



Informal Discussion by Members of Area West Committee

Wednesday 16th February 2022

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
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 by 9.00am on Tuesday 15th February 2022.

The meeting will be streamed and viewable online 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 Monday 7th February 2022.

Jane Portman, 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 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;

For full details and to view the report please see -

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

Further to the above, at the meeting of Full Council on 8 July 2021, it was agreed to extend the arrangements for a further 6 months to 8 January 2022. For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=3033&Ver=4>

Further to the above, at the meeting of Full Council on 16 December 2021, it was agreed to extend the arrangements for a further 6 months to 8 July 2022 for all meetings apart from Full Council - Full Council will be in person. For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=2991&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

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.

Please email democracy@southsomerset.gov.uk for the details to join the 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.

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 by 9.00am on Tuesday 15th February 2022. 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 by 9.00am on Tuesday 15th February 2022. 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 at the virtual meeting they must email democracy@southsomerset.gov.uk by 9.00am on Tuesday 15th February 2022.

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>

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Informal Discussion by Members of Area West Committee

Wednesday 16 February 2022

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 19th January 2022.

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 Jason Baker and Sue Osborne.

Where planning applications are referred by this Committee to the Regulation Committee for determination, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

4. Date of Next Meeting

Councillors are requested to note that the next Area West Committee meeting is scheduled to be held at 5.30pm on Wednesday 16th March 2022 and will be a virtual meeting using Zoom.

5. Public Question Time

6. Chairman's Announcements

Items for Discussion

7. **Phosphates Update** (Page 7)
8. **Reports from Members on Outside Organisations - Ile Youth and Community Centre, Ilminster** (Pages 8 - 10)
9. **Area West Committee Forward Plan** (Pages 11 - 12)
10. **Schedule of Planning Applications to be Considered by Committee** (Pages 13 - 14)
11. **Planning Application 21/02927/HOU - Chapel Cottage , Lower Street, Merriott, TA16 5NL** (Pages 15 - 22)
12. **Planning Application 21/02928/LBC - Chapel Cottage , Lower Street, Merriott, TA16 5NL** (Pages 23 - 29)

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.



Phosphates Update

Strategic Director: Kirsty Larkins, Director of Service Delivery
Lead Specialist: John Hammond, Lead Specialist - Built Environment
Contact Details: john.hammond@southsomerset.gov.uk

The Lead Specialist - Built Environment, Service Delivery will be attending Area West Committee to give a verbal update on Phosphates.



Reports from Members on Outside Organisations – Ile Youth and Community Centre, Ilminster Update

Purpose of the Report

To introduce reports from members appointed to outside organisations in Area West.

Public Interest

Each year Area West Committee appoints local Councillors to serve on outside bodies (local organisations) in Area West. During the year Councillors make a report on the achievements of those organisations and other relevant issues.

Recommendations

That the report is noted.

Background

To replace “Reports from members on outside organisations” as a generic standing agenda item it was agreed at the August 2012 meeting to include specific reports about each organisation in the Committee’s forward plan.

Members were appointed to serve on outside bodies at the July 2022 meeting.

Reports

Reports can be verbal or written. There is no standard format, but if possible they include an explanation of the organisations aims, their recent activities, achievements and any issues of concern.

This month the member report is:

Ile Youth and Community Centre – Councillor Brian Hamilton

Financial Implications

None

Background Papers

None



16th February 2022

As with many voluntary organisations, the last couple of years have been challenging ones. But I am pleased to report that from the Ile Youth and Community Centre's perspective, they have appeared to weather it reasonably well, through good management and prudent measures.

The centre benefited immensely from the Government Grants schemes that were administered through SSDC and helped the centre keep afloat, especially through the 'lockdown' phases. General activity and use of the centre has reduced due to various reasons and sadly one group, the 'Ilminster Majorettes' folded during the period. However, things are picking up, with some groups beginning to return to their pre-pandemic timings and other groups looking to restart after a pause.

Sadly, as with many facilities across our District, the material state of the building has suffered, both from age and vandalism. The building itself dates from the mid-1960s and consequently constructed at a time when materials such as asbestos and concrete were commonplace in the building industry. As such, over the period since the last report, various works have been undertaken both externally and internally:

- As a result of vandalism, a flat roof to the rear of the building had to be replaced. Work was completed last year. New lighting was installed and the kitchen ceiling replaced. Most of this work was paid for through an insurance claim, which has meant an inevitable increase in premiums.
- Asbestos guttering and down pipes were removed and replaced. New guttering was installed at the rear of the building and fascia boards redecorated.
- A new water heater was installed, as well as all radiator valves changed and the heating system completely cleaned.
- Dampness had damaged some of the main hall's flooring. This was treated and replaced. Some of the floorboards had to be custom made, as they are no longer mass manufactured.
- Tree works were carried out on the very large willow tree that stood at the entrance to the centre, which had been damaged and become dangerous.

As some councillors may be aware, although the centre is owned and operated by a trust, the land on which it sits is owned by SSDC. A 99-year lease was agreed when the centre was built, of which approximately 34 years is left to run. This land provides the centre with its major income generation, as it allows for the rental of parking spaces to local residents and business in the centre of Ilminster. This is effectively how the centre has managed to financially stay afloat. Prudently, the Trustees and Committee ringfenced much of this income for the ongoing maintenance of the building. But that is now being sorely tested.

Looking forward.



The centre's use is beginning to increase and Ilminster Town Council has agreed funding with Young Somerset, to provide youth facilities which are looking to utilize the centre. Other clubs and organisations using the centre, mean that its event diary has something in there nearly every weekday/evening.

However, there are major financial challenges ahead for the centre, with regards to the age of the building and its material state. Some of the issues identified will require major works and large costs. In no particular order, they include:

- Replacing the main boiler and heating system.
- Removing all remaining asbestos from the building.
- Removing and replacing the main hall roof.
- Replacing and/or repairing the flat roof over the toilets and front office.
- Updating and/or replacing the website.

Following a meeting with the Chair, the Deputy Mayor and myself, I agreed to investigate the possibility of grant funding for some of the works. It was also considered whether the building, considering its age, should be replaced in its entirety. A new building would be more environmentally efficient and help reduce overheads in the long run and provide a more modern and appealing facility for organisations and the wider community. But this latter suggestion would be a major undertaking and involve the centre taking a huge financial risk and hit on its income, both from the hall and the car park.

This is an incredible facility built by and for the people of Ilminster and stands as a testament to what a community can achieve when it comes together. The Ile Youth and Community Centre has great potential going forward. With enthusiasm and support behind it, it can once again become a focal point for the young people and community of Ilminster.

Cllr Brian Hamilton



Area West Committee Forward Plan

Strategic Director: Nicola Hix, Strategy & Support Services
Agenda Coordinator: Jo Morris, Case Officer (Strategy & Support Services)
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

Meeting Date	Agenda Item	Lead Officer(s) SSDC unless stated otherwise
16 th March 2022	Stop Line Way Cycle Path	Adrian Moore, Locality Officer
16 th March 2022	Update on S106 contributions/CIL	Tim Cook, Locality Team Manager
<i>16th March 2022</i>	<i>Community Grant Application – Arc Play Space</i>	<i>Nathan Turnbull, Locality Officer</i>
<i>16th March 2022</i>	<i>A Better Crewkerne and District Update</i>	<i>Cllr Mike Best</i>
20 th April 2022	This meeting has been cancelled due to the Elections	
<i>18th May 2022</i>	<i>Chard Eastern Development Area Eastern Relief Road Options</i>	<i>Peter Paddon, Acting Director Place & Recovery / Lead Specialist Economy</i>
<i>18th May 2022 (TBC)</i>	<i>Flooding report – requested following the recent Chard flooding on how SSDC engage with other authorities to deal with emergencies</i>	<i>Jessica Power, Lead Specialist Strategic Planning</i>
<i>18th May 2022</i>	<i>Meeting House Arts Centre, Ilminster Update</i>	<i>Cllr Val Keitch</i>
<i>TBC</i>	<i>Historic Buildings at Risk</i>	<i>John Hammond, Lead Specialist Built Environment</i>

Schedule of Planning Applications to be determined by Committee

Director: Kirsty Larkins (Service Delivery)
Lead Specialist: John Hammond, Lead Specialist Built Environment
Contact Details: john.hammond@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

Any member of the public wishing to address the virtual meeting regarding a Planning Application need to email democracy@southsomerset.gov.uk by 9.00 am on Tuesday 15th February 2022.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
11	EGGWOOD	21/02927/HOU	Formation of an internal window opening and the installation of 10No. solar panels on 2No. garages.	Chapel Cottage, Lower Street, Merriott, TA16 5NL	Mr & Mrs Paul Maxwell
12	EGGWOOD	21/02928/LBC	Formation of an internal window opening and solar panels on 2No garages.	Chapel Cottage, Lower Street, Merriott, TA16 5NL	Mr & Mrs Paul Maxwell

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 11

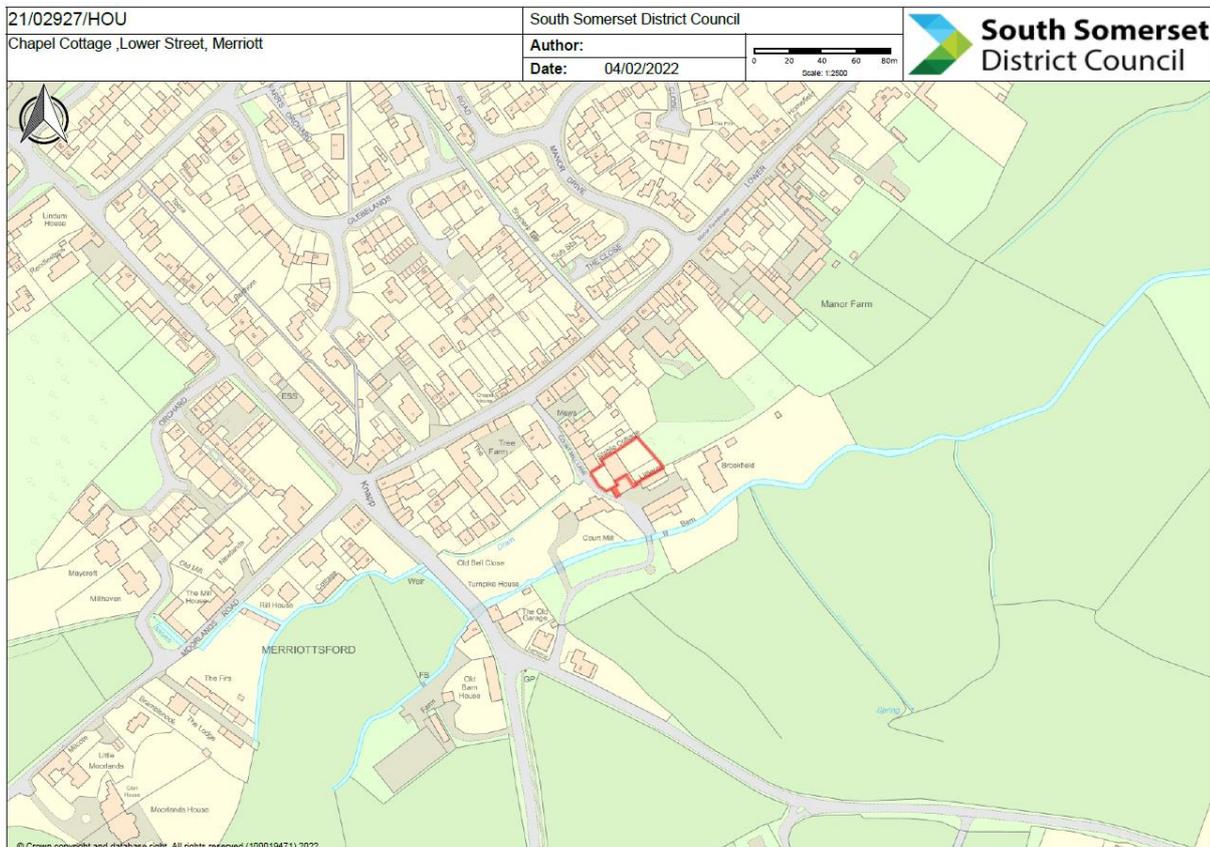
Officer Report On Planning Application: 21/02927/HOU

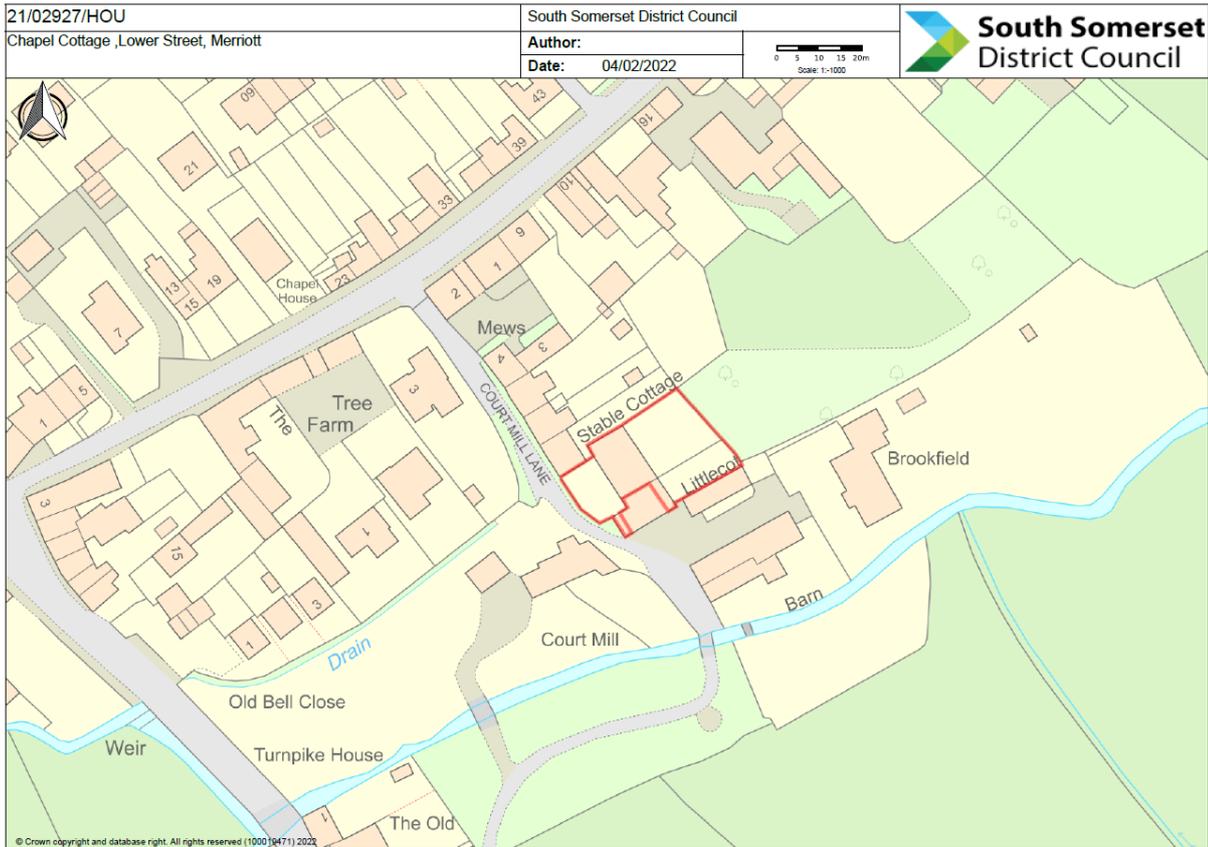
Proposal :	Formation of an internal window opening and the installation of 10No. solar panels on 2No. garages.
Site Address:	Chapel Cottage , Lower Street, Merriott, TA16 5NL
Parish:	Merriott
EGGWOOD Ward (SSDC Member)	Cllr Paul Maxwell
Recommending Case Officer:	Nick Toop (Case Officer)
Target date :	6th December 2021
Applicant :	Mr & Mrs Paul Maxwell
Agent: (no agent if blank)	Ms Kim Sankey Angel Architecture Ltd Unit 4, Herringston Barn Herringston Dorchester, DT2 9PU
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred directly to the Area West Committee as one of the applicants is the elected member for the Eggwood Ward and is also the Chairman of the Council.

SITE CONTEXT/DESCRIPTION:





The application site is a two storey dwellinghouse constructed of ham stone between a slate roof. This is a Grade II Listed Building of late 17th Century origin, however according to the Listing; contained within the building are elements of a former chapel believed to date to the early 15th century. The property has been altered substantially over time. The building was subdivided into two individual dwellings in 1967 but was returned to being a single dwelling in late-2010.

This is a residential setting located to the south of Merriott, the dwelling sits near the outskirts of the village in close proximity to a number of residential neighbours, including another Grade II Listed Building known as Court Mill. The site also falls within the Designated Merriott Conservation Area.

In the late 1960's, permission was granted for the erection of a block of garages to be attached to the south side of the Listed Building, two of the five garages in situ are under the ownership of the applicant and it is proposed to install an array of solar PV panels on the flat roof of the garages. The applicants have set out in their Design & Access Statement that the solar panels above both garages would serve car charging points, with any surplus energy to be sold back to the utilities grid.

HISTORY

10/04194/LBC - The carrying out of both internal and external alterations to convert the 2 No. existing dwellings into a single dwelling unit - Application permitted with conditions - 09/12/2010

09/03851/LBC - The installation of a rear-facing ground floor window - Application permitted with conditions - 18/11/2009

942499 - The installation of a velux rooflight in east (rear) elevation of dwellinghouse (Listed Building Consent) - Approved 14/12/1994

78503/A - The conversion of existing buildings into 2 units of living accommodation - Approved 22/02/1967

78503 - The conversion of existing building into 2 units of living accommodation - Refused 20/01/1967

72626/D - Erection of 2 private garages & use existing access - Approved 26/03/1968

72626/B - Erection of 3 private garages & use existing access - Cond. App. 16/02/1967

POLICY

South Somerset Local Plan 2006-2028:

Policy SD1 - Sustainable Development

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - Design And General Development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy TA5 - Transport Impact On New Development

Policy TA6 - Parking Standards

NPPF 2021:

Chapter 2 - Achieving sustainable development

Chapter 12 - Achieving well-designed places

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

Chapter 15 - Conserving and enhancing the natural environment

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

Historic England Guide - Energy Efficiency and Historic Buildings: Solar Electric (Photovoltaics)

CONSULTATIONS

Town/Parish Council

Merriott Parish Council: Dear Sir / Madam, At our meeting on 8TH NOVEMBER 2021, it was decided that we have NO OBJECTIONS to this application.

Other Consultees

Highways Authority: Standing Advice Applies

Highways Consultant: No highways issues - no objection

SSDC Conservation Specialist: The Conservation Specialist confirmed that he has no concerns with the proposed installation of the internal window between the dining room and the chapel.

Detailed discussions and correspondence were held between the Specialist, the Case Officer and the Agent regarding the proposed solar panels, in which clarification was sought as to the manner in which the panels would be installed on the roof and the design/model of the panels themselves. The Conservation Specialist advised that it was important to ensure that the solar panels nearest to the west did not appear above the existing parapet wall in order to achieve appropriate screening and not impact the setting of the Conservation Area or the neighbouring Listed Building known as Court Mill, the Specialist considered that the position and appearance of the panels on the eastern garage was suitable due to the level of distance from the public road and the neighbouring Listed Building. It was suggested that the parapet wall to the west of the garages could be increased in height in order to screen any view of the panels, however ultimately the applicant opted not to pursue this approach. The initial design/model of solar panels selected was considered too thick by the Specialist as this resulted in a projection above the height of the parapet from the westernmost panels, however an alternative product was selected by the applicant, resulting in panels with a thinner profile which would not project above the western parapet. The Specialist confirmed that he was better satisfied with the final selection for the solar panels in addition to the pitch in which they would be established on the roof of the garages.

The agent supplied a statement setting out that the installation of the solar panels on the garage roof shall not harm the setting of the neighbouring Grade II Listed Building known as Court Mill but would result in low-level less than substantial harm to the setting of Chapel Cottage itself due to the level of intervisibility. However, it is suggested within the statement that the installation of the solar panels shall provide a public benefit by enabling the applicant to generate energy for the charging of two cars, thereby reducing the amount of carbon consumption by the applicants. The Conservation Specialist agreed with the assessment that the proposed development would result in low-level less than substantial harm and advised that the merits of the suggested public benefit would need to be assessed by the case officer.

Neighbour Comments

Three neighbours notified by letter/Site notice displayed on 25th October 2021/Press Advert placed on 28th October 2021 - No representations received.

KEY CONSIDERATIONS

Visual Amenity/Impact on Historic Environment/Public Benefit

The proposal shall see the installation of a set of solar PV panels on the corrugated iron roof of the two garages attached to the south side of the Listed Building which are under the ownership of the applicant. The garages in question are sited to the far left (west) and far right (east) of the row, the remaining three garages in between are all under alternative ownership. It is noted that the two westernmost garages are lesser in height than the other three, these being slightly later additions to the site. The roof of the two lower garages is approximately 75cm lesser in height than that of the other three. There is a stone parapet wall on the western garage which sits approximately 75cm above the roof of the garage.

All five garages were constructed following the grant of consents in the late 1960's and are not original features of the Listed Building. As such, it is considered that the installation of solar panels on the roof of these garages shall not interfere with any historic fabric.

During the course of the application, the agent was advised that the installation of solar panels above the garage roof was acceptable in principle, providing that the appearance and manner of installation would be such that the setting of the surrounding heritage assets would not be adversely impacted. It was considered that the panels on the eastern garage would not be contentious because despite the greater height of this garage, the position was considered to be appropriately set back from the highway and the neighbouring Grade II Listed Building (known as Court Mill). However, there were concerns in relation to the western garage (which is closer to the public road and Court Mill) as the thickness of the solar PV units that were originally proposed would have resulted in the panels appearing above the existing parapet on the west of the garages, this would have been considered harmful to the setting of the Conservation Area and of Court Mill. The applicant briefly considered increasing the height of the parapet wall, though ultimately this was not pursued.

However, during the course of the application, the applicant was able to obtain an alternative selection for the solar panel product which had a notably thinner profile. As a result of the reduced thickness, it was possible to illustrate that the alternative proposed panels on the western garage would not project above the parapet wall. Following the changes to the profile, it was considered that the proposal was more suitable to the setting of the heritage assets. As such, amended plans were submitted to demonstrate the revised approach. No representations have been received with any objection to the proposals.

The Conservation Specialist agreed with the agent's statement that the solar panels would be considered to result in low-level less than substantial harm to the setting of Chapel Cottage (Grade II Listed Building) and referred to the Case Officer to assess whether the application would introduce a sufficient public benefit.

Paragraph 202 of the National Planning Policy Framework 2021 states that "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*"

Paragraph 8 of the National Planning Policy Framework sets out the three overarching objectives of the planning system. In particular, Paragraph 8(c) specifies that there is an environmental objective, including the following;

to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

It is considered that the provision of opportunities for micro-generation, which forms a fundamental basis of the proposed development (through the installation of the solar PV panels), would accord with part of the environmental objective of the planning system to protect the natural environment through 'adapting to climate change' and 'moving towards a low carbon economy', and that this constitutes as a form of public benefit. It is considered that whilst the

proposed development would result in less-than-substantial harm to the host Listed Building, the level is at the lower end of less than substantial and the public benefit identified carries sufficient weight to offset the degree of less than substantial harm caused by the proposals.

As such, it is considered that the proposed development is capable of respecting the established character and appearance of the Designated Merriott Conservation Area and shall not harm the setting of the neighbouring Grade II Listed Building (Court Mill). It is deemed that the proposals shall result in very low-level less than substantial harm to the host Grade II Listed Building (Chapel Cottage) but that there is a sufficient public benefit to outweigh the impact of this harm. The application is therefore considered to be in accordance with Policies EQ2 & EQ3 of South Somerset Local Plan (2006-2028) with regards to Visual Amenity and preserving the Historic Environment.

Residential Amenity

It is considered that the proposed solar panels will not result in any undue overshadowing or overbearing to neighbouring dwellings. There are no external openings proposed as part of the scheme and therefore neighbour privacy shall not be impacted. As such it is considered that the development will not have a demonstrable harmful impact on the amenity of neighbouring residents and therefore is in accordance with Policy EQ2 of South Somerset Local Plan (2006-2028) with regards to residential amenity.

Highways

There are no highways issues associated with this application.

Climate Change

Policy EQ1 of the Local Plan states that '*Development of renewable and low carbon energy generation will be encouraged and permitted, providing there are no significant adverse impacts upon residential and visual amenity, landscape character, designated heritage assets, and biodiversity*'. The proposed development includes the installation of an array of 10 photovoltaic panels to facilitate the generation of renewable energy on the site, specifically in relation to the charging of vehicles within the garages. As discussed above, it is considered that the proposed development would result in less than substantial harm to the host Listed Building but that this harm is considered to be at the lower end of the scale and there shall be a public benefit from the installation of the panels. As such, it has been established that there shall be no significant adverse impacts to Visual and Residential amenity, nor on the local heritage assets and the application is therefore considered to accord with Policy EQ1 of South Somerset Local Plan (2006-2028).

Biodiversity

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017). Policy EQ4 of the Local Plan also require proposals to pay consideration to the impact of development on wildlife and to provide mitigation measures where appropriate.

In this case there are no proposed alterations to the main roof of the dwellinghouse.

The applicant will be advised through informatives of the legal protection afforded to bats and

birds. As such, with the imposition of these informatives, it is considered that the proposal does not conflict with Local Plan Policy EQ4 or relevant guidance within the NPPF.

SUMMARY

No objection is recorded. The proposed development is considered to be acceptable and the Case Officer recommends that the application be approved. The applicant is referred to the Area West Planning Committee as one of the applicants is the elected member for the Eggwood Ward and is also the Chairman of the Council.

OFFICER RECOMMENDATION

Approve for the following reason:

01. The proposal, by reason of its size, siting, materials, design and limited interference with the historic fabric, causes no demonstrable harm to visual and residential amenity, biodiversity or highway safety and shall provide opportunities for micro-generation, the installation of the solar panels shall cause low-level less than substantial harm to the setting of the Grade II Listed Building though the public benefit achieved from the renewable energy infrastructure is sufficient to offset this level of harm, in accordance with Policies SD1, EQ1, EQ2, EQ3, EQ4, TA5 & TA6 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2021.

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 and details referenced:

- Location Plan: Drawing No. TQRQM21265101636102/2121
- Proposed Ground Floor Plan: Drawing No. 2121-02
- Sections A-A & B-B As Proposed: Drawing No. 2121-04
- Proposed West & South Elevations/Section Through Roof At Eaves: Drawing No. 2121-05B
- Proposed Roof Plan/Section A-A: Drawing No. 2121-11B
- Proposed Site Plan: Drawing No. 2121-11
- Preliminary Technical Information Sheet - CanadianSolar (HiKu Mono: 400W-425W)
- Mounting System for PV (registered 13th January 2022)

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

03. The external surfaces of the development shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

Reason: To ensure the proposed development is completed in accordance with Policy EQ2 of South Somerset Local Plan and the provisions of the National Planning Policy Framework 2021.

Informatives:

01. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop, and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.
02. The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

Agenda Item 12

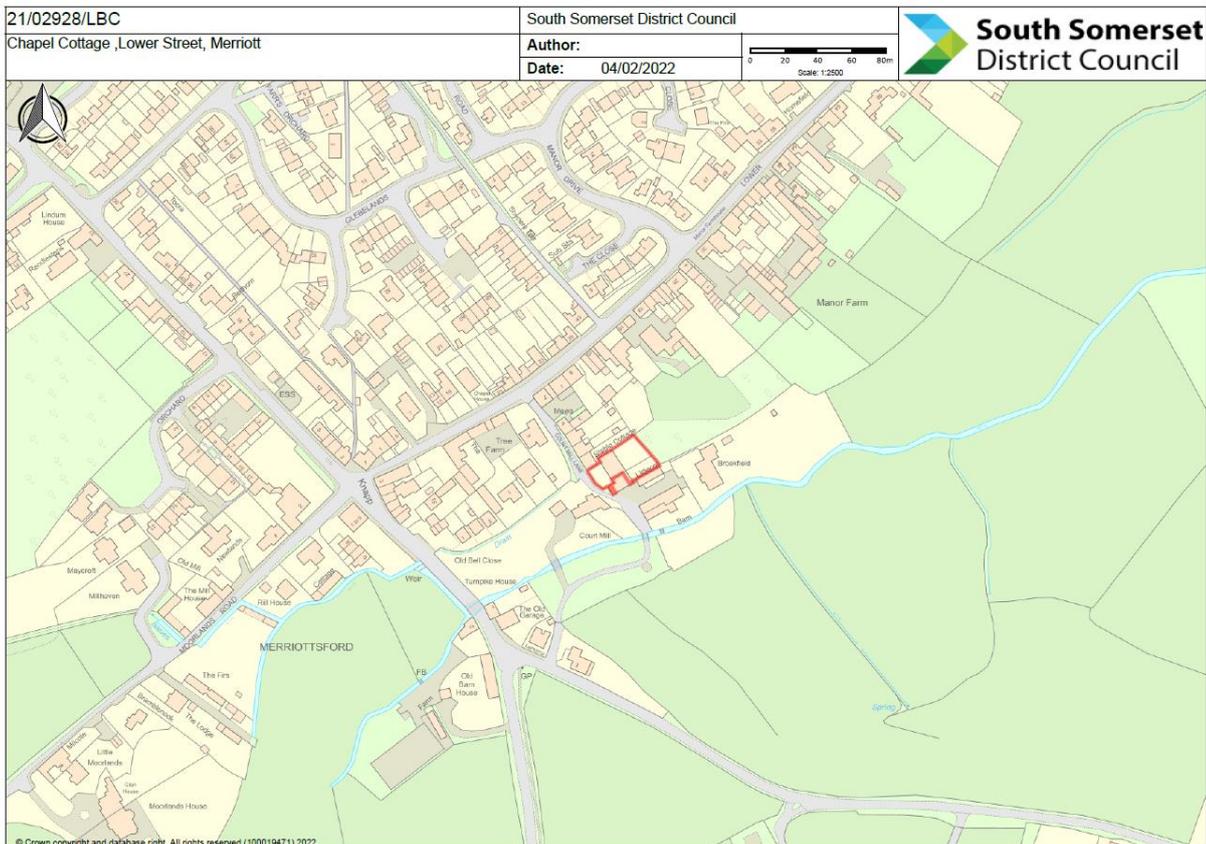
Officer Report On Planning Application: 21/02928/LBC

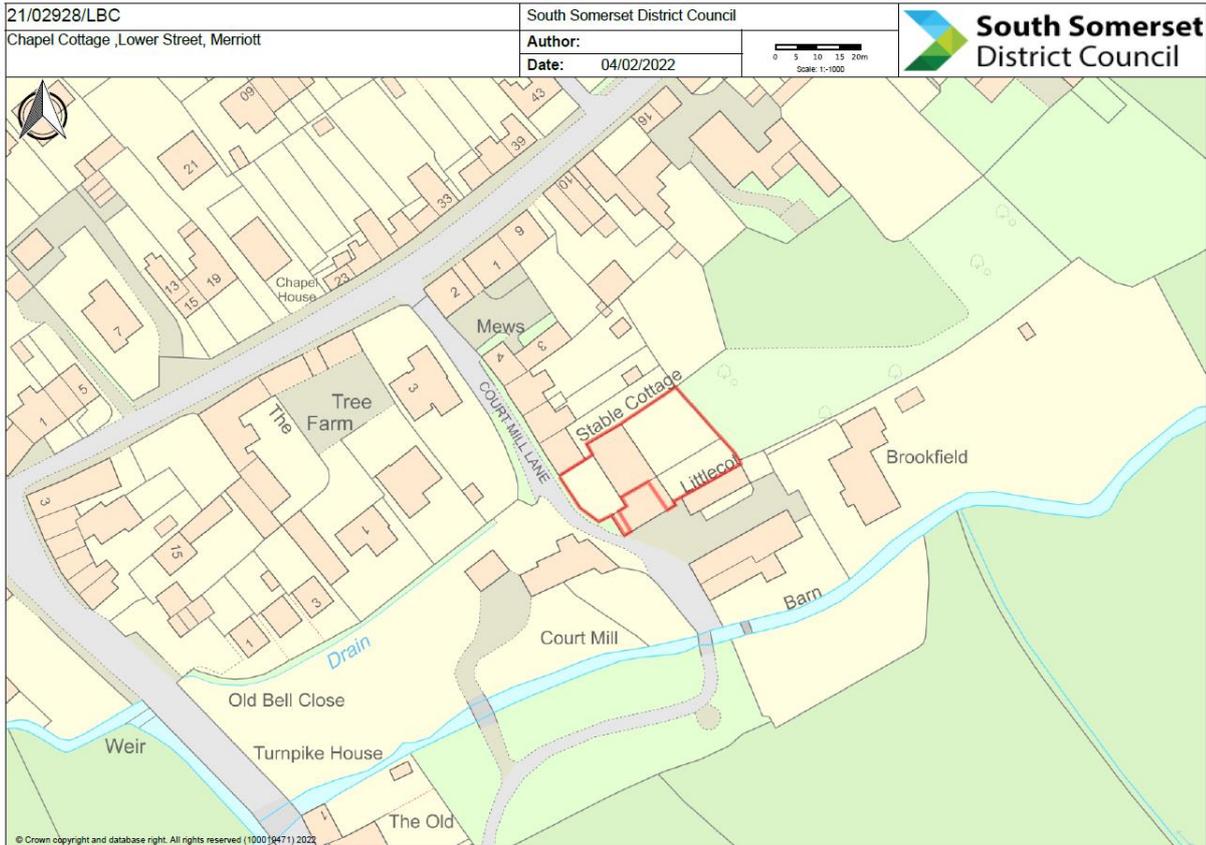
Proposal :	Formation of an internal window opening and solar panels on 2No garages.
Site Address:	Chapel Cottage , Lower Street, Merriott, TA16 5NL
Parish:	Merriott
EGGWOOD Ward (SSDC Member)	Cllr Paul Maxwell
Recommending Case Officer:	Nick Toop (Case Officer)
Target date :	6th December 2021
Applicant :	Mr & Mrs Paul Maxwell
Agent: (no agent if blank)	Ms Kim Sankey Angel Architecture Ltd Unit 4 Herringston Barn Heringston Dorchester, DT2 9PU
Application Type :	Other LBC Alteration

REASON FOR REFFERAL TO COMMITTEE

This application is referred directly to the Area West Committee as one of the applicants is the elected member for the Eggwood Ward and is also the Chairman of the Council.

SITE CONTEXT/DESCRIPTION





The application site is a two storey dwellinghouse constructed of ham stone between a slate roof. This is a Grade II Listed Building of late 17th Century origin, however according to the Listing; contained within the building are elements of a former chapel believed to date to the early 15th century. The property has been altered substantially over time. The building was subdivided into two individual dwellings in 1967 but was returned to being a single dwelling in late-2010.

This is a residential setting located to the south of Merriott, the dwelling sits near the outskirts of the village in close proximity to a number of residential neighbours, including another Grade II Listed Building known as Court Mill. The site also falls within the Designated Merriott Conservation Area.

In the late 1960's, permission was granted for the erection of a block of garages to be attached to the south side of the Listed Building, two of the five garages in situ are under the ownership of the applicant and it is proposed to install an array of solar PV panels on the flat roof of the garages. The applicants have set out in their Design & Access Statement that the solar panels above both garages would serve car charging points, with any surplus energy to be sold back to the utilities grid.

This proposal is submitted jointly with an application for Listed Building Consent which also seeks permission for the formation of an internal opening within the main dwelling.

HISTORY

10/04194/LBC - The carrying out of both internal and external alterations to convert the 2 No. existing dwellings into a single dwelling unit - Application permitted with conditions - 09/12/2010

09/03851/LBC - The installation of a rear-facing ground floor window - Application permitted with conditions - 18/11/2009

942499 - The installation of a velux rooflight in east (rear) elevation of dwellinghouse (Listed Building Consent) - Approved 14/12/1994

78503/A - The conversion of existing buildings into 2 units of living accommodation - Approved 22/02/1967

78503 - The conversion of existing building into 2 units of living accommodation - Refused 20/01/1967

72626/D - Erection of 2 private garages & use existing access - Approved 26/03/1968

72626/B - Erection of 3 private garages & use existing access - Cond. App. 16/02/1967

POLICY:

Section 16 of the Listed Building and Conservation Areas Act is the starting point for the exercise of listed building control. This places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

NPPF: Chapter 16 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building; park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

Whilst Section 38(6) of the 2004 Planning Act is not relevant to this listed building application, the following policies should be considered in the context of the application:

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

Policy EQ3 - Historic Environment

Additional Guidance

Historic England Guide - Energy Efficiency and Historic Buildings: Solar Electric (Photovoltaics)

Parish Council

No comments received in respect of the Listed Building Application from Merriott Parish Council, though no objection was made to the concurrent householder application.

Other Consultees:

SSDC Conservation Specialist: The Conservation Specialist confirmed that he has no concerns

with the proposed installation of the internal window between the dining room and the chapel.

Detailed discussions and correspondence were held between the Specialist, the Case Officer and the Agent regarding the proposed solar panels, in which clarification was sought as to the manner in which the panels would be installed on the roof and the design/model of the panels themselves. The Conservation Specialist advised that it was important to ensure that the solar panels nearest to the west did not appear above the existing parapet wall in order to achieve appropriate screening and not impact the setting of the Conservation Area or the neighbouring Listed Building known as Court Mill, the Specialist considered that the position and appearance of the panels on the eastern garage was suitable due to the level of distance from the public road and the neighbouring Listed Building. It was suggested that the parapet wall to the west of the garages could be increased in height in order to screen any view of the panels, however ultimately the applicant opted not to pursue this approach. The initial design/model of solar panels selected was considered too thick by the Specialist as this resulted in a projection above the height of the parapet from the westernmost panels, however an alternative product was selected by the applicant, resulting in panels with a thinner profile which would not project above the western parapet. The Specialist confirmed that he was better satisfied with the final selection for the solar panels in addition to the pitch in which they would be established on the roof of the garages.

The agent supplied a statement setting out that the installation of the solar panels on the garage roof shall not harm the setting of the neighbouring Grade II Listed Building known as Court Mill but would result in low-level less than substantial harm to the setting of Chapel Cottage itself due to the level of intervisibility. However, it is suggested within the statement that the installation of the solar panels shall provide a public benefit by enabling the applicant to generate energy for the charging of two cars, thereby reducing the amount of carbon consumption by the applicants. The Conservation Specialist agreed with the assessment that the proposed development would result in low-level less than substantial harm and advised that the merits of the suggested public benefit would need to be assessed by the case officer.

Other Comments:

A site notice was displayed on 25th October 2021/Press Advert placed on 28th October 2021. No representations were received.

Impact upon Heritage Asset

Internal Window Opening

The development would see the forming of a small opening in a brickwork wall between the chapel and the dining room on the ground level of the Listed Building. The Statement of Heritage Significance has identified that this wall was previously an opening which has since been blocked up with brickwork. It is proposed to install a small stone surround of 640mm x 440mm with horticultural glass fitted within the opening to form an internal window. The opening will have the shape of a small arch and it is noted this is similar in form to multiple windows on the exterior of the chapel on the north elevation of the Listed Building.

The Conservation Specialist has confirmed that there are no concerns with the installation of this window and this aspect of the application is therefore considered appropriate to the significance and historic fabric of the Listed Building.

Solar Panels

The proposal shall see the installation of a set of solar PV panels on the corrugated iron roof of the two garages attached to the south side of the Listed Building which are under the ownership of the applicant. The garages in question are sited to the far left (west) and far right (east) of the row, the three middle garages are under alternative ownership. It is noted that the two westernmost garages are lesser in height than the other three, these being slightly later additions to the site. The roof of the two lower garages is approximately 75cm lesser in height than that of the other three. There is a stone parapet wall on the western garage which sits approximately 75cm above the roof of the garage.

All five garages were constructed following the grant of consent in the late 1960's and are not original features of the Listed Building. As such, it is considered that the installation of solar panels on the roof of the garages shall not interfere with any historic fabric.

The initial design/profile of the solar panels was considered inappropriate, however the applicant selected an alternative model with a thinner profile which shall not allow the panes to project over the parapet wall. This was considered to preserve the setting of the Conservation Area and the neighbouring Listed Building, known as Chapel Cottage. Amended plans were submitted to demonstrate the revised approach. No representations have been received with any objection to the proposals.

In reference to the host Listed Building (Chapel Cottage), the agent has identified that the installation of the solar panels would be considered to result in low-level less than substantial harm to the setting of Chapel Cottage. The Conservation Specialist confirmed this assessment over the level of harm and has referred to the Case Officer to assess whether this aspect of the application would introduce a proportionate public benefit.

Paragraph 202 of the National Planning Policy Framework 2021 states that "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*"

Paragraph 8 of the National Planning Policy Framework sets out the three overarching objectives of the planning system. In particular, Paragraph 8(c) specifies that there is an environmental objective, including the following;

to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

It is considered that the provision of opportunities for micro-generation which form a fundamental basis of the proposed development (through the installation of the solar panels) would accord with part of the environmental objective of the planning system to protect the natural environment through adapting to climate change and moving towards a low carbon economy, and that this constitutes as a form of public benefit. It is considered that whilst the proposed development would result in less-than-substantial harm to the Listed Building, the level is at the lower end of less than substantial and the public benefit identified carries sufficient

weight to offset the degree of less than substantial harm caused by the proposals.

Summary:

The Conservation Officer has, in his comments, indicated that the proposed interior window is acceptable but has also advised that the proposed solar panels would cause low-level less than substantial harm to the setting of the Listed Building. The Conservation Officer's advice attracts significant weight and a sufficient public benefit must be identified to offset the level of less than substantial harm caused by the proposals.

It is considered that the public benefit that would be introduced from the installation of the solar panels is proportionately capable of outweighing the low-level less than substantial harm which has been identified in relation to the development given that this would support the endeavour to address climate change and assists in achieving the environmental objective of the Planning System, as set out within the National Planning Policy Framework 2021.

As such, it is considered that the proposed application is in accordance with Section 16 of the Listed Building and Conservation Areas Act, policy EQ3 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework 2021.

SUMMARY

No objection is recorded from the parish council or any neighbours. The Heritage Specialist has confirmed that the proposal would cause low-level less than substantial harm to the Listed Building though the Case Officer considers there to be a sufficient public benefit. As such, the proposed development is considered acceptable and the Case Officer recommends that the application be approved.

The applicant is referred to the Area West Planning Committee as one of the applicants is the elected member for the Eggwood Ward and is also the Chairman of the Council.

OFFICER RECOMMENDATION

Approve for the following reason:

01. The proposed interior window is considered acceptable to the significance of the Listed Building and the proposed solar panels by reason of the design, scale and position is considered to result in low to medium end less-than-substantial harm to the Grade II Listed Building. However, it has been established that there is a public benefit with the scheme which is considered sufficient to offset the level of harm identified, and the application is therefore in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-28, and the provisions of the National Planning Policy Framework 2021.

SUBJECT TO THE FOLLOWING:

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

- Location Plan: Drawing No. TQRQM21265101636102/2121
- Proposed Ground Floor Plan: Drawing No. 2121-02
- Sections A-A & B-B As Proposed: Drawing No. 2121-04
- Proposed West & South Elevations/Section Through Roof At Eaves: Drawing No. 2121-05B
- Proposed Roof Plan/Section A-A: Drawing No. 2121-11B
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- Preliminary Technical Information Sheet - CanadianSolar (HiKu Mono: 400W-425W)
- Mounting System for PV (registered 13th January 2022)

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

03. The external surfaces of the development shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

Reason: To ensure the proposed development is completed in accordance with Policy EQ2 of South Somerset Local Plan and the provisions of the National Planning Policy Framework 2021.