

South Somerset District Council

Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 22nd March 2017

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)



The following members are requested to attend this meeting:

Clare Aparicio Paul
Neil Bloomfield
Adam Dance
Graham Middleton
Tiffany Osborne

Stephen Page
Crispin Raikes
Jo Roundell Greene
Dean Ruddle
Sylvia Seal

Sue Steele
Gerard Tucker
Derek Yeomans

Consideration of planning applications will commence no earlier than **3.35pm**.

For further information on the items to be discussed, please contact the Democratic Services Officer on 01935 462596 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 13 March 2017.

Ian Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app



INVESTORS IN PEOPLE

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”. The council’s Executive Forward Plan can be viewed online for details of executive/key decisions which 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, on the fourth Wednesday of the month (except December) in village halls throughout Area North (unless specified otherwise).

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

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for ‘mod.gov’ in the app store for your device, install, and select ‘South Somerset’ from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

Public participation at committees

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

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and 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.

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.

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.

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

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Area North Committee

Wednesday 22 March 2017

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 22 February 2017

2. Apologies for absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), 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.

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. 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.

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, Tiffany Osborne and Sylvia Seal.

Where planning applications are referred by this Committee to the Regulation Committee for determination, 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 26 April 2017** at a venue to be confirmed.

5. Public question time

6. Chairman's announcements

7. Reports from members

Items for Discussion

- 8. Martock Parish Council Our Place Martock Programme Annual Update** (Pages 6 - 8)
- 9. Feedback from Area North Annual Parish Meeting** (Pages 9 - 10)
- 10. Langport Cycleway Report (Executive Decision)** (Pages 11 - 13)
- 11. Area North - Business Flood Recovery & Future Resilience Update** (Pages 14 - 17)
- 12. Corporate Support For Community And Public Transport** (Pages 18 - 24)
- 13. Area North Committee Forward Plan** (Pages 25 - 27)
- 14. Planning Appeals** (Pages 28 - 39)
- 15. Schedule of Planning Applications to be Determined By Committee** (Pages 40 - 41)
- 16. Planning Application 15/04331/S73 - Northfield Farm, Northfield, Somerton.** (Pages 42 - 54)
- 17. Planning Application 16/04699/OUT - Land Adjoining Long Orchard Way, Martock.** (Pages 55 - 68)
- 18. Planning Application 16/04191/OUT - Land at Willows Business Park, Westover Trading Estate, Langport.** (Pages 69 - 80)
- 19. Planning Application 16/04723/FUL - Land At Junction of Behind Town, Touch Lane, Compton Dundon.** (Pages 81 - 88)
- 20. Planning Application 16/05355/LBC - Badgers Cottage, Peak Lane, Compton Dundon.** (Pages 89 - 92)

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

This does not apply to decisions taken on planning applications.

Agenda Item 8

Martock Parish Council Our Place Martock Programme Annual Update

Strategic Director: Rina Singh, Place and Performance
Assistant Director: Helen Rutter, Communities
Lead Officer: Sara Kelly, Area Development Lead (North)
Contact Details: Sara.kelly@southsomerset.gov.uk or (01935) 462249

Purpose of the Report

This report provides background information on the Martock Our Place programme which is receiving funding from Area North via a three year service level agreement (SLA). A verbal presentation will be given at Committee by the Martock Community Services Co-ordinator to update on the work undertaken during the 2016/17 financial year.

Public Interest

Martock Parish Council has a Service Level Agreement (SLA) with South Somerset District Council (SSDC) over a three-year period. As part of the SLA the Parish Council must provide regular progress reports. This report and the presentation that will be given at Committee will provide an update on work undertaken during the last year.

Recommendation

That Members note the contents of this report and note and comment on the presentation given by the Community Services Co-ordinator

Background

In 2014, Martock Parish Council was accepted into the Our Place programme, a package of grants and support designed to transfer ownership of funding from central government into local communities, so that local people and organisations could identify, develop and manage directly, services needed in that community.

Operation

The programme is funded principally through the Martock Parish Council precept. Research and advisory support was provided by Locality during the development stage of the programme.

The aim of the programme is to fill gaps in services caused by withdrawal of services or the access bar being raised due to economic pressures. Based on needs identified through research and consultation, the programme has developed four key service strands:

- Building self-reliance
- Improving access to services
- Addressing social isolation
- Enhancing employability

Since commencing operation in April 2015, the programme has appointed a Community Services Co-ordinator (CSC); Seniors Support Co-ordinator; and Job Club Co-ordinator, and started delivery of a range of services and support for local people.

Service Level Agreement

In March 2016, Area North Committee resolved to award a grant of £12,000 over a three year period to Martock Parish Council towards the overall costs of the Our Place programme. The first payment of £5,000 was released in 2016. Year two (2017) will contribute £4,000 with the remaining £3,000 in 2018.

The terms of the partnership between SSDC Area North and the Our Place Martock programme are governed by a Service Level Agreement. SSDC's funding will contribute towards the staffing costs of the Our Place programme and the SLA will delineate the focus of work and the expected outputs and key performance indicators (KPI), in four main areas;

- Residents are helped to access information and services online
- Residents are helped to access information and services at key local points
- Local opportunities are provided that help to reduce social isolation
- Job-seekers are helped into employment

SSDC provide background advice and support for the programme.

Monitoring and Evaluation

The Our Place programme provides quarterly reports and, annually, a budget for the coming year and schedule of funding.

The Community Services Co-ordinator (CSC) will provide a detailed update on work undertaken in the last year as part of her presentation, but a few headline figures are as follows;

- 149 individuals supported by the CSC from January to December 2016
- 31 people attended heart start training (CPR and Defibrillator training)
- 572 people attended Martock Friends' events between January to September 2016
- 57 walkers took part in health walks between January to September 2016

Conclusion and Recommendation

The Our Place programme meets SSDC Area North's priority "to promote greater levels of self-help, to promote the sustainability of local services and facilities for all ages". It is an innovative programme at a time when government spending on public services is being reduced.

The Service Level Agreement enables SSDC to be involved as a partner on aspects of the programme, supporting the principle of resourcing communities to find appropriate local responses to local issues. .

Financial Implications

There is £10,680 available in the Area North Community Grants programme for 2017-18 subject to carry forwards being approved. Once the second year SLA payment of £4,000 is released, £6,680 will remain unallocated.

Council Plan Implications

The project supports:

Focus One: Jobs

Focus Three: Homes

Focus Four: Health & Communities

Carbon Emissions & Climate Change Implications

Access to local information, advice and services reduces carbon emissions produced by travel to centralised locations.

Equality and Diversity Implications

Martock is a linear community extending over nearly three miles, with shops and services in a relatively small, centralised area. The Our Place programme is working to address the needs of residents who find it difficult to reach the services they need – older people, young families, people with disabilities – by delivering information and advice either at home, or as close to home as possible, and by enabling greater use of digital services.

Martock Parish Council has an Equal Opportunities Policy and a Safeguarding Policy.

Agenda Item 9

Feedback from Area North Annual Parish Meeting

Director: Rina Singh, Deputy Chief Executive
Assistant Director: Helen Rutter, Communities
Lead Officer: Sara Kelly, Area Development Team Lead (North)
Contact Details: Sara.kelly@southsomerset.gov.uk or (01935) 462249

Purpose of the Report

To feed back to Members on the outcome of the Annual Parish meeting held on 9th February 2017 at Compton Dundon Village Hall.

Public Interest

Town and Parish Councils were invited to attend an event which provided an opportunity for them to network with one another and share information as well as discuss points of interest or concern with SSDC Officers and District and County Councillors.

Recommendation

That members note this report which is for information only.

Background

The annual Parish Meeting was held at the Meadway Hall, Compton Dundon on 9th February 2017. All Town and Parish Councils received a 'save the date' in November 2016 which also asked whether there were any particular issues or topics anyone would like discussed.

The meeting was opened by the Chair of Area North Committee, after which three presentations were given to the audience.

Dave Norris, Development Manager gave an update on topical planning issues including S106 and CIL.

Chris Cooper, Streetscene Manager gave a presentation entitled 'Flooding and other stuff' which explained the difference between types of flooding, the dangers to be aware of during a flooding incident and an update regarding sandbags and gel bags.

Finally, Paul Rayson, General Manager Yeovil Crematorium gave a presentation about managing crematoriums and the types of issues that can be faced.

Following the presentations there was a session for networking to allow Town and Parish Councillors to meet one another and talk about local topical issues as well as meet the Area North Members and Officers.

Attendance

There were 26 attendees representing 14 Towns and Parishes. In addition, 12 Area North Members attended and there were representatives from SPARK (formerly SSVCA) and Somerset Association of Local Councils (SALC).

Feedback/Outcomes

Feedback on the evening was very positive with comments about the good timing of the event from a recently elected Parish Councillor and thanks for the opportunity to network and ask questions.

Information was made available on the evening about the community grants programme and support available from the Area North Team. Following the event, 3 enquiries have subsequently been received and are being actively progressed.

Several requests were made for copies of the presentation slides used by Dave Norris which have now been emailed out.

Financial Implications

None directly arising from this report.

Council Plan Implications

Focus Four: Health & Communities

Carbon Emissions & Climate Change Implications

None directly arising from this report.

Equality and Diversity Implications

The venue used for the event was fully accessible and a mobile hearing loop was used throughout the evening.

Agenda Item 10

Langport Cycleway Report (Executive Decision)

Assistant Director: Steve Joel, Health and Well Being
Service Manager: Katy Menday, Countryside Manager
Lead Officer: Katy Menday, Countryside Manager
Pauline Burr, Neighbourhood Development Officer
Contact Details: katy.menday@southsomerset.gov.uk or (01935) 462522

Purpose of the Report

To update members on the current position of the Langport Cycleway, to ask for financial support towards the access licence fees for 2017/2018.

Public Interest

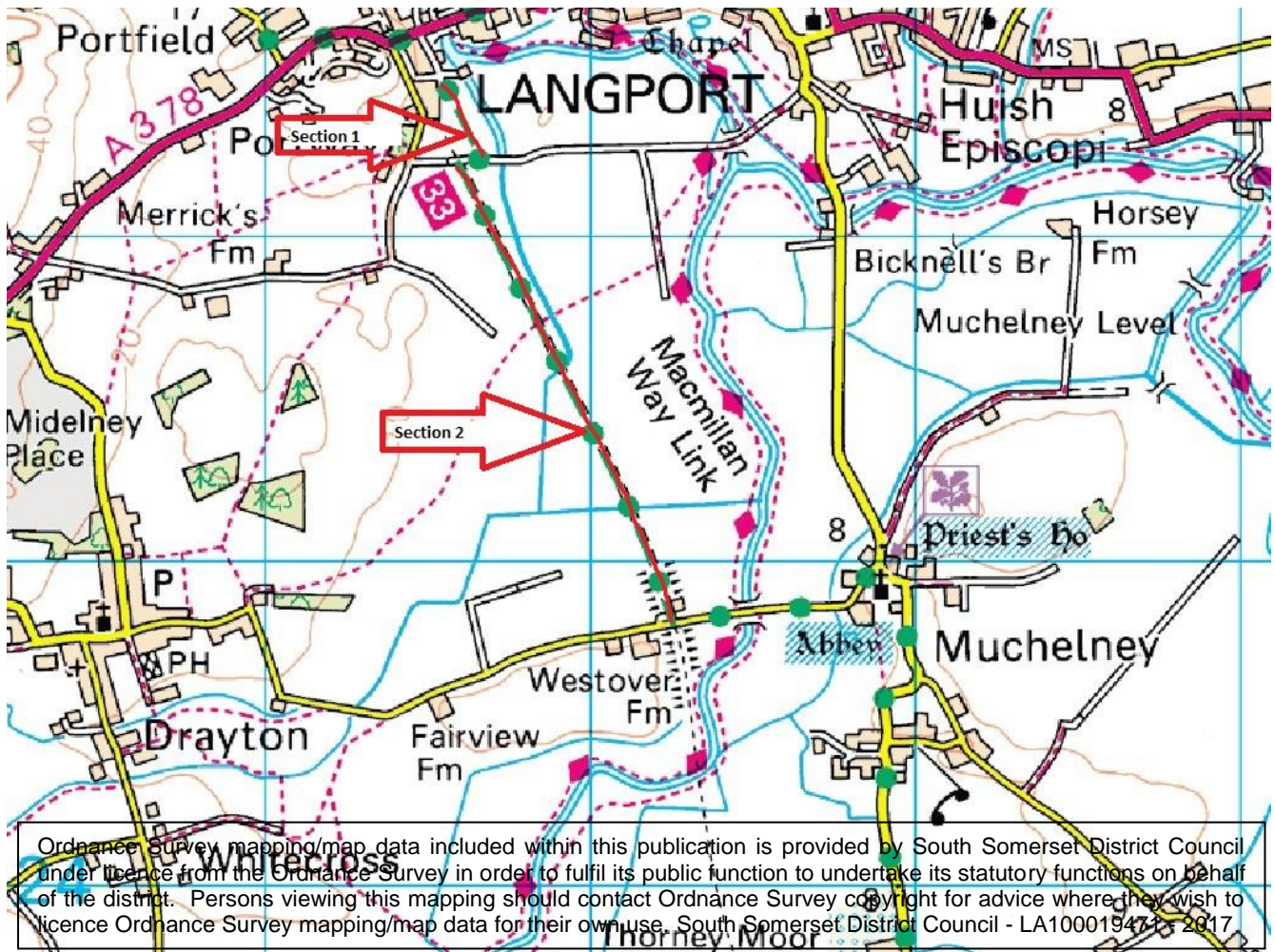
This report explains the current financial and public access position of the 2.5 km long accessible cycleway that runs from Westover in the Parish of Huish Episcopi, through the Parish of Drayton on a former railway line, enabling cyclists to ride from Langport to Muchelney. This route is known as the Langport Cycleway. It asks for financial support to keep the route open for a further year to allow officers to investigate the management options available and opportunities for future community involvement.

Recommendations

- 1) That members approve £2,706 of funding from Area North Reserves to pay the access licence fees for 2017/2018 to allow for a period of investigation by officers.
- 2) That members note and comment on the future options available for the route.
- 3) That members agree to a further report being brought at the end of 2017 to discuss and progress the future management arrangements for the route.

Background

The Langport Cycleway is a 2.5km stretch of gravel surfaced amenity route (for walkers, cyclists and horse riders) that starts in Westover in the Parish of Huish Episcopi and runs southwards, crossing Huish Drove to join the former railway line. The route is in two parts; the first section is 500m adjacent to a ditch leading south from Westover. The route then crosses Huish Drove before heading southwards along the former railway line for 2km. Both sections cross privately owned land and are not designated Public Rights of Way (RoW). Access agreements were originally set up in 1998 with the land owners to allow for public access on foot, bicycle and horseback. Annual license fees are paid to the landowners, with an increase every three years linked to the Retail Price Index.



Section 1, 500m, £700 per annum, current license ends March 2018
 Section 2, 2km, £2,006 per annum, current license ends December 2018.

Each license has a six month notice period.

The route was originally negotiated as part of the River Parrett Trail (RPT) project when SSDC owned and operated (through a business tenant) the RPT Visitor Centre, linked to the regional RPT. Although the RPT is still negotiable on the ground, it is not currently actively promoted. The RPT is maintained by Somerset County Council (SCC) to the same standard as other RoW as part of SCC's standard Public RoW maintenance programme. Most of the RPT follows public footpaths, with only small bridleway sections, and so is not available for cycle use.

The RPT Visitor Centre closed in 2012. The cycle business that had operated from the building was established to include cycle hire for use along the licensed route and was a key part of the business.

Current use is mainly local walkers, with some cyclists and occasional local horse riders. Recently a new cycle hire business has been established in Langport and future tourism proposals include recreational access to the water; all forming part of the tourism offer for Langport.

The Langport Cycleway section features in the National Cycleway Network as part of route NCR339 (previously NCR30).

The Langport Cycleway is currently paid for and maintained by the SSDC Countryside Service. Rangers attend four times a year to cut vegetation, repair gate furniture and carry out tree safety surveys and associated works. The annual license fees are charged to the Countryside budget. This budget historically covered the RoW team who transferred to SCC in April 2010. When SSDC ended the 1974 RoW Maintenance Agency this budget was removed. The final year of an unavoidable budget pressure that covers only the cost of the licence fees ends in March 2017. From 2017/2018 there is no budget for the route and as the Countryside Service seek to make further budget savings it is appropriate to look at the route and ascertain its level of use, costs and whether it is a local or strategic resource.

The Langport Cycleway does not require conservation management by the ranger team; however it would still require an annual maintenance programme to maintain access.

Officers propose to look at current use, future potential for maintenance and the long term sustainability of the route. This work would include:

- Consultation with Sustrans over the National Cycle Network
- User feedback to gauge current use
- Consultation with local tourism businesses
- Consultation with relevant officers at SCC
- Consultation with the Parish and Town Councils, and relevant fora e.g. Transition Langport
- Negotiation with the land owners over license fees and any license transfer that may be required.
- Building a maintenance costs schedule to include annual maintenance programmes and capital refurbishment of the route. Funding to be assessed as part of this process
- Consideration of the Local Plan, and the wider green transport network and provision of cycleways locally.

Financial Implications

There is £16,600 unallocated in the Area North Revenue Reserve. If the recommended grant of £2,706 is awarded, £13,894 will remain unallocated.

Council Plan Implications

- Economy - Capitalise on our high quality culture, leisure and tourism opportunities to bring people to South Somerset.
- Health and Communities - Help people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities.

Carbon Emissions & Adapting to Climate Change Implications

As an off road walking and cycling route the Langport Cycleway offers a safe route for green leisure and commuters to Langport and Huish Episcopi, helping to reduce carbon emissions.

Equality and Diversity Implications

The access to the Langport Cycleway includes gateways that can be opened by a radar key enabling all mobility vehicles to make use of the route. Gateway's were tested at installation with a range of specialist bicycles and mobility vehicles to ensure the route was accessible for everyone.

Agenda Item 11

Area North – Business Flood Recovery & Future Resilience Update

Assistant Director: Helen Rutter, Communities
Service Manager: Sara Kelly, Area Development Lead (North)
Lead Officer: Pauline Burr, Neighbourhood Development Officer (North)
Contact Details: Pauline.Burr@southsomerset.gov.uk or 01935 462253

Purpose of the Report

To update members on the progress of the programme of business support work in Area North

Public Interest

SSDC believes in supporting innovative communities who seek to help themselves.

The severe flooding events in the winter of 2013-14 had a significant impact on communities in Area North; many businesses were affected by flooding, both directly and indirectly, followed by numerous road closures that continued for many months while necessary flood mitigation measures were put in place. This had a noticeable impact on passing and visiting trade and there was growing concern that customer habits would be lost and that the lower trading rate would threaten the survival of small businesses.

More than 100 local businesses benefitted from the business support grant scheme, funded through the Department of Business Innovation and Skills; SSDC Tourism Service increased marketing for the affected area to encourage footfall and to spread the message that Somerset was open for business. The reaction of the business community was to be stronger than before and to be better prepared if trade was disrupted again.

In early 2015, Area North Committee agreed funding for a continuing programme of support for businesses to work together, to make them and their local area more resilient in the future.

Recommendation

That members note the report and comment on the progress of the local business support scheme and agree priorities for its next stage.

Background

The severe flooding events in the winter of 2013-14 had a significant impact on communities across the Somerset Levels and Moors where many homes or businesses were flooded coupled with numerous road closures over many weeks. The subsequent repair and flood mitigation work in Somerset continues to cause lasting detrimental effect to local businesses; this is particular significance to tourism and hospitality businesses who suffered a second summer season with limited access for visitors.

The impact of the flooding to local businesses was compounded by prolonged road closures in 2015, allowing for much needed repair and flood resilience infrastructure work. Businesses suffered from lower than usual trading rates which highlighted the need to be better prepared and to look at different initiatives to attract trade in challenging circumstances. An allocation of funding from Area North was

agreed to commission additional manpower, to conduct face to face engagement with businesses in the area, to ascertain the issues they face and to identify opportunities for them to work together and strengthen their long term market position.

Supporting locally led marketing and business resilience

In April 2014 SSDC received government funding via the Department for Business Innovation and Skills, to support the recovery of the business community. SSDC worked to distribute a business grants to 109 businesses and initiated complementary actions including an enhanced programme of tourism marketing and a contribution to the short term engagement of a Business Village Agent.

The subsequent road closures in 2015 threatened those businesses that rely on footfall, passing trade and visitors. To address an immediate issue facing businesses in Aller, Barrington and Hambridge, where road closures were most significant and prolonged, a promotion and marketing campaign was developed. News releases in local and countywide publications, radio and television interviews were used to encourage customers to continue visiting businesses in the area and to use alternative routes where necessary. The direct contact also allowed for improved communications between the authorities and businesses involved.

In considering broader issues, desk based research identified that there are over 250 businesses in Area North that could be said to contribute to the visitor economy, from hospitality to niche shopping, local producers, arts and crafts. A representative cross section was contacted either by phone or in person to discuss the legacy of the 2013/14 flooding and to identify with them initiatives that would strengthen the combined offer in future. Many local business communities recognise the need to be stronger than before so they are better prepared if trade was disrupted again; headline responses include attracting new customers (local, regional, national and beyond), using digital media to reach a wider customer base and promoting the **shared** offer within the area.

A consultation and networking event in March 2016 attracted 50 delegates; keynote speakers presented information on reaching the visitor market, future developments with the A303 and A378 and the importance of digital marketing. The event proved that there is an appetite for businesses to meet on an informal basis where links can develop between suppliers, producers, accommodation providers, caterers and local attractions.

A programme of digital marketing workshops, designed to suit the needs of the participants, attracted almost 150 attendances; businesses have already reported increased custom as a direct result.

Promotion and Marketing

Provisional conversations by phone and in person were conducted to establish what issues they face in terms of self-promotion, marketing etc and support needs. Light touch assessment of the on line presence of these businesses helped to identify what might help them to improve their image. Using criteria such as design, ease of navigation, professional film and photography as a base for criteria, it was established that about 75% could do better.

For customer-facing websites promoting tourism, leisure and retail this affects not only the individual businesses but also impressions of the overall area as a destination with quality products and services.

Three short videos were commissioned, targeting differing market sectors; family, cultural/heritage and natural advocates. These will be made freely available to enterprises to add to their websites and social media. They all bear the "Discover South Somerset" logo and will link back to the SSDC tourism offer and feature on the Discover website.

Royal Bath and West Show 2016

We invited 16 businesses to share a pavilion at the Bath and West Show, presented as “Somerset Levels and More...” The businesses demonstrated some of the high quality produce and craftsmanship of the area. A fixed building pavilion was rented at discounted rate of £2,000 and £1,500 was recouped in exhibitor rental. Our co-ordination and subsidy meant that these small businesses could exhibit at the Bath and West, whereas the cost would usually prohibit their participation. Very positive response was received from the businesses:

- Combined sales at event and follow-up after were £13,831
- They recognised that there was increased footfall to their businesses following the event
- They enjoyed the opportunity to link-up with fellow exhibitors.
- They increased contacts on their mailing list
- Had more social media followers as a direct result

Signage

Area Development (North) currently offers grant funding towards signage that supports the visitor economy; a number of applications for funding for brown signs have stalled as they don't fall within the criteria as set by SCC. However, successful applications include four multi-business boards, village entrance signage, a village green sign marking an historic occasion, business signage and location markers. The scheme still attracts interest and currently has two applications pending.

The River Parrett Trail

The 'River Parrett Trail' (RPT) is a 50 mile route using the public rights of way network. It was first created in the late 1990's by South Somerset District Council and has for many years been maintained by Somerset County Council. The central purpose of the trail is to provide a platform for businesses – for food and drink, accommodation and craft, with the associated educational and health benefits.

Funding from the remainder of the BIS business support grant scheme has been ring fenced and allocated towards a renewed marketing and support scheme for the Trail and the businesses along its length, with particular focus on those in South Somerset.

A review of the current state of the River Parrett Trail has been commissioned. This has looked at the physical condition of the trail, accessibility, range of businesses, attractions and events and current levels of promotion. This will inform a project brief that will require additional manpower for its delivery, either directly employed or externally contracted.

Next Steps

Video and photographic material is available to businesses for use on their own websites. Working towards spring 2017, we want to develop a programme that encourages businesses to put into practice the social networking training they've received and to use the visual material we can provide.

Working with an identified selection of local publications we want to offer a subsidy to small businesses. To give this programme a focus, we would like to take a themed approach and negotiate with the publications to submit editorial that will draw attention to the advertisements.

Networking events - These offer an opportunity to bring businesses together to meet each other. Following the pattern of the previous event, the second networking event in February 2017 welcomed David Warburton, MP in his role as chairman of the All Party Parliamentary Group for Small and Micro

Business. As a result of the event, supply chains and global export have been identified as priority areas for future discussion.

Financial Implications

Continuing business support initiatives and the marketing project for the River Parrett Trail will be funded from the remainder of the Business Innovation and Skills Business Support Fund.

An allocation of £51,500 has been agreed for an 18 to 24 month programme of business support and an allocation of £60,000 agreed to deliver a programme of improved access and marketing initiatives of an important economic 'corridor' within Somerset, the River Parrett Trail. The project will work closely with the local business network along the route to develop a series of linked marketing initiatives fit for the digital age and geared towards the needs of visitors and residents.

Financial contribution from SSDC will not be required.

Council Plan Implications

To promote a strong economy with thriving urban and rural businesses we will:

- Work with businesses and use our assets to grow our economy.
- Capitalise on our high quality culture, leisure and tourism opportunities to bring people to South Somerset.

Carbon Emissions & Climate Change Implications

Business resilience will help to prepare and adapt to climate change.

Equality and Diversity Implications

Business engagement can help promote better physical and virtual access for customers; promotes benefits for certain groups such as young apprentices and helps address the barriers faced by small businesses working in remote areas

Background Papers

- River Parrett Trail Review 2016
- Business Flood Recovery Programme, Allocation of Flood Recovery Grant

Agenda Item 12

Corporate Support For Community And Public Transport

Strategic Director: Martin Woods - Director - Service Delivery
Lead Officer: Nigel Collins – Transport Strategy Officer
Contact Details: nigel.collins@southsomerset.gov.uk or (01935) 462591

Purpose of the Report

The report informs Members of the on-going work being undertaken to develop transport schemes and local solutions to reduce isolation and reflect South Somerset District Council's corporate aims to improve the economy, environment, health and help for communities.

Public Interest

South Somerset District Council (SSDC) recognises the challenges in providing good transport and accessibility in our rural areas. This report sets out how we are continuing to work with Somerset County Council (SCC), Public Transport operators and Community Transport to develop rural transport solutions.

Recommendation

That members note the contents of this report.

Background

SCC is the transport authority and for the most part has control over the prioritisation, funding and delivery of larger-scale transport schemes in Somerset. This is important context and provides a necessary reminder as to the extent to which SSDC can influence how transport improvements can be delivered. SSDC's main roles are:

- a) As the local planning authority, through liaison with SCC, to ensure that appropriate infrastructure which is commensurate with the scale of a development is provided.
- b) By facilitating how people can access goods and services. In rural areas the latter is becoming more of a challenge, especially for those without access to a car and this report focuses how we are helping to overcome these hurdles.

There is widespread recognition of rural isolation issues and also that the traditional approach to rural bus provision is not sustainable. Simply subsidising rural bus routes with declining patronage cannot be maintained and yet these services provide a valuable service for those who have no alternative. Other 'smarter' ways of enabling people to get around need to be progressed, whilst ensuring that those bus routes that are viable are maintained and where possible enhanced. This report outlines the work being undertaken, which can assist in the delivery of our corporate aims as set out in the Council Plan¹.

Report

Overview

SSDC continues to be engaged on the series of themes, initiatives and interventions. Those relevant to Area North and other emerging concepts are set out below.

¹ South Somerset District Council – "The Council Plan 2016 - 2021"

1. The Total Transport Pilot Fund

- 1.1. In March 2015 SCC successfully bid for £305,000 funding from the Department for Transport's (DfT) Total Transport Pilot Fund (TTPF). The bid required an initial analysis of the data including the journey patterns from Community Transport & Health Sector transport providers to identify gaps in provision and also what's happening in adjoining areas.
- 1.2. This required SCC to undertake analysis of current transport provision in Somerset, which involved a significant amount of work, including the mapping of passenger transport (including public buses, taxis, Demand Responsive Transport and Community Transport) as well as current 'non-public' routes for education health and social care trips. This work is now complete. The main element of the bid was to build a 'proof of concept' web portal designed to facilitate journey planning across all of the above modes, with smart application and ticketing. The portal would facilitate all transport rather than just the scheduled bus services currently on Traveline.
- 1.3. SCC has undertaken a feasibility study regarding the appetite for a web portal for transport, which included stakeholder engagement with a range of providers and users who were very keen on the concept and in particular the ability to view the details of unscheduled transport such as community transport along with the ability for users to post queries and/or requests for specific journeys onto an 'E notice board'.
- 1.4. It is recognised that at the current time many passengers may not have direct access to the portal and it is envisaged that other agencies including the various transport operators; GP surgeries; other healthcare providers; local advice/information centres etc. will be able to access the information on their behalf. The scheme would then offer the user the most suitable method of transport.
- 1.5. A specification has been written and SCC are about to go to procurement to secure a supplier to build the portal. The intention is to test the portal in the late Autumn with a possible 'go live' in Spring 2018.
- 1.6. SCC are working in partnership with Gloucestershire on this initiative and the Department for Transport has given a commitment to carry over the grant past the deadline originally set, as they are keen for this innovative work to be delivered and available to other Local Authorities.
- 1.7. The TTPF is specific to innovative approaches and this work has the potential for wide benefits in accessibility particularly in rural areas.
- 1.8. In addition to the development of the portal SCC is working with the NHS to increase car scheme availability, working with them to assist in accommodating these within larger GP practices and enable parking and pick up for all community based schemes at hospitals .

2. Working with Train Operating Companies and Network Rail for Rail Improvements

- 2.1. SDDC continues to urge the Train Operating Companies (TOCs) Network Rail (NR) and the Department for Transport (DfT) for improvements on all three of the train lines that serve South Somerset. These are:
 - London (Paddington) to Taunton, Exeter and the south west, operated by Great Western Railway (GWR).
 - London (Waterloo) to Exeter, operated by South West Trains (SWT).
 - Bristol to Weymouth; the Heart of Wessex Line (HoWL), operated by GWR.

- 2.2. Severe weather incidents in recent years have emphasised the vulnerability of the south west rail network to extreme weather conditions, which are occurring more frequently. This has been a particular issue on the main Penzance to Paddington line and has highlighted the need for greater investment in rail to deliver resilience and connectivity for the region. Both NR and the TOCs recognise that infrastructure improvements on the West of England Line (WoEL), between Exeter and Salisbury, could offer a realistic alternative east of Exeter when such disruption occurs. The degree of this resilience would also be dependent on the ability to improve the section on the Heart of Wessex line between Castle Cary and Yeovil and NR are currently assessing a range of options for consideration by the Department for Transport (DfT). There is also potential for these improvements to increase connectivity both locally and regionally.
- 2.3. SSDC has responded to both NR's 'Western'² (includes Paddington to Penzance main line & the HoWL) and 'Wessex'³ (includes the WoEL) route studies. Both studies considered various options to establish what infrastructure improvements would be required to enhance the existing timetables. The timetable improvements that could deliver a 'step-change' on the routes running through South Somerset are dependent on infrastructure improvements coming forward. However, whilst we have been supportive in principle, the implementation of these improvements is not envisaged until the later stages of their programme in 2043 and beyond. Nevertheless, given the planned growth both in South Somerset and regionally, it is important that we continually raise awareness of the economic and social benefits that these improvements would bring.
- 2.4. To this end SSDC has been engaged with West of England Line Route Strategy Group (WoEL SG) to raise awareness of the potential for improvements on this line both in Control Period 6 (2019 – 2024) and in the future. The West of England [Railway] Line is the route between Worting Junction (west of Basingstoke) and Exeter via Salisbury, Templecombe and Yeovil Junction and the WOEL SG has been focusing on how important these infrastructure improvements are to delivering good rail connectivity and frequencies to both the local and the wider regional network.
- 2.5. More specifically for South Somerset we are continuing to make the case for alterations to the train timetable to enable realistic commute journeys from Castle Cary to Yeovil and Taunton, as well as increased frequency of trains on the HoWL. This lobbying has seen some success this year with an improved Sunday service operating from Bristol to Weymouth from December 2016. However there is still no service arriving at Bath or Bristol until after lunchtime on Sundays and we are continuing to promote the benefits this much needed enhancement would deliver.
- 2.6. One of the current constraints to rail travel from Area North is the availability of car parking at Castle Cary Station. The station lies on the interchange of the both the main Penzance to Paddington line and the HoWL. The Great Western Railway (GWR) recognises that the car park at Castle Cary train station is currently operating at capacity and impeding passenger growth at the station. GWR has submitted a bid to the Heart of the South West Local Enterprise Partnership (LEP) and the project is still being considered within that process. The Scheme has also been identified in the South Somerset Infrastructure Delivery Plan as Priority 2.⁴

² Western Route Study - Long Term Planning Process, Network Rail August 2015

³ Wessex Route Study - Long Term Planning Process, Network Rail August 2015

⁴ South Somerset Infrastructure Delivery Plan Update 2015/16 page 25 para 8.3. Priority 2 = infrastructure that is required to support new development proposed in the Local Plan, but the precise timing and phasing is less critical and development can commence ahead of its provision.

2.7. Members will be aware that there is a proposal for a new Railway Station for the Langport area. The shorter overall journey times between major centres of population, which the train can offer over the car, has been a significant factor in the growth of rail patronage in recent years. The proposal does not therefore advocate stopping the existing intercity service as this would delay intercity passengers and also require very long platforms. Instead the proposal suggests introducing an additional stopping service between Reading and Exeter, allowing intercity trains to run non-stop between Reading, Taunton and Exeter. Policy TA2 of the South Somerset Local Plan supports the delivery of rail infrastructure “*where there is robust evidence in support of developing infrastructure to widen transport choice*”. However the policy is clear that “*the prerequisite for Council support would be:*

- *A business case (to meet 'Network Rail' or successor body criteria);*
- *An active promoter;*
- *Evidence of financial wherewithal and a reasonable prospect of infrastructure implementation in the foreseeable future.”*

Experience elsewhere indicates that the best rail business cases are usually brought forward either by TOCs or very much with their support. The challenges in producing such a business case underpinned by robust evidence should not therefore be underestimated.

2.8. Members should also note that the South Western Franchise (WoEL) is due for renewal in 2017 and it is envisaged that the contract will be awarded in April with the new franchise commencing in August 2017. SSSC responded to the DfT’s consultation on the proposed new franchise in February 2016 emphasising the need for DfT to recognise the growth in South Somerset to 2028 and similarly that our stations (especially Castle Cary and Yeovil) are key to improving the resilience of the South West rail network as a whole. Our response also reflected the agreed objectives of the West of England Line Strategy Group (WoEL SG). These objectives include:

2.8.1. Two trains an hour west of Salisbury and east of Exeter, with no deterioration in journey times or current service levels throughout the line between Exeter and Salisbury.

2.8.2. Yeovil to London under 2 hours

2.9. There are 2 Community Rail Partnerships in South Somerset. The Heart of Wessex Rail Partnership (HoWCRP), on the Bristol to Weymouth line is an established joint venture between seven local authorities (including SSSC) and the train operator GWR. The core objective of the partnership is to increase awareness and use of the Bristol to Weymouth services, in turn contributing to economic growth, easing congestion and reduced vehicle emissions. The HoWCRP benefits from a rail partnership officer who, besides promoting the line overseas an army of volunteers who have achieved outstanding successes in enhancing the local stations. More recently a number of station adoption groups on the West of England Line have joined together with South West Trains to create the Blackmore Vale Line Community Rail Partnership. The new partnership launched in March 2016 is also supported by a Partnership Officer. The operating model is very similar to the Heart of Wessex Community Rail Partnership.

3. Working with Bus Operators and SCC for Bus Service Improvements

3.1. The core bus routes in Area North are:

- N9/N9A – Martock, Ash, and Tintinhull to Yeovil. Operated by Nippy Bus
- N10 – Martock, and Bower Hinton to Ilminster and Taunton. Operated by Nippy Bus
- 16 – Langport, and Aller to Bridgwater. Operated by Hatch Green Coaches

- 54 – Somerton, Langport and Curry Rivel to Yeovil and Taunton. Operated by The Buses of Somerset
- 77 – Somerton and Compton Dundon to Yeovil, Street, Glastonbury and Wells
- 81 – South Petherton and Stoke Sub Hamdon to Yeovil. Operated by South West Coaches.

Many journeys on the above routes are operated commercially by the operators (i.e. without subsidy). The on-going financial constraints have meant that SCC has been unable to continue to fund evening and Sunday services and there are consequently no Sunday services and virtually no provision in the evenings. Changes nationally in how the guidance for funding the reimbursement of Concessionary Fares to the bus companies and the rates for Bus Service Operators Grant (BSOG) is also a concern for the bus companies.

3.2. Additionally Nippy bus operates the Demand Responsive N6, which links rural parishes with Martock. Passengers from settlements within a defined area which includes Barrington, Hambridge, Kingsbury Espiscopi, Long Load, Long Sutton, Lopen, Muchelney, Over Stratton, the Seavingtons. Shepton Beauchamp, South Petherton and Westport can travel to Martock or Ilminster by pre-booking on 01935 823888. The N6 also 'seamlessly' connects with the N9 Yeovil service and the N10 Taunton service, giving passengers numerous travel options throughout the day.

3.3. Isle Valley Transport also offer a valued service to some of the more remote areas:

- 901 – Isle Brewers, Fivehead and Curry Mallet to Taunton on Saturdays
- 904 – Isle Brewers and Drayton areas to Langport on Tuesdays and Fridays
- 903 – Aller, Henley, Long Sutton and Low Ham areas to Langport on Mondays and Wednesdays

3.4. SSDC are in regular and on-going discussions with SCC and the bus operators over bus service provision in the district. Enabling easy access to information regularly comes up as a challenge, especially for new users of public transport and it is hoped that SCC's ongoing work in respect of the Total Transport Pilot Fund (See section 1 above) will go some way to alleviate this.

4. Community Transport

4.1. Community Transport continues to play a vital role for those who have no access to a car and either no bus service or for whom accessing the bus is just not possible. The South Somerset Links transport service, operated by the SSVCA is available to anyone who is unable to access normal bus or taxi services in the locality of Langport and Somerton. The scheme operates on a not-for profit basis and is available to registered members.

4.2. The SSVCA also operates a fleet of 14 accessible minibuses for the benefit of not-for-profit organisations, community groups and people living in South Somerset area who experience difficulties accessing mainstream transport services.

4.3. Members may recall an initial proposal by SCC to reduce the 50% contribution (capped at £5.00) for Concessionary Pass Holders (Bus Pass) on Community Transport to 25% from 1st April 2016. SSDC responded to the consultation robustly challenging this proposal, which was subsequently dropped.

5. Working with SCC and Developers on Travel Plans and Demand Management Solutions Linked to Developments

- 5.1. The Infrastructure Delivery Plan (IDP) sets out evidence on current and future infrastructure provision in South Somerset. It assesses infrastructure capacity and identifies any necessary improvements required as a result of the planned development in the South Somerset Local Plan (2006 – 2028).
- 5.2. The South Somerset Infrastructure Delivery Plan Update 2015/16 has now been published and is available to view on : <https://www.southsomerset.gov.uk/planning-and-building-control/planning-policy/early-review-of-local-plan-2006-2028/evidence-base/>
- 5.3. In respect of specific infrastructure related to public transport, the IDP recognises the need to increase car parking capacity at Castle Cary Station and more generally it supports the need for rail infrastructure improvements and these are discussed in more detail in Section 2 (Rail) above.
- 5.4. In respect of specific highway infrastructure in Area North, the Local Plan housing allocation at Northfield Farm Somerton requires new junction arrangements to access the site on Bancombe Road and Langport Road (Priority 1). This benefits from an approved planning application, and should be delivered by the developer as the site is progressed.
- 5.5. SSDC continues to work with SCC and developers to secure public transport improvements when possible. However the extent to which funding can be levered in is very much dependent on the scale of the development and overall viability of site.

6. A303 Upgrade

- 6.1. The A303/A358 corridor is a vital connection between the south west and London and the south east. Highways England has three schemes already in development and 2 of these, the A303 Sparkford to Ilchester and the A358 Taunton to Southfields traverse South Somerset. Highways England anticipates that construction will start in March 2020 and are currently in the process of consulting on their proposals.

7. Looking to the Future

- 7.1. The Council appreciates that there will be a number of local and community aspirations for transport improvements, for example, the re-opening of local railway stations. Given the current financial constraints within which Government and SCC operate, it is important to remember that any future transport scheme (either road, rail, bus, or community based) will have to be supported by a robust business case outlining how the scheme is cost effective; realises social, economic and environmental benefits; and can be sustained in the long term without the need for long term subsidy.
- 7.2. Depending upon the type of proposal it will also likely be subject to detailed scrutiny at a local-level by SCC, at a sub-regional level by the Heart of the South West LEP, and/or at a national level by DfT or equivalent funding body. As such, it is vital that the rationale for such schemes can be properly evidenced and justified.
- 7.3. Where appropriate, SSDC will continue to work alongside and lobby SCC to examine future grant-based schemes that can bolster the public transport and community transport programme in South Somerset and Area North. As above, the release of funds for schemes is likely to be a part of a competitive process, where schemes across the district and across Somerset are compared and examined to determine which is the most effective.

7.4. SSDC will continue to engage with likes of Network Rail and Highways England on major schemes (e.g. the upgrade the A303) and to relay the implications for Area North. This will include discussions on the benefits and impacts for land-uses in the area.

7.5. The Council continues to welcome positive local input and engagement. Parish and town councils, as well as communities, have a vital role to play in owning and helping deliver the existing measures that have already been secured, as well as identifying further enhancements.

Financial Implications

No new financial implications resulting from this report.

Council Plan Implications

Increasing accessibility for all residents through enhancements to public and community transport reflects the Council Plan aims and priorities to improve the economy, the environment and build healthy communities.

Carbon Emissions & Adapting to Climate Change Implications

Improvements to public transport, including the easier interchange between bus and rail and better access to information, offer the potential to reduce the number of car journeys and thereby reduce CO₂ emissions.

Equality and Diversity Implications

Improvements to public and community transport reduce inequality and improve service accessibility for all.

Background Papers:

None

Agenda Item 13

Area North Committee – Forward Plan

Assistant Director: Helen Rutter, Communities
Service Manager: 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
26 April '17	Area North Development Plan	Update report.	Sara Lead, Area Development Lead (North)
26 April '17	Countryside Service	Update report.	Katy Menday, Countryside Manager
26 April '17	Community Health & Leisure	Annual Update Report	Lynda Pincombe, Community Health & Leisure Manger
24 May '17	Arts & Entertainment Service Update Report	Annual Update Report	Adam Burgan, Arts & Entertainments Manager
24 May '17	Streetscene Service	Update report.	Chris Cooper, Streetscene Manager
<i>24 May '17</i>	<i>Highways</i>	<i>Update repor.</i>	<i>Representative from SCC Highways</i>
24 May '17	Appointments to Outside Bodies	New municipal year – appointment of members to working groups and outside bodies.	Becky Sanders, Democratic Services Officer

24 May '17	Revised Scheme of Delegation – Development Control Nomination of Substitutes for Chairman and Vice Chairman for 2017-18	New municipal year – appointment of two members to act as substitutes.	Becky Sanders, Democratic Services Officer
TBC	<i>Endorsement of Community Led Plans</i>	<i>South Petherton Parish Plan and Neighbourhood Plan</i>	<i>Sara Kelly, Area Development Lead (North)</i>

Agenda Item 14

Planning Appeals

Director: Martin Woods, Service Delivery
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

None

Appeals Allowed

16/01761/S73A – Hedgerow Meadow, Street Road, Compton Dundon.
Change of use of land to 1 Traveller pitch and associated works comprising 1 mobile home; 1 touring caravan; 1 ISO container; 1 shed, 1 compost toilet and a polytunnel; use of shed and land for siting/storage of domestic items; access and associated hardstanding without complying with conditions 2, 3, 4, 6, 7, 8, 9 & 10 attached to planning permission 13/04943/FUL dated 8 April 2014.

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



Appeal Decision

Site visit made on 24 January 2017

by **JP Sargent BA(Hons) MA MRTPI**

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

Decision date: 02 March 2017

Appeal Ref: **APP/R3325/W/16/3158315**

Hedgerow Meadow, Street Road, Compton Dundon, Somerton TA11 6PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Ms E Brown against the decision of South Somerset District Council.
 - The application Ref 16/01761/S73A, dated 20 April 2016, was refused by notice dated 29 July 2016.
 - The application sought planning permission for the change of use of land to 1 Traveller pitch and associated works comprising 1 mobile home; 1 touring caravan; 1 ISO container; 1 shed, 1 compost toilet and a polytunnel; use of shed and land for siting/storage of domestic items; access and associated hardstanding without complying with conditions 2, 3, 4, 6, 7, 8, 9 & 10 (the disputed conditions) attached to planning permission 13/04943/FUL dated 8 April 2014 (the original permission).
 - The disputed conditions and the reasons for their imposition are in Schedule 1 below.
-

Decision

1. The appeal is allowed and planning permission is granted at Hedgerow Meadow, Street Road, Compton Dundon, Somerton TA11 6PY in accordance with the application Ref 16/01761/S73A, dated 20 April 2016 for the change of use of land to 1 Traveller pitch and associated work comprising 1 mobile home, 1 touring caravan, 1 ISO container; 1 shed, 1 compost toilet and a polytunnel; use of shed and land for siting/storage of domestic items; access and associated hardstanding without complying with conditions 2, 3, 4, 5, 6, 7, 8, 9 & 10 attached to planning permission 13/04943/FUL dated 8 April 2014 but subject to the new conditions listed in Schedule 2 and subject to the other conditions imposed on planning permission Ref 13/04943/FUL, also listed in Schedule 2, so far as the same are still subsisting and capable of taking effect.

Procedural matters

2. I received 2 copies of Drawing J327/02C, one of which was annotated. The parties confirmed that the application was considered on the basis of the non-annotated version and I have determined the appeal accordingly.
3. For reasons stated below my decision also concerns non-compliance with Condition 5 of the original permission.
4. What is now proposed would not accord precisely with the entirety of the description of development given above as the numbers of containers and caravans are to be increased. However these changes do not affect the fundamental element of the development, which is the change of use of land to

1 Traveller pitch and associated works, while any variations to the description thereafter are relatively minor and would not, in themselves, require planning permission without the various conditions. Therefore, to my mind this matter is not a reason why the appeal cannot proceed.

5. An application for costs was made by Ms Brown against the Council and that is the subject of a separate decision.

Main Issues

6. The main issues in this case are the effect of the development on the character and appearance of the area and on the living conditions of adjacent residents.

Reasons

Character and appearance

7. This appeal concerns a long thin site that runs back from the road and is in the designated countryside on the edge of Compton Dundon. A bungalow in a large plot is to the south, and this has an extant permission for a 4 bed dwelling behind. Otherwise, the immediate environs comprise relatively flat fields separated by hedges and fences.
8. In 2014 planning permission was granted to use the site as a single gypsy and traveller pitch for occupation solely by Ms Brown and any spouse or dependents. A container to be used for business purposes was also accepted on the site, and a maximum of 2 caravans were to be present. The occupancy, the number of caravans and the location of any business activity in the container only were all controlled by various conditions. No day room was shown, and it was understood the second caravan would serve that purpose.
9. The principle elements of the proposal now before me are to allow 2 further caravans and an additional container onto the land. One of the caravans would be used for touring while the Appellant would restore the other as a hobby (as opposed to a business). The second container would be for business purposes. In addition the Appellant is also seeking permission to extend the area of hardstanding and to agree the landscaping and lighting details. Of these various elements, a touring caravan, the second container and the hardstanding were present when I visited and were broadly in the locations shown on Drawing No EB16-BLOCK Rev D.
10. Government guidance in *Planning Policy for Traveller Sites* (PPTS) says Councils should '*strictly limit*' gypsy and traveller development in the open countryside, limiting the parts of each site that can be used for business purposes. In the *South Somerset Local Plan 2006-2028* Policy EQ2 seeks to preserve the character and appearance of the District while Policy HG7, which specifically concerns gypsy and traveller development, states it must not '*have a significant adverse impact on the landscape character and visual amenity of the area*'. This policy context does not conflict to any appreciable degree with the *National Planning Policy Framework* (the Framework).
11. The Council said this countryside location had '*a high degree of sensitivity*' but the basis for that contention was not given. I accept that the caravans and the container would be further intrusions in the landscape. However, from the north they would be significantly screened by the boundary hedging and from the south the hedges to this site and adjacent fields would conceal them to a

certain extent. Looking from the road to the east the caravans and containers would be to the rear of the structures and similar now on the site, while from the public footpath to the west they would lie behind trees and planting along the boundary. The existing landscaping and layout would therefore do much to minimise the prominence of the additional elements. Moreover, this impact would be further reduced by the extra planting now proposed, the cladding of the container and (to a lesser extent) by the adjacent new dwelling.

12. From where the additional caravans and container could be seen, they would not be viewed in isolation but would be apparent in the context of the lawful activity on the site. I am also mindful that this permission would still require all materials and equipment brought onto the land in connection with the use to be removed when the Appellant ceased living there. Finally, a condition could limit the number of caravans being restored on the site at any one time in the interests of the appearance of the surroundings.
13. Turning to the activity associated with the extra caravans and the container, the occupation of the site would still be restricted to a single pitch occupied by the Appellant and any spouse or dependents. Indeed, the 2 extra caravans are not expected to be for residential use and in any event under a suggested condition from the Council only 3 of the caravans could be used for domestic occupation. Furthermore, additional business activity would be confined to within one extra relatively small container, and this would be in line with the requirement in the PPTS that the parts of such sites to be used for business should be strictly limited. Therefore, any activity generated would not be sufficient to cause harm to the character of the locality.
14. The Council has suggested Condition 8 be amended to restrict business activity to the containers and to the site of any touring caravan that is undergoing restoration. However, the Appellant has made clear the caravan restoration is not a business activity but a hobby and has not suggested that element be included within Condition 8. Therefore I do not propose to include it in that condition.
15. Taking all these factors together, I find that the 2 additional caravans and a container would not cause any material harm to the character or appearance of the area. However, the proposed cladding for the containers and their roofs should be agreed. This is because in my opinion the details in the Appellant's submissions on which the parties rely are not sufficiently precise to form a condition. Therefore the wording for Condition 9 should remain broadly as on the original planning permission, although should take account of the second container now being present.
16. Turning to the other aspects of the application, when compared to the previously approved scheme the hardstanding has been extended towards the mobile home. I see no reason why this should necessarily cause harm to the appearance of the area. However, it is reasonable to seek to ensure the extent of the hardstanding is limited, and to my mind this is better achieved through the negatively worded version of Condition 6 suggested by the Council rather than the wording put forward by the Appellant.
17. With regard to the landscaping details, the Appellant is now seeking this matter to be agreed by condition, and so Condition 7 should be amended accordingly.

18. Finally, based on the details provided the lighting scheme would not be unduly intrusive or unreasonable for this development. Although I can see merit in a more flexible wording to allow alternative schemes to come forward at a later date as circumstances require, that in itself is not a justification for the revised wording offered by the Council.
19. Accordingly, I conclude the development would not detract unacceptably from the character and appearance of the area, and so would not conflict with Local Plan Policies EQ2 or HG7, the PPTS or the Framework.

Living conditions

20. The Framework identifies as a core planning principle the need to seek a good standard of amenity for all existing residents and future occupiers.
21. The Council described the development as '*unneighbourly*' by reason of its impact on the living conditions at the existing and proposed dwellings to the south. However, a significant distance would remain between the appeal site and the closer of those 2 dwellings. Moreover, as those who could live on the site would not be increasing and as the commercial activity would be confined to the 2 containers I see no reason why the proposal should give rise to additional unacceptable noise or disturbance.
22. Accordingly I conclude the development would not detract unreasonably from the living conditions of adjacent residents and so would not conflict with Local Plan Policy EQ2, which among other things seeks to protect residential amenity of adjacent dwellings, or the Framework.

Other matters

23. There was a concern about the Appellant's compliance with the terms of the original permission and, by extension, her compliance with the conditions on any subsequent permission that may be granted. However, non-compliance with any conditions imposed cannot be assumed and is not a matter to which I can attach weight. Rather, the enforcement of conditions lies with the Council.
24. I have no grounds to consider that what is before me would have an unacceptable effect on drainage or wildlife.

Condition 5

25. The Appellant did not seek planning permission in non-compliance with Condition 5 of the original permission, which says

At the proposed access there shall be no obstruction to visibility greater than 300mm above adjoining road level within the visibility splay shown on the submitted plan (to the south west of the access) – Drawing No J327/02 Rev B. Such visibility splay shall be constructed and cleared within 3 months of the grant of this permission and shall thereafter be maintained at all times.

However, Drawing No J327/02 Rev B is now to be superseded by Drawing No J327/02 Rev C. Both drawings though are the same in relation to the sight splays, with their difference being in relation to the layout in the site. I therefore consider no injustice would occur if this condition was changed to incorporate the revised plan.

Conditions

26. Accordingly in the light of the above I find that Condition 2 should refer to 4 caravans, Conditions 8 and 9 should refer to 2 containers (though the reference to maintenance in Condition 9 is imprecise and should be omitted), and Conditions 4 and 10 should refer to Drawing EB16-BLOCK Rev D and not the drawings it supersedes. Similarly Drawing J327/02 Rev C should be cited in Conditions 5 and 10. Condition 9 should still require the agreement of details as I am not satisfied sufficient information has as yet been forthcoming.
27. With regard to the other disputed conditions, Condition 3 should require only the lighting scheme indicated while Condition 6 should prevent hardsurfacing other than in the places shown, though opportunity for agreeing slight variation with the Local Planning Authority would be appropriate. Finally, the landscaping (Condition 7) should be agreed reflecting the wording suggested by the Appellant.
28. I also find that 2 further conditions should be imposed in line with Conditions 13 and 14 suggested by the Council, to limit the number of caravans being restored and being occupied. However, the Council has also suggested Condition 12 be redrafted, presumably to allow for details that have been agreed since the original permission was granted. That though is not a disputed condition and is not otherwise affected by the disputed conditions, and so I do not propose to make that change.

Conclusions

29. For the reasons stated I conclude that the appeal should be allowed.

J P Sargent

INSPECTOR

Schedule 1:

- 2) There shall be no more than 1 pitch on the site, and no more than 2 caravans, as defined in the Caravan in the *Caravan Sites and Control of Development Act 1960* and the *Caravan Sites Act 1968* as amended, shall be stationed at any one time, of which only one caravan shall be a static caravan

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

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

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

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

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

- 6) Within 3 months of the date of this permission details of all hard surfaces and hardstanding, including hardstanding to be established under vehicles used for residential accommodation, shall be submitted to and approved in writing by the Local Planning Authority. Such details, once approved, shall be fully implemented within 6 months of being approved, and thereafter retained and maintained.

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

- 7) During the first planting season following the grant of this permission the agreed scheme of landscape mitigation planting received by email on 28 February 2014, shall be fully implemented. All planting, seeding, turfing or earth mounding comprised in the approved details of landscaping shall be carried out and any trees or plants which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies ST6, EC3 and HG11 of the *South Somerset Local Plan, 2006*.

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

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

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

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

- 10) The development hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref J327/01, J327/02 Rev B, J327/04, J327/05, J32706 and J327/08.

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

Schedule 2:

- 1) The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: *Glossary of Planning policy for traveller sites* (August 2015).
- 2) There shall be no more than 1 pitch on the site, and no more than 4 caravans, as defined in the *Caravan Sites and Control of Development Act 1960* as amended and the *Caravan Sites Act 1968* as amended, shall be stationed on the land at any one time, of which only 1 caravan shall be a static caravan.
- 3) External lighting shall only be erected and used in accordance with the approved scheme as set out in Drawing No EB16-BLOCK Rev D and specified in the submitted details.
- 4) The parking and turning areas shown on the submitted site layout Drawing No EB16-BLOCK Rev D shall be kept clear and used only for the parking and turning of motor vehicles.
- 5) At the proposed access there shall be no obstruction to visibility greater than 300mm above adjoining road level within the visibility splay shown on the submitted plan (to the south west of the access) – Drawing No J327/02 Rev C. Such visibility splay shall be constructed and cleared within 3 months of the grant of this permission and shall thereafter be maintained at all times.
- 6) No hard surfaces and hardstanding, including hardstanding to be established under vehicles to be used for residential accommodation, shall be created on the site except in accordance with the submitted Drawing No EB16-BLOCK Rev D unless otherwise agreed in writing by the Local Planning Authority.
- 7) Within 3 months of the grant of this permission there shall be submitted to the Local Planning Authority a scheme of landscaping, which, once approved, shall be implemented within the first planting and seeding season following the approval of the scheme. Any trees or plants which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 8) No part of the site other than the 2 storage containers hereby approved shall be used for business purposes or commercial storage of any kind.
- 9) Within 3 months of the date of this permission, details of the design and materials of the cladding and roof to be applied to the 2 containers shall be submitted to and approved in writing by the Local Planning Authority, together with a timetable for their implementation. Such details, once approved, shall be fully implemented in accordance with the approved timetable and thereafter retained.
- 10) The development hereby permitted shall be carried out in accordance with the following approved drawings ref J327/01, J327/02 Rev C, J327 04., J327 05, J327 06. and EB16-BLOCK Rev D.
- 11) The use hereby permitted shall be carried on only by the applicant Ms E Brown, together with any spouse or dependents. When the premises cease to be occupied by Ms E Brown, the use hereby permitted

shall cease and all materials and equipment brought onto the premises in connection with the use shall be removed.

- 12) No electrical power generation equipment or machinery shall be operated or installed on the site unless full details of the equipment and its housing and siting have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the technical specifications of the equipment and sound power levels. Once approved the details shall be fully implemented and thereafter retained and maintained as long as the equipment is operated on the site.
- 13) No more than one touring caravan on site at any one time shall be retained on site for the purposes of restoration and re-sale by Ms E Brown, and no other buying, selling or dealing in caravans or the storage of any materials or parts in connection with such activities shall take place on or from the site.
- 14) No more than 3 caravans on the site shall be used at any time for domestic occupation by Ms E Brown together with any spouse or dependents.



Costs Decision

Site visit made on 24 January 2017

by **JP Sargent BA(Hons) MA MRTPI**

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

Decision date: 02 March 2017

Costs application in relation to Appeal Ref: APP/R3325/W/16/3158315 Hedgerow Meadow, Street Road, Compton Dundon, Somerton TA11 6PY

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Ms E Brown for a full award of costs against South Somerset District Council.
 - The appeal was against the refusal of planning permission for the change of use of the land to 1 Traveller pitch and associated works comprising 1 mobile home; 1 touring caravan; 1 ISO container; 1 shed, 1 compost toilet and a polytunnel; use of shed and land for siting/storage of domestic items; and access and associated hardstanding without complying with Conditions 2, 3, 4, 6, 7, 8, 9 & 10 attached to planning permission 13/04943/FUL dated 8 April 2014
-

Decision

1. The application for an award of costs is refused.

Reasons

2. The *Planning Practice Guidance* advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. In this case the Applicant has offered 2 principal reasons why the award of costs should be made.

The wording of the Reason for Refusal

4. The Applicant contended that '*inappropriate*' and '*unneighbourly*' were misused or misplaced terms, which are not found in policy or guidance. I accept that the former has a specific planning meaning in relation to Green Belt policy. That though does not mean it cannot be a suitable phrase to use, outside the Green Belt, where there is no possibility of ambiguity. Indeed it would appear from the submissions that its meaning was clear in this instance.
5. In relation to the use of '*unneighbourly*' while there are commonly used terms to describe the unacceptable effects of developments on those living nearby that does not preclude the use of other phrases. I accept that the word is not found in either national or local policy. However, nothing in the parties' cases shows a misunderstanding concerning what was meant by its use.
6. Consequently unreasonable behaviour resulting in unnecessary expense has not been demonstrated in relation to this matter.

Failure to follow expert advice

7. The Planning Officer and the Landscape Officer, who I assume were both suitably qualified in their respective fields, did not recommend refusal. However, the decision hinged on points of planning judgement, and to my mind it is not correct to say that in such an instance a Planning Committee cannot determine an application contrary to its officers' recommendation unless it has been advised accordingly by an expert. Rather, the test is whether that decision is suitably substantiated.
8. Moreover, it does not follow that if I find planning permission should be granted because there was no significant adverse impact, then the Council has acted unreasonably in its decision.
9. Whilst clearly the Applicant considered any harm could be resolved by suitably worded conditions that was at the heart of the appeal. I consider that an adequate case has been put forward by the Council to substantiate its refusal, as it identified the balanced nature of the previous decision and the concern about the effect that this intensification would have. Although it is not necessary for the Council to mention its Reason for Refusal in its Appeal Statement, it was in fact given in the opening section.
10. The Council might have overstated the Landscape Officer's views in its Appeal Statement by saying there *'has always been a strong landscape case against the use of this land for this purpose'*. I note though that was not how the Landscape Officer's comments were presented in the Officer Report, and so the Members of the Planning Committee were not misled. I am mindful too that the decisions relating to this site have always had to weigh the identified harm against the benefits. Indeed, I have nothing before me to show that the Council necessarily agreed with the Landscape Officer's view that the landscape objection was not *'heavily-weighted'* when it granted the original permission. Rather, although still minded to grant permission, it might have judged the balance far finer. In such circumstances the comments in the Appeal Statement do not amount to unreasonable behaviour.

Conclusions

11. Accordingly I conclude that unreasonable behaviour resulting in unnecessary expense has not been demonstrated. Therefore the award of costs is refused.

J P Sargent

INSPECTOR

Agenda Item 15

Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods, Service Delivery
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 3.35pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.30pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
16	WESSEX	15/04331/S73	Application to vary condition no.25 of 10/03704/FUL dated 17/05/2013 to amend the list of approved drawings to amend house types.	Northfield Farm, Northfield, Somerton.	Mr D Russell
17	MARTOCK	16/04699/OUT	Outline application for erection of 12 dwellings and associated works inc. drainage infrastructure and highway works.	Land Adjoining Long Orchard Way, Martock.	Blue Spruce Properties Ltd
18	LANGPORT & HUIISH	16/04191/OUT	Outline application (only access to be determined) for up to 22 dwellings, employment units and raising of site levels to form flood defences.	Land at Willows Business Park, Westover Trading Estate, Langport	Mr Rees

19	WESSEX	16/04723/FUL	Erection of a residential dwelling with onsite parking and turning.	Land at Junction of Behind Town, Touch Lane, Compton Dundon.	Mr C Swain & S Morris
20	WESSEX	16/05355/LBC	Various internal and external alterations to include installation of porch (partly implemented)	Badgers Cottage, peak Lane, Compton Dundon.	Mr D Martlew

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 16

Officer Report On Planning Application: 15/04331/S73

Proposal :	Section 73 application to vary condition no. 25 of planning approval 10/03704/FUL dated 17/05/2013 to amend the list of approved drawings to amend house types (GR:348022/128828)
Site Address:	Northfield Farm, Northfield, Somerton.
Parish:	Somerton
WESSEX Ward (SSDC Members)	Cllr S Page Cllr D Ruddle
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	11th January 2016
Applicant :	Mr David Russell
Agent: (no agent if blank)	Mr Robert Clancy, 13 Capitol Park, Pearce Way, Gloucester GL2 5YD
Application Type :	Major Dwlgls 10 or more or site 0.5ha+

UPDATE:

This application was considered at Committee in April 2016 where it was resolved to approve the application subject to conditions and the prior completion of a Section 106 Agreement to secure the necessary planning obligations. The applicant is now seeking the following additional amendments to those previously agreed by Committee:

Amendment to the new Langport Road junction

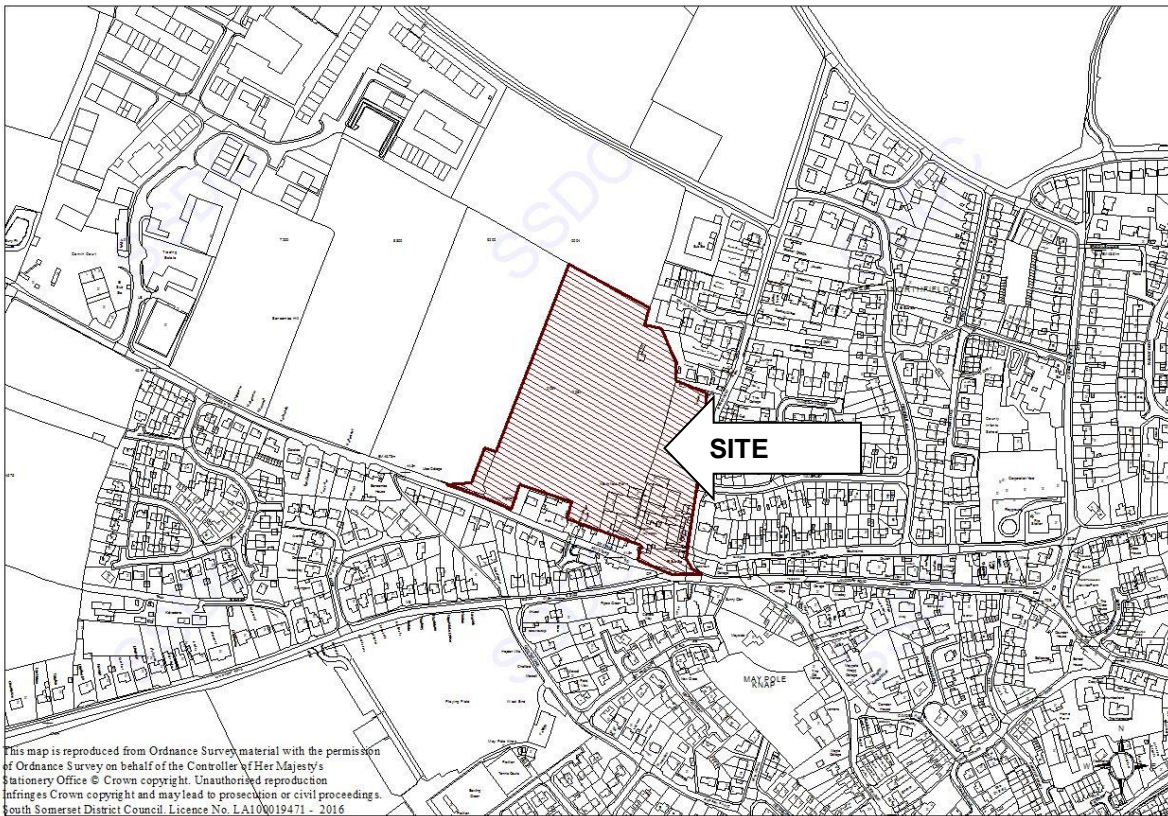
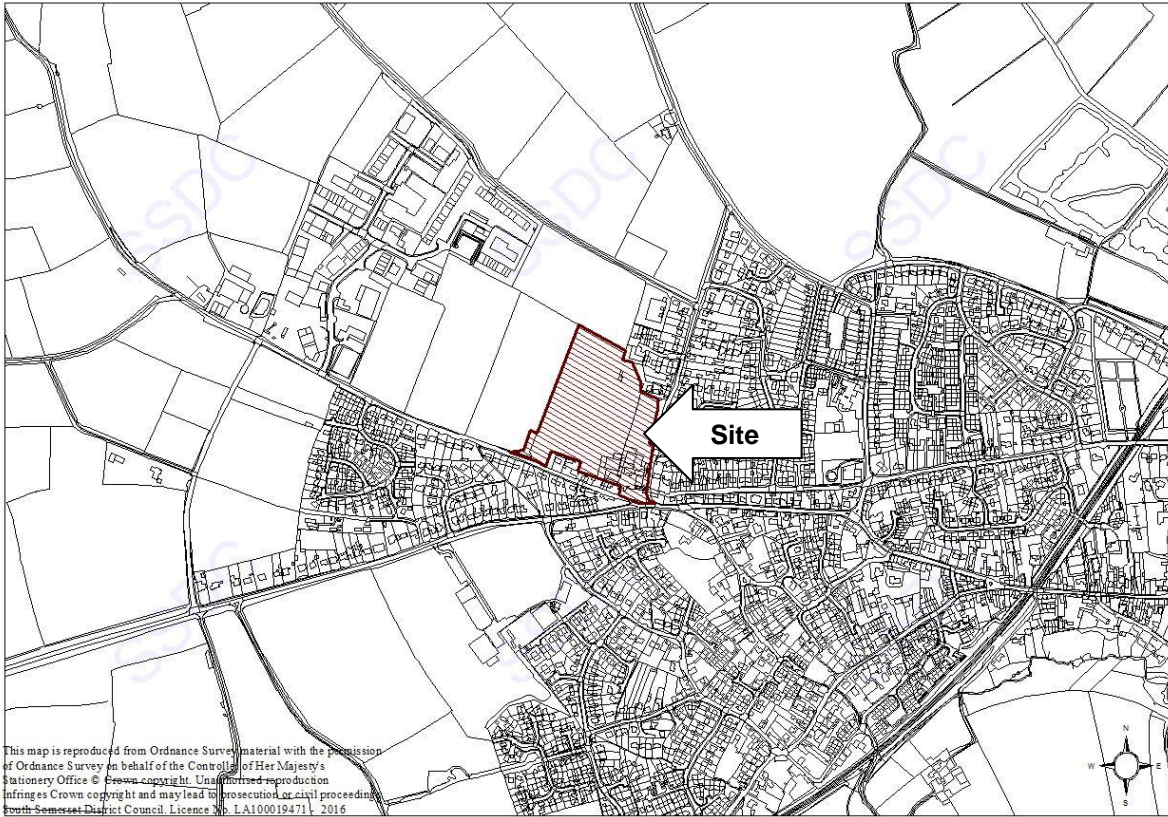
Since the Committee made their earlier resolution a land ownership issue has come to light which affects the ability of the developer to bring forward the new Langport Road junction as detailed on the previously agreed plans. In order to resolve this matter the applicant has liaised with the Highway Authority and submitted amended plans detailing a revised position for the junction moving it 2 metres to the west of that previously agreed. In all other respects the proposed access and road layout details remain unchanged from that approved at the earlier Committee meeting.

Additional details

The applicant has provided a range of detailed information relating to matters such as drainage, contamination, archaeology, landscaping, materials, finished floor levels etc. This information relates to detailed matters that are usually dealt with through conditions after a development has been approved rather during the application process. In this instance the applicant has supplied these details in order to address a number of the detailed conditions imposed under the original permission (10/03704/FUL) now rather than post decision.

ORIGINAL OFFICER REPORT (AMENDED AS NECESSARY):

SITE DESCRIPTION AND PROPOSAL



Full planning permission was granted in 2013 under application 10/03704/FUL for the residential development of this site for up to 133 dwellings, at a density of 34 dwellings per hectare, along with associated highway works, landscaping and a LEAP. This application is seeking to amend condition 25, the approved plans condition, to amend the house types and house layout slightly and also to amend the position of the new Langport Road junction. The internal highway layout and proposed improvements to the existing network remain unchanged from that previously permitted. In accordance with the update section above, the applicant is also seeking to agree a number of the detailed matters previously sought by condition under the 2013 permission.

The application site is a 3.89 hectare field located that adjoins the northwest side of Somerton, between Bancombe Road and Northfield and is located within the direction of growth as identified in the Local Plan. It is a fairly flat piece of agricultural land that has a slight gradient that falls from north to south and includes an assortment of mainly modern farm buildings in the southeast corner of the site. The associated farmhouse, Northfield Farmhouse, and stone barn are grade II listed and sit outside the redline area.

The development proposes:

- 8 one bedroom flats
- 9 two bedroom flats
- 26 two bedroom houses
- 53 three bedroom houses
- 33 four bedroom houses
- 4 five bedroom houses
- And a LEAP

Of these units 46 are to be affordable units (34.6%) to be a mix of 67% for social rent and 33% intermediary accommodation, the nature of which is to be agreed with the LPA's Strategic Housing Manager. The affordable housing would be provided in clusters throughout the site.

This amended scheme will comprise a mix of two-storey houses.

HISTORY

- 10/03707/LBC: Demolition of barns and garden walls in association with proposed new housing development. Permitted.
- 10/03704/FUL: Erection of 133 dwellings and associated garages, highway works and landscaping. Permitted.
- 08/03390/EIASS: 140 new dwellings with a carpark, open space and landscaping. EIA not required.

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

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:

Part 1 – Building a strong, competitive economy

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting Healthy Communities

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

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

Other relevant documents

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

SSDC's Somerton Peripheral Landscape Study, April 2008.

CONSULTATIONS

Somerton Town Council: Latest comments relating to the proposed amended junction position and detailed matters are awaited and will be reported verbally to committee.

Earlier comments - Support application but raised the following concerns:

- Lack of sufficient parking due to nose to tail parking within the development;
- Lack of construction traffic plan;
- Request a full highways report regarding traffic flow to the development because of potential increased traffic to the area.

County Highways: Latest comments relating to the proposed amended junction position and detailed matters are awaited and will be reported verbally to committee.

Previous comments - No objection. This proposal is seeking to vary condition 25 of the previous

permission to amend the list of house types. Having reviewed the details shown on the submitted drawings the Highway Authority has no objection to the proposed variation to this condition as it will not have a detrimental impact on the proposed highway layout.

County Education: I note that the agreement for the original permission (dated March 2013) will fall away if the amended scheme is approved. I can confirm that this would not exceed our pooling in the area. I presume any subsequent agreement for this section 73 application will be subject to the same index requirements that were set out in the original agreement.

Previous education contributions secured:

Noted that infant school places were nearly at capacity and would have insufficient places to accommodate additional children resulting from the proposed dwellings. Education contributions of £147,084 to provide 12 new infant school places were therefore secured under the original application.

Strategic Housing: Satisfied with the proposed affordable housing mix.

Leisure Policy: Seek a contribution of £440,012 (equating to £3,308 per dwelling) towards the increased demand for outdoor playing space, sport and recreation facilities should the scheme be approved as follows:

- £281,630 for local facilities, to cover the provision of an on-site equipped play area, off-site youth facilities, enhancing the playing pitches and changing facilities at Gassons Lane Recreation Ground / Somerton;
- £40,273 for strategic facilities, to go towards a new studio theatre at the Octagon or a stage refit at the Westlands Entertainment complex;
- £113,752 as a commuted sum towards local services;
- £4,357 as the Community Health and Leisure Service administration fee.

Open Space: No new comments received.

Comments from previous application - No objection on the basis that adequate onsite provision for Public Open Space has been made.

Police: No comments received.

Wessex Water: No new comments received.

Comments from previous application - Notes the information submitted in relation to surface water disposal and revised calculations for the greenfield run off rates have been accepted by the Environment Agency and will form the basis for design into a surface water system to comply with the requirements of PPS25 and 'Sewers for Adoption' standards. Notes the separate systems of drainage for foul and surface water to be provided and that design drawings will be forwarded to Wessex Water for technical approval under adoption procedures. A copy of these comments is appended to this report.

Environment Agency: No new comments received.

Comments from previous application - Notes that the proposed development will have separate sewers for surface and foul water drainage, both of which will be offered for adoption to Wessex Water. The proposed surface water sewer will connect to the existing culverted watercourse drainage system Langport Road, and will be restricted to pre-development rates to ensure there are no increases in run off and therefore no reduction of capacity in the receiving system. This will be achieved through the use of on-site attenuation and infiltration. No objection raised subject to

safeguarding conditions. A copy of the comments is appended to this report.

Lead Local Flood Authority (LLFA): No comments. This application will have no significant effect on surface water drainage within the development.

SSDC Technical Engineer: No new comments received. Raised no objections in respect of the original application.

Environment Protection (Contamination): No new comments received.

Comments from previous application - Notes that the site contains two small areas of infilled land. Recommends safeguarding conditions to ensure any potential contaminated land is investigated and appropriate mitigation carried out.

Climate Change Officer: No new comments received.

Comments from previous application - Objects to the proposal on the basis that there is no mention of renewable energy within any of the documents supporting the application. Furthermore some of the roofs are not solar orientated.

Ecology: No new comments received.

Comments from previous application - Accepts that survey work undertaken, which identifies a low level presence of badgers, bats and slow-worms, is appropriate and does not dispute the findings. Considers that any issues are "*of low conservation significance and not of sufficient importance to warrant further Local Planning Authority control*". A condition to ensure compliance with the recommendations of the submitted report is recommended.

County Archaeology: No new comments received.

Comments from previous application - No objection subject to recommended condition to secure programme of archaeological work.

Conservation: (Verbal comments) Satisfied with the latest plans.

Arborist: No comments received.

Landscape Officer: Made the following observations:

- It is essential that material finishes are agreed and approved by us – tones should be reflective of traditional Somerton and not 'bright'.
- The layout indicates a 3 metre wide hedge-management corridor along the north and west boundaries between plots 2 and 22 but no means of access it. This should be provided at both ends. I also note that the garage of plot 18 projects too far into this corridor and should be repositioned such that it is not an obstruction to the corridor.

REPRESENTATIONS

Written representations have been received from six members of the public. No new representations had been received at the time of writing this report in respect of the latest proposed amendment:

- Concerned about the volume of traffic in the locality and that the new through road will become a rat run. The highway proposals are inadequate for the purpose they are to serve.

- Where is the traffic for the estate going? If it is to exit on to Northfields this would cause major problems as it is a narrow road to exit on to Langport Road, if they try to go along Waverly and onto Behind Berry this is also very narrow.
- I live at the lower end of Bancombe Road. I cannot see that there will be a safety crossing. By re-directing traffic to one road only this is going to be an issue. A lot of children at the schools use Bancombe Road / cross Northfields.
- You are blocking off the bottom of Bancombe Road. Where will my crossing be?
- What came from the traffic surveys you conducted on Bancombe Road and Northfields? Vans and small lorries use Bancombe Road constantly for the trading estate. Northfield narrows as you travel to the middle, will this be changed? You will not be able to stop traffic using the estate as a short cut.
- Parts of Northfields and Bancombe Road need to be made wider with pedestrian pavements added, the telegraph poles removed and replaced with new lamp posts. May be some new parking could be added for some of the houses.
- The existing Bancombe Road lacks pedestrian provision in places however it provides a safe and adequate access road for the existing residents of Parklands. They may be severely disadvantaged by these proposals.
- A safety review should be carried out of the road network in this area before the application is determined.
- Concerned about the new road layout and the effect this will have on our property and our ability to use our drive (7 Bancombe Road). Currently a build is shown on the plans which extends across our access.
- Where will access be for work traffic during building?
- Where the children living on the estate go to school? There is no space for more children at the current schools and the proposed new school has not been secured.
- Object to the reduction in leisure contributions. The additional cost to the town for provision of leisure and services for new residents requires the full allocation of all contributions from the developer.
- Somerton infrastructure is already stretched to the limit.
- Three-storey / two and a half storey buildings on this site are not acceptable. Such height and density is inappropriate for this town and out of keeping with the character of this ancient settlement.
- Recent new build in Somerton (Sutton Road and West End) has been seriously criticised for failing to contribute any quality or enhancement to the built environment.
- The density of the scheme means that each house has very little outside space.

CONSIDERATIONS

This application follows the granting of full planning permission under application 10/03704/FUL (issued May 2013) for the residential development of this site for up to 133 dwellings, along with associated highway works, landscaping and the provision of an on-site LEAP. The current application has been submitted by a different developer and is seeking to amend condition 25 (approved plans) of this extant permission in order to substitute the previously approved house types / designs with their own and includes very slight changes to the detailed layout and landscaping of the scheme. The highway layout and improvements to the existing highway network remain unchanged to that agreed as part of the original permission with the exception of the proposed repositioning of the new Langport Road junction as detailed above.

The principle of developing this site for residential purposes of this scale and nature has already been accepted through the granting of the original permission and is not a matter to be revisited under this Section 73.

Landscaping, layout and visual amenity

This amended scheme will have a density of 34 houses per hectare, which is the same as that already permitted, and includes a very similar mix of house sizes and type to the original scheme. One or two concerns were raised by the Conservation Manger in respect of the initial revised scheme and the developer has since submitted a further set of plans that fully address these concerns.

The Landscape Officer has also made a couple of observations commenting that material finishes for the houses should reflect the local area, this matter however is dealt with by pre-commencement condition (No. 7 - landscaping). He further noted that access to the hedge management corridor that runs to the rear of plots 2 to 22 has no means of access. The details of the treatment of this area however appear to be no different to that agreed under the original consent, i.e. access to be obtained through one of the gardens that backs on to this strip. Given the current extant permission it is very difficult to insist on the provision of a bespoke access to this maintenance strip.

In response to local concerns about the incorporation of several three-storey dwellings (plots 26-29) within this scheme amended plans for these houses have been provided, reducing their scale to two-storey instead.

Other matters

The changes to the house type and minor alterations to the layout have resulted in no new concerns or objections being raised from any statutory consultee in respect of drainage / flooding, safeguarding of the adjacent listed building, ecology and on-site open space and play provision. Furthermore, it is accepted that the proposal does not give rise to any new substantive residential amenity concerns.

It is noted that the residents at 7 Bancombe Road has raised concern that the new junction layout in front of their property includes a verge build out that appears to cross over their access. This has been brought to the applicant's attention who have confirmed that it would never be their intention to block an existing third parties access. In any event other legislation would address this issue.

Formal comments from the Highway Authority in relation to the revised Langport Road junction are awaited and will be reported verbally to Committee along with any other public or other relevant Consultee comments received since this report was written in regard to other matters covered by condition.

Obligations

A range of planning obligations were secured through the original application and which were considered to be necessary to make the scheme acceptable and included:

- The provision of 46 affordable houses on site to the satisfaction of the Strategic Housing Manager;
- A financial contribution towards the provision of 12 new infant school places, equating to £147,084;
- A financial contribution of £440,012 towards sports, arts and leisure facilities;
- The provision and future management of the on-site open space (including the LEAP);
- The off-site highway improvements.

Unfortunately the Section 106 Agreements that secured these obligations did not include a clause to allow them to be applied to any future amended schemes, such as the present application. In these circumstances our legal department has advised that we are obliged to re-assess the need for these obligations in terms of making the development acceptable under current planning policy.

Following consultation with the relevant statutory consultees the affordable housing, education contribution, on-site open space and highway improvement requirements remain unchanged to that

originally secured. Our Leisure Policy team however has accepted that contributions towards local and strategic facilities have to be reduced in order to meet CIL Regulations, with the overall contributions now amounting to £440,012, which Committee accepted at their meeting in April 2016.

Comments from local residents

Comments have been received from several local residents raising a variety of concerns, in particular relating to the proposed new road layout and its impact upon the local highway network, drainage and the height and density of the development. All of these matters were fully considered under the original planning application. The revisions sought under the current Section 73 application are all very minor in nature and do not impact significantly upon any of these issues, as such it would not be reasonable to object to the proposal for these reasons.

Conclusion:

For the reasons set out above, this revised scheme is considered to represent a sustainable form of development that does not detract from the overall quality of the approved scheme or raise any new substantial visual amenity, residential amenity or other environmental concerns. Subject to the Highway Authority raising no objections to this amended scheme, this proposal is considered to accord with the relevant policies of the South Somerset Local Plan and the provisions of the National Planning Policy Framework and is recommended for approval.

RECOMMENDATION

Approve, 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 the delivery of the development with 46 affordable homes, as specified on the approved plans, with 32 for rent accommodation and 14 shared ownership to the satisfaction of the Development Manager in consultation with the Strategic Housing Manager.
 - Provide for a contribution of £147,084 for the provision of 12 new infant school places, to the satisfaction of the development manager in consultation with the County Education Authority.
 - Provide a contribution of £440,012 (or £3,308 per dwelling) towards sports, arts and leisure contributions, to the satisfaction of the Development Manager in consultation with the Assistant Director of Health & Wellbeing broken down as:
 - £281,630 for local facilities;
 - £40,273 for strategic facilities;
 - £113,752 as a commuted sum towards local services;
 - £4,357 as the Community Health and Leisure Service administration fee.
 - Secure the provision, and appropriate future management of the on-site open space and LEAP either by adoption (with an appropriate commuted sum as defined by the Open Spaces Officer) or by a Management Company to the satisfaction of the development manager.
 - Ensure appropriate Travel Planning measures as agreed by the Development Manager in conjunction with the County Travel Plan Coordinator.
 - Provide for the agreement of the phasing of development including the delivery of improvements to the Langport Road junction as identified on the approved plans to the satisfaction of the development manager..

- Ensure that the financial obligations are index linked at the appropriate rate.

b) The imposition of the planning conditions set out below on the grant of planning permission.

Justification:

The proposed development is located within the area identified as being within the direction of growth for Somerton and would make a significant contribution to the council's housing supply without resulting in any demonstrable harm to landscape, residential or visual amenity, ecology, archaeology, highway safety, drainage or flooding, and without compromising the provision of services and facilities in the settlement. As such the scheme is considered to be a sustainable form of development that accords with policies SD1, SS1, SS4, SS5, SS6, LMT3, HG5, TA1, TA4, TA5, TA6, HW1, EQ1, EQ2, EQ3, EQ4 and EQ7 and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING CONDITIONS:

01. The development hereby permitted shall be begun before the expiration of three years from the date of the original planning permission (10/03407/FUL), i.e. before 17 May 2016.

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

02. The development shall be carried out in all respects in accordance with the scheme of drainage set out within the details provided by PFA Consulting and set out on drawings numbered B285/106 Rev A, B285/107, B285/108, B285/109, B285/110, B285/404 Rev A, B285/304 Rev A, B285/204 Rev A, B285/132, B285/131, B285/130 Rev A, B285/118 Rev C, B285/105, B285/104, B285/103, B285/102, B285/101 Rev C, B285/121 Rev A, B285/120 Rev B, B285/125 Rev B, B285/117 Rev D, B285/116 Rev C and B285/100 Rev D, unless otherwise agreed in writing by the local planning authority.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with the requirements of the National Planning Policy Framework.

03. The development hereby approved shall be carried out in accordance with the details set out within the water efficiency scheme by breglobal received 12/12/2016, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of sustainable development and prudent use of natural materials, in accordance with the requirements of the National Planning Policy Framework.

04. The development hereby permitted shall be carried out in accordance with the Construction Management Plan (document ref: 0133/CMP/01 Project 0133 Rev B) received 12/12/2016, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

05. The development shall be carried out in accordance with the recommendations set out within the Site Investigation document (ref 310717 R1 (00) dated May 2008, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, in accordance with policy EQ7 of the South Somerset Local Plan.

06. The materials to be used in the construction of the external walls and roofs of the development hereby permitted shall accord with the details set out on drawing number 02-002 Rev D, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan.

07. The landscaping scheme, including details of the species, siting and numbers of plants to be planted shall accord with the details set out on drawings numbered 15/253-06 Rev D, 15/253/07 Rev D, 15/253/08 Rev D, 15/253/09 Rev D and 15/253/10 Rev D. The approved details shall be carried out in phases to correspond with the approved phasing plan agreed under condition 8 of this permission. Within the first planting season from the date of commencement of the relevant phase the associated planting included within that phase area shall be carried out in its entirety, unless otherwise agreed in writing by the Local Planning Authority. For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with policy EQ2 of the South Somerset Local Plan.

08. The boundary treatments shown on the approved plans shall be completed before the part of the development to which it relates is occupied and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the local character and distinctiveness of the area and in the interests of the amenities of the neighbouring residents in accordance with policy EQ2 of the South Somerset Local Plan.

09. The development hereby approved shall be carried out in accordance with the levels and finished floor level details set out on drawings numbered 0133 EL-101 Rev D, 0133 EL-102 Rev D, 0133 EL-103 Rev C, 0133 EL-104 Rev C and 0133 EL-105 Rev D, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

10. The development hereby permitted shall be carried out in accordance with the submitted window, door, cill and lintel details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan.

11. The eaves/fascia board and rainwater goods shall accord with the submitted details, unless otherwise agreed with the local planning authority.

Reason: In the interests of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan.

12. The hard surfaces that form part of the development hereby approved shall be carried out and maintained at all times thereafter in complete accordance with the details set out on drawings numbered 0133 101 Rev A, B627 204, B285 304 Rev A, B647 404, B647 503 and 0133 SD-1001 Rev A, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to mitigate any flood risk in accordance with policy EQ2 of the South Somerset Local Plan and the provisions of the NPPF.

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

Reason: In the interests of visual amenity and to safeguard residential amenity in accordance with policy EQ2 of the South Somerset Local Plan.

14. The areas allocated for parking, including garages and car ports, shall be kept clear of obstruction and shall not be converted or used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate parking is provided and maintained to meet the needs of the development in accordance with policy TA6 of the South Somerset Local Plan.

15. All electrical and telephone services to the development shall be run underground, all service intakes to the dwellings shall be run internally and not visible on the exterior and all meter cupboards and gas boxes shall be positioned on the dwellings in accordance with the details submitted 13/12/2016, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan.

16. No part of the development shall be occupied unless that part of the estate road network that provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure that adequate access arrangements exist for each building prior to occupation, in accordance with Policy TA5 of the South Somerset Local Plan.

17. The protection of wildlife identified in the ecological report shall be carried out in accordance with the recommendations of the report by Ecology Solutions Ltd, dated May 2010. In the event that it is not possible to adhere to these recommendations all development shall cease and not recommence until such time as an alternative strategy has been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the ecological interests of the site in accordance with policy EQ4 of the South Somerset Local Plan.

18. The development hereby approved shall be carried out in complete accordance with the phasing plan set out on drawing number XXX, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of highway safety and to ensure the comprehensive development of the site in line with the planning obligations that have been agreed in accordance with policies SS6, HG3, TA5 and HW1 of the South Somerset Local Plan.

19. Prior to the commencement of the new road junction (Section 278) works details of the surfacing of the roads, footways, footpaths and cycleways and the design of any bus stops, street lighting and street furniture shall be submitted to and approved in writing by the Local Planning Authority. Once approved such details shall be fully completed in accordance with the agreed phasing.

Reason: In the interest of highway safety, in accordance with Policy TA5 of the South Somerset Local Plan.

20. 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, in accordance with Policy TA5 of the South Somerset Local Plan.

21. Prior to the commencement of the new road junction (Section 278) works, temporary pedestrian and cycle links shall be provided in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be maintained during the entire construction phase.

Reason: In the interest of highway safety, in accordance with Policy TA5 of the South Somerset Local Plan.

22. At the proposed access onto Langport Road there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plans ref. B647/404 and 14004.101 Rev J. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interest of highway safety, in accordance with Policy TA5 of the South Somerset Local Plan.

23. The development hereby permitted shall be carried out in accordance with the plans listed on the Application Drawing Listed dated 11/04/2016.

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

Agenda Item 17

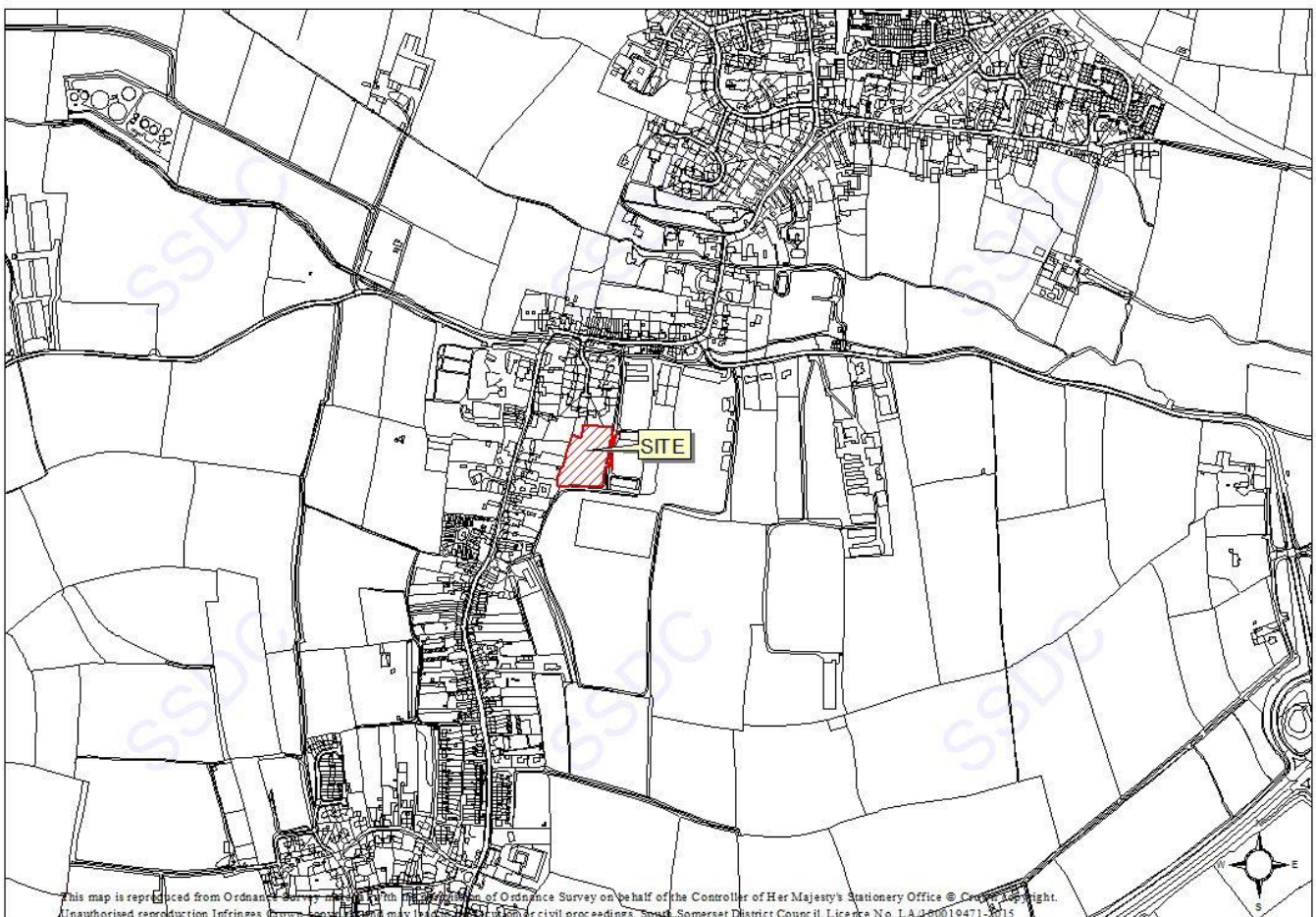
Officer Report On Planning Application: 16/04699/OUT

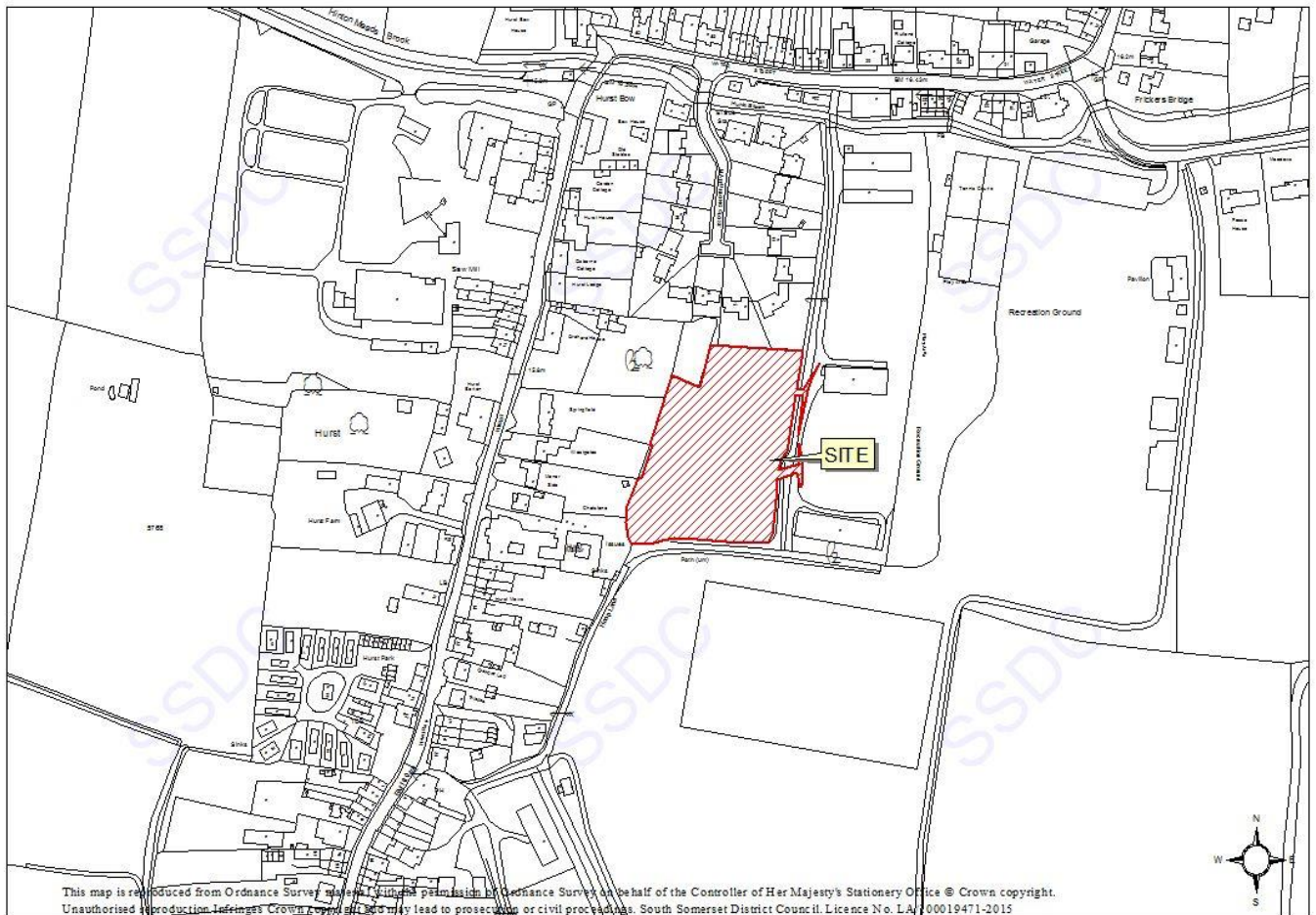
Proposal:	Outline planning application for the erection of 12 No. dwellings (incorporating details of access) and associated works including drainage infrastructure and highway works
Site Address:	Land Adjoining Long Orchard Way, Martock.
Parish:	Martock
MARTOCK Ward (SSDC Members)	Cllr N Bloomfield Cllr G Middleton
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date:	9th February 2017
Applicant:	Blue Spruce Properties Ltd
Agent: (no agent if blank)	Mr Jeff Martin, Motivo, Alvington, Yeovil BA20 2FG
Application Type:	Major Dwlg 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee at the request of the Ward Members to enable a full discussion of the concerns of local residents and the Parish Council.

SITE DESCRIPTION AND PROPOSAL





The site is an open piece of land between the housing fronting onto Water Street and Hurst and the new housing development currently under construction south of Water Street ('Mertoch Leat'). The development fronting both Water Street and Hurst is within the conservation area, which forms the western edge of the site. The site is bounded to the north by the modern housing fronting onto Matfurlong Close. To the east is the new residential development of 35 dwellings under construction; the south boundary is defined by a footpath joining Hurst in the west with the recreation ground towards the east.

Outline permission is sought for the erection of 12 dwellinghouses.

HISTORY

No relevant recent planning history.

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
SS4 - District Wide Housing Provision
SS5 - Delivering New Housing Growth
SS6 - Infrastructure Delivery
HG3 - Provision of Affordable Housing
HG5 - Achieving a Mix of Market Housing
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
EQ4 - Biodiversity
EQ5 - Green Infrastructure

National Planning Policy Framework (March 2012):

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure
6. Delivering a wide choice of high quality homes
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.

CONSULTATIONS

Parish Council: *After consideration it was proposed and agreed to recommend refusal of this application on the following planning grounds:*

1. *That if approved, this application would bring the total number of new dwellings committed or approved in Martock since the start of the current planning period to 269 which is 39 above the allocation of 230 as set out in the Local Plan 2006-2028, and described in the Laver's Oak and Ringwell Hill appeal decisions as being a reasonable development over the Local Plan period.*

2. *That the development would have a detrimental impact on adjacent neighbours and to the visual and residential amenity in contravention of Policies ST5; ST6; EC3 and The National Planning Policy Framework Part 11 and 12.*
3. *That the development of 12 houses, in addition to the adjacent 35 incomplete houses at the Mertoeh Leat/Long Orchard development, will have a detrimental impact on access and parking for existing residents, exacerbate congestion and increase road safety concerns.*

In a previous comment, the Parish raised concerns about flood risk.

Highways Authority: The following points are discussed:

- measures relating to adoption of the road and the proposed bridge accessing the site;
- access to the site is at the southern end of the Mertoeh Leat development; although there is a further development (community building) still to be developed at this end of the site, it is not considered that there would be harmful traffic conflict
- the submitted Travel Plan details are broadly acceptable, but would need some improvement prior to submission of the detailed design

The HA raises no objection, subject to conditions, and securing a Travel Plan should be by way of a S106 Agreement.

SSDC Conservation Officer: *No objection has been raised. Generally..., the conservation area and listed building turn away from this land. The site appears not to be of any great significance to the conservation area, and there are no important views to or from the heritage assets, especially since we granted consent adjacent.*

So what is left is to get the density and layout so that it sits well with the adjoining development.

SSDC Landscape Officer: *Initial Comment: the site is bounded by residential form on 3 sides, to place it within a developed context. Whilst such a context would imply that additional housing could be accommodated with limited impact upon the immediate surrounds, I note that the site is bounded by the CA (conservation area) to the west, and has the curtilages of 2 listed buildings abutting that west boundary, to bring some sensitivity to the site.*

A notable characteristic of the CA through Hurst, is the frontage expression of the building line to the main street, and the predominant single-plot depth, beyond which is open land in most part. The development proposal before us specifically seeks consent for 23 houses, and offers an indicative, which includes 2.5 storey housing and short garden plots backing onto the CA, which will introduce a substantive change to the CA's setting. I regard this impact as adverse. Whilst I agree the potential for residential development can be achieved on this site, I consider the layout too dense overall, and the house arrangement adjacent the west boundary failing to acknowledge its CA setting, nor respecting the character of the conservation area. Consequently there is no landscape conservation support for the 23 house layout before us, and grounds for rejection of the application. However, amendment to the house numbers, and proposed layout, can offer a way forward, and you may wish to negotiate such with the agent.

This concern has been addressed by the applicant, and a revised layout showing 12 units submitted. The Landscape officer now accepts that 'development at a dilute level is feasible'.

SSDC Ecologist: No objection, subject to conditions relating to water voles, slow worms, badgers and biodiversity enhancement.

SSDC Environmental Protection: *Due to the presence of potentially contaminated materials on the adjacent site, which may have migrated onto this site, I would recommend that should the application*

be approved, it be subject to the following condition.

SSDC Climate Control Officer: Concerns are raised about the indicative layout: *I cannot offer any support for this application as currently presented because solar orientation and subsequent solar gain could be improved substantially within the constraints of the site.*

SSDC Planning Policy Officer: An up-to-date figure for housing land supply for Martock has been supplied. The following main points are made:

- The Council recognised in July 2016 that it did not have a five year housing land supply - it stood at 4 years and 2 months.
- Current Housing Numbers for Martock are - requirement for Martock - 230 dwellings; Completions – 77; Commitments (under construction and with planning permission) – 145. Total current supply = 222 dwellings. **(note: Earlier figures included 35 houses under includes 13/01500/OUT - Land off Lyndhurst Grove - which had permission in principle, subject to signing of the S106 Agreement. The application has now, however, been refused).** The total land supply is therefore 8 short of the target figure.
- The revised application stands at 12 dwellings. If these were added to the above total figure, this would increase the supply for the Plan Period thus far to 234, 1.7% over the target figure.
- Previous Inspector's decisions have focused upon the level at which a development results in an overprovision or undermines the settlement strategy to a degree which the development becomes unsustainable. Previous Inspectors have considered 32% to be an overprovision. 230 dwellings being a broad indication of the level of housing to be provided given that Martock is a less sustainable settlement than those higher up the settlement hierarchy.
- The Laver's Oak Inspector noted that in order for harm to occur, it would need to be of a scale that could potentially undermine the strategic intentions of the development plan.

No objection is raised.

SSDC Street Scene Services: A contribution towards improving existing open space in the village is sought, to be made available for the Parish Council. An amount of £3,028.88 is sought.

SSDC Strategic Housing: A 35% affordable housing contribution would be required. *35% equates to 4.2 units and we would normally round up to the nearest whole number. However I will agree in this instance to accept 4 affordable units.*

As I am sure you are aware Policy requires 35% affordable housing split 80:20 rent: intermediate product.

This new split is evidenced in the Mendip, Sedgemoor, South Somerset and Taunton Deane Strategic Housing Market Assessment (October 2016). We will in this instance split the units 3:1 in favour of social rent.

SSDC Sports Arts and Leisure: Contributions required towards local facilities, strategic facilities, together with commuted maintenance sums:

- local facilities: £32,579,
- strategic facilities £3,707
- commuted maintenance £10,743

Including fees, a net contribution of £47,499 is sought (£3,958 per dwelling).

County Archaeologist: No objection.

Lead Local Flood Authority (County): *The development indicates an increase in impermeable areas that will generate an increase in surface water runoff. This has the potential to increase flood risk to the adjacent properties or the highway if not adequately controlled.*

The applicant has provided an outline drainage strategy within the submitted flood risk assessment. This includes a proposal to capture and store surface water runoff in underground geocellular storage tanks adjacent to Bower Hinton Brook, Bower Hinton Brook is a Viewed Rhyne and is under the jurisdiction of the Internal Drainage Board, the LLFA would have concerns that storage at this close proximity to the rhyne would not be acceptable to the IDB and the applicant has not put forward any alternative location for the storage tanks.

In principle the LLFA has no objection to the proposed development, as submitted, subject to approval being given by the Internal Drainage Board [and a] drainage condition being applied. Subject to condition.

Environment Agency: No objection.

Wessex Water: General advice for the developer on the drainage requirements of the site, and the presence of services on or near the site.

County Education: No comment received.

Internal Drainage Board: No objection.

Natural England: No objection.

Somerset Waste Partnership: Concerns raised about the detailed design and accessibility of collection points and design of highways to accommodate collection vehicles. No comment received in response to the amended design for a reduced number of dwellings.

Police Liaison Officer: No comments.

REPRESENTATIONS

Representations have been received from 13 local residents. Objections are raised covering the following main concerns:

- over-development in the context of housing provision for Martock, where there is no local need for housing and new development would encourage out-commuting; the number of houses now exceeds the target figure in the local plan unacceptably
- the ratio of open market house types does not meet local needs or comply with policy
- development will exacerbate flood risk and existing flooding issues in the area
- additional traffic would cause highway safety harm - both vehicular and pedestrian traffic; existing highways are narrow and heavily parked with residents' vehicles
- adequate parking off-street is questioned
- the proposal compounds the impact of the development under construction
- the site is greenfield land, and agricultural potential as well as wildlife benefits will be lost; an important open space would be lost
- the proposal will harm local wildlife and protected species
- the development fails to respect the character of the setting and will harm the setting of the conservation area

- the development will harm the residential amenity of existing occupants of adjacent development
- light pollution will increase
- there are concerns about adequacy of infrastructure
- existing trees could be harmed by the development
- design details are questioned (mix of house types, appearance, etc)

A letter has also been received from Somerset Wildlife Trust, endorsing the recommendations of the submitted ecological report.

CONSIDERATIONS

Housing Numbers: Policy Considerations

Martock is identified as a Rural Centre in the Local Plan, a settlement 'with a local service role where provision for development will be made that meets local housing need, extends local services and supports economic activity appropriate to the scale of the settlement' (Policy SS1 of the Local Plan). Policy SS5 sets out figures for each of the settlements aimed at achieving the overall housing numbers required during the Plan period. The aspirational figure (this is not a maximum) for Martock/Bower Hinton is 230 dwellings.

To date, a total of 222 dwellings have been approved in this period, of which 77 have been completed. The current proposal for 12 dwellings would increase this total to 234, taking it 1.7% over the minimum figure in Policy SS5. This small increase is not considered to undermine the strategic intentions of the Local Plan.

Five-Year Supply of Housing Land

It is accepted that the Council currently cannot demonstrate an adequate housing land supply. Under such circumstances, policies regulating the supply of housing must carry reduced weight, being regarded by the NPPF as being 'out-of-date'. Contributions towards the overall supply must carry additional weight in assessment of planning applications for this reason.

Principle of Development

The provision of 12 additional dwellings as a contribution towards the Council's statutory 5-year land supply carries significant weight. The scale of over-provision represented by the 4 dwellinghouses is not of such great significance as to undermine the intentions of the Local Plan. The balance, therefore, is considered to fall in favour of the development, situated as it is within a sustainable location with good access to services and facilities, adjacent to the defined development area and surrounded by other development, where the Local Plan advises a 'permissive' approach to small-scale development in Rural Centres. The additional residents will afford support to existing services, enhancing the potential sustainability of the settlement.

It is noted from the Laver's Oak Application Appeal Inspector's comments (para 31) that the rate of delivery of housing in the first 9 years of the Plan has fallen short of the 10.5 dwellings p.a. being aimed at (the rate was 8.5 p.a.). A small increase in the overall level of permissions is therefore considered positive, and probably necessary to correct this effect.

It is not, therefore, considered that there is a principle objection to the erection of 12 houses in this location.

Visual Impact: Impact on Conservation Area

The site is open land bordered by development on three sides. Its relationship to the conservation area is important, having some impact on the setting of that area, and its established character. The initial proposal for 23 houses showed that at this density unacceptable harm to the setting would be likely to result. On the basis of a reduction in numbers, it is now considered that the applicant has demonstrated that a scheme can be devised that will minimise this impact, and adequately respect the established character of the conservation area.

Given the location of this pocket of land, the erection of 12 dwellings, as shown by the revised indicative layout, would complement the existing character of the edge of the settlement without harming the established character. It is not considered that the development would appear incongruous, or that it would present landscape harm that would warrant refusal.

Flood Risk

The site largely falls within Flood Zone 1 (area of little or no flood risk), although the areas immediately adjacent to the rhynes along the southern and eastern boundaries are within Flood Zone 3. The area for development (the bulk of the site) as set out in the submitted indicative plan is suitable for development (in accordance with Government guidance) subject to the normal appropriate surface water disposal measures being implemented. The land within 9m of the rhynes is excluded from development, as required by the Drainage Board. The relevant statutory consultees (Environment Agency, Lead Local Flood Authority (County) and the Somerset Drainage Board) are satisfied that development can be achieved on the site without unacceptable harmful impacts.

Whilst the concerns of local residents are noted, the professional assessment of the scheme as expressed by the statutory consultees indicates that a development of the site is possible without harmfully increasing flood risk, or placing residents at risk of flooding. It is not considered that a refusal of the proposal on flood-risk grounds can be sustained.

Highway Safety and Parking

The Highways Authority raises no objection to the proposal. It is considered that an adequate access to the site can safely be obtained via the development to the east of the site (currently under construction). The development is at a low density, and a layout can be achieved providing parking in accordance with the County's Parking Strategy.

In terms of the County's own guidance on Travel Plans as well as Policy TA4 of the Local Plan, a development of 12 dwellings requires a 'measures only' travel plan. It is considered reasonable to require this by condition, rather than S106 Agreement.

Affordable Housing

The development would make provision for the full 35% contribution towards affordable housing (i.e. 4 units in this case) to be secured by a S106 Agreement.

Impact on Ecology

The comments of the Wildlife Trust are noted. The Ecologist is satisfied that the ecological considerations presented by the site can be adequately protected by condition.

Comments of Waste Partnership

The concerns raised are proposed to be drawn to the attention of the applicant for appropriate

changes to the design at the reserved matters stage. They are not considered to be reasons for refusal at this stage.

Climate Change Officer Concerns

The concerns raised relate to the indicative layout, which is not a final form of development being sought. It is not considered that this concern would represent a reason for refusal of the application.

Contributions Towards Leisure Facilities and Open Space

These would fall under the new Community Infrastructure Levy (CIL) requirements coming into effect from 3 April.

Parish Council Concerns

The concerns have largely been addressed above. However the following additional comment is made:

- the housing figures quoted by the Parish Council are out-of-date, particularly given the recent final refusal of the Lyndhurst Grove application, which has removed 35 dwellings from the total
- the percentage increase over the Local Plan figure for housing in the Local Plan period is not considered to be so significant as to justify refusal of development on this infill site surrounded by other development
- the submitted layout is indicative only, but shows an adequate spacing between buildings that would avoid demonstrable amenity harm from overlooking or overbearing
- it is considered that a detailed design at this low density could be achieved that would respect the setting of the conservation area, and the general character of the setting
- the Highway Authority raises no objection on highway safety or parking grounds, and it is not considered that the application could be refused on this basis.

Letters of Representation

The comments of local residents have been carefully considered and the concerns largely dealt with above. The following additional comments are made:

- the type and design of houses is a matter to be finalised at the second (reserved matters) stage of the process - this application only seeks to establish the principle of the number of dwellings, and the means of access
- the Highway Authority raises no objection on highway safety or parking grounds, and it is not considered that the application could be refused on this basis
- adequate measures can be taken to mitigate the impact ecology and wildlife, as assessed by the Council's Ecologist
- light pollution is not a major concern given that the site is surrounded on three sides by development; however, the detailed design can take account of external lighting to minimise the nocturnal impact
- engineering infrastructure is capable of ad hoc expansion by service providers as need evolves, and is not considered a reason to refuse the application; a similar approach is relevant in the case of essential services such as medical/gp facilities
- protection of trees can be adequately dealt with during the detailed design (reserved matters) stage

Conclusion

The proposed development would exceed the numbers of approved dwellings being sought in the

Local Plan during the plan period (2006 - 2028) by 4 (1.7%). This is not considered harmful to the intentions of the Local Plan strategy to the degree that would justify a refusal of permission, especially against the backdrop of the current shortfall in the 5-year housing land supply. The proposal would result in the development of much-needed additional housing in the context of a sustainable settlement.

The site for development falls within Flood Zone 1, and whilst the concerns of local residents about localised flood issues are noted, it is not considered that the development poses risks that would justify a refusal, especially given the endorsement of the scheme by statutory consultees.

It is considered the impacts on the setting can be adequately mitigated in the detailed design, which does not form part of this application, but which is to be determined at the second, reserved-matters stage. Mitigation measures to deal with issues of ecology, residential amenity and provision of contributions can all be secured.

The scheme would see the site coming forward in line with the economic role of sustainable development and the Government's aim of boosting significantly the supply of housing. It is accordingly recommended for approval.

S.106 AGREEMENT

If the decision can be issued before 3 April 2017, it should be subject to the prior signing of a S106 Agreement to secure contributions towards leisure and recreation facilities. Affordable housing would have to be secured by S106 Agreement in any event.

RECOMMENDATION

Grant permission subject to:

01. The prior completion of a S.106 agreement to the satisfaction of the Council's Solicitor to secure:
 - (a) If determined prior to 3 April 2017 a financial contribution of £47,499 towards off-site recreational infrastructure to include amounts for:
 - local facilities: £32,579,
 - strategic facilities £3,707
 - commuted maintenance £10,743
 - relevant service fee
 - (b) If determined prior to 3 April 2017 a financial contribution of £3,028.88 towards improving existing public open space in the village
 - (b) The provision of 35% of the dwellinghouses as affordable housing to the satisfaction of the Strategic Housing Manager

02. and the following conditions:

01. The proposal makes provision for an additional twelve dwellings within a Rural Centre that would contribute towards the enhancement of the sustainability of the settlement. The development respects the character and appearance of the setting without causing harm to highway safety, residential amenity, ecology and wildlife. Notwithstanding local concerns, it is not considered that

demonstrable flood risk would result from the proposal. In these respects the proposal is considered represent sustainable development that accords with the aims and objectives of the NPPF and the relevant policies of the South Somerset Local Plan, including Policies SD1, SS1, SS5, SS6, HG3, TA5, TA6, EQ1, EQ2, EQ3 and EQ4.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

02. Application for approval of the appearance, landscaping, layout and scale of the development, referred to in this permission as the reserved matters, shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

03. All reserved matters referred to in Condition 2 above shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design, layout, plot boundaries, internal ground floor levels, materials, and landscaping.

Reason: To ensure that the development of the site is dealt with in a comprehensive manner to protect the character and appearance of the local setting and to secure a high quality development in accordance with the NPPF and policies SD1, EQ2 and EQ3 of the South Somerset Local Plan, 2006.

04. In respect of the access and site boundary, the development hereby permitted shall be carried out in accordance with the following approved plan: the drawing ref. 3699/PL/001 Rev C.

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

05. In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or remains from the past industrial use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with the NPPF and Policy EQ7 of the South Somerset Local Plan.

06. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation, management and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Internal Drainage Board. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details, and the agreed surface water

drainage scheme shall be permanently managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

07. No works (including creation of any new access) shall commence until a further detailed survey and impact assessment for water voles has been submitted to and approved in writing by the Local Planning Authority. Unless the survey concludes negligible risk of harm to water voles, a Mitigation Plan detailing measures for the avoidance of harm, mitigation and compensation, shall be submitted to and approved in writing by the Local Planning Authority. The approved Mitigation Plan shall be implemented in complete accordance with its contents, unless otherwise agreed in writing by the local planning authority.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with Policy EQ4 of the South Somerset Local Plan and to ensure compliance with the Wildlife and Countryside Act 1981.

08. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey to determine presence/absence of slow worms, plus if present, a mitigation plan or method statement detailing measures to avoid harm to slow worms, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection and conservation of a priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

09. No development shall take place, including any ground works, until a badger survey has been undertaken by a suitably qualified ecological consultant, and if present, mitigation proposals appropriate to the findings of the survey, have been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved mitigation proposals, unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of legally protected species and to ensure compliance with the Wildlife and Countryside Act 1981, and The Protection of Badgers Act 1992.

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

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

11. The development hereby permitted shall not commence until a Construction Traffic 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 Traffic Management Plan.

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

12. The applicant shall ensure that all construction vehicles leaving the site during construction works are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement and thereafter maintained until construction works on the site are complete.

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

13. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before the site first comes into use and thereafter maintained at all times.

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

14. Prior to the commencement of the development, a Travel Plan shall 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. The development hereby permitted shall comprise no more than 12 dwellinghouses.

Reason: To determine the scope of the permission on the basis that the number of dwellings applied for constitutes sustainable development, in accordance with the aims of the NPPF and Policy SD1 of the South Somerset Local Plan.

Informatives:

01. The applicant's attention is drawn to the advice of the Environment Agency set out in their letter of 8 December 2016, which can be viewed on the Council's website, and a copy of which was sent to the applicant's agent.
02. The applicant's attention is drawn to the comments of the Axe Brue and Parrett Internal Drainage Boards' email letter of 21 February 2017, which can be viewed on the Council's website, and which sets out the Boards' requirements in relation to Condition 5, in particular:

An assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
 - ii. provide a management and maintenance plan for the lifetime of the development.
 03. The applicant is advised that any obstruction within 9m of a watercourse and the introduction of additional flow into a watercourse requires Land Drainage Consent from the Axe Brue Drainage Board, a minimum of 2 months prior to the commencement of construction works.
 04. The reserved matters application shall include full details of proposals for the incorporation of features within the design and layout to enable the enhancement of biodiversity on the site in accordance with the aims of the National Planning Policy Framework.
 05. The details submitted with the reserved matters application should include design and siting of all external lighting, including street lighting, to take account of local concerns about light pollution at the same time as the Highways Authority's requirement for street lighting.
-

Agenda Item 18

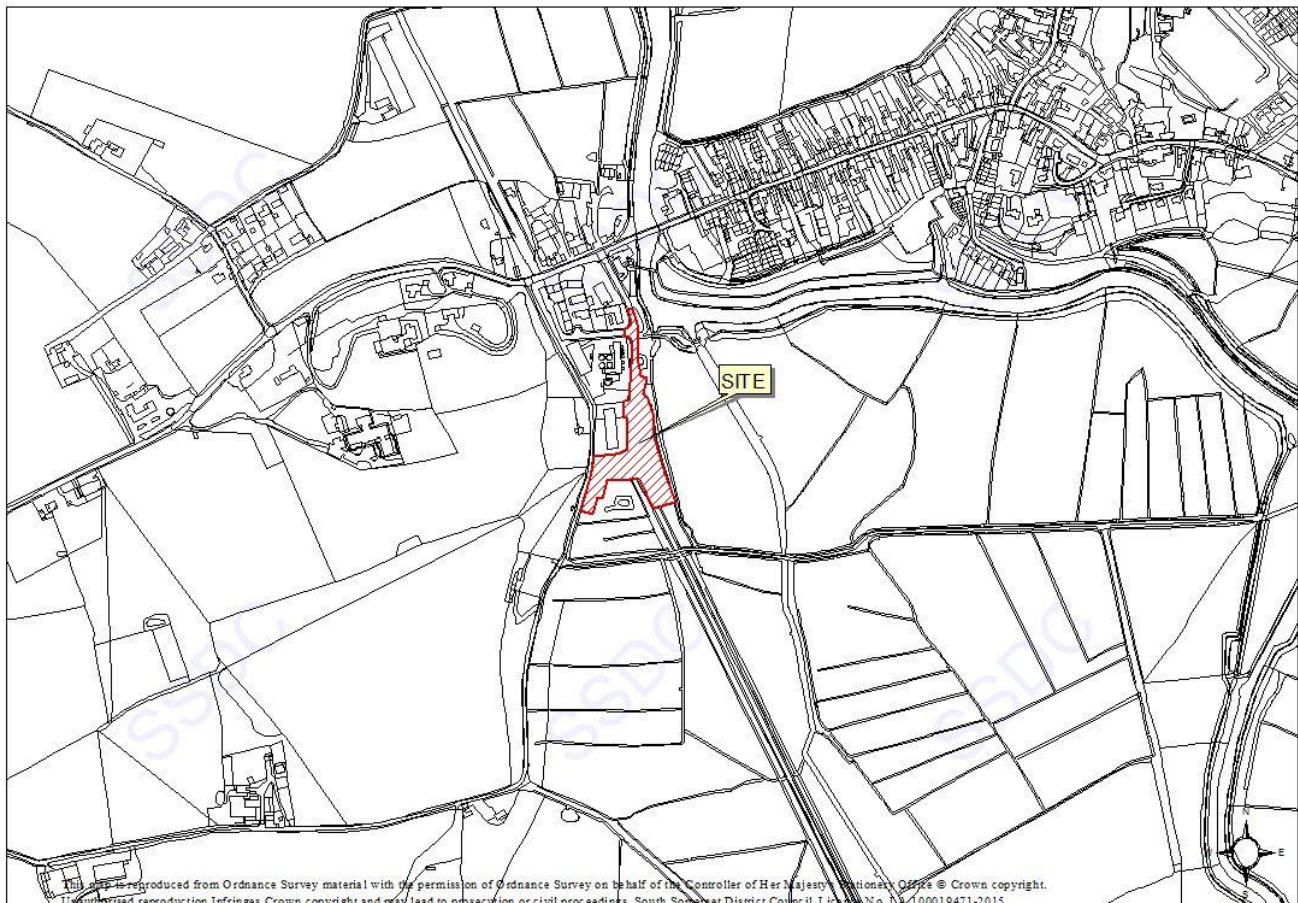
Officer Report On Planning Application: 16/04191/OUT

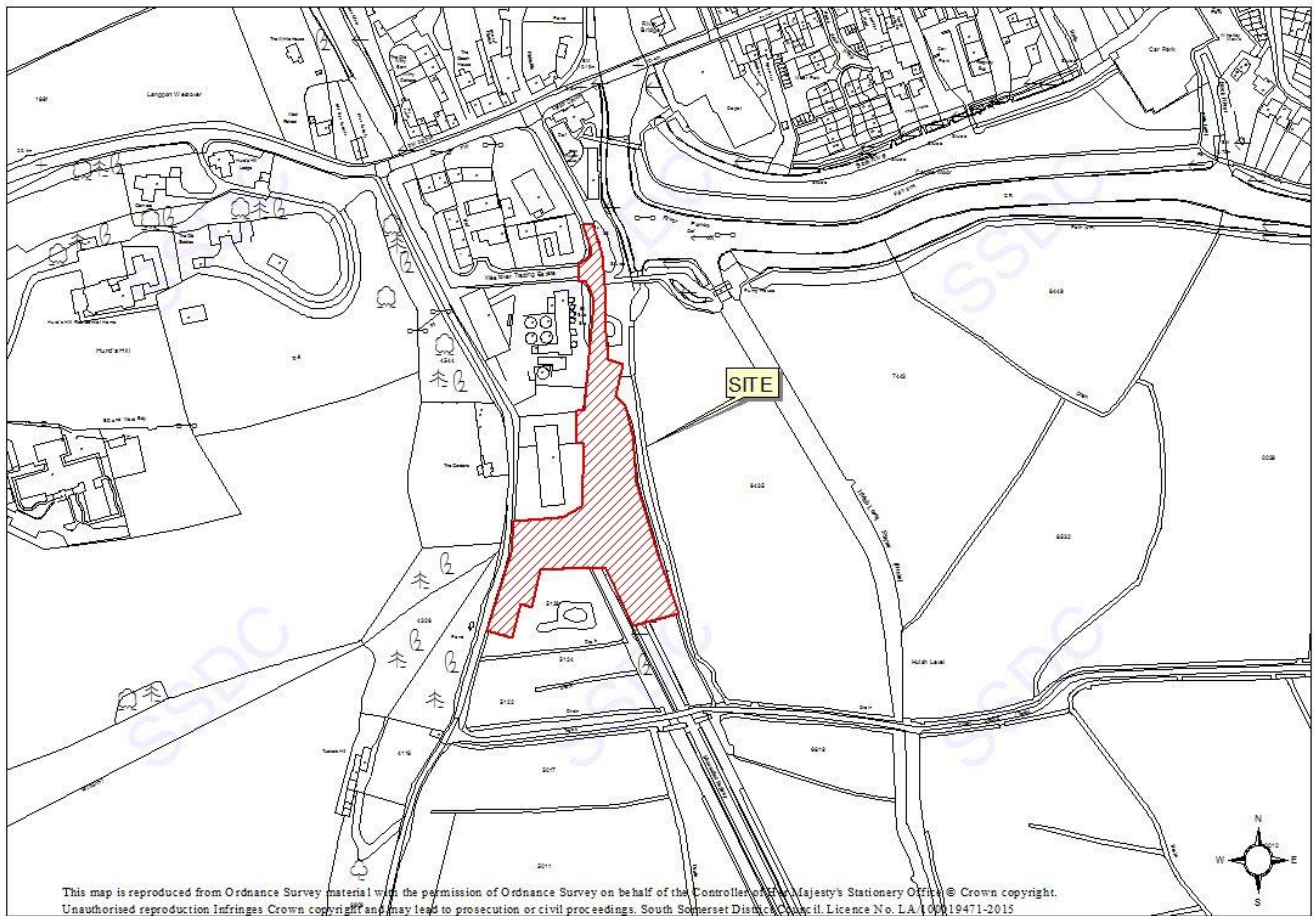
Proposal:	Outline application (only access to be determined) for up to 22 dwellings, employment units up to 790 m sq for B1 use and raising of site levels to form flood defences.
Site Address:	Land At Willows Business Park, Westover Trading Estate, Langport.
Parish:	Huish Episcopi
LANGPORT AND HUISH Ward (SSDC Member)	Cllr C Aparicio Paul
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date:	29th December 2016
Applicant:	Mr Rees
Agent: (no agent if blank)	Mr Robin Upton, Hawkridge House, Chelston Business Park, Wellington TA21 8YA
Application Type:	Major Dwlg 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee at the request of the Ward Member to enable a full discussion of the application in the light of the nature of the site, its location, and the public interest expressed.

SITE DESCRIPTION AND PROPOSAL





The site is located on the southwestern edge of Langport, within the defined development area and adjacent to a County Wildlife Site and RSPB site. It falls within the Westover Trading Estate, which has a dedicated access road linking to Bow Street (A378) at its western end. Immediately north of the site, which is currently undeveloped, are industrial buildings. The land to the south is within the wildlife site.

Permission was granted (12/01724/OUT and 15/02975/REM) for the erection of commercial buildings arranged in three blocks served by an internal access road. The proposal made provision for around 2,945 sq metres of workspace, with the western most proposed building adjacent to Frog Lane being used for B1 use and the two other proposed buildings being used for a mix of B1, B2 and B8. The proposals also incorporated flood protection measures in the form of raised site and access levels, which would protect the proposed development as well as benefitting existing business premises from flooding.

Application has now been made for outline permission to develop the bulk of the site for residential purposes (up to 22 dwellings), with a smaller section to accommodate employment units of up to 790 sq m (B1 use). As previously, the proposal includes a scheme to raise the level of the access area in the interests of flood defence to both this site and nearby business premises.

HISTORY

15/02975/REM - Erection of employment units for B1, B2 and B8 use (Reserved Matters of Outline planning permission 12/01724/OUT) - permitted with conditions

12/01724/OUT - Proposed erection of employment units for B1/B2/B8 use - permitted with conditions

11/05062/OUT - Proposed erection of employment units for B1/B2/B8 use. Application withdrawn on 07/03/2012.

11/05072/EIASS - Proposed employment development. Opinion that EIA not required given on 11/01/2011.

98/02573/FUL - Erection of extension to warehouse, carry out landscaping operations and bunding for flood prevention scheme. Granted conditional approval on 02/09/1999.

98/01642/R3D - Construction of cycle path. Granted conditional approval on 07/08/1998.

942311 - Erection of three industrial buildings (class B1 use) together with car parking facilities and landscaping (outline renewal). Granted conditional approval on 13/11/1996.

892655 - the erection of three ne. industrial buildings (for use within class B1) together with car parking facilities and landscaping (outline). Granted conditional approval on 29/01/1990.

892654 - The use of building as a non-retail warehouse. Granted conditional approval on 24/10/1989.

810250 - Reserved matters: The erection of Phase 2 of factory development. Granted conditional approval on 12/03/1981.

800364 - Outline: The erection of phases 2 and 3 of factory. Granted conditional approval on 27/03/1980.

800365 - The erection of phase 1 of factory. Granted conditional approval on 27/03/1980.

770669 - Extension of existing trading estate road. Granted conditional approval on 18/07/1977.

78842/C - Development of land for industrial sites and tourist caravans. Granted conditional approval on 26/03/1974.

78842/B - Development of land for industrial sites and tourist caravans. Application 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
SS3 Delivering New Employment Land

SS4	District Wide Housing Provision
SS5	Delivering New Housing Growth
SS6	Infrastructure Delivery
SS7	Phasing of Previously Developed Land
LMT2	Langport/Huish Episcopi Direction of Growth
EP3	Safeguarding Employment Land
HG2	the Use of Previously Developed Land (PDL) for New Housing Development
HG3	Provision of Affordable Housing
HG5	Achieving a Mix of Market Housing
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
EQ7	Pollution Control

National Planning Policy Framework (March 2012):

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure
6. Delivering a wide choice of high quality homes
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.

CONSULTATIONS

Huish Episcopi Parish Council: *No objections to the improved access arrangements. The Council is clear that, as this application progresses, Planners must ensure that any planning permission requires the business units to be built in several phases alternately with the residential housing. The Huish Episcopi/Langport area desperately needs increased local employment far more than housing, after the major residential development over the last five years. The Council remains very aware that these safeguards were not in place at the Old Kelways development, eventually ending in the loss of the promised employment units to further domestic housing. Westover is essentially a business, rather than residential, area and the business units must take priority.*

Langport Town Council: Initial comment: *Langport Town Council discussed Planning Application 16/04191/OUT and reviewed the submissions from other consultees. Langport Town Council took the*

unusual step by not agreeing with Huish Episcopi Parish Council's response. This is probably because we considered this application with the full knowledge of County Highways opinion. Langport will be adversely affected by an increase in traffic and Councillors last night agreed with the comments raised by Ben Sunderland of Somerset County Council's Traffic and Transport Development Group (Highways Development Control), but wishes to see a creative solution achieved to allow some form of development on this site to proceed.

The Highways Authority reviewed its position (see below), and on re-consultation, the Town Council commented: no objections/observations.

Highways Authority: An initial objection was raised, which was responded to by the applicant. In their final comment the HA notes: *It would appear that the proposals have helped to overcome the concerns that the Highway Authority raised in our original consultation response....Taking the above into account, the Highway Authority therefore does not wish to raise an objection and formally withdraw their previous objections. Subject to conditions.*

SSDC Highway Consultant: *The existing National Cycle Network (NCN) route that runs along the eastern boundary of the site - formerly route 33 but now route 339 - is a privately owned route licensed to SSDC. This planning application provides an opportunity (potentially, the only opportunity) to upgrade the route to a 3.0m wide facility that could be formally dedicated to the County Council as a public bridleway, so that the route can be safeguarded in perpetuity. The surface could remain as per the existing (a stone to dust construction). Details would need to be submitted to the County Council and the dedication of the route would need to be processed by that same Authority.*

The justification for seeking the upgrade would be to maximise permeability and to improve access to the development site on foot and by bicycle, i.e. to accord with policies TA1 and TA5 of the SS Local Plan. The upgrade could be secured by way of a condition, with details to be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

SSDC Land Officer and Legal Services: The issue of the permissive footpath along the eastern boundary of the site (land belonging to the applicant) is raised : 'The existing National Cycle Network (NCN) route that runs along the eastern boundary of the site - formerly route 33 but now route 339 - is a privately owned route licensed to SSDC. This planning application provides an opportunity (potentially, the only opportunity) to upgrade the route to a 3.0m wide facility that could be formally dedicated to the County Council as a public bridleway, so that the route can be safeguarded in perpetuity.'

SSDC Landscape Officer: *This is finely balanced. There was reluctant support for the industrial units (application 15/02975) on the basis that they would be fulfilling a need, which I assume had been identified in the local plan. Certainly had an application come in initially in this form, there would have been little landscape support. However, with the potential for built development now confirmed across this site by the earlier employment approval, the landscape position is now compromised to a large degree. However, whilst one form of development would be replaced by another of a comparable scale, there are a number of issues that raise concern, being:*

- a) *as viewed across the river from the town, this proposal will project building form further toward the open moorland;*
- b) *this proposal extends the residential footprint of the town further south than is locally characteristic, to impact upon the moorland edge, and;*
- c) *the effect of development will result in a proportion of willow and thorn scrub that currently buffers the site to be removed, and to a greater degree than was required by the employment proposal.*

As previously stated, the landscape position was never particularly supportive, and it is the additional activity and nightlight attendant with residential use; and the increased southward form that give me

some concern. This is countered to a degree by the separation of the residential forms, such that there is less singular mass as that projected by the employment units; and the planted edge treatment suggested by the landscape statement. Consequently, whilst the proposal does not have landscape support, I do not consider the incremental change in the level of impact to be of sufficient scale to generate a landscape objection.

SSDC Ecologist: I note this application covers a very similar footprint to the approved 15/02975/REM, the exception being a slight extension along the eastern boundary that will necessitate removal of trees (mainly willows and hawthorn) and scrub habitat (in addition to small losses of similar habitat along the west boundary). I didn't see any Japanese Knotweed on my site visit today and I therefore presume eradication work has been successful. I have no objection but advise there are several issues, particularly in respect of protected species, requiring mitigation or avoidance measures. Subject to condition.

SSDC Economic Development: From an Economic Development perspective I would like to offer my support to the above application. It promises to bring forward new employment space and create new jobs, which would otherwise be difficult to deliver in this location. As the applicant makes clear, there is extant planning permission for employment use on the site, which has hitherto not garnered interest from developers. There are significant remedial works needed to make the site fit for purpose and without either public intervention or an appropriate level of mixed use development it seems unlikely that development of the site would be otherwise forthcoming.

SSDC Environmental Protection: The noise and odour assessments undertaken has indicated that the proposed development is viable. What is important is that the final layout and internal orientation of habitable rooms and measures proposed to ameliorate noise is adhered to and agreed with this department before development takes place. No objection is raised, subject to conditions.

SSDC Policy Officer: A detailed background assessment of the issues facing the proposal in terms of both local and national policy is offered. In conclusion, the officer notes: *The applicant is looking to develop 22 dwellings and 790 sq m of B1 uses in the Local Market Town of Langport/Huish Episcopi. In accordance with paragraph 14 of the NPPF you will need to consider whether the benefits of delivering housing and employment land in Langport outweigh the lack of compliance with the Development Plan Policy EQ1, the Sequential Test and Policy EP2.* [Note: EP2 (relating to out-of-centre office development) doesn't apply because B1 use is already approved on the site.]

SSDC Sports Arts and Leisure: Contributions will be required in terms of Policy HW1 of the Local Plan, as follows:

Local Facilities: £49,955

Commuted Sums: £19,695

TOTAL: £76,446

Service Fee £764

TOTAL Contributions: £77,210 (£3,510 per dwelling)

County Minerals and Waste: No objection is raised, but the issue of the use of waste material in the creation of the raised access surface is referred to, and advice offered on the appropriate approach to this matter.

SSDC Strategic Housing: 8 dwellings required to meet the 35% affordable housing requirement. A suitable house type mix is provided and other information for the applicant in preparing a final design.

Lead Local Flood Authority (County): *The proposed development indicates an increase in impermeable areas that will generate an increase in surface water runoff. This has the potential to increase flood risk to the adjacent properties or the highway if not adequately controlled. The applicant*

has proposed to raise levels within the site to provide flood defence, they have stated that the Environment Agency (EA) has stated that they would not require any flood plain compensation for this area given that it is located on the periphery of a wide floodplain and that there is significant capacity to the east to a depth of 2m or more. The LLFA would require written confirmation from the EA of this agreement. The applicant has also proposed to utilise SuDS within the site in the form of rainwater harvesting, and permeable surfacing to internal access routes and parking areas, however, they have not provided detailed design calculations for the proposed drainage designs for the capture and removal of surface water from the development, or for the raised areas within the site. Due to the location of the site and the proposed increase in impermeable areas it will be necessary to provide these details.

The LLFA has no objection to the proposed development, as submitted. Subject to condition.

County Archaeologist: *The site lies in the medieval suburb of Langport, a settlement with burgesses called Southwick or Frog Lane. It is very likely that there will be impacts on buried archaeology associated with this proposal, but due to the nature of the foundations required and the need to raise the site, these archaeological issues will be better dealt with by condition rather than requiring pre-determination evaluation. For this reason I recommend that the developer be required to archaeologically investigate the heritage asset and provide a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of model condition 55 attached to any permission granted.*

County Education Officer: No contributions will be required towards provision of educational facilities.

Environment Agency: *Providing that the Local Planning Authority (LPA) are satisfied that the requirements of the Sequential Test under the National Planning Policy Framework (NPPF) are met, we have no objection to the proposed development. Subject to conditions and informatives being included in any permission.*

Natural England: No objection.

Police Liaison Officer: Raised detailed concerns about the submitted layout.

Internal Drainage Board: No objection, subject to condition and informative notes.

Somerset Waste Partnership: General advice.

Wessex Water: General advice, no objection is raised.

REPRESENTATIONS

Seven letters of representation have been received. The following main objections have been raised:

- the proposal represents over-development
- there is insufficient parking space, which will exacerbate the existing situation in the industrial estate;
- the site is in the flood plain, where dwellings should not be built, and where the development would displace flood waters to elsewhere;
- there would be traffic conflict with existing vehicles accessing industrial premises; particularly, it is noted that domestic traffic would be mixed with 44 tonne LGV vehicles;
- traffic congestion in the estate would be exacerbated;

- there are issues with the indicated width of roadway in the layout;
- the development would exacerbate the dangerous access of Frog Lane onto the A378;
- the proposal does not contribute to alleviating flooding on Frog lane;
- the proposal could have a serious harmful impact on a long established local business in the trading estate, and the applicant has not adequately consulted with the owner of this business;

The following points have been raised in support of the application:

- the scheme is well designed and of high quality, positively representing modern architecture;
- the development would stimulate business in the town;
- the proposal would provide affordable housing.

A letter was received from the Somerset Wildlife Trust, supporting the submitted Outline Mitigation and Compensation Strategy.

CONSIDERATIONS

Principle of Development

The site is within the defined development area, where the principle of development is accepted. However, the site is subject to numerous constraints including location within the functional floodplain of the River Parrett. To be acceptable, therefore, development would have to comply with a range of other policies and regulations.

Applicant's Case: Justification for Development in Functional Floodplain

The applicant has made a detailed case for some sort of 'enabling' development, and suggests that this justifies the approach to the application, whereby the Sequential Test should be considered in a modified form, taking into account the inherent benefits of the proposal, which include:

- bringing forward some employment land, where the existing permitted development has not been able to be developed because of the costs involved in the flood mitigation measures;
- provision of new housing;
- creation of mitigation measures that would release this land and safeguard existing development in the industrial estate;
- in discussion during the course of the application, provision of the land for the permanent creation of a footpath (currently a permissive footpath leased to SSDC) along the eastern boundary

The Sequential Test is considered to be met on the basis of a reduced search area, on the basis that the 'sustainable social and economic benefits provided by the development cannot be met by a development elsewhere in Langport or the District'.

Visual and Landscape Impact

The visual impact has been succinctly addressed by the Landscape Officer (above). Although finely balanced, considering the approved scheme of development for the site, and the potential to create a development sympathetic to the built form (as shown in the submitted indicative layout) it is considered that a scheme of development could be accommodated on the site without raising undue concern about the impact on the setting, landscape and local character.

Impact on Residential Amenity

The location of the site, immediately adjacent to and accessed through an industrial area, raises a concern about the likely standard of amenity to be enjoyed by future occupants of the dwellings. The NPPF articulates, among its 12 Core Planning Principles a concern for residential amenity:

Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

The applicant has demonstrated, by means of an acoustic study, that a residential scheme along the line proposed could be developed on the site without adjacent industrial premises causing a noise disturbance that would warrant a refusal. However, this assessment is based on whether a statutory noise nuisance would occur. The core principle of planning set out above is considered to set a higher standard than this.

The Westover industrial estate includes a variety of activities. Immediately north of the site, within 25m of the dwellings proposed in the layout, is a large building occupied by a mix of uses, including a motor vehicle repair garage. Further north, and taking its access off the same through-road that would be used by future occupants, is a major regional depot and processing plant of an animal feeds supplier. As noted by the owner of the business, approx 100 44-ton articulated lorries use this road weekly. The general presence of this business, whilst it might not create a statutory noise nuisance, would contribute towards general noise levels, and create an ambience which is not considered conducive to a 'good standard of amenity' for future occupants of the proposal.

The Noise & Odour Assessment presented by the applicants is based on noise surveys carried out in January 2016. In June 2016, permission was granted for an extension to the building closest to the site (permission 16/01868/FUL) allowing an additional floor area of 102 sq m, to be used by any of the B1, B2 or B8 use classes. This floor space would be within 20m of the proposed dwellinghouses. The additional impact of this floorspace was not considered in the noise assessment submitted with the current application.

It is a well-established principle of urban design and planning that extreme care should to be taken in the juxtaposition of land uses in the design of places, taking into account their compatibility. It is not considered that the proposal to place 22 dwellinghouses immediately adjacent to, and accessed through, a general industrial estate represents 'high quality design' that would result in a good standard of amenity for future occupants.

Highway Safety

The Highway Authority is satisfied that a scheme can be developed that would not be harmful to highway safety. Whilst the Local Authority is concerned at the mixing of residential traffic (including pedestrian and cycle traffic) with that generated by the industrial estate, in the absence of an objection from the Highway Authority, it is not considered that the proposal could be refused on this basis.

Flood Risk

The site falls within Flood Zone 3b (the functional floodplain).

Government advice on building in areas at risk of flooding is comprehensive. The NPPF (Paragraph 100) sets out the aim:

Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

The 'appropriateness' of development within various flood zones is set out in Table 3 of the online Planning Practice Guidance (PPG). Within flood zone 3b, dwellinghouses, which are defined elsewhere in the PPG as 'more vulnerable' development, 'should not be permitted' (i.e. would be inappropriate).

The requirement of a Sequential Test is also spelled out, the aim of which is to consider such inappropriate development and determine whether there are other sites that could accommodate such development.

Paragraph 101 of the NPPF sets this out clearly:

The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding

Although the Environment Agency in its consultation response indicates that it has been happy to consider mitigation measures for this site, such measures 'jump the gun', and have been considered out of the clear sequence of assessment set out in the NPPF. The clear intention of the policy is that, should the sequential test fail, then development should not be permitted.

Paragraph 103 emphasises the sequence within which proposals should be considered:

*When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment **following the Sequential Test**, and if required the Exception Test, it can be demonstrated that:*

- *within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and*
- *development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems*

The EA has not followed this sequence. However, it does make clear, rightly, that ensuring the Sequential Test has been met is the responsibility of the Local Authority. The EA's support for the scheme is conditional on that test being met.

There is a 'direction of growth' set out in the Local Plan for Langport/Huish Episcopi which is not within in the functional floodplain. There is a significant amount of other land within the local market town available for residential development, and more in the District as a whole. Policy EQ1 of the Local Plan defines the area of search more broadly:

The area of search to which the Sequential Test will apply will be South Somerset wide, unless adequately justified otherwise in relation to the circumstances of the proposal

It is therefore considered that the Sequential Test cannot be passed, and that residential development should not be permitted on this land. The approach is clearly summed up and endorsed by an appeal inspector (appeal ref. 2210915 in Whittlesey, Cambridgeshire, 2014):

The sequential approach in national and local planning policy seems to me to be based on the underlying principle of sustainability. This is that development should be directed to areas with the lowest probability of flooding and that reliance should not be placed in the first instance on flood defence and flood mitigation. The Framework makes it quite clear that it is only if there are no sites with a lower flood risk that consideration should be given to whether the development could be made

safe and not increase the risk of flooding elsewhere through a Flood Risk Assessment and the application of the exception test. The Appellant has jumped straight to the latter part of the process, without considering whether there is better located land to accommodate the development in question.

It is noted that the applicant is of the view that, given the inclusion of some non-residential development, and the enhancement of flood protection that will result, there is justification for taking a different view of the requirements of the Sequential Test, and the relevant search area to be used in the Sequential Test. However, the guidance does not state that a 'mixed use' or 'development with combined benefits' is to be regarded as a type of development for purposes of the Sequential Test. In fact, this is not a 'mixed use' development in the sense that the various use classes are integrated - the applicant's intention is clearly to create two separate parcels of development, including a coherent housing development of 22 dwellings. The overall aim of the test is to steer specific forms of development to areas at the lowest possible probability of flooding. Table 2 of the PPG guidance states that **buildings** used for dwellinghouses should be classified as 'more vulnerable'. It is not considered that there is any reason why this development for 22 dwellinghouses should be exempt from the Sequential Test as set out in the guidance.

Given the clear dangers and recent consequences of flood risk in this part of the District (bearing in mind the issues raised by the serious flooding of 2013/14), it is not considered appropriate for the Council to ignore the Government guidance in this respect.

In summary; the proposal does not comply with the guidance, in that:

- it proposes the development of 22 houses in the functional floodplain, contrary to the advice in Table 3 of the online guidance for 'more vulnerable' development;
- the site does not pass the Sequential Test as set out in the NPPF and online guidance;
- under these circumstances, an assessment of mitigation measures should not have been considered, and these mitigation measures are not considered to represent an adequate justification for housing development within the functional floodplain.

Provision of Employment Development

It is noted that the proposal would see a measure of non-residential/employment land coming forward, in support of the aims of the Local Plan. However, this is not considered to outweigh the harm resulting from non-compliance with the guidance and policies on flood risk, and the concerns about general residential amenity raised above.

County Minerals and Waste Concerns

It is proposed to include an informative note with any permission advising the applicant to be aware of the concerns of the County in relation to the use of waste materials in changing the levels on the site.

Police Liaison Officer Concerns

As this is an outline application, the layout is for indicative purposes only. It is proposed that any approval should draw these concerns to the attention of the applicant for resolution prior to the submission of reserved matters for approval.

EIA Regulations

Not relevant.

Conclusion

The proposal seeks to create a largely residential development adjacent to an industrial estate, within the functional floodplain (Flood Zone 3b). It would include a measure of employment land, and the development would create flood defences to protect not only the site but enhance flood resilience of neighbouring development. The proposal is considered contrary to the stated aims of national guidance and local policy which seeks to direct new housing development away from areas of high flood risk. Regardless of the likelihood of a scheme of flood mitigation being implemented, the development does not pass the Sequential Test set out in the NPPF and the Local Plan. Proximity to industrial development, including the need for all future occupants to access the site through an industrial estate, is not considered to represent high quality design that would result in a good standard of amenity. Notwithstanding the benefit of housing and of a small amount of employment land coming forward, it is not considered that the harm identified would be outweighed. For these reasons, the proposal is recommended for refusal.

S.106 AGREEMENT

Should the application be approved, A S106 Agreement will be required to secure the Sports Arts and Leisure contributions, as set out above, as well as a 35% (eight dwellings) contribution towards affordable housing, although this would fall way in favour of CIL contributions should such approval be given after 3 April 2016.

It is also noted that the applicant is willing to dedicate permanently the existing permissive path adjacent (leased currently to SSDC) to the site as a public bridleway (or any other terminology) in perpetuity and would transfer sufficient rights to enable the County Council (or any other public body) to widen the path to 3 metres. The precise details of this arrangement would be agreed with SSDC and provided in a Section 106 Agreement.

RECOMMENDATION

Refuse.

01. The proposal comprises housing development that is incompatible with its setting within the functional floodplain (Flood Zone 3b) and which fails the Sequential Test required for consideration of development within such a setting. It therefore fails to meet an important objective of national policy which seeks to steer new development to areas with the lowest probability of flooding. In these respects, the proposal represents unsustainable development, contrary to aims of the NPPF, Government Online Planning Practice Guidance and Policies SD1 and EQ1 of the South Somerset Local Plan.
02. The proposal, by reason of its siting in close proximity to, and accessed through an industrial estate accommodating all forms of industry including those within the B2 Use Class, fails to secure a high standard of design that would ensure a good standard of amenity for future occupants of the development, contrary to the stated aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

Agenda Item 19

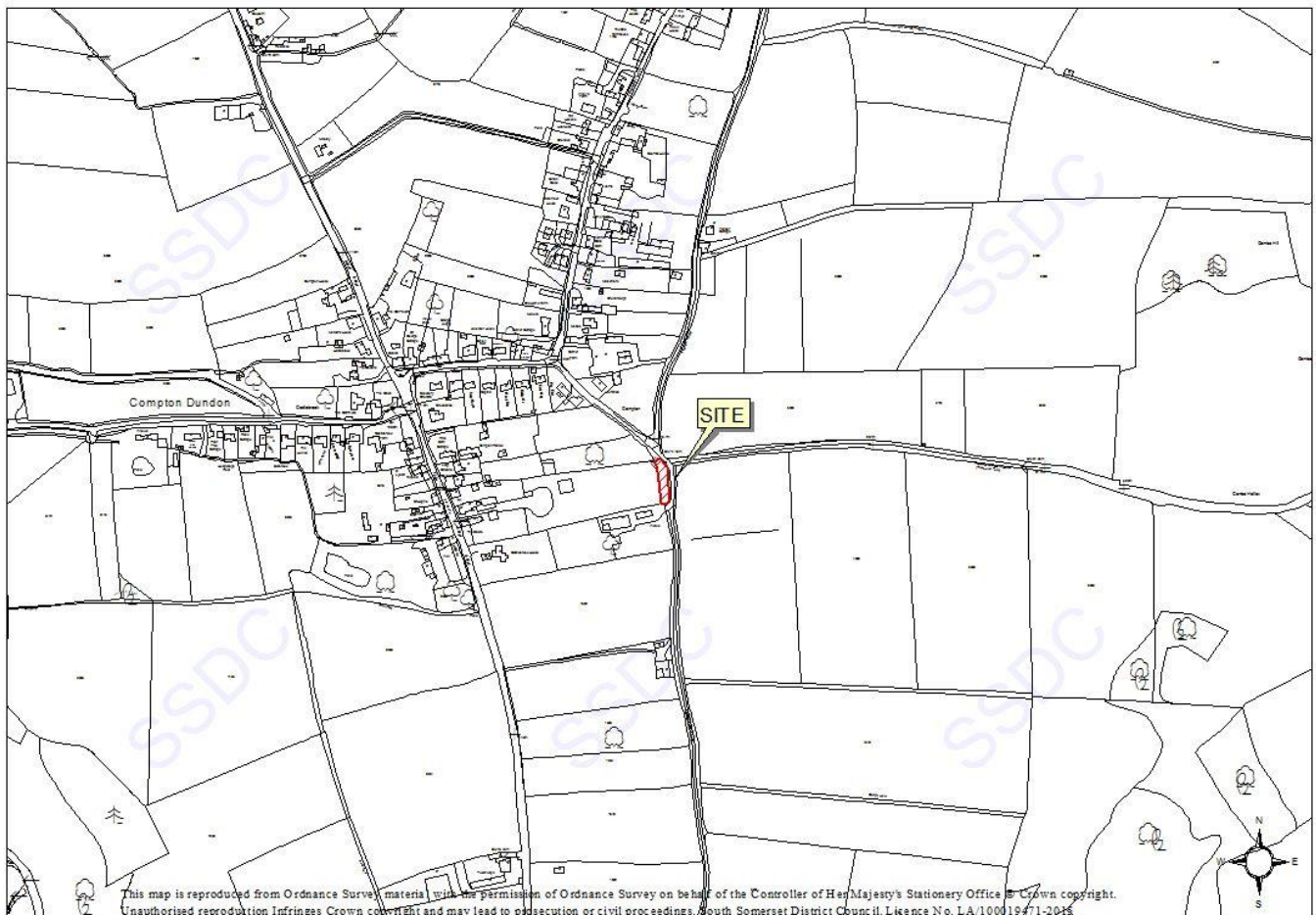
Officer Report On Planning Application: 16/04723/FUL

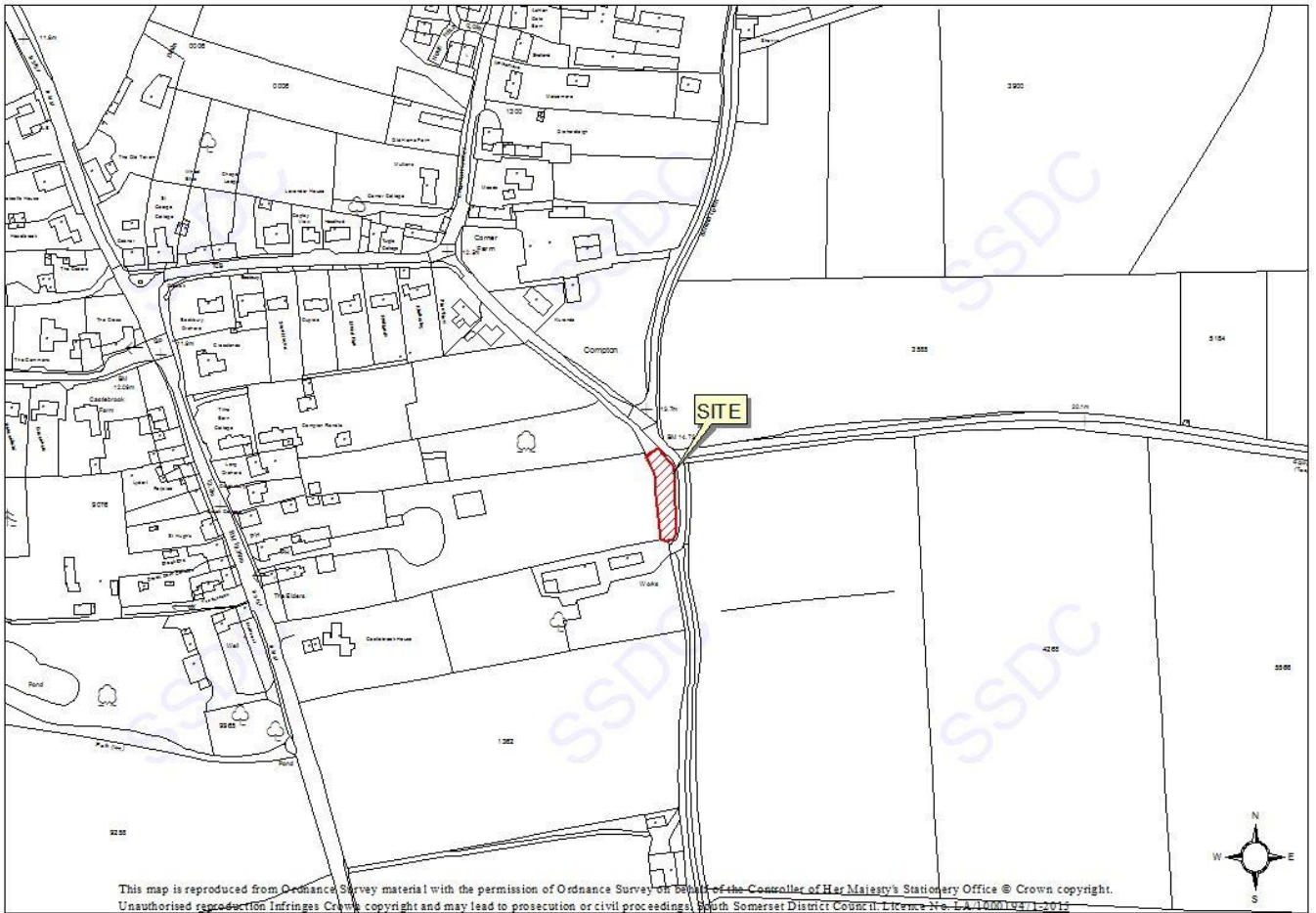
Proposal:	Erection of a single residential dwelling with onsite parking & turning.
Site Address:	Land At Junction Of Behind Town, Touch Lane, Compton Dundon.
Parish:	Compton Dundon
WESSEX Ward (SSDC Members)	Cllr S Page Cllr D Ruddle
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date:	29th December 2016
Applicant:	Mr C Swain & S Morris
Agent: (no agent if blank)	Amanda Hiley, Peter Golden Designs LLP, 62 Vestry Road, Street BA16 0HX
Application Type:	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to Area North Committee at the request of the Ward Members and with the agreement of the Area Chair to enable the local views to be considered further as part of a full debate.

SITE DESCRIPTION AND PROPOSAL





This application is seeking full planning permission for the erection of a single dwelling house and associated parking and turning.

The application site comprises a thin sliver of agricultural land that is enclosed by post and rail fencing and hedging and includes a number of mature trees growing around the periphery, three of which are now protected by a provisional Tree Preservation Order. At the time of visiting the site the grass had been mowed and there was evidence of works carried out to the vegetation that gave the site a slightly manicured appearance. The site is accessed off a public right of way (Restricted Byway L 7/12), which is a roughly made up track that also provides access to two neighbouring properties to the south, and which in turn is accessed via Compton Street, a narrow, single track lane.

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 - Rural Settlement

HG4 - Provision of Affordable Housing - Sites of 1-5 dwellings

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

EQ4 - Biodiversity

EQ5 - Green Infrastructure

National Planning Policy Framework:

Part 4 - Promoting sustainable transport

Part 7 - Requiring good design

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

Part 11 - Conserving and enhancing the natural environment

CONSULTATIONS

Compton Dundon Parish Council: Recommend approval.

In relation to the imposition of the provisional Tree Preservation Order, we do not consider the trees in question to be significant and Councillors are happy with the remedial action proposed by the applicants. We also have concern regarding danger to the public and neighbouring property from the diseased tree.

County Highways: Referred to their standing advice

SSDC Highway Consultant: Consider sustainability (transport issues - accessibility and connectivity). The traffic impact of the development on the local highway network is unlikely to be severe. The means of access appears to derive from a private track. Ensure sufficient on-site car parking is provided in-line with the Somerset Parking Strategy standards.

County Rights of Way: Raised no objection but made the following observations.

There is a public right of way (PROW) that runs along the access to the site (restricted byway L 7/12). The health and safety of walkers and horse / horse riders must be taken into consideration during works to carry out the proposed development. SCC has maintenance responsibilities for the surface of the restricted byway only to a standard suitable for pedestrians and horse riders and will not be responsible for putting right any damage to the surface of the PROW as a result of the development. It is an offence to drive a vehicle along a restricted byway unless the driver has lawful authority (private rights) to do so.

SSDC Rights of Way: (Verbal comments) The public right of way that the site gains access via is a Restricted Byway, unaware of any legal restrictions with regard to the proposed access.

County Archaeology: No objections.

SSDC Arborist: Objects. It appears that there has already been some tree felling on-site. Further loss of trees on this site is not acceptable and it has been considered necessary to serve a Tree Preservation Order. The proposal appears to lack appropriate arboricultural input, the parking spaces and dwelling shown in close proximity to the trees to be retained seem likely to cause significant damage to the tree root systems. As the proposal currently stands I am obliged to object on the basis the proposal is contrary to the Council's aims to preserve existing landscape features, in accordance

with policies EQ2, EQ4 and EQ5.

SSDC Ecology: No comments received

SSDC Landscape Officer: Objects.

The plot lays at the immediate edge of a local lane and is a minor part of the small field network at the margins of the village, which both buffers the village from the wider agricultural field pattern and characterises the village edge. Whilst there is a singular residence to the south, that does not create a residential context on which to base further development, and the position of the house forming an immediate frontage on to the lane is very urban in appearance and intrusive at the highway's edge, contrary to the enclosed character of the bounding hedgerows. I therefore view this proposal as being at variance with local character and contrary to LP policy EQ2.

REPRESENTATIONS

Written representations have been received from 7 separate households raising the following objections:

- Over-development of this part of the village.
- Concerned this could lead to further similar applications being made.
- Not needed, there are already sufficient new builds being constructed or planned in the village to make this application irrelevant on the grounds of need.
- Will set a dangerous precedent with significant implications for the rest of the village.
- Outside the development area for the village.
- This is in the open countryside.
- The supporting letters mention the personal circumstances of the applicants however it is understood that personal circumstances cannot be considered.
- There have been several similar applications that have been refused recently.
- Was in agricultural use until 3 years ago when the site was cleared prior to making this application.
- There will be no benefit to economic activity, it will foster the growth in the need to travel, not maintain or enhance the environment, not protect the countryside. It is remote from adequate services.
- Contrary to the rural character of this locality.
- Will spoil this beautiful edge of village location.
- Poorly related to the village, will obtrude into the countryside and be at variance with the established local pattern of development.
- Over-development of the site. The proposed development is out of proportion to the size of the plot and out of keeping with the rest of the village.
- There is very little garden to the front or rear of the proposed house. The visual effect of the property will be very overbearing and have an unacceptably high impact on the open aspect of this edge of the village. The adjacent property (Coombe Springs) is set well back from the restricted byway.
- The four large trees that surround the land make a huge significant difference to the landscape, contrary to the Parish Council's views.
- The view from Coombe Springs will be dominated by the new building.
- The site has only ever been used to keep pigs.
- The number of recent developments permitted that rely on this small lane has reached its limit.
- Increased traffic along this single track lane. There is limited visibility along these lanes from existing properties towards the proposed dwelling and the potential increase in traffic may pose a safety issue.

- This is a beautiful part of the village enjoyed by walkers, horse riders and campers from the pub.
- Flooding has got worse over the years on this lane and the worst place is where the applicants want to build. A number of ditches converge at this point and feed into a stone culvert 10 feet from their front gate and simply cannot take the growing amount of water and regularly overflows. The surrounding properties are all elevated compared to this land. The lane can sometimes be like a river.
- The application states it is not within 20m of a watercourse, which it clearly is. The applicants have said they intend to dispose of surface water runoff into existing watercourses which is a contradiction. Following heavy rain this area floods severely to the extent that the road becomes impassable.
- The applicants say that they have been using this plot as an amenity garden, I do not recollect a change of use being applied for.
- We pass the land every day to get to our own property and dispute the applicant's assertion that they visit the site every day.
- Concerned that the byway could be blocked by delivery vehicles and construction vehicles which will be unacceptable.
- There is insufficient room for vehicles to turn and park which could lead to the displacement of parked vehicles on to the restricted byway or vehicles reversing out contrary to highway safety
- There are large trees that surround the proposed dwelling and which will apprehension and excessive shading, it is likely that future residents will resent these trees leading to demands for severe pruning or felling
- Increased light pollution
- Harm to the tranquillity and character of the area.
- Due to the position of the proposed house it will take away the glorious view of Coombe Hill Wood from the garden of the Castlebrook Inn.

Written representations have been received from 14 separate households expressing support for the proposal:

- Support this family home.
- Location is ideal. This is a vacant piece of land that otherwise would go to waste. The applicants have worked very hard to keep the plot tidy and well managed compared to how it used to look.
- The site is not separated from the village and is adjacent to other properties.
- The village need younger couples like this to keep it thriving and sustainable.
- We are encouraged to self-build by the government.
- There have been a number of applications granted recently that are within close proximity to the site.
- The applicants are of excellent character and would be a real asset to the local community. They will be good neighbours and keep their property in tiptop condition.
- The applicants have strong ties to the village, living here meets their requirements.
- The application is not for personal gain but for a functional family home that will be close to work and family who have lived here for many years.
- The proposal carefully considers its environment and neighbours.
- The new dwelling sits well with the neighbouring property and looks uniformed and in keeping with the surrounding residential properties.
- I understand that other such permissions have recently been granted within the vicinity.
- Living in the village we appreciate the need for more houses here, especially affordable smaller properties. There is a severe shortage of houses in the village to meet current needs.

CONSIDERATIONS

This application is seeking planning permission to erect a detached dwelling.

Principle:

Compton Dundon is a small rural village which benefits from a number of local facilities including a public house, church, village hall and recreation ground and on this basis is accepted as a Rural Settlement / Policy SS2 settlement.

At present SSDC is unable to demonstrate a five-year housing land supply, in such circumstances paragraph 49 of the NPPF states that relevant development plan policies for the supply of housing, such as policy SS2, should not be considered up-to-date. Subsequent case law, High Court decision (Woodcock Holdings Ltd), concludes that appropriate weight can be attached to 'out-of-date' housing supply policies when considered in the 'planning balance' of whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

In this instance Compton Dundon is considered to be an acceptable location for a modest level of growth provided that the scale and nature of the development accords with the character of the settlement and its context. Whilst the proposal is modest in scale, due to its position and constrained nature the residential development of this site is considered to be contrary to the existing pattern of development of the area and to be intrusive and out of keeping with the rural character of the locality and local landscape. This is further exacerbated by the likely harm that would arise from the development to a number of protected trees that are within the site.

The applicant has stated that the proposed dwelling is sought for their own family home, that Mr Swain has been renting a house in the village for a number of years and that they have been looking for a suitable home in the village that would meet the applicants' combined family needs and which they can afford. They have noted that this is a good location for Mr Swain in regards to his work and that Ms Morris has a strong local connection with family living locally and that she helps on the family farm in Littleton and also works locally in Somerton.

Whilst the applicants' personal desire to live in the village, based on these personal circumstances, is understandable it is not considered to amount to a demonstrable special need for a dwelling in this location that might then outweigh other material considerations. It is recognised that the applicant has stated that they do not intend to sell the property on, however, as an open market property there would be nothing to prevent this from happening in the future and so the development must be treated the same as any other open market residential development scheme.

There has been considerable public interest in this application and it is noted that a number of members of public have remarked that the government have expressed support for promoting more self-builds. Whilst this may be the case, at present there are no specific planning policies that make any special concessions for self-builds and as such the usual planning policy considerations should be applied.

Due to the modest scale of this proposal the contribution it will make towards the district's housing supply is limited, equally only very limited weight can be afforded to the applicants' personal desire to live in this location. It is further acknowledged that there will be some economic benefit arising from employment during the construction phase of the development, however, as this will only last for a short period of time, only limited weight should be attributed to this benefit. Conversely, the resulting harm to visual amenity and local character will be substantial and permanent, and is contrary to LP policies SS2 and EQ2, and therefore attracts great weight and is considered to outweigh the limited benefits that the development offers. As such the principle of the development is considered to be unacceptable.

Visual amenity / Landscape character

The location of the site is divorced from the built core of the village and in a village margin position where the settlement edge peters out in to the countryside and acts as a soft buffer between the village and the countryside beyond. The delineation between the village and the countryside can also be interpreted as being marked by the change from adopted highway to green drove, i.e. at the northern end of the site. Whilst it is acknowledged that there is residential form to the south, it is not considered that this creates a residential context on which to consolidate further development. It is further noted that two new build developments have been permitted recently a short distance to the north, however, these immediately adjoin the built core of the village and address the public highway and so are also not considered to set any form of precedent for the current site.

The long thin shape of the plot makes for a constrained site that does not naturally lend itself to the accommodation of a dwelling. This shape means the house has to be positioned close to the frontage and alongside the drove, adding to the urban appearance of the development and leading to an intrusive presence at the edge of the drove. Such an arrangement will be contrary to the prevailing character of Compton Street and adjoining drove which is one of enclosure by the bounding hedgerows.

There is evidence that a certain amount of site clearance and tidying has taken place on site recently. The Council's Tree Officer has raised an objection to the loss of any further trees on the site and has served a Tree Preservation Order on the three remaining mature trees, one at the northern end of the site by the proposed parking area and two towards the southern end of the site (one of these trees is identified for removal on the plans and the other to be cut back). No arboricultural assessment has been provided with the application and the Tree Officer is of the view that due to the proximity of the parking spaces and dwelling to the protected trees that the proposal is likely to cause significant damage to the trees' root systems. The loss of trees on this prominent site where it is open to public view from the adjacent lane and drove is considered to be unacceptable and to further exacerbate the over-development, urbanisation and character concerns raised above.

In terms of design, the dwelling is fairly underwhelming and has the appearance of a bulky bungalow. The use of velux cabrio balcony in the front roof slope however is considered to be an alien feature that is at odds with the more traditional character of development in Compton Dundon and therefore unacceptable. If it was not for the proposed balcony velux however it would be difficult to object on the grounds of general design of the dwelling.

For these reasons the proposed development is considered to be contrary to the requirements of LP policy EQ2 and to be unacceptable from a landscape and visual point of view.

Residential amenity

The position of the dwelling, its one and a half storey height, lack of any first floor openings in the southern elevation and distance of the dwelling from the boundary with the nearest neighbour to the south is such that the proposal is not considered to give rise to any significant residential amenity concerns.

Highway safety

The highway authority has referred to their standing advice which sets out a minimum on-site parking requirement of 2.5 parking spaces plus additional space for on-site. The applicants have indicated that 3 parking spaces would be provided with some space for turning, albeit turning would be awkward and require more than one turning manoeuvre. On the submitted block plan it has been stated that there would be visibility splays of 43m in either direction however it has not been shown how this would be achieved without resulting in the newly planted front hedge and existing fencing being significantly disrupted.

Given that the access gives on to the drove, which is only very lightly trafficked, the awkward turning

arrangements and potentially restricted visibility in a southerly direction are not considered to represent a significant highway safety issue. There is a public right of way that also passes along the drove and so it is likely to be used frequently by walkers, cyclists and horse riders. The nature and condition of the drove and the proposed access are such that drivers accessing and egressing the site would realistically be travelling very slowly and exerting a suitable level of caution, especially as future occupiers will be aware of the possibility of the different types of users passing by their access. For these reasons the proposal is not considered to give rise to any substantive highway safety concerns.

Drainage / flooding

It has been noted by a number of local residents that surface water runoff often collects to the front of the site at times of heavy rainfall with the adjacent culvert often overflowing into the drove and lane. Whilst this may be the case the site is raised up slightly above the level of the drove and lane and there has been no suggestion or any evidence provided to indicate that the site itself is affected by flooding. The site is not located within a defined flood risk area and as such there is nothing to substantiate that this development would be at risk of flooding or put other properties at increased risk of flooding.

Ecology

There are no identified ecological concerns in relation to this proposal.

Summary

Due to the modest scale of this proposal the contribution it will make towards the district's housing supply is limited, equally only very limited weight can be afforded to the applicants' personal desire to live in this location and any economic benefits arising from employment during construction. The resulting harm however to visual amenity and local character, as set out above, will be substantial and permanent and is contrary to LP policies SS2 and EQ2 and are considered to attract great weight and to outweigh the limited identified benefits. The development is not therefore considered to accord with the principles of sustainable development and is recommended for refusal.

RECOMMENDATION

Refuse consent for the following reason:

The proposed development, by reason of its siting, layout and design, is considered to be an unjustified and inappropriate form of development that is contrary to the existing pattern of development in the area and intrusive and out of keeping with the rural character of the locality and the local landscape. Furthermore, the development is likely to cause significant harm to a number of trees within the site that are considered to make a positive contribution to the amenity of the area and are protected by Tree Preservation Orders. The development is therefore considered to be contrary to the aims and objectives of policies SD1, SS2, EQ2 and EQ5 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

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 there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.

Agenda Item 20

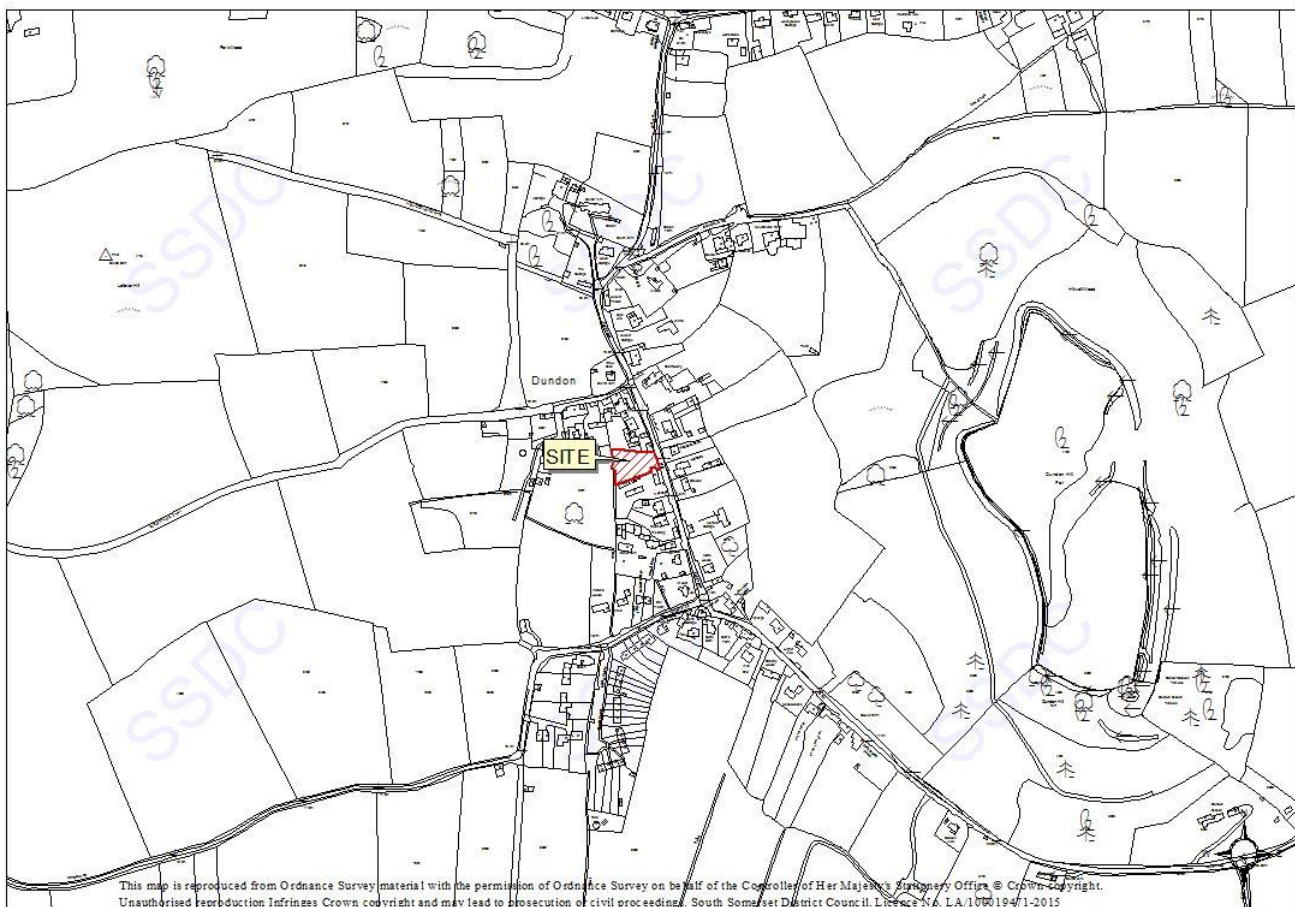
Officer Report On Planning Application: 16/05355/LBC

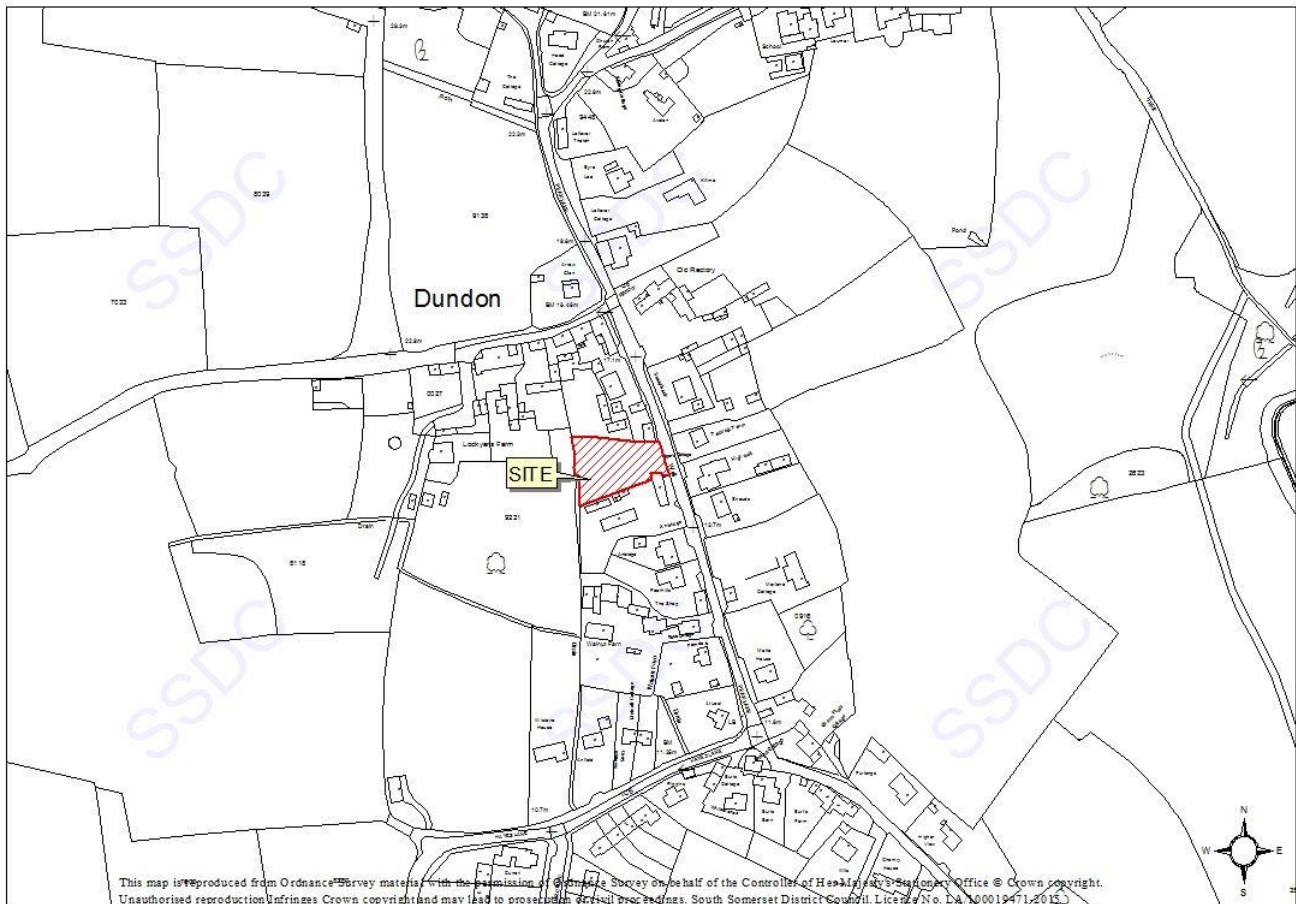
Proposal:	The carrying out of various internal and external alterations to include installation of porch. (Partly implemented)
Site Address:	Badgers Cottage, Peak Lane, Compton Dundon.
Parish:	Compton Dundon
WESSEX Ward (SSDC Member)	Cllr S Page Cllr D Ruddle
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date:	6th February 2017
Applicant:	Mr Dylan Martlew
Agent: (no agent if blank)	
Application Type:	Other LBC Alteration

REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee under the Scheme of Delegation as the applicant is a member of staff.

SITE DESCRIPTION AND PROPOSAL





The site is located on the west side of Peak Lane. The cottage sits centrally within a range of traditional thatched buildings located close to the highway. It is a Grade 2 listed building.

Consent is sought for various works to the building that have taken place and some changes to these works, including:

- a small external structure housing a WC and basin
- an internal staircase, and its means of enclosure
- an internal stud wall - to be removed
- various minor structural reinforcements

HISTORY

14/02102/FUL - Demolition of existing unlisted outbuildings (two workshops, two studios and a car port) and construction of new timber frame garage/workshop and two linked studios/annexe within the curtilage of Badgers Cottage - permitted with conditions

99/013333/LBC: Erection of extension to form porch and shower room - Refused

821814: (LBC) The use of ground floor of Badgers Cottage, peak Lane, Compton Dundon as a restaurant with proprietors accommodation over and the provision of off street parking facilities - Refused.

821712: The use of ground floor of Badgers Cottage, peak Lane, Compton Dundon as a restaurant with

proprietors accommodation over and the provision of off street parking facilities - Refused.

POLICY

Section 16 of the Listed Building and Conservation Areas Act places a 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'.

NPPF: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

Relevant Development Plan Documents:

South Somerset Local Plan (2006 - 2028)
EQ3 - Historic Environment

CONSULTATIONS

SSDC Conservation Officer: No objection, subject to condition.

Parish Council: Recommends approval.

REPRESENTATIONS

None received.

CONSIDERATIONS

Works to listed buildings are required to respect their special architectural and historical character and appearance. The applicant bought this cottage with these various works already having been undertaken, and is now seeking to regularise, and where necessary, to remedy what has been done.

The retention of structural elements (steel braces etc) is considered acceptable, as these are of traditional design and have not resulted in any loss of fabric.

The new staircase, whilst not ideal, has had a minimal impact on the essential character of the building. The proposal to re-work the enclosure of the staircase, referred to in the applicant's statement, is considered acceptable in principle. Details will have to be approved, and condition is proposed to cover this.

Removal of the relatively modern partition on the upper floor would restore the space to its original condition, and is supported.

The small external structure is independent of the main building, and in character with a rural dwelling of this type.

In summary, the works are considered to respect the historical and architectural character of the building, and consent is accordingly recommended for approval.

RECOMMENDATION

Grant consent.

01. The works, by reason of their scale, design and materials, respect the character and appearance of listed building, in accordance with the aims and objectives of The NPPF and Policy EQ3 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

01. The works hereby permitted are reflected in the submitted Design and Access Statement, as amended by details submitted by email on 23 February 2017.

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

02. Within 6 months of the date of this grant of consent, details of the new means of enclosure of the internal staircase shall be submitted for approval to the Local Planning Authority. Once approved, the details shall be fully carried out in accordance with a timetable to be agreed by the Local Planning Authority.

Reason: To safeguard the character and appearance of the listed building in accordance with the aims of the NPPF and Policy EQ3 of the South Somerset Local Plan.