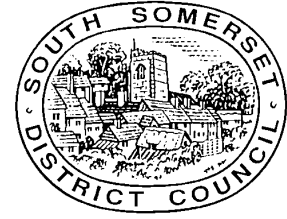


South Somerset District Council

Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 23rd November 2016

2.00 pm

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

(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 3.15pm.

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 Tuesday 15 November 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
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 no earlier than 3.15pm, following a break for refreshments, in the order shown on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

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 23 November 2016

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 26 October 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 and Sylvia Seal.

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

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

4. Date of next meeting

Councillors are requested to note that the next Area North Committee meeting will be held earlier than normal due to Christmas. The next meeting is scheduled to be held at 2.00pm on **Wednesday 14 December 2016** at a venue to be confirmed.

5. Public question time

6. Chairman's announcements

7. Reports from members

Items for Discussion

8. Citizens Advice South Somerset (Page 9)

9. Grant to Somerton Town Council (Executive Decision) (Pages 10 - 14)

10. Area North Development Plan and Budget - Half Year Progress Report (Pages 15 - 27)

11. Area North Committee Forward Plan (Pages 28 - 30)

12. Planning Appeals (Page 31)

13. Schedule of Planning Applications to be Determined By Committee (Pages 32 - 33)

14. Planning Application 16/03780/FUL - Land Adjoining Church, Hambridge. (Pages 34 - 43)

15. Planning Application 16/04421/FUL - Orchard Land Adjoining Tuppence House, Stembridge, Martock. (Pages 44 - 48)

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

Citizens Advice South Somerset (CASS)

Assistant Director: Helen Rutter, Communities
Service Manager: Helen Rutter, Communities
Lead Officer: David Crisfield; Third Sector & Partnerships Co-ordinator
Angela Kerr; Chief Executive Officer, CASS
Contact Details: david.crisfield@southsomerset.gov.uk (01935 462240)
angela.kerr@southsomcab.org.uk (01935 847661)

Angela Kerr, Chief Executive of Citizens Advice South Somerset, will be attending Area North Committee to deliver her annual presentation to members on the work of CASS during 2016 and their future plans.

Agenda Item 9

Grant to Somerton Town Council (Executive Decision)

Assistant Director: Helen Rutter, Communities
Service Manager: Sara Kelly, Area Lead (North)
Lead Officer: Chereen Scott, Neighbourhood Development Officer (North)
Contact Details: chereen.scott@southsomerset.gov.uk or (01935) 462123

Purpose of the Report

Councillors are asked to consider the awarding of funding towards the costs of new projector equipment and signage at Edgar Hall, in Somerton.

Public Interest

Community grants are available in each area to voluntary and charitable organisations, not-for-profit groups, Parish or Town councils and other organisations that benefit the wider community. Applications are encouraged that meet a clearly identified local need.

Somerton Town Council has applied for financial assistance from the Area North community grants programme. The application has been assessed by the Neighbourhood Development Officer who has submitted this report to allow the Area North Committee to make an informed decision on the application.

Recommendation

That Councillors consider this application for a grant of £3,280.17 to Somerton Town Council. The grant to be allocated from the Area North Community Grants budget, subject to SSDC standard conditions for community grants (appendix A).

Application Details

Name of applicant	Somerton Town Council
Project	Edgar Hall projector and signage
Total project cost	£6,560.34
Amount requested from SSDC	£3,280.17 (50%)
Recommended special conditions	None
Application assessed by	Chereen Scott, Neighbourhood Development Officer

Community Grants Assessment Score

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

Category	Actual Score	Maximum score possible
A Eligibility	Y	Y
B Equalities Impact	6	7
C Need for project	5	5
D Capacity of Organisation	13	15
E Financial need	3	7
F Innovation	3	3
Grand Total	30	37

Background

Edgar Hall is a town council owned facility housing Somerton Town Council, Somerset Association of Local Councils (SALC) Somerset Playing Fields Association and Parrett Catering all of whom are permanent tenants. There are a total of five letting rooms accommodating between 6 and 500 people dependent on the room. The facility is used by community groups on a regular and occasional basis, with private individuals hiring rooms for celebration parties. Regular business users include SSDC, Somerset County Council and the NHS.

Sales / Lettings at Edgar Hall have increased 24% in the last year, with a further 25% increase forecast for the current financial year. Marketing campaigns combined with internal and external improvements have improved the functionality / desirability of the facility.

Consultation

Feedback has been received from users that the current projection system is inadequate compared to the rest of the equipment available. Market research with other comparable venues indicates a higher specification of projection equipment being available. An in house mystery shopper programme also indicated a requirement to upgrade in this area.

Due to the size of the building users are often unsure of the location of the meeting room. Remote visual signage will improve the customer experience and efficiency of the use of the building.

Parish Information

Parish*	Somerton
Parish Population*	4,697
No. of dwellings*	2,234

*Taken from the 2011 census profile

The project

The project is to install a new projector system and internal signage. The existing projector system will be upgraded in the conference room and main hall to provide projection onto a screen with sound enabled through the existing or new audio configuration.

A new digital screen over the entrance to the main hall would provide signposting / welcome message for Edgar Hall clients. This will enable clients to navigate the building to their room. The system will be set up to operate remotely and have the capacity to be updated over a weekly/monthly period.

The project will be run by Somerton Town Council with Terry Philpott (Town Clerk) taking the lead.

Project Costs

Conference Room front projection	£1,513
Main Hall front projection	£1,952
Reception area digital signage	£468
Labour	£2,627
Total project cost	£6,560

Funding Plan

Funding Source	Funds secured
Parish Council	£3,280
Total secured	£3,280
Amount requested from SSDC	£3,280

Previous grants

Area North Committee awarded a grant of £1,000 to Somerton Town Council in 2016/17 towards the costs of the Somerton Recreation Ground Feasibility Study.

Consents and permissions

None applicable.

Conclusion and Recommendation

This application is for £3,280 representing 50% of the project cost. The Town Council has carried out consultation and market research to inform their decision to install a new projector and it will help ensure the Edgar Hall remains a well-used community building.

It is recommended that this application for £ 3,280 is supported.

Financial Implications

If the recommended grant of £3,280 is awarded, £21,720 will remain unallocated for 2016/17.

Council Plan Implications

The project supports:

Council Plan: Health & Communities: Support at least 50 community projects

Area North Development Plan priority: Self-help and community facilities

Carbon Emissions & Climate Change Implications

No implications arising directly from this.

Equality and Diversity Implications

A new, modern projector with the screen being at a suitable height will make viewing of presentation material easier to see.

Appendix A

Standard conditions applying to all Community Grants.

This grant offer is made based on the information provided in application form no. AN16/08 and represents 50% of the total project costs. The grant will be reduced if the costs of the total project are less than originally anticipated. Phased payments may be made in exceptional circumstances (e.g. to help with cash-flow for a larger building project) and are subject to agreement.

The applicant agrees to: -

- Notify SSDC if there is a material change to the information provided in the application.
- Start the project within six months of this grant offer and notify SSDC of any changes to the project or start date as soon as possible.
- Confirm that all other funding sources have been secured if this was not already in place at the time of the application and before starting the project.
- Acknowledge SSDC assistance towards the project in any relevant publicity about the project (e.g. leaflets, posters, websites, and promotional materials) and on any permanent acknowledgement (e.g. plaques, signs etc).
- Work in conjunction with SSDC officers to monitor and share the success of the project and the benefits to the community resulting from SSDC's contribution to the project.
- Provide a project update and/or supply before and after photos if requested.
- Supply receipted invoices or receipts which provide evidence of the **full** cost of the project so that the grant can be released.

Standard conditions applying to buildings, facilities and equipment

- Establish and maintain a "sinking fund" to support future replacement of the building / facility / equipment as grant funding is only awarded on a one-off basis.
- Use the SSDC Building Control service where buildings regulations are required.
- Use a contractor selected from the SSDC approved list for play area facilities.
- Incorporate disabled access and provide an access statement where relevant.

Agenda Item 10

Area North Development Plan and Budget – Half Year Progress Report

Assistant Director: Helen Rutter, Communities
Service Manager: Sara Kelly, Area Development Lead North
Lead Officer: Sara Kelly, Area Development Lead North
Contact Details: sara.kelly@southsomerset.gov.uk or (01935) 462249

Purpose of the Report

To provide an update on the progress of projects taking place in Area North including those resourced through Area and Capital programmes and to give an overview of the Area North Reserve and Grants Programmes.

Public Interest

The Area Development Service supports the Council's 4 Area Committees (North, South, East and West) to work closely with local communities to create better places in which to live and work.

Area North committee can use its resources both financial and through its team of Development staff to understand what matters to local people and address this by offering support, encouragement and direct financial and practical help.

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

Recommendations

1. To note and comment on progress with projects in the Service Action Plan
2. To note the current position on community grants
3. To note the current position with the Area North capital programme and reserve

Background

Budgets are approved in February each year. Each of the 4 Area Committees has delegated responsibility for monitoring budgets within its control. Area North Committee considers all decisions relating to grant requests over £1000, its capital programme and the allocation and spending of its reserve. District Executive continues to monitor all budgets on a quarterly basis.

Area budgets enable the Committee to pump prime the work and projects it wishes to implement or support in order to address local needs and promote improved quality of life in the area.

The Area Development Plan 2016/17 contains a set of local priorities, agreed by the committee and a service action plan with targets to carry these forward throughout the year.

A half year progress report is brought to Committee. Progress against current projects in the service action plan is attached in Appendix 1.

Funding Overview

Appendix 2 gives a budget summary for 2016/17 to include the Area North Capital Programme, Area North Reserve and Area North Revenue grants.

Appendix 3 gives an overview of all funding awards made from the Area North revenue grants budget since April 2016.

The award of grants up to £1000 is delegated to the Area Lead in consultation with ward members. Grants over £1000 are awarded by Area Committee. The budget for revenue support to community led projects in 2016/17 was £10,680. In addition £5,550 was carried forward from previous years. To date, £7,885 has been spent leaving a balance of £8,345.

Area North Capital Programme

The Area Committee capital budget is used to improve or create physical assets for local benefit with a value of at least £10,000 for a scheme led by SSDC or as a community grant of at least £250. There is currently £179,655 for future allocation to local priority schemes in the Area North Capital Programme. Of this, £25,000 is profiled to be spent in 2016/17 and the remaining £154,655 in future years.

Fuller detail on the spending of the Capital Programme is attached at Appendix 4. It shows live projects, their funding allocation and spending that took place to 30 September 2016.

Area North Reserve

This is a one off fund held as a special reserve by the Area Committee. There is £16,600 to allocate for future years. In addition, £10,000 is allocated to support the progress (in exceptional circumstances) of schemes for affordable housing as part of the Area Committee's priorities. This includes provision to support the creation of a new Community Land Trust in the Seavingtons Parish.

Financial Implications

None arising directly from this report.

Corporate Priority Implications

The priorities have been developed taking into account the current Council Action Plan. The key aspects relevant to our work programme are:

- agree a prioritised action plan to deliver local projects with Regeneration Boards
- support district-wide roll out of superfast broadband
- support Huish Episcopi academy community swimming pool project
- support at least 50 community projects

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None arising directly from this report.

Equality and Diversity Implications

None arising directly from this report.

Background Papers

Area North Development Plan 2016-17

Monthly budget monitoring and quarterly capital monitoring reports

Appendix 1 - Area North Development - Service Action Plan 2016/17

Completed	In progress – on target	In progress – risk of missing target	Future action not started
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Service Action plan: Top level actions – more detail is within individual work programmes / project plans

Action /Project description	Who	Milestone/ outcome	When	Current position Nov 16
Continue to build SSDC engagement with Town & Parish Councils, including guidance on community plans and local investment	All	6 monthly meetings with clerks/chairs as required	Ongoing	Regular update meetings attended where required and ongoing support offered.
Monitor progress of Devon & Somerset Broadband Programme and promote local involvement in community and business engagement programmes https://www.connectingdevonandsomerset.co.uk/plans-get-underway-second-stage-superfast-broadband-roll/	PB	More communities connected to superfast	Ongoing	Applications for voucher scheme close on 30 th November 2016. 2 nd stage of superfast broadband programme will be going out to tender Feb 2017.
Support local community engagement with SSDC and partnerships between agencies to meet local needs (including community safety) and encourage innovation	All	6 monthly meetings with key partners	Ongoing	Ongoing

Appendix 1 - Area North Development - Service Action Plan 2016/17

Completed	In progress – on target	In progress – risk of missing target	Future action not started
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Priority Area 1: Jobs and the economy

Action /Project description	Who	Milestone/ outcome	When	Current position Nov 16
Support our 4 Local Information Centres (Somerton, Martock, Langport, South Petherton) with service level agreements	MO	Release all grant payments by Oct 2016	Ongoing	All SLA payments released (4 x £500)
Support the Levels and Moors Leader Executive Board to deliver the 2014-2020 Local Development Strategy	PB	Quarterly meetings with LAG	Ongoing	Following the decision to leave the EU the LEADER programme was temporarily put on hold, it has just reopened to new applications 3/11/16
Implement Area North Marketing and signage programme	PB	Increased footfall to a range of businesses & attractions	March 2017	Dovetailing with Business Resilience Support Programme
Support Westover Trading Estate businesses to improve local environment for trade and visitors	PB	Feedback from visitors/ businesses. Quarterly meetings to monitor progress.	Ongoing	Planning application currently being considered. Future action to be determined by outcome of that application
Business Resilience Support Programme	PB	Visitor facing small businesses more resilient (regular review meetings)	March 2018	Phase one of programme delivered a number of support initiatives for small businesses and has identified priorities for phase two.
Legacy for the levels – repair and promotion of the River Parrett Trail (RPT)	PB	Profile of RPT improved. Jobs created or maintained	March 2018	Audit of current state of the Trail has been commissioned; this will inform the design of the RPT programme.
Support the development of ideas to promote rowing / boating on the Parrett at Langport	PB	Transfer ownership of Cockle Moor. Funding for infrastructure	2017	Supported transfer of ownership from EA to LTC and transferred responsibility of associated pathways from SSDC to LTC. Identifying permissions, licenses and classification needed for greater use of the river, plus funding opportunities

Appendix 1 - Area North Development - Service Action Plan 2016/17

Completed	In progress – on target	In progress – risk of missing target	Future action not started
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Work with Martock Parish Council and M3 to support creation of a sustainable conservation and regeneration plan at the Parrett Works, Martock	PB	HLF start up grant to test viability and appraise market and potential economic impact	Ongoing	Market appraisal and economic impact assessment for the Martock area underway
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Priority Area 2. Affordable Housing

Action /Project description	Who	Milestone/ outcome	When	Current position Nov 16
Support progress to secure completion of affordable housing scheme in Compton Dundon	SK	Work re commences on site.	2017	Viability appraisal currently being carried out. Ongoing action to be determined by results of the appraisal.
Support the setting up of Seavington Community Land trust (SCLT)	MO	SCLT formally constituted	December 2016	SCLT now formally constituted
Continue to offer support with local housing needs surveys as requested	ALL	Respond to need	2017	No support requested to date this year

Appendix 1 - Area North Development - Service Action Plan 2016/17

Completed	In progress – on target	In progress – risk of missing target	Future action not started
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Priority Area 3. Self help and community facilities

Action /Project description	Who	Milestone/ outcome	When	Current position Nov 16
Support community-led play days and youth work.	ALL	8 play days summer 2016	Ongoing	All play days took place successfully and relevant grant payments have been released.
Support the Kingsbury Episcopi Amenities Trust and Community Shop with the development of new community facilities at the recreation ground. http://www.kingsburycommunityshop.co.uk/	MO	Phased payments of grant. Build complete Feb 2017	Feb 2017	Build underway. Phased grant payments of £12,930 released to date (03/11/16)
Support Kingsbury Episcopi church rooms management committee	CS	Work completed and grant released	October 2016	PCC in process of reviewing the scope of the project. Awaiting feedback.
Support delivery of Curry Rivel community facilities investment programme at Westfield and SSDC play areas.	SK	New equipment installed and landscaping completed	October 2016	S106 Capital award offer signed off and suppliers selected. Awaiting equipment and installation
Support development of community facilities at Huish Leisure Centre	MO	Grant app to ANC by end 2016	Ongoing	Advice and support offered. No grant applications received to date
Support Robert Sewers Village Hall, Curry Rivel to carry out programme of improvements, including accessibility improvements	SK	Hearing loop installed and toilets improved to create fully accessible toilet	March 2017	Hearing loop installed, accessible toilet remodelled to current standards. S106 plus top up grant funding released
Support Curry Rivel Parish Plan group to complete local consultation and research for a new parish plan and deliver actions	CSA SK	Report to ANC to endorse parish plan	By March 2017	Actions within Parish Plan being delivered by working groups. Awaiting date from Parish Council when plan will be brought to Area North committee to be endorsed.
Support Stoke Sub Hamdon Recreation Trust to implement five year plan.	MO	6 monthly update meeting Oct 16.	Ongoing	Delegated grant given for equipment purchase. Ongoing support offered

Appendix 1 - Area North Development - Service Action Plan 2016/17

Completed	In progress – on target	In progress – risk of missing target	Future action not started
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Support delivery of Ilton community facilities investment programme onto new land at Copse Lane.	CS	Lease, S106 and deed of easement all finalised	December 2016	Legal are working on S106 agreement. Active discussions ongoing between all parties.
Support Curry Mallet Parish Council and Village Hall to implement improved local play facilities	SK	New play equipment installed & S106 spent	March 2017	Discussions ongoing
Support improvement and transfer of public open space (POS) at Bartletts Elm, Huish Episcopi	SK	POS successfully transferred	Ongoing	Remedial works undertaken to trees on site. Work still ongoing regarding transfer of POS
Support Martock Parish Council to deliver actions identified in the Martock 'Our Place' programme	MO	SLA signed. Reviewed annually 2016-19	Ongoing	SLA signed and first payment released. Attendance at meetings and support provided where required
Support The Seavingtons Playing Field Trust to make access improvements at Seavington Playing Field.	MO	Final phase of grant payment released	March 2017	New footpath installed. Remainder of grant funding held for 2 nd phase
Support Seavington shop and café to develop its business plan for long term sustainability	MO	Funding in place to appoint manager	Ongoing	Support provided as requested. No progress on appointment of manager but still running successfully.
Support South Petherton Parish Council to refresh the Parish Plan / create Neighbourhood Plan	SK	Update to ANC by March 2017	Ongoing	Neighbourhood plan progressing well. Consultation to be undertaken in New Year. Scheduled for completion by April 17
Support South Petherton Parish Council to deliver community facilities investment programme at Lightgate Lane to include master planning exercise	SK	Masterplan produced and first actions commenced	March 2017	Consultants appointed. First phase of consultation with user groups complete
Support Chilthorne Domer Recreation Trust to make improvements to the Pavillion for community use	SK	New play equipment installed. Car park extended.	March 2017	Pavilion remodelling complete, new play equipment installed, car park works starting imminently.
Support the village hall committee with improvements to Montacute village hall	CS	Grant payment released and work completed	March 2017	Work complete and grant payment released.

Appendix 1 - Area North Development - Service Action Plan 2016/17

Completed	In progress – on target	In progress – risk of missing target	Future action not started
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Support completion of feasibility and business plan for new sports changing rooms in Montacute	CS	Business plan produced and approved by National Trust	2017	Support ongoing. Parish council are at early design stage.
Support Tintinhull Parish Council to progress funding and design for new village hall	CS	Work started on site. Build complete	2017	Builders selected and approved by Big Lottery. Demolition of existing site expected to start Jan 2017
Support High Ham Parish Council to complete the High Ham Youth Park	SK	Final piece of equipment installed	October 2016	Mini goal posts and new basketball sleeve purchased. Appropriate percentage of grant funding released.
Support Long Sutton Village Hall with their programme of improvements at the village hall, pavilion and playing field	SK	3 year business plan produced. Priority actions identified.	March 2017	No progress to report. Revisit when new Ward Member is elected.
Support Somerton Town Council to provide additional town centre parking	SK	License for mitigation granted by natural England. Work commenced on site.	December 2017	Bat license obtained and mitigation works completed. Tender awarded. Hoping for demolition to start late November 2016.
Support Somerton Recreation Trust to continue master planning for changing and sports facilities	SK	Project fully scoped and approved by Trust. Masterplan complete	2017	£1000 grant awarded towards feasibility work. Consultants appointed. Project still being scoped
Support and coordination of ABP abattoir liaison group	CS	Quarterly meetings arranged and attended	Ongoing	Group met in May and September. Providing ongoing support and coordination. Next meeting is January '17.
Support review of community facilities in Ash and ongoing actions that arise from the outcome of the recent survey.	CS	Survey findings published and endorsed. Action plan produced	March 2017	Grant awarded. Survey currently underway, closing date of 25/11/16.

Appendix 1 - Area North Development - Service Action Plan 2016/17

Completed	In progress – on target	In progress – risk of missing target	Future action not started
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Priority Area 4. Flood and water management

Action /Project description	Who	Milestone/ outcome	When	Current position Nov 16
Support the delivery of local priority projects within Somerset 20 Year Flood Action Plan and Somerset Rivers Authority work programme	SK	Action plan on target	Ongoing	Local schemes are actively being delivered. For up to date info go to www.somersetiversauthority.org.uk Grants are available to support community groups to deliver local projects via CRISP www.communityresiliencesomerset.org.uk

Appendix 2 - Area North Budget Summary

Budget Type	AN Capital Programme	AN Reserve	AN Community Grants
	<ul style="list-style-type: none"> • Rolled forward annually • £25k top up by District Executive each year 		<ul style="list-style-type: none"> • Revenue fund • Must be spent or committed in year • Renewed annually
Year start position 2016/17		£16,600 Plus £10,000 to support the progress of schemes for affordable housing	£16,230 (£10,680 for 16/17 plus £5,550 carried forward)
Commitments to projects	£136,657 For detail please see appendix 4		£7,885 For details please see appendix 3
Uncommitted balance at 1 st November 2016	£179,655 (£25,000 profiled for 16/17 plus £154,655 for future years)	£26,600	£8,345

Appendix 3 - Revenue Grants Awarded 2016/17

Ward	Name of group (applicant)	Name of project	Amount awarded (£)
Wessex	Somerton Town Council	Somerton LIC (SLA)	500
Martock	Martock Parish Council	Martock LIC (SLA)	500
Langport & Huish	Langport Town Council	Langport LIC (SLA)	500
South Petherton	South Petherton Parish Council	South Petherton LIC (SLA)	500
Martock	Martock Parish Council	Our Place (SLA)	5000
Curry Rivel	Childs Play	Curry Rivel Play Day	360
Curry Rivel	Robert Sewers Village Hall	Top up of SLA to install hearing loop and remodel accessible toilet	164
Burrow Hill	Kingsbury Episcopi Amenities Committee	Tennis netting	361

Total: £ 7,885

Appendix 4 - Area North Quarter 2 Capital Monitoring

AREA NORTH						
	2016/17 Estimated Spend £	Actual Spend to 30/09/2016 £	2016/17 Remaining Budget £	Future Spend £	Responsible Officer (s)	Responsible Officer's Comment on Slippage & Performance Against Targets
Capital Programme						
Cocklemoor Bridge	28,452	0	28,452		P Burr	Works completed. Payment to be made to SCC once easement across SSDC land approved. Latest draft received from SCC - further amendments requested by them are under consideration.
Support of Economic Vitality in Area North (Signage for marketing programme)	9,101		9,101		P Burr	Schemes prioritised which are community led and include additional partnership. Councillors working group criteria to administrate scheme. New signage installed in Martock and Langport. Signs created for Curry Mallet. Two further applications received, one awaiting planning permission. 6 further enquiries received - awaiting applications. 3 grants will be paid in the current financial year and the remainder in quarter 1 16/17.
Community Grants						
High Ham Recreation Ground - Youth Park	1,390	0	1,390		S Kelly	SSDC awarded a community grant of £6000 in May 14 from the Area North Capital Programme equipment for older children including a zip line, total project value £30,000. work completed and officially opened in September 2015. Access Audit completed, funded by SSDC and further developments at the planning stage.
New Accessible Footpaths at Seavington Playing Field	1,623	0	1,623		S Kelly	Grant approved July 2014 to Seavington Playing Field Association for a new accessible footpath linking the overflow car park with the main car park. Work complete and new footpath officially opened August 2015. Balance of grant will be spent towards second phase of works.
Village Hall Grant Kingsbury Episcopi Church Rooms	3,659	0	3,659		P Burr	£4000 grant aid towards the refurbishment of the church rooms. Conservation will provide advice to the group. This has taken longer than expected but is continuing and is not expected to be completed until after April 2016.
Grant to Tintinhull Village Hall	40,000	0	40,000			£34K from North unallocated & £6K from DX Village Hall Grants. Stage 3 application to Big Lottery made. Decision expected early in 2016.
New purpose built Community Centre in Kingsbury Episcopi	40,000	8,510	31,490		T Oulds	Community grant to Kingsbury Episcopi Amenities Committee for construction of a purpose built community centre for the village. Stage 3 application to Lottery successful.
Montacute Village Hall Accessibility Project	2,432	2,432	0			£4830 Community grant awarded from Area North Capital Programme in September 2015. Work underway.
Chilthorne Domer Recreational Trust Pavilion Alterations	10,000	4,206	5,794			Part payment made Sep16.
Total North Capital Programme	136,657	15,148	121,509	0		
Reserve Schemes Awaiting Allocation But Approved in Principle						
Local Priority Projects - enhancing facilities and services	30,000	0	30,000	154,655	C Jones	Detailed allocations through grants or capital appraisal. Support for partnership investment into local infrastructure and facilities. Additional £25,000 awarded February 2015 for 2015/16. £25,000 awarded for 2016/17 at DX Feb 2016.
Total Reserve Schemes	30,000	0	30,000	154,655		
Summary						
North Capital Programme	136,657	15,148	121,509	0		
Reserve Schemes (Unallocated)	30,000	0	30,000	154,655		
Total Programme to be Financed	166,657	15,148	151,509	154,655		

Agenda Item 11

Area North Committee – Forward Plan

Assistant Directors: Helen Rutter & Kim Close, Communities
Service Manager: Charlotte Jones, Area Development (North)
Lead Officer: Becky Sanders, Committee Administrator
Contact Details: becky.sanders@southsomerset.gov.uk or (01935) 462596

Purpose of the Report

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

Public Interest

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

Recommendation

Members are asked to:

Note and comment upon the Area North Committee Forward Plan as attached, 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>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>
14 Dec '16	Policing and Community Safety	Update report / presentation	Steve Brewer, Community Safety Co-ordinator / Representative from Avon and Somerset Police
<i>25 Jan '17</i>	<i>Rural Housing Needs</i>	<i>Update report</i>	<i>Alice Knight, Welfare and Careline Manager</i>
<i>25 Jan '17</i>	<i>Affordable Housing</i>	<i>Update Report</i>	<i>Colin MacDonald, Corporate Strategic Housing Manager</i>
<i>9 Feb '17</i>	<i>Annual Area North Meeting 6.00pm to 8.00pm</i>	<i>For parish and town councils to discuss issues of mutual interest with SSDC and other key agencies and create a networking opportunity.</i>	<i>Helen Rutter, Assistant Director (Communities)</i>
<i>22 Feb '17</i>	<i>Rural Transport</i>	<i>Update report</i>	<i>Nigel Collins, Transport Strategy Officer</i>

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
<i>22 Feb '17</i>	<i>Arts & Entertainment Service Update Report</i>	<i>Annual Update Report</i>	<i>Adam Burgan, Arts & Entertainments Manager</i>
<i>22 Mar '17</i>	<i>Feedback from the Annual Area North Meeting</i>	<i>Members to discuss issues raised at the Annual Area North Meeting</i>	<i>Helen Rutter, Assistant Director (Communities) Sara Kelly, Area Development Lead (North)</i>
<i>TBC</i>	<i>Endorsement of Community Led Plans</i>	<i>Curry Rivel Parish Plan South Petherton Parish Plan and Neighbourhood Plan</i>	<i>Sara Kelly, Area Development Lead (North)</i>

Agenda Item 12

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

There have been no appeals lodged, decided upon or withdrawn since the last meeting of Area North Committee in October.

Agenda Item 13

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 3.15pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.05pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
14	ISLEMOOR	16/03780FUL	Proposed church car park and erection of a dwelling.	Land Adjoining Church, Hambridge.	Mr M Rose
15	BURROW HILL	16/04421/FUL	Change of use and laying of concrete base for temporary siting of pony shelter.	Orchard Land Adjoining Tuppence House, Stembridge.	Mrs C Aparicio Paul

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 14

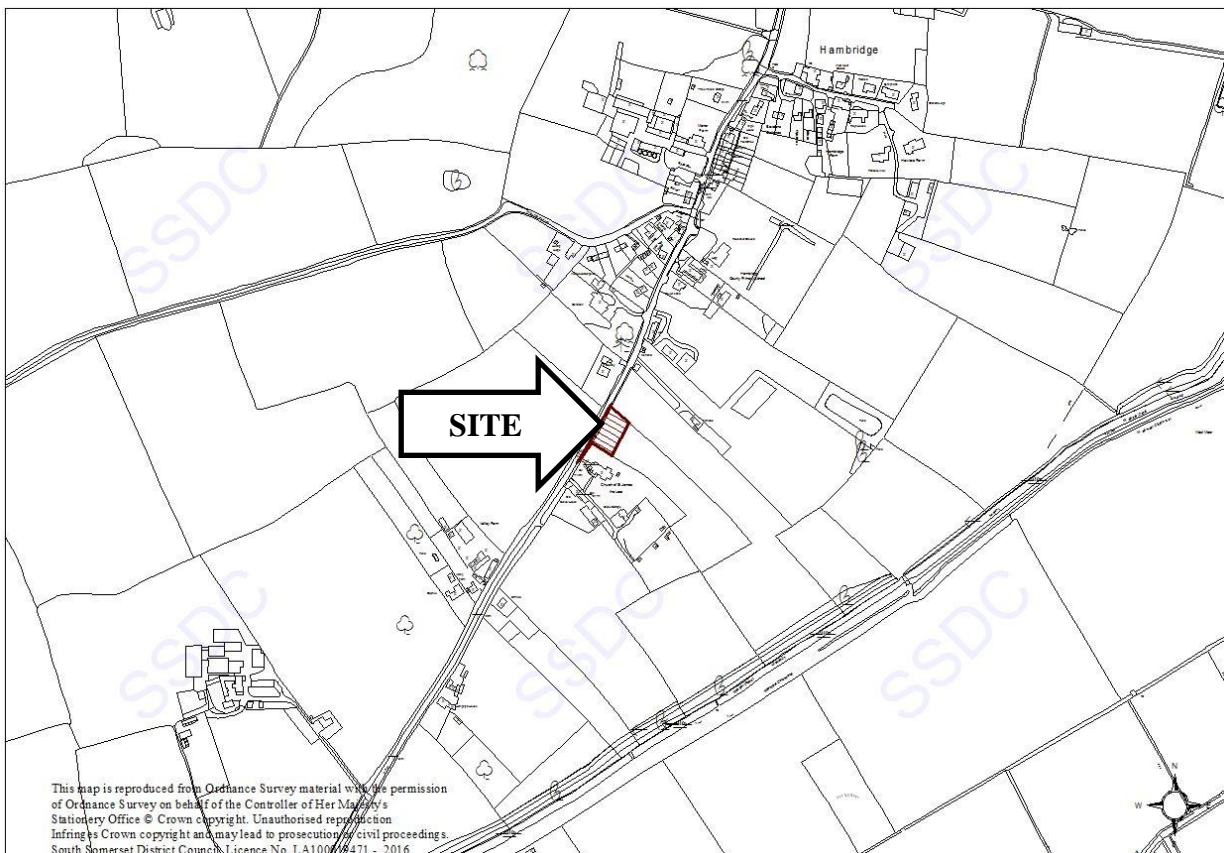
Officer Report On Planning Application: 16/03780/FUL

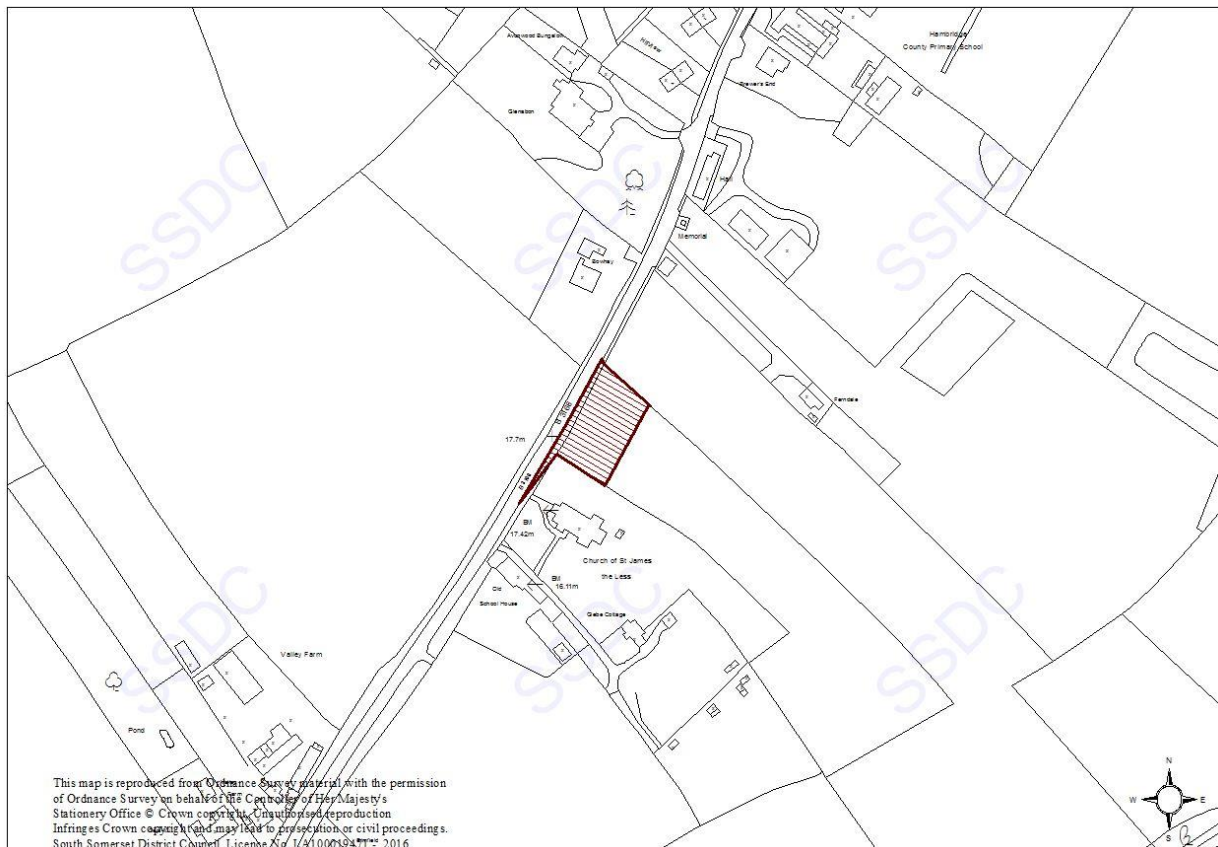
Proposal :	Proposed church car park and erection of a dwelling (revised scheme)
Site Address:	Land Adjoining Church, Hambridge, Langport.
Parish:	Hambridge/Westport
ISLEMOOR Ward (SSDC Member)	Councillor Sue Steele
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	31st October 2016
Applicant :	Mr M Rose
Agent: (no agent if blank)	Clive Miller, Sanderley Studio, Kennel Lane, Langport TA10 9SB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the request of the Ward Member, with the agreement of the Area Chair, to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The application site comprises part of a field immediately to the north east of St James Church, Hambridge, on the south east side of the B3168. The land is currently in use for equestrian purposes and there is a small horse shelter present on the site. The site is approximately 135m beyond the developed edge of Hambridge, big closely related to the church, a former school house and a dwelling called Glebe Cottage, which form a compact 'gothic' group of buildings. The church and the school house are grade II listed, while Glebe Cottage is not. All three properties however date from the mid 19th Century and stand in isolation. There are other sporadic groups of development along the B3168, mainly comprising farms or individual isolated dwellings.

A planning application was made under 16/00785/FUL to erect a 1.5 storey dwelling house on roadside frontage of the site, adjacent to the adjoining church. The proposal included the provision of an 8 space car park for use of the church, as well as making land available for the provision of a footpath, in relation to a Parish Council led scheme to provide a footpath between Hambridge School and the church. In the event that the footpath scheme is forthcoming, it was also proposed to make the car park available for school drop off point. This application was refused over concerns about the impact of the proposed built form on the setting of the adjoining heritage assets, and as a result of unacceptable intrusion into open countryside at the village edge. A second refusal reason was as a result of concerns over the appropriateness of the location in sustainability terms.

HISTORY

16/00785/FUL: Proposed church car park and erection of a dwelling - Refused 15/04/2016

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
TA5 - Transport Impact of New Development
TA9 - Parking Standards
EQ2 - General Development
EQ3 - Historic Environment

National Planning Policy Framework

Core Planning Principles - Paragraph 17
Chapter 1 - Building a Strong Competitive Economy
Chapter 3 - Supporting a Prosperous Rural Economy
Chapter 4 - Promoting Sustainable Transport
Chapter 7 - Requiring Good Design
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment

National Planning Practice Guidance

Conserving and Enhancing the Historic Environment
Design
Natural Environment

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2015)

CONSULTATIONS

Parish Council: No objections.

County Highway Authority: Standing Advice applies.

SSDC Highway Consultant: Please refer to my previous comments on this site. The submitted details of access (including geometric layout, visibility splays, surfacing and drainage) and parking appear sufficient. In the event that permission is granted I would recommend the imposition of suitably worded conditions to secure the details shown on the submitted plan.

SSDC Landscape Architect: Comments received in relation to planning application 16/00785/FUL apply equally to this proposal:

I recollect this proposal from pre-application discussions. As I have stated previously, I would

have no issue with a car-park by the roadside, providing it is sensitively designed and enclosed to ensure a low-profile.

I see no case for a dwelling, nor agree the notion that provision of a car-park justifies a new house. The Church of St James, and the former school to its south are grade 2 listed buildings, which are located outside the main residential area of both Hambridge and Westport, and in both buildings dating from the mid-nineteenth century, are considered a historic unit, which are characterised by their open ground setting to both north (other than the minor incursion of a stable block) and south. The introduction of a substantial dwelling, allied to parking and hard surfacing elements, is a sizeable intervention, which I consider an intrusion within the local landscape, at variance with its predominantly open character, as well as eroding the open setting of the listed buildings. As such, the proposal fails to reinforce local distinctiveness, nor do they respect local context, to thus fail to satisfy local plan policy EQ2.

SSDC Conservation Officer: This proposal is for a dwelling. Adjacent is the grade II listed Parish Church which serves Hambridge to the North and Westport to the South. The Church sits in a compact group with the school and Glebe House which appear to be contemporary with the Church. There are distinct gaps of fields between the church and the settlements which are important to its setting.

The starting point for the considering of applications which affects a listed building or its setting is the statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' (section 66).

The Court of Appeal has made it absolutely clear that the statutory duties in relation to sections 66 and 72 do not allow a local planning authority to treat the desirability of preserving the settings of listed building and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a development would harm the setting of a listed building or character or appearance of a conservation area, it must give that harm considerable importance and weight. Finding of harm gives rise to a strong presumption against planning permission being granted. This presumption is a powerful one, but not irrebuttable. It can only be outweighed by material considerations powerful enough to do so.

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).

This is supported by the statutory requirement for applications for LBC include a design and access statement. This statement requires information on the principles and concepts applied to the works in relation to the design and the listed building and its setting.

The NPPF also states that sustainable development involves seeking positive improvements to the historic environment.

Policy EQ3 requires that new development will be expected to safeguard and where appropriate

enhance the setting and local distinctiveness of heritage assets.

In my view the isolation of the church and its contemporary buildings is fundamental to its setting and local distinctiveness. It is unusual for a Church to be isolated from its settlement in such a marked way. Any building within its setting is harmful as it will erode this special and uncharacteristic form, erode its significance and would not be locally distinctive.

It is proposed to offer 8 parking spaces for Church use to be the public benefit to mitigate the harm. The question then is in the balance is the provision of the off road parking sufficient to outweigh the statutory objection to the proposal for the enabling/required dwelling to facilitate the parking?

A unilateral obligation is offered, where the land owner offers to lay out, make available and maintain land for church parking. Whilst the obligation now includes the Church as a party, I am still not persuaded that the proposal is not being driven by the applicant who is offering parking to justify their dwelling, not by a compelling locally required need. I find the public benefit here to be in doubt. The land edged brown, and indeed any of the current land could be offered for use for occasional parking for church uses without the need for a dwelling to be built.

The Church is within the 30mph speed limit, and to the front of the Church the road is wider, and allows for cars to be parked off the main carriageway. Eight additional parking spaces are proposed for a church which appears to have only limited regular use (from the notice in the porch), in return for a four bedroom house, which is proposed. At times of peak parking requirement, say funeral or wedding, 8 spaces are unlikely to make a great deal of difference. That additional (brown edged) land is offered, is noted, but that could well be in poor weather leading to poor ground conditions). In this context I do not consider the off road parking provision to outweigh the considerable harm to the setting of the church by the provision of the dwelling, and the strong statutory presumption against development that brings forward. The public benefit is slight when compared to both the harm and the private benefit.

The proposal is within the setting of the listed buildings and is harmful to them. Great weight should be given to the conservation of the asset and there is a statutory presumption against harmful development. This has to be weighed against any public benefit. This is a proposed partial footpath and a small car park, for which the cost, the private benefit, is a new four bedroom house. In considering the balance, which is heavily preloaded against harmful development, I do not see sufficient public benefit (or demand) to outweigh the harm of the provision of the dwelling and footpath.

REPRESENTATIONS

Three letters of objection have been received from two local residents, and a letter of support has been received from the Headteacher of Hambridge Community Primary School. The main points raised in the objection letters relate to the following areas:

- The revised application doesn't address the refusal reasons on the previous application. The only change is to the design and orientation, which is to deal with concerns raised by the Victorian Society. This still does not satisfy the reasons for refusal and previous comments made still apply.
- Adverse impact on the setting of the picturesque church and church yard, affecting the outlook from nearby properties and views from the village.
- A single storey property would allow for a better view of the church, and if designed differently could increase privacy for the proposed dwelling, and nearby properties, while also hiding the parking arrangements, which will be unsightly in the new

development.

- By applying for planning permission on arable land, the applicant seems to have gained land cheaply and has now applied for a dwelling.
- If approved, a condition should be imposed for high hedge planting to reduce visibility between the site, and the nearest property, Ferndale.
- The use of the adjoining field for overspill parking is unacceptable and makes this field look like a scrapyard.
- There is no need for additional parking for the church. The diocese have stated that numbers of church attendees are dwindling and in the last three weeks only 5 or 6 cars have been parked outside of the church. The road can be busy when there is a funeral on, however there have only been 2 weddings in the last 9 years. The services for these events last only an hour, in which case the disruption is minimal. Additional parking is not necessary and would be unsightly.
- Concerns are raised about the Parish footpath proposal, which has not been agreed. The ability to provide such a footpath is restricted by the width of the verge, and it is understood that the project is yet to be approved or assessed as to whether it can be provided. The footpath would be better on the opposite side of the road, where verges are wider. If it were decided to build a footpath on the other side of the road, the provision of a footpath on this site would not join up and would look odd.

The letter from the Headteacher of Hambridge Community Primary School offers support for the plans for a car park that the school would be able to use. He advises that the school use the church quite frequently and the addition of the car park would be useful when transporting equipment and for pupils/staff unable to walk to any particular event. It also indicates that a car park could be beneficial as a drop off point from which pupils could walk to school or for use during events such as cross country competitions where additional parking to be beneficial in maintaining traffic flow through the village.

CONSIDERATIONS

History and Principle of Development

Permission for the erection of a dwellinghouse and provision of a car park was refused under planning application 16/00785/FUL. The fact that a similar scheme to that now proposed has been refused recently must be given great weight in determining the current scheme. This scheme must therefore be determined on the basis of whether any changes to the proposal or the policy environment address the previous reasons for refusal. The reasons for refusal of the most recent application were:

01. The proposal, by way of the siting and design of the proposed dwellinghouse, comprises an unacceptable intrusion into open countryside that will erode the open setting of the adjoining church and associated group of heritage assets, causing significant harm to their significance, character, setting and local distinctiveness. The proposal is therefore contrary to policies EQ2 and EQ3 of the South Somerset Local Plan (2006-28) and provisions of chapters 7, 11 and 12 of the National Planning Policy Framework.

02. The proposal would represent new residential development in open countryside, for which an overriding essential need has not been justified. By virtue of the lack of safe means of pedestrian access to the village, the application site is poorly related to local services and as such will increase the need for journeys to be made by private vehicles. The proposed development therefore constitutes unsustainable development that is contrary to policies SD1, SS1 and SS2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of

the National Planning Policy Framework.

Reason for Refusal 01 - Impact on Local Landscape Character and Local Heritage Assets

Policy EQ2 of the Local Plan requires development to achieve a high quality of design which promotes local distinctiveness and preserves or enhances the character and appearance of the District. This Policy broadly accords with the NPPF's core planning principles relating to high quality design and the emphasis to be given to the different roles and character of different areas, and the conservation and enhancement of the natural environment.

Furthermore, Policy EQ3 of the Local Plan requires development to safeguard the significance, character, setting and local distinctiveness of heritage assets; and make a positive contribution towards this character. Again this policy accords with the requirements of the NPPF, which further requires that any applications affecting a heritage asset are justified. When considering the impact of the development, great weight should be given to the asset's conservation, and any harm or loss should require clear and convincing justification, and be judged against the public benefit.

In assessing this resubmitted application, consideration will still need to be given to the impact of the proposed development on the local area, and in particular impact on the adjoining grade II listed church, school house and contemporary building, all of which form a unique gothic group of Victorian buildings, which currently stand in isolation, which is a key element of their significance.

The applicant has revised the design of the dwelling and relocated it. Now rather than being a 1.5 storey dwelling, a 2 storey dwelling is proposed. The dwelling is also re-orientated by 90 degrees and moved closer to Hambridge Church. The applicant argues that the redesign has been carried out in conjunction with the Victorian Society and as a result, their previous design specific objection is satisfied. Planning Officers have not been party to these discussions, however it is noted that the Victorian Society have not commented on this application. Notwithstanding this however, even if the design of the property does reflect a Victorian style more akin to that found in the historic grouping in this location, it is not considered to satisfy the other reasons stated in reason 01. The previous objections from the Council's Conservation Officer and Landscape Architect remain, still raising concerns about the intrusion into open countryside, and in particular adverse impact on the setting of the listed church, and this unique group of buildings.

The church and its adjoining heritage assets stands in isolation, which dates back from their original position roughly half the distance from the historic centres of Hambridge and Westport. As the villages have grown, the open countryside, in particular between the church and Hambridge, has been eroded. There is now only effectively two paddocks width of land separating the group from the village edge. The position of the group in isolation is deliberate and therefore fundamental to its setting and wider significance. The erection of a dwelling on adjoining land is considered to encroach upon this unique setting, causing harm to the setting of these heritage assets and to their local distinctiveness. The redesigned dwelling will also lead to a taller building than previously refused, closer to the historic group of buildings, which would arguably be even more harmful.

The Council's Conservation Officer has also objected to the provision of the footpath element, which is considered to be a suburban intervention that would further fail to respect the rural characteristics of the site. Despite these comments however, it is noted that there is the footway project under consideration, which would have a similar affect.

Overall, it is felt that the proposed development would have a harmful impact on the setting of the listed buildings. Great weight should be given to the conservation of the asset and there is a presumption against harmful development. On the basis that the proposed community benefits are considered to offer limited benefit, they are not considered to outweigh the harm caused to the heritage assets, when assessing the harm against public benefit. As such, the proposal is considered to be unacceptable.

Reason for Refusal 02 - Failure to accord with South Somerset Local Plan Policy SS2

In refusing the application previously, it was accepted that Hambridge is considered to be a generally sustainable location, where development could be acceptable in principle. Notwithstanding this, concerns were raised about the site position in open countryside beyond the village edge. Even though it is close to the village school and village hall, it was noted that there are no pedestrian links into the village and its facilities, with any future occupiers having to walk along this busy classified 'B' road (B3168). The lack of roadside footpath and the dangerous nature of this section of road was considered likely to reduce the probability of pedestrian access to local services, thereby increasing the likelihood of reliance on the motor vehicle.

Having given this further consideration however, it is noted that in a previous case (13/02322/FUL) on a site at the centre of Westport, the Regulation Committee resolved to approve an application for a new dwellinghouse on the basis that the location was sustainable. Whilst each case is to be determined on its merits, this determination must be given weight. The previous determination of the sustainability of the location (permission 13/02322/FUL) establishes the view that Westport is well located in relation to basic services and facilities. Although there are no immediately local services within Westport, clustering of this settlement with Hambridge points towards a broadly sustainable form of development, taking into account the criteria under Policy SS2 of the Local Plan. The school, village hall, church and post office would all provide reasonably accessible services, and occupants of an additional dwelling would provide the support needed to enhance the sustainability of these services. It is felt that a similar approach should be applied to this site, which is much closer than Westport. As such, it is not considered appropriate to continue to object on these grounds.

In the absence of a five-year housing land supply, the NPPF indicates that sustainable development should be approved, unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. In this case, the adverse impact on local character, setting of the local heritage asset (Westport Canal) and negative ecological impact are such that they outweigh the limited benefits accorded to meeting district-wide housing need. The application is therefore recommended for refusal.

Community Benefit

In giving weight to the perceived community benefits, against the identified harm to the setting of the heritage assets and wider rural context of the site, it is noted that there is a project in the pipeline to provide a footway between the school and the church, which it is understood to have now been granted County Council funding. Despite this, the applicant does note within the submitted design statement, that detailed design of any such footway is still required, including the actual route, with no confirmation yet as to whether the footpath will actually be on the north or south side of the road. It is also understood that there is the need for a feasibility study to determine whether the scheme is indeed possible.

In making a case for the acceptability of the proposed development, the applicant has identified a number of perceived community benefits that they feel would make the scheme

more acceptable, and SS2 compliant. The primary benefit is the provision of an 8 space car park for the use of the adjoining church, which has no formal parking and relies on users to park on the road. The applicant also cites the footway project, and has made provision for a footway to run along the site frontage. In the event that the footway is completed, it is proposed to allow the car park to be used as a school drop off point. It is also suggested that the adjoining field could be used for church overflow parking when events such as weddings and funerals take place. This could be on an informal basis, using permitted development rights that allow temporary change of use of land. The applicant has put forward a draft Unilateral Undertaking to ensure the provision of these proposed benefits.

In considering the above, it would appear that there is actually little identified demand for these proposed benefits. While the church would no doubt be pleased to have additional car parking space nearby, they have not requested such facilities and have made it clear that they wish to have no responsibility for the provision or ongoing maintenance. In the previous application, the Churchwarden wrote in respect to the application to further clarify this position. It is further noted that there is objection from local residents, which question the need for the parking, identifying only very small scale usage of the church, with limited disruption to road users, when large events take place. It is acknowledged that the Headteacher of the local primary school has written to support the principle of a footway to the church.

Overall, while it is considered that there may be some benefit through the provision of the car park, this should be given very limited weight as it would appear that it has been put forward mainly in seeking to justify an otherwise unacceptable residential development proposal, rather than to meet a form of identified local need. Similarly, it must be assumed that there is no real reason that the footway could not be provided without the proposed development. While it would be convenient to include this within the development proposal, this by no way justifies the provision of a dwelling. As mentioned above, there is actually still a lot of work to do on the footway project, including a feasibility study and detailed design. At this point it is unclear whether the footway can be provided on highway land or whether additional land is required. Even if it is feasible, it is unlikely that the scheme could be implemented for a couple of years, with the possibility remaining that it will not be feasible. It should also be noted that the two objectors have also objected to this footpath, raising concerns as to whether it can be provided on the south side of the road. Likewise, there appears to be no real demand for the other identified uses, which again are likely to prove only limited benefit. It is therefore not considered that these benefits outweigh primarily policy concerns identified above.

Highway Safety

The Highway Authority have indicated that standing advice should apply, which includes providing appropriate levels of visibility, width of access, surfacing of access and ensuring positive drainage arrangements to prevent discharge of surface water runoff onto highway land, requirements repeated by the Council's Highway Consultant. The scheme indicates that it is possible to provide the required visibility splays on land in the ownership of the applicant and the Highway Authority. The access is also proposed to be 5m wide and can be properly consolidated. Likewise, appropriate drainage arrangements can be provided. It is therefore considered that the proposed access arrangements are acceptable and accord with Standing Advice.

Residential Amenity

The proposed dwelling is approximately 40m from the nearest house to the north, on the opposite side of the road, and 80m from a house to the east, across the adjoining fields. In both cases, the property is adequately distant to avoid unacceptable harm to residential amenity, by way of overlooking, overshadowing and overbearing impact.

Conclusion

While it is considered reasonable to no longer object to the proposal on the grounds identified in previous refusal reason 02, it is not considered that the refusal reason 01 of 16/00785/FUL has been appropriately addressed, therefore the proposed development, by way of its harmful impact on the setting of the group of heritage assets, which include the grade II listed church, and local landscape character, is still considered to be unacceptable. The proposed benefits are limited and it has not been demonstrated that there is a clear need for the facilities proposed that would outweigh the harm to the setting of these heritage assets.

RECOMMENDATION

Refuse

FOR THE FOLLOWING REASON:

01. The proposal, by way of the siting and scale of the proposed dwellinghouse, comprises an unacceptable intrusion into open countryside that will erode the open setting of the adjoining church and associated group of heritage assets, causing significant harm to their significance, character, setting and local distinctiveness. The proposal is therefore contrary to policies EQ2 and EQ3 of the South Somerset Local Plan (2006-28) and provisions of chapters 7, 11 and 12 of the National Planning Policy Framework.
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Agenda Item 15

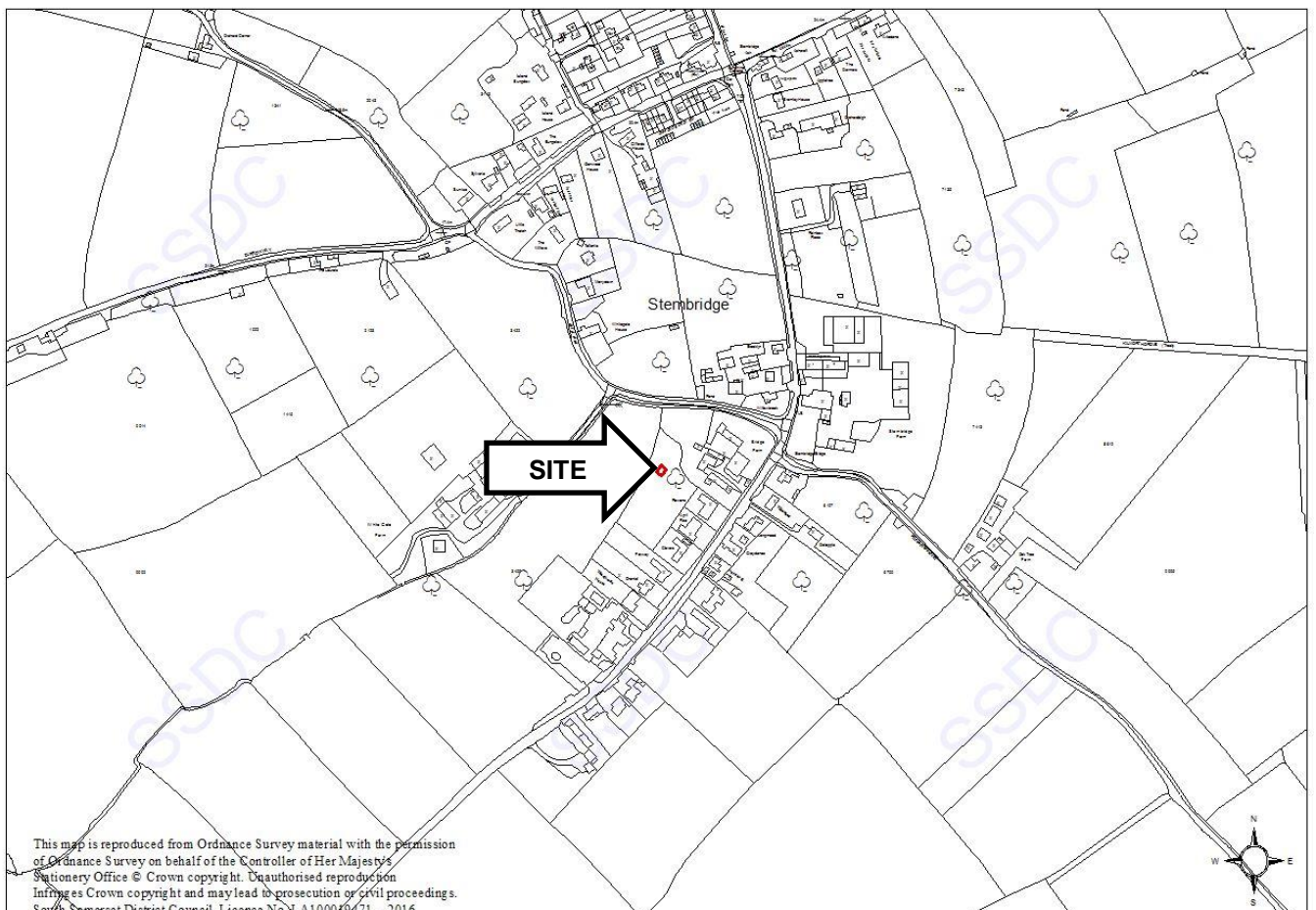
Officer Report On Planning Application: 16/04421/FUL

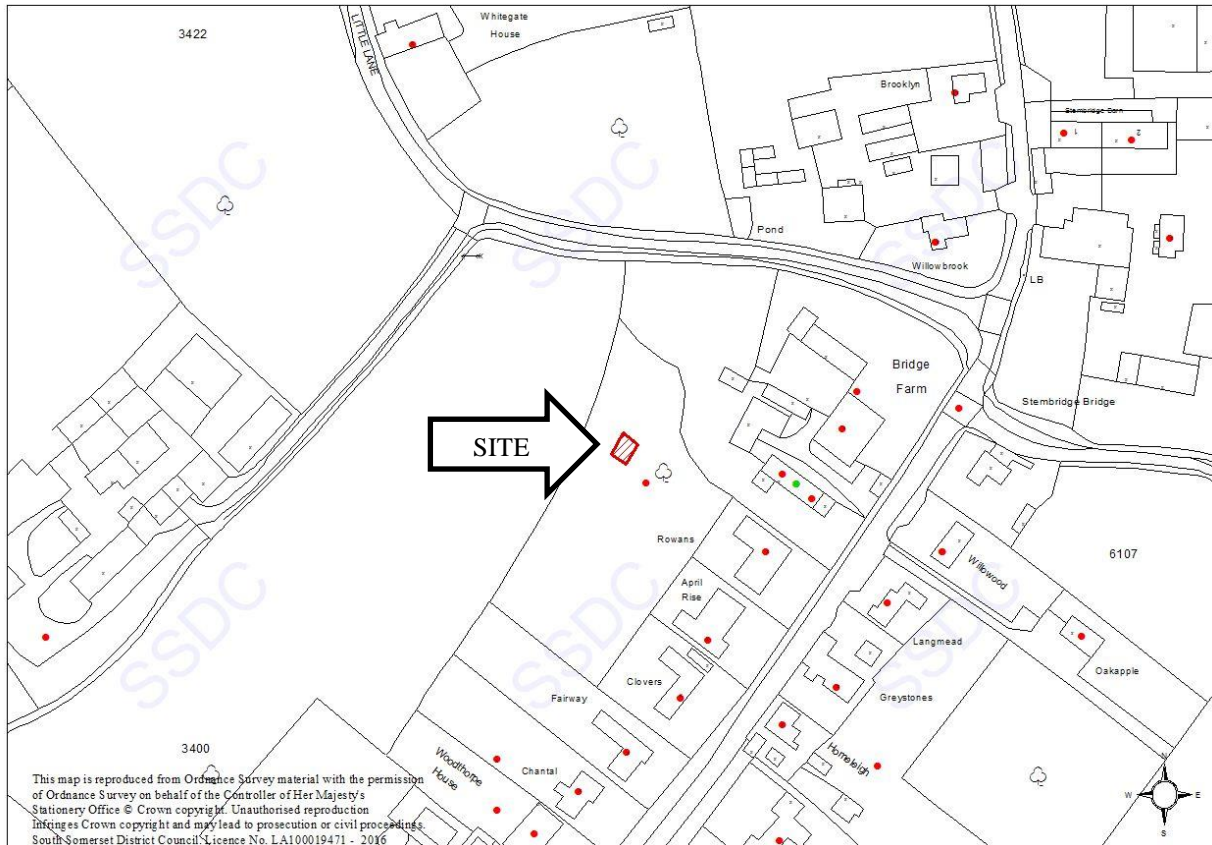
Proposal :	Change of use and laying of concrete base for temporary siting of pony shelter
Site Address:	Orchard Land Adjoining Tuppence House, Stembridge, Martock.
Parish:	Kingsbury Episcopi
BURROW HILL Ward (SSDC Member)	Cllr Derek Yeomans
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	30th November 2016
Applicant :	Mrs Clare Aparicio Paul
Agent: (no agent if blank)	
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL

The application is referred to Area North Committee under the Scheme of Delegation due to the applicant being an elected member.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission for change of use of land from agricultural use to equestrian including the laying of a concrete base for the siting of a stable / shelter for part of the year.

The application site forms part of a larger parcel of agricultural land that once formed an orchard and sits to the rear of a line of residential properties. The site is level with the surrounding land and sits on a narrow section of the land with a post and rail fence and a high timber boarded fence behind this to the southeast side and hedge to the northwest which contains and limits views of the site from any public vantage point.

RELEVANT HISTORY:

None.

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

SS2 - Development in Rural Settlements

EQ2 - General Development

EQ8 - Equine Development

National Planning Policy Framework

Part 7 - Requiring good design

Part 8 - Promoting healthy communities

Part 11 - Conserving and enhancing the natural environment

CONSULTATIONS

Kingsbury Episcopi Parish Council: Request the application be deferred until such time that the dispute has been resolved. The Parish Council having heard from the neighbour and the unresolved dispute with regards to the ownership of part of the land concerned, feel that it cannot enter an opinion at this time until the dispute is resolved.

County Highways: No observations

REPRESENTATIONS

Written representations have been received from an adjacent neighbour (Rowans) who raised the following concerns and objections:

- There is an unresolved dispute regarding ownership on part of this land where the proposed development is planned.
- There is an unresolved dispute with regard to a right of access over this land for the purpose of repairing, maintaining and renewing my boundary, which is in my title deeds and referenced in the applicant's deeds. The proposed building would breach this right.
- The application is for a temporary site of a shelter, why, if it is only temporary, has a substantial concrete base with drainage (from what would probably be from the interior into the ditch) been constructed?
- There are already two structures on the property which have been used for housing a horse and which could meet this need.
- The information provided is vague and not specific with regard to the dates for the proposed move. The application just states spring, summer, autumn and not which year.
- There is no information relating to surface water runoff.
- I have no objection to the siting of a stable in its final position in the field but with a condition that it is not moved and that no other building or obstruction is placed in its initial suggested position until points 1 and 2 (above) are resolved.

CONSIDERATIONS

The proposed development includes the laying of a concrete base for the siting of a shelter that measures approximately 4.6m long by 3.66m wide. The applicant states that they intend only to position the shelter in this position during the winter months when the weather is at its worst so that their horse has somewhere shelter which is dry under foot and can be easily

cleaned. During the remainder of the year they intend to move the shelter to other positions on their land.

As a general rule planning permission is not required for a moveable chattel provided the structure can be moved and is moved around and relates to the lawful use of the land in question. The grazing of a horse on agricultural land is accepted as an agricultural activity and does not therefore involve any change of use of the land. In this instance permission is necessary for the concrete base which is to accommodate the field shelter for part of the year. As this base will be a permanent feature that is fixed into the ground and is for the sole purpose of accommodating the field shelter this is considered to constitute a change of use of this part of the applicant's land and necessitates permission.

The position of the hardstanding is more than 30m from the rear boundary of the nearest neighbour's (Rowans) garden and approximately 40m from the neighbour's house. Due to the distances involved and the modest scale of the development and that it is only sought for the applicant's own private recreational purposes it is considered that the proposal should not give rise to any significant residential amenity concerns.

The position of the hard standing between high fencing on the southeast boundary and mature hedge and tree planting to the north ensures that it is well screened from outside the site and will have an unobtrusive presence within the local landscape.

It is considered that the position of the hardstanding and its modest scale is such that it complies with the objectives of Local Plan policy EQ8 which requires new horse related facilities to relate closely to existing settlements or groups of buildings without interference with the amenities of adjoining residents or harm to the local landscape character. There are no known ecology concerns connected with this development. The principal of the proposal is therefore considered to be acceptable.

Other matters raised by the neighbour:

- In response to the neighbour's concerns the applicant has stated that they intend to harvest rainwater from the roof of the structure using water butts.
- The applicant has stated that the existing structures, such as the chicken shed, are unsuitable in the long term to house their horse as they are not robust enough.
- The applicant has observed that due to the variations in our climate it is difficult to give specific dates for when they would move the shelter and it is accepted that on this basis it would be unreasonable to bind the applicant to any specific dates.
- The issues relating to the neighbour's ownership / right of access are noted, however, such concerns are civil matters that can only be resolved by the relevant parties and must not form part of the considerations of this planning application. It is important to note that the granting of any planning approval does not supersede any such outstanding legal concerns which would still have to be addressed separately. To this end it would be unreasonable to refuse the application for this reason.

Conclusion:

For the above reasons the proposed development is considered to accord with the aims and objectives of local plan policies SD1, EQ2 and EQ8 and the provisions of the NPPF and as such is recommended for approval.

RECOMMENDATION

Grant consent for the following reasons:

The proposed development, by reasons of its nature, siting and scale, is not considered to cause any demonstrable harm to visual amenity, residential amenity or highway safety and to be in accordance with the aims and objectives of policies SD1, EQ2 and EQ8 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the location plan submitted 05/10/2016.

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

03. The development hereby permitted shall be used for private and domestic equestrian purposes only and shall not be used for any business or commercial use.

Reason: In the interests of local amenities to accord with policies EQ2 and EQ8 of the South Somerset Local Plan.

Informatives:

01. The applicant is advised that the granting of planning consent does not supersede any land ownership or rights of access queries that may be ongoing and that such matters must be dealt with separately between the relevant interested parties.
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