is considered to provide sufficient screening and enhancement. The level of identified harm, after these mitigation measures, is not considered sufficient to warrant refusal of the application.

Pollution

It is not considered that the scale of the application represents a serious threat from a

pollution point of view (whether water, air, light or noise). Any of these aspects would be subject to separate legislation should serious breaches occur. However, a condition relating to external lights is proposed to cover unnecessary lighting at night.

Comments by Rights of Way Officer

These comments relate essentially to landscape issues which have been dealt with above. The proposal does not interfere physically with the footpath, which is on a field adjacent to the site. The issue of improving the hedge has been dealt with by the Landscape Officer and can be addressed by condition.

Parish Council Comments

These detailed comments have been carefully considered and are largely addressed in the report above. Additional comments:

- Electricity supply: the use of generators would be subject to the usual environmental and other controls under separate legislation; the choice of electricity supply is not considered to represent a planning concern that needs to be dealt with at this stage, or that would suggest refusal of the application.
- Highways: these issues have been referred to the Highways Authority who remain of the view that the access to the site does not represent an unacceptable highway safety hazard.
- Traveller Housing Needs: there is no minimum quota for traveller sites; with no additional pitches available, any additional requirement for a site is in itself evidence of a need which government policy requires to be dealt with in terms of the Planning Policy for Traveller Sites.
- Point 6 of the Council's comments: retrospective applications have to be considered on their planning merits.
- Number of Units: This is proposed to be covered by condition.
- Business Activities: The container is the only portion of the site required for business storage and is proposed to be conditioned as such.
- Personal Permission: The site is sought as a traveller site, and good practice should seek to retain it as such in perpetuity; for this reason, a person permission is not considered appropriate.
- Polytunnel: Possible use for storage is proposed to be covered by condition relating to the whole site.
- The public footpath: This is separately controlled, and is outside of the application site.

Representations

The issues raised by neighbours and local residents have been carefully considered against the policy background relating to traveller sites. Most of the issues have been dealt with above. However the following comments are relevant:

Safety of Occupants: The site will require a site licence, which controls issues relating to fire and other safety concerns.

Submitted Layout: The submitted layout is what is under consideration for approval. It does not necessarily reflect what has been observed on site.

Quota of Sites: Whilst the Council sets targets for the provision of traveller sites, these are not a 'quota' which then removes the Council's obligation either to provide additional sites or to consider applications for sites as they come forward. On this latter point, the guidance is clear: sites that come forward should be considered in terms of Government Policy and the appropriate locally applicable policy (i.e. the Local Plan, Policy HG11).

Future Activities on Site: This is not planning consideration; any future development

would require planning permission in its own right.

Dogs: Issues relating to management of the applicant's dog(s) is not a planning consideration.

Retrospective Application: Regardless of the application being retrospective, it has to be considered on its planning merits. The application has been submitted to seek regularisation of a breach of planning control. Any enforcement action would be dependent on the outcome of the application.

EIA Regulations

Not relevant.

Conclusion

The proposal would serve an immediate need for accommodation for a traveller (as defined within the government guidance set out in the PPTS) and her family where no suitable alternative has been identified. Notwithstanding the concerns and objections of local residents and the Parish Council, it is not considered that the proposal raises any highways or residential amenity reasons for refusal that could be sustained. Landscape concerns and other site specific concerns are capable of being overcome by appropriate mitigation measures secured by condition. The site is considered to be capable of sustainable use in terms of policy set out in government guidance and the Local Plan. The application is recommended for approval.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Grant permission.

01. The proposal represents a sustainable development that serves an immediate need for accommodation for a traveller family where no suitable alternative has been identified. Notwithstanding the concerns and objections of local residents and the Parish Council, the proposal causes no highway safety or residential amenity harm, and, subject to appropriate mitigation, respects the character and appearance of the local setting, in accordance with the aims and objectives of the NPPF, Planning Policy for Traveller Sites, and Policy HG11 of the South Somerset Local Plan, 2006.

SUBJECT TO THE FOLLOWING:

01. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of the Planning Policy for Traveller Sites (March 2012).

Reason: In the interests of sustainable development and to comply with the aims of the document Planning Policy for Travellers and Policy HG11 of the South Somerset Local Plan, 2006.

02. There shall be no more than 1 pitch on the site, and no more than 2 caravans, as defined in the Caravan in the Caravan Sites and Control of Development Act 1960

and the Caravan Sites Act 1968 as amended, shall be stationed at any time, of which only 1 caravan shall be a static caravan.

Reason: In the interests of sustainable development and to accord with the NPPF and Policy HG11 of the South Somerset Local Plan, 2006.

03. No external lighting shall be installed or erected on the site unless as part of a scheme, details of which have been submitted to and approved in writing by the Local Planning Authority. The scheme of lighting should seek to minimise external lighting and avoid spotlights particularly any visible from the public highway. Once approved, such lighting shall only be erected and used in accordance with such scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the character of the area and in the interests of preventing light pollution in accordance with Policies EH1, ST6 and EP3 of the South Somerset Local Plan, 2006.

04. The parking and turning areas shown on the submitted site layout plan ref.J327/08 shall be kept clear and used only for the parking and turning of motor vehicles.

Reason: In the interests of highway safety and to ensure that vehicles leave the site in forward gear, in accordance with the aims of Policy ST5 of the South Somerset Local Plan, 2006.

05. At the proposed access there shall be no obstruction to visibility greater than 300mm above adjoining road level within the visibility splay shown on the submitted plan (to the south west of the access) - Drawing No J327/02 rev B. Such visibility splay shall be constructed and cleared within three months of the grant of this permission and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and to ensure that vehicles leave the site in forward gear, in accordance with the aims of Policy ST5 of the South Somerset Local Plan, 2006.

06. Within three months of the date of this permission, details of all hard surfaces and hardstanding, including hardstanding to be established under vehicles used for residential accommodation, shall be submitted to and approved in writing by the Local Planning Authority. Such details, once approved shall be fully implemented within six months of being approved, and thereafter retained and maintained.

Reason: To safeguard the amenity of the area and to accord with Policy HG11 of the South Somerset Local Plan, 2006.

07. During the first planting season following the grant of this permission, the agreed scheme of landscape mitigation planting received by email on 28 February 2014 shall be fully implemented. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out and any trees or plants which within a period of five years from the completion of the planting 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: To safeguard the character and appearance of the area, and to accord with the NPPF and Policies ST6, EC3 and HG11 of the South Somerset Local Plan, 2006.

08. No part of the site other than the storage container hereby approved shall be used for business purposes or commercial storage of any kind.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies ST6 and HG11 of the South Somerset Local Plan, 2006.

09. Prior to the placement of a storage container on the site, details of the design and materials of the cladding and roof to be applied to the container shall be submitted to and approved in writing by the Local Planning Authority. Such details, once approved, shall be fully implemented and thereafter retained and maintained.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies ST6 and HG11 of the South Somerset Local Plan, 2006.

Informatives:

01. The applicant's attention is drawn to the requirement to apply for a caravan site licence. Contact Martin Chapman at the District Council Offices, Yeovil, telephone 01935 462508.
02. The applicant's attention is drawn to the comments of Wessex Water set out in their letter dated 21 January 2014, which can be viewed on the Council's website under the application number.
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Area North Committee – 26 March 2014

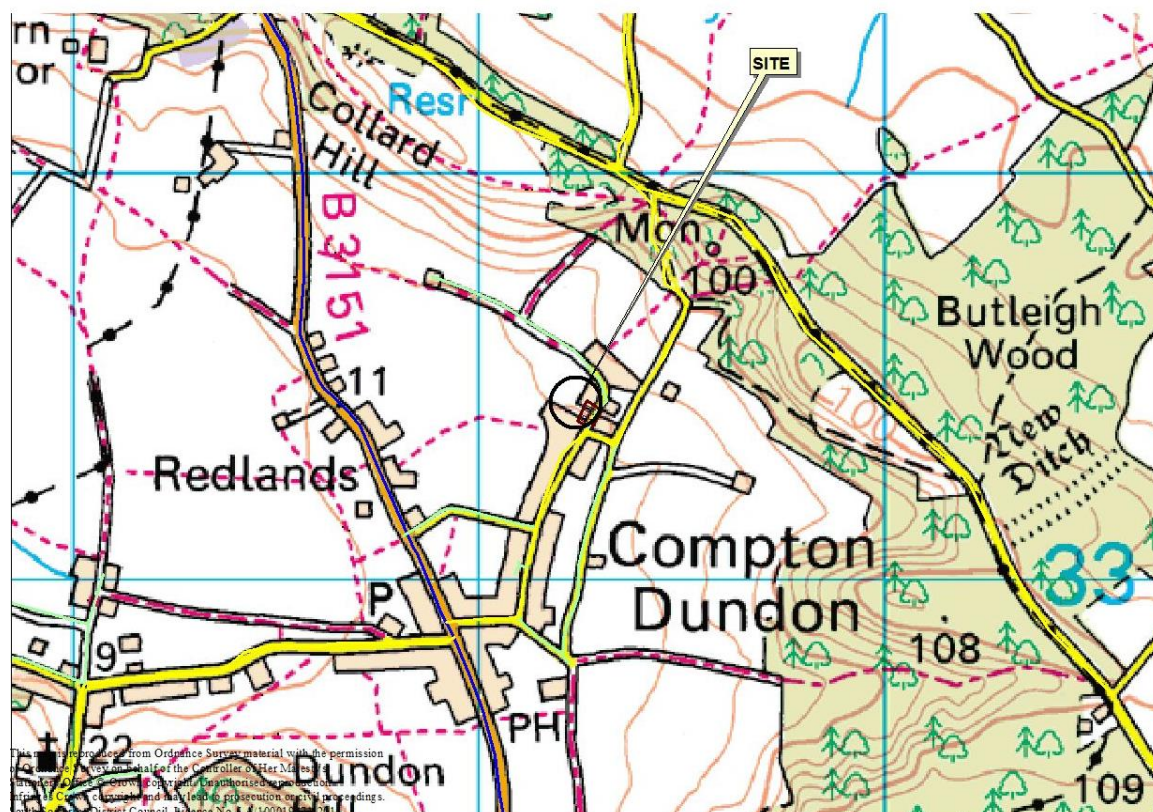
Officer Report On Planning Application: 13/03983/OUT

Proposal :	Residential development of land for up to two dwellings and formation of new vehicular and pedestrian access (GR 349211/133309)
Site Address:	Land At Laws Farm, Middle Way, Compton Dundon.
Parish:	Compton Dundon
WESSEX Ward (SSDC Members)	Cllr Pauline Clarke Cllr David Norris
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	2nd December 2013
Applicant :	Mr And Mrs M A Searle
Agent: (no agent if blank)	Mr Diccon Carpendale Wessex House, High Street, Gillingham, Dorset SP8 4AG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE:

This application for one dwelling is outside settlement limits is referred to committee as a departure from the saved policies of the local plan.

SITE DESCRIPTION AND PROPOSAL





This application is seeking outline planning permission, with all matters reserved, to establish the principle to erect up to two dwellings on this site. The application as originally supported sought the erection of up to four dwellings however during the application the applicant requested that the description be amended for the erection of up to two dwellings.

The application site is located outside but immediately adjacent to the development area as defined by the South Somerset Local Plan and is situated adjacent to residential properties to the south, north and east.

The land to the west is agricultural and previously operated as a pig and poultry holding however a pre-existing legal agreement (which formed part of application 04/03166/FUL which relates to the redevelopment of barns at Laws Farm to four dwellings) restricts the use of the old pig and poultry units from accommodating livestock of any kind.

The site comprises a small agricultural paddock that is raised up above the lane to the east and the residential barn conversion scheme to the south and retained by natural stonewalls on these sides with a post and rail fence above. The land is also raised up above the ground floor level of the adjacent neighbouring house to the north. There is an existing vehicular access located towards the southeast corner of the site and leads on to Middle Way lane the east. There is a row of conifer trees growing along the west boundary as well as mature tree and shrub planting on adjacent land to the west and north. The group of trees growing immediately to the northwest are protected by a Tree Preservation Order (TPO)

The neighbouring property immediately to the north, known as Tudor House, as well as the original farmhouse at Laws Farm to the south, are both grade II listed.

RELEVANT HISTORY:

Application site:

790523: (Outline) Erection of two detached dwellings with garages. Refused 1979 for the following reason:

"The proposal constitutes an over intensification of development on this site which is also partly occupied by an existing septic tank drainage system, thus proving injurious to the amenities of the locality and not in the interests of public health."

86119: (Outline) Erection of a dwelling and formation of a new vehicular access. Permitted 1970.

72367: (Outline) Erection of a bungalow and private garage and formation of a vehicular access. Permitted 1965.

Adjacent site to south (Laws Farm):

04/03166/FUL: Conversion of existing barns to four dwellings and garages. Permitted 2005.

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 South Somerset Local Plan. The policies of most relevance to the proposal are:

ST3 - Development Areas
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EH5 - Development Proposals Affecting the Setting of Listed Buildings
 EC3 - Landscape Character
 EC7 - Networks of Natural Habitats
 EC8 - Protected Species
 EP1 - Pollution and Noise
 EP5 - Contaminated Land
 EU4 - Water Services
 TP1 - New Development and Pedestrian Movement
 TP7 - Car Parking

National Planning Policy Framework:

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
 Part 12 - Conserving and enhancing the historic environment

OTHER POLICY CONSIDERATIONS:

Verrington Hospital Appeal Decision 11/02835/OUT - this established that the Council did not then have a demonstrably deliverable 5-year housing land supply as required by the NPPF (para. 47).

Slades Hill Appeal Decision 12/03277/OUT - on the basis of the Annual Housing Monitoring Report 2012 the Council conceded that it could not demonstrate a deliverable 5 year housing land supply. This was accepted by the Inspector (29/10/13).

The 2013 Annual Housing Monitoring Report to District Executive demonstrates that, as of 31st December 2013 the Council still does not have a demonstrably deliverable 5 year housing land supply. District Executive resolved (06/02/13) to undertake 6 monthly monitoring to keep the situation under continual review.

Nevertheless 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) and 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 Areas) no longer applies in relation to housing or mixed use proposals which should not be refused simply on the basis that they are outside Settlement Limits.

CONSULTATIONS

Compton Dundon Parish Council: Recommend approval subject to a condition to restrict the number of dwellings to two. They also made the following observations:

- A detailed proposal will be required for soil retention along with north-south line between the western edge of the covenanted land and the proposed development;
- Access may be an issue since agreement will be required from the owner of the southern wall for its lowering to meet defined visibility splays.

County Highways: Raised no objection to the principle of the development and referred to their standing advice which sets out the need for visibility splays of 43m in either direction and an appropriate level of parking and turning to serve each dwelling.

Environmental Protection: No observations. I understand that the agricultural site adjoining Middleway is subject to a section 106 agreement preventing further agricultural housing of animals.

Landscape Officer: (Latest comments) No objection.

Since the initial submission we have discussed potential changes with the planning agent that has evolved toward the latest indicative plan offered in support of this outline proposal. Whilst I am still not convinced by the site being appropriate for development, I acknowledge that the latest plan has gone some way to lessen the impacts upon both the roadside wall; the setting of the listed building; and the retention of open space to the fore of the plots, as indicated on drawing 10189-5 revision D. The stepping of the roof level also assists in breaking-up the scale of the proposal, and whilst this element can be more positively fine-tuned, at this outline stage I am content that the principle is established to inform the detailed design of any potential reserved matters application. Consequently, the over-riding landscape objection is withdrawn.

(Earlier comments)

I see that my concerns relating to this proposal, i.e.; the loss of an open pasture field that is a component of local character; similarly the disruption of the street's enclosing stone wall; the introduction of a suburban courtyard into a rural fringe location; the erosion of the open setting to the listed building; and the likelihood of potential dominance of the listed building by the aggregated forms of development proposed here, are comparable to points that have already been raised by Greg Venn's response. I concur with his view that these are potential adverse effects upon local character, and the adjacent listed building, which are likely to arise from the form of development being proposed, and suggest there to be clear grounds for refusal, LP policies ST5 para 4, and EH3

Conservation: (Latest comments)

Whilst I retain some concerns over the principle of development here I have read and agree with the Landscape Officer's comments.

(Initial comments)

This is an important open space in the street scene. It is not appropriate just to fill the remaining gap in a street. The character shown is not in the vernacular of farm buildings in that it is three buildings formed loosely around what will inevitably be a highway standard access and turning space for cars and larger vehicles.

With regard to the listed building the statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' (section 16). Advice on the consideration of setting is given in "The Setting of Heritage Assets" produced by English Heritage. This indicates that "development (that) is capable of affecting the contribution of a heritage asset's setting to its significance or the appreciation of its significance, it can be considered as falling within the asset's setting. English Heritage therefore recommends that local planning authorities should not interpret the concept of setting too narrowly". The proposal is immediately adjacent to the listed building and is clearly within its setting. The character of the setting is an open field which will be lost by the development next to it. I cannot see clear and convincing justification here which overrides the great weight that should be given to the assets conservation, or providing a positive improvement to the historic environment, as required by the NPPF.

Ecology: No objection. Recommends an informative relating to slow worms.

Arborist: No objections. The mature walnut growing close to the site is diseased and is likely to be short-lived. Recommend that the cypress hedge growing along the western boundary is removed if possible and replaced with something more appropriate or at least reduced in height to a maximum of 2m. Would like to see a high quality planting scheme included at reserved matters stage.

REPRESENTATIONS

Written representations have been received from nine separate households within the village raising the following concerns:

- The application is contrary to the NPPF and Policies ST6 and EH5 of the SSLP.
- The site is outside limits and should remain so.
- This could set a precedent for further development in the area.
- Over development.
- Cramped form of development that will be out of keeping with the rest of the village.
- Loss of an important open green space.

- Unsympathetic and out of keeping with the rural character of the area.
- All the surrounding properties occupy large plots.
- Harmful impact upon the setting of listed buildings including Tudor Cottage, Laws Farmhouse, Lilac Cottage, Lamperts and Trays Farmhouse.
- The application does not recognise that the application site is considerably higher than the floor level of Tudor House.
- This is the oldest part of the village and as yet unspoilt.
- The site is considerably higher than the street, the ridge heights of the new dwellings will be much higher above the road have a negative impact upon the street scene.
- Stonewalls are traditional boundaries of all the properties along Compton Street. Wide splays to improve visibility from this site will necessitate the demolition of the roadside wall. This wall and the church path below it should be preserved.
- The setting of this area is further enhanced by the surrounding hills. Residents and tourists alike walk up Compton Street towards the footpaths which lead to the Hood Monument and the ridge of the Polden Hills. The hills can be viewed across the application site.
- Loss of privacy.
- Prejudicial to highway safety. Middle Way is a narrow, no through road, access to the site will be difficult. The proposal will lead to a substantial increase in traffic along Middleway as well as along Compton Street and the junction with B3151.
- The current access is not fit for purpose and will be hazardous to other road users. Vehicles entering and leaving the site will encroach on the driveway that is opposite the site.
- Substandard visibility splays.
- The access will be partially blind as it leads onto Middle Way and be a danger to pedestrians.
- The shared access should be sufficiently wide to allow two cars to pass each other.
- Increased run-off. Lower Compton Street already suffers from flooding.
- The frontage wall is a favoured habitat of the slow worm, a protected species.
- Increased pollution of the area.
- The landscape officer and conservation officer were both opposed to the development of this site but have now changed their minds.
- There is a restrictive covenant imposed on this land that prevents the building or erection of any structure, trees, shrubs or plants for a distance 13.75m back from the site frontage across its whole length and reduces the developable area by half.
- The proposed site plan does not indicate that it is for illustrative purposes only.
- I do not believe the applicant is the freeholder of the whole of the redline area. I believe the stone wall at the southernmost part of the site, which is to be reduced in height, is outside the applicant's ownership as is the land immediately abutting the eastern frontage of Tudor House.

CONSIDERATIONS

This application is seeking outline planning permission, with all matters reserved, to establish the principle of erecting up to two dwellings on this site. The main issues in the consideration of this application are considered to be:

- The principle of development;
- Impact upon the setting surrounding listed buildings and visual amenity;
- Residential amenity;
- Highway safety; and
- Ecology

Principle:

The application site is a parcel of agricultural land measuring approximately 0.23 hectares in area that is located outside but immediately adjacent to a development area, as defined by the South Somerset Local Plan, and where new residential development is normally strictly controlled by local and national planning policy. However, given the lack of a deliverable five-year land supply policy ST3, which seeks to limit development outside settlement limits, can no longer be regarded as a constraint on residential development simply because it is outside development areas.

In these circumstances, the NPPF advises that policies for the supply of housing should not be considered up to date (para 49). Housing applications must therefore be considered in the context of the presumption in favour of sustainable development.

Whilst Compton Dundon is a relatively small village with few local facilities and services, the settlement does have a development area under the current local plan and the site immediately abuts this area and could be described as an infilling of this part of the settlement. Bearing this in mind and the contribution the scheme would make towards SSDC's five year land supply the proposed development is considered to be acceptable in principle.

Impact upon the setting surrounding listed buildings and visual amenity:

The application site comprises a small agricultural paddock raised above the adjoining road level and the adjacent listed property, Tudor House, to the north with a retaining stonewall and post and rail fence above running along the roadside and southern boundaries. As such the site has an open aspect to these sides with clear views into the site and across the site to Tudor House when viewed from Compton Street and Middle Way to the south. On the opposite side of the lane to the east is a bungalow which is raised up a similar level to the application site. To the south of the site is a newly completed barn conversion scheme and listed farmhouse (Laws Farm).

The landscape officer and conservation officer have both remarked upon the importance of the openness of this site within the street scene, the retention of the stone wall along the frontage and the impact that the development of this site could have upon the setting of Tudor House. The scheme as originally submitted sought to erect up to four dwellings on the site and included an indicative layout plan showing a relatively high density courtyard arrangement with built form projecting close to the roadside boundary. The landscape officer and conservation officer both raised strong concerns in respect of the likely impact of such a scheme.

In response to their comments the application has been amended reducing the maximum number of houses sought to two, single-storey dwellings. It has also since emerged that a strip of land 13.5m deep that runs the entire length of the site, parallel with the road, is affected by a legal covenant preventing any new built development or planting from exceeding 500mm in height taking place on this part of the site. Although a legal covenant is not a material planning consideration, whilst it remains in force, it will clearly inform any future development that can take place on this site. To take account of this restriction and the reduced number of houses an amended indicative layout plan has been provided, this plan also indicates the retention of the existing access instead of the creation of the new access previously suggested.

In response to these amended details the landscape officer has dropped his objection and states that whilst he is not necessarily convinced that the site is appropriate for development, the revisions have ensured the retention of open space to the fore of the plots and reduced the potential impact upon the roadside wall and the setting of the listed building. This view is shared by the conservation officer who has raised no substantive concerns in relation to the impact of the proposal upon Tudor House.

This site is clearly a sensitive site within the street scene and contributes to the setting of the adjacent listed building and has evoked strong feelings from a number of local residents with regard to its potential impact. Whilst care will need to be taken with the final design of the houses to ensure they respond satisfactorily to these sensitivities it is considered that the details, in terms of the indicative layout, heights and levels are sufficient to demonstrate that such a scheme need not detract from the setting of the listed property Tudor House or be unduly prominent within the street scene. The suggested position of the houses, which has been largely dictated by the outstanding covenant, is such that the site should maintain a relatively open character as viewed on the approach from the south without leading to an unduly cramped or over-developed appearance.

Several local residents have stated that the development of this site will also adversely affect the setting of other more distant listed buildings include Laws Farmhouse, Lilac Cottage, Lamperts and Trays Farmhouse and impact on views out of this area of surrounding hills. The conservation officer has raised no concerns in respect of these other properties and given their distance from this site it is not accepted that their settings will be adversely affected. Given the relatively low height of the development it is not agreed that the setting of the wider area, in terms of views of surrounding hills and Hoods Monument, will be significantly affected.

On this basis it is difficult to argue that the development will lead to such harm that outline permission should be withheld on the basis of harm to any historic assets or visual amenity.

Residential amenity:

The site is raised up above the road and the neighbouring property Tudor House to the north, however the indicative information so far submitted has demonstrated how a scheme for two houses could be accommodated on this site without leading to any substantive harm through loss of light or privacy to this property or to the farmyard development to the south. It is noted that the occupiers of Orchard View, the bungalow opposite, have also raised concerns about loss of privacy, however, given that any views to this property will be across a public highway and there are clear views into the garden of Orchard View from the road it is not considered that this proposal will lead to an unacceptable loss of privacy to this property.

The site is adjacent to a farmyard previously operating as a pig and poultry unit. There is a prior legal agreement which prevents the use of these buildings from accommodating any livestock in the future; as such the Environmental Protection Officer is satisfied that there will not be any conflict between the proposed residential use of this site and the adjacent farm.

Highway safety:

Whilst access is a reserved matter it is, nonetheless, important to be satisfied at this stage that an appropriate form of access to the site could be achieved to serve this development. Under the revised indicative plan it is intended to utilise the existing field access located in the southeast corner of the field rather than create a new access as originally proposed. The applicant has confirmed that the high wall immediately to the south of the access is also within their control.

By utilising this existing access the majority of the front boundary wall will remain unaltered. Some works will be necessary to improve visibility in either direction including the slight reconfiguring and / or lowering of a short portion of the walls to 900mm either side of the access as well as the slight widening of the access. On this basis it is difficult to argue that such works will significantly erode the positive contribution that this wall

makes to the street scene.

Some neighbours have stated that the access will need to be widened to 5m to meet highway standards, however, this would only apply if three or more houses were to be sharing a single access, in such circumstances the access drive would need to be wide enough to allow two vehicles to pass each other. In this instance, this does not apply.

Increased traffic using Middle Way and Compton Street as a result of the development has also been raised as a concern. The scale of this development however is relatively modest when compared to the existing level of development along these two roads and it is not accepted that the level of traffic generated by the two additional houses would generate undue increased pressure upon the local highway network or related substantive safety concerns. It is noted that the highway authority has raised no objections in this regard.

Overall it is accepted that an appropriate means of access should be achievable.

Drainage and flooding:

The application site is located outside flood zones 2 & 3 and as such is considered to be at low risk of flooding and provided the development is served by an appropriate drainage scheme there is no reason why it should result in any additional runoff from the site.

Ecology:

It is possible that there are slow worms on the site and the council's ecologist has recommended an advisory informative to bring this to the attention of the applicant. The ecologist has raised no other concerns.

Other matters:

There is a conifer hedge growing along the rear boundary which screens the site from the adjacent farmyard and a number of mature trees growing around the perimeter of the site. None of these trees have been identified for removal and in any case the Council's Arborist does not consider any of these trees worthy of protection. A group Tree Preservation Order has been imposed on trees growing to the northwest of the site however there is no reason why the development should adversely affect these trees.

Conclusion:

For the reasons set out above the proposed development is considered to be an acceptable form of development that will not result in any demonstrable harm to visual or residential amenity, will not adversely affect the setting of surrounding historic buildings or be unduly prejudicial to highway safety. The application is therefore considered to accord with the aims and objectives of the NPPF and Policies ST5, ST6, EH5, EC7 or EC8 of the South Somerset Local Plan and is recommended for approval.

RECOMMENDATION

Grant permission for the following reason:

The proposed development, by reason of its location and scale, is considered to be an appropriate form of development that makes efficient use of land and respects the character and setting of the adjacent listed building, causes no demonstrable harm to residential or visual amenity or highway safety. The proposal therefore accords with the aims and objectives of the National Planning Policy Framework and Policies ST5, ST6, EH5, EC7 and EC8 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

01. Details of the layout, scale, appearance, access and landscaping (herein called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

02. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission and the development shall begin no later than three years from the date of this permission or not later than two years from the approval of the last "reserved matters" to be approved.

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

03. The development hereby permitted shall be carried out in accordance with the following approved plan drawing 10189-1 Rev B received 11/03/2014.

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

04. The development hereby permitted shall comprise no more than 2 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

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

Reason: In the interests of environmental health and flooding to accord with Policies EU4 and ST5 of the South Somerset Local Plan.

06. Prior to any works commencing a scheme detailing the restoration / reinstatement of a footway (Church Path) over the frontage of the site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be fully implemented prior to the first occupation of the development and thereafter retained in perpetuity.

Reason: In the interest of the amenity of the locality to accord with Policy ST6 of the South Somerset Local Plan.

Informatives:

01. Reptiles (particularly slow worms) are likely to be present on the site and could be harmed by construction activity, contrary to legislation (Wildlife and Countryside Act 1981), unless appropriate precautionary measures are employed. Suitable measures could include appropriate management of the vegetation to discourage reptiles away from areas of risk, reptile exclusion fencing, and/or translocation of animals from the site. An ecological consultant should be commissioned to undertake further reptile specific survey and provide site specific advice.

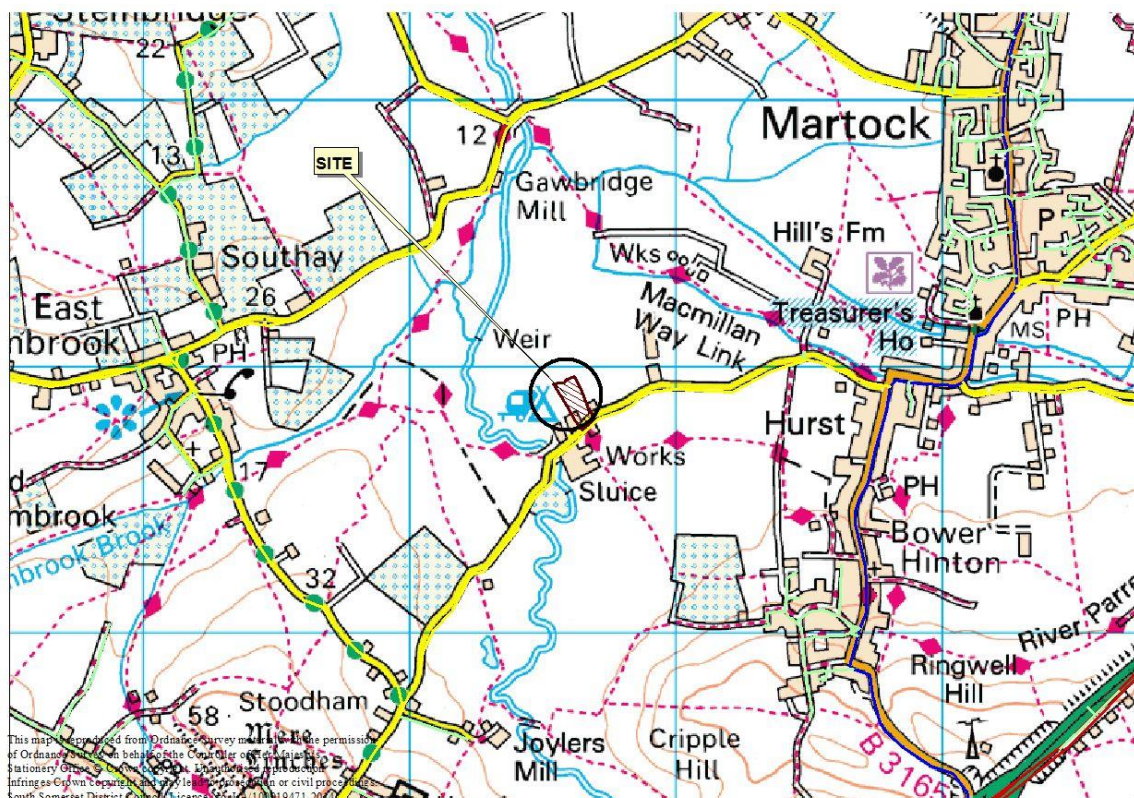
Area North Committee – 26 March 2014

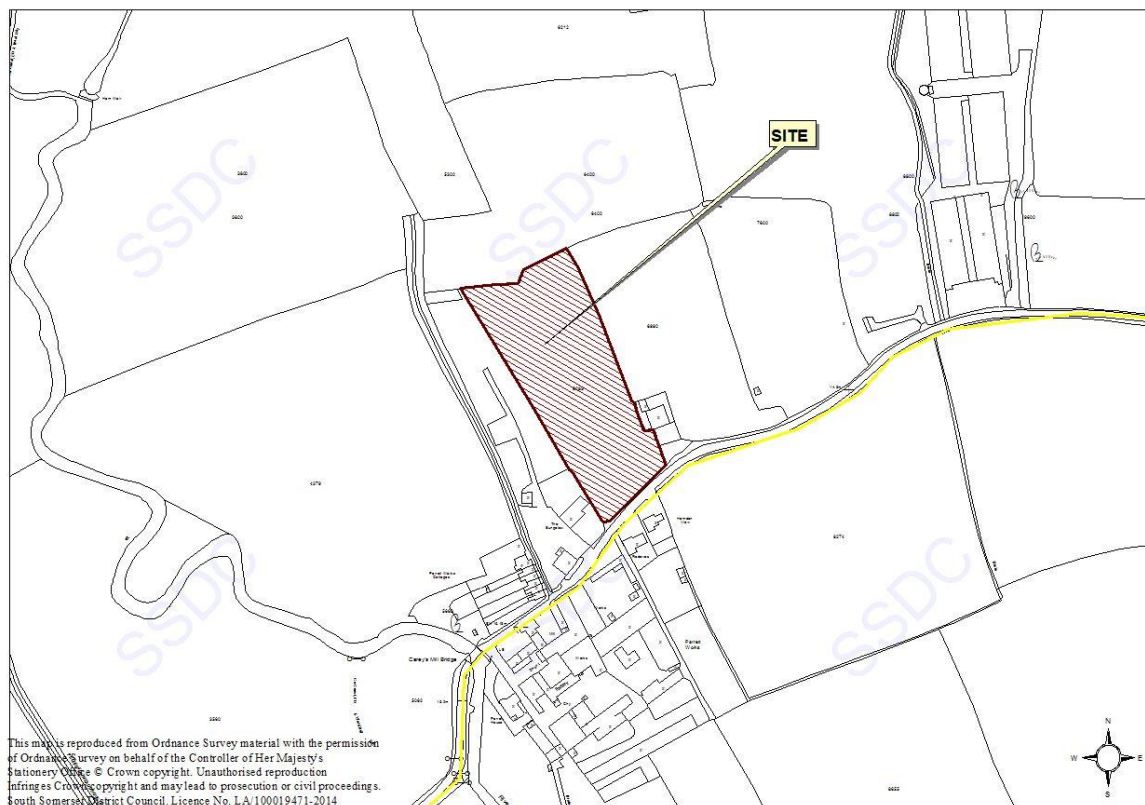
Officer Report On Planning Application: 14/00020/FUL

Proposal :	Change of use from agriculture to caravan and camping site including formation of new access and erection of pavilion and two WC / wash blocks (GR:344673/118742)
Site Address:	Land adj. Southfork Caravan Park, Parrett Works, Martock.
Parish:	Martock
MARTOCK Ward (SSDC Members)	Cllr G Middleton Cllr P Palmer
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	11th April 2014
Applicant :	Mr Mick Broadley
Agent: (no agent if blank)	Mr Greenslade Taylor Hunt, 1 High Street, Chard TA20 1QF
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee at the request of the Ward Member and Area Chair to give full consideration to the concerns of the Parish Council and local residents.





SITE DESCRIPTION AND PROPOSAL

The site is located on the north side of the Parrett Works Road (Pitway Hill). It is immediately east of an existing caravan park site, and has open countryside to the north and east, although there are farm buildings at the southern end of the eastern boundary. Also at the southern end of the site, on the western boundary, is an existing bungalow, originally part of the caravan park site but now independently occupied.

Across the road to the south-west is the Parrett Works, formerly an ironworks and rope manufacturing site, now a mixed use site, with several listed buildings. Immediately south of the site, and across the road, are two detached dwellinghouses.

Permission is sought for an extension of the existing caravan park onto the site, including change of use of the land to accommodate caravan and camping activities; storage of caravans; erection of various structures, including a pavilion and two toilet blocks; and creation of a new access.

Revised Plans

The application was submitted including the following:

- Design and Access Statement
- Flood Statement
- Detailed site layout and building plans for new structures

In response to concerns raised by the Environment Agency and the Council's Drainage Engineer, the layout was revised, and revised plans were circulated for consultation.

HISTORY

No relevant recent history on the application site. On the adjacent, caravan park site there is an extensive history, including permissions relating to:

- scrap yard use, 1955
- storage and repair of caravans, 1969

Further relevant applications:

781273 Use of land as touring park for caravans and caravan storage - permitted 1978
 862942 - The use of land as a site for touring caravans, tents and dormobiles for seasonal holiday use and construction of associated roads and site works - permitted 1987; the seasonal use of the site was amended by application 872965 (Approved 1988)

Various permissions also cover the use of the site for a shop, restaurant and maintenance of caravans.

The bungalow on site was permitted to be sold separately from the caravan park in 2003.

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 decisions 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 South Somerset Local Plan.

The policies of most relevance to the proposal are:

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

ST3 - Development Areas
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EC3 - Landscape Character
 EC8 - Protected Species
 EH5 - Setting of Listed Buildings
 EP3 - Light Pollution
 EU1 - Renewable Energy
 EU3 - Non-mains Sewerage
 EU4 - Water Services
 EU5 - Flooding
 EU6 - Culverting
 ME4 - Expansion of Existing Businesses in the Countryside
 ME10 - Tourist Accommodation

National Planning Policy Framework (March 2012):

1. Building a strong, competitive economy
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
7. Requiring good design

- 8. Promoting healthy communities
- 10. Meeting the challenge of climate change, flooding and coastal change
- 11. Conserving and enhancing the natural environment
- 12. Conserving and enhancing the historic environment

Policy-related Material Considerations

South Somerset Sustainable Community Strategy

- Goal 1 - Safe and Inclusive
- Goal 2 - Healthy and Active
- Goal 3 - Healthy Environments
- Goal 5 - High Performance Local Economy
- Goal 7 - Distinctiveness
- Goal 8 - Quality Development
- Goal 10 - Energy
- Goal 11 - Environment

Somerset County Council Parking Strategy, March 2012 and September 2013.
Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: Recommends refusal. In an email of 31 January the following reasons were offered:

1. The proposed development by reason of its size, density, the height of the toilet block and the proposed screening would have an unacceptably adverse impact on the amenities of the properties immediately adjacent and opposite to the site and the surrounding area by reason of overlooking, loss of privacy, visually overbearing impact, increased traffic on the narrow access road and excessive noise.
2. The site access proposals are not in accordance with acceptable standards and would lead to potential safety hazards on a road that already experiences regular road traffic incidents. Visibility from the proposed new vehicle exit is not adequate to allow through traffic to stop safely should they encounter vehicles exiting the site, bearing in mind that this road has a 60 mph speed limit. This problem would be exacerbated by the huge increase in traffic density and the large size of the vehicles that would result from this development. The road system is not able to accommodate this increase.
3. The proposed screening around the enclosed bungalow and along the road edge would create an unacceptable loss of sunlight to neighbouring properties.
4. The development is clearly partially located in the flood plain area, which is completely inappropriate for use as camping site spaces.
5. The package treatment facility is located in the flood zone. In the likely event that flooding will occur, this would result in foul waste being deposited onto the site and into the water course, which is very close by.
6. The road at this location regularly floods in heavy rain, even in the summer, creating a danger to users of the site and meaning that it would at times be inaccessible.

In response to revised plans no comments have been received at the time of writing.

Highways Authority: No objection, subject to conditions.

SSDC Area Engineer: Initial concerns were raised about the layout of the site in relation to areas within the higher flood zones. These concerns have been addressed in the re-design, and no objection is now raised.

SSDC Landscape Officer: No landscape objection is raised, in principle, although issue has been taken with the storage facility and the details of buildings and their placement. In response to the latest amended plan the following comment is offered:

The amendments show some minor improvements, in better concentrating built form together. Whilst the pavilion still lays divorced from the main built footprint, I can acknowledge that with an appropriate landscape treatment, it has some capacity to be relatively unobtrusive. I am still not convinced by the extent of caravan storage, though again landscape mitigation - as inferred by the plan - will help to mitigate the visual impact if not the extent of footprint.

Whilst I still have concerns over the proposal, I do not consider the overall landscape impact as so adverse as to generate an over-riding landscape objection. If you are minded to approve, please condition a fully detailed landscape proposal to ensure mitigation of built form impacts.

SSDC Conservation Officer: *Provided landscaping is provided at the south end of the site, and there is sufficient screening to the east, I would have no objections in relation to the setting of the listed buildings.*

SSDC Ecologist: It is considered unlikely that the proposal would give rise to any significant ecological impacts. No objection.

SSDC Economic Development *From a purely Economic Development perspective, I applaud any business who having survived the deepest recession for many years is looking to expand and employ additional staff. Somerset's tourism economy will be under strain following the horrific flooding in the last few months and for certain, there will be an enormous promotion of the county to inform that we remain open for business. 'The Boscastle' effect could be that unprecedented levels of visitors could visit Somerset over the coming years to see for themselves villages such as Thorney, Muchelney etc which now have national acclaim. I support this application.*

SSDC Tourism Officer: *This is a well-established caravan park, offering good facilities including quite an extensive shop. The site is marketed through a website and listed on a number of camping / caravanning websites.*

I understand from the owners that the on-site servicing and maintenance section of the business is important and in demand.

The park is convenient for visitors travelling on the A303 and looking for a stopping-off point and also a good location for people wanting to enjoy a stay in the countryside but within reach of town/village shops and facilities.

It is also well-placed for people attending popular local events such as RNAS Yeovilton Airday and Yandles woodworking and craft shows, for visiting the local National Trust properties and for walking the River Parrett Trail. The closest TIC is at Cartgate where staff receive frequent enquiries during high season (i.e. several times a day) about camping/caravan sites and regular enquiries during the rest of the year. The nearest caravan sites of similar or larger size are at Lopen, Muchelney and Sparkford.

Extension of the site with more - and larger - pitches and new shower block will be in line with visitor expectations of finding high standard facilities and space to accommodate larger vehicles.

The proposal includes a one-way route across the site with a new exit point. This would

seem to be safer on the site. However I do have some concerns about access onto and off the site for large vehicles, likely to be driven by people who do not know the area well, as this can be quite a fast road.

SSDC Environmental Protection Unit: No objection.

County Archaeologist: No objection.

Environment Agency: In response to the originally submitted application, it was noted that there was no objection to the principle of the development. but the EA objected to the proposal with detailed suggestions on issues to be addressed. At the time of writing, no final comments have been received in response to the amended plans. These will be updated at the meeting.

Wessex Water: No objection.

REPRESENTATIONS

Twenty-two letters of objection have been received, raising the following main issues:

- The road system and proposed new access are inadequate and there would be a harmful impact on highway safety. There are various concerns: increased traffic volumes on a restricted road network; poor visibility for access points to site; inadequate pedestrian and cycle ways; poor road geometry in the area; poor accident record; the road floods in winter.
- There is a flood risk: The river overflows on occasion, putting visitors and future occupants at risk; surface water flooding is also a concern;
- the development will increase water flowing into the existing land drains and lead to exacerbation of flooding;
- Placement of the sewage treatment plant is inappropriate and too close to the potentially flooded area;
- development would harm the existing ecology, and that it is inadequately supported by an ecological or wildlife survey;
- there would be an increase in noise and other pollution,
- jet washing of caravans leads to water pollution;
- emergency access is an issue;
- the character and appearance of the locality and landscape would be harmed;
- there would be a harmful impact on the historic character of works site and the area;
- views would be harmed;
- the numbers of employees and future employees is questioned;
- there would be overlooking and amenity harm to neighbouring properties;
- the demand for additional facilities is disputed;
- the site will cause light pollution;
- the proposal will harm property values;
- there has been no engagement with local residents by the applicant;
- there will be future applications to enlarge the facility.

Eight letters of support have been received, raising the following issues;

- the proposal will enhance tourism in the area, encouraging visitors and providing welcome accommodation;
- there will be a positive impact on the local economy;
- the current operators of the site provide an excellent service, which is valued by users;

- the proposal enhances the facilities currently provided

One general observation has been submitted in relation to the existing site and an access close to the cottages known as Parrett Cottages, as well as the effectiveness of screen planting, which is not considered to be great.

CONSIDERATIONS

Principle of Development

The site is in open countryside, where development is required to be justified for economic development purposes, maintain the environment and not foster growth in the need to travel. On the basis of a well-conceived tourist facility, as part of a successful existing business, the principle of development is accepted, subject to the assessment of and mitigation for any identified harm.

Business Case

The application seeks to enlarge and improve an existing successful business. The proposal is well supported by both the NPPF and the Local Plan, in that it seeks to provide additional tourist accommodation and improve economic activity in a rural area. The scale of the proposal has been criticised and questioned. By its nature, this sort of accommodation does require significant areas of land, and the doubling of the size of the site is somewhat mitigated by the low level of built form, and the possibility of screening in this relatively flat landscape. The proposal for an increase in this successful business is considered to comply with the general aims of sustainable development, and is supported by both the Economic Development and Tourism Officers.

The scale of employment has been raised as an issue. The park operates with minimal permanent and part-time staff (in a revised submission, the applicant has stated that 2 full-time staff are employed and 2 part-time members). This is of a small order of direct employment, but it is not considered to be particularly relevant to the case for this business. The important aspect of the business - and the resulting impact on the local economy - is its contribution to the tourist industry in the area. It would provide holiday accommodation for up to 30 additional pitches and storage space for out-of-season storage, with obvious implications for all sorts of local businesses.

Storage Component

A fairly large part of the site is to be dedicated to storage of caravans, which is clearly an increasing need in the way caravan holidays are now organised. Increasing numbers of people now choose to store their caravans away from home and in appropriate localities ready for holiday use. Whilst this is a storage use, it is clearly also closely tied to the tourism accommodation, and is therefore not regarded as a simple B8 use which might lead to other concerns. Subject to appropriate conditions, it is not considered that such a use in this locality is unacceptable or inappropriate.

Visual and Landscape Impact

Numerous objections have been received in relation to the visual and landscape impact. The Council's Landscape Officer is concerned at the distance of the storage area away from built development. However, given the flat nature of the site, it is quite clearly possible to ensure adequate screening, and whilst the northernwards extension does appear, on plan, to extend built form disproportionately, it is adjacent to existing buildings and contained within a very clear perimeter layout, which can be controlled. It is not

considered that, with adequate mitigation planting, this proposal represents sufficient landscape of visual harm to warrant refusal of the application.

Highway Safety

Numerous references have made reference to concerns about highway safety. The proposal has been assessed by the Highways Authority, which is of the view that there is no sustainable reason for refusal of the application on highway safety grounds. In particular, the visibility provided at the new access point is considered acceptable, and should be secured and maintained in perpetuity. It is noted, and the suggestion is regarded as a good one, that a condition should be included to ensure that the route through the site, from the existing access to the exit at the new access, should operate as a one-way system. This will reduce possible conflicts at the existing access, which has other uses associated with it, and make for safer operation by holidaymakers.

Impact on Residential Amenity

The neighbouring bungalow, which was initially a part of the caravan park site, is located close to the western boundary at its southern end. The layout has sought to avoid placing development immediately adjacent to this part of the boundary. The nearest caravan pitch is the same distance away from the bungalow as the existing static caravans on the main site. There is no development in the area immediately adjacent to the bungalow, and the exit road is taken away from this boundary to exit at the extreme east of the southern boundary. There is scope for screen planting in the affected area. The toilet block has been moved further north in the revised layout, and is now 45m from the bungalow. It has been reduced in height, and windows removed from the south-west elevation. It is not considered that any overlooking, overshadowing or other harmful amenity impact on the adjacent bungalow is represented by the proposal.

Residents of dwellings across the road have also suggested that there would be harm to their residential amenity. Whilst the presence of an extended caravan park will be noticeable, there is not considered to be any demonstrable harm resulting from the proposal to these dwellings, with the nearest caravan being 60m distant, and separated from the dwellings by a public highway.

The issue of noise is raised. Whilst it is accepted that some sound is produced by this activity, it cannot be assumed that it would automatically be of the scale of a noise nuisance that would harm residential amenity and require action to be taken. It is not considered that this concern would warrant a refusal of the application. Any noise nuisance either by the existing caravan park or this extension is subject to the normal provisions of the appropriate legislation.

Impact on Heritage Assets

The site is physically well separated from the listed buildings on the Parrett Works site, and on the western side of the caravan park. Neither the conservation officer nor the County Archaeologist has raised any objection to the application. It is not considered that the proposal would have any negative impact on the setting of listed buildings or other heritage assets.

Impact on Ecology and Wildlife

The SSDC Ecologist is satisfied that there is no ecological or wildlife reason for refusal of the application.

Impact on Views and Property Values

Perceived impacts on private views and property values are not planning considerations.

Flooding Issues

At the time of writing the report, only verbal comment had been received from the Environment Agency in response to the amended site layout. In principle, no objection was raised. However, the Committee will be updated at the meeting.

Comments of the Parish Council

The issues raised have been largely dealt with in the body of the report. However, it should be noted that the concern about the location of the sewage treatment facility has been addressed in a revised layout, removing it from the areas of potential flooding. Whilst surface water flooding of the road is noted as being a seasonal issue, it has not precluded the safe and successful operation of the caravan park in this locality over the years, and it is not considered a reason to refuse an application to improve and enlarge this facility.

Comments by Local Residents and Others

These issues have largely been covered in the report. However, points not dealt with include:

- the sewage treatment plant has been moved to a position now agreed by the SSDC Engineer and the EA;
- pollution is subject to control under other legislation; however, no likelihood of extreme water, air or noise pollution has been raised by any consultees, and it is not considered to represent a reason for refusal of this application;
- potential light pollution can be controlled by condition, limiting outdoor lighting to what is proposed in the revised plan;
- whilst the lack of contact between the applicant and local residents is to be regretted, it is not considered to provide any reason to refuse the application;
- perceived future intentions of the owner are not a planning consideration.

EIA Regulations

The proposal has been screened under the Environmental Impact Regulations, and is not considered to require an Environmental Impact Assessment.

Conclusion

The proposal represents a justified extension of a successful existing business in a rural locality, providing high quality tourist accommodation and making a positive contribution to rural economic activity. No ecological, landscape or amenity harm has been identified that would warrant refusal of the proposal; flooding issues have been dealt with to the satisfaction of the Council's engineers, and the EA. The Highways Authority raises no objections. The proposal is considered to represent sustainable development in line with the general principles and policies outlined in the NPPF and is accordingly recommended for approval.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Grant permission.

01. The proposal represents a sustainable development in the countryside that would make a significant contribution to the provision of tourist accommodation and support economic growth. The impacts of the development can be suitably mitigated and no demonstrable harm to the setting, landscape or residential amenity would result, in accordance with the aims and objectives of the NPPF and Policies ST3, ST5, ST6, EH5, EC3 and ME10 of the South Somerset Local Plan, 2006.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved details and plans: the drawings ref. 1565-PL-02 Rev A; 1565-PL-03 and 1565-PL-04, and the details set out in the email received on 18 February 2014.

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

03. The subject land including any buildings thereon shall be used for a caravan park and camping site, and for no other purpose (including any other purpose in any Class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the character, appearance and general amenity of the area in accordance with the aims of the NPPF and Policies ST5, ST6 and EC3 of the South Somerset Local Plan, 2006.

04. The proposed access shall have a minimum width of 5.0metres, incorporating radii of not less than 4.5metres, and shall not be steeper than 1 in 10. Once established, the access shall comply with these requirements in perpetuity.

Reason: In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan, 2006.

05. Prior to commencement of development hereby permitted the proposed access over at least the first 10.0metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan, 2006.

06. There shall be no obstruction to visibility greater than 900millimetres above adjoining road level in advance of lines drawn 2.4metres back from the carriageway edge on the centre line of the access and extending to points on the

nearside carriageway edge 43metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan, 2006.

07. No development hereby permitted shall be commenced unless details of a scheme of internal traffic movement within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall seek to ensure that traffic using the access point created by this permission only exits the site at this point, and that entrance into the site is taken via the adjacent existing caravan park site edged blue on the submitted plan ref. 1565-PL-01. The scheme shall include appropriate signage to be placed at suitable points within the site and at the points of access/egress. Once approved, the scheme, including the approved signage, shall be fully implemented and thereafter retained and maintained.

Reason: In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan, 2006.

08. Any entrance gates/physical barrier erected shall be hung to open inwards, shall be set back a minimum distance of 10.0metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan, 2006.

09. No development hereby permitted shall be commenced unless details of the internal ground floor levels of the buildings to be erected on site have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area, and to accord with Policy ST6 of the South Somerset Local Plan, 2006

10. No external lighting shall be installed or erected on the site other than that indicated on the submission plan ref. 1565-PL-02 unless as part of a scheme, details of which have been submitted to and approved in writing by the Local Planning Authority. Such scheme of lighting should seek to minimise external lighting and avoid spotlights particularly any visible from the public highway. Once approved, such lighting shall only be erected and used in accordance with such scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the character of the area and in the interests of preventing light pollution in accordance with Policies ST6 and EP3 of the South Somerset Local Plan, 2006.

11. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels. 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 commencement of the development, 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. The scheme of landscaping shall including details of all hedges and boundary treatments as well as other planting indicated on the submitted site plan ref. 1565-PL-02 Rev A.

Reason: To safeguard the character and appearance of the area, and to accord with the NPPF and Policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan, 2006.

Informatives:

01. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the South Somerset Area at The Highways Depot, Mead Avenue, Houndstone Business Park, Yeovil, Yeovil, Tel No 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.
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Area North Committee – 26 March 2014

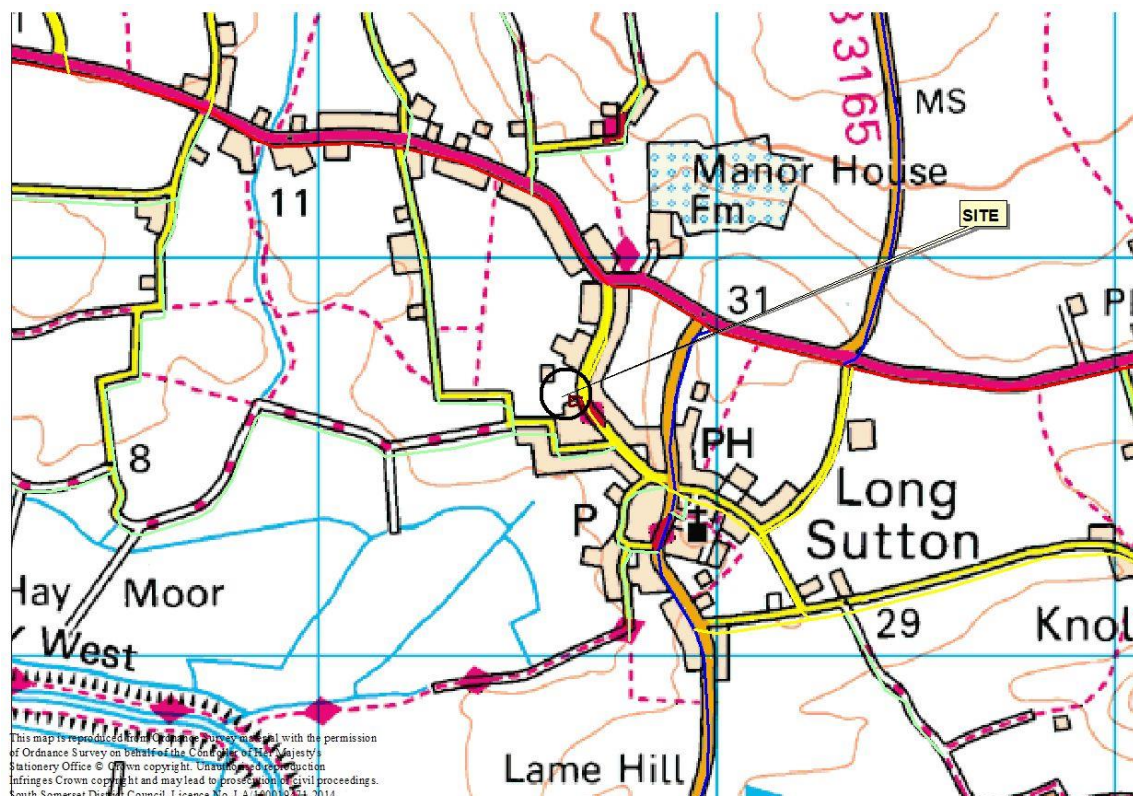
Officer Report On Planning Application: 14/00105/FUL

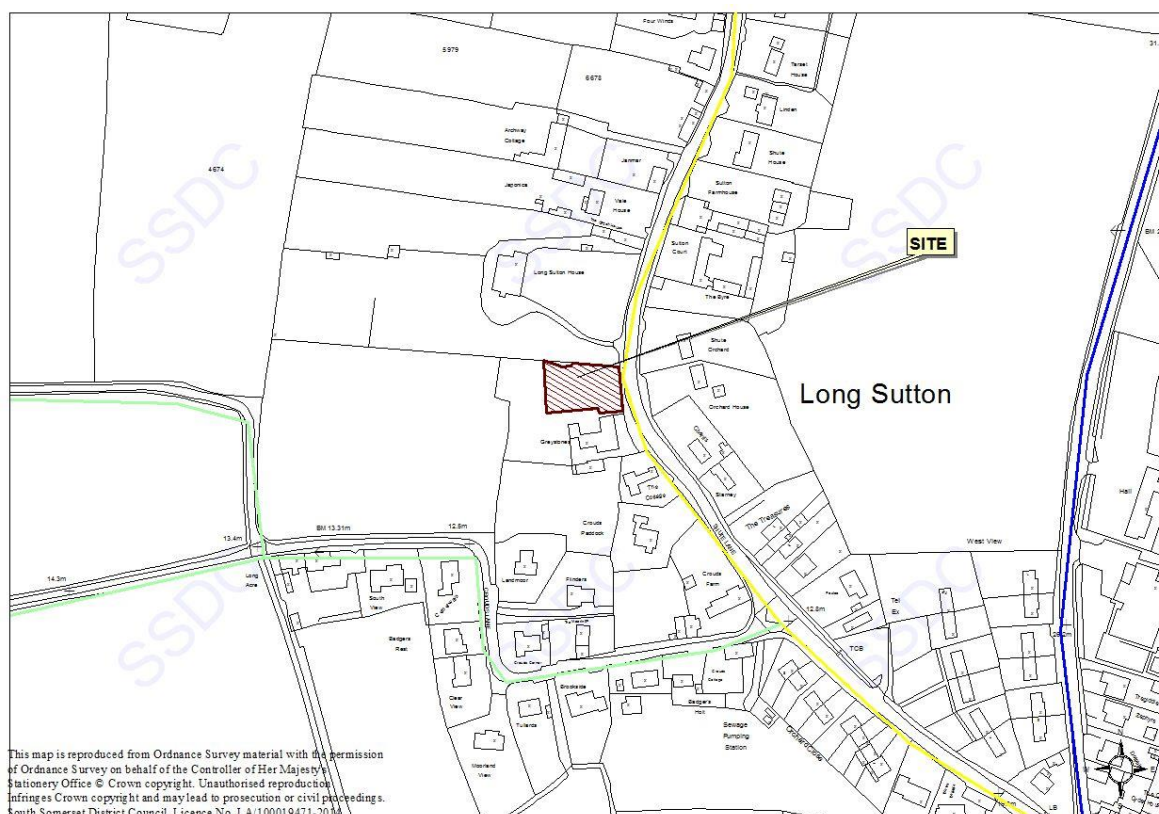
Proposal :	Erection of a detached dwellinghouse with a detached garage/car port, bicycle store and new vehicular/pedestrian access (GR:346649/125635)
Site Address:	Land and Buildings adjoining Greystones, Shute Lane, Long Sutton.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr Shane Pledger
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	4th March 2014
Applicant :	Mr & Mrs P Tulk
Agent: (no agent if blank)	Mr Gary Smith Smith Planning & Design Ltd, Wayside, Fivehead, Taunton TA3 6PQ
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE:

This application for one dwelling is outside settlement limits is referred to committee as a departure from the saved policies of the local plan.

SITE DESCRIPTION AND PROPOSAL





This application is seeking full planning permission to erect a two-storey detached dwelling and garage and formation of a separate access.

The application site is located between two listed properties, Greystones to the south and Long Sutton House to the north, and is situated outside but adjacent to a defined development area and predominantly residential area. The site appears to be former garden land that served the residential property known as Greystones to the south. An opening within the front boundary (low) wall and planting has been formed in the position of the proposed new access. The site is relatively flat and level of surrounding development and surrounded by planting along the north and west boundaries and a high close board fence along part of the side boundary to the south. The plot backs on to an agricultural field with a number of low agricultural buildings positioned close to the adjoining boundary. There are a number of trees within the site.

HISTORY

13/03062/FUL: Erection of a dwelling and associated parking and storage building. Permitted

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 South Somerset Local Plan and the policies of most relevance to the proposal are:

ST3 – Development Areas
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EH5 - Development Proposals Affecting the Setting of Listed Buildings
 EC7 - Networks of Natural Habitats
 EC8 - Protected Species
 EU4 - Water Services

National Planning Policy Framework:
 Part 4 - Promoting sustainable transport
 Part 6 - Delivering a wide choice of high quality homes
 Part 7 - Requiring good design
 Part 10 - Meeting the challenge of climate change, flooding and coastal change
 Part 11 - Conserving and enhancing the natural environment
 Part 12 - Conserving and enhancing the historic environment

CONSULTATIONS

Long Sutton Parish Council: Support the application subject to conditions to secure:

- Mature planting scheme along the northwest and south boundaries to ensure neighbour amenity;
- A two metre high hedge along the front boundary for purposes of streetscene and neighbour amenity;
- Removal of permitted development rights;
- Completion of the building works within 12 months due to the adjacent listed buildings and streetscene.

County Highways: Referred to their standing advice. For a four bedroom house this would require a minimum of three parking spaces plus an associated turning area. In a 30 mph zone visibility splays of 43m in either direction.

County Archaeology: No objections

Natural England: Raised no objection and noted the obligations of the LPA in relation to protected species, local wildlife sites, biodiversity enhancements and landscape enhancements.

Ecology: No comments received

Arborist: No comments received

Conservation: No objections subject to appropriate conditions

REPRESENTATIONS

Written representations have been received from three local residents expressing support for the application.

Written comments have also been received from three local residents making the following comments / observations:

- Request that site traffic use the newly created access so that there is no additional traffic along Greystones' current driveway as this driveway passes the side of our

garden where our children play and which only has a low wall and trellis fence along the boundary.

- That construction works be limited to normal working hours Monday to Friday so that we can enjoy our garden and property at evenings and weekends.
- That a mature planting scheme be applied to the north, west and south boundaries, a new 2m high hedge be established along the front boundary, all first floor windows / openings be fitted with obscure glass, no further openings be permitted, that permitted development rights the use of the garage / workshop be restricted so that it cannot be converted to ancillary accommodation, any external lighting is of low impact, all to protect neighbour amenity.
- The conditions for the existing permission remain relevant to this application but notes that the condition regarding working times is difficult to enforce and would make completing the development in 12 months difficult. It is preferred that the working times be increased so that the development can be finished quicker.
- A number of trees and shrubs have been removed and wildlife probably decimated.
- A road has been made into the site in preparation.

CONSIDERATIONS

This application is seeking full planning permission to erect a single detached dwellinghouse, double garage and to form a new access leading off Shute Lane to the east.

Principle:

The application site is outside but abuts the defined development area for Long Sutton where new residential development is normally strictly controlled by policy ST3 of the South Somerset Local Plan. However, at present South Somerset District Council is unable to demonstrate that they have a five year housing land supply, a requirement of the NPPF (para 49). In such circumstances the NPPF advises that policies for the supply of housing should not be considered to be up to date and housing applications must therefore be considered in the context of the presumption in favour of development. Accordingly, policy ST3, which seeks to limit development outside settlement limits, can no longer be regarded as a constraint on residential development simply because it is outside development areas.

Given these circumstances, the proposal to construct a single dwelling must be considered on its own merits. Although the site is outside the development area it is located immediately adjacent to the development area and is within an easy walking distance of the main facilities found within the village, including a shop, pub, primary school and village hall. The proposed location is therefore considered to be a sustainable location for new residential development in line with the definition set out within the NPPF.

Visual amenity and impact upon the setting of the listed buildings:

The design, proportions and use of traditional materials for the proposed new dwelling accord with local vernacular and should sit comfortably alongside Greystones and Long Sutton House, the neighbouring listed properties to either side. The existing low front boundary wall is to be retained with the exception of a short section to allow for the new access. It is noted that the conservation officer has raised no objection to this application and its impact upon the visual character of the area and upon the neighbouring listed buildings is considered to be acceptable.

Residential amenity:

The juxtaposition of the proposed dwelling in relation to the neighbouring properties either side is such that it should not lead to any significant overbearing or loss of light

concerns. No openings are proposed at first floor level within the south elevation of the dwelling which faces towards Greystones to the south and there are no existing openings within Greystones opposing gable end which might lead to privacy issues. A single first floor window is incorporated within the north side elevation which faces towards Long Sutton House, however, this will not result in any window to window relationships and is more than 50m away from the neighbouring house and as such is not considered to lead to any significant loss of privacy to this property.

With regard to the various requests made by a number of neighbours:

- It is not considered reasonable to insist that all site traffic use the new access that serves this site, however, given that this access has already been formed and that the applicant does not own any neighbouring land that might offer an alternative means of access it is likely that the new access will be used as the principle means of access for construction traffic.
- One neighbour has asked that construction works be restricted to normal working hours Monday to Friday another neighbour however has asked that there be no such restriction and instead a condition be imposed insisting that the development be completed within 12 months. Whilst it is noted that the existing permission has similar restrictions, it is agreed that a time limit in which to complete the works is not unreasonable given its close proximity to the listed building known as Greystones, but that up to 18 months is acceptable and has been agreed by the applicant. It is unusual however to be so restrictive in terms of hours of construction works for a development of this modest scale and indeed the applicant has expressed opposition to such a condition being imposed, as such this requirement will not form part of the officer's recommendation.
- The request that a mature planting scheme be incorporated as part of this development along all four boundaries is noted but is not considered to be necessary or reasonable to insist on. It is understood that a number of trees and shrubs have been removed from within the site, which the applicant / previous landowner was entitled to remove. There is already robust planting along the boundary to the north and west and high, close board fencing along the south boundary immediately to the rear of Greystones. The site plan includes a hedge immediately behind the roadside boundary wall which will help to soften the frontage visually and can be secured through a landscaping condition.
- There is no specific reason to justify why a condition should be imposed to control what external lighting future occupiers can or cannot have, as such this does not form part of the officer's recommendation.

Highway safety:

The proposed new access to serve the development leads on to Shute Lane, a classified highway subject to a 30 mph speed restriction. The layout of this access, level of visibility, parking provision (four spaces) and turning area are considered to comply with the highway authority's standing advice and to therefore raise no significant highway safety concerns.

Ecology:

A local resident has expressed dismay at the loss of a number and trees and shrubs on the site and the impact that this may have had upon wildlife. As previously noted, there are no planning restrictions to prevent the owner of the land from removing any trees and shrubs from the site prior to making this application, if through the removal of this planting any protected species have been harmed then the owner is at risk of prosecution under separate wildlife legislation. Incidentally no evidence has been provided to suggest that this is the case and there is no evidence to suggest that the proposed development would result in any substantive ecology relates issues.

Conclusion:

For the above reasons the proposed development is considered to be acceptable in this location, and to cause no significant adverse impact on the character of the area, highway safety, the setting of the nearby listed buildings, or residential amenity.

RECOMMENDATION

Grant permission for the following reason:

The proposed dwelling represents an appropriate and sustainable form of development which will contribute to the council's housing supply without demonstrable harm to visual or residential amenity, highway safety or harm to the setting of nearby listed buildings and therefore accords with the aims and objectives of the National Planning Policy Framework and saved policies ST5, ST6 and EH5 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 development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered 13/1382/01, 13/1382/02, 13/1382/03 and 13/1382/04 received 07/01/2014.

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

03. This permission shall not be exercised in addition to any residential permissions already granted (viz application ref.13/03062/FUL) and shall be treated as an alternative so that the developer may have the option of carrying out development in accordance with the present permission or the permission already granted, but not both. In the event of the residential development referred to in the permission already granted (13/03062/FUL) being substantially carried out, this permission shall forthwith lapse and be of no effect.

Reason: The Local Planning Authority would not have been prepared to grant planning permission but for the special need to accord with policy ST3 of the South Somerset Local Plan (Adopted April 2006).

04. The works hereby permitted shall be completed in all respects within 18 months of the commencement of works hereby approved, unless otherwise agreed in writing. Written notice of the date of the commencement of the approved works shall be given to the local planning authority.

Reason: To ensure that the works hereby approved are completed and / or not left in a partially completed state for a protracted period detracting from the character and setting of the adjacent the listed building in accordance with Policy EH5 of the South Somerset Local Plan.

05. No works shall be carried out unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority;

- a) particulars of the materials (including the provision of samples where appropriate) to be used for all external walls, roofs and chimneys. Such particulars will include the detailed finish;
- b) full details of all new walls and boundary walls, including the materials, coursing, bonding, mortar profile, colour and texture, to be provided in the form of a sample panel to be made available on site;
- c) details of the recess, design, materials and external finish for all external doors, windows, boarding and openings, including detailed sectional drawings where appropriate;
- d) details of lintels to all new openings;
- e) details of all roof eaves, verges and abutments, including detailed section drawings, and all new guttering, down pipes and other rainwater goods, and external plumbing;
- f) details of all external meter boxes, including their position, design and materials;
- g) details of all gates, fences and the surface material for the parking and turning area.

Reason: In the interest of visual amenity and to safeguard the setting of the adjacent listed building to accord with Policies ST6 and EH5 of the South Somerset Local Plan.

06. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels. All planting, seeding, turving or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; 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 amenity and in accordance with policies ST5, ST6 and EH5 of the South Somerset Local Plan.

07. The internal ground floor levels of the buildings hereby permitted shall accord with the details set out on the proposed site plan (drawing number 13/1382/02) received 07/01/2014, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the setting of the adjacent listed building to accord with Policies ST6 and EH5 of the South Somerset Local Plan.

08. Before the dwelling hereby permitted is first occupied, the access over the first 5m of its length shall be properly consolidated and surfaced (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with Policy ST5 of the South Somerset Local Plan.

09. Before the dwelling is occupied and 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 any part of the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority and thereafter maintained in this fashion at all times.

Reason: In the interests of highway safety and to comply with Policy ST5 of the South Somerset Local Plan.

10. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43m either side of the access. Such visibility shall be fully provided before the development hereby permitted is first brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and to comply with Policy ST5 of the South Somerset Local Plan.

11. The access shall not be brought into use until drop kerbs have been installed at the carriageway edge and/or a vehicle cross-over constructed across the verge fronting the site for the width of the access.

Reason: In the interests of highway safety and to comply with Policy ST5 of the South Somerset Local Plan.

12. The area allocated for parking and turning (for vehicles and cycles) on the submitted plan, drawing no. 13/1382/02 received 07/01/2014, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles, in connection with the development hereby permitted.

Reason: In the interests of highway safety and to comply with Policy ST5 of the South Somerset Local Plan.

13. Any entrance gates shall be hung to open inwards and set back a minimum distance of 5m from the highway at all times.

Reason: In the interests of highway safety and to comply with Policy ST5 of the South Somerset Local Plan.

Area North Committee – 26 March 2014

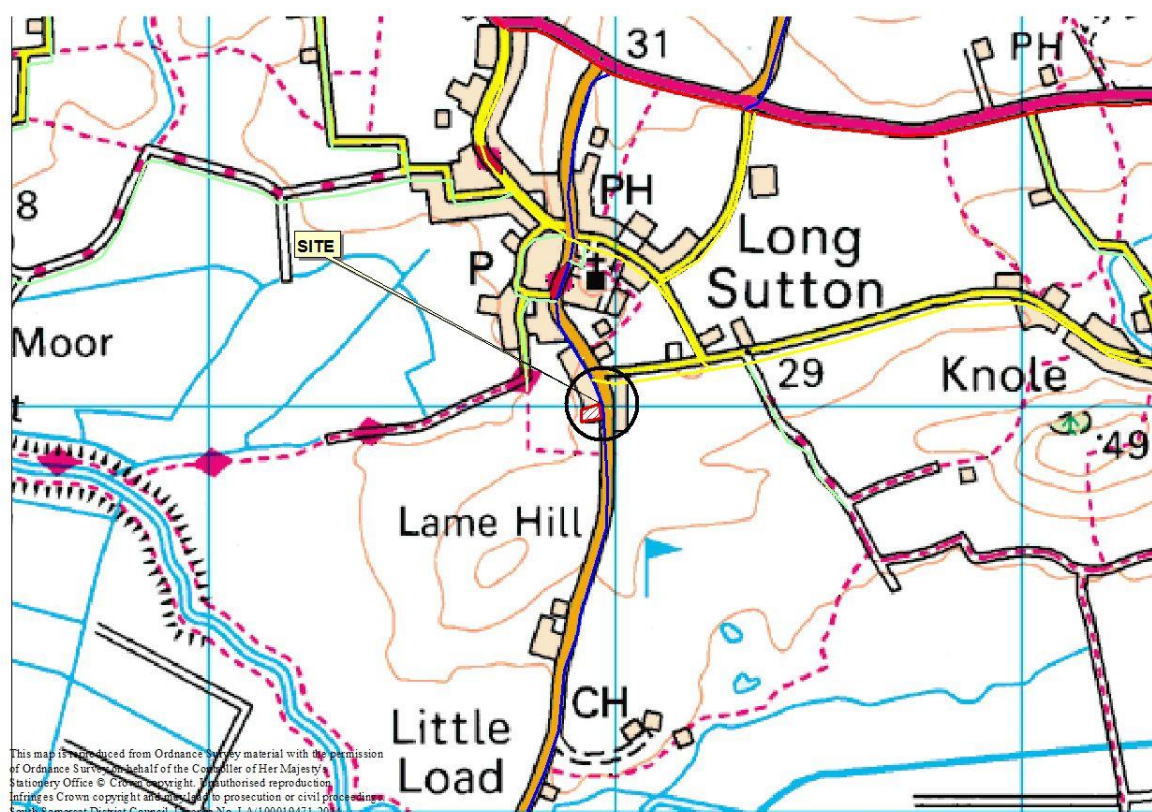
Officer Report On Planning Application: 14/00227/FUL

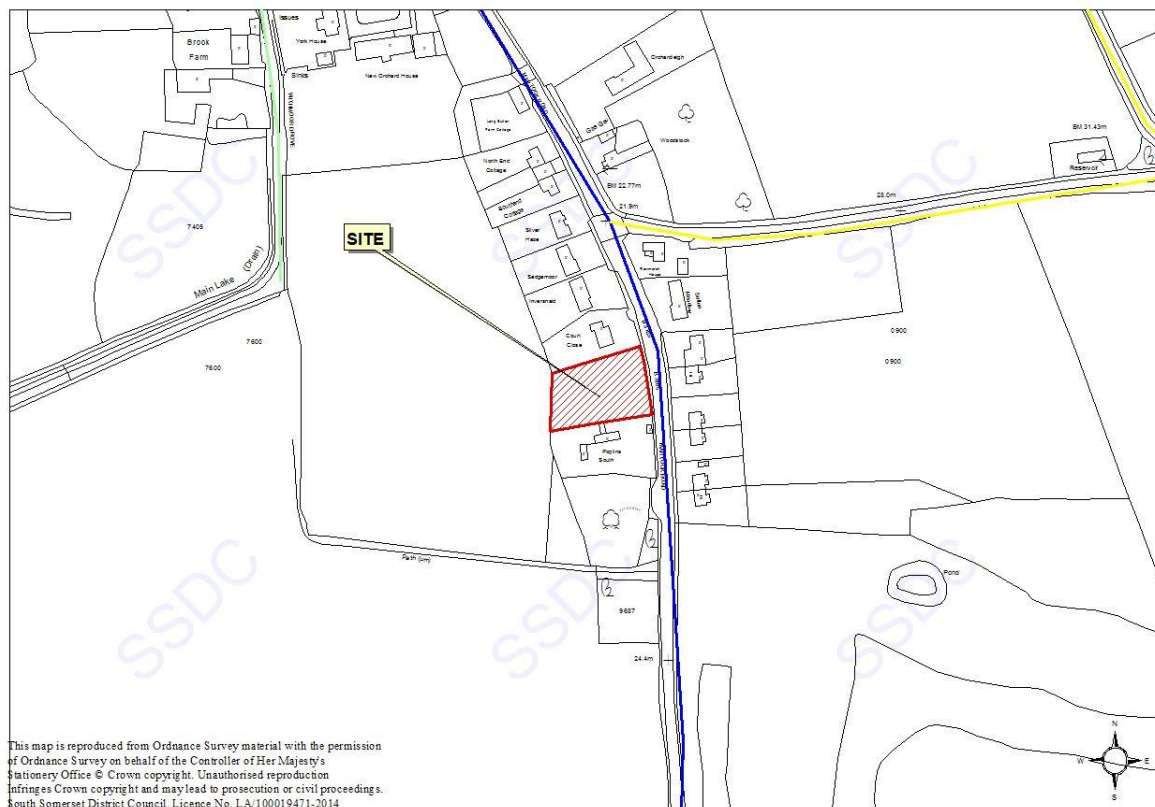
Proposal :	Proposed demolition of existing bungalow, formation of new vehicular access and erection of 2no dwellings (Revised application 13/00837/FUL) (GR 346935/124971)
Site Address:	Poplins Barton, Martock Road, Long Sutton.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr Shane Pledger
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	13th March 2014
Applicant :	Mr P Mepham
Agent: (no agent if blank)	Mr F Della Valle, Della Valle Architects Ltd, Lake View, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The Area Chair (who is also the Ward Member) is involved in the construction of the approved scheme and this revised proposal.

SITE DESCRIPTION AND PROPOSAL





The site is located at the southern end of the village, on the west side of Martock/Somerton Road, 100m from the intersection with Knole Causeway.

The site currently accommodates a single storey reconstituted stone dwelling, to be demolished as part of a redevelopment of the site for two dwellings (approved permission 13/00837/FUL). The existing dwelling shares a plot and vehicular access with a stone single storey dwelling, to the south of the bungalow. This latter dwelling is in separate ownership, and the plot is being divided to give separate access to the separately owned properties. A new access is therefore included within the proposals to provide for the two new dwellinghouses. The site is within the defined development area, and slopes gently to the west from the highway. There are other dwellings nearby - across the road and to the north of the site - but the western boundary gives onto open fields.

Permission was granted for the demolition of the bungalow and its replacement with two double-storey houses (13/00837/FUL), and development has commenced on site. The applicant seeks to make minor changes to the scheme - the enlargement of the ground floor along the western side of both houses. This will increase the footprint of each house by 12 sq m, and provide an enlarged upper floor terrace opening out of bedrooms.

HISTORY

13/00837/FUL - The demolition of existing bungalow, formation of new vehicular access, and erection of 2no dwellings - permitted with conditions, May 2013.

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

decisions 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 South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the South Somerset Local Plan (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 (March 2012):

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

Policy-related Material Considerations

South Somerset Sustainable Community Strategy
 Goal 3 - Healthy Environments
 Goal 4 - Services and Facilities
 Goal 8 - High Quality Homes

Somerset County Council Parking Strategy, March 2012 and September 2013.
 Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: The PC supports the application.

Highways Authority: Standing Advice applies.

SSDC Landscape Officer: The comments on the original scheme are referred to; no objection is raised, provided that the agreed landscaping scheme is implemented.

Wessex Water: No objection is raised, but advice is provided on water supply and sewerage issues.

REPRESENTATIONS

None received.

CONSIDERATIONS

Principle of Development

The proposal represents a minor change to an approved development. The principle of development is therefore accepted.

Visual and Landscape Impact

The changes to the approved scheme are minor, and not considered to have any harmful impact on the setting.

Impact on Amenity

The proposed changes extend the upper storey terraces towards each other. However, screening is provided, and it is not considered that any unacceptable overlooking would result.

Highways Issues

In considering the original application, the Highways Authority recommended refusal of the application, as the visibility splays at the access were considered to be unsafe. The case officer commented as follows:

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.

In considering the matter, the Committee resolved to approve the application contrary to the advice of the Highway Authority and the Case Officer. The current application does not alter the access arrangements, and therefore the proposal is treated as being acceptable, and the highways issue is not raised as a reason for refusal.

EIA Regulations

Not relevant.

Conclusion

The minor changes to the western elevations of the two houses are not considered to have any significant impact on the approved scheme, either visually or in terms of residential amenity. No change has been made to the highways or any other aspect of the approved scheme, and the proposal is accordingly recommended for approval, subject to conditions as previously.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Grant permission for the following reason:

01. The minor changes to the approved scheme 13/00837/FUL, by reason of their design, scale and materials, respect the character and appearance of the area, and cause no harm to residential amenity, in accordance with the aims and objectives of the NPPF and Policies ST5 and ST6 of the South Somerset Local Plan, 2006.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: F1111/100E, F1111/101G and F1111_102.

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

02. The materials and other details approved in the letter ref. 13/04197/DOC (discharging conditions of the planning permission 13/00837/FUL) and as subsequently shown on the submitted plans referred to in Condition 2 above, 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 saved policies ST5 and ST6 of the South Somerset Local Plan.

03. The first floor windows and roof lights on the south elevation of plot 1 and the north elevation of plot 2 shall be obscurely glazed and of restricted opening, in accordance with the details approved in the letter ref. 13/04197/DOC (discharging conditions of the planning permission 13/00837/FUL). Once implemented, in accordance with the approved details, the windows shall be retained and maintained in this fashion in perpetuity, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the privacy of neighbouring occupiers in accordance with policy ST6 of the South Somerset Local Plan.

04. The privacy screens for the balconies shall be erected in accordance with the details indicated on the submitted plans ref. F1111/100E and F1111/101G prior to the first occupation of the dwellings and shall be maintained and retained in perpetuity unless otherwise agreed in writing with the LPA.

Reason: To ensure the privacy of the occupiers of the dwellings hereby approved in accordance with policy ST6 of the South Somerset Local Plan.

05. The scheme of landscape planting approved in the letter ref. 13/04197/DOC (discharging conditions of the planning permission 13/00837/FUL), and as shown on the submitted plan ref. F1111/101G, shall be fully implemented in the first planting and seeding season following the occupation of the buildings 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 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: To safeguard the character and appearance of the area and the surrounding landscape in accordance with saved policies EC3, ST5 and ST6 of the South Somerset Local Plan.

Informatives:

01. The applicant's attention is drawn to the advice of Wessex Water, in their letter of 24 January 2014, which can be viewed on the application file on the Council's website.
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Area North Committee – 26 March 2014

Officer Report On Planning Application: 14/00327/FUL

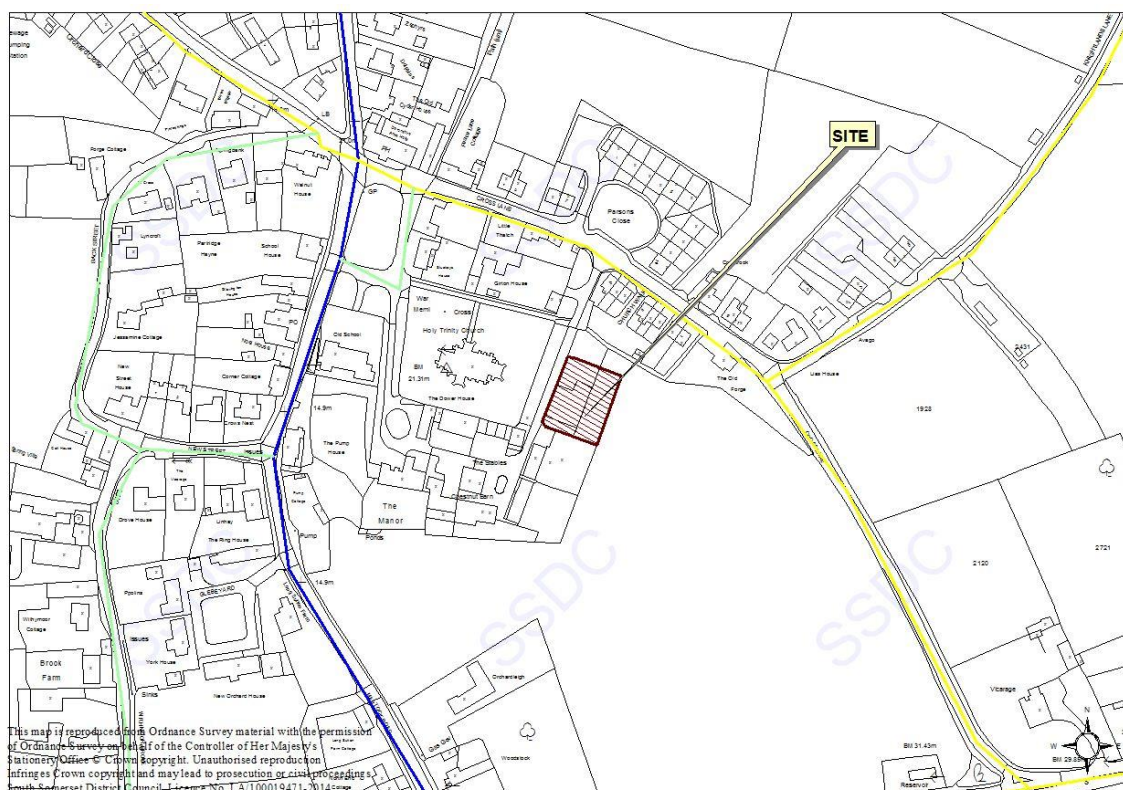
Proposal :	Proposed erection of single storey detached double garage (GR: 347007/125284)
Site Address:	Land Off Cross Lane, Long Sutton, Langport.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr Shane Pledger
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	26th March 2014
Applicant :	Mr S Pledger
Agent: (no agent if blank)	Mr Francesco Della Valle, Lake View, The Maltings, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO AREA NORTH COMMITTEE

The applicant is an elected councillor of this council.

SITE DESCRIPTION AND PROPOSAL





This application is seeking the erection of a single storey detached garage, to be constructed from timber boarding and reclaimed slate, for use in association with the new dwelling currently under construction on this site.

The application site is a small parcel of land located beyond any development area and within a designated conservation area and adjacent to a Grade I listed church and Grade II* and Grade II listed buildings at Manor Farm to the south. The site is also within an area of high archaeological importance. Access to the site is via a private road leading off Cross Lane to the north which is shared with the residential development at Manor Farm to the south. A public footpath passes close to the rear boundary of the site. The shell of the approved dwelling is now substantially complete.

HISTORY

13/04313/S73A: Application to vary condition 2 of planning permission 12/01461/FUL for the substitution of approved plans to allow alterations to openings on the southwest elevation and the installation of roof lights on the rear roof slope. Permitted.

12/01461/FUL: Erection of a detached dwelling and associated access. Permitted.

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 South Somerset Local Plan and the policies of most relevance to the proposal are:

ST3 - Development Areas
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EH1 - Conservation Areas
 EH5 - Development Proposals Affecting the Setting of Listed Buildings
 EC3 - Landscape Character
 TP7 - Parking Provision in Residential Areas

National Planning Policy Framework:

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

CONSULTATIONS

Long Sutton Parish Council: Support the application, subject to the use of natural stone of a type and mortar mix to match the existing dwelling.

County Highway: Referred to their standing advice which sets out a minimum parking requirement of 3.5 spaces.

Conservation: (Latest comments) Following the revisions I have no objection.

(Original comments) As you will recall we had concerns over the original proposal with regard to the views into and from the countryside and the setting of the church. This proposal may prove acceptable but I would seek a reduction in the overall height of the garage as well as its eaves and the door heads to be amended in their design so that they are flat rather than arched.

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

Archaeology: No objections.

REPRESENTATIONS

None.

CONSIDERATIONS

This application is seeking planning permission for the erection of a detached double garage in association with the new dwelling (approved under applications 12/01461/FUL and 13/04313/S73A) which is nearing completion on the site.

The application site backs on to open countryside and lies immediately to the east of Holy Trinity Church, a Grade I listed building, with the Grade II* and Grade II listed buildings of Manor Farm to the south and is also located within a conservation area.

The conservation officer initially raised some concerns in relation to the height of the proposed garage and the shape of the door heads of the vehicular openings. In

response to these comments the applicant has amended the scheme to address these concerns and the conservation officer has confirmed that he is now satisfied with the proposal.

It is noted that the Parish Council has requested the garage be constructed from natural stone to match the house rather than the timber boarding proposed. The house has been designed to emulate the characteristics of a converted tithe barn and it is not considered that the use of natural stone is essential to the acceptability of this scheme. Rather a different material will help to break up the overall massing of built form on this site and will assist in the impression of a new addition to a former conversion scheme. In all other respects the garage is considered to be acceptable visually and to raise no new issues with regard to the setting of the conservation area or the adjacent listed buildings.

Given the relatively modest single-storey scale of this building and its position away from any neighbouring properties the proposed garage raises no substantive residential amenity concerns.

It is noted that the level of parking to be provided complies with the highway authority's standing advice and the proposal therefore raises no highway safety issues.

For the reasons set out above, the proposed development is considered to respect the semi-rural and historic setting of the conservation area and adjacent listed buildings, to cause no demonstrable harm to residential amenity or substantive highway safety concerns. On this basis the development accords with the aims and objectives of the NPPF and Policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan and is therefore recommended for approval.

RECOMMENDATION

Grant permission for the following reason:

The proposed outbuilding, due to its scale, design and materials, respects the semi-rural and historic setting of the conservation area and adjacent listed buildings, causes no demonstrable harm to residential amenity and will not be prejudicial to highway safety and is therefore considered to be in accordance with the aims and objectives of the National Planning Policy Framework and Policies ST5, ST6, EH1 and EH5 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 development hereby permitted shall be carried out in accordance with the following approved plan drawing numbered F1158_102F received 10/03/2014.

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted, as well as their finish, shall match the details set out on approved drawing numbered F1158/102, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the character and setting of the conservation area and setting of the adjacent listed buildings in accordance with Policies EH1 and EH5 of the South Somerset Local Plan.
