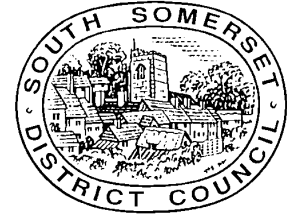


South Somerset District Council

Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 24th August 2016

2.00 pm

**Edgar Hall
Cary Court
Somerton Business Park
Somerton TA11 6SB**

(Disabled access and a hearing loop are available at this meeting venue)



Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than 2.05pm.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Becky Sanders, Democratic Services Officer 01935 462596**, website: www.southsomerset.gov.uk

This Agenda was issued on Monday 15 August 2016.

Ian Clarke, Assistant Director (Legal & Corporate Services)

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



Area North Committee Membership

Clare Aparicio Paul
Neil Bloomfield
Adam Dance
Graham Middleton
Tiffany Osborne

Stephen Page
Shane Pledger
Crispin Raikes
Jo Roundell Greene
Dean Ruddle

Sylvia Seal
Sue Steele
Derek Yeomans

South Somerset District Council – Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district. We will:

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

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 shortly after the start of the meeting, no earlier than 2.05pm, 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 usually be available from 15 minutes before the meeting to answer questions and take comments from members of the Committee. Alternatively, they can be contacted through Somerset County Council on 0300 123 2224. **PLEASE NOTE – an officer from Highways will not be available at this meeting.**

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 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 24 August 2016

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 27 July 2016.

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.

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 15th 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 Clare Aparicio Paul, Shane Pledger and Sylvia Seal.

Where planning applications are referred by this Committee to the Regulation Committee for determination, in accordance with the Council's Code of Practice on Planning, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not

finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

4. Date of next meeting

Councillors are requested to note that the next Area North Committee meeting is scheduled to be held at 2.00pm on **Wednesday 28 September** at the **Village Hall, Norton Sub Hamdon**.

5. Public question time

6. Chairman's announcements

7. Reports from members

Items for Discussion

8. Area North Committee Forward Plan (Pages 9 - 11)

9. Planning Appeals (Pages 12 - 19)

10. Schedule of Planning Applications to be Determined By Committee (Pages 20 - 21)

11. Planning Application 15/03585/OUT - Land Off Cartway Lane, Somerton.
(Pages 22 - 43)

12. Planning Application 16/02405/FUL - Lyncroft, Back Street, Long Sutton.
(Pages 44 - 48)

13. Planning Application 15/05090/FUL - Land OS 5560, Crouds Lane, Long Sutton. (Pages 49 - 62)

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.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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Agenda Item 8

Area North Committee – Forward Plan

Assistant Directors: Helen Rutter & Kim Close, Communities
Service Lead Sara Kelly, Area Development Lead (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, and identify priorities for further reports to be added to the Area North Committee Forward Plan.

Area North Committee Forward Plan

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

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

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

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

Background Papers: None

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
<i>Sept '16</i>	<i>Highways Update</i>	<i>Routine update report from the Highways Authority.</i>	<i>SCC Highways</i>
28 Sept '16	Rural Housing Needs	Update report	Alice Knight, Welfare and Careline Manager
<i>26 Oct '16</i>	<i>Policing and Community Safety</i>	<i>Update report / presentation</i>	<i>Steve Brewer, Community Safety Co-ordinator / Representative from Avon and Somerset Police</i>
<i>26 Oct '16</i>	<i>Licensing Service</i>	<i>Update report on the Licensing Service.</i>	<i>Nigel Marston, Licensing Manager</i>
23 Nov '16	Rural Transport	Update report	Nigel Collins, Transport Strategy Officer
<i>14 Dec '16</i>	<i>Area North Committee Arrangements</i>	<i>Review of Area North Committee Arrangements</i>	<i>Helen Rutter, Assistant Director (Communities)</i>
<i>TBC</i>	<i>Annual Parish Meeting</i>		<i>Helen Rutter, Assistant Director (Communities)</i>

<i>TBC</i>	<i>Endorsement of Community Led Plans</i>	<i>Curry Rivel Parish Plan</i> <i>South Petherton Parish Plan and Neighbourhood Plan</i>	<i>Sara Kelly, Area Development Lead (North)</i>
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Agenda Item 9

Planning Appeals

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

Purpose of the Report

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

Public Interest

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

Recommendation

That members comment upon and note the report.

Appeals Lodged

None

Appeals Dismissed

16/00170/OUT – Land West of Stillbrook Road, Fivehead TA3 6QH.
Outline application for the erection of four detached bungalows with some matters reserved.

15/05080/FUL – Walters Farm 6 Queen Street, Tintinhull BA22 8PQ.
Erection of a single dwelling house and extension of existing car port with associated landscaping.

Appeals Allowed

None

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

Appeal Decision

Site visit made on 6 July 2016

by **Andy Harwood CMS MSc MRTPI**

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

Decision date: 26 July 2016

Appeal Ref: APP/R3325/W/16/3149235

Land opposite The Old Manse, Fivehead, Taunton, Somerset TA3 6QH

- 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 Mr and Mrs M Tennant against the decision of South Somerset District Council.
 - The application Ref 16/00170/OUT, dated 14 January 2016, was refused by notice dated 23 March 2016.
 - The development proposed is the erection of four detached bungalows.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant has confirmed that this is an outline proposal with access, appearance and scale reserved for future consideration. The illustrative drawings show a cul-de-sac of 4 dwellings which the appellant confirms would be bungalows. I will deal with the appeal on the basis that the layout and landscaping are detailed matters at this stage.
3. A unilateral undertaking (UU) under the provisions of section 106 of the act has been submitted in an attempt to overcome the Council's stated request for a dwelling to meet local needs for affordable housing. Since the Council considered the planning application a Court of Appeal judgement (Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council, 2016) has resulted in changes to Planning Practice Guidance relating to such matters in proposals for small scale and self-build development. As a consequence, the Council has accepted that none of the proposed dwellings need to be restricted to local affordable needs. The UU does not meet the tests for planning obligations within the Community Infrastructure Regulations 2010 and I will not take it into account.

Main Issue

4. The main issue is the effect of the development upon the character and appearance of the surrounding area.

Reasons

5. The appeal site is part of a large field located to the south of the village of Fivehead which has a linear pattern of development. The dwellings and other

buildings are generally close to the roads leading through the village although there are also some cul-de-sacs. There are various facilities nearby within the village located mainly to the north, including a public house, two churches and a commercial garage. There is also a large public hall with extensive sports field within a short walk of the site along Stowey Road. Stillbrook Road runs along one side of the site leading towards the village to the north and out of the village to the south.

6. The boundaries of the field include hedgerows interspersed with large mature trees. Immediately to the north of the site there is a terrace of dwellings known as Millers Orchard with long front gardens and opposite those a cluster of semi-detached properties. The gable end of No 20 Millers Orchard can be seen from the site above the vegetation along that boundary.
7. On the same side of Stillbrook Road to the south is a small area of land which is occupied as a gypsy site known as Sunnyside Park. I am referred to the appeals that resulted in planning permission being originally granted for that development¹. It is difficult to see into that site from the road but the stark fence at the entrance gives it a domestic appearance although the impact of that is limited due to the undeveloped gap that the current appeal site is a part of. The Planning Inspector in those appeals referred to harm that would be caused if a ribbon of development were allowed to develop along this side of the road. Partly as a consequence of what the Planning Inspector said in those cases, the appellant is proposing to retain a substantial gap between the proposed cul-de-sac and Sunnyside Park.
8. The large traditional dwelling known as The Old Manse is directly opposite the site. Its garden runs parallel with the site and close to the carriageway of Stillbrook Road. The boundary of the garden is defined partly by a low stone wall with timber fence above, a high rear wall of stone outbuilding further to the south and then a vehicular access and gravelled driveway to the south of that. This provides a hard edge to that side of the road contrasting with the dense hedge with trees within the boundary alongside the appeal site.
9. The plan as submitted shows that the Ash and other trees to the immediate northern side of the existing access would be retained as would most of the hedge alongside the road. This boundary landscaping contributes substantially to the distinctive rural feel of the lane. The plan as submitted and the Design and Access Statement confirm that the intention of the appellant is for landscaping to remain largely untouched in order to provide a high degree of screening. It is acknowledged that a small section of hedging adjacent to the existing entrance to the field would be removed and replaced with low level planting. The increase in opening for the access as shown would enable some views through to the proposed small estate of bungalows. However, the retention of the trees and most of the hedging would help to prevent the proposal from appearing as a harmful incursion of residential development. A landscape break with robust roadside hedge including occasional large trees as exists now would prevent the small development of bungalows from appearing alongside Sunnyside Park as a ribbon of residential development into the countryside.
10. The Council has raised concerns about the access to the site as currently proposed. They state that this is a matter that can be dealt with through the

¹ APP/R3325/A/08/2080152 which was allowed and APP/R3325/C/07/2062622 which was dismissed

consideration of reserved matters. They also indicate however that the specification of a suitable access may be difficult to achieve at the reserved matters stage. The detailing of an access with suitable visibility splays would have implications for the amount of the hedgerow and trees that can be retained along the boundary. It is therefore a matter that impacts upon the principle of whether or not this proposed development is acceptable. Landscaping is also a detailed matter being considered at this stage. There may also be consequences for the proposed layout of the development if the hedges and access need to be significantly altered from what is shown on the submitted plan.

11. The existing access to the field is close to the large Ash tree which interrupts visibility along the main road upon exiting the site at a point where there is a narrowing of the carriageway. The Council's highway evidence states that the carriageway of the road would need to be widened to 4.8m north of the site. Furthermore, they indicate that a 43m visibility splay would be necessary in both directions. The appellant's arboricultural advice is based upon the plan submitted with the planning application rather than taking account of more extensive changes to the access that would be clearly necessary. I have concerns that this may not be possible without causing severe impacts upon the Ash, the other trees and the hedge. This could therefore substantially harm the distinctive landscape features and considerably open up views through the frontage of the site. If that were to happen, it would make the cul-de-sac very obvious from the road and in my opinion would cause a harmful incursion of suburban development into the countryside.
12. The proposal would be at a lower density than developments closer to the centre of the village. This would help to prevent the development from creating a hard edge to the settlement allowing the incorporation of additional landscaping and open space. This and the intention to construct bungalows would limit the impact of the development when seen from the west given the robust hedge and tree growth along that boundary. The land at the rear of Elm Cottage between the appeal site and the playing field includes further landscaping. From the nearby sports field I could see the upper parts of the dwellings in Millers Orchard and bungalows on the appeal site would have even less impact. From Sunnyside Park, the proposal to have an undeveloped buffer that is intended to be partly planted with a new orchard. I am satisfied that from these directions, the bungalows would have a limited effect upon the rural fringe of the village.
13. I therefore have concerns regarding whether an access could be designed to at least preserve the existing local distinctiveness of the rural lane. In relation to the main issue, as proposed the development would have a harmful effect upon the character and appearance of the surrounding area. This would not comply with Policy EQ2 of the South Somerset Local Plan (2006-2028), adopted March 2015 (LP). The proposal would not adequately recognise the intrinsic character and beauty of the countryside as required by the National Planning Policy Framework (the Framework).

Other Matters

14. LP Policy SS2 is the main policy referred to by the Council that relates to the supply and location of housing. This indicates that Fivehead is a 'Rural Settlement' where development is strictly controlled. However the Council

accepts that it cannot demonstrate a 5 year supply of deliverable housing sites. In these circumstances, the Framework explains that policies for the supply of housing should not be considered up to date. Paragraph 14 explains that the presumption in favour of sustainable development means granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted. The economic, social and environmental dimensions of sustainable development are set out at paragraph 7 of the Framework.

15. LP policy SS2 requires the strict control over development at Fivehead. This proposal would contribute to meeting general housing needs. The location of the site is well related to Fivehead in terms of access to some basic facilities including more than 2 of the services set out in paragraph 5.41 of the LP. It would not create but may support community facilities to serve the settlement. It would not provide employment opportunities. Fivehead Parish Council has objected to the proposal. There are also objections as well as some letters of support. However the level of engagement has been limited and there is not general community support for the proposal. The proposal would not comply with LP policy SS2. Whilst that policy is not up to date this is a harmful factor to take into the overall planning balance.
16. A number of concerns have been raised about the impact of the proposal upon the roads in the area. Stillbrook Road does not have a footpath alongside it but widens out north of the site which is the main direction that pedestrians would need to walk to reach facilities within the village. The road is straight alongside the site and there is not a complete network of footways leading towards the facilities at the moment. Pedestrian links around the village appeared to me to be generally safe for existing residents and there is no evidence that they would be unsafe for occupants of the proposed dwellings. If a safe entrance to the site could be satisfactorily achieved for vehicles that may also improve safety for pedestrians reaching the village. The Council is satisfied that the roads could adequately cope with the additional vehicle movements that would result from the development and I agree.
17. The proposal would provide 4 dwellings and this is a positive social advantage of the scheme which has significant weight in my decision. There would be additional social and economic advantages of having additional households in the village using local facilities as well as the initial benefits of the construction process. I can give some limited additional weight to these matters. However, I consider that the harm that I have identified in relation to the main issue including the lack of compliance with LP policy EQ2 and the additional harm due to non-compliance with LP policy SS2 together would have substantial weight. These factors would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

Conclusion

18. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR

Appeal Decision

Site visit made on 14 June 2016

by Debbie Moore BSC (HONS) MCD MRTPI PGDip

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

Decision date: 15 July 2016

Appeal Ref: APP/R3325/W/16/3146933

Walters Farm, 6 Queen Street, Tintinhull, Yeovil BA22 8PQ.

- 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 Dr and Mrs E Lorch against the decision of South Somerset District Council.
 - The application Ref 15/05080/FUL, dated 12 November 2015, was refused by notice dated 13 January 2016.
 - The development proposed is described as "erection of a single dwelling house and extension of existing car port with associated landscaping".
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposed development on the character and appearance of the area, particularly the Tintinhull Conservation Area.

Reasons

3. The appeal site forms part of the garden of Walters Farm and is located to the rear of several properties fronting Queen Street. The core of Tintinhull village lies to the south of the site and the existing development extends northwards in a linear pattern along Queen Street, towards the A303 main road. The Conservation Area is centred on the village core and includes part of Queen Street and areas of open space to the west.
4. The Conservation Area's significance as a heritage asset lies in the architectural quality of its historic buildings and also the layout of the village, which reflects its development and growth over the centuries. The linear form of development along Queen Street is particularly significant as this part of the village follows a clear and defined settlement pattern. The boundary to the Conservation Area runs along the rear of the properties on Queen Street, excluding the larger part of the appeal site and other open land to the east.
5. The appeal site is an established garden and is predominantly open in character. Although the site currently contains domestic buildings, these are of a low profile and are clearly ancillary to the main house. The site forms part of the transition between the village and the countryside and makes a positive contribution to the setting of the Conservation Area and to the character and appearance of the wider village. Similarly, the area for schooling horses,

- adjoining the site to the east, has a rural appearance and is more closely related to the countryside than the settlement.
6. The development of the site would not reflect the linear pattern of development in this part of the Conservation Area. It would result in the loss of part of an open garden which currently makes a positive contribution to the setting of the Conservation Area. Consequently, the proposal would adversely affect the significance of the heritage asset. Although views from public viewpoints are minimal, the development would be visible from several adjoining properties and it would be an intrusion into the countryside in this location, and would be out of character with the established pattern of development.
 7. I have taken into account the cul-de-sac 'Little Trumps' located to the north of the appeal site on Queen Street. The cul-de-sac is further away from the village core where the linear pattern of development gives way to more modern housing. Also, the houses in this small development are grouped in a relatively high density which limits its intrusive effect. Consequently, the effect of this development on the significance of the Conservation Area is limited. Other buildings at the rear of the houses on Queen Street tend to be small domestic structures and sheds which have minimal visual impact.
 8. The development would not preserve or enhance the character and appearance of the Conservation Area, and would be out of character with the established pattern of development. Consequently, the proposal would not accord with Policy EQ2 of the adopted South Somerset Local Plan 2006–2028 (2015) which seeks to ensure high quality design that preserves or enhances the character and appearance of the district, and Policy EQ3 of the Local Plan which seeks to ensure the conservation and, where appropriate, the enhancement of heritage assets. The proposal also fails to meet the aims of the National Planning Policy Framework (the Framework) in this respect.

Other matters

9. Walters Farm is one of a group of listed buildings on Queen Street. The significance of the group is in the architectural style and detailing, and the positive contribution the listed buildings make to the distinctive character and appearance of the Conservation Area. The development would be located some distance from the group of listed buildings and consequently the proposal would preserve the setting of the listed buildings. However, this does not overcome the harm to the wider Conservation Area, as identified above.
10. The development would be accessed from Queen Street using the existing drive between Nos 8 and 10. The access would pass close to a residential annexe associated with Walter's Farm. It appears that the annexe has been altered in response to the Council's concerns about noise and disturbance from the increased use of the driveway. At the time of my site visit, the glazed doors at the gable end of the annexe had been replaced with solid wooden doors. The Council confirms that this alteration overcomes the second reason for refusal. Consequently, I have not examined this issue as part of the appeal.
11. Policy HG4 of the Local Plan requires all development of one to five houses to make a financial contribution towards the provision of affordable housing in the district. I have found that the development would not be acceptable for the reasons stated above so it is not necessary to consider whether a contribution toward affordable housing would be justified in this particular instance.

12. Tintinhull is identified in generic terms as a 'Rural Settlement' and considered to be within the countryside, where development is strictly controlled under Policies SS1 and SS2 of the Local Plan. The Council acknowledges that it cannot demonstrate a five-year supply of deliverable housing sites and consequently, housing supply policies SS1 and SS2 are considered out-of-date. However, I have found that the development would adversely affect the significance and the character and appearance of a designated heritage asset. Having regard to paragraph 132 of the Framework, I attach great weight to the asset's conservation and find that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the limited benefit that the addition of one house would make to the District's housing supply.

Conclusion

13. I find that the proposal would undermine the Conservation Area and consequently it would cause harm to the character and appearance of the area. Whilst the harm arising would be relatively localised and therefore less than substantial in terms of national policy, I give great weight to the protection of the Conservation Area as a designated heritage asset. I understand the appellant's desire to build a home for a family member, however, there are no clear public benefits to outweigh the harm in this instance.

14. Consequently, the appeal should be dismissed.

Debbie Moore

Inspector

Agenda Item 10

Schedule of Planning Applications to be Determined by Committee

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 North Committee at this meeting.

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 2.05pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 2.00pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
11	WESSEX	15/03585/OUT	Outline application for up to 59 dwellings etc.	Land off Cartway lane, Somerton.	Intelligent Land
12	TURN HILL	16/02405/FUL	Proposed two storey side extension, erection of front porch, replacement roof and internal alterations.	Lyncroft, Back Street, Long Sutton.	Mr & Mrs Davies
13	TURN HILL	15/05090/FUL	Various changes of use, erection of 2 no. holiday let/ancillary cottage etc.	Land OS 5560, Crouds Lane, Long Sutton.	Mr N Gould

Further information about planning applications is shown on the following page 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 has 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.

Agenda Item 11

Officer Report On Planning Application: 15/03585/OUT

Proposal :	Outline application for the construction of up to 59 dwellings with a new vehicular access from Cartway Lane, associated car parking and open space including the provision of a play area and laying out of an access road. (The maximum height of buildings to be two storeys above existing ground level) with some matters reserved (GR:347498/128822)
Site Address:	Land Off Cartway Lane, Somerton.
Parish:	Somerton
WESSEX Ward (SSDC Member)	Cllr S Page Cllr D Ruddle
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	4th November 2015
Applicant :	Intelligent Land
Agent: (no agent if blank)	
Application Type :	Major Dwlg 10 or more or site 0.5ha+

UPDATE:

The application was presented to Area North Committee at their April meeting earlier this year where it was resolved to defer the application to allow for clarification of matters relating to drainage, highways widening and footpath provision along Cartway Lane and the treatment of the bridleway.

Update: highways widening and footpath provision along Cartway Lane

Since the April Committee meeting the applicant has amended the application as follows:

- Omitted the use of part of the bridleway as an emergency access;
- Widened Cartway Lane across the entire site frontage. They are proposing to increase the carriageway width to 6.75 metres wide and to provide a 1 metre wide verge and 2 metre wide footway across the length of the site frontage.

Update: treatment of the bridlepath

The applicant has provided a street lighting scheme for the whole site as well as the provision of street lighting along the section of bridleway which is to form the pedestrian link into Somerton. In respect of the drainage concerns relating to the bridlepath the applicant has stated that “the existing ditches require work now, whether or not the development takes place. They are partly obstructed and require cleaning out. That will occur as part of the overall works envisaged for the bridleway improvement.”

Update: drainage

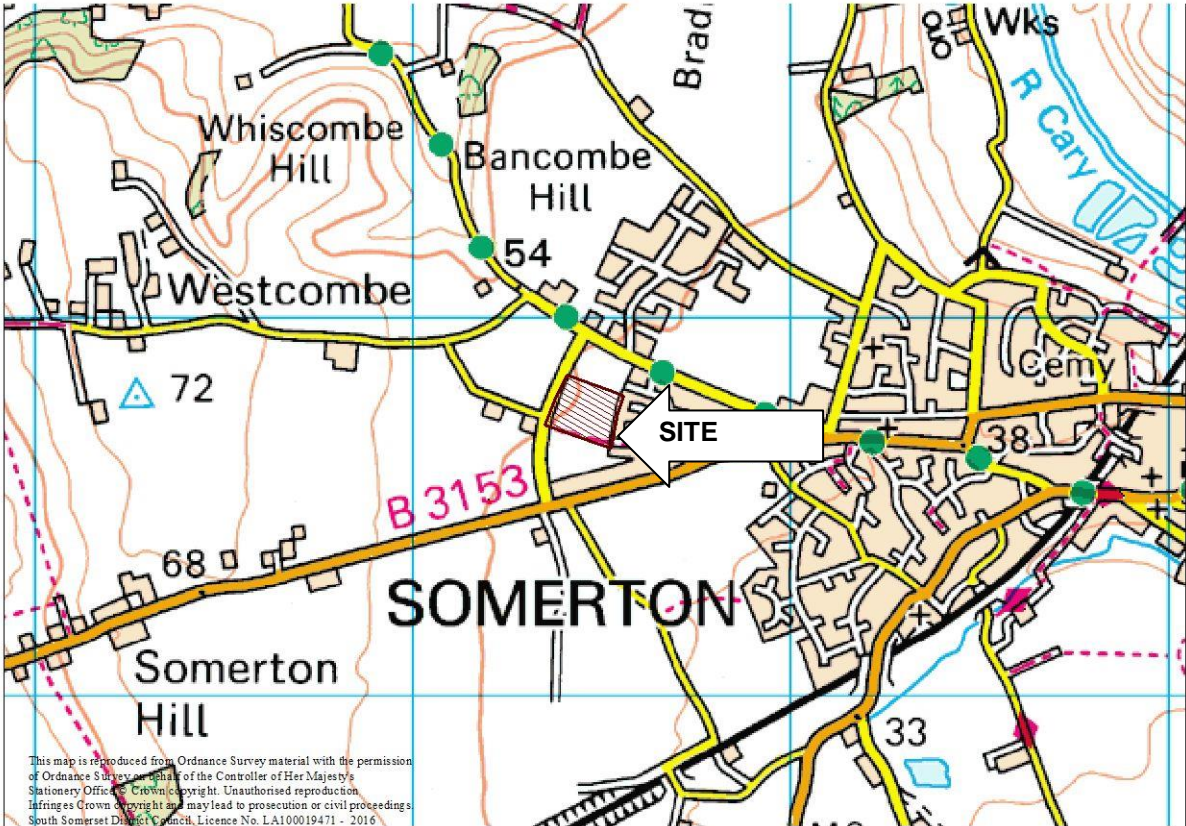
The applicant has provided the following observations:

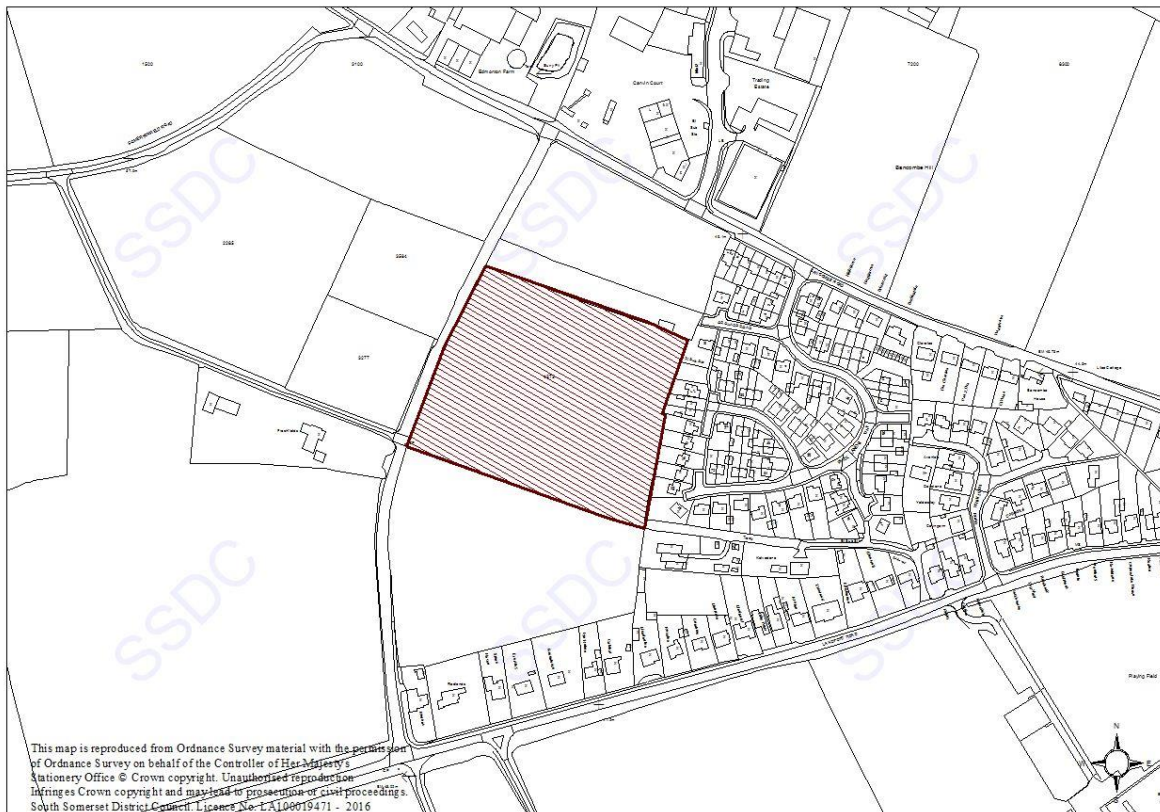
“The flooding from manholes at the east end of the bridleway and locally elsewhere of foul water is, as set out in the submitted report that accompanied the application, to be overcome by an offsite scheme that creates capacity in the system by increasing the size of existing pipework to allow for the existing surface water infiltration of the foul system upstream. The research to enable this solution significantly delayed the submission of the application ... Wessex Water raise no objection and these works are a legitimate pre-requisite of

development. Surface water is again catered for properly in the scheme with part of the land capable of taking soakaways and part requiring positive drainage. The water flows will be balanced in accordance with best practice.”

ORIGINAL OFFICER REPORT (AMENDED AS NECESSARY):

SITE DESCRIPTION AND PROPOSAL





This application is seeking outline planning permission for residential development of up to 59 dwellings with associated vehicular access, open space and play provision. The application is seeking to agree detailed matters relating to access, layout and scale with matters of appearance and landscaping reserved for later consideration.

The application site is approximately 2.35 hectares of grade 3a agricultural farmland located at the western periphery of Somerton immediately adjacent to the development area and within the direction of growth as set out within policy LMT3 of the local plan. There is an existing field access into the application field within the west boundary leading on to Cartway Lane which also serves as access for a public right of way (bridleway) which passes along through the field from west to east along the south boundary. Under this application it is proposed to retain this access for use as access to adjacent land and the bridleway and to form a new vehicular access on to Cartway Lane to serve the proposed development.

The application field is enclosed on three sides by mature native hedges and a mix of fencing and planting along the east boundary where it adjoins the adjacent housing. The application site has a very slight gradient but is at a similar level to the adjacent housing and surrounding agricultural land.

There are no listed buildings or archaeological designations within or immediately adjacent to the site and the application site is within flood zone 1.

The application is supported by:

- Design and access statement;
- Site plan and layout plan;
- Housing schedule;
- Ecological assessment;

- Appraisal of landscape and visual effects:
- Flood risk assessment;
- Framework travel plan;
- Transport statement;
- Tree constraints plan;
- Topographical survey;
- Archaeological assessment;
- Proposed street lighting scheme.

HISTORY

No recent relevant history

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states that applications are to be 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 policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

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

SD1 - Sustainable Development

SS1 – Settlement Strategy

SS4 – District Wide Housing Provision

SS5 – Delivering New Housing Growth

SS6 – Infrastructure Delivery

LMT3 – Somerton Direction of Growth

HG2 – The use of Previously Developed Land (PDL) for new housing development

HG3 – Provision of Affordable Housing

HG5 – Achieving a Mix of Market Housing

TA1 – Low Carbon Travel

TA4 – Travel Plans

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 – Provision of open space, outdoor playing space, sports, cultural and community facilities in new development

EQ1 – Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 – Historic Environment

EQ4 – Biodiversity

EQ5 – Green Infrastructure

EQ7 – Pollution Control

National Planning Policy Framework:

Introduction

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 relevant documents

Somerset County Council Parking Strategy, March 2012 and September 2013.

SSDC's Peripheral Landscape Study – Somerton (April 2008).

CONSULTATIONS

Somerton Town Council: *Comments in respect of the latest amendments to be given verbally.*

Subsequent comments – Object due to the implications of linking the playgrounds and the concerns over pedestrian access to the site.

Initial comments - Object for the following reasons:

- “Flooding and water drainage concerns, pedestrian safety concerns regarding the bridleway and access to the site plus access to the town centre / trading estate, road safety due to narrowness of Cartway Lane and additional vehicle movements accessing the junction at Langport Road. Concerns raised of the lineage or access of the two play areas and safety in this area for users and STC are unable to accept plans based on the assumption that the use of another owners land when they have not been consulted.”

County Highways: *Comments in respect of the latest amendments to be given verbally at Committee.*

Previously raised no objection. The proposal will not have a severe detrimental effect on the existing highway network. There may be a need to alter the layout at some later point once the technical issues relating to layout have been addressed, however there is a further approval process that will have to be gone through to address this. Recommends an informative and conditions to address the following matters:

- Estate road details;
- Provision of properly consolidated road, footpaths and turning spaces between each dwelling and the existing highway prior to first occupation;
- No works to commence unless a right of discharge has first been obtained and a detailed drainage scheme agreed.
- Prior to commencement submission of a travel plan.

County Rights of Way: Noted that there is a public right of way (PROW) running over the site (bridleway L 25/47) and referred to their standing advice.

County Education: The numbers on the King Ina school roll are already 13 above forecast. The accumulative effect of an additional 60 dwellings to those of 150 and a further 35 already in the planning process will further exacerbated the pressure on the local school. The Education Authority would therefore wish to seek education contributions. A development of

60 dwellings would require 2 pre-school places, 12 Primary school places and 9 secondary school places. This equates to a contribution of £28,014 for pre-school, £168,084 for Primary and £189,954 for secondary school. In this instance a contribution totalling £386,052 as at today's date should be sought in the event that planning consent is granted.

Strategic Housing: We expect 35% of this site should be provided with affordable housing of which two-thirds should be for social rent. This equates to 21 affordable dwellings of which 14 should be for social rent and should include the following:

- 8 x 1 bed flat (2 person) – 47sqm (preferable to have the appearance of houses)
- 9 x 2 bed house (4 person) – 76sqm
- 3 x 3 bed house (6 person) – 86sqm
- 1 x 4 bed house (8 person) – 106sqm

Leisure Policy: Seek a contribution of £185,442 (equating to £3,143 per dwelling) towards the increased demand for outdoor playing space, sport and recreation facilities should the scheme be approved as follows:

- £118,685 for local facilities, to cover the provision of on-site open space and a contribution towards the provision; off-site youth facilities, playing pitches and changing room facilities at Gassons Lane Recreation Ground.
- £17,416 for strategic facilities, to go towards a new studio theatre at the Octagon or towards the stage refit at Westlands Entertainment complex.
- £47,505 as a commuted sum towards local services;
- £1,836 as the Community Health and Leisure Service administration fee.

Open Space: *Subsequent comments* – Although the section of Open Space that was separated before has now been integrated within the main area of Open Space, the whole area now feels very cramped and due to the repositioning of the Play Area, feels like run off for this rather than its own usable and significant feature. Whilst we support the plan to link the new play area with the existing one at Parklands, this shouldn't be at a cost to the Open Space.

Likewise we understand the need for the location to be in this corner (to protect the Badger Sett) but that doesn't mean all of the Public Open Space needs to be pushed together into this area and again we make the suggestion that some, if not most of the Open Space is positioned in a more central location on the site to create a more community focused area and to further break up the built form.

Initial comments - The plans show 2,726m² of Public Open Space, an amount in excess of that required by SSDC. The layout, however, includes a road cutting the site in half. As this road creates a ring road of the site, it will inevitably have a high usage, creating a large safety concern for the Open Space. As well as two of the sites 'visitor parking' spaces located in the middle of the open space, again creating a safety concern.

The addition of the open space located to the west of the road, although brings the provision above the required amount, has been positioned poorly and adds little value to the Open Space and the site as a whole. We would either like to see it fully integrated with the original Open Space design or again make the suggestion of a more central location, creating a community focus and further breaking up the built form.

NHS: No comments received

Police Architectural Liaison Officer: Has concerns regarding the relationship between the play area, public open space and the three dwellings that abut it. Namely there is no private space afforded to plot 37/38 who by their re-orientation have been awarded guardianship of the public open space and no doubt suffer the consequences. This will also apply to the boundary treatments which I appreciate have not been specified as yet. As these would abut public open space they would have to be of a robust nature to resist vandalism. The number of trees inhibit any natural surveillance to the play area. I am not happy with the two visitor spaces provided close to where children would be expected to play. Consideration must be given to the play provision for the different age groups and how they interact. Evidence shows that toddlers and teenagers do not mix and the latter can dominate areas resulting in the exclusion of younger age groups.

Wessex Water: No objection. Made the following comments:

The site will be served by separate systems of drainage constructed to current adoptable standards please, see Wessex Water's S104 adoption of new sewer guidance DEV011G for further guidance. The applicant proposes surface water discharge to infiltration where ground conditions permit and outfall sewers to the land drainage system. The surface water strategy will require the approval of the LLFA.

During the pre-planning process the applicant commissioned Wessex Water to undertake a foul drainage network computer modelling exercise to determine the impact of the additional foul flows from the development upon the existing foul sewer network. Modelling indicated a degree of upsizing of the downstream system will be required to accommodate the additional flows and so reduce the risk of flooding and pollution. The applicant has referenced the capacity improvements within the Flood Risk Assessment (1309-002 Issue 1, 8.4.9) and Drawing "Indicative Drainage Strategy for Outline Planning application Subject to Detail Design" EWA1309-002 no 004. Capacity improvements will be subject to requisition arrangements under Section 98 of the Water Industry Act.

Subject to application there is sufficient available capacity within the water supply network to serve the proposals; buildings above two storeys will require on site boosted storage.

Further to recent information provided by a customer please see attached an updated extract from our records showing an existing private water main which we believe crosses the development area. The applicant will need to take measures for protection / diversion of this private main in accordance with Building Regs. Any alteration in connection to the public main will require agreement / application with Wessex Water.

Lead Local Flood Authority (LLFA): *Comments in respect of the latest amendments to be given verbally at Committee.*

Previously raised no objection, subject to conditions requiring a detailed drainage scheme and its ongoing maintenance.

SSDC Technical Engineer: No comments received.

Conservation Manager: No objections

Environmental Health: Request an informative relating to the possibility of gas resulting from a nearby landfill site.

Planning Policy: The development plan for South Somerset comprises the recently adopted (March 2015) Local Plan 2006-28, and the saved policies and proposals from the Local Plan

1991-2011. The National Planning Policy Framework (NPPF) is an important material consideration.

Somerton is identified as a Local Market Town in the Local Plan, where new development should increase self-containment and enhance its role as a service centre (policy SS1). Around 374 dwellings should be delivered at the settlement over the plan period (policy SS5) – this figure does not represent a ceiling, given the district-wide housing requirement is expressed as a minimum. The proposal is located in Somerton's direction of growth (policy LMT3), where a permissive approach should be taken subject to the overall scale of growth and other policies in the Local Plan (policy SS5). Monitoring data indicates that just 49 dwellings have been built in Somerton over the first 9 years of the plan period (2006-15), but there are a significant number of houses (391) that have planning permission but are not yet started, predominantly at the large Northfield Farm and Langport Road sites. The addition of the proposed 60 dwellings could therefore mean around 500 dwellings being delivered in Somerton, 34% higher than the housing figure for Somerton in policy SS5.

There is no longer a five-year housing land supply in the district. This means that relevant policies for the supply of housing should not be considered up-to-date (NPPF, 49), and permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF; or specific policies in the NPPF indicate development should be restricted (policy SD1 and NPPF, 14). Accordingly, the weight to be given to the Local Plan housing supply policies should be reduced, although not ignored entirely.

The benefits include additional market and affordable housing (broadly compliant with the 35% target in policy HG3). Other Local Plan policies that should be satisfied include EQ1, EQ2, TA1, and TA4-6.

Overall, the location of the proposal is consistent with the direction of growth, but there is potential for the scale of housing development overall at the town to be in excess of the Local Plan figure. This 'excess' (potentially 34% higher) has the potential to disrupt the settlement strategy, although it is acknowledged that housing delivery at Somerton has been slow over the first 9 years of the plan period. As there is not a five-year housing land supply, permission should be granted unless any adverse impacts are identified that would significantly and demonstrably outweigh the benefits.

County Archaeology: No objection subject to a condition requiring a programme of archaeological works.

Natural England: Raised no objection. Commented that the development is unlikely to have any significant impact on any national or European designated sites. They made reference to their standing advice and advised that the LPA should consider securing measures to enhance the biodiversity of the site if minded to grant permission. They further advised that they would expect the LPA to assess and consider the other possible impacts resulting from the proposal on local sites (biodiversity and geodiversity), local landscape character and local or national biodiversity priority habitats and species.

Ecology: Agrees with the Ecological Assessment's evaluation of the site as being of generally low or local nature conservation significance only. Recommends the fencing enclosing the play area should be of a design that would prevent access by badgers.

Landscape Officer: No objection.

The application site lays within the scope of the peripheral landscape study of the settlement

of Somerton, which was undertaken during April 2008. This study reviewed the settlement's immediate surrounds with the objective of identifying land that has a capacity for development, looking both at the character of the town's peripheral landscape, and the visual profile and relationship of open land adjacent the town's edge.

The outcome of the study is represented by 'figure 5 – landscape capacity', which is a graphic summary of the preceding evaluation. Fig 5 indicates that the site that is before us is evaluated as having a moderate-high capacity to accommodate built development, thus it appears to be a logical growth area to Somerton's west side. Hence in terms of the principle of development, if there is a need to find additional housing land for Somerton in the next phase of the local plan, then there is no in-principle landscape objection to the site offered here.

An appraisal of landscape and visual effects (ALVE) is submitted in support of the application. It evaluates the effect of development impact upon landscape character to be negligible, whilst it notes the visual envelope associated with the development to be closely contained to the application site, for there to be limited visual effects. I do not disagree with those conclusions. It also feeds into the indicative masterplan, which is offered for comment.

Whilst indicative only at this stage, the masterplan has been through a series of changes, two stages of which have passed across my desk at pre-application stage. The latest proposal has evolved satisfactorily from earlier iterations, and appears a satisfactory basis from which to detail a layout. Elements that positively contribute to landscape context include;

- (a) a green buffer zone inclusive of public space and tree-planting between the west face of the housing, and Cartway Lane;
- (b) an open space buffer between this proposal site, and existing housing;
- (c) a new hedgerow to the south, to separate the PROW from the development whilst ensuring linkage at 4 points, and;
- (d) play area located in relation to play space on the adjacent housing site.

I have no further landscape issues with the indicative proposal. Should you be minded to approve, then I shall be seeking a soft landscape proposal to be submitted with any subsequent detailed submission.

REPRESENTATIONS

The following additional comments from two local households have been received since the April Committee meeting:

- The road widening and footpath is a cosmetic gesture as it is not for the length of Cartway Lane. With the planned closure of Bancombe Road all traffic from the industrial estate will be directed via Cartway Lane.
- I fail to see how the development can be accepted as well as the expansion of the industrial area and then block both the access routes in with housing. This plan is an accident waiting to happen.
- There is no active measure to control the surface water runoff. The developer acknowledges this is a problem already and bases his considerations on a 'once in a 100 year' possibility of occurrence. It is expected that these rain events will get worse in the future, so this is not an appropriate calculation to use. This will not be an adequate defence against possible insurance claims.

- Last winter the Parklands Way play area flooded twice by run-off from the application site. The applicant proposes to use infiltration / soakaway as his method of drainage, effectively the same method as currently used by the field, the eastern side of which becomes saturated very quickly after heavy rainfall. How can this work when 60% of the site is to be built on?
- There is no distinct delineation between the new public area and the existing play area in Parklands Way.

Previous representations:

Written representations have been received from approximately 30 separate local households raising the following concerns and observations:

Principle:

- Is there any need for these houses on a controversial site with so many problems when building has not yet started on the Northfield Farm or Rickesey Lane sites?
- In view of the time it takes to process major developments would it not be preferable to identify more suitable sites?
- Impact on schools and services, shops and jobs in the area.
- Scale of development is too much especially when considered alongside what has already been approved in Somerton.
- The NPPF requires LPA's to meet local housing needs yet only 5 of the proposed dwellings will be flats / maisonettes. Flats are needed as much as houses.
- I am not aware of many new jobs being created in Somerton so building here will increase the likelihood of Somerton just being a dormitory town.
- The economic benefits of building houses is only very short term and does not guarantee work to local people.
- Unsustainable. The site is too far from town to walk.
- Too many dwellings of the wrong type. There should be bungalows.

Landscape:

- Over-development. Too dense.
- Encroaching into green areas and unacceptable to the west side of town.

Highways:

- There is no access to pathways to Somerton without passing through Parklands Way. This also has a direct safety issue on Cartway Lane, especially with HGV traffic passing (as pedestrians will end up walking along Cartway Lane).
- There is no proper provision for future residents of the scheme to be able to walk via Langport Road or Bancombe Road and into Somerton. The bridleway is unsuitable for push-chairs and wheelchairs in dry conditions and is impassable due to mud in very wet weather.
- There must be a proper pavement along Cartway Lane in both directions.
- The access is dangerous, accidents will occur as drivers cannot see the entrance and drivers do not observe the speed limit.
- Will lead to an increase in traffic and parked vehicles in the area.
- Moving the gate crossing the bridleway at the end adjoining Cartway Lane could be a safety issue in that young children could run ahead of parents and into the busy road.
- The pedestrian access through the play areas would encourage properties with insufficient parking spaces to overspill into Parklands Way.
- The emergency access over the bridleway is unnecessary.
- Insufficient on-site parking.
- The bridleway cannot be used by motor vehicles.
- I cannot see the need to make all the proposed changes to the bridleway for a few

extra pedestrians.

- The bridle path is unlit.

Residential amenity:

- Object to the positioning of an electrical cabinet behind my property due to any potential noise and electrical risks to my property and family.
- We have a huge fly / pest issue in the summer, the addition of the pond will make this worse.
- Loss of peace and quiet.
- Loss of privacy through increased overlooking.
- My property (42 Parklands Way) will have public overview from 3 sides and will completely open to public scrutiny which will be intolerable.
- Concerned that the open space and tree planting back on to my property. Large trees would block my light.

Open space and play areas:

- The joining up of the play areas will lead to them being used as a direct access to Bancombe Road, the trading estate and Langport Road. This will make the play areas unsuitable for use as play areas as constant supervision will be required. The existing play area is currently secure and suitable for use by young children.
- A 30m buffer zone has been created on the new estate but houses in Parklands Way will be much closer to the new play area than this.
- The linking of the Parklands play area with the play area in the new development will compromise the safety of the children playing in both sites as the park will become a walkway from the new development into town etc.
- The new play area remains only 11 metres from my house (and only 8 metres from my neighbour) even though the applicant was required to have a 30 metre buffer zone between the new play area and the nearest habitable dwelling. In the interest of fairness this rule should be applied equally to existing properties.
- Our children can currently play without risk in the existing play area as it is enclosed. The opening / joining of the new play area with this will ruin the play area exposing my children to traffic risks and giving pedestrians from the new development access to Parklands Way exposing our property to increased risk of crime / antisocial behaviour.
- The proximity of the play area to the badger set is a health hazard. The children could disturb the badgers and sustain injuries and there could be problems with infection through the badger droppings.
- Concerned about the long-term maintenance of the open space and that it could become unkempt.
- Allowing an access through into the existing play area will result in dog faeces in the area making it unusable by children.

Drainage and flooding:

- Inadequate provision for removal of surface water.
- The increased amount of surface water from the site will increase the potential for flooding in Parklands Way and also in areas to the south of the site. The pond is not sited to help with this problem.
- Flooding occurs to the northeast of the site through the area designated as a play area, the existing play area and into Parklands Way.
- There is plans for a pond directly behind our property and we are worried that in extreme weather conditions the pond may overflow and flood our property.
- In recent years there has been run-off from the field on to our estate which has cause surface water problems with some properties, pedestrian access in the bridle path, Parklands Way play area and on the adjacent path.
- The capacity of the drainage in the town has been raised many times should this development tap into the current mains drainage network.

- Somerton does not have a history of flooding, lets keep it that way.
- The increase in built form will greatly reduce the soakaway capacity of the site and increase run-off rates into Parklands Way.
- Flood events are expected to be more frequent and more severe. The 'once in a hundred years' basis for drainage calculations is flawed.
- The adjoining ditch along the east boundary is owned by the properties in Parklands Way.
- The resulting increased flooding could render 88 existing houses either uninhabitable or uninsurable.

Other matters:

- How will the emergency access route be secured to prevent it becoming a vehicular thoroughfare is not clear.
- Concerned that the proposal may result in part of their field hedge (immediately to the south of the proposed emergency access) having to be removed to enable emergency vehicles access.
- Impact on the natural environment and wildlife.
- There are bats in the southeast corner of the site.
- The bridleway is one of the great wildlife corridors in Somerton, this should not be allowed to change.
- The current position of the bridleway gate, adjacent to Cartway Lane, ensures vehicles cannot be parked in the gateway which would then lead to an obstruction to our field gateway. Its revised position will lead to such problems.
- The mains water supply that serves our farm (Edmonton Farm) crosses over the application field. It needs to be guaranteed that our water supply will not be interrupted or adversely affected by the development.
- There is no mention of the electricity supply that runs along the eastern edge of the field.
- Clause 3.5 of the D&A statement, which states that the land is grade 3 and that there is no justification for its retention for agriculture, is offensive. If all grade 3 land were taken out of agriculture people would go hungry.

Written representations have been received from the CPRE (Campaign for the Protection of Rural England) raising the following concerns:

- Impact on the local landscape. The site represents a strategic location in landscape terms being on the periphery of Somerton. We accept that the site is within the local plan's direction of growth however it is important to ensure that there is an acceptable transition between the built form and the countryside. We agree with the LPA's landscape officer's comments in his last two paragraphs about soft landscaping.
- We view Cartway Lane as a boundary beyond which further development should be discouraged particularly in view of the over-provision of housing numbers shown in the local plan (about which the CPRE gave evidence at the local plan inquiry). In the light of current ONS figures the adopted local plan is already out of date needs an urgent review.
- We cannot see any evidence that the applicant has tried to find a site that has been previously developed as opposed to building on this greenfield site.
- Unsustainable. The proposition that a person is likely to walk 20 minutes into the town centre and then back with shopping is not feasible. The development will undoubtedly lead to an increase in traffic volume in the town and generally undermine the transition to a low carbon future and exacerbate parking problems. The frequency of bus services cannot be guaranteed and may not be regular enough to deter car use.

CONSIDERATIONS

The main issues in the consideration of this application are considered to be:

- The principle of development;
- Impact on local landscape and visual amenity;
- Residential amenity;
- Highway safety;
- Flooding and drainage;
- Provision of open space and play area;
- Ecology;
- Other planning obligations.

Principle

Somerton is identified as a local market town in the local plan, where new development should increase self-containment and enhance its role as a service centre (policy SS1). The application site is located within Somerton's direction of growth, as set out within LP policy LMT3, where a permissive approach should be taken to new development, subject to the overall scale of growth coming forward and other LP policies. Policy LP sets out a minimum housing delivery requirement of 374 dwellings for the plan period (2006-2028). Cumulatively the proposed development along with that already built and permissions granted brings the level of housing that could come forward in Somerton to nearly 500 dwellings, which is approximately 34% greater than the minimum housing figure proposed for Somerton.

At the present time SSDC cannot demonstrate a five-year housing supply. Under such circumstances para. 49 of NPPF states that relevant policies for the supply of housing should not be considered up to date. It goes on to say that permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the local plan. Accordingly the weight to be given to the LP housing supply policies should be reduced, but not completely disregarded.

When considering the planning balance of this proposal it must be recognised that the additional market and affordable housing that will be provided will make a positive contribution towards meeting SSDC's five-year housing supply and should be accorded considerable weight in favour of the scheme. It should also be born in mind that the development is located within the direction of growth for Somerton.

Whilst the scale of overall growth for the town exceeds that set out within the local plan, this is a minimum figure, and Planning Policy has acknowledged that housing delivery in Somerton over the first 9 years of the plan period has been slow (just 49 dwellings). Therefore, whilst the overall scale of growth has the potential to disrupt the settlement strategy it is not considered that this has now reached such an excessive level as to be a reason to refuse this application or that it should outweigh the benefits that this additional housing will provide to the district bearing in mind SSDC's present lack of five-year housing supply. The principle of the proposed development is therefore accepted subject to any other adverse impacts being identified that would significantly and demonstrably outweigh this benefit.

Further to the above, the site comprises grade 3a agricultural land and as such is considered to be best and most versatile agricultural (B&MVA) land. Paragraph 112 of the NPPF requires LPA's to take into account the economic and other benefits of the B&MVA 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.

The use of B&MVA land formed one of the key criteria when considering Somerton's direction of growth for the local plan, given the site's location within the direction of growth it is considered that this issue has already been satisfactorily addressed and should not be a reason to object to this application.

Landscape impact and visual amenity

The application site lays within the scope of the peripheral landscape study of Somerton undertaken in 2008, which identified the site as having a moderate to high capacity to accommodate built development. The Council's Landscape Officer agrees with the findings of the landscape and visual effects appraisal that accompanies this application that the effect of the development upon landscape character will be negligible and the visual envelope associated with the development is closely contained to the application site.

The applicant is seeking layout as a matter to be agreed at this stage and overall this amended proposal is considered to represent an acceptable layout visually that incorporates a number of positive features including a green buffer zone and tree-planting along the west boundary with Cartway Lane; an open space buffer between the new built form and the existing housing to the east; and, hedgerow planting along the boundary with the bridleway. On this basis the landscape office has raised no objection and the overall scheme is considered to raise no substantive landscape or visual amenity concerns.

Open space and play area

Local objections have been raised in respect of the linking of the proposed open space and / or play area with the existing play area located in Parklands Way, to the effect that this raises safety concerns for the use of the existing play area and the possibility of dog fouling as a result of the resulting pedestrian access and security concerns to residents of the wider Parklands Way development. Other concerns include the proximity of the new play area to existing houses and the badger set, which could pose a health hazard, and queries about the long-term maintenance of the open space to ensure that it does not become unkempt.

The size of the proposed play area and open space meet the requirements of Leisure Policy and Open Spaces teams, however, concerns have been raised by the Police Architectural Liaison Officer, Open Spaces Officer and Leisure Policy Officer in regard to the configuration of these facilities and the lack of surveillance over the play area

In response to these concerns and in consultation with the Leisure Policy team the layout of the open space and play area have been amended, including the omission of the link road that originally intersected the open space and the repositioning and reconfiguration of the play area to a more central position within the open space so that it is now more equidistant to the new houses and the existing houses. Whilst this position falls short of the 30 metre buffer between play areas and houses preferred by Leisure Policy, unfortunately such a distance results in other issues such as a lack of natural surveillance of the play area and therefore an increased risk in the possible misuse of the area resulting from anti-social behaviour. It is noted that the Open Spaces Officer would prefer to see the open space located more centrally within the development as a whole and as a space defined separately from the play area. It not considered however that such an arrangement would make for an improved layout for the scheme as a whole and would in any case make the issue of a buffer zone around the play area even more problematic.

The Police Architectural Liaison Officer has noted that the dwellings at plots 37 and 38 front immediately on the area of open space without any defensible space to protect them against potential anti-social behaviour issues in the future. An amended plan to include this element is awaited from the applicant.

In respect of forming a pedestrian link from the open space to the existing play area in Parklands, this is not explicit on the proposed layout plan however it is anticipated that such a link would be made. Notwithstanding the local concerns, this is considered to be a positive feature by the Leisure Policy team, especially as the two play areas would be meeting the needs of different age groups, i.e. the new play area for older children and the existing play area for younger children. Such a link would be beneficial for both the existing householders at Parklands as well as the new development. There is no evidence to support the view that this proposal would lead to a security risk to existing properties or lead to the misuse of the existing play area.

Whilst the proximity of the play area may still be of concern to the residents in Parklands Way, Environmental Health has raised no objection to this feature and it is not considered that the revised position of the play area will give rise to any significant residential amenity concerns.

For the reasons set out above this element of the scheme is considered to be acceptable.

Residential amenity

Matters relating to the open space and play area have been addressed in the previous section of this report.

Other concerns raised by local residents include the position of an electrical cabinet and potential noise and health and safety risks, flies / mosquitoes resulting from the pond, loss of peace and quiet, overlooking and loss of privacy and loss of light resulting from the proposed planting along the eastern boundary.

Given the residential nature of the proposed development it is considered to be entirely compatible in terms of its use with the neighbouring residential development to the east. There is nothing within the proposed layout of the scheme that indicates that the proposal will lead to any unacceptable loss of privacy or be unduly harmful generally to the residential amenities of the existing properties. The Council's Environmental Health officer has raised no concerns about issues relating to the pond and proliferation of flies / mosquitoes or noise or other health and safety risks from the electricity cabinet indicated within the southeast corner of the site.

This application is not seeking to agree landscaping at this stage and so all planting marked on the submitted plans are indicative only at this stage. Having said this it is anticipated that there should be some robust planting along the east boundary of the site, however, this should include only suitable planting that will not cause problems at a later time for the adjoining householders. This matter however will be dealt with at reserved matters stage.

On this basis the development is not considered to give rise to any substantive residential amenity concerns.

Highway safety

Somerton Town Council and local residents have expressed concerns in respect of the

pedestrian linkage from the site, the use of the bridleway for this purpose and the lack of any footway provision along Cartway Lane. Issues relating to the level of traffic generated by the scheme, volume of traffic already using Cartway Lane and levels of parking provision are also noted.

The highway authority however has raised no objection to the development and has raised no capacity concerns in terms of the level of traffic that the proposal is likely to generate and its impact on the local highway network. They have also accepted the new vehicular access and pedestrian access arrangements. The Council's Rights of Way Officer has confirmed that it is within the applicant's control, with the agreement of the County Rights of Way team, to make alterations to the surfacing of the bridleway to ensure that it is of an appropriate standard (including for use by wheelchair users and pushchairs) to enable it to serve as a pedestrian linkage to the rest of Somerton. On this basis a pavement along Cartway Lane to either Langport Road or Bancombe Road is not considered to be necessary, especially as this would be a less direct route to get into town.

In response to the concerns raised at the April Area North Committee the applicant has amended their application and is proposing to widen Cartway Lane, including increasing the carriageway width to 6.75m and provide a 1m wide verge and 2m wide pavement along the entire site frontage. These amendments are currently with the highway authority for their consideration and their comments will be reported verbally to Committee.

The applicant with the agreement of the highway authority has omitted the previously proposed emergency access which was to be via the western end of the bridleway as it has been accepted by the highway authority that such a provision is not necessary for a development of this scale. On this basis there is no need to re-position the bridleway gate where the bridleway leads on to Cartway Lane, which was a concern raised at a local level.

The level of parking provision indicated on the layout plan appears to accord with the highway authorities parking strategy which sets out a requirement for the Somerton area of 1.5 spaces for a 1 bedroom property, 2 spaces for a 2 bedroom property, 2.5 spaces for a 3 bedroom property and 3 spaces for a four bedroom property. On this basis there is no evidence to support the view that the proposal will lead to on-street parking issues.

The applicant has included a scheme of street lighting on the latest layout plan which includes the provision of lighting along the stretch of bridleway that it is to form the pedestrian link into town, which appears to meet with the highway authority's requirements.

Therefore, subject to no new substantive concerns being raised by the highway authority as a result of the proposed works to Cartway Lane it is not considered reasonable to object to the proposal for highway safety reasons.

Drainage and flooding

The statutory consultees for drainage and flood matters in this instance are the Lead Local Flood Authority (LLFA), i.e. Somerset County Council, and Wessex Water, neither of whom have objected to this application. The LPA's own drainage engineers were also consulted but have not provided comments.

The application site is within flood zone 1 and is therefore not considered to be within an area at risk of flooding. Local residents have raised concerns about surface water drainage and that the scheme may result in increased run-off from the site that could affect their properties. A Flood Risk Assessment accompanied the application and the LLFA assessment of this and the proposed drainage strategy is that the proposal presents an

opportunity to improve the present run-off rates from the site and as such has raised no objection subject to conditions requiring a detailed surface water drainage scheme and a scheme to secure its future responsibility and maintenance.

In respect of foul drainage, Wessex Water has noted that a degree of upsizing of the downstream system will be required to accommodate the additional load from this development. Wessex Water has raised no concerns about the need for these capacity improvements and it is accepted that they will be dealt with separately under Section 98 of the Water Industry Act. On this basis the proposal is not considered to raise any foul drainage concerns.

The applicant's additional comments relating to their proposed drainage solution received since the April Committee meeting have been forwarded to the LLFA and their comments will be reported verbally to Committee. Provided they raise no new concerns or objections and subject to the imposition of the LLFA's recommended conditions it is not considered that the application should be objected to on the basis of flooding or drainage.

Archaeology

The applicant has provided additional information in response to County Archaeology's initial objection. County Archaeology have confirmed that they are now satisfied with this information and therefore raise no objection subject to a condition to secure a programme of archaeological works.

Other matters

- Ecology – The Council's Ecologist is satisfied with the submitted ecological assessment and its findings. Subject to conditions relating to the fencing for the play area to prevent access by badgers and to deliver biodiversity enhancements in line with the recommendations of the NPPF.
- A mains water supply passes over the site and is the sole water supply to Edmonton Farm a short distance to the north and the farmer is concerned that the development could affect this. This matter is a private civil matter to be addressed between the two parties, it has however been brought to the applicant's attention who has confirmed that they are aware of their obligation to maintain this water supply.

Contributions

A Section 106 Agreement is required to secure the following:

- Provision of the on-site equipped play area and open space and contributions at a rate of £3,143 per dwelling towards the local and strategic play, sports, arts and leisure facilities;
- 35% of the dwelling units as affordable housing and to remain so in perpetuity;
- Financial contributions amounting to £386,052 to provide two additional pre-school places, 12 additional primary school places and 9 additional secondary school places;
- Details of the surfacing of the bridleway and its on-going maintenance, to the satisfaction of the LPA, for the pedestrian link from the site to the point where it is already hard surfaced.

On the basis of these planning obligations being secured the proposal would comply with policies SS6, HG3, TA4 and HW1 of the local plan.

EIA Regulations:

The scheme falls below the required threshold which necessitates a screening opinion.

Conclusion:

Given the Council's lack of a five-year housing land supply and the location of the site in the area identified as being in the direction of growth for Somerton, as set out in policy LMT3 of the local plan, it is considered that it is a sustainable location for development. No adverse impacts on the landscape, ecology, residential amenity or archaeology have been identified that justify withholding granting permission. Subject to no new objections being raised by the Highway Authority or the Lead Local Flood Authority in relation to highway safety and drainage / flooding, it is accepted that all outstanding matters of detail can be adequately assessed at reserved matters stage or by the agreement of details required by condition. The applicant has agreed to pay the appropriate contributions and provision of the other obligations sought through a Section 106 Agreement.

On this basis the proposed development is considered to be in accordance with the aims and objectives of the NPPF and the relevant policies of the local plan and is recommended for approval.

RECOMMENDATION

That application reference 15/03585/OUT be approved subject to:

1. The prior completion of a section 106 planning agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to secure:-
 - (a) A contribution of £185,442 (or £3,143 per dwelling) towards offsite recreational infrastructure, to the satisfaction of the Development Manager in consultation with the Assistant Director for Health & Wellbeing broken down as:
 - £118,685 for local facilities;
 - £17,416 for strategic facilities;
 - £47,505 as a commuted sum towards local services;
 - £1,836 as the Community Health and Leisure Service administration fee.
 - (b) The provision of land for the provision of on-site equipped play space and their on-going maintenance through a management plan to the satisfaction of the Development Manager in consultation with the Assistance Director for Health & Wellbeing.
 - (c) At least 35% of the dwellings as affordable dwellings with a tenure split of 67:33 in favour of rented accommodation over other intermediate types, to the satisfaction of the Development Manager in consultation with the Corporate Strategic Housing Manager.
 - (d) A contribution of £386,052 towards the cost of providing additional pre-school, primary school and secondary school places, to the satisfaction of the Development Manager and consultation with Somerset County Council.

- (e) A scheme of maintenance for the long-term maintenance of the areas of open space, to the satisfaction of the Development Manager.
- (f) Details of the surfacing of the bridleway and its on-going maintenance in relation to the provision of the pedestrian link from the site to the point where the bridleway has already been hard surfaced, to the satisfaction of the Development Manager.

Reason:

Notwithstanding the local concerns, the provision of up to 59 houses and community facilities in this sustainable location would contribute to the council's housing supply without demonstrable harm to landscape, residential or visual amenity, ecology, archaeology, flooding and drainage or highway safety, and without compromising the provision of services and facilities in the settlement. As such the scheme is considered to comply with the aims and objectives of policies SD1, SS1, SS4, SS5, SS6, LMT3, HG3, TA1, TA4, TA5, TA6, HW1, EQ1, EQ2, EQ3, EQ4, EQ5 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

Subject to the following conditions:

01. Details of landscaping and appearance (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 plans location plan received 05/08/2015 and drawing numbered 13-840-203-K received 12/07/2016.

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

04. The development hereby permitted shall comprise no more than 59 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 policies EQ2, SS6 and HW1 of the South Somerset Local Plan

05. The development hereby permitted shall not be commenced unless details of the fencing to enclose the on-site equipped play area, of a design that would prevent access by badgers, shall be submitted to and agreed in writing by the local planning authority. The agreed details shall thereafter be fully implemented and shall be permanently maintained and retained in this fashion.

Reason: In the interest of public health to accord with policies EQ2 and E Q7 of the South Somerset Local Plan.

06. The reserved matters application shall include full details of proposals for the incorporation of features to enable the enhancement of biodiversity.

Reason: For the enhancement of biodiversity in accordance with policies EQ4 and EQ5 of the South Somerset Local Plan and Part 12 of the National Planning Policy Framework.

07. Prior to the commencement of development full details of the proposed access shown on drawing number EWA 1309-002-00-C-003 received 05/08/2015 shall be submitted to and agreed in writing by the local planning authority. Once approved such details shall be implemented prior to the commencement of development, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

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

Reason: In the interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

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

Reason: In the interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

10. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

11. The development hereby permitted shall not commence unless 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 residential amenity and highway safety to accord with Policies EQ2 and ST5 of the South Somerset Local Plan.

12. No vehicular or pedestrian access shall be formed from the site directly on to the public right of way (bridleway L 25/47) other than the pedestrian access points detailed on the approved plans.

Reason: In the interest of the amenities of users of the bridle way and to safeguard highway safety to accord with policies EQ2 and ST5 of the South Somerset Local Plan.

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

Reason: To safeguard the archaeological interest of the site in accordance with Policy EQ3 of the South Somerset Local Plan.

14. Prior to the commencement of the development, a Travel Plan is to be submitted to and approved in writing by the Local Planning Authority. Such Travel Plan should include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There should be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures are being implemented in accordance with the agreed timetable. The measures should continue to be implemented as long as any part of the development is occupied.

Reason: In the interests of sustainable development and to accord with policy TA4 of the South Somerset Local Plan.

15. No work shall commence unless a surface water drainage scheme for the site, based on the Flood Risk Assessment reference 1309-002 dated May 2015 prepared by Eric Woodgate & Associates, has been submitted to and approved in writing by the local planning authority. The scheme shall be designed to maximise disposal of surface water through infiltration. Any runoff leaving the site shall be limited to the greater of 5l/s and 2l/s/ha for all storm events up to the 1 in 100 year plus climate change. The volume of attenuation storage shall be determined from the 6 hour duration 1 in 100 year plus climate change storm event. 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 and where possible reduce the risk of flooding overall, as required by the National Planning Policy Framework.

16. The development hereby permitted shall not be occupied or brought into use unless a scheme for the future responsibility and maintenance of the surface water drainage

system has been submitted to and approved in writing by the local planning authority. The approved drainage works shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding and where possible reduce the risk of flooding overall, as required by the National Planning Policy Framework.

Informatives:

1. The application site is within 250 metres of a suspected landfill site. The applicant / developers attention is drawn to the fact that there is the potential for the production and migration of landfill gas. You are reminded that the responsibility for safe development rests with the owner and / or developer. Accordingly, the applicant / developer is advised to seek independent expert advice regarding the possibility of the presence, or future presence, of gas and whether any precautionary measures are necessary. The Council's Environmental Health service will make available to you, free of charge, any information or data that it has in relation to the land to which the application applies. For further information please contact Sally Ann Webster at SSDC (tel: 01935 462528).
2. The applicant's attention is drawn to the comments set out within the email dated 14/08/2015 from Michael Hardwill of Somerset County Council's Rights of Way department.
3. The applicant's attention is drawn to the LPA's Ecologist's comments which note that the measures outlined in Section 5.3 of the Ecological Assessment could be appropriate in respect of condition 05.
4. The applicant's attention is drawn to the highway authority's concerns that the road layout may need to be altered when agreement for the detailed road details are sought and that the granting of this permission does not override any concerns raised at technical approval stage.
5. Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning 01823 355645. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.
6. The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence team and will be signed off upon satisfactory completion.
7. The applicant is reminded that there is a mains water supply that crosses over the site and supplies Edmonton Farm and that they will need to ensure that the water supply to this property is not adversely affected as a result of this development.

Agenda Item 12

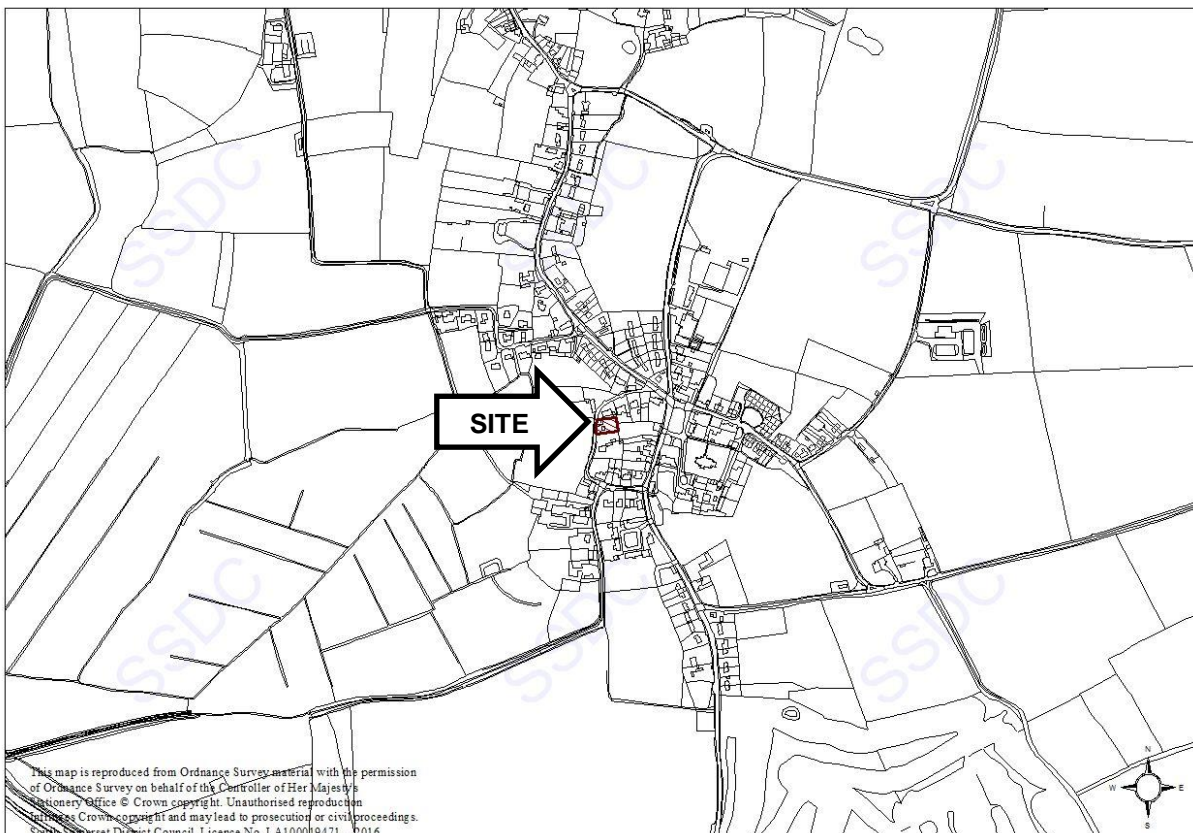
Officer Report On Planning Application: 16/02405/FUL

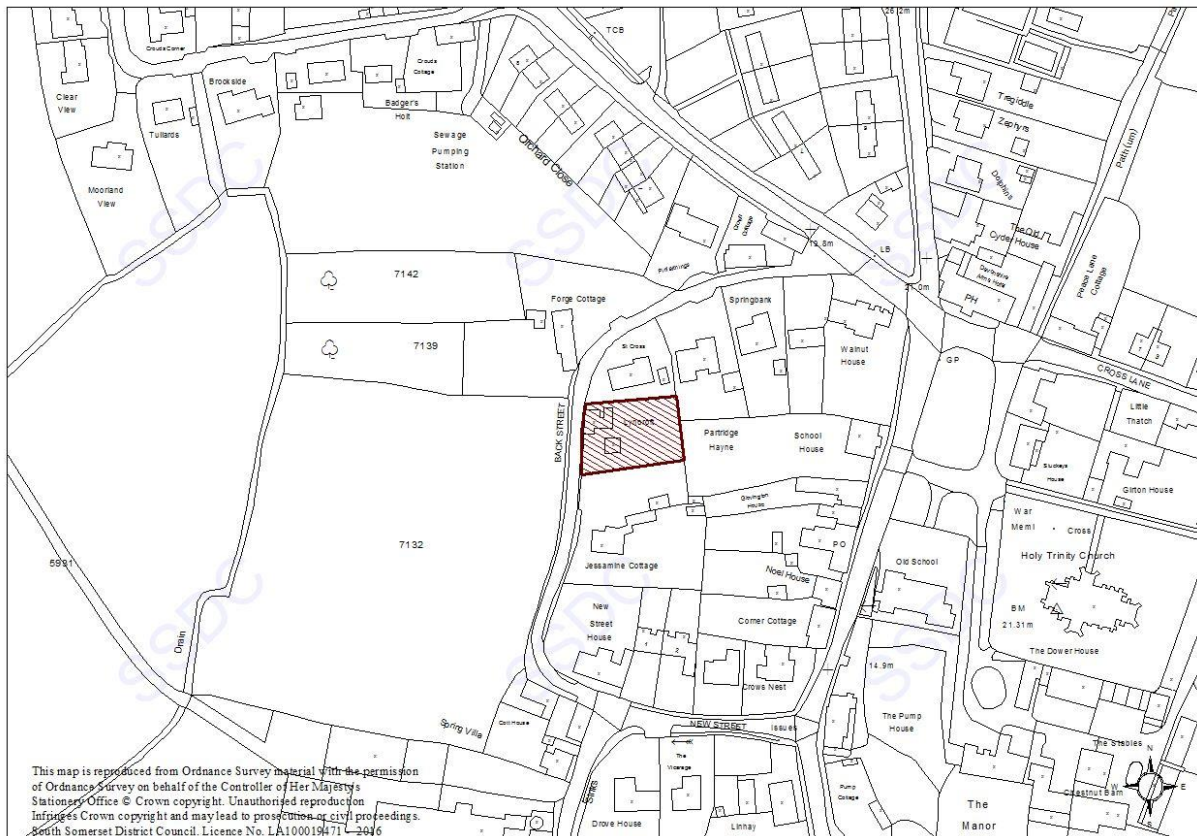
Proposal :	Proposed two storey side extension, erection of front porch, replacement roof and internal alterations.
Site Address:	Lyncroft, Back Street , Long Sutton.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr Shane Pledger
Recommending Case Officer:	Emma Meecham Tel: 01935 462159 Email: emma.meecham@southsomerset.gov.uk
Target date :	1st August 2016
Applicant :	Mr & Mrs Davies
Agent: (no agent if blank)	Mr Richard Rowntree, Lake View, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

At the request of the Chair this application is brought to Committee to allow the application to be discussed fully.

SITE DESCRIPTION AND PROPOSAL





The application property is a detached two storey cottage in Long Sutton. It is constructed of natural and reconstituted stone. The property is located within a conservation area and benefits from a good sized parking area. To the west of the property is open countryside.

This application seeks permission for the erection of a two storey side extension with glazing to the west elevation, the erection of a porch to the west elevation, a replacement roof with dormer window and internal alterations to the property. The proposed extension would be constructed of natural stone walls, double Roman tiles, white uPVC windows and a hardwood front door.

RELEVANT HISTORY

None relevant.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and the NPPF indicate that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

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

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy SS1 - Settlement Strategy

Policy SD1 - Sustainable Development

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

National Planning Policy Framework
Chapter 7 - Requiring Good Design
Chapter 12 - Conserving and enhancing the historic environment

National Planning Practice Guidance:
- Conserving and enhancing the Historic Environment

CONSULTATIONS

Long Sutton Parish Council - Long Sutton Parish Council has no objection to the above application.

Highways Authority - Standing Advice applies with reference to visibility and parking provision.

Highways Consultant - No highways issues - no objection.

Somerset Archaeology - As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds

SSDC Conservation Officer - Being in a conservation area, Section 72 of the Act applies. This 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.

Applicants for consent that affects a heritage asset must be able to justify their proposals. The NPPF says that the LPA should require an applicant to describe the significance of any heritage asset affected including any contribution made to their setting. This should be sufficient to understand the potential impact of the proposal on its significance. As a minimum the Heritage Environment Record should have been consulted and the building assessed using appropriate expertise where necessary. When considering the impact of development, great weight should be given to the asset's conservation. Any harm or loss should require clear and convincing justification from the applicant. Any harm should be judged against the public benefit, including securing the optimum viable use. (The optimum use is the one that causes the least harm to the significance of the asset).

The proposal is for a side extension, porch and rear dormer. The application had no supporting information or assessment to justify the proposal. You will be aware of the Council's guidance in the Residential Extension booklet

The house is typical in that it faces onto the road and is flat fronted. To the south side is an open area which is not of great importance being a car park with modern garage to rear. To this end I have no objections to the principal of an extension of this size or massing. My issues are with the fenestration: Whilst the house is quite simple and in the vernacular, the large opening to the front is quite out of character with the vernacular of the conservation area. This is a house, not a barn. The external chimney is also an issue. Whilst there are some rare examples of historic external chimneys they are largely a modern addition or are built by house builders who use a common design across the country. The overall effect is that the extension becomes dominant to the main house, rather than subservient.

The porch is quite long and leans too in style. Generally houses are flat fronted with porches being subservient features, often gable ended, sometimes simple pent roof features. This large

lean to enclosed porch would be out of character and proportion with the front elevation.

You will be aware that I have prepared a very simple sketch with the opening reduced in height, and internalised the chimney, the flue can be accommodated within the depth of the wall, so will not be expressed internally. There is a small setback between the buildings, to make the building subservient, and an enclosed gabled front porch. The effect here is more of a carriageway door into a secondary building beside the house, with a room over, and will allow the views over the farmland to the east to be fully appreciated from the new lounge. The overall size and accommodation is unchanged. The architect/agent was quite positive, but it seems that his clients wish to take their original proposal forward for determination.

Whilst flat roofed dormers are not appropriate, the extension will largely obscure this and I would be prepared to compromise on this, as I feel the fenestration to the front is critical.

The proposal by reason of its fenestration and external detailing, and larger lean to porch fails to preserve or enhance the character of the conservation area. It is contrary to our policies relating to good design and heritage assets.

REPRESENTATIONS

None.

CONSIDERATIONS

Principle of Development

The alteration of existing properties is usually acceptable in principle subject to the proposed development being in accordance with the relevant policies of the Development Plan. The Highway authority has advised that their Standing Advice with regard to parking applies to this application; as such the main considerations will be the impact on the visual and residential amenity of the area, the impact to the Historic Environment and Highway Safety.

Visual amenity and Historic Environment

When assessing an application for an extension to a dwelling it is preferable for the extension to be subservient to the existing dwelling. The extension proposed in this application is not subservient to the existing dwelling in as much as it is flush with the front and rear elevations and is of the same ridge height. The property is located close to the edge of the highway and as such any alterations to the front elevation will be very visible. The design and size of the proposed porch are not considered to be appropriate for the dwelling, as confirmed by the Conservation Officer's comments. A smaller, simpler design could be accommodated in this setting; however, the applicant has chosen not to enter into negotiation regarding the design. The same is to be said for the large amount of glazing proposed for the front elevation. This amount of glazing is considered to be out of keeping with the street scene. The Conservation Officer also considers that this element is out of keeping with the vernacular to the extent that he considers that it is harmful to the Conservation Area, again some alterations to the design could have been made to achieve a proposal that would have been acceptable, both in terms of the visual amenity and the preservation of the conservation area. The proposed extension also includes an external chimney, these are not common place in this part of Long Sutton and it is therefore considered that it would be out of keeping with the vernacular and the Conservation Officer considers that the introduction of an external chimney would be harmful to the conservation area. The proposed flat roof dormer to the rear of the building is quite large and although not ideal it is considered that little of the dormer would be visible in the street scene and as such in this context there is no substantial harm to either visual amenity or the

conservation area.

Any considered harm to the Conservation Area should be given great weight when assessing an application, and should it be considered that a proposal would cause harm that harm must be outweighed by the public benefit, as set out in paragraph 134 of the NPPF. Public benefit can include securing the optimum viable use of the property and that the optimum use is one that causes the least harm. The Conservation Officer provided the applicant's agent with an alternative sketched proposal which was considered to not harm the conservation area yet achieved a very similar overall size of accommodation for the applicant. The applicant chose to not negotiate with regards to the design of the extension. For the above reasons it is considered that due to the design and location the proposal is contrary to policies EQ2 and EQ3 of the South Somerset Local Plan.

Residential amenity

The neighbouring property is approximately 30 metres to the south of the proposed extension. Due to the location, orientation and design it is not considered that the proposed development would cause any overbearing, loss of privacy or loss of light to any neighbouring properties. It is therefore considered that there will be no harm caused to residential amenity in accordance with policy EQ2 of the South Somerset Local Plan.

Highway Safety

The Highway authority has advised that their Standing Advice applies to this application. The SSDC Highway Consultant considers that there are no highways issues arising from this proposal. The property benefits from off road parking for at least 3 vehicles and as such it is complies with the SPS optimum parking levels for a property of this size in this location. It is therefore considered that there will be no harm to Highway Safety caused by this application; therefore the proposal is in accordance with policy TA6 of the South Somerset Local Plan.

RECOMMENDATION

Refuse

FOR THE FOLLOWING REASON:

01. The proposal by reason of its fenestration and external detailing, and larger lean to porch fails to preserve or enhance the character of the conservation area. Contrary to policies EQ2 and EQ3 of the South Somerset Local Plan relating to good design and heritage assets and Chapter 12 of the National Planning Policy Framework (2012).

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.

Agenda Item 13

Officer Report On Planning Application: 15/05090/FUL

Proposal :	Change of use of agricultural storage barns to domestic storage and workshop for Long Sutton House. Change of use of barn to holiday/ancillary cottage. Change of use of root cellar to Laundry, domestic store, home office and holiday/ancillary cottage with basement. Erection of 2 no. holiday let/ancillary cottages. Change of use of barn to holiday let/ancillary cottage with store and potting shed. Change of use of agricultural land to domestic use. (Part retrospective application) (GR 346561125675)
Site Address:	Land OS 5560, Crouds Lane, 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 :	26th January 2016
Applicant :	Mr N Gould
Agent: (no agent if blank)	
Application Type :	Minor Dwellings 1-9 site less than 1ha

UPDATE

At its meeting of 27 April 2016, Area North Committee considered the report and resolved as follows:

That planning application 15/05090/FUL be DEFERRED to allow for a site visit and to clarify business plan, drainage and drawings to show artist's impressions.

A site visit was held on 25 July 2016. For that meeting, some additional drainage details were circulated, along with an amended business plan submitted by the applicant. No 'artist's impressions' of the buildings have been received.

Update: Business Plan

The amended business plan retains the same essential features as those originally considered and referred to in the attached report. Fuller detail of certain aspects has been supplied. It remains the officer view that the proposal is broadly compliant with Policy EP8 of the Local Plan, and that the proposed tourist accommodation would enhance economic activity locally and in the District.

Update: Drainage Plan

A detailed drainage scheme has now been received, and circulated to members. The Council's Engineer Comments as follows:

The plan and the calculations now offer a satisfactory surface water drainage solution with the principle of retaining all run off within the confines of the site.

This is achieved by soakaway design for the buildings and porous paving for the parking areas.

The only issue to be [covered] and partially identified in the submission and associated notes is maintenance. There is a note that the infiltration factor of the base has been reduced by 50% to allow for siltation. It is also noted that this is not the detailed design layout and the position of silt traps, etc., are to be included once this detailed design layout is produced.

There needs to be acceptance of the requirement for maintenance of the soakaway features.

In my view all of the above could be determined by condition but as some of the building has already commenced it would seem necessary for this condition to be discharged immediately on any permission being given.

Update: Artist's Impressions of Development

These have been requested but not supplied by the applicant. However, the Committee has visited the site and the submitted elevations clearly indicate the appearance of the proposal.

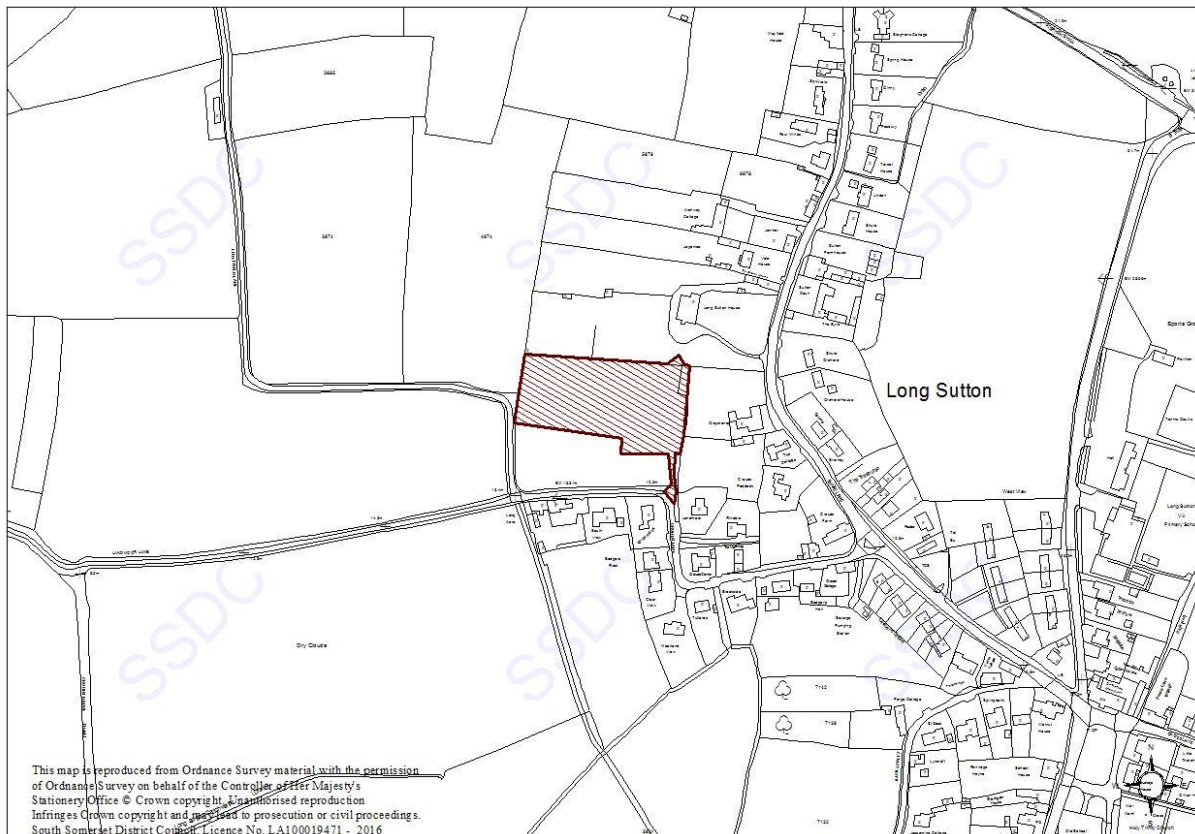
ORIGINAL OFFICER REPORT (AMENDED AS NECESSARY):

REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee to enable a full discussion of concerns raised by local residents and the Parish Council

SITE DESCRIPTION AND PROPOSAL





The site is located immediately south of the main garden area of the Grade 2 listed Long Sutton House. It forms part of the greater land holding of the House, being bounded to the south by Crouds Lane, and to the west by open countryside. On its east side is a further parcel of land under the same ownership which in turn backs onto the gardens of houses fronting onto Crouds Lane to the south, and Shute Lane to the east. One of these buildings fronting onto Shute Lane, 'Greystones' is also a Grade 2 listed building, and its curtilage adjoins the eastern boundary of the site.

Application is made for the change of use of the land for a mixture of ancillary accommodation and holiday accommodation related to the main use of the site associated with Long Sutton House. The application includes:

- change of use of existing barn to domestic storage building;
- change of use of barn to domestic workshop;
- completion and change of use of partially built structures (retrospective) to create 5 holiday lets/ancillary cottages
- completion of structure to create laundry, domestic store and office with basement;
- creation/change of use to additional storage space and potting shed; and
- repairs and extension to summerhouse

HISTORY

The greater site, including Long Sutton House and land immediately to the east of this site, has a long and varied history. Particularly relevant to this application are the following:

15/00066/FUL- Erection of a gatehouse- withdrawn
14/01207/FUL- Amendment of materials arising from previous planning consent
11/02636/FUL and erection of agricultural storage barns and garage block - withdrawn
11/02636/FUL - Erection of agricultural buildings comprising two barns and root cellar with ancillary walls and composting enclosures including solar PV roof on barn and hard surfacing -permitted with conditions
09/01923/AGN - The erection of an agricultural storage building - permission not required.

Buildings have been erected under these permissions, including various changes to the approved details, as well as some additional unauthorised works. An application to amend (retrospectively) these works was withdrawn.

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 Sustainable Development
SS1 Settlement Strategy
SS2 Development in Rural Settlements
EP8 New and Enhanced Tourist Facilities
TA5 Transport Impact of New Development
TA6 Parking Standards
EQ1 Addressing Climate Change in South Somerset
EQ2 General Development
EQ3 Historic Environment
EQ4 Biodiversity
EQ7 Pollution Control

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

National Planning Practice Guidance - Department of Communities and Local Government, 2014.

Policy-related Material Considerations

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

South Somerset Sustainable Community Strategy (2008-2026)

CONSULTATIONS

Parish Council: *Long Sutton Parish Council objects to the above application on the following grounds:-*

- 1. The development encroaches onto agricultural land.*
- 2. It would lead to an increase of traffic using Crouds Lane.*
- 3. The visual impact resulting from the size of the development.*
- 4. The combined issues of drainage and sewerage.*

The Parish Council requests that the application is deferred to Area North and if they are minded to support this, that the following conditions are made:-

- 1. That the cottages are occupied only by bona fide holiday tourists.*
- 2. All permitted development rights are removed.*
- 3. That other proposals within the Design & Access Statement, that do not appear in the application, should be included:
Creation of a new formal garden.
Construction of boundary wall.
Planting Scheme.
Use of Store to hold fire fighting equipment.
Retention of compost bins, fire pit and compost storage areas.
Communal aerials for satellite, TV and radio.*
- 4. No change of use from agricultural to gardens.*

Highways Authority: Standing Advice Applies.

SSDC Highways Consultant: *With regards to the part of the proposals for holiday let accommodation, consider the suitability of Crouds Lane to accommodate additional traffic, albeit sporadic. Support the highway conditions set out in the DAS although it would be advisable to widen the access to 5.0m.*

SSDC Conservation Officer: No objection.

SSDC Landscape Officer: *It is noted that the majority of these structures already have consent, but for an agricultural use, rather than a domestic/holiday function. I recollect that when the initial farm buildings were applied for, in their favour was (i) the close relationship with Long Sutton House, and (ii) the 'estate' character of the farm building group.*

From a landscape standpoint, the site is already characterised by building form, which has a unified expression in its general appearance, whilst its 'estate' character helpfully lends itself to conversion from agricultural to domestic uses. Hence the potential landscape impact of these proposals comes down to (a) the introduction of a domestic use, such as vehicular activity; nightlight etc. and (b) the incursion of built form toward open countryside. Looking first at domestic use, there will clearly be greater activity within the site, of both visitors and vehicles, but I note the site to be partially contained by stone walling, and for the structures to be

primarily inward-looking, such that much of this additional activity will be contained. As for nightlight, again the current containment should limit this, and with external windows limited in number and scale; and with the potential to condition the type and location of lighting, these impacts are likely to be low. Turning to the new build, it is clear that this structure would add to the intensification of the current building group, and will project building form toward the open countryside. However, whilst the subsequent arrangement does spread development form across the site, it remains contained within the site; is of the same design style; and has residential land to 3 sides. I also observe that (i) residential form extends further west of the village, to both north and south of this site, than this build proposal, and (ii) the paddock within which the site is located is bounded by an established hedgerow to the west, which is the landscape feature that separates residential land from farmland extending north, and this is a significant boundary containing the site, and relating it to village form. Hence on balance, I do not consider the landscape impacts to be of sufficient magnitude to warrant an objection.

SSDC Ecologist: Concerns raised initially about the possible impact on the natural environment from the on-site sewage treatment plant. These concerns have been addressed in consultation with Natural England.

SSDC Engineers: Discussions are on-going with the applicant to agree a scheme of surface water drainage and disposal. In principle, it is considered that an acceptable solution can be provided. To be updated at Committee.

SSDC Environmental Protection Officer: No observations.

SSDC Economic Development Officer: *This is a reasonably unusual application in so much the land is currently described as being agricultural, yet there is an insufficient amount to justify traditional agricultural activities. Equally, the location of both the land and the buildings are towards the village centre and therefore any reversion back to agriculture would quite probably cause difficulties to those living in proximity. Therefore, the applicant has little choice than to look for alternative uses for both the buildings and the adjacent land. He has brought forward an idea which will provide an income for himself and opportunities to enhance the incomes of many other local businesses through the provision of quality food and drink. In addition, numerous additional staff will be required when the growth of the business justifies their input. This will take the form of gardeners, drivers, waiting and catering personnel. The opportunity to encourage people to South Somerset is to be encouraged in anticipation that they will bring secondary spend to the area. There are no reasons why from an economic perspective this application should not be supported.*

Area Development Officer: *I have no particular comments from a community / local perspective. The application includes additional holiday accommodation, if planning policies require specific justification then ED would advise.*

However I can confirm that within the area in general there is a strong interest in promoting opportunities for extended stay and spend by visitors - hence we would support this application subject to the usual assessments including design in keeping and accessibility for users.

Environment Agency: No comments received

Natural England: No objection. Original concerns raised about the possibility of harm from phosphate and other pollution resulting from the on-site sewage treatment arrangements were addressed by the applicant to the satisfaction of NE.

Wessex Water: *The application made for development proposals at this location has indicated that no new connections to the public sewer system will be required to serve these new*

buildings.

We advise that separate systems of drainage are utilised to form satisfactory means of disposal subject to Building Regulations. We request that South Somerset consult with Wessex Water if these details are amended to require connections to the public sewer system.

This location suffers from groundwater induced sewer flooding during prolonged rainfall and mitigation measures are in place to maintain service levels under these conditions.

SSDC Tourism Officer: No comment received.

County Archaeologist: No objection.

REPRESENTATIONS

Five letters of objection have been received, making the following main points:

- the scale of development is inappropriate for the setting;
- Crouds Lane is narrow with awkward turns, and additional traffic would be harmful to highway safety; the Lane is not appropriate to carry the additional traffic;
- the proposal would exacerbate existing surface water and foul drainage problems in the village, by reason of additional persons on site and ; both systems operate at capacity and increases in run-off would compromise their use by existing residents;
- retrospective permission for this development sets an undesirable precedent;
- permission for this development on agricultural land will set a precedent for similar developments on agricultural land in future;
- there have been noise and traffic disturbances in Crouds Lane for a long period of time associated with this site;
- there has been little local consultation;
- the need for a stand-by generator is queried; it will create unacceptable noise;
- access for visitors via Shute Lane should be assured.

CONSIDERATIONS

Principle of Development: Tourist Accommodation

The NPPF states that policies should support sustainable economic growth in rural areas to help overcome the unfulfilled economic potential in rural communities, tackle an over-reliance on traditional low paid employment and under-employment, and help limit skilled workers having to move elsewhere for work.

As a consequence, the Local Plan considers various employment options, including the important contribution that can be made by the tourism sector.

Policy EP8 addresses this issue, and encourages the creation of new tourist facilities where:

- They are of a scale appropriate to the size and function of the settlement within which they are to be located;
- The proposal ensures that the district's tourist assets and facilities are accessible through sustainable modes of travel including cycling and walking;
- They do not harm the district's environmental, cultural or heritage assets;

- They ensure the continued protection and resilience of the district's designated nature conservation features;
- They benefit the local community through access to facilities and services; and
- There is no adverse impact on Natura 2000 and other internationally and nationally designated sites

Subject to compliance with these criteria, and the demonstration that a need is met, the principle of provision of the creation of tourist accommodation is accepted.

Ancillary Accommodation

The application partially also seeks the change of use of part of the site/buildings to ancillary accommodation - three buildings specifically for that purpose (storage, workshop and potting shed); and a combination of either tourist accommodation or ancillary residential accommodation for the main house. The intention of the applicant is to use the cottages created by this development either as holiday lets or in conjunction with the domestic accommodation requirements of the main house (Long Sutton House). This house is a large property, with a total internal floor area of around 650 sq m, additional outbuildings of an additional 250 sq m, situated on a site of 2.8 Hectares. It is considered reasonable within this context to include further floorspace as ancillary accommodation, subject to appropriate design, layout and other relevant considerations.

Of the buildings seeking planning permission, three are proposed to form dedicated ancillary accommodation for the main dwellinghouse: buildings numbered 1, 2 and 7c - a store; a workshop and a potting shed.

Applicant's Business Plan: Compliance with Policy EP8

The applicant has submitted a detailed, confidential business plan supporting the application. The plan has been scrutinised and assessed by the Economic Development Officer and the Area Development Manager (comments above). The following main points are dealt with:

- Detail of the proposed business, including the proposed core activity and related business opportunities locally;
- Possible customers - evidence of demand;
- Competitors;
- Overview of Tourist Industry;
- Policy background;
- Information from various data bases;
- Marketing;
- Capital Investment, Employment and partners;

The applicant currently employs five full-time and four part-time staff within this holding. The proposal would increase these numbers by a further four full-time and four part-time staff.

It is pointed out that the proposal would operate in tandem with other businesses existing or proposed in the village (including the village shop) under the same ownership, offering a co-ordinated business approach to providing tourist facilities. The business plan expects that the net employment resulting would be 29 staff employed locally.

The plan highlights linkages with other businesses locally and further afield

Assessing the proposal under the criteria set out in Policy EP8:

Scale: The proposal is of a scale that is considered to relate well to the size of the village, being 5 units of accommodation, and of a form that can be accommodated without visual harm in the space available.

Accessibility: The proposal is well located to tourist assets in the area, providing adequate opportunities for access by sustainable means of transport (cycling or walking).

Harm to Assets: The proposal does not demonstrably harm environmental, cultural or heritage assets (see comments of Conservation Officer and Natural England).

Nature Conservation: Natural England is satisfied that the development will cause no harm to nearby Wet Moor, part of the designated Somerset Levels and Moors. Particular attention has been paid by NE to possible phosphate pollution, which it is now satisfied will not result from the development.

Community Benefit: Whilst none of the facilities directly affect local residents, it is noted that numerous job opportunities could result from the proposal; and the proposal is part of a larger plan involving other community facilities (e.g. the local shop) which would have a local impact.

Natura 2000 and Designated Sites: Natural England has been consulted - there are no harmful impacts anticipated.

It is considered that the applicant has provided a detailed, well-considered approach towards the creation of a tourist-based business on the site. It is supported as being a practical way of utilising this agricultural land for a profitable economic purpose, given that the use of the land would be limited (owing to size, locality, etc.) for agricultural activity.

It is considered that the proposal is broadly compliant with Policy EP8 of the Local Plan, and that the proposed tourist accommodation would enhance economic activity locally and in the District. The proposal offers the opportunity of significant economic benefit, and is accordingly supported for this reason.

Visual and Landscape Impact: Impact on Listed Buildings

The built form proposed is largely in place, mostly to roof height. The potential visual impact can therefore be easily assessed. The structures are all grouped in a courtyard configuration, on a section of the site well away (more than 50m) from Crouds lane and the dwellings to the south of the Lane. The development is single storey, using high quality material finishes (in particular, local stone), and is of a simple design that respects the general nature of development in the immediate area.

There are two listed buildings within the vicinity - the main dwellinghouse (Long Sutton House) towards the north; and Greystones to the east. The site is outside the curtilages of both buildings. The general layout of the site, with screen planting, limits any impact on the broader setting of these two buildings. For purposes of Policy EQ3 of the Local Plan (and the general aims in respect of heritage assets in the NPPF) it is not considered that there is demonstrable harm to the setting of these buildings that would suggest a refusal of the proposal.

The development is of a scale and design that is commensurate with the existing grain and form of the settlement. Additional planting is proposed. The Landscape Officer's detailed assessment is set out above, and raises no objection. For these reasons, it is not considered that there is any harmful visual impact on the setting or local landscape that would indicate a refusal of the application.

Impact on Residential Amenity

As mentioned, the nearest dwellinghouses are more than 50m from the development. The form is single storey. No amenity harm is therefore identified as regards overlooking or physical dominance of neighbouring amenity space.

The issue of amenity is also raised in relation to traffic using Crouds Lane. Given that new traffic accessing the holiday lets is to be accommodated via Shute Lane, it is not considered that there would be additional traffic generated by the scheme onto Crouds Lane that would constitute an amenity nuisance.

Highway Safety and Access

The site enjoys access from both Crouds Lane and from Shute Lane. It is noted that the intention is to use Shute Lane as the access, which enjoys good visibility, for the tourist accommodation purpose, and it is proposed to secure this by condition. The access onto Crouds Lane also enjoys good visibility in both directions. Adequate on-site parking can be provided.

It is considered that the proposal generally accords with the requirements of the County's Standing Advice, although, as pointed out by the Highway Consultant, some aspects are not optimal. The concerns of the Highway Consultant have been discussed. They did not take into account the intention to use the Shute Lane access for the holiday lets, which overcomes concerns about scale of the existing access, and traffic generation onto Crouds Lane.

It is not considered that there is any highway safety concern that would indicate a refusal of permission.

Drainage

Local concerns have been raised about both surface water and foul drainage.

The proposal aims to make provision for attenuation of surface water on site, its treatment and use for irrigation and other purposes. As requested by Committee when the application was considered in April, a scheme of drainage has now been received, and is acceptable to the Council's Engineer.

As regards foul drainage, Wessex Water has assessed the proposal, and has noted that the site will be independent of mains drainage, and subject to the normal Building Regulations in this regard. As long as no mains drainage connection is sought, Wessex Water raises no objection.

It is not considered that foul or surface water drainage, in principle, would be a reason for refusal of the application. However, given the concerns about surface water disposal in the area, it is recommended that approval be subject to the prior submission and approval of a scheme acceptable to the Council's Engineer.

Concerns of Local Residents

The concerns of local residents have been considered and largely dealt with in the body of the report. The following additional comments can be made:

- Previous traffic concerns, and concerns related to construction traffic, are noted, but on the basis of the submitted information it is considered that the use of the two access

points (Shute Lane and Crouds Lane) are more than adequate to meet the needs of the overall proposal without causing either highway safety harm or unacceptable reduction of residential amenity.

- As set out in the report, the concerns about the severe drainage issues have been carefully considered. On the basis of the submitted scheme, and with appropriate control by condition, it is the view of technical consultants that foul and surface water generated by the development can be accommodated without exacerbating existing conditions.
- Retrospective planning applications are not forbidden by the planning system; developers are entitled to seek regularisation of works undertaken without the necessary planning permission (as is partially the case with this application).
- Precedent carries little weight in planning decisions; planning applications are required to be assessed on their own individual merits, and it is not considered that approval of this scheme would bind the Council in any way to other future applications on this or other sites.
- Whilst it is noted that the developer is considered not to have engaged sufficiently with the local community, there is no requirement for a development of this scale to do so; the planning application process has offered the opportunity to anyone to make representations.
- An indoor stand-by generator is not considered to be an issue raising amenity concerns for purposes of this application. Any noise would have to comply with existing noise control legislation, failing which appropriate remedies are available under that legislation. However, the generator is to be located in a basement, and unlikely to produce any significant noise that would cause amenity harm.

EIA Regulations

Not relevant.

Conclusion

The proposal represents a well-detailed scheme for the creation of tourist accommodation within the village. As such, it would enhance the sustainability and economic vitality of the local village and the District, in accordance with the aims of the NPPF and the Local Plan. The scale, layout and design of the development relates well to the detailed setting within the village. No demonstrable amenity harm is identified, and there are no highway safety, heritage or environmental impacts that would indicate a refusal of the proposal.

Members have had the opportunity to view the development on site, and the plans and elevations are considered adequate to determine the full nature of the proposal. A sustainable drainage scheme for the site is possible, as demonstrated by the additional information from the applicant. It is now considered appropriate to give final consideration to the application, which is recommended for approval.

S.106 AGREEMENT

The applicant has agreed to the signing of a S106 Agreement to ensure the non-fragmentation of the planning unit. This is considered necessary to ensure that the development retains its relevance to the overall property (which includes Long Sutton House) and operates within the context of the submitted business plan, which has justified the proposal.

RECOMMENDATION

That application reference 15/05090/FUL 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 ensure that no part of the land edged blue on the submitted plan ref. P5427/001E is sold separately from the remainder of that land;
- b) the following conditions:

01. The proposal represents a well-detailed scheme for the creation of tourist accommodation within the village, which, by reason of its siting, layout and design, respects the character and appearance of the setting (and the setting of the listed buildings), and causes no demonstrable harm to residential amenity, highway safety or the environment, in accordance with the aims of the NPPF and Policies SS2, EP8, TA5, TA6, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 28 October 2015.

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. P5427 numbers 001C, 100E, 100H, 101b, 102d, 103b, 106d and 107e.

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

03. The occupation of the units of holiday accommodation hereby approved (i.e. units numbered 3, 4, 6a, 6b and 7a as identified on the submitted plan ref. P5427/100E) shall be restricted to bona fide holidaymakers unless the accommodation is to be used as ancillary accommodation for purposes of the occupants of the main dwellinghouse ('Long Sutton House'). None of the units shall at any time be occupied independently as any person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of occupiers of the units, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accordance with Policies SD1 and EP8 of the South Somerset Local Plan (2006 - 2028) and the aims and provisions of the National Planning Policy Framework.

04. No part of the development hereby approved, with the exception of the units referred to in Condition 3 above, shall be used other than as ancillary accommodation for use in association with the main dwellinghouse known as Long Sutton House.

Reason: In the interests of sustainable development and to ensure that the approved accommodation is not used for unauthorised permanent residential occupation in accordance with Policy SD1 of the South Somerset Local Plan (2006 - 2028) and the aims and provisions of the National Planning Policy Framework.

05. The area allocated for parking on the submitted plan ref. P5427/100E shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety and to accord with Policies TA5, TA6 and EQ2 of the South Somerset Local Plan.

06. Vehicular access to the units of holiday accommodation within the development hereby approved shall be via the site entrance onto Shute Lane. The operator of the approved scheme of tourist accommodation shall use this access point as the address for the development in any advertising, promotional and informational material issued (including any internet online advertising) to promote the scheme and arrange for customers to visit the site. Such material shall not make reference to the access on Crouds Lane.

Reason: In the interests of residential amenity and highway safety, in accordance with the aims of the NPPF and Policies TA5 and EQ2 of the South Somerset Local Plan,

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no outbuildings, garages or any other structures shall be erected other than those expressly authorised by this permission.

Reason: To safeguard the character and appearance of the area in accordance with the aims of the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions or other external alterations to these buildings without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the area, and to accord with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

09. No external lighting shall be installed on the site unless the details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and to avoid light pollution, in accordance with the aims of the NPPF and Policies EQ2 and EQ7 of the South Somerset Local Plan.

10. Within three months of the date of this permission, 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, shall be submitted to the Local Planning Authority for approval. Such scheme shall be based on the layout shown on the submitted plan ref. P5427/100H. Once approved, 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 approval of the details, 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 shall thereafter be retained and maintained.

Reason: To safeguard the character and appearance of the area and to accord with Policy EQ2 of the South Somerset Local Plan.

11. Within three months of the date of this permission, full details of the siting, design and layout of an area for the on-site storage of refuse and recycling bins shall be submitted for approval to the Local Planning Authority. Once approved, the details shall be fully implemented and thereafter retained and maintained. There shall be no storage of such bins outside of the site or in the public highway area.

Reason: In the interests of amenity, and to accord with Policy EQ2 of the South Somerset Local Plan.

12. Within 3 months of the date of this permission the remaining detail of the surface water design in the form of a detailed drainage design layout shall be submitted for approval to the Local Planning Authority. The layout shall be generally in accordance with the submitted plan ref. 201340_C01B received by email on 8 August 2016. The details shall include:
 - design and type of soakaway units and connections;
 - maintenance schedule(s) for the system; and
 - details of silt traps to be incorporated within the system.

Once approved, the drainage layout shall be fully implemented, and thereafter retained and maintained in accordance with the agreed details.

Reason: In the interests of sustainable drainage and to accord with the NPPF and Policies SD1 and EQ1 of the South Somerset Local Plan.