



---

# **Informal Discussion by Members of Area West Committee**

**Wednesday 21st July 2021**

**5.30 pm**

**A virtual consultative meeting via  
Zoom meeting software**

---

The following members are requested to attend this virtual consultation meeting:

Jason Baker  
Mike Best  
Dave Bulmer  
Martin Carnell  
Brian Hamilton  
Ben Hodgson

Val Keitch  
Jenny Kenton  
Paul Maxwell  
Tricia O'Brien  
Sue Osborne  
Robin Pailthorpe

Oliver Patrick  
Garry Shortland  
Linda Vijeh  
Martin Wale

Any members of the public wishing to address the virtual consultative meeting during either Public Question Time or regarding a Planning Application, need to email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 20<sup>th</sup> July 2021.

For further information on the items to be discussed, please contact:  
[democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

The meeting will be viewable online at:  
[https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF\\_soA](https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA)

This Agenda was issued on Tuesday 13<sup>th</sup> July 2021.

*Nicola Hix, Director Support Services & Strategy*

**This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk) and via the mod.gov app**

## **Information for the Public**

In light of the coronavirus pandemic (COVID-19), Area West Committee will meet virtually via video-conferencing to consider reports. As of 7 May 2021 some interim arrangements are in place for committee meetings.

At the meeting of Full Council on 15 April 2021 it was agreed to make the following changes to the Council's Constitution:

- a) To continue to enable members to hold remote, virtual meetings using available technology;
- b) To amend Part 3 (Responsibility for Functions) of the Council's Constitution to allow those remote meetings to function as consultative bodies and delegate decisions, including Executive and Quasi-Judicial decisions, that would have been taken by those meetings if the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 had continued in force to the Chief Executive (or the relevant Director in the Chief Executive's absence) in consultation with those meetings and those members to whom the decision would otherwise have been delegated under Part 3 of the Constitution;
- c) The delegated authority given under (b) will expire on 31 July 2021 unless continued by a future decision of this Council.

At the meeting of Full Council on 8 July 2021, it was agreed:-

- a) To continue to enable members to hold remote, virtual meetings using available technology and to extend the delegation given on 15 April 2021 for a further 6 months, to 08 January 2022;
- b) To delegate authority to the Monitoring Officer and Chief Executive to amend the Constitution to reflect these changes.

For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=2981&Ver=4>

## **Area West Committee**

Meetings of the Area West Committee are usually held monthly, at 5.30pm, on the third Wednesday of the month (unless advised otherwise). However during the coronavirus pandemic these meetings will be held remotely via Zoom.

Agendas and minutes of meetings are published on the council's website

[www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions](http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions)

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

## **Public participation at 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 consultative meetings. If you would like to participate and contribute in the meeting,

please join on-line through Zoom at: <https://zoom.us/join>. You will need an internet connection to do this.

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.

If you would like to address the virtual consultative meeting during either Public Question Time or regarding a Planning Application, please email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 20<sup>th</sup> July 2021. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

#### **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 will un-mute your microphone at the appropriate time.
- 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](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 20<sup>th</sup> July 2021. 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

If a member of the public wishes to speak they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing. This must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

## **Recording and photography at council meetings**

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

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

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

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

Ordnance Survey mapping/map data included within this publication is provided by South Somerset District Council under licence from the Ordnance Survey in order to fulfil its public function to undertake its statutory functions on behalf of the district. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey mapping/map data for their own use. South Somerset District Council - LA100019471 – 2021.

# Informal Discussion by Members of Area West Committee

**Wednesday 21 July 2021**

## Agenda

### *Preliminary Items*

**1. Apologies for Absence**

**2. 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 Jason Baker, Sue Osborne and Linda Vijeh.

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.

**3. Date and Venue for Next Meeting**

Councillors are requested to note that the next Area West Committee meeting is scheduled to be held at 5.30pm on Wednesday 18<sup>th</sup> August 2021. This will be a virtual meeting using Zoom on-line meeting software.

**4. Public Question Time**

**5. Chairman's Announcements**

### *Items for Discussion*

**6. Verbal Update on Chard Eastern Development Area (CEDA) Sites (Page 7)**

7. **Area West Committee - Appointment of Members to Outside Organisations for 2021/22 (Executive Decision)** (Pages 8 - 11)
8. **Scheme of Delegation - Development Control - Nomination of Substitutes for Chairman and Vice-Chairman for 2021/22 (Executive Decision)** (Pages 12 - 13)
9. **Area West Committee Forward Plan** (Pages 14 - 15)
10. **Planning Appeals** (Page 16)
11. **Schedule of Planning Applications to be Considered** (Page 17)
12. **Planning Application 20/01597/FUL - Land Adj 56 Watermead, South Chard** (Pages 18 - 27)

**Please note that members of the Area Committee will make a recommendation on the above reports. The decision will be taken by the Chief Executive or relevant Director.**



## **Verbal Update on Chard Eastern Development Area (CEDA) Sites**

Directors: Kirsty Larkins, Service Delivery  
Nicola Hix, Support Services and Strategy

Lead Officers: John Hammond, Specialist – Principal Planner, Service Delivery  
Jo Wilkins, Specialist – Strategic Planning, Strategy and  
Commissioning

Contact Details: [john.hammond@southsomerset.gov.uk](mailto:john.hammond@southsomerset.gov.uk)  
[jo.wilkins@southsomerset.gov.uk](mailto:jo.wilkins@southsomerset.gov.uk)

Officers will be attending Area West Committee to give a verbal update on current planning issues.

---

## Area West Committee - Appointment of Members to Outside Organisations for 2021/22 (Executive Decision)

Strategic Director: Nicola Hix, Strategy & Support Services  
Specialist: Angie Cox, Specialist – Democratic Services  
Lead Officer: Jo Morris, Case Officer – Strategy & Commissioning  
Contact Details: Jo.morris@southsomerset.gov.uk or 01935 462055

### Purpose of the Report

As the Council has entered a new municipal year, the Committee is asked to review the appointment of its members to serve on outside organisations within Area West, having regard to the policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies, which was adopted by District Executive on 1<sup>st</sup> May 2014.

### Recommendation

That Area West Committee considering appointing members to serve on outside organisations within Area West for 2021/22.

### Outside Organisations

The organisations which representatives have been appointed by this Committee are set out below. Members will be aware that they reviewed this list of organisations and made several recommendations towards the final policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies, which was adopted by District Executive on 1<sup>st</sup> May 2014.

Members are asked to review and appoint members to the outside bodies for 2021/22, having regard to the adopted policy.

<b>Organisation</b>	<b>Representation (Continued for 2000/21 due to the Covid pandemic)</b>
A Better Crewkerne & District (ABCD)	Mike Best
Blackdown Hills AONB	Martin Wale
Chard Museum	Jenny Kenton
Crewkerne Heritage Centre	Robin Pailthorpe
Ile Youth Centre Management Committee (Ilminster)	Brian Hamilton
Ilminster Forum	Val Keitch
Meeting House Arts Centre, Ilminster	Val Keitch
Stop Line Way Steering Group	Sue Osborne

## **Financial Implications**

None for the Area West Committee. Mileage claimed by Councillors attending meetings of outside bodies to which they are appointed is approximately £1,000pa and is within the existing budget for Councillors travelling expenses held by Democratic Services. There may be a small saving resulting from any decision to reduce the number of SSDC appointed outside bodies, however, a number of Councillors do not claim any mileage for their attendance at these meetings.

## **Council Plan Implications**

There are several Council Plan themes and Areas of focus for 2021/22 including:-

- 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 physical and mental health and wellbeing.

## **Carbon Emissions and Climate Change Implications**

None

## **Equality and Diversity Implications**

Full consideration to equalities was given in producing the Policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies.

## **Background Papers**

Minute 14, Area West Committee, 19 June 2013

Minute 184, District Executive, 1 May 2014

SSDC Policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies.

---

## AREA WEST OUTSIDE ORGANISATIONS INFORMATION

Name of Organisation	Number of Council Nominees	Period of Appointment	Aims & Objectives	Legal Status	Status of Councillor	Frequency of Meetings	Venue of Meetings
ABCD (A Better Crewkerne & District)	1	1 Year	The promotion of regeneration and the provision, improvement and preservation of amenities for Crewkerne and district.	Registered Charity	Member of Steering Group	Every other month	Crewkerne Heritage Centre
Blackdown Hills AONB Partnership	1	1 Year	To safeguard the distinctive landscape, wildlife, historical and architectural character of the Blackdown Hills whilst fostering the social, economic well being of its people.	Partnership	Member of Management Group	Quarterly	Village Halls in the Blackdown Hills
Chard Museum	1	1 Year	The advancement of education, learning and knowledge by the provision and maintenance of a Public Museum. The exhibition of artefacts, pictures, maps, letters and other items of historical, geographical or geological interest.	Charitable Trust	Trustee	Quarterly	Chard Museum
Crewkerne & District Museum & Heritage Centre	1	1 Year	The provision and maintenance of a museum and heritage centre in Crewkerne for the display of exhibits of historical, scientific, literary or artistic significance or interest. The provision of facilities for the display of works of arts.	Company Charitable Trust	Observer	Quarterly	Crewkerne Heritage Centre

Name of Organisation	Number of Council Nominees	Period of Appointment	Aims & Objectives	Legal Status	Status of Councillor	Frequency of Meetings	Venue of Meetings
Ile Youth Centre	1	1 Year	To help and educate young people through their leisure time & activities so as to develop their physical, mental & spiritual capacities that they may grow to full maturity as individuals & members of society.	Management Committee	Committee Member	Every three months.	Ile Youth Centre
Ilminster Forum	1	1 Year	To work for the benefit of the community of Ilminster and promote, enhance and further the quality of life of its community in response to their needs.	Company Limited by Guarantee	Voting Member	Monthly	Various
Meeting House Arts Centre, Ilminster	1	1 Year	To provide a financially self-supporting centre for the use and enjoyment of the people of Ilminster. To encourage involvement in the organisation by an increasing range of members and non-members.	Company Limited by Guarantee with Charitable Status	Observer	Quarterly	Meeting House Arts Centre, Ilminster
Stop Line Way Steering Group	1	Not limited	To guide development of Stop Line Way Cycle Route	Advisory Group	Member	As needed	Various



---

## **Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice-Chairman for 2021/22 (Executive Decision)**

Strategic Director: Kirsty Larkins, Director - Service Delivery  
Lead Specialist: Lesley Barakchizadeh, Planning Consultant  
Contact Details: lesley.barakchizadeh@southsomerset.gov.uk

### **Purpose of the Report**

As the Council has entered a new municipal year, the Committee is asked to review the appointment of two members to act as substitutes for the Chairman and Vice-Chairman in the exercising of the Scheme of Delegation for planning and related applications. The previous member substitutes were Cllrs. Mike Best and Paul Maxwell.

### **Recommendation**

That, in line with the Development Control Scheme of Delegation, two members be nominated to act as substitutes for the Chairman and Vice-Chairman to make decisions in the Chairman's and Vice-Chairman's absence on whether an application should be considered by the Area Committee where a request has been received from the Ward Member(s).

### **Background**

The Council's scheme of delegation for Development Control delegates the determination of all applications for planning permission, the approval of reserved matters, the display of advertisements, works to trees with Tree Preservation Orders, listed building and conservation area consents, to the Development Manager except in certain cases, one of which being the following:-

“A ward member makes a specific request for the application to be considered by the Area Committee and the request is agreed by the Area Chairman or, in their absence, the Vice-Chairman in consultation with the Development Manager. (This request must be in writing and deal with the planning issues to ensure that the audit trail for making that decision is clear and unambiguous). In the absence of the Chairman and Vice-Chairman there should be nominated substitutes to ensure that 2 other members would be available to make decisions. All assessments and decisions to be in writing.”

### **Financial Implications**

None from this report.



### **Council Plan Implications**

None from this report.

### **Carbon Emissions and Climate Change Implications**

None from this report.

### **Equality and Diversity Implications**

None from this report.

### **Background Papers**

Minutes 36, Council meeting of 21<sup>st</sup> July 2005

---



## **Area West Committee Forward Plan**

Strategic Director: Nicola Hix, Strategy & Support Services  
Agenda Coordinator: Jo Morris, Case Officer (Strategy & Commissioning)  
Contact Details: jo.morris@southsomerset.gov.uk

## **Purpose of the Report**

This report informs Members of the agreed Area West Committee Forward Plan.

## **Recommendations**

Members are asked to:

- a. Comment upon and note the proposed Area West Forward Plan as attached;
- b. Identify priorities for further reports to be added to the Area West Forward Plan.

## **Area West Committee Forward Plan**

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

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

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

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

## **Background Papers**

None.

---

**Notes**

(1) Items marked in italics are not yet confirmed.

(2) Further details on these items, or to suggest / request an agenda item for the Area Committee, please contact the Agenda Co-ordinator; Jo Morris, 01935 462055 or e-mail [jo.morris@southsomerset.gov.uk](mailto:jo.morris@southsomerset.gov.uk)

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
18 <sup>th</sup> August	Chard Regeneration Update Report	Dan Bennett, Property and Development Project Manager Anna Matthews, Chard High Street Heritage Action Zone Project Manager
20 <sup>th</sup> October	Area Chapter 2021-22 Update	Tim Cook, Locality Manager
<i>TBC</i>	<i>Chard Eastern Development Master Plan</i>	<i>Lead Specialist – Economy, Place and Recovery</i>
<i>TBC</i>	<i>Historic Buildings at Risk</i>	<i>Lead Specialist – Development Management</i>
<i>TBC</i>	<i>Update on S106 contributions</i>	<i>Case Officer, Service Delivery</i>



## Planning Appeals

Strategic Director: Kirsty Larkins, Service Delivery  
Lead Specialist: Lesley Barakchizadeh, Planning Consultant  
Contact Details: lesley.barakchizadeh@southsomerset.gov.uk

## Purpose of the Report

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

## Recommendation

That members note the report.

## 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

20/02649/HOU - Erection of a single storey & a two storey extension to rear of dwelling, replacement of existing doors & windows.  
Barton House North Street, Chiselborough, Stoke Sub Hamdon, Somerset, TA14 6TH  
(Officer Delegated Decision)

### Background Papers

None

---

## Schedule of Planning Applications to be determined by Committee

Director: Kirsty Larkins (Service Delivery)  
Lead Specialist: Lesley Barakchizadeh, Planning Consultant  
Contact Details: lesley.barakchizadeh@southsomerset.gov.uk

### Purpose of the Report

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

### Recommendation

Members are asked to note the schedule of planning applications.

***Planning Applications will be considered no earlier than 5.30pm***

The meeting will be viewable online by selecting the committee at:  
[https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF\\_soA](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](mailto:democracy@southsomerset.gov.uk) by 9.00 am on Tuesday 20<sup>th</sup> July 2021.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
12	BLACKDOWN, TATWORTH & FORTON	20/01597/FUL	Construction of a detached dwelling with associated parking	Land Adj 56 Watermead, South Chard	Mr Dan Bennett

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

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

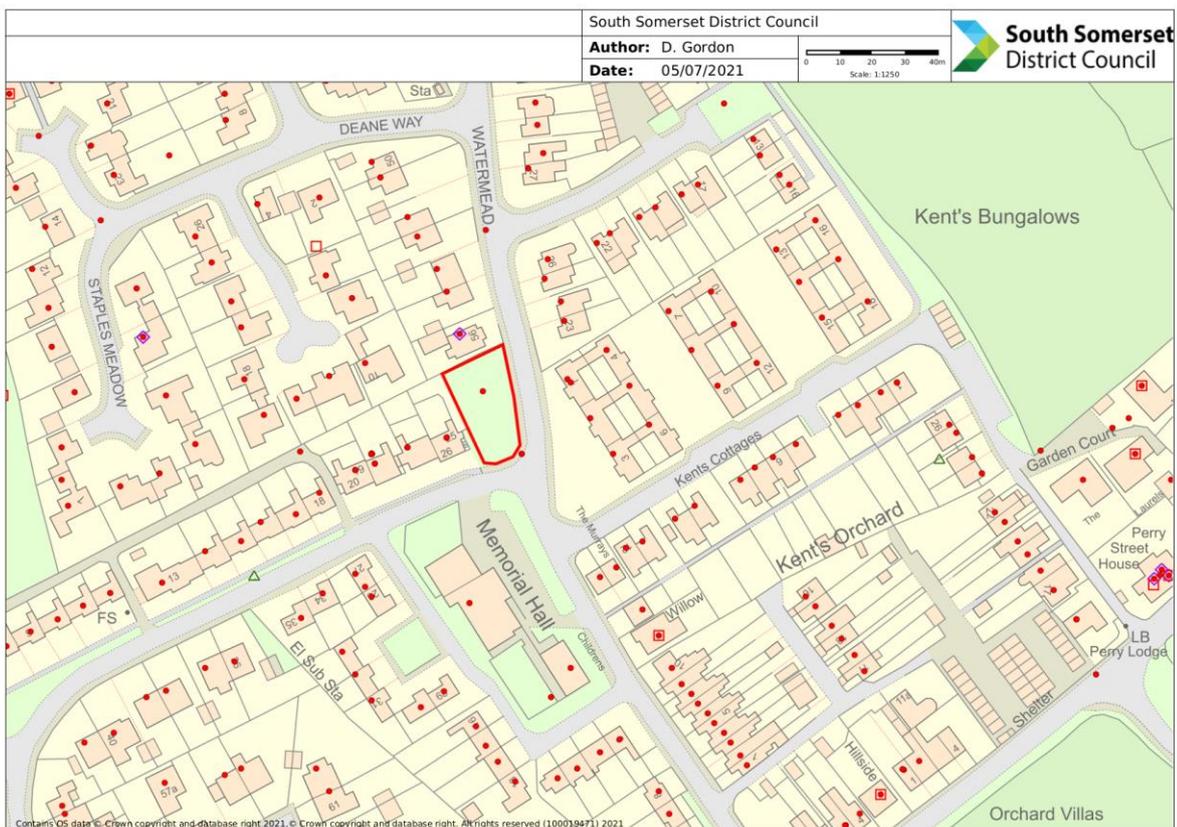
# Agenda Item 12

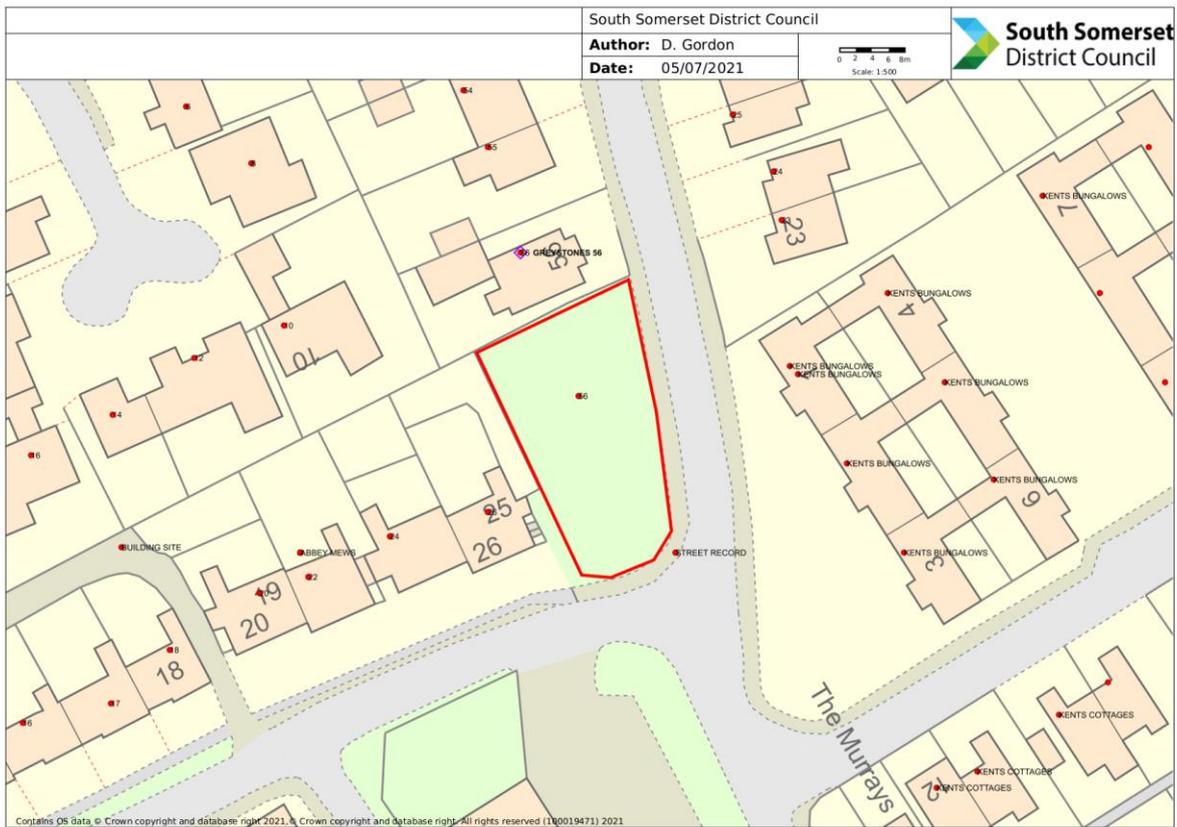
## Officer Report On Planning Application: 20/01597/FUL

<b>Proposal :</b>	Construction of a detached dwelling with associated parking
<b>Site Address:</b>	Land Adj 56 Watermead South Chard
<b>Parish:</b>	Tatworth and Forton
<b>BLACKDOWN, TATWORTH &amp; FORTON Ward (SSDC Member)</b>	Cllr M Wale Cllr J Kenton
<b>Recommending Case Officer:</b>	Louisa Brown (Specialist) Tel: (01935) 462344 Email: louisa.brown@southsomerset.gov.uk
<b>Target date :</b>	5th August 2020
<b>Applicant :</b>	Mr Dan Bennett
<b>Agent: (no agent if blank)</b>	Mrs Victoria Cains, Sandcliffe House, Northgate Street Devizes, SN10 1JT
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE:

The application has been referred to Committee by the Case Officer as the applicant is South Somerset District Council.





## SITE DESCRIPTION AND PROPOSAL

This is an application seeking full planning permission for the erection of 1 no. dwelling with associated parking at land adjacent to 56 Watermead, South Chard. The site is located on a corner plot at the junction of Watermead and Kents Lane, within a residential area. The area is characterised by two storey and single storey properties, with the dwelling directly to the north being a two storey detached dwelling and those on the west boundary being semi-detached two storey buildings providing flats, to the south of the site is the Memorial Hall

The proposal seeks to erect a 3 no. bedroom detached dwelling with parking. The access for the parking will be off Watermead and adjacent to the north boundary. Originally the scheme was for a pair of semi-detached dwellings however further to advice from the LPA this was amended to one unit and the design altered.

## HISTORY

None

## POLICY

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

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the

adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

South Somerset Local Plan (2006-2028)

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS2 - Development in Rural Settlements

Policy SS4 - District Wide Housing Provision

Policy SS5 - Delivering New Housing Growth

Policy EQ1 - Addressing climate change in South Somerset

Policy EQ2 - General Development

Policy EQ4 - Biodiversity

Policy TA1 - Low Carbon Travel

Policy TA5 - Transport impact of new development

Policy TA6 - Parking Standards

National Planning Policy Framework

Chapter 2: Achieving sustainable development

Chapter 5: Delivering a sufficient supply of homes

Chapter 6: Building a strong, competitive economy

Chapter 8: Promoting healthy and safe communities

Chapter 9: Promoting sustainable transport

Chapter 11: Making effective use of land

Chapter 12: achieving well designed places

National Planning Practice Guidance

Design

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2017)

National Design Guide - September 2019

## **CONSULTATIONS**

### **Tatworth and Forton Parish Council:**

"The Parish Council have considered this application.

The site is designated community land, has been in use as such since the original surrounding development was completed.

Located on a busy 4 road junction, opposite the entrance to the Memorial Hall car park any application must have the highway authority's blessing.

Whilst the size of the plot is such that it may be developed, any development must result with the properties being available for local parish residents for rent or purchase."

**SCC Highway Authority:**

Standing advice applies.

**SSDC Highway Consultant:**

"I note the development scheme has been altered to propose the construction of a single dwelling rather than a pair of dwellings. The proposed parking provision and visibility splays now shown on the amended plan are acceptable. The other comments I made previously in respect of access surfacing, drainage and the need to provide a charging point for electric vehicles do not appear to have been addressed on the submitted plan, but these elements of the scheme, in addition to the visibility splays and parking provision, can be secured by condition. A S.184 license will also be required from SCC to cover the dropping of the kerb-line and the re-profiling of the frontage footway for the width of the access onto Watermead."

**Rights of Way:**

No comments received

**REPRESENTATIONS**

Thirteen neighbours were notified and a site notice displayed. Three objections have been received. The issues raised in summary are:

- New dwelling detrimental to character of the area
- Highway safety, will affect visibility splays, create traffic congestion
- Loss of open space
- Loss of amenity, overlooking, lack of light
- Vehicle fumes
- Devaluation of property
- Disruption to roads and pavements.

**CONSIDERATIONS**

The main issues to assess as part of this application are the principle of development, impact on highway safety, visual amenity, residential amenity and ecology.

**Principle of Development:**

The starting point for decision-making is the statutory development plan, which is the South Somerset Local Plan (2006 - 2028). Adopted in March 2015, this provides the policy framework through which to make decisions on whether or not to grant planning permission for development in the district. The District Council can currently demonstrate that they have in excess of the five year land supply and as such all housing policies are considered up to date.

**Sustainability of the settlement:**

South Chard is classified as a 'rural settlement' in the Local Plan and as such Policy SS2 applies. This states:

"Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing.

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the

sustainability of a settlement in general. Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation.

Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at Paragraph 5.41".

Policy SS2 sets a relatively restrictive approach to development in rural settlements in that the principle of housing is not automatically accepted as it is predicated upon the compliance of the proposal with the above requirements. The agent has referred to there being a housing need for a 3 no. bedroom property in this location.

The parish council neither support nor object to the proposal, but state that:  
"Whilst the size of the plot is such that it may be developed, any development must result with the properties being available for local parish residents for rent or purchase."

The District Councils online list under 'Housing demand - freedom of information requests' sets out that Homefinder Somerset identified a need for six 3 no. bedroom units in the parish of Tatworth and Forton. Whilst the proposed development will not provide housing by an affordable housing provider, it does serve an identified need, for smaller housing that is more attainable on the open market for a family home. Online estate agent sites indicate that currently there is only one 3 no. bedroom unit available for sale in South Chard and a further 2 properties within Tatworth.

It is considered that the development will meet a housing need in this location and is commensurate with the scale and character of the settlement in accordance with policy SS2 of the South Somerset Local plan (2006-2028) and the NPPF.

#### **Visual Amenity:**

Objections have been raised to the dwelling being out of character with the area and the loss of open space. The agent has submitted an amended plan to address the concern of the LPA and residents, no comments have been received in regard to the amended plans. The original scheme was for 2 no. dwellings, the amended plans show a single dwelling fronting onto Watermead and as such has been designed to reflect the dwelling to the north, with materials used to match buildings in the immediate vicinity.

The property will sit back from the front elevation of no. 56 Watermead and sit behind the build line for properties on Kents Lane, thus pulling it back from the corner at the junction, to enable a partial retention of the open green space. In addition the plan shows the planting of a tree in the open space.

The area is characterised by properties finished in re-constituted stone, brick and some part rendered all under tiled roofs. The dwelling will be finished in brick under a double roman tiled roof, with grey upvc or aluminium windows and doors. The materials are considered to be acceptable subject to a condition to agree the colour finish.

Notwithstanding comments received it is considered that the proposed development by reason of location, scale, design and materials will not adversely affect visual amenity in accordance with policy EQ2 of the South Somerset Local Plan.

**Residential Amenity:**

Objections are raised due to overlooking and loss of amenity, along with fumes from vehicles. In addition there is an objection due to devaluation of properties. Unfortunately devaluation is not a material planning consideration and as such cannot be taken into account.

The dwelling has been designed to ensure that the first floor windows on the west elevation are obscure glazed to limit any adverse overlooking, in addition there are no windows in the north elevation of the proposed dwelling. The dwelling to the north has windows in its south elevation, however the proposed dwelling will be situated just over approximately 6.25 metres from their side elevation.

Whilst the neighbour's outlook will be affected there is no right to a view under planning consideration. It is considered that there is enough distance to ensure there will be no adverse loss of light. Furthermore the parking is separated by a boundary fence and the site is in an already residential area where there are car fumes, as such it is considered that an additional property will not result in an adverse impact on residential amenity.

Notwithstanding comments received it is considered that the proposal has been designed to minimise the impact on neighbouring properties and there will be no significant adverse impact on residential amenity in accordance with policy EQ2 of the South Somerset Local Plan.

**Highway Safety:**

Objections are raised in regard to the effect on visibility at the junction of Kents Lane and Watermead and increase in traffic, along with disruption to the roads and pavements. The Highway Authority has referred to standing advice and the SSDC Highway Consultant has no objection subject to the relevant conditions.

Policy TA1 requests that all new development meet certain criteria. It is considered reasonable in this instance to condition that the development includes an electric charging point for vehicles in connection with each new unit.

Notwithstanding comments received it is considered that the proposed parking and access is acceptable and in accordance with policies TA5 and TA6 of the South Somerset Local Plan and the implementation of the necessary condition will also enable the development to be in accordance with policy TA1 of the South Somerset Local Plan.

**Ecology:**

The site is not within the Somerset Levels and Moors catchment area nor have any protected species been identified on the constraints. As such Ecology have not been consulted, and it is considered that the proposal will have no adverse impact on biodiversity in accordance with policy EQ4 of the South Somerset Local Plan.

**Affordable Housing Contributions and CIL:**

Following a court of Appeal decision, South Somerset District Council will not be seeking affordable housing contributions from schemes of 10 or less dwellings or where the gross floor area of buildings is less than 1000 sq. m. in line with the statement made by the Minister for Housing and Planning.

The proposal will be liable for CIL, Form 1 has been submitted.

## RECOMMENDATION

Approve

01. The proposed dwellinghouse, by reason of location, design, scale and materials, contributes to meeting a housing need that is commensurate with the scale and character of the settlement and does not cause significant harm to visual amenity, residential amenity, ecology or highway safety in accordance with the aims and objectives of policies SD1, SS2, SS4, SS5, EQ2, EQ4, TA1, TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the aims and objectives of the NPPF.

### SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location\_1886-planning.dwg  
Design\_C-1886-P2.dwg

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

03. No work shall be carried out above ground works on site unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) details of the make and colour of the double roman roof tiles to be used
- b) details of the make and colour finish of the brick to be used on the external walls
- c) details of the external finish and colour for all external doors and windows

Once approved such details shall be fully implemented and shall thereafter not be altered unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

04. Prior to the first occupation of the dwelling hereby approved the boundary treatments as shown on the approved plan, Design\_C-1886-P2.dwg, shall be fully implemented unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual and residential amenity and to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

05. Prior to the development hereby approved being first brought into use the obscure glazed windows, shown on approved plan Design\_C-1886-P2.dwg, shall be fully implemented,

to a minimum level 3, and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interests of residential amenity and to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

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

Reason: In the interests of visual and residential amenity and to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of the dwellinghouse hereby approved forward of any wall of that dwellinghouse which fronts onto a road (east and south elevation of the dwelling).

Reason: In the interests of visual amenity and to retain the open space and to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed.

Reason: In the interests of residential amenity and to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

09. The overall ridge height of the dwelling hereby approved shall not exceed that shown on the approved plan, Design\_C-1886-P2.dwg - Watermead Street Elevation, when assessed in relation to the adjacent dwelling known as 56 Watermead.

Reason: In the interests of visual amenity and for the avoidance of doubt and to accord with Policy EQ2 of the South Somerset Local Plan 2006-2028.

10. The landscaping as indicated on the approved plan shall be carried out within the dormant planting season (November to February inclusively) following the commencement of any aspect of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and

the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure

11. Before the dwelling hereby permitted is first occupied, a properly consolidated and surfaced access and parking area shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access and parking area shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

12. The dwelling hereby permitted shall not be occupied until the parking spaces have been provided, as detailed on submitted drawing number Design\_C-1886-P2.dwg. The said spaces shall thereafter be kept clear of obstruction at all times and not used other than for the parking of vehicles in connection with this development.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan 2006-2028.

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

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

14. At the proposed access there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown approved drawing, Design\_C-1886-P2.dwg. Such visibility splays shall be constructed prior to the first occupation of the dwelling hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

15. Prior to first occupation of the dwelling hereby permitted, one 16amp electric charging point, for electric vehicles, shall be provided adjacent to one of the parking spaces. Once installed such electric charging point shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

#### **Informatives:**

01. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation or alteration of an access to the highway will require

a Section 184 Permit. This must be obtained from the Highway Service Manager at the following Area Highway office: South Somerset Area Highways Office - Houndstone Business Park, Yeovil. The Area Highways Offices are contactable on the following telephone number No.0300 123 2224. Applications for such a permit should be made at least four weeks before access works are intended to commence.