



Area East Committee

Wednesday 9th December 2020

9.00 am

A virtual meeting via Zoom meeting software

The following members are requested to attend this meeting:

Robin Bastable
Hayward Burt
Tony Capozzoli
Nick Colbert
Sarah Dyke

Henry Hobhouse
Charlie Hull
Mike Lewis
Kevin Messenger
Paul Rowsell

Lucy Trimmell
William Wallace
Colin Winder

Planning applications will be considered no earlier than 9:00am.

Any members of the public wishing to address the virtual meeting during either Public Question Time or regarding a Planning Application, need to email democracy@southsomerset.gov.uk by 9.00am on Tuesday 8th December 2020.

This meeting will be viewable online by selecting the committee meeting at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

For further information on the items to be discussed, please contact:
democracy@southsomerset.gov.uk

This Agenda was issued on Tuesday 1st December 2020.

Alex Parmley, *Chief Executive Officer*

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

Information for the Public

In light of the coronavirus pandemic (COVID-19), Area East Committee will meet virtually via video-conferencing to consider and determine reports. For more details on the regulations regarding remote / virtual meetings please refer to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 as part of the Coronavirus Act 2020.

Area East Committee

Meetings of the Area East Committee are usually held monthly, at 9.00am, on the second Wednesday of the month (unless advised otherwise). However during the coronavirus pandemic these meetings will be held remotely via Zoom and the starting time may vary.

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Public participation at meetings (held via Zoom)

Public question time

We recognise that these are challenging times but we still value the public's contribution to our virtual meetings.

If you would like to address the virtual meeting during Public Question Time or regarding a Planning Application, please email democracy@southsomerset.gov.uk by 9.00am on Tuesday 8th December 2020. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

The period allowed for participation in Public Question Time shall not exceed 15 minutes except with the consent of the Chairman and members of the Committee. Each individual speaker shall be restricted to a total of three minutes.

This meeting will be streamed online via YouTube at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Virtual meeting etiquette:

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman or Administrator will un-mute your microphone at the appropriate time. We also respectfully request that you turn off video cameras until asked to speak.
- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

Planning applications

It is important that you register your request to speak at the virtual meeting by emailing democracy@southsomerset.gov.uk by 9.00am Tuesday 8th December. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

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

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

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Area East Committee

Wednesday 9 December 2020

Agenda

Preliminary Items

1. Minutes of Previous Meeting

To approve as a correct record the minutes of the previous meeting held on the 14th October 2020.

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 Henry Hobhouse, Paul Rowsell and William Wallace.

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

Members are asked to note that the next scheduled meeting of the committee will be held virtually using Zoom virtual software on Wednesday 13th January at 9.00 am.

5. Public Question Time

6. Chairman Announcements

7. Reports from Members

Items for Discussion

8. **The Balsam Centre - Allocation of Healthy Living Centre Funding for 2020/21 (Executive Decision)** (Pages 7 - 12)
9. **Community Capital Grant Request (Executive Decision)** (Pages 13 - 17)
10. **Active Travel in Area East - (Executive Decision)** (Pages 18 - 21)
11. **Area East Committee Forward Plan** (Pages 22 - 23)
12. **Planning Appeals** (Pages 24 - 28)
13. **Schedule of Planning Applications to be Determined by Committee** (Pages 29 - 30)
14. **Planning Application 20/01567/HOU - Welham Barn, Welham Farm Lane, Charlton Mackrell** (Pages 31 - 37)
15. **Planning Application 20/02114/S73 - Annexe Higher Farm Barn, Wick Road** (Pages 38 - 46)
16. **Planning Application 20/01996/S73 - Pilgrims Weir lane, Yeovilton, BA22 8EU** (Pages 47 - 51)

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

The Balsam Centre – Allocation of Healthy Living Centre Funding for 2020/21 (Executive Decision)

Director: Martin Woods, Service Delivery
Manager: Tim Cook, Locality Manager
Lead Officer: Terena Isaacs, Locality Officer
Contact Details: Terena.isaacs@southsomerset.gov.uk or 01935 462268

Purpose of the Report

To consider the allocation of funding to the Balsam Centre.

Public Interest

Supporting and helping the Balsam Centre to improve the work of voluntary community organisations in the town and villages across Area East.

Recommendations

It is recommended that members:

- 1) Award £10,000 to the Balsam Centre for the delivery of the Healthy Living Centre work programme from the Area East Discretionary / project budget.

Background

The Balsam Centre was established in 1998, with the purchase of the former memorial hospital in the centre of Wincanton. The project was established to specifically meet the needs of Wincanton and the surrounding area (this includes some 40 settlements with a population of 30,000) due to an identified gap in services in the area, particularly in mental health services. Extensive refurbishment of the building and the setting up of services was enabled through a Lottery grant and support from a range of funders, including SSDC.

The Balsam Centre delivers a range of integrated health and wellbeing projects and initiatives, most of which directly link with physical activity, healthy eating and mental health support alongside participation in community based activities, supported social engagement and learning.

SSDC has supported the Balsam Centre through both core funding and project grants, since it began. In the past, core funding has been allocated through the Healthy Living Pooled Fund; a budget set up jointly by SSDC, NHS Somerset and SCC and reported annually to the South Somerset Health and Wellbeing Partnership (SSH&WP).

Members will recall that this budget was originally established to support Healthy Living Centres across the whole of the District but, as the only eligible organisation is based in Area East, the budget was transferred and subject to local monitoring by AEC.

Appendix 1. Provides information on the Balsam Centre's outcomes for 2020 and details the effect Covid-19 has had on the Centre. Since lockdown, measures have been put in place to continue supporting the community.

Financial Implications

–There is currently £26,500 available from the Area East discretionary/project revenue budget. If members agree the recommendation £16,500 will remain in the revenue budget.

Council Plan Implications

Focus: Healthy, Self-reliant Communities

To enable healthy communities which are cohesive, sustainable and enjoy a high quality of life we will:

- Embed social value* into all processes and activities to ensure we maximise the support we give to our communities
- Work with partners to keep, and help our residents feel safe in their homes and communities
- Work with partners to reduce the impact of social isolation and create a feeling of community
- Work with partners to support people in improving their own physical and mental health and wellbeing
- Enable quality cultural, leisure and sport activities
- Support residents facing hardship
- Help tackle the causes of economic exclusion, poverty and low social mobility
- Support older people to live and age well by increasing independence, reducing loneliness, and improving financial security

*Social value delivers improved economic, social and environmental wellbeing from public sector contracts

Area East Chapter Implications

Focus: Healthy, Self-reliant Communities

- Support a range of improvements to community facilities
- Continue to support the South Somerset community accessible transport scheme
- Tackle social isolation by maintaining the network of volunteer led health walks through promotion, training and support
- Deliver a programme of Play days in towns/villages in Area East.

Carbon Emissions and Climate Change Implications

The Balsam Centre supports and provides various projects, including health walks, wellbeing/community/partnership groups along with volunteering projects, which negates the need for travel.

Equality and Diversity Implications

The loss of services designed to meet the needs of the most disadvantaged in target communities is likely to have a significant effect over time.

Background Papers

N/A

Appendix 1. Balsam Centre Outcomes 2020

Activity	Description		Numbers of users 2020	Outcomes
Health Walks	Inclusive, accessible walks designed to increase fitness, aerobic activity and access to the countryside. Long walk 3-5 miles x 1 weekly Buggy walk at Stourhead x fortnightly for post natal peer support group	Volunteer co-ordinator and 14 trained volunteer walk leaders	20 + people each week prior to Covid. Walks ceased during lock down, but have now resumed with a maximum of 10 people at a time and appropriate safety measures in place.	Improves physical activity and physical health, social networks, peer support
Short Health Walks	Twice weekly walks for people with physical conditions that cause limited mobility; people with learning difficulties or those new to walking for health. One walk leaves from Balsam Centre, one leaves from the Health Centre.	As above.	20 + people each week prior to lockdown. Walks have now resumed with a maximum of 8 people on each walk and safety measures in place.	Promoting physical activity, social benefits, and led by committed volunteers. In combination with other lifestyle changes, some walkers reduce their BMI significantly
Conkers Nursery	Day Care and Early Education for 0-5's providing high quality wraparound, all year round provision with Forest School ethos.	Nursery Manager and two senior staff, administrator and ten Nursery Nurses	64 children registered and attending	Children have best start in life. Working parents have childcare options. Children are ready for and are eager learners at school
Job Club	Support for people experiencing difficulties gaining and maintaining employment.	Trained Volunteers	2 – 5 people supported weekly prior to Covid. Has not re-started since lock down due to vulnerability of volunteers, but discussions are currently taking place with Jo Gale SSDC re supporting people into employment through the wider Balsam project work.	Building personal confidence and skills, volunteering and work experience opportunities & improved employability
Volunteering Project	Recruitment, placement and management of volunteers and provision of a range of volunteering roles/opportunities that support the activities of the Centre and the community.	Volunteer Co-ordinator	138 active volunteers. Volunteer numbers increased during lock down when more vols came forward to support people shielding, vulnerable and isolated in the community. Now most of those volunteers have returned to work.	Volunteers bring and/or gain skills, confidence and experience which can lead to employment. Projects increase capacity and run more effectively with volunteers. Skilled volunteers support individuals and groups through difficult times e.g. Covid.

Family Support, Young Carers, Wincanton for the Future, OPEN Mental Health	New projects just starting in September 20. Generating social and peer support networks, development of life/employment skills and opportunities to improve mental and physical health through local accessible activity and support.	Project staff, Recovery and Wellbeing Workers and skilled/trained volunteers.	These are all new projects. Numbers and capacity will be affected by Covid restrictions and people's ability to engage virtually or in person.	Improved mental and physical health, social opportunities and networks for young people and families struggling to cope socially, emotionally and financially. Improved personal and family resilience, community support and engagement.
Like Minds	Support for people with low to moderate mental health conditions, primarily depression and anxiety, using a range of interventions, including counselling, social, therapeutic and creative group activities. Target groups are young people in difficulties, especially those who are self-harming and people of any age who are isolated or lonely.	Three Wellbeing Workers, two Project Workers	328 people supported in last 12 months. During March to September people of all ages were supported through phone, skype, zoom, email and some face to face where safe to do so. Group activity and social networks have been maintained wherever possible using government guidelines and risk management measures.	People with a range of mental health support needs have improved mental health, reduced dependence on medication/NHS and are better able to cope with life. People have improved diet and physical health, greater confidence, improved personal and family relationships, increased independence and hope for the future.
Maternal Mental Health	Family support, specialist counselling and peer support for parents experiencing peri/post natal difficulties/depression.	Counsellor and Family Support Worker	68 families supported in last year. Support through Covid has been virtual and face to face when guidance has allowed, now in small groups meeting inside and out of doors. A closed social media group has operated 24/7 and new referrals have been taken throughout.	Improved family relationships and family dynamics. Parental understanding of importance of bonding, attachment and baby and child development. Mums form friendships and peer support groups.
Loose Ends Café	Weekly café aimed at older and isolated people. Volunteers of all ages, some with learning difficulties prepare, cook,	Volunteer Co-ordinator and volunteers	Average 22 people attended each week until Centre closed due to Covid. New project	Healthy, affordable lunch for older people. Connection with the 'outside world' during

	serve, wash up and socialise with diners.		starting in October to cook and deliver meals to former café goers and vulnerable/isolated adults.	continuation of Covid restrictions. Volunteering opportunities.
Men's Shed	Creative social project for isolated and older men based on woodworking and activities using natural materials.	Volunteer Co-ordinator	Runs twice weekly with 6 + people per session. Post Covid numbers have of necessity reduced slightly, but a third day of opening is planned to accommodate more men. Current plans are for the third day to be for men living with dementia	Improved mental health and wellbeing of men who are isolated or alone or who have long term limiting or degenerative condition.
Wellbeing groups	Social and therapeutic groups and activities including outreach to villages. Woolcraft, Dementia support, Drop-In groups, Textiles, Older people's peer support etc.	Project worker/Volunteer and/or peer led	100 + people attended groups weekly until March, most have been able to continue virtually through lock down, now all resuming face to face with limited numbers.	Improved socialisation and social networks, increased confidence, skills and resilience
CAB	One day a week	Reception and trained volunteers	161 people September to March 19/20. CAB has been by phone or on line appointment since March and numbers accessing are not currently available to us.	Free advice and support from trained advisors for people needing specialist support and advice
Flexercise	Two groups of chair based exercise, Wincanton and Milborne Port meet each week.	Project worker	20 + people per week, prior to Covid. Most have been able to continue weekly sessions through Zoom through lock down. Now back to face to face sessions with reduced numbers, around 16 weekly.	Increased physical activity, improved mobility, social networks
Community groups	Pilates, Yoga, Tai Chi, Textiles, Painting and Drawing, Breastfeeding support, Balsam Choir, Games Club, talks and events, Life drawing, W.I., Lip reading and Sign Language	Reception, Volunteer Co-ordinator, Volunteers	200 people each week prior to lock down, some groups with older and vulnerable adults have chosen not to return at this time. The situation is fluid,	Physical activity opportunities, creative, learning, cultural, social and community activities.

			but currently (September) around 80 people a week.	
Partners	Growing Space, Health Visitors, CAT Bus, Midwife team, CAB, Social Services, Child Contact Centre	Reception	250 + people each week prior to Covid. Numbers have reduced very significantly as most partner organisations have not yet returned to the Centre (September)	Accessible health and social services.
Young People	Nurture Café, Life Skills and Young People's group – The Hive. Opportunities for young people, especially those who are vulnerable or experiencing difficulties in the home/school to engage in a supportive, creative and nurturing environment.	Project worker, counsellor and trained volunteers	50 + young people each week prior to Covid. Contact has been maintained with all young people during lock down, with virtual youth club sessions, a Pen Pal project with older, isolated people and cooking for neighbours. Face to face activity has resumed in collaboration with King Arthur's school to ensure safety measures in place.	Improved personal resilience, social and life skills, social networks. Improved school attendance, exam results, better family relationships and engagement in the community.
Growing Space	Independent 'sister' charity providing social and therapeutic horticulture	Project Manager	20 regular users prior to lock down. Face to face work has resumed with limited numbers.	Supported mental health work, peer support, focus on additional needs and learning difficulties. Horticultural skills.
Building use/hire	Developing health, social and community use of the centre	Centre Admin, Receptionist, Finance Officer and Centre Manager.	Weekly 'uses' of Centre 1000 + prior to Covid. Since closure of Centre April – August inclusive with no uses, now increasing.	Income generation. Development of community hub. Base for multi-agency working.
Tenants	CAT Bus, Health Visitor Team, Heart of Wessex.	Centre Admin, Finance Officer	12 + staff active in the Centre	Income generation. Operational partners in building increase multi-agency working.

Agenda Item 9

Community Capital Grant Request (Executive Decision)

Portfolio Holder: Mike Best - Health and Well-being
Service Manager: Tim Cook, Locality Team Manager
Lead Officers: Rob Parr, Locality Officer
Contact Details: Rob.parr@southsomerset.gov.uk

Purpose of the Report

Members are asked to consider the awarding of a capital grant to Charlton Adam Parish Council towards assistance in funding the Project Charlton's new play area at the Charltons Memorial Playing Field.

Public Interest

Awarding grants is a key way that SSDC supports and helps to deliver community projects sponsored by Parishes and voluntary community organisations in the towns and villages across Area East.

Recommendations

Members agree:

- a grant of up to £12,226 (23.5% of total project cost) awarded from the Area East Capital Programme towards the provision of new Play Area at the Charlton's Memorial Playing Field.

Report

Project Charltons is a working group of the Parish Council approved in April 2019 to undertake the planning and fundraising activities for the refurbishment of the playground on its behalf. The Charltons Memorial Playing field is a large, valued and well used field in the middle of the two villages and currently includes a very worn out and unsafe children's play area.

The aim of the Project Charltons group is to redevelop a new play area within closer proximity of the Community Hall, so it can be more accessible by people using the hall such as playgroups and children's parties. The new play area aims to be a fun, safe and inclusive play area for a wide age range of children.

Since the working group was established they have carried out extensive public consultation to understand local needs and aspirations. Plans for the new play area have been developed with the support of SSDC's Locality Team, who have also given extensive guidance and support to the project over the last one and a half years. The applicant has developed a deliverable project, tested the market for the goods and services required and has secured significant external funding.

Parish Precept information

Parish	(2011 Census)
Parish population	1070
No. of households	506
Precept 2020/21	£15,500

The Project

The proposal is to relocate the play area to an area of the recreation ground that is closer to the Community Hall, which will improve accessibility for all. A master plan for the play area has been developed (see appendix A) and this is the first phase of the plan to establish many of the principle items of play equipment.

The group aims to carry on fundraising and gradually expand the range of equipment available. This planned approach ensures the ongoing development of the site has been future proofed.

The proposed new play equipment that would be funded as part of this grant application is set out in Table 1.0.

Description	Cost
Contractor Preliminaries	£685
Demolition of old play area	£2,478
HAGS Play 2.4m Olympic Swing, 1 bay, 2 Flat Seats (Product Code: SW0242(008))	£2,658
HAGS Play 2.4m Olympic Basket Swing + 2 Cradle Seat Extension Frame (Product Code: SWO24B2(008))	£5,226
Agility Trail including Inclined Balance Weaver, Log Walk Weaver, Balance Beam and Logwalk	£3,420
Playdale Playgrounds Little Hamlet Merrymeet plus including 3 no roofs green plastic slide (Product Code: QLTHMER006)	£16,228
Playdale Playgrounds Congo Climbing Unit (Product Code: JC/CON/S)	£12,316
Sutcliffe Play South West Discus Roundabout (Product Code: SW950)	£4,030
Professional Fees, Contract Management	£5,185
Total	£52,226

Table 1.0

The costs set out in Table 1.0 are the result of a competitive procurement process that tested the market and include the supply, installation and safety surfacing of the equipment.

The group employed the professional services of the local company Slade Parry Quantity Surveyors to assist them with the procurement process and they plan to employ them to carry out the remaining project and contract management. The company selected to carry out the works is Play UK (Playgrounds) Ltd a local company based in Somerset.

Local support / evidence of need

The redevelopment of the play area was identified in the Village Plan completed in 2017. In the summer of 2019 every single household in the village was consulted about the plans through a questionnaire in the Village News.

Additionally, all the children in the local C of E Primary school completed a questionnaire and the young people from the youth club also completed forms. According to the group, the feedback was extremely positive with a large response and many ideas being shared. The feedback was displayed at the Village Day in July 2019 and more feedback was received that has helped develop these proposals.

In 2015 a Play Area Audit was carried out by SSDC and found the existing facilities were in need of significant improvement.

The district councils formally adopted Play Policy has the overarching aim of “*improving the quality and quantity of play opportunities in South Somerset*” and it is considered that this application would positively contribute towards this policy aim.

The project has been assessed against the agreed criteria and the following scores apply:

Category	Max score available	Officer assessment score
A Supports Council Plan/Area Chapter	1	1
B Supports Equalities & Diversity	1	1
C Supports Environment Strategy	3	3
D Need for Project	10	10
E Capacity of Organisation	15	15
F Financial need	7	6
Total	37	36

Projects scoring above 22 points are eligible for SSDC support under the current policies.

Funding

Funding Sources	% funding	Amount of Funding	Status
Charlton Adam Parish Council	19%	£10,000	Secured
Viridor	57.5%	30,000	Secured
SSDC Grant	23.5%	£12,226	Applied for
Total		£52,226	

Overall the project meets the aims and objectives of our community grants scheme, will provide long lasting improvements to a valuable community resource and therefore the officer's recommendation is to approve the application subject to conditions.

Financial Implications

There is currently £71,331 uncommitted Capital in Area East Capital Programme.

If Members choose to support the recommendations contained in this report, it will mean that there is £59,105 remaining in the Capital in Area East Capital Programme.

Grants are awarded subject to all other funding being secured before the commencement of the project and are on a 23.5% basis of the full project costs. Payment of the grant cannot exceed the grant award and is proportionally reduced if full project costs are under budget.

Council Plan Implications

Supporting this grant application will contribute towards the following elements of the Council Plan:

Focus 3: Environment

To keep South Somerset clean, green and attractive we will work in partnership to:

Maintain and promote access to our Country Parks and open spaces to promote good mental and physical health.

Focus 5: Health and Communities

To build healthy, self-reliant, active communities we will:

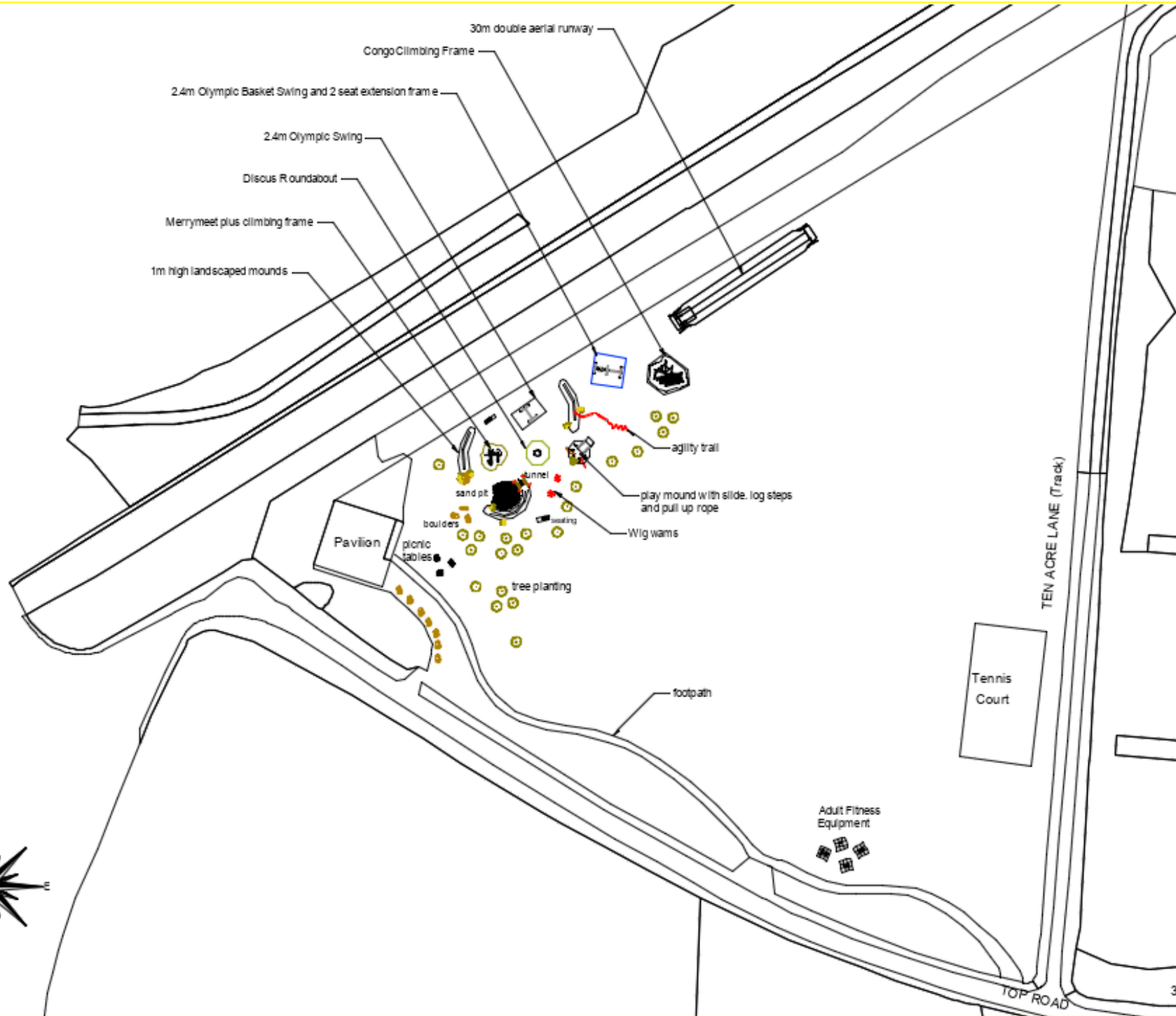
Help people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities.

Carbon Emissions & Adapting to Climate Change Implications

Providing local access to a village play area reduces the need to travel long distances, therefore reduces carbon emissions.

Equality and Diversity Implications

This project will support the ongoing sustainability of the Village Hall and the Playing Field as a community resource for all.



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In implementation all works are to comply with current relevant building regulations and international standards.

Charlton Adam Parish Council
Charlton Adam Play Area
General Arrangement
Scale Not to scale
Robert Parr MSc, NDH, MCBSIPA
CA1-Rev C
18th May 2020

Agenda Item 10

Active Travel Schemes in Area East (Executive Decision)

Director: Netta Meadows, Service Delivery
Manager: Tim Cook, Locality Manager
Lead Officer: Tim Cook, Locality Manager
Contact Details: tim.cook@southsomerset.gov.uk

Purpose of the Report

To update Members of the Area East Committee on a number of local schemes which, combined appear to be an emerging theme as a priority for the Area.

Public Interest

The report sets out the details of an emerging theme and priority area of work.

Recommendation

1. That Members consider the inclusion of Active Travel routes in the draft Area Chapter for 21/22
2. That Members agree to release funds allocated in the area reserve for Community Planning, Derelict sites (Castle Cary), Rural business units and the Retail Support Initiative and ring-fence £35,370 to be held in reserve and used towards the development and delivery of Active Travel Schemes in Area East.
3. That Members agree to award a total of £20,000 (£10,000 from the Community Grants and Discretionary budgets, £10,000 from the area reserve) towards the Wincanton to Bruton Active Travel route feasibility study, subject to standard community grant conditions and DX agreement.

Background

Active travel is not only an important part of the solution to the problem of obesity but also for a range of other health issues at a population level. It may also have other important non-health outcomes, including a reduction in traffic congestion and carbon emissions.

There are a number of projects that aim to provide opportunities to improve walking and cycling in Area East.

Yeovilton to Yeovil

The creation of a safe route for cyclists and pedestrians between Yeovilton and Yeovil has been an aspiration since 2006 when the Base assessed the level of interest in travelling to and from Yeovil by bicycle or foot. Significant work has been done over the years. A potential route (Hook Drove) was identified, feasibility work completed and an engineering solution designed and costed. The scheme would involve upgrading the surface of an existing bridleway between Ashington and Upper Mudford. A number of local stakeholders were involved in the project which proved to be too costly to deliver due to the need to accommodate the use by tractors. Maintenance was also an issue. The total cost of the scheme was in excess of £200,000 and despite the allocation of £70,000 of SCC SIS

funding, the stakeholder group, at the time considered the shortfall to be too much to proceed.

Bruton to Wincanton – Reinstatement of the old railway line as an Active Travel route.

The Rail to Trail project hopes to create a level path allowing walkers, cyclists, mobility scooter and wheelchair users, runners and horse riders to travel safely away from traffic between towns and villages across Somerset.

The project aims to develop a multi-user path between Wincanton and Bruton. The path would use the pre-existing infrastructure of the disused Somerset and Dorset railway line, which was decommissioned in the Sixties.

A Community Interest Company has been established and is run by one volunteer and three Directors. As a review of the governance arrangements, this will become a Charitable Incorporated Organisation (CIO).

A survey has been carried out which generated over 500 responses with 98% of people indicating that they support the project and 54% of people reporting that the route would be used by a member of their family.

The project has clear benefits to the environment as it will reduce reliance on a car. It will also contribute to the local economy of both Bruton and Wincanton as it encourages people to visit local attractions and facilities.

The scheme itself is likely to require significant investment beyond the financial means of the council. Area East has received a request from the group for a financial contribution towards the feasibility study for the scheme. A full community grant application has been completed and assessed. The scheme meets the criteria. However, due to the scale of the project and the link to other schemes in development, the amount recommended is above the maximum for a community grant which is £12,500. Any award above £12,500 will require the agreement of the District Executive.

Milborne Port to Sherborne

There has been a long-standing aspiration to develop a safe route for walkers and cyclists as mentioned in the Milborne Port Community Plan. The original route identified has been developed further by the Parish Council to include an exit opposite the rear of the Gryphon School instead of joining - or crossing - the A30. Much of the route is on existing public roads (minor), paths and bridleway but further work is required with Sherborne Castle Estates regarding parts that abut/cross land farmed by tenants. Existing landowners have not, at this stage, objected to the proposed route.

A working party for Cycling Initiatives has been formed to take the work forward and the group is in discussion with the Parish Council regarding a feasibility study. It is highly likely that we will receive a request for financial support towards the study.

Local Cycling and Walking Infrastructure Plan

In addition to the locally led initiatives set out in the report, SSDC has received a proposal to develop Local Cycling and Walking Infrastructure Plans (LCWIPs) for Chard and Wincanton.

The plan (which would be commissioned by SCC would produce the following: -

- a Cycling Network Map and corresponding list of cycling infrastructure improvements;
- a Walking Network Map and corresponding list of walking infrastructure improvements;
- a prioritised programme of cycling and walking infrastructure improvements; and
- a summary report bringing together the above outputs and outlining the process undertaken.

The cost of the proposal is in the region of £30,000 per town. A further report will be bought to AEC detailing the process and funding options.

Financial Implications

At the June meeting of the Committee, The Locality Manager presented details of the area reserve. At the time it was noted that some of the allocations had been made some time ago with no recent activity or spend.

The table below shows the current allocations in the reserve.

	Original allocation	Balance remaining
Community Planning - Project Spend (Approved April 05)	£50,000	£15,930
Derelict Sites Castle Cary (Approved June 05)	£4,000	£4,000
Rural Business Units (Approved Nov 05)	£25,000	£5,800
Retail Support Initiative (Approved May 09)	£10,000	£10,000
Wincanton Retail Support Initiative (Approved July 14)	£10,000	£10,000
Total balance of allocation		£45,730

Requests for project spend related to Community Planning exercises are likely to be eligible for support from the Community Grants Scheme which has been underspent in recent years.

Balance in the budget for Rural Business Units has remained the same for a number of years.

Funds have been held in reserve for the Retail Support Initiative for a number of years. However, it has been possible to meet requests for funding within the annual budget. It is recommended that £10,000 is released and £10,000 kept in reserve.

If members agree recommendation 2 above, there will be £10,000 for the Retail Support Initiative and £35,370 held in reserve for Active Travel Schemes.

If members agree recommendation 3 above, there will be £25,370 remaining in the Reserve for Active Travel schemes.

There is currently £16,500 unallocated in the revenue grants and discretionary budgets for 20/21. If members agree recommendation 3, there will be £6,500 to spend by March 2021.

Corporate Priority Implications

The priorities have been developed taking into account the SSDC Corporate plan priorities.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

The provision of safe walking and cycling routes will have a direct, positive impact on carbon emissions and climate change by reducing reliance on motor vehicles and encouraging sustainable travel.

Equality and Diversity Implications

There are no implications as a result of this report.

Background Papers: *None*



Area East Forward Plan

Director: Kirsty Larkins, Strategy & Commissioning
Agenda Coordinator: Michelle Mainwaring, Case Officer (Strategy & Commissioning)
Contact Details: Michelle.mainwaring@southsomerset.gov.uk

Purpose of the Report

This report informs Members of the agreed Area East Forward Plan.

Recommendations

Members are asked to note and comment upon the proposed Area East Forward Plan as attached, and to identify priorities for any further reports

Area East Committee Forward Plan

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 Committee agenda, where members of the Area Committee may endorse or request amendments. 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 Area Committee, the focus for topics should be on issues where local involvement and influence may be beneficial, and where local priorities and issues raised by the community are linked to SSDC corporate aims and objectives.

Further details on these items, or to suggest / request an agenda item for the Area East Committee, please contact one of the officers names above.

Background Papers

None.

Area East Committee Forward Plan

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

Further details on these items, or to suggest / request an agenda item for the Area East Committee, please contact the agenda coordinator at democracy@southsomerset.gov.uk

Meeting Date	Agenda Item	Lead Officer
January 2021	Update on the status of Wincanton Sports Ground	Tim Cook – Locality Team Manager
January 2021	Scrutiny Presentation	Councillor Crispin Raikes Stephanie Gold - Specialist
February 2021	Area East – Area Chapter Quarterly Update	Tim Cook – Locality Team Manager
<i>TBC</i>	<i>Retail Support Initiative Grant Scheme Overview</i>	<i>Pam Williams</i>



Planning Appeals

Director:	Netta Meadows (Service Delivery)
Lead Officer:	Barry James, Interim Planning Lead Specialist
Contact Details:	Barry.James@southsomerset.gov.uk

Purpose of the Report

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

Recommendations

That the report be noted.

Background

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

Report Detail

Appeals Received

18/02664/FUL - 37 High Street Castle Cary Somerset BA7 7AS.
Change of use of ground floor from bank to restaurant (Use Class A3 food and drink) to include internal and external alterations (Revised application)
Appeal Officer – David Kenyon

Appeals Allowed

None.

Appeals Dismissed

19/02363/HOU -The Ridings, Middle Ridge Lane, Corton Denham, Sherborne, DT9 4LP.

Demolition of existing part side and part rear extension, demolition of existing garage, erection of new two storey side extension and single storey rear and side extensions.

18/01602/FUL - Former BMI Site Cumnock Road Ansford Castle Cary Somerset BA7 7HR.

Demolition of existing buildings, conversion of and alterations to listed buildings to form 11 No. dwellings, the erection of 70 No. dwellings (total 81 No. dwellings) and associated works, including access and off-site highway works, parking, landscaping, open space, footpath links and drainage infrastructure



Background Papers

Decision Notices attached.



Appeal Decision

Site visit made on 5 October 2020

by Jonathan Manning BSc (Hons) MA MRTPI

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

Decision date: 12 October 2020

Appeal Ref: APP/R3325/D/20/3251209

The Ridings, Middle Ridge Lane, Corton Denham, Sherborne, DT9 4LP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Damian Duffy against the decision of South Somerset District Council.
 - The application Ref 19/02363/HOU, dated 23 August 2019, was refused by notice dated 5 March 2020.
 - The development proposed is demolition of existing part side and part rear extension, demolition of existing garage, erection of new two storey side extension and single storey rear and side extensions.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue of this appeal is the effect of the proposal on the living conditions of the occupants of the neighbouring property Broadfields, in terms of overlooking and loss of sunlight and daylight.

Reasons

3. The appeal site is located on Middle Ridge Lane and accommodates a detached two-storey dwelling. The proposed scheme would result in the removal of the existing garage and part side and part rear extension and replace it with a two-storey side extension with single storey rear and side extensions. The proposal would result in two-storey development being located very close to the boundary with the neighbouring property Broadfields.
4. As a result of the scheme, the rear elevation of the property would include a new window that would be located close to the boundary with Broadfields and would serve a bedroom. Whilst there are existing first floor windows in the rear elevation of the appeal property that also serve bedrooms, these are located well away from the boundary. Given this and that the appeal property angles slightly towards Broadfields, I consider that the proposed first floor bedroom window in the proposed extension would result in a material increase in overlooking to the rear garden of Broadfields, including the more intimate areas close to its rear elevation. This would be harmful to the living conditions of the occupants of Broadfields through a loss of privacy.
5. The appellant has set out that they would be happy to consider substituting the rear elevation first floor bedroom window with either an angled window or

rooflights to overcome these concerns. Notwithstanding this, I have no detailed drawings to consider whether this would sufficiently overcome my concerns. I have considered whether the use of a planning condition would address this matter. However, I consider any changes to the fenestration could materially alter the relationship between the appeal scheme and Broadfields and this could prejudice the ability of the occupants of Broadfields to be able to comment on any changes to the scheme. Given both of the matters set out above, I do not consider that the use of a planning condition to secure an alternative design would be appropriate in this case.

6. The proposal, by virtue of the siting of the rear first floor bedroom window of the proposed extension would result in the unacceptable overlooking of the rear garden of the neighbouring property Broadfields. This would cause harm to their living conditions through a loss of privacy. The proposal is therefore contrary to Policy EQ2 of the South Somerset District Council Local Plan (2015) and the National Planning Policy Framework.
7. The occupants of Broadfield have also raised concerns with regard to a loss of light. The application was supported by Sunpath Analysis. This illustrates that there would be a loss of sunlight to the south facing ground floor side window of Broadfields. However, this would be limited to winter months and would only occur for a relatively limited period of time each day during this period. The Sunpath Analysis also shows that the proposal would affect the front facing lounge window of Broadfields. However, this would be for an even more limited period of the day in December and January. Over the course of a year, I am not of the view that such a loss of sunlight is of sufficient significance to materially harm the living conditions of the occupants and to warrant the refusal of the appeal.
8. I am also mindful that the lounge of Broadfields is served by three windows. Consequently, I consider that the lounge would be served by sufficient daylight, even when affected by a loss of sunlight as set out above, to provide acceptable living conditions to the occupants of Broadfields.
9. Despite the proposed extension's proximity to the boundary with Broadfields, given the orientation of the appeal property and the relatively tall boundary hedge, I am not of the view that the proposed extension would appear overbearing, including when viewed from the south facing ground floor side window of Broadfields.

Other matters

10. I consider that the scheme would not cause any harm to the character and appearance of the area, which has a leafy semi-rural setting with dwellings built of reconstituted and natural stone of varying designs. The proposed extensions would be set back from the road and would appear subservient to the main dwelling. The existing dwelling sits within a relatively generous plot and the scheme would not result in any appearance of overdevelopment.
11. The use of timber cladding would introduce a new material into the street scene in this location. However, I observed that there were examples of timber structures and outbuildings in the wider area. Further, the use of a different material to the main dwelling will ensure that it is viewed as a subservient addition.

12. The occupants of Broadfield have raised concerns that the construction of the proposed extensions could damage the foundations of their property. There is nothing before me to suggest that an appropriate form of construction cannot be achieved that would not cause harm to the foundations of Broadfields. It has also been raised that the construction and maintenance of the scheme would require access to land within the ownership of Broadfields. However, this is a civil matter and not for me to consider as part of this appeal.
13. I am content that sufficient on-site parking can be provided as shown on the application drawings to meet the parking standards in the Somerset Parking Strategy. Further, I observed on my site visit many vehicles parked within their front gardens and therefore there would be no harm to the character and appearance of the area in this regard.

Conclusion

14. Whilst I have found the scheme acceptable in all other regards, the proposed first floor rear bedroom window would cause unacceptable overlooking to the rear garden of Broadfields, causing harm to the living conditions of its occupants through a loss of privacy. Given this and having regard to all other matters raised, the proposal conflicts with the development plan when considered as a whole. There are no material considerations that outweigh the identified harm and associated development plan conflict, the appeal is therefore dismissed.

Jonathan Manning

INSPECTOR

Schedule of Planning Applications to be determined by Committee

Director: Netta Meadows (Service Delivery)
Lead Officer: Barry James, Interim Planning Lead Specialist
Contact Details: Barry.James@southsomerset.gov.uk

Purpose of the Report

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

Recommendations

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 9.00am.

The meeting will be viewable online by selecting the committee at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Any member of the public wishing to address the virtual meeting regarding a Planning Application need to email democracy@southsomerset.gov.uk by 9.00am on Wednesday 8th December 2020.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
14	NORTHSTONE, IVELCHESTER & ST MICHAEL'S	20/01567/HOU	The erection of a single storey extension to dwelling	Welham Barn Wellham Farm Lane Charlton Mackrell Somerton TA11 7AJ	Mr J King
15	MILBORNE PORT	20/02114/S73	Removal of conditions 3 & 4 from approval 13/00400/FUL	Annexe Higher Farm Barn Wick Road	Mr Paul Langford
16	NORTHSTONE, IVELCHESTER & ST MICHAEL'S	20/01996/S73	Application to remove planning condition 4 (agricultural tie) of approval 781603	Pilgrims Weir Lane Yeovilton Yeovil Somerset BA22 8EU	Mr R Wetherall

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



South Somerset District Council

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.

Agenda Item 14

Officer Report On Planning Application: 20/01567/HOU

Proposal :	The erection of a single storey extension to dwelling
Site Address:	Welham Barn Wellham Farm Lane Charlton Mackrell
Parish:	The Charltons Parish Council
NORTHSTONE, IVELCHESTER & ST MICHAEL'S Ward (SSDC Member)	Cllr A Capozzoli Cllr C Hull Cllr P Rowsell
Recommending Case Officer:	Tel:01935462198 Planningtechnicaladmin@southsomerset.gov.uk Email:
Target date :	3rd August 2020
Applicant :	Mr J King
Agent: (no agent if blank)	Mr Daniel Witcombe Putt Cottage Drayton Farm Lane SOUTH PETHERTON TA13 5LR
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to Ward Member for determination under the Council's scheme of delegation procedures as observations have been received that are contrary to the officer recommendation.

SITE DESCRIPTION AND PROPOSAL

Site Context/Description: Welham Barn is a two storey detached dwellinghouse constructed of blue lias stone with a tiled roof, the building is a former agricultural barn which was converted into a residential dwelling in the late 1980s, during which a single storey extension was added to the original two storey barn. Welham Barn is situated among a group of six barn conversions located in the open countryside approximately 1.65 kilometres west of the village of Charlton Mackrell, remote from any established settlements or development areas. The site does not fall within an Area of Special Designation and there are no Listed Buildings in the immediate vicinity, however the building has been recognised as a Non-Designated Heritage Asset owing to the age and character of the structure.

The application seeks consent for the erection of a single storey extension to the south of the existing dwellinghouse.

UPDATE: During the Area East Planning Committee on 9th September 2020 the determination of the application was deferred so that the applicant could submit an amended design for the proposal. A set of amended plans were received and all statutory consultees were notified of the amendments on 5th October 2020.



Neighbours/consultees correct: Yes

History

882552 - The conversion of two barns into two dwellings. Application permitted with conditions

13/03/1989

Policy

South Somerset Local Plan 2006-2028:

Policy SD1 - Sustainable Development
Policy EQ2 - Design And General Development
Policy EQ3 - Historic Environment
Policy TA5 - Transport Impact On New Development
Policy TA6 - Parking Standards

NPPF 2019:

Chapter 2 - Achieving sustainable development
Chapter 11 - Making effective use of land
Chapter 12 - Achieving well-designed places
Chapter 16 - Conserving and enhancing the historic environment

Planning Practice Guidance:

Design: Processes and Tools 1st October 2019

Additional Guidance

National Design Guide - 1st October 2019
Somerset County Council Parking Strategy (September 2013) and Standing Advice (June 2017)
South Somerset District Council Supplementary Guidance - Extensions and Alterations to Houses - A Design Guide

Town/Parish Council

The Charltons Parish Council:

The PC considered the above application at its meeting on 21st July 2020. Neighbours were consulted and no objections had been received. Councillors were pleased to note that the Applicant has followed recommended planning procedures and sought pre-application advice. Mr Millar, Planning Officer stated 'it would likely be looked upon favourably, given the proposed extension is of modest size and would use matching materials'.

The PC agrees with Mr Millar, having received assurance from Mr King that the proposed extension would be built in the traditional manner with materials to match the 200 year old building, as stated in the Design and Access Statement.

The extension cannot be seen by neighbours and would improve the heat efficiency of the dwelling, being in a particularly cold area of the house that is in need of renovation.

Councillors agreed that the proposed work would be an improvement to Welham Barn.

PARISH COUNCIL RESOLUTION

The PC agreed unanimously to recommend that the application be APPROVED.

UPDATE: Following the deferral of the application and the submission of an amended design and reconsultation of the proposal, it was advised on 21st October 2020 that the parish council agree to continue to recommend approval.

Other Consultees

Highways Authority: Standing Advice Applies

Highways Consultant: No highways issues - no objection

SSDC Conservation Officer: I have been asked for a view on this scheme. The building is not listed or in a conservation area but it does have heritage merit. I would consider this as an undesignated heritage assets as described in Chapter 16 of the National Planning Policy Framework due to the age and character of the structure

The building is a former agricultural barn which was converted into a residential dwelling in the late 1980s, during which a single storey extension was added to the original two storey barn. This extension was supported because it was sympathetic to the host barn and retained its privacy.

The new proposal is now to add a further extension that runs across part of the front elevation of the barn. The policies are as follows:

The National Planning Policy Framework Chapter 16 'Conserving and enhancing the historic environment' requires us to assess the impact that development will have on a heritage asset.

Paragraph 189 states:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 192 states:

In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 states:

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.

In particular Paragraph 197 states:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Local Plan Policy EQ3 reflects the NPPF guidance. Heritage assets must be conserved and where appropriate enhanced for their historic significance and important contribution to local distinctiveness, character and sense of place. In addition Policy EQ2 requires all new development proposals to be designed to achieve a high quality which promotes the District's local distinctiveness and preserves or enhances the character and appearance of the District.

In this case it is considered that the proposed protection will cause 'less than substantial' harm

to the undesignated heritage asset. This is in the medium to high range of this category, but must be balanced against the lack of formal designation. On balance I must formally object to the proposals. The loss of the integrity of the original barn is unacceptable and will fundamentally change the character.

I would urge the applicant to commission a statement of heritage significance so that we can engage in pre-application negotiation and find a less harmful way to extend the building.

Neighbour Comments

Five neighbours notified - One objection received from a neighbour. The full representation may be viewed online but is summarised as follows-

- o Parking arrangements are not wholly on land belonging to Welham Barn and the 2.4m x 4.8m parking space encroaches onto land belonging to Long Barn
- o In order to reach the proposed parking space a vehicle would have to travel across land belonging to Long Barn
- o This has been brought to the attention of the applicants but they do not wish to change the plans
- o If the parking space was removed from the proposal there would be no objection

Case Officer response to objection: The neighbour comments are noted however concerns regarding land ownership and rights of access are a civil matter and not a planning consideration, the objection therefore does not have bearing on the application.

Key Considerations

Principle of Development

The principle of any extensions or alterations to a converted barn must be considered very carefully, in particular it is imperative to ensure the retention of barn's original agricultural character and that any development is not to the detriment of the setting, that is not to say that all alterations relating to barn conversions are unsuitable but that any developments of this nature must be assessed very closely.

The remaining issues relate to the visual impact on the character of the existing building and on the residential amenity of neighbouring dwellings, in addition to the potential impact to the highway, these matters are discussed below.

Design/Layout/Materials

It is important to recognise that the grant of consent for living accommodation on the site was in the form of a barn conversion, it is therefore vital to ensure that the building's appearance as a barn is retained when considering any alterations or extensions so that no detrimental impact on the character of the building or its setting is allowed to occur.

It is considered that the existing layout and appearance of the dwelling clearly reflects its former function as an agricultural barn and that the erection of an extension that fails to respect the established layout and appearance of the building would detract from this.

The proposed extension would be attached to the southwest corner of the original barn and the southern face of the single storey wing extension which was erected as part of the original conversion of the barn. It is considered that the extension would protrude from the dwelling in a manner disruptive to the simple and linear form of the original building, imposing a more domestic appearance on the former barn. The siting of the extension is thus considered unsympathetic to the agricultural character of the site.

During the course of the application, the applicant was advised that any extension to the south of the dwelling would not be appropriate due to the limited ground area available. It was suggested to the applicant that a perpendicular extension to the north side of the building would be more appropriate by virtue of replicating the L-shaped layout which is characteristic of historic agricultural buildings. Such an adjustment to the siting was declined by the applicant.

The design and materials of the extension are considered inappropriate to the character of the original building. The application proposes the use of white render to the south elevation wall in addition to a glass reinforced plastic (GRP) flat roof with a lantern rooflight. Such a design would be evidently modern in appearance and is wholly uncharacteristic of a historic agricultural building.

Furthermore, the original conversion of the barn included the installation of a substantial amount of high quality glazing to the south elevation, such treatment is conventional practise for conversions of old agricultural buildings. The proposal would conceal a significant proportion of this glazing which would be replaced by a white rendered wall with two windows of a more domestic appearance. It is considered that this would be detrimental to the well-designed fenestration of the existing building, thus resulting in additional harm to the appearance of the dwelling.

It is noted that the extension would be partially screened from the view of the surrounding dwellings by virtue of its sequestered position between the host dwelling and the north elevation of the adjoining neighbour. Nonetheless, each neighbouring dwelling in the vicinity shares the context of a former agricultural building. As such, it is considered that in failing to respect the agricultural character of the original dwelling, the proposal would therefore be harmful to the visual amenity of the surrounding dwellings which are of the same historic character.

It is observed in paragraph 197 of the NPPF that *The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.* The SSDC Conservation Officer has been consulted on the application and the original building has been recognised as a non-designated heritage asset following from the consultation. As the extension is considered detrimental to the quality and character of the existing dwelling the harm to the historic environment must also be taken into account.

UPDATE: Following the deferral of the application at the Area Committee, amended plans were submitted by the application to add a dual-pitched roof to the extension and to alter the south facing wall from render to blue lias stone.

Whilst the amendments to the materials are more favourable than the initial proposal, it is nonetheless considered that the position and massing of the extension still fails to respect the simple form of the original building. The layout which would result from the addition to the former barn is not considered in keeping with the historical characteristics of this former agricultural building. It is still considered that the erection of an extension to the south of the site obscures the original fabric of the building and the high quality of the previous conversion of the barn to an unacceptable degree.

As such, the case officer maintains that, despite the recent amendments to the application, the scale, siting, materials and design of the proposed extension would continue to be unsympathetic to the established character and appearance of the existing dwelling and would be harmful to the visual amenity of the surrounding dwellings. As such the development does not accord with Policies EQ2 and EQ3 of South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

Residential Amenity

It is not considered that the proposed extension would give rise to an undue level of overlooking or overshadowing to neighbours, nor have an overbearing relationship with the surrounding dwellings and so would not be considered to have a demonstrable harmful

impact on the residential amenity of the neighbours.

Highways

There are no highways issues associated with this application.

Summary

Representations have been received that are contrary to the Planning Officers recommendation. The proposed extension is considered harmful to the agricultural character and visual amenity of the application site and surrounding dwellings. The recent amendments do not mitigate previous concerns with regards to the disruption of the original layout of the site. The application is therefore referred to the ward members under the scheme of delegation.

Recommendation

Refuse for the following reason:

01. The proposal, by reason of its scale, siting, materials and design would have an adverse impact on the character and quality of the dwelling and would be harmful to the visual amenity of neighbouring dwellings. As such, the proposal is contrary to policy EQ2 and EQ3 of the South Somerset Local Plan 2006-2028 and the core planning principles of the National Planning Policy Framework 2019

Agenda Item 15

Officer Report On Planning Application: 20/02114/S73

Proposal :	The removal of conditions 3 and 4 from approval 13/00400FUL to allow the residential Stable Block at Higher Farm Barn to become independent from the main house, remaining residential in use, and not restricted to holiday lets.
Site Address:	Annexe Higher Farm Barn Wick Road
Parish:	Milborne Port
MILBORNE PORT Ward (SSDC Member)	Cllr S Dyke
Recommending Case Officer:	Trudy Gallagher Tel: 01935 462462 Email: trudy.gallagher@southsomerset.gov.uk
Target date :	23rd September 2020
Applicant :	Mr Paul Langford
Agent: (no agent if blank)	Mr Tom Roberts Tom Roberts Associates 1 Greenhill Court Greenhill Sherborne DT9 4EP
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

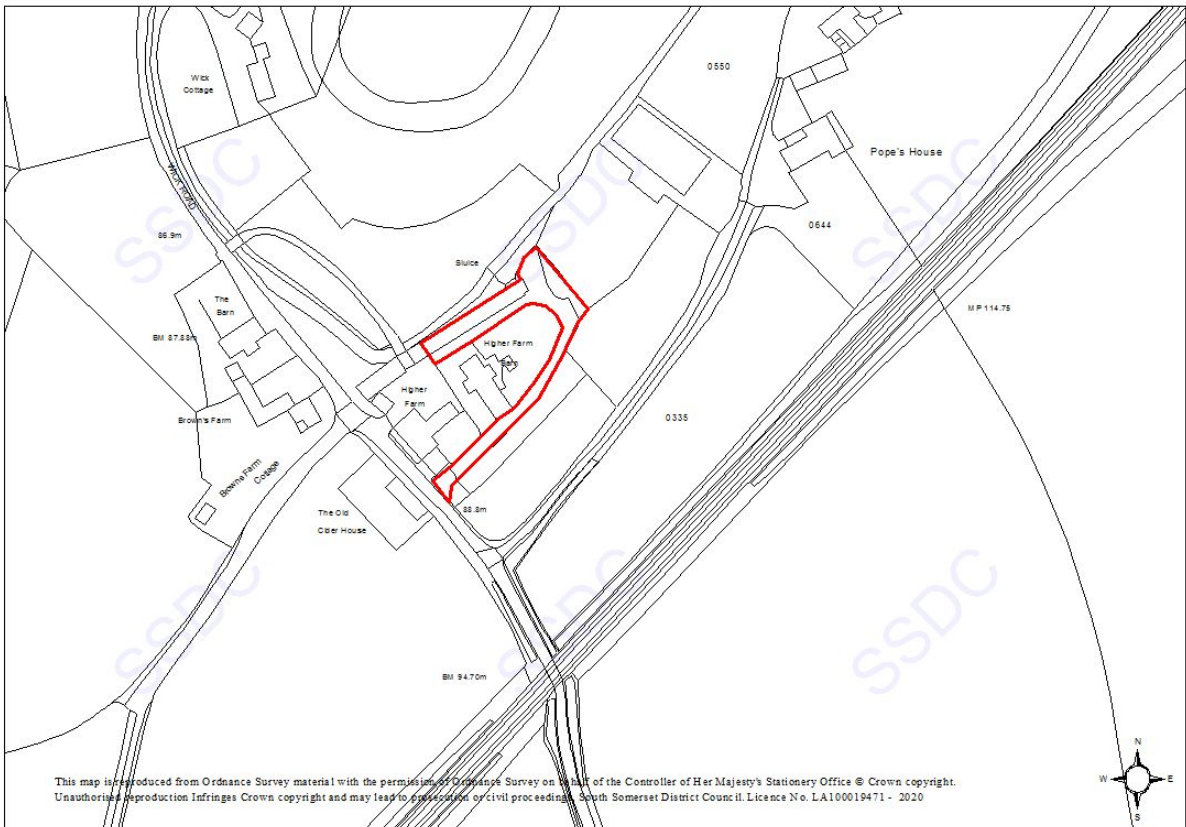
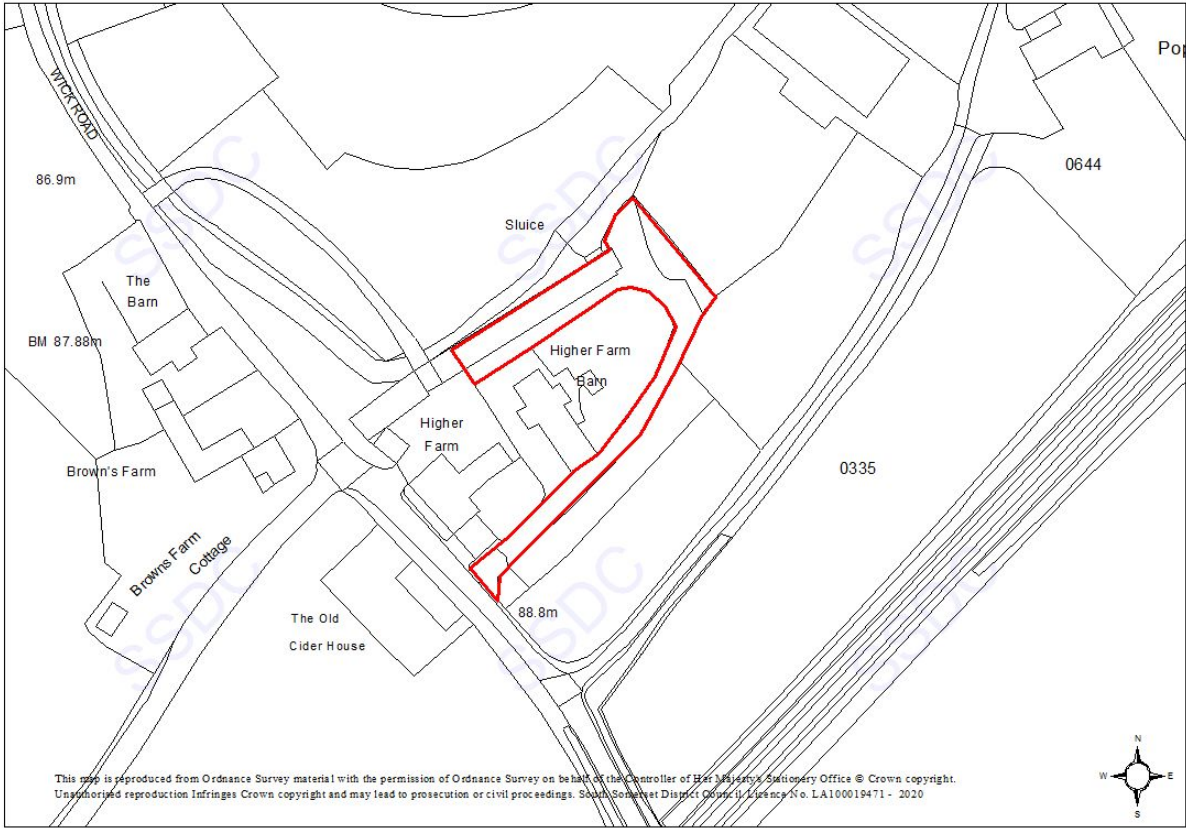
This application has been referred to Area East Committee by the ward member and the Chair, following support from the Parish Council to the contrary of the officer recommendation.

SITE DESCRIPTION AND PROPOSAL

The site is located immediately south of the village, within a group of former farm buildings on the east side of Wick Road. The subject building forms part of a range of farm outbuildings which were originally converted for use as offices and warehousing, falling within the curtilage of the dwelling house known as Higher Farm Barn, and currently used as a holiday let/annexe. The northern edge of the site is formed by a stream, and the site is identified as being within Flood Zone 3. The site is close to, but outside of, the Milborne Wick conservation area.

Permission is sought for a change of use of the barn from a holiday let/residential annex, to a separate independent residential dwelling.

This application follows a previous refusal in 2018 for the same proposal but was incorrectly made as a FULL application rather than a variation of condition.



HISTORY

18/01428/FUL Change of use of holiday let/annexe to become an independent self-contained dwelling.

13/00400/FUL - Change of use of the barn for use as a holiday let/ residential annexe, as well as some residential storage space (partially retrospective - revised application 12/04223/FUL) - Application permitted with conditions 26/03/2013

12/04223/FUL - Conversion of barn/office to provide holiday accommodation - Application withdrawn 21/12/2012

10/04791/FUL - Conversion of outbuildings into live/work unit - Application refused 12/01/2011

09/01661/FUL - Conversion of outbuildings into 2 no. dwellings - Application refused 31/07/2009

09/01108/FUL - Conversion of outbuildings into 2 no. dwellings and 1 no. holiday let - Application withdrawn 27/04/2009

89/01398/FUL - The use of outbuildings as offices and warehouse - Application permitted with conditions 15/11/1989

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state 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)

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

National Planning Policy Framework

Chapter 5 Delivering a sufficient supply of homes

Chapter 7 - Requiring Good Design

Chapter 14 -Meeting the challenge of climate change, flooding and coastal change

CONSULTATIONS

Milborne Port Parish Council - Members resolved to stand by its previous response from 2019, i.e. to support the proposal to remove the conditions subject to the applicant completing the proposed preparatory works.

County Highway Authority - Refers to standing advice

SSDC Highways Consultant -

SCC comment: see road record plan. SSDC Highways Consultant's comments: In addition to the SCC comment, I note that one of the reasons for imposing the restriction on use was on the grounds of sustainable development. From viewing the highway authority's response it does

not appear that there were any highway safety implications in respect of the original scheme. Therefore, the acceptance of the current proposal must largely be a planning matter to determine in terms of whether or not lifting the restriction would constitute unsustainable development. If the decision is to grant planning permission for the current scheme, it needs to be ensured that sufficient on site car parking and turning is provided in line with the standards set out in the Somerset Parking Strategy which appears to be the case.

Environment Agency

We have no objection but have the following flood risk advice.

Flood Risk

The site is located in Flood Zone 3 (High Risk), and is considered as Flood Zones 3b (functional floodplain) by your Authority Strategic Flood Risk Assessment, as defined under the National Planning Policy Framework Planning Practice Guidance.

We acknowledge that the building has an existing more vulnerable use, as ancillary accommodation to the main dwelling, and has first floor sleeping accommodation as safe refuge for any future occupants. The FRA confirms that the finished floor level of the ground floor is significantly below the current 1 in 100 year flood level. Therefore, we can offer the following flood risk advice for your consideration

Flood Zone Compatibility

The Planning Practice Guidance classifies development types according to their vulnerability to flood risk and provides guidance on which developments are appropriate within each Flood Zone. This site is considered to lie within Flood Zone 3b (functional floodplain), which is land defined by the Local Authority Strategic Flood Risk Assessment as having a high probability of flooding.

The proposed development falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. The application could therefore be considered contrary to the National Planning Policy Framework and its associated planning practice guidance. However, given that it is a change of use within the same vulnerability classification, 'more vulnerable', we recommend that you consider whether this change is acceptable to your Authority.

Further information can be found at

<https://www.gov.uk/guidance/flood-risk-and-coastal-change#flood-zone-and-flood-risk-tables>

Flood Resistance

We note the anticipate flood depth for the design flood events, including climate change, will result in significant flood depth at the site.

The finished floor level is not much higher than the existing ground level, but was raised 150mm when originally converted. Under our National Flood Risk Standing Advice for this type of development we would expect finished floor levels to be the higher of 300mm above ground levels or 600 mm above the 1 in 100 year flood level. However, if your Authority determine that the applicant cannot raise floor levels further, then the applicant will need to make the building flood resilience to the design flood level, including climate change.

Given the anticipated depth we would recommend that you consider the information at:

<https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures>. Additional guidance can be found at

<http://www.planningportal.gov.uk/uploads/odpm/400000009282.pdf> as well as the communities and local Government publication 'Improving the flood performance of new buildings' which can be viewed at

<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

We recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

Please note that consultation with the building control department is recommended when determining if flood proofing measures are effective.

Safe Access / Egress

The National Planning Policy Framework Planning Practice Guidance states that Access considerations should include the voluntary and free movement of people during a 'design flood', as well as the potential for evacuation before a more extreme flood. Access and egress must be designed to be operational for changing circumstances over the lifetime of the development. Therefore, your Authority must consider how the flood depths impact on the access to this site, as the FRA confirms that it could be dangerous to future occupants.

Please note that the Council's Emergency Planners should also be consulted in relation to flood emergency response and evacuation arrangements for the site. We recommend that the applicant prepare a Flood Warning and Evacuation Plan for future occupants. We do not normally comment on or approve the adequacy of flood emergency response and evacuation procedures accompanying development proposals, as we do not carry out these roles during a flood event. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users registered for this service further information can be found at: <https://fwd.environment-agency.gov.uk/app/olr/home>.

Please note that the site is not located in a flood warning area, however they are in a flood alert area which is more generalized alert rather than targeted for this precise location.

We note that there is safe refuge within the building as there are no bedrooms on the ground floor, as agreed in the original application.

REPRESENTATIONS

None received

CONSIDERATIONS

History

The building in question has a relatively complicated planning history, but currently has permission to be used as a holiday let or as an annexe. The existing permission is subject to the following conditions (amongst others):

"03. The use of the unit of accommodation hereby permitted shall be limited to holiday accommodation or use as ancillary residential accommodation (i.e. as an Annex) to the principal dwellinghouse known as Higher Farm Barn. Other than for short-term holiday lets, the unit shall not at any time be used as a separate, self-contained unit of residential accommodation.

Reason: In the interests of sustainable development and to ensure that the unit remains available for holiday letting purposes, in accordance with the aims of the NPPF and Policies ST3, ST5 and ME10 of the South Somerset Local Plan, 2006.

04. The permission hereby granted shall enure and the use hereby permitted shall continue only for so long as the use of the barn as an annex or for letting purposes shall comprise an integral part of the mixed use of the whole site comprising Higher Farm Barn (the main

dwellinghouse) and the barn, within the single planning unit shown on the submitted plan ref. 3233/03B. There shall be no fragmentation of this planning unit to facilitate the barn being sold off separately from Higher Farm Barn (i.e. the main house) and separating the uses comprised in the mixed use.

Reason: In the interests of residential amenity and sustainable development, and to accord with the NPPF and Policies ST5 and ST6 of the South Somerset Local Plan, 2006.

In 2018 planning application 18/01428/FUL for the change of use of holiday let/annexe to become an independent self-contained dwelling was refused.

It was considered that the building was already in C3 use, albeit a version of that use restricted by condition. It is therefore considered that the submitted application to change the use of the building was inappropriate as it consisted of a 'change of use' from C3 to C3. A more appropriate application would have been to vary the above conditions. The scheme was refused for two reasons:

- o It is not possible to change the use of the dwelling from a C3 dwelling house (albeit with use restricted by planning condition) to a C3 dwelling house (with no restrictive conditions). As such the application submitted is the incorrect mechanism to achieve the stated aim of the applicant to achieve two unrestricted self-contained dwellings on site.

- o Notwithstanding the above, the proposed use of the dwelling as a self-contained dwelling with unrestricted occupancy would be tantamount to the formation of new open market dwelling in an unsustainable location and, by way of overlooking, would lead to an unacceptable adverse impact on the residential amenity of the occupiers of Higher Farm Barn, contrary to the aims and objectives of the NPPF and policies EQ2, SD1 and SS1 of the South Somerset Local Plan.

Considerations

The submitted application seeks to remove the conditions attached to application 13/00400/FUL to allow the unrestricted use of the building as a market dwelling. Although the most recent application was refused, the applicants have submitted additional information outlining the personal reasons to remove the condition, additional landscaping information and additional flood risk assessment information.

It is considered that the application has now been submitted in the correct form. The main considerations therefore relate to whether the additional information makes a material difference in planning terms to the reasons for the previous refusal.

Principle of Development

The site is located in the open countryside in an area remote from basic services and facilities. As such, development is strictly controlled by national and local plan policies. It is not an area where unrestricted residential properties would normally be allowed, because of the inherent unsustainability of the location. The proposal would effectively remove the unit from the pool of available tourist accommodation, for which the economic benefits generally outweigh the harm arising from the unsustainability of the location. As such, the principle of a separate dwelling in dwelling in this location, with no economic benefits, is considered to be unacceptable as it would foster growth in the need to travel and such harm would not be outweighed by any benefits. The proposal would be contrary to policies SD1 and SS1 of the South Somerset Local Plan.

The applicants have cited personal reasons for the removal of the condition. Given the sensitive nature of the health information supplied it would not be appropriate for the immediate details to be outlined, however suffice to say there is a requirement for the applicant to be of assistance to a family member elsewhere.

Whilst there is every sympathy with the situation, and reasons requested to remove the condition, it is considered that this is a personal circumstance which would be of benefit to the applicant. Whilst the circumstances are acknowledged it is likely that the additional dwelling would remain long after the current personal circumstances cease to be material. In consideration of this, due regard has been given to the Human Rights Act. In this case it is considered a refusal would be proportionate and legitimate in ensuring that significant harm is not caused to the aims of ensuring that development is located in areas which promote sustainable development.

It is further considered that there is little support for the proposal in terms of National Policy. The National Planning Policy Framework at Paragraph 79 identifies that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential dwelling; or
- e) the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design

The proposal is considered to be in an isolated location. The most relevant to this proposal are parts (c) and (d), but it is not considered these would apply; with regards to (c) the building is not redundant or disused, and since the building has already been converted, is not considered the alternate use would enhance its immediate setting.

With regards to part (d) the proposal is not a subdivision of the existing residential dwelling as clarified in *R (Wiltshire Council) v Secretary of State for Housing, Communities and Local Government and anor* [2020]. In that case the Judge had to consider the term "dwelling" on paragraph 79(d) and approached this by examining the individual words and what their meaning aimed to achieve in line with overarching policy objective. It was held that the exception outlined in paragraph 79 was intended to encompass an individual building rather than multiple units. As this is for the use of a separate building, it does not therefore represent subdivision and part (d) would not apply.

Given the foregoing, it is considered on balance that the proposal is still unacceptable and cannot be supported in this regard.

Highways

The highway authority was consulted and referred to their standing advice. As such the SSDC Highway Consultant considered the scheme in detail, and raised no objections to the proposal subject to the imposition of certain conditions on any permission issued. As such, it is not considered that there would be any adverse impact on highway safety in accordance with the aims and objectives local plan policies TA5 and TA6, and the NPPF.

Visual Amenity

The site is relatively close to a conservation area. However, no physical alterations are proposed and as such there would be no impact on the setting of the conservation area or the character of the area. As such, there be no visual amenity harm arising from the proposal in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

Residential Amenity

The building question is located in close proximity to the host dwelling. The building has very few openings in the rear elevation, which is an essential part of its agricultural character. As a result the main outlook of the building, particularly from the first floor, is from the front elevation of the building, which faces directly, and in close proximity, to the main garden of the host dwelling, Higher Farm Barn. Whilst the application building is in use as an annexe or for short term holiday lets, this relationship is considered to be reasonable and unlikely to have any significant demonstrable adverse impact on the living conditions of either. However, it is considered that if the two properties were in separate permanent occupation, the relationship would be unacceptable by way of direct overlooking and unacceptable intrusion into the privacy of the occupiers of Higher Farm Barn.

The applicants have attempted to overcome this aspect of concern by proposing pleached evergreen trees planted in a double row to obscure views from the first floor windows. It is considered that, even if the trees did offer some screening, it would be difficult to ensure their retention because effectively the trees would be outside of the red line application site. Although within the blue line, the trees would then, once the property is sold, be within separate ownership. It is considered that the planting acknowledges that there is an issue regarding overlooking and if anything it is considered it would also have an impact on the outlook from the dwelling itself, given their distance from the windows of around 4-5 metres. It is considered that this relationship would represent poor planning and as such the proposal would be contrary to policy EQ2 of the South Somerset Local Plan and the aims and objectives of the NPPF.

Flooding

Whilst not assessed under the previous application, the site is within a flood zone 3(b) - functional floodplain. The National Planning policy guidance states that:

A change in use may involve an increase in flood risk if the vulnerability classification of the development is changed. For example, changing from industrial use to residential use will increase the vulnerability classification from 'less' to 'more' vulnerable. As changes of use are not subject to the Sequential or Exception tests, the local planning authority should consider when formulating policy what changes of use will be acceptable, having regard to the National Planning Policy Framework and taking into account the Strategic Flood Risk Assessment. This is likely to depend on whether developments can be designed to be safe and that there is safe access and egress.

Given that the application is still within the same use class as C3 (albeit one is restricted by condition) and same vulnerability, it is considered that an objection on flooding grounds would not be sustainable.

The Environment Agency raises no objections but comments on issues of flood resistance that should be included in the design. The finished floor level is not much higher than the existing ground level, but was raised 150mm when originally converted. Under National Flood Risk Standing Advice for this type of development it is expected that finished floor levels should be the higher of 300mm above ground levels or 600 mm above the 1 in 100 year flood level.

It is stated within the planning statement submitted with the application that the applicants are willing to raise all sockets and electric points above the 450mm required at the time of the original planning consent. It is recommended that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures

include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. The applicants are also willing to sign up to a flood warning system. These elements could be secured by condition, if necessary. In terms of access and egress from the building it is noted that a condition placed on the 2013 planning application which stated that "no bedrooms or sleeping accommodation shall be located on the ground floor of the development hereby approved at any time. Reason: To prevent increased flood risk to the development by introducing more vulnerable accommodation in the higher flood risk area". Given that these are located on the upper floor, on balance the application is considered to be acceptable in this regard.

Conclusion

Whilst the impacts of the development, are considered to be acceptable in relation to visual amenity and highway safety, the impacts on residential amenity are not considered to be acceptable. Furthermore the proposal would be tantamount to the formation of new open market dwelling in an unsustainable location against the rural restraint policies of the local plan and the NPPF. As such, the scheme should be refused.

RECOMMENDATION

Refuse for the following reasons:

01. The proposed use of the dwelling as a self-contained dwelling with unrestricted occupancy would be tantamount to the formation of new open market dwelling in an unsustainable location and, by virtue of the close relationship between two properties would lead to a poor relationship between properties and in particular the occupiers of the proposed new dwelling contrary to the aims and objectives of the NPPF and policies EQ2, SD1, SS1 and SS2 of the South Somerset Local Plan.

Agenda Item 16

Officer Report On Planning Application: 20/01996/S73

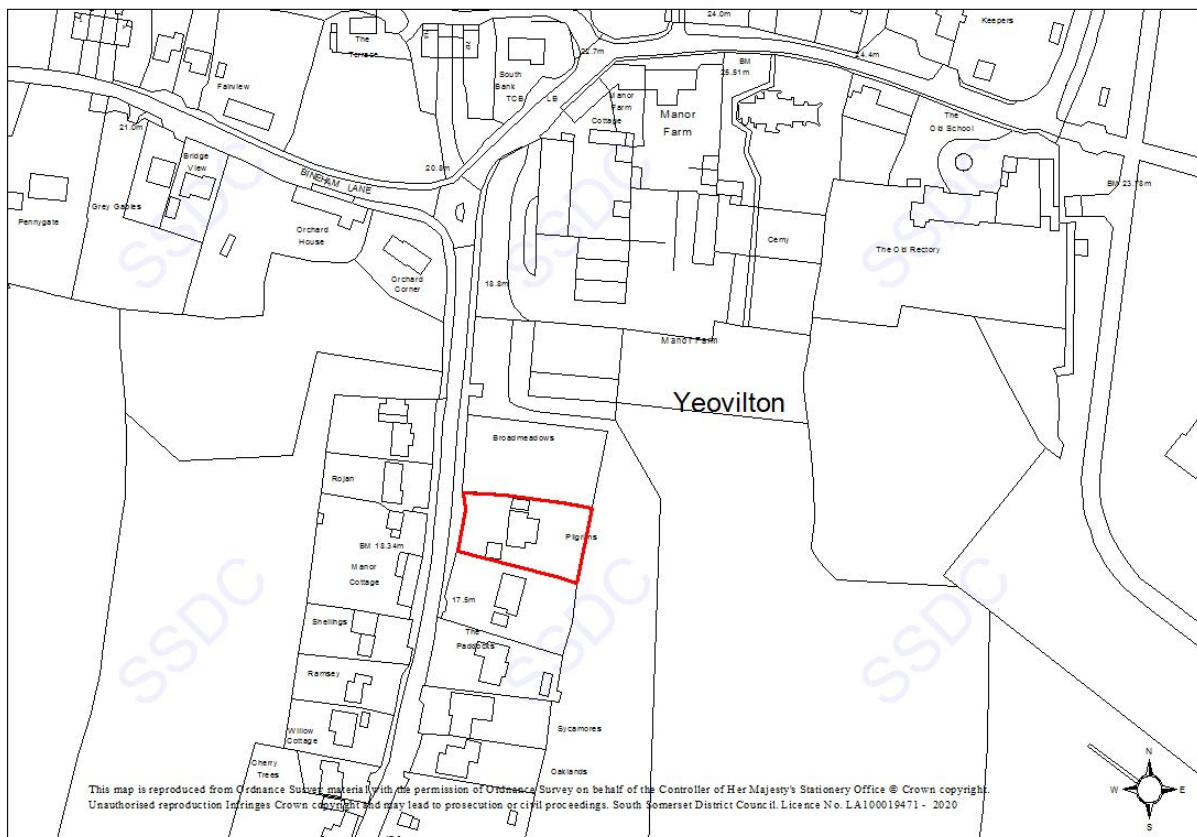
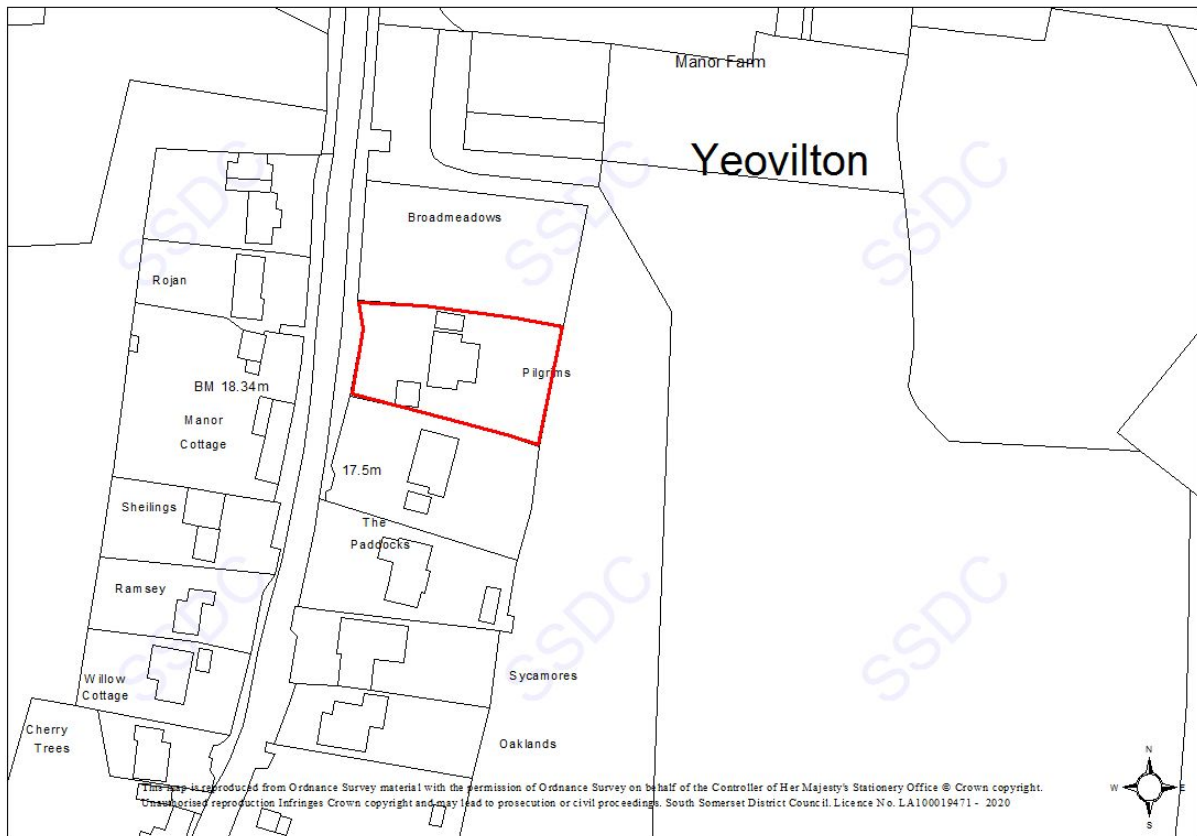
Proposal :	Application to remove planning condition 4 (agricultural tie) of approval 781603.
Site Address:	Pilgrims Weir Lane Yeovilton
Parish:	Yeovilton
NORTHSTONE, IVELCHESTER & ST MICHAEL'S Ward (SSDC Member)	Cllr A Capozzoli Cllr C Hull Cllr P Rowsell
Recommending Case Officer:	Sam Fox Tel: 01935 462462 Email: planningcaseteam@southsomerset.gov.uk
Target date :	27th August 2020
Applicant :	Mr R Wetherall
Agent: (no agent if blank)	Paul Dance Foxgloves 11 North Street Stoke Sub Hamdon Somerset TA14 6QR
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee at the request of the Ward Member with the agreement of the Area Chairman as the comments of the Parish Council are contrary to the officer's recommendation.

SITE DESCRIPTION AND PROPOSAL

Pilgrims is a detached, two storey dwelling constructed of reconstituted stone under a concrete tile roof, located within the village of Yeovilton. An occupation tie condition is attached to the dwelling that limits occupation to local agricultural workers as part of the original planning approval, 781603. Planning permission is sought for the removal of said agricultural occupancy condition.



HISTORY

781603 - Outline: Erection of a dwellinghouse on land adjoining Wier Lane, Yeovilton and the carrying out of alterations to existing access. Application permitted with conditions.

POLICY

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan is the South Somerset Local Plan (2006-2028).

On this basis the following policies are considered relevant:-

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

SD1 Sustainable Development

SS2 Rural Settlements

EQ2 General Development

HG10 Removal of Agricultural and Other Occupancy Conditions

National Planning Policy Framework

Chapter 2 - Achieving Sustainable Development

Chapter 4 - Decision-making

Guidance

Planning obligations

CONSULTATIONS

YEOVILTON PARISH COUNCIL - No objection

COUNTY HIGHWAY AUTHORITY - Standing advice applies

HIGHWAY CONSULTANT - Acceptance to the development proposal (removal of an agricultural tie) is largely a planning matter to determine based on the evidence and justification provided by the applicant. There appears to be adequate parking and turning within the site.

REPRESENTATIONS

One letter of representation has been received making the following observations:

Whilst I appreciate the need for further housing, I believe the ethos behind this application is to allow further developments on the land concerned which in theory could manage several dozen properties.

Pilgrims is a good sized family home in its existing format and would sell easily.

I am neutral in regards to the planning application for the property on the site next door- I believe it should be single storey due to the land height about the existing neighbouring properties.

CONSIDERATIONS

Agriculturally tied dwellings are permitted as exceptions to general rural housing restraint policies. Provision is made for this in both adopted policy HG9 of the adopted South Somerset Local Plan and the NPPF (Para. 79). It is recognised that the circumstances that generated the

need for an agriculturally tied dwelling can change in a way that makes them no longer valid. In South Somerset applications for removal of an agricultural tie are considered, in the first instance, against the provisions of Policy HG10 and, for interpretation, the supporting text in para. 10.60.

Policy HG10: Removal of agricultural and other occupancy conditions states:-

Planning permission for the removal of a restrictive occupancy condition for an agricultural, forestry or other similar worker on a dwelling will only be given where it can be evidentially shown:-

- That there is no longer a continued need for the property on the holding or for the business
- There is no long term need for a dwelling with restricted occupancy to serve local need in the locality;
- The property has been marketed locally for an appropriate period (minimum 18 months) at an appropriate price and evidence of marketing is demonstrated.

This is augmented by supporting paragraph 10.60 which states:-

'In order to retain property for its intended use, a restrictive condition will be included on any such planning approval limiting its occupation to a person solely or mainly, or last working in agriculture, forestry or a rural enterprise. It is accepted that there will be circumstances where these dwellings are no longer required for the purpose for which they were originally intended. However, to ensure the planning concession for this type of dwelling in the countryside will need to demonstrate that the need for which the dwelling was approved originally, no longer exists. An applicant would be expected to appropriately market the dwelling for a reasonable period at a realistic market price for an agricultural tied dwelling [normally a discount of at least 35% against open market price] to establish whether it could meet the existing functional needs of another local farm or rural business. Evidence demonstrating how this requirement has been investigated will need to support any application to vary or remove a restrictive occupancy condition.

The application is supported by a planning statement from the agent. Within this he advises the property has not been marketed as this requirement was not considered necessary given other dwellings have been approved within the village, therefore, it is considered sustainable and given this a replacement dwelling would arguably be allowed. The village of Yeovilton is defined in the local plan as a Rural Settlement, Policy SS2, where development will be strictly controlled, limited to that which provides employment opportunities, creates or enhances community facilities and services, or meets an identified housing need and subject to this has access to two or more key services. The village is a very small settlement which is devoid of local facilities or services, with even the Church in the village owned by the Navy. Given this, it is considered that the village does not meet the criteria of being a Rural Settlement as set out within LP policy SS2, and due to its lack of day to day services and facilities must be considered to be unsustainable. Any development for new dwellings within the village would be assessed on their own merits. Any application for a replacement dwelling at the site could be considered, but with the continued inclusion for the occupancy condition.

He has also noted the criteria set out within planning policy HG9 (Housing for Agricultural and Related Workers), advising that there is no longer a functional need for the dwelling based on the various parcels of land/buildings associated with the original farm enterprise having been sold off/distributed to family over the years leaving only 5 acres with the subject dwelling. This policy is not relevant to this application as it only applies to applications being considered for new agricultural workers dwellings and the justification for their approval. Likewise, the lack of land associated with the dwelling is not a consideration in as such that many agriculturally tied dwellings are not tied to the land around them. The tie is there to ensure the availability of affordable housing for occupation by an agricultural worker within the locality.

The observations of the neighbour have been noted.

Conclusion

Issues raised by the applicants agent have been addressed in terms of other policies within the local plan, however, none of these are relevant to this specific application and the only relevant policy for consideration is policy HG10. The information provided by the applicant's agent is credible that an agriculturally tied dwelling may no longer be required in connection with the farming enterprise. However, the applicant has not gone through the mechanisms in place to demonstrate there is no long term need for a dwelling with restricted occupancy to serve local need in the locality. The property has not been properly marketed for a satisfactory period at a realistic price. As such the proposal is contrary to Policy HG10 of the South Somerset Local Plan.

RECOMMENDATION

Refuse planning permission for the following reason:

01. The applicant has not demonstrated that there is no long term need for a dwelling with restricted occupancy to serve local need in the locality. The property has not been marketed for a satisfactory period at a realistic price. As such the proposal is contrary to Policy HG10 of the South Somerset Local Plan.