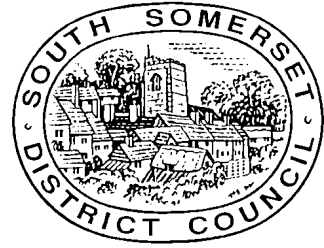


**South Somerset District Council**

*Notice of Meeting*



**Area West Committee**

*Making a difference where it counts*

**Wednesday 18th February 2015**

**5.00 pm**

(The first item on the agenda is confidential and will be taken in closed session. The remainder of the meeting is open to the public and will not start before 5.30 p.m.)

**The Shrubbery  
Station Road  
Ilminster, TA19 9AR**

(disabled access is available at this meeting venue)



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The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than 6.30pm.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Morris 01935 462055**, website: [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

This Agenda was issued on Monday 9<sup>th</sup> February 2015.

A handwritten signature in black ink that reads 'Ian Clarke'.

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

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



INVESTORS IN PEOPLE

# Area West Committee Membership

The following members are requested to attend the meeting:

**Chairman:** Angie Singleton  
**Vice-chairman:** Paul Maxwell

Mike Best  
Dave Bulmer  
John Dyke  
Carol Goodall  
Brennie Halse

Jenny Kenton  
Nigel Mermagen  
Sue Osborne  
Ric Pallister  
Ros Roderigo

Kim Turner  
Andrew Turpin  
Linda Vijeh  
Martin Wale

## 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 and 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 will commence no earlier than 6.30pm, following a break for refreshments, in the order shown on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

## Highways

A representative from the Area Highways Office will attend the Committee quarterly in February, May, August and November. They will be available half an hour before the commencement of the meeting 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 SSSC 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 3 minutes on agenda items; and
- see agenda reports.

Meetings of the Area West Committee are held monthly at 5.30 p.m. on the 3<sup>rd</sup> Wednesday of the month in venues throughout Area West (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](http://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 3 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 West Committee

**Wednesday 18th February 2015**

## Agenda

### *Preliminary Items*

#### *Confidential Item*

1. **Exclusion of Press and Public** (Page 1)
2. **Historic Buildings at Risk (Confidential)** (Pages 2 - 12)

### *Preliminary Items*

3. **To approve as a correct record the Minutes of the Previous Meeting held on 21st January 2015**
4. **Apologies for Absence**
5. **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.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. As a result of the change made to the Code of Conduct by this Council at its meeting on 15<sup>th</sup> May 2014, where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

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. Mike Best, Angie Singleton and Linda Vijeh

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.

## **6. Public Question Time**

This is a chance to ask questions, make comments and raise matters of concern.

Parish/Town Councils may also wish to use this opportunity to ask for the District Council's support on any matter of particular concern to their Parish/Town.

Anyone wishing to raise matters in relation to items on the agenda may do so at the time the item is considered.

## **7. Chairman's Announcements**

### *Items for Discussion*

- 8. Area West Committee - Forward Plan** (Pages 13 - 15)
- 9. SSDC Welfare Benefit Work in South Somerset** (Pages 16 - 22)
- 10. Area West Development Plan and Budget Progress Report (Executive Decision)** (Pages 23 - 31)
- 11. Planning Appeals** (Pages 32 - 38)
- 12. Schedule of Planning Applications to be Determined by Committee** (Pages 39 - 40)
- 13. Planning Application 14/05486/FUL - 7 Court Farm Close, Winsham** (Pages 41 - 45)
- 14. Date and Venue for Next Meeting** (Page 46)

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

**This does not apply to decisions taken on planning applications.**

# Agenda Item 1

## **Exclusion of Press and Public**

The Committee is asked to agree that the following item (agenda item 2) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 3: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)." It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

# Agenda Item 2

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Agenda Item 8

## **Area West Committee - Forward Plan**

*Strategic Director:* Rina Singh, (Place and Performance)  
*Assistant Director:* Helen Rutter / Kim Close, (Communities)  
*Service Manager:* Andrew Gillespie, Area Development Manager (West)  
*Agenda Co-ordinator:* Jo Morris, Democratic Services Officer , Legal & Democratic Services  
*Contact Details:* jo.morris@southsomerset.gov.uk or 01935 462055

### **Purpose of the Report**

This report informs members of the proposed Area West Committee Forward Plan.

### **Recommendation**

Members are asked to:-

- (1) comment upon and note the proposed Area West Committee Forward Plan as attached.
- (2) identify priorities for further reports to be added to the Area West Committee Forward Plan.

### **Forward Plan**

The Forward Plan sets out items and issues to be discussed by the Area West Committee over the coming few months.

The Forward Plan will be reviewed and updated each month in consultation with the Chairman. It is included each month on the Area West Committee agenda and members may endorse or request amendments.

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

Councillors, service managers, partners and members of the public may request that an item is placed within the forward plan for a future meeting by contacting the agenda co-ordinator.

**Background Papers:** None.

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## Notes

- (1) Items marked in italics are not yet confirmed, due to the attendance of additional representatives.
- (2) Further details on these items, or to suggest / request an agenda item for the Area Committee, please contact the Agenda Co-ordinator; Jo Morris, 01935 462055 or e-mail jo.morris@southsomerset.gov.uk
- (3) Standing items include:
  - (a) Chairman's announcements
  - (b) Public Question Time

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
18 <sup>th</sup> March 2015	Report on the Performance of the Streetscene Service	Service report on performance and priority issues in Area West	Chris Cooper, Streetscene Manager
18 <sup>th</sup> March 2015	Ilminster Forum	Update report including progress of the promoting Ilminster Project Reports from members on Outside Organisations	Zoe Harris, Neighbourhood Development Officer (Communities) Cllr. Carol Goodall
15 <sup>th</sup> April 2015	Section 106 Obligations	Monitoring Report	Neil Waddleton, Section 106 Monitoring Officer
May 2015	No meeting		
17 <sup>th</sup> June 2015	<i>Community Health and Leisure</i>	<i>Annual service update report from the SSDC Community Health and Leisure service including the Healthy Lifestyles programme.</i>	<i>Lynda Pincombe, Community Health and Leisure Manager</i>
17 <sup>th</sup> June 2015	<i>Highways Update</i>	<i>To update members on the highways maintenance work carried out by the County Highway Authority.</i>	<i>Mike Fear, Assistant Highway Service Manager, Somerset County Council</i>
17 <sup>th</sup> June 2015	<i>Area West Committee Meeting Times and Venue Review</i>	<i>At the Area West Committee in May 2014 it was agreed that meeting arrangements for Area West Committee would be reviewed again at the beginning of the new Council year in 2015.</i>	<i>Andrew Gillespie, Area West Development Manager</i>
17 <sup>th</sup> June 2015	<i>Area West Committee Working Groups and Outside Organisations – Appointment of Members</i>	<i>To review the appointment of members to various working groups and outside organisations.</i>	<i>Jo Morris, Democratic Services Officer</i>

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
17 <sup>th</sup> June 2015	<i>Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice Chairman</i>	<i>To review the appointment of two members to act as substitutes for the Chairman and Vice-Chairman in the exercising of the Scheme of Delegation for planning and related applications.</i>	<i>Jo Morris, Democratic Services Officer</i>
TBC	<i>LEADER Programme for Rural Economic Development</i>	<i>To report on the outcome of applications for funding.</i>	<i>Helen Rutter, Assistant Director (Communities)</i>
TBC	<i>Conservation Team Update Report</i>	<i>An update on the work of the Conservation Team.</i>	<i>Adron Duckworth, Conservation Manager</i>
TBC	<i>Update on Assets in Area West</i>	<i>A representative from the Strategic Asset Steering Group (SASG) to give an update on the assets in Area West.</i>	<i>Vega Sturgess, Strategic Director (Operations &amp; Customer Focus) Donna Parham, Assistant Director (Finance &amp; Corporate Services)</i>

# Agenda Item 9

## **SSDC Welfare Benefit Work in South Somerset**

*Strategic Director:* Vega Sturgess, Strategic Director (Operations and Customer Focus)  
*Assistant Director:* Steve Joel, Assistant Director (Health and Well Being)  
*Service Manager:* Kirsty Larkins, Housing and Welfare Manager  
*Lead Officer:* Catherine Hansford, Welfare Benefits Team Leader  
*Contact Details:* catherine.hansford@southsomerset.gov.uk or 01935 463737

### **Purpose of the Report**

To update and inform Members on the work of the Welfare Benefit Team for the financial year 2013/14.

### **Public Interest**

The report gives an overview of the work of the SSDC Welfare Benefit Team.

### **Recommendation**

Members are invited to comment on the report.

### **What is the Welfare Benefit Team?**

The Welfare Benefits Team consists of 3.1 full time equivalent staff responsible for undertaking casework for clients across the whole of South Somerset. We provide specialised advice and advocacy; preparing claims, representing clients at Appeals, up to and including First-Tier and Upper Tier Tribunals.

The Team is based at Petters House and provides advocacy and advice by telephone, appointments at Petters House and the Area Offices and carries out home visits where appropriate.

In 2013-14, funding was in place to provide additional outreach surgeries in Areas North and East.

### **Annual Statistics**

During 2013 the Welfare Benefit Team undertook casework for 680 clients across South Somerset achieving an Annual Income for clients of £1,148,952.00. In addition clients received a total of £213,423.00 in Lump Sums. Combined total: £1,362,375 (at 14/01/2015).

We undertook casework for 214 clients in Area West, achieved an annual income of £443,127.00 and lump sums of £75,032.00, combined total of £518,159.00.

Please note that these figures are provisional due to the time lag involved in benefits being awarded/clients confirming their award. This lag is longer than in previous years due to the extended delays with existing and new benefits (one year for new claims for Employment and Support Allowance (ESA) – although a basic rate is paid until that time). We would expect these figures to show a further increase as 51 cases remain open awaiting outcomes.

Personal Independence Payment (PIP) and ESA processing delays are largely due to the backlog of medical examinations with the Healthcare Providers (ATOS).

Out of the 680 clients we worked with we helped take 71 to appeal. This is a drop in last year's figures as fewer decisions are being made and because October 2013 also saw the introduction of the Mandatory Reconsideration process.

42 appeals were successful and the unsuccessful appeals automatically proceeded to a tribunal.

We took 28 cases to Tribunal and won 27 of them – an 96% success rate so far which is way above the national average of represented cases.

Sometimes we pick up cases that are already at Tribunal stage.

Unfortunately there are no timescales for processing Mandatory Reconsiderations and we have some cases that have been open, awaiting outcomes for up to 7 months or longer and once decisions are made they may still progress to appeal, leading to further delays.

### **Where We Are Now**

The 2012 Welfare Reform Act represents the biggest change to the welfare system in over 60 years. All these changes are also taking place against a backdrop of reductions in funding from central government across both the statutory and third sectors.

### **Passported Benefits**

The impact of completely redesigning the whole system of means tested benefits and tax credits goes beyond those just immediately affected by losing a benefit.

Over time a whole raft of secondary benefits have been developed and eligibility depends on receiving Income Support, income based Jobseeker's Allowance, income related Employment and Support Allowance and Child Tax Credits.

These are known as 'passported benefits' and include free school meals, school travel, prescriptions, dental treatment and other reductions in prices for services, e.g. leisure, Careline etc.

The Social Security Advisory Committee, a statutory independent committee which advises Department of Work and Pensions (DWP) on the operation of the benefits system, has recently produced a report (1) which raises clear concerns about the loss of these passported benefits.

It points out that these benefits make significant contributions to the health and wellbeing of low income families and to preventing child poverty and social exclusion.

If families lose benefits and in turn eligibility for free school meals this also impacts on the overall funding the schools receive in the 'pupil premium'.

In addition if families migrate because of the Housing Benefit caps and other loss of income arising from the reforms, then this will have significant impact sub-regionally and could exacerbate disparities of wealth in rural areas.

The application of the Spare Room Subsidy to Social Housing Tenants (known as the Bedroom Tax) was also rolled out from April 2013 and, as of March 2014, 2,651 tenants in Somerset experienced a reduction in Housing Benefit as a result of this, with South Somerset having the highest number affected at 793.

From September 2013, the Benefit Cap (the total amount of benefit that working-age households can receive) was implemented and whilst there were a relatively small number of households affected in Somerset (around 100 by April 2014), South Somerset again had the highest number of affected households at 38 (by April 2014).(2)

Figures from Mendip DC, South Somerset DC and Taunton Deane BC indicate that more than 6,700 households have been affected by reductions in Local Housing Allowance rates (the Housing Benefit paid to tenants who rent from private landlords).

There has been an almost three fold increase in the households in Somerset receiving extra help with housing costs through Discretionary Housing Payments (DHP) in 2013-14 compared to 2012-13. DHP's in South Somerset have risen from 230 to 487. (2)

### **Saved and Maintained Tenancies**

The figures for Saved and Maintained Tenancies for 2013-14 stand at 7 and 35.

Saved Tenancies are those cases which would have resulted in the loss of the tenancy but for the intervention of the Welfare Benefit Team. Maintained Tenancies are those where the Welfare Benefit Team have undertaken a significant amount of work with the clients towards assisting in the successful maintenance of the tenancy.

The cost to SSDC of dealing with a homeless application is estimated at £2630 per family. The 7 tenancies saved by the intervention of the Welfare Benefit Team equates to a potential saving of £18,410.00. Further savings were made by the 33 x Maintained Tenancies, as it is highly probable that a number of these would have progressed to the stage of loss of tenancy without early intervention, which is key in the current financial climate.

The need for support for people to retain their homes has never been greater than now given the consequences of Welfare Reform.

### **Housing Benefit**

More recent research from the National Housing Federation (3) shows that middle-income households earning between £20,000 - £30,000 a year accounted for two thirds of all new Housing Benefit claims during the last six years, as the struggle to afford a home gets tougher.

With the proportion of households having to claim Housing Benefit despite being in work doubling to 22 per cent (one in five) since 2008, the National Housing Federation predicts that this figure could rise to one in three in the next five years. (3)

Here in South Somerset, out of a Housing Benefit caseload of 10,065, working claimants make up 2513 of these which, at 25%, is higher than the national average. This does not include those in receipt of passported benefits who also work.

In 2004 the estimated cost for a 2 child family if an eviction took place without a homeless application being made was £3,563. The wider social costs in relation to education and health services were estimated to be £4,896. (4) In addition the emotional impact on clients' health will be considerable.

Becoming homeless is of course the very last resort for families and experience has shown that considerable financial pressure will be absorbed and debt accrued by families before



they accept it. The impact of this can be widely felt in families, children and vulnerable adults in these families can be particularly at risk.

Nationally, the number of Housing Benefit claimants who are in work in 2013-14 broke the *one million* barrier for the first time. DWP statistics published in November 2013 show that 1,013,822 people in employment were claiming Housing Benefit in August 2013.

## **Unemployment**

Unemployment is not so much an issue in South Somerset as underemployment - few people realise just how many in work rely on HB to pay their rent, not to mention earnings top up's such as Working Tax Credits due to typically low wages in the area.

UK figures published in December 2013 found that the largest group in poverty are working age adults without dependent children - 4.7 million people are in this situation, the highest on record. Pensioner poverty is at its lowest level for 30 years. (5)

## **The Value of Welfare Advice**

By ensuring the maximisation of income and helping to challenge decisions, welfare rights services ensure that national government covers such housing costs instead of the council by way of the homelessness route and/or loss in rent collection.

The Low Commission, in May 2014, published a major follow up work on the economic value of social welfare advice (6) and presents compelling evidence from different sources that social welfare advice saves public services money. So apart from putting money in the pockets of those who need it, there is also widespread added value from our work.

Looking at all work to date on Cost Benefits Analysis (CBA) and Social Return on Investment data, the report finds that this not only pays for itself, but it also makes a significant contribution to families/ households, to local area economics, and also contributes to significant public savings.

Different studies done in the UK, US, Canada and Australia have all demonstrated similar findings that for every pound or dollar invested, there's a multiple of 10 in the savings produced by, for example, keeping people their homes with jobs and incomes intact rather than having to utilise expensive crisis and emergency services. The review shows that advice across different categories of law result in positive outcomes for clients and their households. (6)

Commenting on the findings Lord Colin Low said:

*"This research, carried out independently, demonstrates with hard economics the true value of social welfare advice. It can no longer be argued that funding social welfare advice is too much of a burden on the state. Early and necessary interventions from advice and legal support prevent problems and expense further down the line"*

## **Partnership Work**

Co-ordinated joined up working with other agencies is now more important than ever with the emphasis on making advice more accessible in rural areas and taking service out across the district. We are striving to maintain and improve ways where we can complement each other's services, focusing on each agencies strong points, exploring new technologies and access routes and better referral systems.

We are also working in conjunction with other advice agencies on Social Policy issues. The agencies we work with, such as the National Association of Welfare Rights Advisers and Citizens Advice Bureaux campaign on a national level, which we feed into, as well as highlighting individual cases via the local MP's.

Our partner agencies include South Somerset CAB, Age UK, Yarlinton Housing Group, South Somerset Mind, Village Agents, South Somerset Alliance – a lottery funded project – and many more.

### **Case Studies and Feedback**

The advice we provide helps our clients get back on their feet again and encourages them to be pro-active as we try to empower and avoid over dependence.

This local face to face responsive support has become more essential as more and more services are rolled out digitally or through central processing centres.

This is highlighted in the feedback we receive from our clients.

*“Best Council office ever. Catherine has been brilliant and together with Phil they put so much effort to get us sorted and assisted us all the way through. Top service.”*

*“I really couldn't have managed this on my own. It was making me so ill with worry. Please keep this support going it is vital to those of us who are ill/disabled and can't fight our way through the benefit hurdles on our own.”*

*“Both Nadine and Andy were excellent. Thank you for the help. It has made my recovery a little bit easier”*

*“Helen was wonderful. If it wasn't for her excellent service we would have given up long ago. Can't thank her enough for her efforts. She was a true professional. She helped us so much with everything especially when we were under immense pressure due to a serious family illness. We really would not have been able to continue with the claim at this point. Helen was there for us, really supportive and fighting our claim she was amazing.”*

*“Just like to say a big thank you for your services. We don't know what we would do without your help. A big thank you for Andy. We would be lost without him.”*

*“Nadine has worked tirelessly for me. It was a huge comfort knowing that she was there if I needed her.”*

*“Helen was very professional and helpful and had a very knowledgeable approach to the case. She was so supportive and kept me informed of what was happening. She attended the tribunal with my wife and I and helped us through a very difficult time. Thank you and well done Helen!”*

*“Excellent! Both Andy and Catherine were great and re-assuring. They stood by me and we got through this together. Words cannot describe how grateful I am. They both deserve recognition for their hard work and patience. They're manager needs to see what stars they have on the team!”*

*“Helen who handled my case was brilliant and I am incredibly grateful to her for all she did for me. I am extremely happy, it has meant that I was able to stay in my home. Helen helped save my independence and I will be forever thankful to her for that. There's no way we could*

*have fought this case on our own and Helen never gave up - even when things looked very bleak.”*

### **Case Study**

Mr Jones is in his mid-50's and has worked all his life in the building trade. Sadly, he has developed lower back, hip and knee problems and had to cease work earlier in the year due to the physical nature of his job. He has already had a hip replacement and is awaiting a knee replacement operation.

His wife works 15 hours per week. They have two young children and receive Child Tax Credit. They live in rented accommodation.

Mr Jones claimed Contribution-based Employment and Support Allowance (ESA) in March 2014 but this was only paid for 26 days, because of the 365 day limit which was linked to a previous claim that he had made due to surgery, which had ended Jan 2013.

Several months later Mr Jones spoke to a SSDC customer adviser, because he and his partner, were struggling financially. The customer adviser felt that something was not quite right about his ESA and referred his case to the Welfare Benefits Team in September 2014.

Mr Jones showed us his ESA decision letter and we rang the DWP who confirmed that he had a previous contribution-based ESA award from Jan 2012 to Jan 2013 when he took time off work for his surgery (although returned to work as soon as he was fit and able). This been paid for 339 days. It was evident that the DWP had used the wrong tax years to apply the two qualifying conditions with regards to National Insurance contributions.

We helped Mr Jones with challenging the decision, and his contribution based ESA was reinstated in November 2014 and arrears paid accordingly. The DWP also acknowledged that maladministration (their words) of his claim – paying Mr Jones a special payment as compensation. His partner now has the option of claiming WTC if she can increase her working hours from 15 to 16+ hours.

Mr Jones is still awaiting his ESA medical assessment so we continue to keep an eye on his case.

### **Corporate Priority Implications**

Council Plan 2012-2015:

Focus 3: Homes

Focus 4: Health and Communities

### **Equality and Diversity Implications**

The work within the Welfare Benefit Team brings us into daily contact with vulnerable clients, people with disabilities and non-English speaking communities.

### **Financial Implications**

None

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

None

### **Background papers:**

- (1) *Universal Credit: the impact on passported benefits*, Report by the Social Security Advisory Committee, DWP, March 2012
  - (2) Somerset Welfare Reform Impact Monitoring 2013-14
  - (3) *Broken Market, Broken Dreams*, Home Truths 2014/15, report by the National Housing Federation 2014
  - (4) Somerset Community Legal Service Partnership: County Court Project
  - (5) *Annual Monitoring Poverty and Social Exclusion 2013* published by the Joseph Rowntree Foundation and written by the New Policy Institute (08/12/2013)
  - (6) *Social Welfare Advice services – A Review* by Graham Cookson, an economist at the University of Surrey
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# Agenda Item 10

## **Area West Development Plan and Budget Progress Report (Executive Decision)**

*Strategic Director:* Rina Singh, Place & Performance  
*Assistant Director:* Helen Rutter, Communities  
*Service Manager:* Andrew Gillespie, Area West Development Manager  
*Lead Officer:* Andrew Gillespie, Area West Development Manager  
*Contact Details:* Andrew.gillespie@southsomerset.gov.uk or 01935 462364

### **Purpose of the Report**

To provide an update on the progress of projects taking place in Area West, including those resourced through the Area and Corporate Capital Programmes. To give an overview of the Area West Reserve and Grants Programmes towards the end of the 2014/15 financial year.

### **Public Interest**

The Area Development Service supports the Council's four Area Committees (North, South, East & West) to work closely with local communities to create better places in which to live and work.

Each Committee has the freedom to use its resources, both financial and through its team of Development staff, to understand what matters to local people and address this by offering support, encouragement and direct financial & practical help.

The report gives a position on progress with implementing the Area Development Plan and gives Members the opportunity to consider any adjustments they might wish to make at this point during the year.

### **Recommendations**

- (1) To note and comment on the current Area West Capital Programme and Reserve;
- (2) To allocate a further £2,500 from the Area Reserve towards the costs of the study of 7-13 Fore Street;
- (3) To note the current position on community grants and other project budgets held by Area West.

### **Background**

Budgets are approved in February each year. Each of the four Area Committees has delegated responsibility for monitoring budgets within its control.

Area West considers all decisions relating to grant requests over £1,000, its Capital Programme and the allocation & spending of its Reserve. The Executive continues to monitor all budgets on a quarterly basis.

The Area West Committee focuses its resources to address local needs in order to promote improved quality of life in Area West. The Area Development Plan 2014/15 contains a set of local priorities, agreed by the Committee and a work programme with targets, to carry these forward throughout the year.

## Area Development Programme

Area West priorities for 2014-15 and progress against projects in the Area West Development Plan are attached in Appendix 1.

In addition to the half time ADM, the Area Development Team consists of 3 members of staff who divide their time across towns and surrounding villages.

Zoe Harris (Half time)	Dylan Martlew (Half time) from Dec 14	Paul Philpott (Full time)
Crewkerne	Crewkerne	Chard
Ilminster	Ilminster	

As needed and required, members will also take a lead role on cross area themes, e.g. the Blackdown Hills Partnership.

## Area West Capital Programme

The area capital programme supports investment in new or existing locally important assets. These may be SSDC owned, community owned or privately owned. In the last two categories support will normally be via a grant scheme. The current capital programme is attached at Appendix 2.

## Area West Reserve

There is currently £53,120 held in the Area West Reserve. This is an historical revenue fund that is not replenished annually. It can be used to support unplanned or urgent work or schemes that cannot be supported through the main, annual budgets. It has the flexibility to be used for capital or non-capital work, including staff costs or commissioned work. It can also be spent up front for work that is subsequently reimbursed. Funds held in the reserve have been reallocated during the year as shown. Some will be vired to the Area West revenue budget to cover actual expenditure at March 2015. If all allocations are drawn down the balance will reduce to £0.

Allocation of Reserve	Approved	Allocation as at May 2014 £	Allocation as at Jan 2015 £	£ Balance Remaining 14/15
<b>Balance B/fwd 13/14</b>				53120
Markets	May 2014	13500	8760	
Ilminster TC	July 2014		4740	
Underwrite Community Grants	May 2014	39620	13695	
Chard Area Youth Club Rent	Jan 2015		14000	
Chard Area Youth Club - Lottery bid	Jan 2015		1925	
Facilities for Chard - Study	Aug 2014		5000	
Fore St.- Study	Feb 2013		5000	
<b>Balance</b>		53120	53120	

## Area West Community Grants

This is now a small, annually renewed fund. We started 2014/15 with £31,240. Including recent specific allocations, but excluding grants made through other funding sources, £38,725 has been allocated, however some of this expenditure will take place in the future financial years.

The Area Development Team is able to provide advice on other funding opportunities for local community projects.

### Community Grants made under delegated authority (£1000 or less);

Applicant	Project	Parish	Award £	Date Paid
Active Learning & Skills	Art Project in George Reynolds Centre	Crewkerne	600	07/04/2014
Eclipse Carnival Club	Replacement Generator	Chard	750	02/05/2014
Crewkerne & District Museum	Purchase of digital display equipment	Crewkerne	1,000	20/06/2014
Chard, Ilminster & District Amateur Boxing Club	Purchase of equipment & training of volunteers	Chard	1,000	23/06/2014
Chard Town Team	Medieval Event (Market Charter Handover)	Chard	500	04/07/2014
Chard & District Carnival Committee	Purchase of Barriers & Training for Road Closures	Chard	750	10/09/2014
Dowlish Wake Speke Hall	Repairs to Speke Hall	Dowlish Wake	1,000	09/10/2014
Chard W.A.T.C.H.	Purchase of mobile hearing loop	Chard	950	20/11/2014
West Chinnock Playschool	Provision for 2 Year Olds	West Chinnock	250	03/12/2014

### Grants - Service Level Agreements

Applicant	Project	Parish	Award £	Date Paid
Crewkerne L.I.C.	Running costs	Crewkerne	500	09/04/2014
Ilminster L.I.C.	Running costs	Ilminster	500	09/04/2014
Chard T.I.C.	Running costs	Chard	5,000	19/09/2014
Blackdown Hills Partnership	Running costs	n/a	6,000	02/10/2014

### Community Grants made through other funding sources;

Funding Source	Applicant	Project	Award £	Date Paid
MTIG	ABCD	Theatre & Shops Project	6,000	02/05/2014
PORTAS	Chard Town Team	Funding	1,000	13/06/2014
EXT	DJK Graphics	Chard Traders Info Board Update	60	02/07/2014

EXT	Model Signage Solutions	Chard Traders Info Board - replacement panel	140	11/08/2014
PORTAS	Chard Town Team	Shop Front Electric Shutter	625	22/09/2014
PORTAS	Chard Town Team	Pop-Up Programme	1,355	06/10/2014
PORTAS	Chard Town Team	Ongoing Project Funding	1,000	09/10/2014
MTIG	Ilminster Town Council	Flowerbeds	2,894	09/10/2014
MTIG	Chard Town Council	Planter Refurbishment	3,220 (Capital)	10/12/2014

### Community Grants made by AW Committee decision;

Applicant	Project	Parish	Award £	Date Paid
Blackdown Hills AONB Partnership	Blackdown Hills Natural Futures Project		5,000	14/11/2014
Combe St. Nicholas Village Hall Cttee	Internal Alterations to toilets	Combe St. Nicholas	4,530 (Capital)	10/12/2014
Chard AYC	Funding for Youth Club	Chard (Combe)	15,925	n/a

### Other allocations made by AW Committee decision;

Sponsor	Project	Parish	Award £	Date Paid
SSDC	Sports Facilities Feasibility	Forton	5,000	n/a
SSDC	Study of 7-13 Fore Street	Chard (Combe)	5,000	17/12/2014

### Financial Implications

The recommended allocation of a further £2,500 towards the English Heritage grant aided study of 7-13 Fore Street can be found from the Area Reserve.

### Council Plan Implications

In compliance with the Council Plan

### Carbon Emissions & Climate Change Implications

None arising directly from this report

### Equality and Diversity Implications

None arising directly from this report

### Background Papers

Area West Development Plan 2014-15  
Monthly budget monitoring and quarterly capital monitoring reports



**Appendix 1**

**Place & Performance - Communities  
Area West Development Service Plan**

Portfolio Holder – Councillor Angie Singleton

Manager – Andrew Gillespie

Set out below are the key projects & programmes being undertaken by the team (either directly or in support of community groups & other partners) where we have a key role in the delivery of the projects. This Plan sits alongside our core work or responding to issues & problems on a day-to-day basis, working with Councillors & other services across the Authority and beyond, to try and resolve them.

Completed	In Progress – On Target	In Progress – Risk of Missing Target	Behind Target	Future Action – not started

<b>Service Action Plan: Top level actions – more detail is within individual work programmes/project plans</b>				
<b>Action</b>	<b>Lead Officer</b>	<b>Target Date</b>	<b>Outcomes to be achieved this year</b>	<b>Current Progress</b>
Provide support for the development and implementation of the Chard Regeneration Scheme, and in particular;	Andrew Gillespie/ Paul Philpott	As agreed	Support provided to assist delivery of Town Centre and CEDA developments and any other elements of the scheme as required	Performance is reviewed by the CRS Board
– to commission a feasibility study for the future use of Holyrood Lacemill and surrounding land as part of phased Town Centre regeneration	Andrew Gillespie	September 2014	Feasibility study provides details of appropriate marketing options for CRS board to consider	Commission of a feasibility study is now included in CRS programme but postponed pending investigation of potential for business incubation project using vacant 3 <sup>rd</sup> floor.
– Investigate opportunities to develop Stringfellow Gallery as part of town centre regeneration	Paul Philpott	September 2014	Options appraised	Some ideas explored but did not lead to firm proposals.
Continue to support the development of the Chard Town Team and;	Paul Philpott	On going	A financially independent Town Team with an active programme of events and activities to support business in the town centre.	The Town Team is now well established and provides a much needed forum to develop and coordinate regeneration activities

Chard Town Team emerging projects: a) establish a part time admin support post. b) renovate the minnows pond recreation area. c) community garden area – fore st. d) signage de-clutter project. e) “Meanwhile” displays for empty shop fronts, and;	Paul Philpott	Throughout the year	Town Team becomes more established as a key broker and delivery mechanism for Town Centre improvements and regeneration.	Significant development/completion of emerging projects;  a & e – no longer feasible at this time b, c & d – all in development
Chard Town Team existing projects; f) Retail incubation through the Pop-Up shop that was opened in August 2014 g) Update Traders board (Bath Street) h) Collect info for Town Guide App and promote the app with local traders – and	Paul Philpott	Initially until August 2015  Every 6 months  Throughout 2014/5	Up to 20 businesses brought to the High street. Demand and viability of Pop-up shop assessed based on business and customer take up. Traders board updated to maintain accuracy of information/retail offer TGA content well received and evidence of use established for future monitoring	f) Project ran for a year as planned. 11 retail business start-ups/growth from which 4 moved in to local retail premises g) Updates made as planned h) As per report to AWC Jan 2015. Chard local TGA rep appointed
Transfer of Market Charter / Chard Market Improvements/ Prepare for re location to redeveloped ACI site	Paul Philpott	Summer 2014 (revised date)	Chard Saturday Market made financially viable, successful and attractive as part of Town Centre offer Market Charter formally transferred from SSDC to Chard TC	Market Charter transferred and formed element of Mediaeval Fayre summer celebration. Working with Chard TC market group on other issues
Facilitate “Asset Transfer” of Chard Youth and Community Centre to Existing Tenants	Paul Philpott/ Andrew Gillespie	TBA	Asset transfer completed	Asset transfer not a realistic option. Alternative proposals agreed at AWC Jan2015
Grant Support to Chard Tourist Information Centre	Paul Philpott	Annual	Service Level Agreement covers promotion of Chard for visitors though the Town Centre based TIC	Service Level Agreement in place

Continue to support the community planning approach of A Better Crewkerne and District (ABCD)	Zoe Harris	On going	ABCD supported as the local regeneration group for Crewkerne with an active programme of projects and activities. Update reports to Area West Committee	Comprehensive update report made to AWC Jan 2015	
Assist ABCD with the preparation of a new community plan for Crewkerne	Zoe Harris	Ongoing	New Community Plan to guide local improvements	As above	
Continue to develop destination marketing project for Crewkerne with ABCD.	Zoe Harris	On going	Local development and control of marketing platform to increase visitor numbers	A progress report to Area West Committee is planned for March 2015 about the development of the DM project begun in February 2012	
Support ABCD to deliver a "Theatre in Shops" project	Zoe Harris	Performance day 31/5/2014.	Increase in footfall and vibrancy of Town Centre. Evaluation report to assess impact	Covered in ABCD report Jan 2015. Evaluation report given to scrutiny committee Nov14 was very positive. A "Poetry in Shops" day is planned for 16 <sup>th</sup> May 2015.	
Support Crewkerne Town Council with the development of Henhayes	Zoe Harris	As needed	Henhayes is maintained as important and successful Town Centre attraction	ADT supported the acquisition of adjacent land to assist delivery of Car Parking Strategy	
Assist Henhayes Centre to develop and action a fundraising strategy to fund major improvement works (Additional Project)	Zoe Harris	June/July 2015	Collect evidence to support bids for substantial grant aid	Work on this project has moved from discussion to the agreement on strategy and initial actions over the past 2 or 3 months	
Collect info for Town Guide App and promote the app with local traders	Zoe Harris	Throughout 2014/15	TGA provides mobile app guide to local retail offers that can be locally managed and updated TGA content well received and evidence of use established for future monitoring	Crewkerne rep actively developing local content to promote Town	
Continue to support the community planning approach of Ilminster Forum to furthering the economic, social and environmental well-being of Ilminster	Zoe Harris	Ongoing	IF supported as the local regeneration group for Ilminster with an active programme of projects and activities. Update reports to Area West Committee	A heavier than anticipated workload around ongoing potential local developments has reduced IF delivery capacity. An update to AWC is planned before May 2015.	
Assist the preparation of a new community plan for Ilminster	Zoe Harris	Monthly	New Community Plan to guide local improvements	See above	

Continue to develop destination marketing project for Ilminster – Quality in the Countryside	Zoe Harris	Ongoing	Local development and control of marketing platform to increase visitor numbers	Progress report to Area West Committee planned for March 2015	
Support the development of Ilminster Forum's monthly produce market	Zoe Harris	As needed	An established financially viable successful and attractive local Market that improves the Town Centre offer	An update will be included in the IF progress report	
Support the delivery of a town centre environmental improvement	Zoe Harris	As needed	Planters and Other street furniture improvements that declutter and also promote the Ilminster; Quality in the Countryside branding	This scheme was implemented in 2014 has been supported with MTIG funding through the "Portas" programme	
Commission project to research and provide evidence of demand for local business premises in Ilminster and Crewkerne	Dylan Martlew	To be completed by March 2015	The loss of land/premises to residential use is resisted.	After delayed but successful recruitment of temp NDO, project began in December 2014 and should now be completed in July 2015	
Monitor Town Centre "problem" areas and encourage development or mitigation	Zoe Harris	Ongoing	Derelict/Unsightly areas are brought back into use	Site specific – no issues involving stalled sites currently	
Collect info for Town Guide App and promote the app with local traders	Zoe Harris	Throughout 2014/15	As above	Ilminster an "early adopter" of the TGA.	
Manage the Market Towns Investment Group and Investment Programmes	Andrew Gillespie / North, West & East Area Teams	On going	Programmes of Investment Market Towns guided and inspired by Community-led Plans and opportunities for collaboration	Investment/Improvement projects delivered in Chard, Crewkerne and Ilminster have all benefitted from MTIG funding and the MTIG support network.	
Support the "Making it Local" Investment programme, Chair small grants committee and sit on transition working group	Zoe Harris*/ Andrew Gillespie	Quarterly	Funding opportunities for investment in economic development initiatives and training made available within MIL area of South Somerset.	*Zoe is on part time secondment to the MIL project until Feb/March 2015. Defra's approval of arrangements to access any funding are still awaited.	
Support Parish Planning	Zoe Harris/ Paul Philpott	As needed	Appropriate support is made available to Parish Councils to undertake PP development	3 Responses to requests for advice and practical support have been made this year.	

In addition, the service will deliver actions to deliver key corporate strategies, comply with corporate policies, deliver savings, monitor performance, review and monitor complaints and manage risk within the service

**Appendix 2: AREA WEST CAPITAL PROGRAMME 2013/14**

	2014/15 Estimate Spend	Actual Spend to 30/06/2014	Remaining Spend	Future Spend	Responsible Officer(s)	Responsible Officers comments on action on slippage and performance against targets
	£	£	£	£		
Forton Community Association	12,500	0	12,500	0	A Gillespie	Provisional grant awarded 15.8.2012 for a Community Centre Project. 21.8.2013 grant extended until 31.3.2014. On hold pending investigation of potential larger project
Combe St Nicolas Village Hall Toilets	4,530	4,530	0	0	A Gillespie	Grant awarded at 19.11.2014 Committee
<b>Total West Capital Programme Approved in Detail</b>	<b>17,030</b>	<b>4,530</b>	<b>12,500</b>	<b>0</b>		

**Approved in Principle and  
Unallocated**

Ilminster Community Office	0		0	20,000	A Gillespie	
Area West Markets Improvement Group (Nov 2010 committee)	5,660		5,660		A Gillespie	
Unallocated Programme	0		0	94,712	A Gillespie	As projects are agreed at committee funding is shown in main programme above. Additional £25,000 awarded February 2013 for 2013/14
<b>Total Approved in Principle and Unallocated</b>	<b>5,660</b>		<b>5,660</b>	<b>114,712</b>		

**Summary**

West Capital Programme	17,030	4,530	12,500	0
Reserve Schemes (Approved in Principle and Unallocated)	5,660		5,660	114,712
<b>Total Programme to be Financed</b>	<b>22,690</b>	<b>4,530</b>	<b>18,160</b>	<b>114,712</b>

# Agenda Item 11

## **Planning Appeals**

*Strategic Director:* Rina Singh (Place and Performance)  
*Assistant Director:* Martin Woods (Economy)  
*Service Manager:* David Norris, Development Manager  
*Lead Officer:* David Norris, Development Manager  
*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.

## **Recommendation**

That the report be noted.

## **Background**

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.

## **Report Detail**

### **Appeals Dismissed**

14/02673/FUL – 108 Furnham Road, Chard, Somerset, TA20 1BE (Officer Decision)  
The erection of 1 No. detached dwellinghouse with associated parking (Revised Application)  
(GR 333059/109740)

14/01496/FUL – 27 Hervey Road, Chard, Somerset, TA20 2BH (Officer Decision)  
The erection of 1 No. detached dwellinghouse with associated access (Revised Application)  
(GR 332697/108382)

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

**Background Papers:** None

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# Appeal Decision

Site visit made on 6 January 2015

**by J J Evans BA (Hons) MA MRTPI**

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

**Decision date: 27 January 2015**

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**Appeal Ref: APP/R3325/A/14/2227633**

**Land adj 108 Furnham Road, Chard, Somerset TA20 1BE**

- 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 & Mrs V Finn against the decision of South Somerset District Council.
  - The application Ref 14/02673/FUL, dated 10 June 2014, was refused by notice dated 25 July 2014.
  - The development proposed is the resubmission of a withdrawn planning application number 14/00628/FUL for a detached dwellinghouse and associated parking (amended design).
- 

## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are *firstly*, the effect of the proposed house on the character and appearance of the surrounding area; *secondly*, whether acceptable living conditions are provided for the occupiers of 108 Furnham Road and the future occupiers of the proposed house, with particular regard to the provision of amenity space; and *thirdly*, the effect of the proposed access arrangement on highway safety.

## Reasons

### *Character and Appearance*

3. The appeal site comprises part of the garden of 108 Furnham Road. This end of terraced house is positioned on the corner formed by the junction of Furnham Road with Chaffcombe Road. The triangular shaped garden provides parking and turning space, with two detached outbuildings located at its north-eastern end. Beyond these buildings is a large field of grassland.
4. There are a mix of ages and styles of residential properties in the area. In addition to the terraced houses near the junction, there are semi-detached houses along Chaffcombe Road and a number of detached bungalows. Despite this diversity, the properties around the appeal site form a cohesive and varied group where no one property dominates.
5. The land slopes away to the east, with the houses along Furnham Road and the garden of No 108 being raised above the surrounding area. Due to its position, the proposed house would be clearly seen. Unlike the other detached dwellings

nearby it would not be set within a spacious plot. Whilst the proposed house would have a modest footprint, it would nevertheless occupy a large part of the site, with much of the remaining area forming parking and turning provision. The essentially triangular shape of the site would significantly constrain the proposed dwelling, making it appear cramped and hemmed in by a mix of fences and walls. This, combined with the elevated nature of the proposed house would make it an incongruous and intrusive building within the area.

6. I appreciate the proposed house would have a road frontage. However, many of the nearby detached bungalows are either set back behind spacious gardens or, like the terraced houses, abut the pavement and highway. Furthermore, the provision of low walls very close to the proposed dwelling along the highway would exaggerate the cramped and constrained nature of the site.
7. The appellants have referred to the support of the Town Council for the scheme, and that it would be an efficient use of land, providing a new house in a sustainable location. Whilst these are positive aspects of the proposal, their benefits would be modest, and would not outweigh the harm I have found.
8. The proposed dwelling would respond to the constraints of the site rather than the character and appearance of the surrounding area. As such it would not be the high quality development that respects local character and distinctiveness as required by the National Planning Policy Framework (the Framework). Moreover it would not accord with the requirements of Policies ST5 and ST6 of the South Somerset Local Plan (2006) (LP) that seek, amongst other things, development that complements the key characteristics of a location.

#### *Living Conditions*

9. The proposed house would be surrounded on two sides by parking and turning areas serving a number of dwellings, including those along Furnham Road. A total of four parking spaces for No 108 and the proposed dwelling would be provided on site, along with a shared turning area and access. As such neither No 108 nor the proposed dwelling would have much private garden space.
10. The appellants have referred to the proximity of the site to the countryside and public recreation areas which would be available for the future occupiers of the house and those of No 108 to use. Be that as it may, the proposed dwelling could provide accommodation for a small family. The narrow strips of garden around it would need to accommodate domestic paraphernalia, such as bins. Although the largest area of garden would be to the rear of the site, it would be constrained by boundary walls and fences, and would be oppressively restricted and enclosed.
11. I have considered that additional garden space could be provided by adjusting the parking provision for No 108. However, this would only provide a small amount of additional space for this property and would not address the adequacy of provision for the proposed dwelling. Whilst I accept that other properties in the area abut the pavement and have small gardens, in this instance three sides of the proposed dwelling would be bounded by the road, the shared site access and turning provision, and the parking courtyard serving the site and the houses along Furnham Road. Future occupiers of the proposed dwelling would experience frequent disturbance at close proximity.



12. The appellants accept that the amenity space for the proposed house is small, but considers it is a matter of choice for the developer or future occupiers. I acknowledge the Council has no specification for garden sizes. However, one of the requirements of LP Policy ST6 is not to unacceptably harm the residential amenity of occupiers of adjacent properties, and the Council uses this policy to include future occupiers. Notwithstanding this, the proposed dwelling would not provide an acceptable level of garden space for either the occupiers of No 108 or those of the proposed house. As such it would fail to accord with the planning principle of the Framework that seeks a good standard of amenity for all existing and future occupiers of land and buildings.

#### *Highway Safety*

13. The existing access has restricted visibility when leaving the property. Although the appeal proposal would provide some improvement to visibility in both directions, it would still be restricted by the presence of No 108. Chaffcombe Road slopes downhill towards the north east, with a telegraph pole at the corner of the site. In the absence of any site levels, it is not clear from the information provided as to what level the boundary wall along the road would be, and therefore whether it would hamper visibility.
14. I appreciate the site is within a 30 mph speed restriction, and that there are double yellow lines along the road that has a slight bend in it. Nevertheless, there are no pavements to Chaffcombe Road, and the visibility splays to the access would still be restricted even with the proposed improvements. Moreover the access would serve two dwellings which would intensify its use. Notwithstanding the improved access arrangements, the proposal would pose an unacceptable risk to all users of the highway.
15. I therefore find that the proposal would not have an acceptable access. This would be contrary to the requirements of LP Policy ST5 that seeks, amongst other things, and like an objective of the Framework, satisfactory access provision.

#### **Conclusion**

16. For the reasons given above and having considered all other matters raised, the appeal is dismissed.

*J J Evans*

INSPECTOR

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# Appeal Decision

Site visit made on 6 January 2015

**by J J Evans BA (Hons) MA MRTPI**

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

**Decision date: 27 January 2015**

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**Appeal Ref: APP/R3325/A/14/2226947**  
**27 Hervey Road, Chard, Somerset TA20 2BH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs P Mannion-Walling against the decision of South Somerset District Council.
  - The application Ref 14/01496/FUL, dated 15 March 2014, was refused by notice dated 23 May 2014.
  - The development proposed is the erection of a dwellinghouse.
- 

## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are *firstly*, the effect of the proposed house on the character and appearance of the surrounding area; and *secondly*, the effect on the living conditions of the occupiers of nearby properties, with particular regard to outlook and privacy.

## Reasons

### *Character and Appearance*

3. The appeal site is part of the garden of a semi-detached house. It lies within a predominantly residential area comprising a mix of mostly semi-detached and terraced houses and bungalows of similar ages and styles. In most cases the properties are set back from the road behind regular sized front gardens, some of which provide parking. To the rear of the properties along Bubwith and Hervey Roads is a large grassed playing field, with a number of trees positioned near to its edges.
4. Due to its position close to the junction with Bubwith Road, 27 Hervey Road has a much larger side and rear garden than many of the other properties in the area. The irregular shape of the appeal site would mean that the proposed house would project closer to the road than the line of houses formed by No 27, its adjoining neighbour, and the terraced houses next to them along Hervey Road. Whilst I appreciate the road curves, the proposed house would harmfully interrupt the distinct and continuous row formed by these houses. This projection, combined with the detached nature of the proposed dwelling, positioned close to the corner formed by the road junction, would make it an incongruously dominant and intrusive building within the area, at harmful odds

with the consistency of positioning and design of the nearby semi-detached and terraced houses.

5. I accept that the use of materials to match nearby properties would allow the proposed house to harmonise with the appearance of the neighbouring dwellings. However, it would be positioned within an area of mostly semi-detached houses and bungalows of similar styles and ages, separated by wide gaps between each block of dwellings. The proposed house would have a very different appearance and positioning to the neighbouring houses. It would be detached and have a lower ridge height than the neighbouring properties. It would occupy much of the width of its plot, and be very close to No 27 and the boundary with 41 Bubwith Road, thus appearing very cramped when compared to the positioning of nearby properties. As such the proposed house would unacceptably interrupt the visual cohesion of the surrounding area.
6. The appellant considers the proposed house would be sustainable, providing low cost accommodation that would contribute towards the Council's five year housing supply. However, the occupation of the house is not proposed to be restricted. Whilst an additional house would contribute towards the delivery of housing within the Council's area, this would be a modest benefit, and would not outweigh the harm I have found.
7. Reference has also been made by the appellant to other single dwellings permitted by the Council in the locality. I do not have the planning history of these properties before me, and in any case each scheme has to be treated on its own individual merits in accordance with the requirements of the current development plan and all other material considerations, as I have undertaken in this instance.
8. I therefore find the proposed dwelling would unacceptably impact upon the character and appearance of the area. It would conflict with the requirements of Policies ST5 and ST6 of the South Somerset Local Plan (2006) (LP). These policies seek, amongst other things, and like a principle of the National Planning Policy Framework (the Framework), development that respects the local character and distinctiveness of an area.

#### *Living Conditions*

9. The proposed dwelling would be positioned very close to the boundaries of the site. Although there are a number of sheds to the rear of 41 Bubwith Road's garden, the future occupiers of the proposed house would have a direct view into both this garden and that of its neighbour, No 43. I appreciate that the occupiers of No 27 have views into neighbouring gardens, and that one of the first floor windows of the proposed house would serve a bathroom. Some overlooking is to be expected with terraced and semi-detached houses. However, the proximity of the proposed dwelling to its site boundaries would give its future occupiers direct views into much of the rear gardens of the neighbouring properties. As such there would be an unacceptable loss of privacy to the users of these rear gardens, particularly 41 and 43 Bubwith Road.
10. The proposed house would be positioned close to the side wall of No 27, in which there are three windows. Although two of these windows would serve a hallway and landing, one is for the kitchen. I appreciate the kitchen door would provide some light to this room. Nevertheless, the close proximity of the

proposed house and its tall boundary fence to the kitchen window of No 27, would give an unacceptably oppressive outlook and loss of daylight to this room.

11. I have also considered the concerns of nearby residents in Bubwith Road that the proposed house would cause a loss of daylight to their properties. However, the positioning of the proposed house and the amount of separation between it and the houses in Bubwith Road, would not result in a significant loss of light to them.
12. Consequently I find the proposed dwelling would unacceptably harm the living conditions of the occupiers of neighbouring properties with regard to outlook and privacy. It would conflict with the requirements of LP Policy ST6 that amongst other things, requires new development to not unacceptably harm the residential amenity of the occupiers of adjacent properties. Nor would the proposal comply with an objective of the Framework that seeks a good standard of amenity for all existing and future occupants of land and buildings.

### **Other Matters**

13. Local residents are concerned that the proposed house would exacerbate traffic congestion and disturbance, and cause a danger to children. However, the proposal lies within a residential area, and the additional vehicle movements from a single dwelling would be unlikely to significantly harm highways safety. In the absence of any technical substantiation to support the concerns of the residents, I have no evidence before me that there would be an unacceptable impact on highway safety within the area.
14. I note the concerns of local residents that the proposed house could harm property values. Notwithstanding this, a basic premise of the planning system is that it is concerned with the use of land in the public interest, rather than the protection of private interests.
15. Finally, concerns regarding the Council's handling of the application relate to procedural matters and have no bearing on my consideration of the planning merits of the case.
16. When taken either together or separately, none of these other matters would outweigh the harm I have found as regards the main issues.

### **Conclusion**

17. For the reasons given above and having considered all other matters raised, the appeal is dismissed.

*J J Evans*

INSPECTOR

# Agenda Item 12

## **Schedule of Planning Applications to be Determined by Committee**

*Strategic Director:* Rina Singh, Place and Performance  
*Assistant Director:* Martin Woods, Economy  
*Service Manager:* David Norris, Development Manager  
*Contact Details:* david.norris@southsomerset.gov.uk or 01935 462382

### **Purpose of the Report**

The schedule of planning applications sets out the applications to be determined by Area West Committee at this meeting.

### **Recommendation**

Members are asked to note the schedule of planning applications.

***Planning Applications will be considered no earlier than 6.30 pm.***

Members of the public who wish to speak about a particular planning item are recommended to arrive for 6.20 pm.

<b>SCHEDULE</b>					
<b>Agenda Number</b>	<b>Ward</b>	<b>Application</b>	<b>Brief Summary of Proposal</b>	<b>Site Address</b>	<b>Applicant</b>
13	WINDWHISTLE	14/05486/FUL	Alterations to existing dormer window, formation of additional dormer window to front elevation and the erection of car port.	7 Court Farm Close Winsham Chard	Mrs Christine Hughes

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

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

### **Referral to the Regulation Committee**

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

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

## **Human Rights Act Statement**

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

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# Agenda Item 13

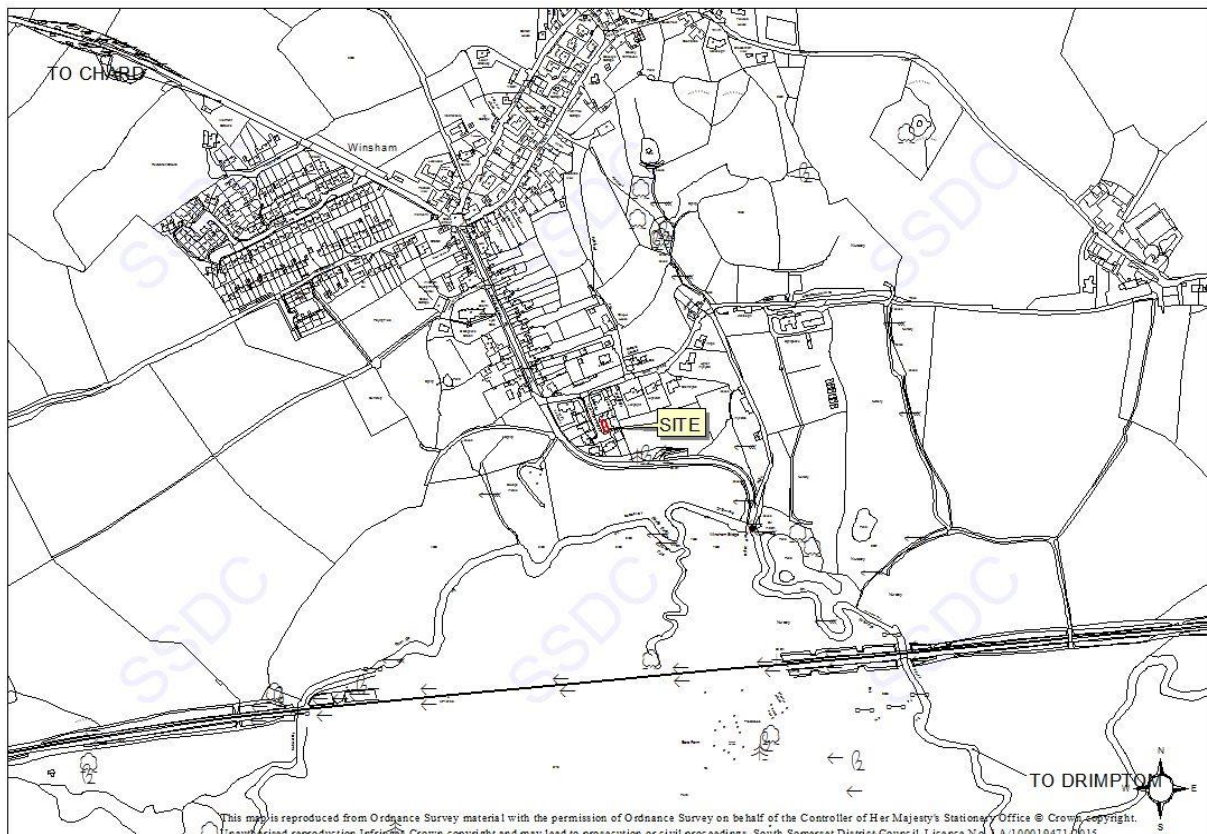
## Officer Report On Planning Application: 14/05486/FUL

<b>Proposal :</b>	Alterations to existing dormer window, formation of additional dormer window to front elevation and the erection of car port. (GR 337625/106141)
<b>Site Address:</b>	7 Court Farm Close Winsham Chard
<b>Parish:</b>	Winsham
<b>WINDWHISTLE Ward (SSDC Member)</b>	Cllr. S Osborne
<b>Recommending Case Officer:</b>	Emma Meecham Tel: 01935 462159 Email: emma.meecham@southsomerset.gov.uk
<b>Target date :</b>	11th February 2015
<b>Applicant :</b>	Mrs Christine Hughes
<b>Agent: (no agent if blank)</b>	Mr Maurice Taylor 166 East Street Winterbourne Kingston Blandford Forum Dorset DT11 9BQ
<b>Application Type :</b>	Other Householder - not a Change of Use

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to Committee at the request of the Ward Member, with the agreement of the Chairman to enable the issues raised to be fully debated.

### SITE DESCRIPTION AND PROPOSAL





The site is located in a cul-de-sac in Winsham and the existing dwelling straddles the conservation area. The existing property has a natural stone finish to most of the front elevation with rendered finish to the side elevations and to the garage.

This application is seeking permission for alterations to be made to an existing dormer window, the formation of an additional dormer window to the front elevation of the property and the erection of a carport immediately in front of the existing garage.

The proposed carport is 3m wide by 5.5m long with a pitched roof, the maximum height of which will be 3.7m.

The application states that the car port will be constructed of oak beams with a natural slate pitched roof.

The changes to the existing dormer include the removal of the concrete tiles and replacement with natural slate tiles to match the existing roof and the removal of the existing cladding which will be replaced with lead sheet cladding to the bottom ¾ with vertical hardwood cladding on the upper ¼. These finishing details will be replicated on the proposed additional dormer.

The area is characterised by detached dwellings in a small cul-de-sac with a similar natural stone finish to the front elevations and rendered finish to the side elevations. Most of the properties have garages that are set back from the principal elevation.

**RELEVANT HISTORY**

08/04987/FUL - The installation of 7 no. PVC-U windows to replace existing wooden windows



## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the saved policies of the South Somerset Local Plan 2006

South Somerset Local Plan Policies  
Policy ST5 - General Principles of Development  
Policy ST6 - The Quality of Development  
Policy EH1 - Conservation Areas

Section 72 of the Listed Buildings Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. This requirement extends to all powers under the Planning Acts, not only those that relate directly to historic buildings. The desirability of preserving or enhancing the area should also, in the Secretary of State's view, be a material consideration in the planning authority's handling of development proposals that are outside the conservation area but would affect its setting, or views into or out of the area.

On the 8th January 2015, South Somerset District Council received the Inspector's Report into the emerging South Somerset Local Plan (2006 - 2028). The conclusion of the report is that the local plan is 'sound', subject to a number of agreed modifications.

Under the terms of Paragraph 216 of the National Planning Policy Framework (NPPF) weight should be given to relevant policies in emerging plans according to "the stage of preparation" and therefore the emerging local plan must be given substantial weight in decision-taking and it is therefore essential that the development is considered against all relevant policies.

Policies of the Emerging South Somerset Local Plan (2006-2028)

EQ2 - General Development  
EQ3 - Historic Environment

National Planning Policy Framework (March 2012):

Chapter 7 - Requiring Good Design  
Chapter 12 - Conserving and Enhancing the historic environment

## **CONSULTATIONS**

**Winsham Parish Council** - Object to the application, particularly in relation to the erection of a car port.

The reasons given for this are:

- Overlooking, loss of privacy and loss of light
- Scale of the development
- Design, appearance, layout and material
- Impact on the surroundings
- Setting a precedent

**County Highways** - Standing Advice applies.

## **REPRESENTATIONS**

Neighbours were consulted and a site notice put up and there were ten objections from neighbours received in response. In summary the objections:

- The car port would be out of character with the houses
- It is not in keeping with the development, especially as it is in a conservation area
- Concerns regarding precedents being set
- The look of the houses, and therefore the cul-de-sac should be retained as built
- A feeling of increased enclosure should the car port be built
- A loss of privacy from the dormer window
- A sense of the front elevation being overbearing and out of scale
- Due to its position the car port would present a dominating and intrusive presence
- An adverse impact on the scale and character of the dwelling
- Out of keeping with the design and proportions of the semi-detached cottages
- Detrimental visual impact of the car port

## **CONSIDERATIONS**

There have been several objections to the proposal, most of which relate to the impact on the visual amenity and the residential amenity of the proposals.

### **Highways Safety:**

The Highways Authority have advised that Standing Advice applies, even though the car port does not quite match the recommended dimensions it is to be built over an existing parking area so there will be no loss of parking availability, and there will be no change to the access of the parking area. The additional dormer window will add light to an already existing bedroom so there is no requirement to increase the parking provision due to an additional bedroom. As such there is no adverse affect to the highway safety.

### **Residential amenity:**

The plot straddles a conservation area and is in a cul-de-sac. All of the properties within the cul-de-sac are individual in design which strengthens the standard position of assessing each application on its own merits and therefore the concerns over a precedent being set can be allayed. The car port aspect of the proposal is attached to the property and does not extend past the front or side elevations of the property. The carport is not considered overbearing and by its nature there are no overlooking issues caused by it therefore it does not adversely affect the residential amenity of the area.

The new dormer window aspect of the proposal will have little additional overlooking to the front of the property than already exists and therefore will have no significant adverse affect on residential amenity.

### **Visual amenity:**

The proposed carport is not excessive in size and will be constructed of oak timbers with a natural slate roof, these materials are in keeping with the property itself and as such will blend well in the neighbourhood. The roofline of the carport is not considered to be overbearing and is subservient to the garage, which is, in turn subservient to the dwelling. As the car port is not

an enclosed structure it is considered that there will be little effect to the feeling of enclosure experienced within the cul-de-sac. Due to its overall size, location and materials it is considered that the car port will have no significant adverse affect to the visual amenity of the area. The proposed new dormer window, being a second such window in the roof will create a sense of symmetry and balance to the dwelling so it is considered to have no negative impact to the visual amenity of the dwelling. The materials being used will complement the existing dwelling, similarly, the proposed alterations to the existing dormer will increase the sense of symmetry and balance created.

### **Conservation Area:**

The proposed car port and dormer window construction and the alterations to the existing dormer are, due to the materials and design, considered to preserve the conservation area.

### **CONCLUSION**

The proposal by reason of scale, location, design and materials does not adversely affect the visual amenity, residential amenity or highway safety and preserves the appearance of the conservation area.

### **RECOMMENDATION**

Permission be granted subject to the following conditions:-

01. The proposals, by reason of scale, location, design and materials do not adversely affect visual amenity, residential amenity or highway safety in accordance with the aims and objectives of saved policies ST5, ST6 and EH1 of the South Somerset Local Plan and the National Policy Planning Framework Chapters 7 and 12.

### **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 approved plans Drawings No 510/14/A, 510/14/B, 510/14/C and 510/14/D.

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

03. The carport hereby permitted shall be kept clear of obstruction and shall not be used other than for the parking of vehicle in connection with the attached dwelling

Reason: In the interests of highway safety to accord with saved policy ST5 of the South Somerset Local Plan.

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# Agenda Item 14

## **Date and Venue for Next Meeting**

The next scheduled meeting of the Committee will be held on Wednesday 18<sup>th</sup> March 2015 at 5.30pm at The Guildhall, Chard.

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