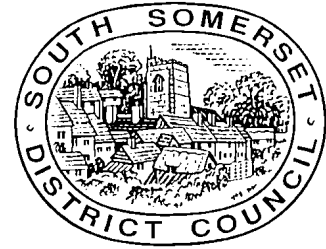


South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 12th November 2014

9.00 am

**Council Offices
Churchfield
Wincanton
BA9 9AG**

(disabled access is available at this meeting venue)



Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than **10.45 am**.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Anne Herridge, Democratic Services Officer 01935 462570**, website: www.southsomerset.gov.uk

This Agenda was issued on Tuesday 4 November 2014.

Ian Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk



INVESTORS IN PEOPLE

Area East Committee Membership

Nick Weeks
Mike Lewis
Mike Beech
John Calvert

Tony Capozzoli
Nick Colbert
Anna Groskop
Henry Hobhouse

Tim Inglefield
Lucy Wallace
William Wallace
Colin Winder

South Somerset District Council – Council Plan

Our focuses are: (all equal)

- Jobs - We want a strong economy which has low unemployment and thriving businesses
- Environment - We want an attractive environment to live in with increased recycling and lower energy use
- Homes - We want decent housing for our residents that matches their income
- Health and Communities - We want communities that are healthy, self-reliant, and have individuals who are willing to help each other

Scrutiny Procedure Rules

Please note that decisions taken by Area Committees may be "called in" for scrutiny by the Council's Scrutiny Committee prior to implementation. This does not apply to decisions taken on planning applications.

Consideration of Planning Applications

Members of the public are requested to note that the Committee will break for refreshments at approximately **10.30 am**. Planning applications will not be considered before **10.45 am** in the order shown on the planning applications schedule. The public and representatives of Parish/Town Councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

A formal written report from the Area Highways Officer should be on the main agenda in May and November. A representative from the Area Highways Office should attend Area East Committee in February and August from 8.30 am to answer questions and take comments from Members of the Committee. Alternatively, they can be contacted direct through Somerset Highways direct control centre on 0845 345 9155.

Members Questions on reports prior to the meeting

Members of the committee are requested to contact report authors on points of clarification prior to the committee meeting.

Information for the Public

The Council has a well-established area committee system and through four area committees seeks to strengthen links between the Council and its local communities, allowing planning and other local issues to be decided at a local level (planning recommendations outside council policy are referred to the district wide Regulation Committee).

Decisions made by Area Committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as "key decisions". Members of the public can view the council's Executive Forward Plan, either online or at any SSDC council office, to see what executive/key decisions are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

At area committee meetings members of the public are able to:

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the area committee chairman's discretion, members of the public are permitted to speak for up to up to 3 minutes on agenda items; and
- see agenda reports.

Meetings of the Area East Committee are **normally** held monthly at 9.00am on the second Wednesday of the month in the Council Offices, Churchfield, Wincanton (unless specified otherwise).

Agendas and minutes of Area Committees are published on the Council's website <http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions>

The Council's Constitution is also on the web site and available for inspection in council offices.

Further information about this Committee can be obtained by contacting the agenda co-ordinator named on the front page.

Public Participation at Committees

This is a summary of the Protocol adopted by the Council and set out in Part 5 of the Council's Constitution.

Public Question Time

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the chairman of the committee. Each individual speaker shall be restricted to a total of three minutes.

Planning Applications

Comments and questions about planning applications will be dealt with at the time those applications are considered, when planning officers will be in attendance, rather than during the Public Question Time session.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the Planning Officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The Planning Officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to 3 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/Agent
- District Council Ward Member

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

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

The same rules in terms of public participation will apply in respect of other agenda items where people wish to speak on that particular item.

If a Councillor has declared a Disclosable Pecuniary Interest (DPI) or a personal and prejudicial interest

In relation to Disclosable Pecuniary Interests, a Councillor is prohibited by law from participating in the discussion about the business on the agenda that relates to this interest and is also required to leave the room whilst the relevant agenda item is being discussed.

Under the new Code of Conduct adopted by this Council in July 2012, a Councillor with a personal and prejudicial interest (which is not also a DPI) will be afforded the same right as a member of the public to speak in relation to the relevant business and may also answer any questions, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

Area East Committee

Wednesday 12 November 2014

Agenda

Preliminary Items

- 1. Minutes of Previous Meeting**
- 2. Apologies for absence**
- 3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. As a result of the change made to the Code of Conduct by this Council at its meeting on 15th May 2014, where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

Planning Applications Referred to the Regulation Committee

The following members of this Committee are also members of the Council's Regulation Committee:

Councillors Tim Inglefield and William Wallace

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

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

4. Public Participation at Committees

a) Questions/comments from members of the public

b) Questions/comments from representatives of parish/town councils

This is a chance for members of the public and representatives of Parish/Town Councils to participate in the meeting by asking questions, making comments and raising matters of concern. Parish/Town Council representatives may also wish to use this opportunity to ask for the District Council's support on any matter of particular concern to their Parish/Town. The public and representatives of Parish/Town Councils will be invited to speak on any planning related questions later in the agenda, before the planning applications are considered.

5. Reports from Members Representing the District Council on Outside Organisations

6. Feedback on Reports referred to the Regulation Committee

7. Date of Next Meeting

Members are asked to note that the date of the next scheduled meeting of the committee to be held at the Council Offices, Churchfield, Wincanton will be on 10th December 2014 at 9.00 am.

8. Chairman Announcements

Items for Discussion

9. Somerset County Council Highways Update Report (Pages 1 - 2)

10. Presentation by South Somerset Association for Voluntary and Community Action (Page 3)

11. Area East Development Plan and Budget Half Year Progress Report (Pages 4 - 13)

12. Superfast Extension Programme - an update for Area East Committee. (Pages 14 - 29)

13. Area East Committee Forward Plan (Pages 30 - 32)

Items for Information

14. Items for information (Pages 33 - 37)

Should members have questions regarding any of the items for information please contact the officer shown underneath the relevant report. If, after discussing the item with the officer, and with the Chairman's agreement, a member may request the item to be considered at a future committee meeting.

15. **Schedule of Planning Applications to be Determined by Committee** (Pages 38 - 39)
16. **14/03788/FUL Land at Coombedene Keinton Mandeville** (Pages 40 - 51)
17. **14/02995/FUL Ivy Cottage Pitcombe** (Pages 52 - 58)
18. **14/03507/FUL Nettlecombe Barn, Hadspen** (Pages 59 - 69)
19. **14/02116/COL Lavender Green, Verrington, Wincanton** (Pages 70 - 72)

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

This does not apply to decisions taken on planning applications.

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Agenda Item 9

Somerset County Council Highways Update Report

Lead Officer: John Nicholson, Assistant Highway Service Manager
Somerset County Council, South Somerset Area Highway Office
Contact Details: JNicholson@somerset.gov.uk

Purpose of the Report

Somerset County Council Highways Interim report for the period April 2014 to March 2015, to provide an update on works progress.

Recommendation

That Members note and comment on the report.

Surface Dressing

Surface Dressing is the practice of applying a bitumen tack coat to the existing road surface and then rolling in stone chippings. Whilst this practice is not the most PR friendly, it is highly effective in preserving the integrity of the road surface.

The Surface Dressing was completed within the programmed timescale for the 2014 'season' and various remedial sites from last year's programme were attended to as well.

This year's Surface Dressing sites are currently receiving their final inspections prior to acceptance by SCC.

Grass Cutting

The verge cutting of main A and B roads commenced in mid-May, followed by the C and D roads and then the final cut of the A and B roads. There was some delay experienced in the C and D road cutting programme and this was unfortunately due to re-distribution of resource by the Term Maintenance contractor.

I would note that the enquiries relating to this year's grass cutting were less than the previous year, which I trust is a good indication of getting the timing of the cutting right.

Winter Maintenance

The preparation for this year's winter maintenance programme has commenced and the salt supply for the upcoming season is being delivered to the depot.

It is likely that similar to previous years the local parishes will be invited to collect their allocation of ten 20kg grit bags. Confirmation will be submitted to Parish Clerks as soon as this is approved by the Winter Maintenance Manager.

To provide efficiencies in resource time for filling the parish grit bins, a request will be submitted to the parish clerks to identify, check and inform SCC of the current situation with regards to accessibility and filling requirements for their grit bins.

Structural maintenance Schemes 2014/15

Many of the structural maintenance schemes for this year have been completed and are listed below:

Upper and Lower Woodcock St / Fore St / The Triangle / B3152	Castle Cary	Resurfacing	Completed
A357 Combe Hill	Henstridge	Resurfacing	Completed
Millbrook Gardens	Castle Cary	Footways	Deferred to 15/16
Wheathill Lane	Milborne Port	Drainage	Completed
Marsh Lane	Horsington	Drainage	Completed
Dancing Lane	Wincanton	Drainage	Completed
Barrow Water Lane	Charlton Musgrove	Drainage	Feb 2015
A359 Quaperlake Street	Bruton	Drainage	Completed

Remaining DfT funded Schemes

Queen Camel	Sutton Montis Road	Highway Drainage	Completed
South Cadbury	South Cadbury Road	Highway Drainage	Feb 2015

NOTE: As stated in the April 2013 report, Somerset County Council received additional funds from the Department for Transport to undertake highway maintenance 2013-2015. In order to achieve the aims and conditions of the grant to improve the highway network and to reduce congestion SCC proposed that the grant be used to address the following two issues.

- Deterioration of the highway carriageway surface resulting in pothole formation.
 - Damage caused to the highway by flooding events.
-

Agenda Item 10

Presentation by South Somerset Association for Voluntary and Community Action (SSVCA)

*Contact Details: Sam Best, Chief Executive Officer, SSVCA.
Tel: 01935 475914 or SamBest@ssvca.org.uk*

Sam Best, SSVCA Chief Executive Officer, will attend the meeting to give a presentation providing an update on SSVCA, including Voluntary Sector Support, Furnicare, Community Transport and the Flood Recovery work.

Agenda Item 11

Area East Development Plan and Budget-Half Year Progress Report (Executive Decision)

Strategic Director: Rina Singh, Place & Performance
Assistant Director: Helen Rutter, Communities
Service Manager: Helen Rutter, Area East Development Manager
Lead Officer: Helen Rutter, Area East Development Manager
Contact Details: helen.rutter@southsomerset.gov.uk or 01963 435012

Purpose of the Report

To provide an update on the progress of projects taking place in Area East, including those resourced through the Area Corporate Capital Programme. To give an overview of the Area East Reserve and Grants Programmes at the half way point of the 2014/15 year.

Public Interest

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

Each Committee has the freedom to use its resources, both financial and through its team of Development staff, to understand what matters to local people and address this by offering support, encouragement and direct financial & practical help.

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

Recommendations

- (1) To note and comment on the current Area East Capital Programme and Reserve
- (2) To note completion statement for work recently completed
- (3) To transfer a sum of £10,000 from the Capital Reserve to the Community Grants Budget
- (4) To note the current position on community grants and other project budgets held by Area East

Background

Budgets are approved in February each year. Each of the four Area Committees has delegated responsibility for monitoring budgets within its control. Area East considers all decisions relating to grant requests over £1,000, its Capital Programme and the allocation & spending of its Reserve. The Executive continues to monitor all budgets on a quarterly basis.

The Area East Committee focuses its resources to address local needs in order to promote improved quality of life in Area East. The Area Development Plan 2014/15 contains a set of local priorities, agreed by the Committee and a work programme with targets, to carry these forward throughout the year. A half year progress report is brought to the Area Committee.

Area Development Programme

Area East priorities for 2014-15 and progress against projects in the Area East Development Plan are attached in Appendix 1.

In addition to the half time ADM, the Area Development Team consists of 3 Neighbourhood Development Officers who divide their time across patches and lead on particular themes as shown below:-

Project type	Pam Williams Neighbourhood Development Officer (Economy) (Half time)	Tim Cook Neighbourhood Development Officer (Communities) (Full time)	James Dival Neighbourhood Development Officer (Communities) (Half time)
Place leads	Castle Cary	Wincanton	Bruton; Milborne Port; Ilchester
	Wincanton High Street	Rural areas (shared)	Rural areas (shared)
Theme leads	Economic & business development	Community research and Plans	Health and wellbeing
	Infrastructure projects	Community grants programme	LEADER Local Action Group
	Wincanton Town Team & Retail Support Initiatives	Community buildings	Local Information Centres
		Rural services	

Area East Capital Programme

The area capital programme supports investment in new or existing locally important assets. These may be SSDC owned, community owned or privately owned. In the last two categories support will normally be via a grant scheme. The current capital programme is attached at appendix 2. It shows live projects, their funding allocation and spend to 1 October 2014, along with a progress report from the lead officer. In summary this shows that there is currently a total of £26,100 unallocated and available for local priority schemes.

Community grant applications for capital projects are considered twice a year in June and December. The Committee supported several large community projects in June 2014 and a number of smaller awards have been made under delegated powers with ward member support. At present there is only £2,716 remaining for community capital grants. In view of likely demand it is suggested that the community grant allocation should be topped up with a further £10,000. This will leave an unallocated balance in the Capital Reserve of £16,100

The 3 projects that have been completed during 2014 are shown separately in Appendix 3 These show the original budget against final scheme costs and a short explanation of variance.

Area East Reserve

There is currently £3,460.00 unallocated in the Area East Reserve. This is an historical revenue fund that is not replenished. It can be used to support unplanned or urgent work or schemes that cannot be supported through the main, annual budgets. It has the flexibility to

be used for capital or non-capital work, including staff costs or commissioned work. It can also be spent up front for work that is subsequently reimbursed.

Allocation of Reserve	Approved	£	£ Balance Remaining 14/15	£
Balance B/fwd 13/14				60,190
Community Planning-Project Spend	Apr 05	50,000	26,930	
Derelict sites, Castle Cary	Jun 05	4,000	4,000	
Rural Business Units	Nov 05	17,050	5,800	
Wincanton Retail Support Initiative top up	July 14	10,000	10,000	
Retail Support Initiative	May 09	10,000	10,000	
Unallocated Balance				3,460

The *Community Planning project budget* is only available to communities with endorsed parish/ community plans but can be used for assisting the delivery of a range of priority projects where community grant budget is not available. Proposals can come forward in any month from this allocation.

The *derelict site* funding is available for essential works on a number of sites in Castle Cary with at risk historic buildings. A report which may involve drawing down some of this funding is expected early in New Year.

The *Wincanton Retail Support top up scheme* is being marketed in the town centre with funding of up to £2,500 available. Full details are available from the Neighbourhood Development Officer (Economy) This sits alongside the RSI covering enhancements to shop frontages, which is available across the Area including village and farm shops.

Area East Community Grants

This is now a very small, annually renewed fund. We started 2014/15 with £14,120; £10,000 of this is ring-fenced for Healthy Living projects. In August, AEC Members agreed to award the £10,000 towards a programme of work at the Balsam Centre. Of the balance £3450 has been awarded to seven community projects leaving £670 unallocated in this budget.

The Area Development Team is able to provide advice on other funding opportunities for projects that do not meet the criteria for the Community Planning or Parish Infra-structure schemes.

Area East Discretionary Fund

This is a small annually renewed, budget that is used, at the discretion of Members, to support partnership work, attract external funding and other regeneration work.

A sum of £8,082 remains unallocated for 2014/15. This year £2,000 has been allocated to the Heart of Wessex Rail Partnership. A carried forward sum of £3,000 has been used to support a high quality bid for LEADER funding through the Heart of Wessex Local Action Group which hopes to get £2m over 5 years to support rural economic development in the LAG area

Financial Implications

The level of Area East funding is shown in the body of this report, and in the Appendices along with some suggested transfer of funds between budgets. There are no additional financial implications arising from this report.

Council Plan Implications

In compliance with the Council Plan

Carbon Emissions & Climate Change Implications

None arising directly from this report

Equality and Diversity Implications

None arising directly from this report

Background Papers

Area East Development Plan 2014-15;
Monthly budget monitoring and quarterly capital monitoring reports

**Place & Performance - Communities
Area East Development Service Plan**

Portfolio Holder – Councillor Nick Weeks

Manager – Helen Rutter

Set out below are the key projects & programmes being undertaken by the team (either directly or in support of community groups & other partners) where we have a key role in the delivery of the projects. This Plan sits alongside our core work or responding to issues & problems on a day-to-day basis, working with Councillors & other services across the Authority and beyond, to try and resolve them.

Completed	In Progress – On Target	In Progress – Risk of Missing Target	Behind Target	Future Action – not started
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Service Action Plan: Top level actions – more detail is within individual work programmes/project plans					
Priority Area	Action	Target Date	Milestone	Lead Officer	Current Progress
1. Town centre & neighbourhood management	Transfer of Castle Cary Market House to local ownership	Jan 2015	Completion of Capital report and asset transfer agreed via AEC/DX	PW	Building works largely complete only minor snagging outstanding. Meeting to discuss asset transfer is scheduled for Nov 2014
	Support & develop Town Team type work in the market towns to carry out projects that improve the attractiveness of the High St	Ongoing March 2015	Report to AEC on project performance	PW/JD	Targeted work in Bruton : High Street improvements, MTIG projects towards enhancement to the riverside walk and LIC improvements. Wincanton : Strong focus on market delivery, major changes to Town Team representation. Viability of future markets to be assessed at end of this year. Castle Cary : Following successful implementation early this year of the Town Council's weekly market, this continues to flourish.
	Help to resolve local problems by forming short life, solution focused action groups as required	Ongoing March 2015	Report to AEC annually	HR	Multi-agency group working on Deansley Way to ensure new residents are welcomed and to press for rapid delivery of infrastructure improvements
	Local negotiations on transfer of specific SSDC town centre assets to local Councils if required	Ongoing March 2015	Assets transferred, consensus on way forward Report to AEC annually	HR	Community toilets scheme implemented in Bruton. Open to further discussion about car park transfer to local control in Bruton and other villages

2. Economic development, job creation & regeneration schemes	Bring forward further workspace in Wincanton & Castle Cary (corporate ED programme)	Autumn 2014	Specified in project plan	PW	This project to be resourced through Corporate ED programme agreed at DX in October 2014
	Improvement of Wincanton High Street a) Feasibility work to attract significant new retailers/other attractions to Wincanton High St (corporate ED programme)	March 2015	As set out in project plan Report to AEC	PW	Preliminary work to look at retail incubators in the High Street just commencing as a short to medium term initiative. This is in addition to the Corporate ED programme agreed at DX in October 2014
	b) Re-launch targeted Retail Support Initiative	Revised scheme July 2014 Mar 2015	Number & leverage of investment reported to AEC	PW	Wincanton top-up scheme signed off by Members in Oct 2014 and face-to-face business follow-up also undertaken. Updated information circulated electronically to other locations by end of November
	Secure Heart of Wessex LEADER programme to support rural economic development across Area East	Bid submission Sept 2014	Secure programme funding strategy addressing needs through consultation process	HR/JD	The whole of Area East is included in the Local Development Strategy area. Cllr Lewis is on the Steering Group. Workshops planned for November to assist potential projects and decision on funding expected late November 2014
	Marketing of Area East for inward investment/website & brochure	Jan 2015	Report to AEC – Jan 2015	PW	Brochure completed, distributed and available on the website. Press releases issued.
	Common Lane multi-user path	2015	Route opened	PW	Meeting to consider site issues Oct 2014. Now investigating funding options ahead of putting in a planning application
	Help each of the market towns to market & promote themselves	March 2015	Marketing report to AEC annually	PW/JD/TC	Wincanton: Specific press releases issued by Town Team to promote market.
	Ilchester travel plan	January 2015	Report to AEC on completed work	JD	Ilchester travel plan has been condensed into a road improvement scheme led by the Town Council & SCC Highways. Additional work has come out of the initial meetings leading to the Limington cycle path project

	Receipt of land & exercising option on car park at Waterside, Wincanton	Autumn 2014	Report to AEC & DX	PW	Active negotiation with landowner, fall back will be to move to arbitration if current discussions do not bring forward solution	
3. Community-led planning & development	Completion of Queen Camel Neighbourhood Plan	March 2015	Final Report and lessons from front runner AEC/DX	TC	Draft currently being considered by SSDC specialist officers. Local stakeholder consultation/meeting early Nov. Deal with issues raised through consultation. Formal consultation period (6 weeks) January before examination (end of Feb). Referendum could happen at the same time as general election voting	
	Support Neighbourhood Plan Wincanton	March 2015	WTC aware of issues they want plan to tackle	TC	Town Council to run a consultation to assess the relative priorities of residents	
	Support Towns & Parishes to carry out quality community research to influence or achieve planned projects and growth	March 2015	Completed parish plans are endorsed at AEC	TC	Rimpton plan completed and endorsed. Plans being produced in Henstridge and the Charltons at an early stage	
	Advise & support Parishes & community groups to achieve new projects & activities	March 2015	Report to AEC on schemes annually	TC/JD	Bruton: Established Bruton Community Partnership who are collectively working on a number of community projects in the town	
	Maximising the benefits of growth a) Better awareness of how S106 /CIL, links with community research, to improve community infrastructure	March 2015	Clearer reporting of 106 investment projects to AEC	ADT Planning	Team working closely with Planning and CH&L teams. Discussions held with Education about Schools investment in Wincanton & Castle Cary. Sample investment 'account' by parish to be developed for parishes to assist with local understanding	
	b) Develop simple method for identifying sustainability factors by settlements to increase prospects of attracting good development	Dec 2014	Feedback from parishes	HR/TC Planning ADTs	Early discussion held with Spatial Policy and Development management. Further work needed before adoption of Local Plan and SS2	
4. Improve access to services & facilities to	Run a high quality access point & advice service for the public at Churchfield	March 2015	Achieve 98% customer satisfaction rate Reduce cost & improve service	HR/LD	Performance of service reported to AEC October 2014. High satisfaction rate maintained	

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 11</p>	<p>reduce inequality</p>	Support development of Balsam Centre services in response to local needs to improve its sustainability	Funding report to AEC Aug 2014 & Mar 2015	Meet targets in Development Plan	JD	Work has started with support but it is still quite early days to understand the overall direction of the centre and the level of support they will require. AEC funding conditional on agreed economic targets	
	Support community-led youth work & youth opportunities.	March 2015	Annual report to AEC	TC/JD	<p>Ilchester: initial meeting with regards potential scout hall/youth club at the sports ground is planned</p> <p>Initial audit of provision. Conversation with Templecombe, Henstridge Parish Plan to identify need</p>		
	Develop Henstridge Templecombe and Milborne Port youth work programme						
	Development of Travel Access Point in Wincanton to improve people's access to existing services & facilities	March 2015	Report to AEC	TC	Project group established. Physical infrastructure improvements to be completed by March 2015. Next meeting to discuss service provision audited and gap analysis		
	New and improved community buildings – intensive support to gain sound feasibility to guide development and funding package	Ongoing March 2015	At least 2 buildings helped to build ready stage. Report annually to AEC	TC/JD	<p>Bruton (Jubilee Park), Castle Cary (scout hall), Ilchester (sports ground) all have been given guidance toward funding & feasibility work needed for a new hall. Funding advice sheet produced for Area East to provide community with a sign posting tool towards larger sums of external funding for community halls</p>		
	Flood resilience – support communities that want to develop flood plans and other resilience measures	March 2015	Feedback from parishes	ADT with other services	Will be included at Annual meeting if required by parishes		
	Master plan for Jubilee Park, Bruton	January 2015	Annual Report to AEC	JD	2 initial meetings have taken place at Jubilee Park with users & partners to discuss master planning and need for a new hall. Positive progression		
5. Effective democratic engagement	Arrange annual parish meeting & workshops in response to demand from AEC, Parishes & groups	March 2015	Report to AEC	HR	Annual Parish Meeting to be held 27 th January 2015		

In addition, the service will deliver actions to deliver key corporate strategies, comply with corporate policies, deliver savings, monitor performance, review and monitor complaints and manage risk within the service

AREA CAPITAL PROGRAMME 2014/15 - 2016/17

AREA EAST

	2014/15 Estimated Spend £	Actual Spend to 30/09/14 £	2014/15 Remaining Budget £	Future Spend £	Responsible Officer (s)	Responsible Officer's Comment on Slippage & Performance Against Targets
Capital Programme						
Wincanton-Pedestrian/Cycle Link Common Lane	5,520	0	5,520		P Williams	Legal agreements finalised. Planning application to be submitted Winter 2014
Retail Support Initiative Schemes	2,213	0	2,213		P Williams	Balance available to allocate
RSI-Bear Inn,Wincanton	1,105	0	1,105		P Williams	June 2014 awarded
RSI-Bruton Vets	1,000				P Williams	Awarded March 14
Castle Cary Market House	10,000	0	10,000		P Williams	Awarded Mar 2013 as project contingency.Major works completed programme of minor of finishing largely complete
Ilchester Cycleway	0	-1,375	1,375		J Divall	Awaiting revised quote from SCC.
Parish Infrastructure Fund						
Barton St David PC-Speed signs	1,500	0	1,500		T Cook	Awarded March 14. Signs erected. Awaiting claim
Parish Infrastructure Fund	3,500	0	3,500		H Rutter	balance available to allocate
Community Grants						
Galhampton-New Village Hall	12,500	0	12,500		T Cook	Approved June 12. Reconfirmed until Dec 2014. Fundraising is ongoing. Passed stage 1 of Big Lottery Fund.
Yarlington Village Hall refurbishment	2,816	2,816	0		T Cook	Awarded Dec 2012. Project completed and grant claimed.
Keinton Mandeville Sports Field Association	12,500	12,500	0		P Williams	Awarded June 13
MUGA-Wincanton Town Council	0	0	0		P Williams	£10K Transferred to Corporate Programme 03.4.14 Project completed.
Kingsdon PC - New Play Equipment	7,370	7,370	0		T Cook	Project completed. Grant claimed.
Eat Cary Project - Community Garden	2,483	2,483	0		T Cook	Project completed. Grant claimed.
North Cadbury VH-Refurbishment	12,284	0	12,284		T Cook	Awarded June 14. Builders delayed work until January 2015
SSCAT-New vehicle	10,000	0	10,000		T Cook	Awarded June 14. Fundraising ongoing. Bus will be purchased by the end of 2014.
Total East Capital Programme	84,791	23,794	59,997	0		
Reserve Schemes Awaiting Allocation But Approved in Principle						
Unallocated Capital Reserve	23,384	0	23,384	0	H Rutter	AEC June 2014 agreed for £25k to be allocated to Comm & Leisure Grants.
Parish Infrastructure Fund	0	0	0	24,971	H Rutter	Rolling fund including eligibility for supporting affordable housing approved at AEC June 2010.
Retail Support Initiative	0	0	0	0	H Rutter	£5k approved Aug 10 unallocated balance.
Community & Leisure Grants	2,716		2,716	0	H Rutter	Balance available for December 2014
Total Reserve Schemes	26,100	0	26,100	24,971		
Summary						
East Capital Programme	84,791	23,794	59,997	0		
Reserve Schemes (Unallocated)	26,100	0	26,100	24,971		
Total Programme to be Financed	110,891	23,794	86,097	24,971		

Completed Projects
Proposal

Appendix 3

Project delivery

Project outline	Original budget (SSDC element)	timeline	actual cost (SSDC funding)	delivery timetable	commentary/ lessons
Millbrooke gardens CP extension	£32,500	8 week build (programmed during bridge closure)	£33,100	6 weeks	Works completed ahead of schedule. Price variation due to operatives undertaking lining works within existing curtilage whilst on site
Moor lane path	£30,000	6 week build	£30,000	10 weeks	SCC contracted works + SSDC contribution capped even though actual scheme costs increased
Business park sign	£5,380	12 weeks from placing orders	£6,508	20 weeks	Multiple factors contributed to delays + cost increases including, delivery + installation variations, additional land owner permission + re-affirming businesses following delay

Agenda Item 12

Superfast Extension Programme - An update for Area East Committee

Assistant Director: Helen Rutter Communities
Service Manager: Helen Rutter, Area East Development Manager
Lead Officer: Helen Rutter, Area East Development Manager
Contact Details: Helen.rutter@southsomerset.gov.uk or 01935 435012

Purpose of the Report

The appended report was considered at District Executive at their meeting on 6th November 2014. Area East Committee members asked for an update due to their concerns about coverage within Area East. Committee members should note and comment on the scope and recommendations of the District Executive report.

Appendix 1

Copy of District Executive Report – 6th November 2014

Superfast Extension Programme Interim Report on Options and Requirements

Strategic Director: Rina Singh, Strategic Director (Place and Performance)
Assistant Director: Martin Woods, Assistant Director (Economy)
Portfolio Holder: Jo Roundell Greene (Environment and Economic Development)
Service Manager: David Julian, Economic Development Manager

1. Purpose of the Report

To present options available to SSDC for enhancing the delivery of broadband beyond the 90% covered by the Devon and Somerset Superfast Broadband Project (Connecting Devon and Somerset).

Also to present some examples of broadband issues based on the existing information available from the Areas.

2. Public Interest

The provision of High Speed Broadband has become a necessity for attracting and retaining business to South Somerset. It is therefore a vital element of business infrastructure required in order to maintain and create jobs and fulfil South Somerset's economic potential. High Speed Broadband is also essential for most walks of life as digital and online transactions become essential aspects of health, education, and dealing with government, social services and welfare. Comprehensive coverage of High Speed Broadband is essential. If South Somerset residents and businesses are not to be disadvantaged.

3. Recommendations

Members are asked to note:

- the initial assessment of different options available and advise officers on further action.
- options cannot be comprehensively considered and compared until the information requested of Connecting Devon and Somerset (CDS) is provided.
- significant resource is required to comprehensively investigate options for capital investment in models of alternative provision.

4. Background

On the 19th June 2014, South Somerset District Council District Executive agreed in principle to a capital funding commitment of £0.64m to deliver Superfast Broadband connectivity to an additional 5% of the district (6,290 premises) by the end of 2017 through the Superfast Extension programme (SEP). This would mean delivery to 95% of the district, since 90% will already be delivered under the current Connecting Devon and Somerset (CDS) programme.

The June District Executive agreed:

1. to contribute in principle a maximum of £640,000 as match funding to expand the provision of superfast broadband in South Somerset subject to:
 - Satisfactory provision of a detailed assessment of the superfast broadband roll out programme from which it is clear that it is favourable and beneficial to businesses in South Somerset
 - A satisfactory partnering agreement and governance arrangement to ensure this Council is fully engaged and involved in the delivery of superfast broadband
 - A satisfactory return can be agreed from the investment
2. the details of any proposed negotiation/agreement are reported back to District Executive for their decision
3. requested a wider report be presented to District Executive on the alternative options/providers

The 'in-principle' agreement is subject to the provision of detailed information still outstanding - in particular:

- Detailed assessment of the superfast broadband roll out programme
- A satisfactory partnering agreement and governance arrangement
- Confirmation that a satisfactory return can be agreed from the investment

At that meeting members also requested that officers explore wider alternatives to the CDS superfast extension programme. The options available are described in section 5 with an outline comparison in section 6 and a more detailed analysis in appendix 1 of this report.

Additionally work has been done in areas to find examples of the current issues relating to broadband availability through engagement with businesses locally. This is outlined in Appendix 2.

5. Report

5.1 Current position

Broadband continues to be a major issue for businesses and affects economic growth. Discussions with a small range of rural businesses in the district have shown that:

- lack of good broadband speed is impeding the growth of many businesses by reducing their efficiency and wasting their resources.
- good 3G and fast broadband are increasingly needed to deliver business competitively;
- those with office premises (that cannot access competitive broadband speeds) are finding these increasingly difficult to let. Poor broadband speeds are a key factor and when higher speeds are available in nearby areas, firms may choose to locate to those faster broadband areas;

- research in one area showed that demand for office space would be evident if superfast broadband was available;
- the cost of bespoke superfast broadband solutions are prohibitive to many businesses. Details are in Appendix 2.

Superfast broadband delivery began in 2011 with the BT funded commercial rollout. This has already taken superfast broadband coverage across the CDS area to 63% of premises. An interactive map has been published by the CDS team and this is available at www.connectingdevonandsomerset.co.uk/where-when

It is clear from this map that towns identified as being covered within the 'commercial rollout' (in our case Yeovil and Ilminster) still have significant areas that remain 'under evaluation'. In particular there appears to be a lack of focus on business parks and these include much of Yeovil's employment land.

The cabinets serving these areas *may* be upgraded through the ongoing CDS programme by the end of 2016. Decisions on which cabinets are upgraded are primarily based on the results of ongoing BT civil engineering survey and CDS assessment.

Members will be aware that SSDC did not sign what was considered to be an unduly onerous non-disclosure agreement (NDA) with CDS/BT and so do not have access to this emerging delivery plan.

More recently, the Government SEP has made further funds available to CDS (if they secure 50% local authority match funding) to deliver to an additional 5% of premises by the end of 2017 (eventually increasing broadband coverage to 95%). It is this opportunity which has prompted the CDS team to request the £0.64m contribution from SSDC, though it remains unclear how they arrived at this figure.

At present, we have yet to be told which areas of South Somerset might benefit from our potential commitment. Moreover, SSDC have yet to receive any information in relation to the conditions of the 'in principle' SEP contribution stipulated by District Executive. We must ensure that these are provided prior to the required final CDS report to District Executive. Similarly, we have not been given a timescale for the SEP, though we are aware that CDS are awaiting Open Market Review (OMR) data to help determine future coverage prior to engaging potential suppliers. SSDC has requested an indicative timeframe, but this has not yet been provided.

Therefore a detailed option appraisal against other alternatives is not possible until we obtain that information. Only then will we have a benchmark with which the value of alternative options can be comprehensively examined.

Points to note

- That increasing levels of subsidy are required to deliver to more isolated premises
- At present there is no indication from central government for the final 5% of premises for whom delivery is currently unplanned
- No financial contribution from SSDC will still mean that 90% of premises including business ones will receive access to superfast broadband by Dec. 2016
- All premises i.e. 100% will receive at least 2 megabytes per second by Dec. 2016
- The CDS aim is for 100% of premises to be connected to SF broadband by 2020

It should be noted that both the District Executive Committee (and the Area Chairs following subsequent discussion) felt that SSDCs priority should be to direct its resources towards enabling affordable connection for businesses so that they can function effectively in their market place.

5.2. Alternative options to the CDS programme

There are options which can be explored to deliver superfast broadband *above the 90%* - to premises that fall outside the current CDS Programme described above and in the report that was presented to DX on June 19th 2014.

These would take the form of a co-investment model with alternative broadband providers with the aim of delivering to a higher percentage of premises in the district. Examples are cited below.

NB: In order to properly assess the following alternative SEP models to CDS we need to initiate a detailed scoping, feasibility and viability assessment. In the first instance, we would need to establish whether a public-private co-investment model outside of CDS would meet the BDUK gateway review criteria. This is essential if match funding is to be secured to effectively double our investment to £1.28m.

It should be noted that the Superfast Broadband Extension Programme will enable a maximum of 95% of premises in South Somerset to connect to Superfast Broadband. Homes and businesses are equally able to connect, but the final connection between an enabled junction box and a premises is chargeable.

5.2.1 Co-investment models

West Oxfordshire District Council

There has been a growing interest in locally managed Superfast broadband delivery projects following West Oxfordshire DC's (WODC) decision to enter a public/private partnership agreement with Cotswolds Broadband and commit a loan of £1.6m to be match funded by BDUK and wider investors. Their aim is to become the first 100% superfast district though a combination of technologies such that all premises have access.

Views were taken from West Oxford and the following points were noted;

- The loan to Cotswold Broadband will be £1.6m for a 10 year period
- The loan is match funded by BDUK but only because of the long operational history between WODC, Cotswold Broadband and BDUK. The match funding was not the result of a speculative bid to BDUK but the development of a pre-existing option
- The anticipated return for WODC is 5% p.a. interest.
- The loan is high risk as there are no assets (to fix the loan against) until the system is installed and operational
- State Aid issues have been triggered and resolutions/outcomes are awaited
- The deal/ agreement is not yet signed off

Eastbourne Borough Council

Eastbourne is now benefitting from a high speed fibre optic broadband network along its coastal edge. This has been provided via a special arrangement involving Eastbourne Borough Council which invested £367,000 in a broadband infrastructure supply company, CloudConnX, which has developed the town's new broadband network. The investment in CloudConnX also stands to provide the local authority with a future return over the next five years over and above the £367,000 originally laid down.

Eastbourne's unique linear geography made this particular type of broadband provision possible and it is unlikely to represent a suitable model for South Somerset.

SSDC partner with an alternative ISP provider

ED officers have had an exploratory discussion with a local Internet Service Provider. The firm provide 'line of sight' broadband to residential and business customers. They transmit from mast sites to transceivers on customers buildings. The technology is deemed adequate – achieving close to fibre broadband speeds, but as with all 'over ground' broadband, issues/problems do emerge and transmitters need realigning. Service drop outs are experienced and the business has limited capacity. This was SSDC's experience when the same technology was employed in the Chard Connect project.

Costs of market provision are competitive from £30 pcm for 10mbs residential. Businesses can pay between £25 to £100 pcm depending on usage. Further costs include the transceiver (C.£150 inc. base installation). Extra installation costs may be identified at survey.

As a small company, The ISP provider contacted is not yet in a position to provide to much wider geographies. If they were to work with us, they would investigate new mast sites. It was confirmed that if SSDC want to go as close to 100% coverage as is practicable, the company would need most financial help to fund provision to deeply rural premises (assuming they want to receive it).

For isolated areas with little prospect of CDS provision, we could investigate 'line of sight' connectivity , though to enable any realistic prospect of a return, this would need to be demand led with a guaranteed customer base. It would be most easily achieved from a mast on existing SSDC property, such as YIC serving identified businesses at Lufton Trading Estate.

Broadband on Business Parks

At Yeovil Innovation Centre, SSDC worked with communications firm Elite Telecommunications to provide a market solution. Superfast Broadband is now supplied directly to the centre and on to 25 tenants. This illustrates that where a ready market exists, installation costs are low and financial returns are assured, then the private sector will deliver. It should be noted however that YIC is unusual in that many businesses are located in one building, the required fibre connection was already in place, the connection distances were shorter and the economy of scale is greater.

It may be possible to use this model of connecting several businesses in close proximity through a single 'package' arrangement. SSDCs role may be to enable clusters of businesses (perhaps on business parks) to create the economy of scale required to engage commercial providers in negotiations.

Community led solutions

For communities that are outside the SEP area or for communities who want to take more control by bringing forward delivery of this service, then a community led initiative, procured & funded by subscribers, *may* be an option. In all instances, a bespoke approach would be required with its own business case to assess the issues and costs of taking the technology to those places. Initiating this work will require an intensive amount of officer resource and we would need to ensure that it did not fall within the current CDS delivery or planned SEP.

SSDC could have a role in enabling these communities to work towards solutions. It would be possible to advise on any external funding sources and possibly offer our own grants and/or loans. There are many examples of "pioneer" communities who have decided to be proactive and deliver their own solutions. This solution is not mutually exclusive with the other options but would offer another method for remote communities who want to get connected.

6. Comparison of options

The detailed comparison is provided in Appendix 1

Option 1

- assumes that we subscribe to the CDS offer to take the SEP from 90% to 95% availability of superfast broadband to premises in South Somerset.
- Although we do not know the geographic extent of this coverage, we understand that it will extend coverage to an additional 6290 premises.
- The cost is clearly stated at £0.64M and it levers the same level of BDUK government funding.
- Needs to be assessed when information available.

Option 2

- explores alternative ways in which SSDC can invest their capital in a superfast broadband roll-out.
- This option necessitates working with a commercial partner and as yet there is no worked-up business plan or scheme.
- This option might give greater control over the choice of premises covered, but is unlikely to achieve the stated outputs of the CDS programme although the outputs achieved may be better targeted. This option undoubtedly requires considerably more SSDC officer resource and is likely to involve far higher levels of risk.

- We would re-iterate that no sound comparison can be made until the full detail of the CDS programme is provided.

See Appendix 1 for detail.

7. Financial Implications

There are no direct financial implications associated with this report further to the ED officer resource associated with pursuing the information required to rigorously assess options for improved broadband delivery.

8. Risk

At this stage an outline assessment of the risks are provided in the Options and Risk Analysis. This is provided in Appendix 1.

9. Corporate Priority Implications

This report will enable the District Council to work towards the aim outlined within the SSDC Council Plan 2012-15 in Focus One: Jobs “Support early delivery of Super-Fast Broadband to rural areas by 2015”.

It will also enable the Council to contribute to the aspiration within the SSDC Economic Development Strategy 2012-15 “Work with partners to lobby for improvements to the A303 and provision of superfast broadband”.

10. Carbon Emissions & Adapting to Climate Change Implications (NI188)

There are no current implications associated with this report though the extension programme assists improvements in communication and the reduction of energy use.

11. Equality and Diversity Implications

In preparing this report, due consideration has been given SSDC’s statutory Equality duties Section 149(1) of the Equality Act 2010.

An equality analysis of the broadband project is being undertaken with delivery anticipated to have a positive equalities impact.

The roll - out strategy will be determined by a range of factors including local requirements and commercial factors. The strategy should be screened to ensure communities (sharing a protected characteristic) are not inadvertently disadvantaged from accessing the service due to, for example, geographical factors.

Aspects of this project related to subsidising the rollout of broadband has a low relevance to equality, whilst implementation has a medium relevance to equality. The project is providing access to broadband and not connectivity. So the connection and use of the service will be between customer and retail provider.

Background Papers:

- *District Executive Report 19th June 2014 – Match Funding for the Superfast Broadband Extension Programme*
- *CONFIDENTIAL REPORT: Matt Ballard (CDS) - Match Funding for the Superfast Extension Programme*
- *Broadband Task and Finish Group Scrutiny Review, Sept, 2014*

Appendix 1: An analysis of the Options and Risk

The following table examines the wider implications of 1) supporting CDS through £0.64m SEP capital funding – or – 2) to use capital funds to partner with an alternative supplier of broadband with the aim of maximising delivery beyond the current CDS Programme.

Each option is evaluated in the tables below as a cost and benefit analysis.

Option 1: Full SSDC commitment to contribute £0.64m match funding to support the CDS 95% Superfast Broadband Extension Programme (SEP)			
Requirement	Benefits	Costs	Risks
<p>1. Detailed information from CDS required to understand the detail of current, SEP and non-delivery areas.</p> <p>Details of eventual agreement are to be reported back to District Executive for decision (CDS)</p>	<p>Awareness of areas least likely to be covered, enabling alternative provision to be prioritised</p> <p>>95% of premises in the district with access to SF by Dec, 2017.</p>	<p>£0.64m SSDC capital commitment</p> <p>Further investment of resources to address non-delivery areas</p>	<p>The information required to gauge value for money is not provided by CDS before SEP funds are requested</p> <p>If details of the eventual SEP supplier agreement are reported, SSDC may not be satisfied</p>
<p>2. That SSDC will be party to the discussions and negotiations with suppliers for the extension programme. SSDC to have voting powers in decisions based upon our high level of financial contribution</p>	<p>Minimum risk option overall.</p> <p>Will help to ensure maximum coverage to priority areas.</p> <p>Will allow local intelligence to shape eventual delivery</p>	<p>High degree of officer input required.</p> <p>Requires clear governance and clarity over procurement processes.</p>	<p>SSDC may feel under represented compared to our higher SEP contribution.</p> <p>Potential for conflict with other DC contributors committing less but getting stronger SEP delivery</p>
<p>3. That funding committed by SSDC would be ring-fenced to be spent on broadband within the SSDC area</p>	<p>Ensures local funds benefit local home and business premises to access superfast broadband</p>	<p>Officer time to liaise with CDS team, monitor and report back</p>	<p>Difficult to monitor and control.</p> <p>CDS may not provide detail on SEP spend.</p> <p>Existing NDA issues may remain a barrier</p>
<p>4. To work with a number of suppliers and a range of technologies to achieve the best deal for broadband coverage in all areas (District Executive Minutes June, 2014).</p>	<p>CDS are not tied into contracting BT for the SEP delivery.</p> <p>However, BT would represent the lowest risk option for the 95%.</p> <p>Procurement rules require an open tendering process.</p> <p>Best value promoted.</p> <p>CDS will begin a robust and state aid compliant procurement exercise</p>	<p>No further costs identified beyond the £0.64m requested</p>	<p>Reputational risk for SSDC in signing up to CDS in the knowledge the final 5% have no planned delivery.</p> <p>Potential risks in using less established and experienced providers.</p> <p>Potential conflict with existing CDS BT rollout if SEP element goes to others</p>
<p>5. District Executive support is subject to a return on the</p>	<p>Potential for financial return.</p>	<p>Potential cost to SSDC of £0.64m with no actual return on</p>	<p>If no clarification is provided on how the £0.64m contribution</p>

investment. Clarity required on the calculation of the £640,000 funding level sought from South Somerset	Mechanism to be examined by CDS. Claw back clause in the current BT contract also to be explored. SSDC's £0.64m will be match funded by BDUK	investment. TBC by CDS as to whether/how this is possible. May not be possible for all stakeholders to be guaranteed an appropriate return since premises are most difficult to reach with lower commercial return	figure was identified, SSDC risk paying more than other DCs and benefiting less. Anticipated return on investment may not materialise if models are flawed and demand for SF low
6. That the investment maximise inward investment and local economic development (District Executive Minutes June, 2014).	Larger suppliers more likely to market additional delivery beyond existing CDS. CDS also have an active comms office. Investors likely to check CDS and major supplier website. Less likely to suffer adverse financial situation than newer, smaller providers	No way to guarantee increased investment. Potential for less efficient allocation of resource (and ultimate delivery) with larger suppliers. May see investment go to larger centres as SFB is improved.	We may see no actual increase in inward investment. CDS SEP will be improving SF in all districts in Somerset, Devon, Plymouth and Torbay. SSDC will not stand out in terms of SFB alone. Inward investment in final 5% rural areas jeopardised.
7. District Executive requested delivery to is to be prioritised to all SSDC's business parks. District Executive support is subject to clear business benefits. A detailed assessment to this end is required from CDS	Maximises potential for inward investment, indigenous growth and job creation –	This is not possible to ensure through CDS SEP route. We are unlikely to be able to secure this without sacrificing delivery elsewhere in the district since their aim is for 95%	CDS will not provide the required assessment. Some business parks may lie within the final 5% outside of SEP. SSDC may be unable to ensure all businesses parks are covered.
8. District Executive expressed the view that broadband coverage must extend to the whole of South Somerset, including rural settlements	SSDC SEP contribution is match funded by BDUK, creating the largest amount available to support delivery (£1.28m) Delivery with CDS will not be 100%, however, they are clear on where the non-delivery areas are in district. Going with them will mean these areas can be more clearly supported to invest in alternatives	The CDS SEP target has only increased from 90% to 95% of premises in the district having access to superfast BB. Support for CDS SEP delivery means 100% will not be the aim	Reputational risk. SEP through CDS contract will not extend to all rural settlements. 5% will remain unconnected to SF broadband. Most geographically isolated will become most digitally isolated.
9. Support is subject to a satisfactory partnering agreement and governance arrangement to ensure this Council is fully engaged and involved in the delivery of superfast broadband	SSDC are assured of this by CDS. This should clarify governance and degree of input SSDC will have in decision making and delivery. CDS SEP option represents minimal	Significant amount of officer time – ED and Area teams. We may feel compelled to agree to a non-satisfactory partnering agreement rather than risk losing the BDUK match funding which	NDA issues remain with CDS in respect of the current rollout. It is unclear whether this will continue to be an issue in the contracts awarded to SEP delivery partners. If CDS partnering

	SSDC officer resource (pending detail of partnership agreement)	may not be granted to us outside of CDS	agreement is unsatisfactory, we will have risked non-delivery when steps could have been taken through a Public-Private partnership (PPP).
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Option 2: SSDC invest in 100% High Speed broadband coverage with alternative provider(s) through a Co-Investment Model			
Requirements	Benefits	Costs	Risks
1. Detailed investigation of existing loan agreements e.g. between West Oxfordshire District Council and Cotswold Broadband. Full examination of partnership agreement, best practice and potential suitability	A similar loan model may present a better opportunity for maximising broadband coverage. Potential for improved capital return on investment in longer term	Far more resource intensive in terms of ED, Procurement and Finance officer time in the short, medium and long term. Significant Area Team resource commitment to coordinate engagement and delivery to deeply rural settlements comprising the final 10%.	May fail to meet BDUK requirements (West Oxfordshire DC had prior option of BDUK match funding, SSDC do not). SSDC may fail to identify cost effective provider(s) to deliver to the final 5% Potential for abortive work
2. District Executive members insisted that loan rather than grant funding should be explored. The ability to generate a return on the investment must be prioritised	Entirely possible via this route to BB infrastructure provision. SSDC contribution is an interest earning investment and not a grant. (C. %5 return on investment if successful). Repayment over 10-12 yrs.	Significant officer time and technical examination. Further research and due diligence required to satisfy State Aid and BDUK gateway reviews. Requires market testing, sound planning and demand stimulation to create viability required to generate returns. Chard Connect project, supported by SSDC, aimed to provide 'line of sight' high speed broadband to businesses in Chard. It was not successful – low demand and poor reliability.	State Aid regulation may be breached. Loan cannot be fixed to significant assets (network is not worth anything until it is in place) Large risk of default on loan with smaller, independent suppliers. May not be possible for all co-investors to be guaranteed an appropriate return since premises are most rural with lower commercial return. Demand among final 5% unknown. If demand (indicating eventual take up) is poor, the high cost of provision would require scrutiny.
3. A clear understanding of what the funding is going towards	In small areas, this can be achieved. Local providers (such as CFB Broadband) can map out areas within a given settlement that can have 'line of sight' access. Partnership ensures	Clarity from CDS/BT on identifying the final 10% may not be provided. Officer time requirement. In this option, SSDC are part of the delivery partnership and there are risks associated	Higher risk of non-delivery. Very difficult to map with alternative suppliers. Incredibly complex task and required current CDS delivery data that SSDC do not have

	open sharing of information with clear planning to meet shared social and economic objectives. SDDC will have more influence on the project and delivery.	with this.	access to. Strong potential for duplication of delivery with CDS unless initiated after Dec. 2016 when current CDS delivery ends.
4. Delivery to be prioritised to all SSDC's business parks. Must be demonstrably favourable and beneficial to businesses in South Somerset	This is possible if a 100% superfast delivery model is pursued. Technically possible to tailor the delivery in partnership with our own infrastructure providers though costs may be unacceptable. Maximises potential for inward investment, indigenous growth and job creation. Not limited to the SEP 95% delivery target	This will require detailed investigation with alternative providers. Importantly, coordination of delivery to the final 10% (to 100%) in parallel with CDS delivery to the 90% will prove problematic – esp. since delivery plans will not be shared (NDA) and if separate suppliers are engaged.	Prioritising business parks may mean delayed/decreased delivery elsewhere. Potential for poor investment and low return. Final delivery may not be as strong as SEP would have been through CDS.
5. Broadband coverage must extend to the whole of South Somerset, including rural settlements	This is possible but requires detailed market appraisal and possible specialist analysis of alternative SF broadband delivery models, technologies and providers. Potential to deliver widest SF broadband improvement to district overall, 100% capability. Presents various delivery options.	Detailed research requirement. Likely to take much longer than CDS SEP – not least as we may need to wait until the CDS programme ends to know where the final 10% is located. May cost more than £640k	Less established broadband infrastructure providers may aim to deliver to 100% of premises, but ultimately fail to do so for a variety of reasons with less reputational risk (than BT for e.g.) Smaller, less established suppliers more likely to fail mid-delivery and default on loan – esp. if take up is low.
6. Support is subject to a satisfactory partnering agreement and governance arrangement to ensure this Council is fully engaged and involved in the delivery of superfast broadband	Likely to feature stronger engagement since there will be no NDS restrictions placed on SSDC. This agreement will clarify governance and the degree of input SSDC will have in decision making and local delivery. External expertise ensured.	Requires significant work by SSDC and potential suppliers. Comprehensive tendering and procurement. Once a preferred supplier is identified, a separate bid to BDUK for match funding will be required.	SSDC may fail to identify cost effective provider(s) to deliver SF broadband to the final 5% If this satisfactory loan agreement cannot ultimately be achieved, we will have risked a period of non-delivery when steps could have been taken with CDS SEP delivery. The BDUK match funding to CDS may no longer be renegotiable to providers outside of CDS
7. Will require wireless infrastructure to maximise coverage to more remote rural settlements	Wireless BB now provides 10-20Mb download and 8-10Mb upload speeds at reasonable costs in	Potential for high costs and low uptake. Potential for local objection to masts/non satellite infrastructure	Potential for duplication of delivery and abortive working should CDS and SSDC suppliers overlap in delivery

	areas least likely to be upgraded via current CDS	through planning.	terms. Without further match funding, the cost of delivery to the final 5% <i>could</i> prove unaffordable.
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Appendix 2: Brief case studies of poor broadband speeds impeding rural business development

Location	Businesses	Impact
Stathe	Self-catering cottages	BB very slow, really affects business. Working people who stay in winter want to be able to work in the evenings but find the download speed so slow they would rather stay in Taunton (much faster). Families with children want fast BB and are disappointed too.
Westover Trading Estate Langport	Assessment and certification body	Rely on BB for day to day operations. Customers, suppliers and directors spread across the UK. Email and web page are primary means of communication. Need to update the Gas Safe Register with all the certification results for gas engineers, link into the Gas Safe website and upload details directly to their system. Faster BB would be a huge benefit. Developing file sharing and electronic transfer of candidate file records/examination paperwork to assessment centres (e.g. Newcastle) attended by the installer (currently all hard copy by courier with twice weekly deliveries & back on completion). Electronic transfer would bring cost and environmental savings, huge reductions on fuel miles. Electronic file size would vary, but could be large.
Aller	Serviced offices	Has lost potential tenants due to poor broadband speeds in the past.
Langport area	Community web access initiative	Figs for a monitored line for the last few months from a small home. Business having big problems with the internet. Average download speed at TA12 6BU May-1.6mbps, June-1.49, July-1.54, Aug-1.52 (range 0.2-1.88mbps). Upload is consistently 0.39mbps
Langport	Bow St	Staff visiting shops about business rates have been told consistently that BB speeds are a problem that affect workspace lettings and slow down business efficiency.
Langport	Estate agents	lose business tenants in the area due to poor broadband speeds
Langport	Social enterprise/Work Hub	We are struggling to get people in as the existing lines into the building are slow and the upgrade costs to a bonded option are prohibitive.
Pitney	Domiciliary Care Agency	Rely on contact with care assistants 24/7 and the clients and their relatives. Floods highlighted many "pockets" of poor or no 3G signal. Larger companies manage their business from a central hub, no issues, small companies manage at ground level. Technology advancement does not appear to be a priority in Somerset. SCC Adult Social care acknowledge the highest percentage of older adults in the UK & predicted to rise so imperative that people at risk and their carers can be contactable.
Wincanton	IT Hardware Support (60 employees)	Servicing global IT clients and international subsidiaries, can hardly hold a conversation on Skype never mind video conference! Seriously considering moving out of the area because the service is so poor quoted £30-40k to link to fibre optic by BT (2013).
Brewham	Equestrian Consultants (3 employees). Works with over 225 international solicitors and insurance firms	Rely on BB for all communication and instructions including sending and receiving large files of DVD and photographic evidence. Use internet for research and administration. Very weak/intermittent mobile data signal so also rely on BB for all use of mobile phones, poor speeds mean all other internet activity must be stopped to allow one conversation on a mobile to take place. IT support is provided remotely whenever possible but poor BB speeds result in twice as many visits.

		<p>Increasingly meetings with solicitors, barristers and insurers are carried out by video conferencing the lack of a suitable BB link requires me to travel to an urban area to take part in these conferences.</p> <p>SFBB links in rural areas will allow more home working and reduced journey times and numbers. It will allow our rural communities to thrive, make better use of the local resources and environment and reducing the local population average age making it more representative of the country as a whole.</p>
Wincanton	SSDC Churchfield	Prospective Business tenant did not follow up due to poor BB speeds in town.
Castle Cary	Veterinary medicine distribution Co.	Communications a clear issue for this firm which needs SFBB to develop its business effectively (distribution of veterinary supplies) also a priority for other businesses in Castle Cary. One major manufacturer has installed its own satellite system to overcome the problem.
Yeovil	Industrial Estates	Very high costs of connecting up to SFBB, e.g. Houndstone business quoted £10k.
Chard , Crewkerne and Ilminster		<p>It is a mixed picture. The issue is cost. Businesses with deep enough pockets can and do procure the 100+ Mbps SFBB they need right now, but the "entry" costs are high. Lowering those costs via infrastructure improvements would promote growth and relocation and lower the entry cost barriers to start-up companies.</p> <p>We did some research that demonstrated that effective demand for office space within Ilminster would increase if it came with access to SFBB, contrary to the assertions of a local developer, which helped to partially resist a change of use from Economic to residential.</p> <p>If business relies on a connection to the existing infrastructure, Ilminster now has a clear advantage, but the max speed available to (e.g.) the local Ashwell Trading Estate is still only 7.6Mbps. Crewkerne has slightly higher max speeds at around 13 Mbps and Chard at around 10Mbps access to standard broadband.</p>

Agenda Item 13

Area East Forward Plan

Head of Service: Helen Rutter, Area Development Manager
Lead Officer: Anne Herridge, Democratic Services Officer
Contact Details: anne.herridge@southsomerset.gov.uk or (01935) 462570

Purpose of the Report

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

Recommendation

Members are asked to:-

- (1) Comment upon and note the proposed Area East Forward Plan as attached;
- (2) Identify priorities for further reports to be added to the Area East Forward Plan, developed by the SSDC lead officers.

Area East Committee Forward Plan

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

Members of the public, councillors, service managers, and partners may also request an item be placed within the forward plan for a future meeting, by contacting the agenda co-ordinator.

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

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

Further details on these items, or to suggest / request an agenda item for the Area East Committee, please contact the Agenda Co-ordinator; Anne Herridge.

Background Papers: None

Appendix A

Area East Committee Forward Plan

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
10 Dec 14	Local Information Centres (LIC's)	To inform members of the work of LIC's	James Divall SSDC
10 Dec 14	Funding award the LEADER Programme for rural Economic Development	The outcome of applications for funding the LEADER Programme for Rural Economic Development	Helen Rutter SSDC
10 Dec 14	Countryside Report	Annual update	Katy Menday/ Rachel Whaites Countryside Manager
10 Dec 14	Community & Leisure Grant applications	6 monthly update	Tim Cook, Pam Williams, James Divall Steve Barnes
10 Dec 14 TBC	<i>Retail Support Initiative update</i>	<i>6 monthly Outturn report</i>	<i>Pam Williams</i>
10 Dec 14 TBC	<i>Ansford - Building at Risk - Repairs Notice</i>	<i>Progress report</i>	<i>Adron Duckworth Conservation Manager</i>
14 Jan 15	Environmental Health Service update report	To provide members with a brief update of the work of the Environmental Health Service in the last twelve months.	Alasdair Bell,
14 Jan 15 TBC	<i>Community Safety Report</i>	<i>To update members of Community Safety Partnership Working.</i>	<i>Steve Brewer</i>
11 Feb 15	Welfare Service	Annual update on the work of the service.	Catherine Hansford
11 Feb 15	Area East Annual Parish & Town Council Meeting Summary of Issues Raised	To inform Members of the topics discussed and the issues raised at the Annual Parish and Town Council Meeting held on 27 January 2015.	Helen Rutter SSDC
11 Feb 15	Village Halls	An annual update on Village Halls within Area East	Tim Cook SSDC

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
11 Mar 15	Update on work with Young People in Area East	Update of work being done to support young people and youth activities and facilities in Area East.	Tim Cook SSDC
11 Mar 15	Local Housing Needs in Area East	To provide an update on housing need in Area East	Kirsty Larkins SSDC
11 Mar 15	6 monthly Streetscene Update	To provide an update of the service and the winter achievements.	Chris cooper SSDC

Agenda Item 14

AREA EAST COMMITTEE

12th November 2014

ITEMS FOR INFORMATION

Should members have questions regarding any of the items please contact the officer shown underneath the relevant report. If, after discussing the item with the officer, and with the Chairman's agreement, a member may request the item to be considered at a future committee meeting.

- 1. Appeals**
- 2. Changes to Library Services – Consultation by Somerset County Council**

Planning Appeals

Head of Service

Martin Woods, Assistant Director (Economy)

Lead Officer:

Dave Norris, Development Control Manager

Contact Details:

Dave.norris@southsomerset.gov.uk or (01935) 462382

Purpose of the Report

To inform members of the decisions of the planning appeals lodged, dismissed or allowed as listed below.

Appeal Lodged - Public Inquiry

Parish/Town	Application No.	Description and Location	Applicant(s)	Officer's Recommendation	Committee Decision
Wincanton	14/01704/OUT	Outline application for residential development with approval for means of access sought and all other matters reserved for future consideration. Land at Dancing Lane Wincanton	Oxford Law Ltd	N/A	N/A

Financial Implications

None

Background Papers

Planning Application files

Changes to Library Services – Consultation by Somerset County Council

Members and parishes are alerted to changes that SCC are proposing to make to the mobile library service and you are asked to encourage residents to respond to the consultation process. SCC will be arranging a consultation process from November until 10 January 2015.

The link to the SCC web site is below:

http://www1.somerset.gov.uk/council/board43%20scrutiny%20place/2014%20October%2014%20Item%208%20Appendix%20a%20_%20List%20of%20stops%20and%20potential%20impact.pdf

Main changes

- Reduce fleet of mobile libraries from 4 to 2 saving £60k per annum
- Introduce criteria to rationalise stops & only attend communities of highest need with strongest demand eg > 3 miles from fixed library etc. visit play and older folks homes etc.
- Encourage development of alternative provision

Scrutiny Committee will also be studying these proposals.

Attached is an extract for Area East communities and it will also be mentioned in the parish bulletin.

Key to Criteria	Criteria	Potential Impact
	1	Proposed to be withdrawn in August 2015 because mobile library stop is less than 3 miles from a library building
	2	School/playgroup or similar stop which it is proposed to retain, pending discussion with each institution about how needs can best be met
	3	Old People's home or similar, where it is proposed to support residents through the personalised service provided by Home Delivery Service
	4	Proposed to combine multiple stops that are less than 0.5 miles apart into one stop (location/time to be discussed with the community)
5	No proposal to stop providing library service at this point, but level of usage will be kept under regular review in future	

Community	Mobile Library Stop		Nearest Library		Nearest Other Mobile Stop		Usage		Potential impact of criteria
	Stop Description	Postcode	Nearest Library	Straight Line Distance	Possible Combined Stop	Straight Line Distance	Number of Registered Borrowers	Total Number of Visits in 2013/14	
Alford	Bus stop	BA7 7PW	Castle Cary	2.05045		1.437666	6	19	1
Babcary	Bus shelter	TA11 7DU	Somerton	4.547174		1.320202	5	41	5
Barton St David	telephone box	TA11 6BX	Somerton	3.844032		0.980208	8	32	5
Charlton Horethorne	CowpaTH Lane	DT9 4NR	Milborne Port	2.841364		0.422052	13	59	1
Charlton Horethorne	North Rd	DT9 4NS	Milborne Port	3.241046		0.422052	9	59	5
Charlton Horethorne	Sigwells	DT9 4LQ	Milborne Port	3.027848		1.583648	3	22	5
Charlton Mackrell	Primrose Hill Mbl Homes	TA11 7AP	Somerton	2.733754		0.504983	5	21	1
Henstridge	Primary School	BA8 0QD	Milborne Port	2.940541		0.340662	20	67	2
Henstridge	Woodhayes	BA8 0RX	Milborne Port	2.923958		0.340662	10	32	1
Horsington	Half Moon Inn	BA8 0EF	Wincanton	3.149645		0.706139	3	4	5
Ilchester	Limington Road car park	BA22 8LX	Sunningdale	4.218913		0.772708	12	63	5
Ilchester	County Primary School	BA22 8JP	Somerton	3.607345		0.772708	0	0	5
Ilchester	Taranto Hill Community	BA22 8JP	Somerton	3.607345		0.772708	29	79	5
Keinton Mandeville	Chistles Lane	TA11 6EH	Somerton	3.915806	Keinton Mandeville	0.157194	8	17	4
Keinton Mandeville	Layby outside 6/7 Queen Street	TA11 6ES	Somerton	3.890989	Keinton Mandeville	0.157194	7	29	4
Kingsdon	'Pendle' Middle Street	TA11 7LE	Somerton	2.288646		0.068559	3	14	1
Kingsdon	School Lane	TA11 7LN	Somerton	2.318079		0.068559	3	13	1
Limington	Council houses	BA22 8EF	Sunningdale	3.164036	Limington	0.260708	4	13	4
Limington	Old School	BA22 8EG	Sunningdale	3.329239	Limington	0.260708	3	10	4
Maperton	Maperton Ridge	BA9 8EF	Wincanton	3.151261		0.826752	3	9	5
Marston Magna	2 Court Gardens	BA22 8DF	Sunningdale	3.588818	Marston Magna	0.216861	2	7	4
Marston Magna	Townsend	BA22 8BP	Sunningdale	3.490405	Marston Magna	0.309378	11	55	4
Marston Magna	Fir Villa OPH	BA22 8DB	Sunningdale	3.752448		0.216861	4	7	3
Milborne Wick	Bugle Cottages	DT9 4PR	Milborne Port	1.521929		0.776942	11	54	1
Mudford	Mudford Sock	BA22 8EA	Sunningdale	1.302405		0.909343	7	33	1
Mudford	Hales Meadow + Home	BA21 5TA	Sunningdale	1.464844		0.430445	11	52	5
Mudford	Up Mudford	BA21 5TD	Sunningdale	1.103984		0.430445	7	52	1
North Barrow	Village Hall	BA22 7LZ	Castle Cary	2.695798		0.996549	7	30	1
North Cadbury	Village Hall	BA22 7DW	Castle Cary	3.204062		1.116293	6	41	5
North Cheriton	'Tomlins' Council Houses	BA8 0AQ	Wincanton	2.244096		0.740702	2	25	1
Penselwood	Old Orchard Layby	BA9 8NE	Wincanton	3.366549		4.001148	5	10	5
Podimore	The Inn	BA22 8JH	Somerton	4.173667		1.214973	32	68	5
Queen Camel	Village Hall	BA22 7NQ	Sunningdale	4.996645		0.891802	5	44	5
Rimpton	Road to Rimpton House	BA22 8AQ	Sunningdale	3.788718		0.774403	15	100	5
Shepton Montague	Kinglea	BA9 8JW	Castle Cary	2.163143		2.448055	3	14	1
Shepton Montague	Elliscombe Park	BA9 8EA	Wincanton	2.33155		0.826752	12	81	1
South Barrow	Church	BA22 7LN	Castle Cary	3.651768		0.996549	9	37	5
South Brewham	Church	BA10 0LG	Bruton	2.275573		3.653236	5	44	1
South Cadbury	Telephone Box	BA22 7HA	Castle Cary	4.314976		0.673552	6	9	5
South Cheriton	South Cheriton	BA8 0BR	Wincanton	2.840845		0.706139	11	40	1
Sparkford	Church Lane	BA22 7JN	Castle Cary	4.415823		0.823925	7	21	5
Sparkford	Village hall + Playgroup	BA22 7HT	Castle Cary	5.080254		0.796242	13	29	5
Stowell	Foxcombe Lane	DT9 4PD	Milborne Port	2.207389		0.776942	11	50	1

Mobile Library Stop			Nearest Library		Nearest Other Mobile Stop		Usage		Potential impact of criteria
Community	Stop Description	Postcode	Nearest Library	Straight Line Distance	Possible Combined Stop	Straight Line Distance	Number of Registered Borrowers	Total Number of Visits in 2013/14	
Templecombe	Playgroup	BA8 0HP	Milborne Port	3.163938		0.255417	4	14	2
Templecombe	High Street	BA8 0JY	Milborne Port	2.940115		0.255417	8	41	1
West Camel	Middle Farnhouse	BA22 7QW	Sunningdale	4.663007		0.906238	13	69	5
Wraxall	Milk Stand	BA4 6RQ	Castle Cary	3.370064		1.831075	7	26	5
Yeovilton	Corlarach	BA22 8EZ	Sunningdale	3.833214		0.624348	3	11	5

Agenda Item 15

Schedule of Planning Applications to be Determined by Committee

Strategic Director: Rina Singh, Place and Performance
Assistant Director: Martin Woods, economy
Service Manager: David Norris, Development Manager
Contact Details: david.norris@southsomerset.gov.uk or 01935 462382

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 10.45am.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 10.35am.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
	NORTHSTONE	14/03788/FUL	Erection of 8 dwellings	Land North Of Coombedene Coombe Hill Keinton Mandeville	Mr Eric Mackenzie
	TOWER	14/02995/FUL	Erection of a two storey extension	Ivy Cottage Mill Lane Pitcombe	Ms J Barnard
	TOWER	14/03507/FUL	Replacement dwelling	Nettlecombe Barn Hadspen Castle Cary	Mr and Mrs C Alderson
	WINCANTON	14/02116/COL	Application for a certificate of lawfulness for the continued occupation of the dwelling	Lavender Green Verrington Wincanton	Mrs Maureen Foreman

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

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

Referral to the Regulation Committee

The inclusion of two stars (**) as part of the Development Manager's recommendation indicates that the application will need to be referred to the District Council's Regulation Committee if the Area Committee is unwilling to accept that recommendation.

The Lead Planning Officer, at the Committee, in consultation with the Chairman and Solicitor, will also be able to recommend that an application should be referred to District Council's Regulation Committee even if it has not been two starred on the Agenda.

Human Rights Act Statement

The Human Rights Act 1998 makes it unlawful, subject to certain expectations, for a public authority to act in a way which is incompatible with a Convention Right. However when a planning decision is to be made there is further provision that a public authority must take into account the public interest. Existing planning law has for many years demanded a balancing exercise between private rights and public interest and this authority's decision making takes into account this balance. If there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues then these will be referred to in the relevant report.

Agenda Item 16

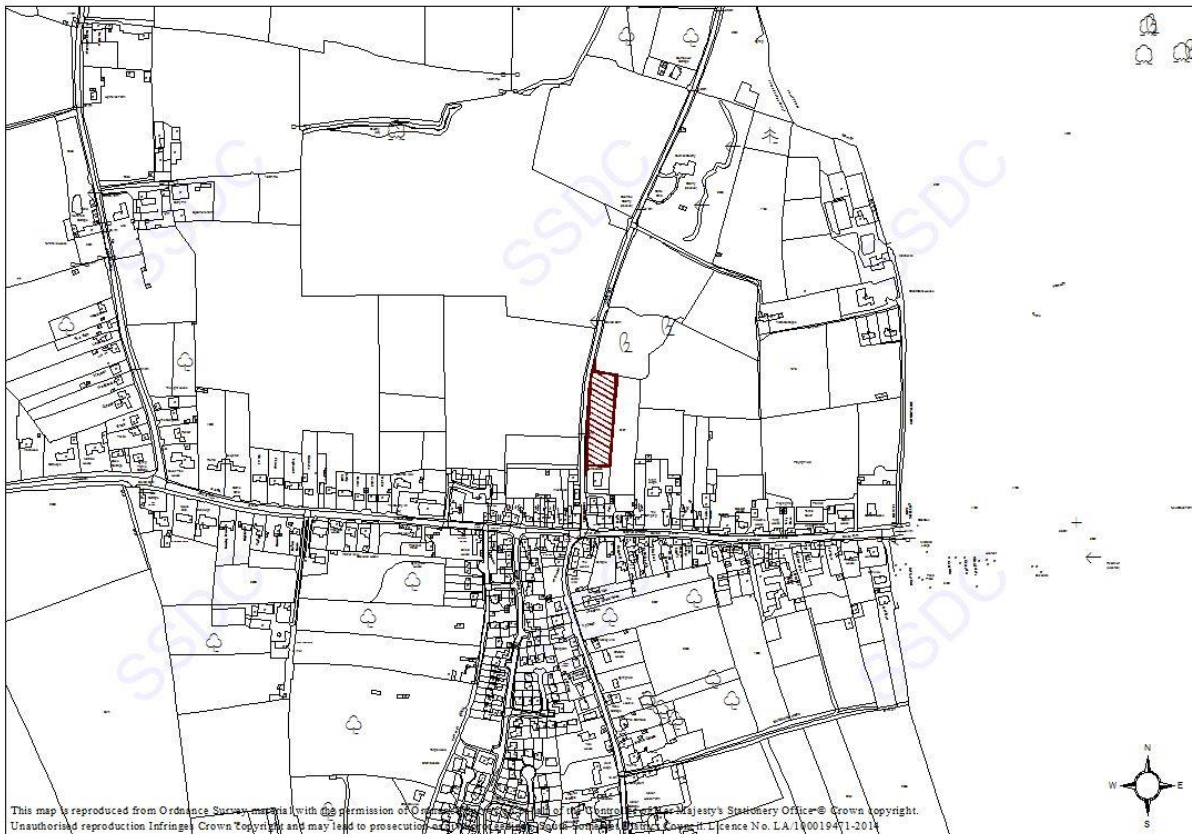
Officer Report on Planning Application: 14/03788/FUL

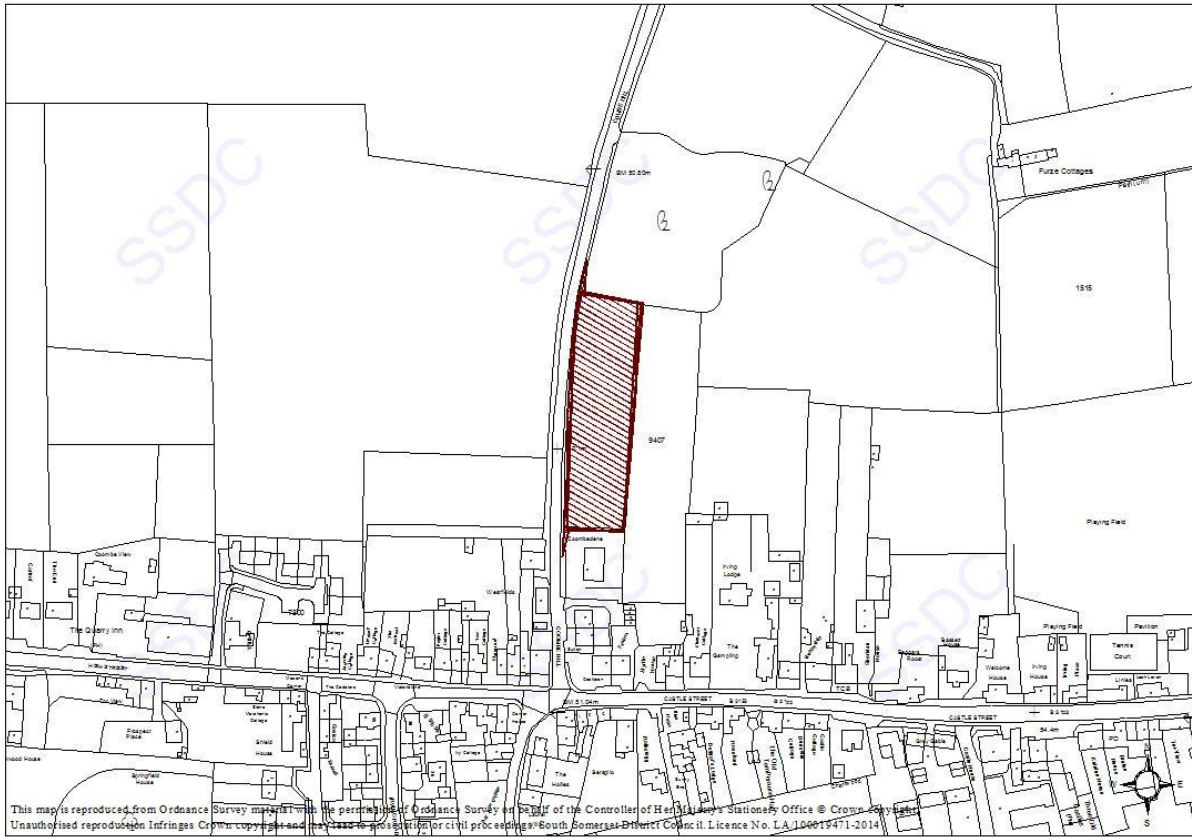
Proposal :	Erection of 8 dwellings (GR:354922/131095)
Site Address:	Land North Of Coombedene Coombe Hill Keinton Mandeville
Parish:	Keinton Mandeville
NORTHSTONE Ward (SSDC Member)	Cllr J Calvert
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	9th October 2014
Applicant :	Mr Eric Mackenzie
Agent:	Pointcloud Consult 10 Rookery Farm Roehead Road Binegar Somerset BA3 4UL
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is referred to the committee at the request of the ward member and with the agreement of the area chair in order to allow local support to be fully considered.

SITE DESCRIPTION AND PROPOSAL





This application seeks permission for the erection of 8 dwellings. The site consists of an area of broadly flat agricultural land currently laid to grass. The site is bounded by a variety of residential properties to the south, and to some extent the east of the site, with open countryside to the north and west. The site is not located within a development area as defined by the local plan.

The plans show the provision of 8 dwellings, all semi-detached, set in a linear fashion along Coombe Hill. Six of the dwellings are to be two storeys, and two are to be bungalows. The proposal includes two points of access to the highway, with each access serving four dwellings. Four parking spaces are to be provided for each dwelling, although every space is tandem.

The application is supported by:

- Design, Access and Energy Statement (Incorporating Planning Statement)
- Ecological Appraisal
- Landscape Statement
- Various site surveys and proposed plans and elevations.

HISTORY

14/01259/OUT - Outline application for the erection of up to 8 no. dwellings (with all matters reserved) (revised scheme) - Application refused 29/05/2014

14/00790/OUT - Outline application for the erection of up to 7 no. dwellings (with all matters reserved) - Application withdrawn 06/03/2014

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the South Somerset Local Plan (Adopted April 2006):

ST2 - Villages
ST3 - Development Area
ST5 - General Principles of Development
ST6 - The Quality of Development
ST7 - Public Space
ST9 - Crime Prevention
ST10 - Planning Obligations
EC3 - Landscape Character
EC8 - Protected Species
EU4 - Drainage
TP1 - New Development and Pedestrian Movement
TP4 - Road Design
TP7 - Car Parking
CR2 - Provision for Outdoor Playing Space and Amenity Space in New Development
CR3 - Off Site Provision
CR4 - Amenity Open Space

National Planning Policy Framework

Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 8 - Promoting Healthy Communities
Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments
Goal 4 - Services and Facilities
Goal 8 - High Quality Homes

Other Policy Considerations

Keinton Mandeville Local Community Plan 2006

CONSULTATIONS

Parish Council - Recommends approval on the condition that the highways issues are addressed (30mph speed limit is extended and a pavement is agreed). They consider that the development accords with the village plan and is not considered to intrude into local countryside. The following comments were made:

- The parish council's opinion has not altered since they recommended approval of the previous scheme.

- They disagree with the previous reason for refusal as they do not consider the proposal to intrude into open countryside as the site is confined by a quarry and a wood.
- The site is the one in the village on which building would cause least impact.
- The site is very central to the core of the village.
 - The requirement for an extension of the 30mph limit and visibility splays to north still stands.
- The proposal accords with the village plan in terms of size of house and number of units.

County Highway Authority - Initially raised a concern as to the proposed parking and turning layout. On the receipt of amended plans they raised no objections to the scheme subject to conditions to control:

- Details of the design and specification of the footway, street lighting and accesses, and the implementation of such detail.
- The securing of appropriate visibility splays in perpetuity.
- Details of the disposal of surface water so as to prevent discharge onto the highway.
- The implementation of the proposed parking and turning, and its maintenance in perpetuity.

SSDC Planning Policy -

"The proposal is very close to, although not directly adjacent, to the development area at Keinton Mandeville, identified as a village in 'saved' Policy ST2 of the adopted Local Plan 1991 - 2011. Being located outside the development area, the proposal is contrary to 'saved' Policy ST3. However, the policy framework provided by the extant Local Plan (1991 - 2011) is time-expired and becoming increasingly out-of-date, with certain policies not in accordance with the National Planning Policy Framework (NPPF).

The Council considers that it has a five-year supply of housing land, plus the appropriate buffer (of 20%), although it should be noted that this is currently being challenged at planning appeals. Nevertheless, with or without a five-year housing land supply, it is important to judge an application on its merits, taking account of the impacts and benefits that the scheme provides. In this context the application must be considered in light of the 'saved policies' in the adopted Local Plan, the emerging Local Plan (eLP), and the NPPF.

Although saved Policy ST3 in the extant Local Plan has sustainability aspects which are in line with the general thrust of the NPPF, it is considered to be overly restrictive particularly in light of paragraphs 54 and 55 of the NPPF which aim to facilitate appropriate housing in rural areas to meet local needs. Keinton Mandeville has a relatively good range of services and facilities including a primary school, shop, public house, and a bus service, which would be accessible given the proposal's location close to the centre of the settlement.

Policy SS2 in the eLP (afforded "substantial weight" in the recent appeal decision APP/R3325/A/14/2217950) strictly controls and limits development that should be permitted at Rural Settlements, such as Keinton Mandeville, to that which provides employment opportunities; and/or creates or enhances community facilities to serve the settlement; and/or meets identified housing need, particularly for affordable housing. Policy SS2 also makes clear that development should be commensurate with the scale and character of the settlement, be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation. The applicant refers to the proposal as being consistent with the Parish Plan, and indicates that local consultation has been undertaken. It is noted that the Parish Council support the scheme.

The applicant indicates that the housing mix being proposed (2 and 3 bedroom dwellings) is currently under provided, and a local desire for developments of under 10 dwellings that would provide housing for young people and small families is set out in the Parish Plan. Ideally, an element of affordable housing should be sought under Policy SS2 to "meet identified housing need", although this is not a pre-requisite.

Overall, the proposal is contrary to saved Policy ST3 in the adopted Local Plan but this policy is in a time-expired plan, and is not fully consistent with the NPPF. The proposal seeks to be consistent with the Parish Plan and attain local support, in line with eLP Policy SS2, and is broadly compliant with the NPPF (para 54, 55) in providing rural housing to reflect local needs. Therefore, I do not raise an objection on planning policy grounds."

SSDC Landscape Architect -

"The application site lays off Coombe Hill, which runs to the north of the village centre. Keinton Mandeville is primarily a linear settlement, with the core of the village aligned on the B3153 (High and Castle Street) and Queen Street, which for most part are characterised by single-depth residential plots, many of which represent the historic core of the village. The main village area is concentrated to the south of the B3153, and west of Queen Street. Whilst Coombe Hill is effectively a 'fourth arm' off the junction of the above streets, it is one that extends north from the established street axis, yet is not characterised by built form beyond the plot-depths of High Street, such that the historic core of the village lays immediately alongside its rural edge in this location, which is a distinctive element of Keinton's settlement character. I also note that the site is one of a number of small narrow fields that are highly characteristic of this quarter of the village, and which also assist in buffering the village edge from the wider countryside, to act as a traditional setting to the village.

The recently published PPG (Natural Environment) has re-iterated the necessary role of landscape character assessment in planning for change due to development without sacrifice of local character and distinctiveness. An understanding of landscape character is also utilised to help determine a view on what may - or may not - be acceptable in terms of development form in any particular landscape. It is this capacity of landscape character assessment to inform appropriate development that is pertinent to this application. Characterisation is about what is distinctive and particular in a place, and the expression of a settlement's historic origins and expression of settlement is a matter to which much greater weight is given when judging new form, rather than recent, unsympathetic, and sporadic modern development.

Whilst the proposal before us abuts existing built form to the south, it otherwise intrudes into the fields that lay beyond the village's north edge, and extends beyond, and is clearly at variance with, the strong emphasis of the main B3153 (High and Castle streets) and its established north edge. Consequently, as this proposal is poorly-related to the character of the historic built edge of Keinton Mandeville; erodes the small field and paddock network that characterises the north side of Castle Street; and obtrudes into open land at variance with the established development pattern, I consider that it fails to meet the advice of the PPG (natural environment) similarly our own local plan saved policy ST5 para 4. Consequently I believe there are landscape grounds upon which to base a refusal of this application. I would add that similar issues were raised and debated by the recent appeal decision for land east of Queen Street (paras 15-18) and many of the points made by the Inspector in dismissing the appeal are pertinent here.

I also note that the present roadside hedge will be disrupted by access arrangements, which will result in its removal. The landscape report offers the option of translocation, and whilst this creditably preserves the feature, the enclosed character of the lane will be eroded, which is a

further, if slight, adverse character impact.

If you are minded to approve this application, I can advise that in most part the landscape proposal is appropriate. The only change I would recommend is the removal of the betula from the proposed hedging, and its substitution by a hedge species, either hawthorn or field maple, or further planting of the fruit species suggested elsewhere."

SSDC Community, Health and Leisure - Contributions of £25,778 towards local facilities, £9,599 towards strategic facilities, £4,513 as commuted sums, and a £399 administration fee are sought. This equates to an overall contribution of £40,289 or £5,036 per dwelling.

SSDC Environmental Protection Unit - Notes that the site lies adjacent to potentially contaminated land, which may have been filled with waste which may produce gases. He therefore recommends that a condition is imposed on any permission issued to ensure appropriate surveys and any necessary mitigation is carried out.

SSDC Ecologist - He noted the submitted ecological survey, but disagreed with its findings in relation to the presence of badgers near the site. He confirmed that he had visited the site and has seen two possible setts within 1 metre of the north boundary of the site. However, he concluded that there were not any main setts close to the site and as such he does not consider badgers represent a major constraint to the proposed development. That said, he is of the opinion that works within 20 metres of the north boundary and the proposed hedge translocation has the potential to damage badger setts, and as such a condition requiring further survey and appropriate mitigation should be imposed on any permission issued. He also recommends the use of a condition to protect slow worms during development.

Wessex Water - Notes that new water supply and waste connections will be required from Wessex Water, and gives advice as to how this should be achieved.

SCC Archaeology - No objections

REPRESENTATIONS

Letters of support have been received from the occupiers of two properties in Keinton Mandeville, four properties in Somerton, three properties in Street, five properties in Glastonbury, one property in Kingsdon, one property in Butleigh, one property in Tintinhull, one property in Cucklington, one property in East Lydford, one property in West Lydford, and one property in Compton Dundon. One letter of support was received a financial business in Yeovil and one from an estate agent in Shepton Mallet. Support was expressed for the following reasons:

- Good opportunity to support the young in keeping close to the family with affordable housing as a stepping stone to full ownership.
- Will provide small houses for young and old people to stay in the village.
- The location is very central to the hub of village life.
- The village and rural South Somerset generally is lacking in small affordable houses, which the scheme offers.
- The occupiers will support the village financially by putting children in the school and supporting local businesses and services.
- The scheme is well designed with large gardens, and in keeping with the area.
- The location is not outside the village line and does not overlook or intrude onto any nearby established properties.
- The scheme is safer being away from the main road.
- Bungalows will allow the elderly to downsize, freeing up other houses in the village.

- The village should centralize not keep expanding in a linear fashion. North is the obvious direction to grow the village.
- The applicant has successfully developed elsewhere and is very mindful of local people's thoughts and needs.
- There is an obvious need for affordable housing in the village.
- The bungalow it will replace [sic] is beginning to look tired, so the proposal will enhance the entrance to the village.

Letters of objection were received from the occupiers of two properties in Keinton Mandeville. Objections were raised on the following grounds:

- The application does not include reference to the presence of badger setts to the north boundary of the site and on the land to the east of the site, which also provides habitat for voles, adders, grass snakes and slow worms.
- The increased hard surfacing will increase the risk of flooding on the objector's land.
- Pedestrian access from the site to the main village may not be safe as the road is narrow with no footpath.
- The submitted information is inaccurate in the following ways:
 - One of the mentioned public houses is now an occupied dwelling not just 'currently closed'
 - There is no convenient bus service operating for people wish to travel to and from work in local towns and villages
 - The post office, bakery and one of the pubs mentioned have no existed for several years
 - High speed broadband is not currently available with no plans at present to upgrade the speed.
 - The visual impact will not be contained towards the objector's paddock
 - The land adjacent is a traditional orchard, as was the application site
 - There is no hedge between the application site and the objector's paddock.
 - The supporting landscape proposals do not ameliorate the negative impact that the proposal will have on the rural nature of this part of Coombe Hill.

APPLICANT'S CASE

"Whilst the proposal will inevitably have some degree of impact on the open countryside, this has been mitigated as far as possible by the well screened nature of the site and its location on the edge of an already developed area of the village.

Clearly, great weight should be given to the provision of housing to meet local need, particularly where it remains uncontroversial and has the general support of the community.

Whilst the Council stated that they have met the shortfall in the Council's housing land supply, this is yet to be tested by the Planning Inspector and further the recent appeal decision in Barton Road, that would have otherwise been allowed if the appeal had been accompanied by a Planning Obligation, reinforces that this application, in a more sustainable and suitable location in the village should, with the added benefit of general community support, be allowed as attested by South Somerset District Councils [sic] own Planning Policy Team as per their comments aforementioned.

It is therefore considered that the benefits of this scheme outweigh any minor adverse impacts that may be identified, whilst providing dwellings, which are a size and type of dwelling in high demand in the district and particularly so in the village and community of Keinton Mandeville as identified in the Village Community Lead Plan and subsequent housing needs survey.

However, more importantly in our view, the applicant has taken care to respect the aims and aspirations of the village. The community has expressed preferences in the Local Community Plan, as to the size, appearance and targeted custom of any extension of the village. In this matter this application accords with community desires to see a small development of small and more affordable family homes, in the local vernacular and utilising a palette of local materials.

We therefore ask the Local Planning Authority to approve this scheme on its significant merits, which we believe outweigh any limited harm caused by the proposed development."

CONSIDERATIONS

The main areas of consideration are considered to be:

- History and Principle of Development
- Highways
- Visual Amenity
- Benefits
- Residential Amenity
- Planning Obligations

History and Principle of Development

An outline application for a development of the same site, indicatively similar to the current scheme, was refused earlier this year. The previous scheme was refused for the following reason:

"The proposed development will, by way of significant built form projecting into open countryside and a pattern of development failing to follow the strong linear settlement pattern established around the main village through road, would have an unacceptable adverse impact to local landscape character and settlement pattern contrary to saved local plan policies ST5, ST6 and EC3, and the aims and objectives of the NPPF. The adverse impacts are considered to significantly and demonstrably outweigh the modest benefits towards meeting the LPA's housing supply, contrary to paragraph 14 of the NPPF."

The most important consideration is whether the current scheme has addressed this single reason for refusal. However, the current application is a full application as opposed to an outline application, so elements that were not considered previously must also be considered here.

The principle of residential development of this site was considered as part of the previous scheme. The policy position of the LPA has not shifted significantly in the mean time. As such, as with the previous proposal, and notwithstanding the concerns of neighbouring occupiers in relation to principle, lack of public transport, lack of village facilities, and broadband connection speeds, it is considered that the principle of the residential development of this site is acceptable and the application therefore falls to be determined on the basis of its impacts.

Highways

On the previous scheme, as all matters were reserved for future consideration, the means of access into the site was not considered in detail by the highway authority. As the current scheme is a full application they have considered the proposals in detail, and after initial concerns, have concluded that the proposal is acceptable subject to the imposition of conditions on any permission issued to control various details. The proposed conditions are

considered to be reasonable. A neighbour has raised a concern regarding the lack of footpath to the village. Similarly, the parish have caveated their support for the proposal providing that the 30mph speed limit is extended northwards and that the provision of a pavement is secured. There will be no pavement connection to the rest of the village provided and the extension of the 30mph speed limit northwards is not within the applicant's control. However, the highway authority has fully assessed the impact of the scheme and has not raised an objection. As such, contrary to local concern, it would be unreasonable to raise an objection on highway safety grounds.

Visual Amenity

The previous reason for refusal revolved entirely around the visual impacts of the proposal, in particular the impact on the character of the local landscape. Various recent appeal decisions have been referred to by the applicant and the SSDC Landscape Architect, but the current scheme is different to all of them and should be considered on its own merits. The applicant has referred in particular to an appeal decision at a site on Barton Road (APP/R3325/A/14/2215379). Whilst the two schemes are superficially similar, the Barton Road scheme sits entirely opposite existing built form, whereas the current scheme represents an entirely new protrusion of built form into the open countryside.

The SSDC Landscape Architect was consulted as to the visual impacts of the scheme.

The SSDC Landscape Architect raised an objection to the proposed development. He noted that the village is primarily a linear settlement, with the core of the village aligned on the B3153 and Queen Street. He states that the existing residential plots on Coombe Hill sit broadly within the main east-west corridor of the B3153, with Coombe Hill not otherwise characterised by built form. He also noted that the site is one of a number of small narrow fields that are highly characteristic of this quarter of the village, and which also assist in buffering the village edge from the wider countryside, to act as a traditional setting to the village.

He concluded that the proposal is poorly-related to the character of the historic built edge of Keinton Mandeville; erodes the small field and paddock network that characterises the north side of Castle Street; and obtrudes into open land at variance with the established development pattern. He therefore considers that the proposal fails to meet the advice of the PPG (natural environment) and saved policy ST5 of the local plan.

He further noted that the present roadside hedge will be disrupted by access arrangements, which will result in its removal. Whilst he accepted that the offered translocation, would creditably preserve the feature, he stated that the enclosed character of the lane would be eroded, which would constitute a further slight adverse character impact.

Therefore, notwithstanding the arguments put forwards by the applicant, the proposal is considered to fail to respond local landscape and settlement character contrary to saved policies ST5 and EC3 of the local plan and the aims and objectives of the NPPF.

In all other regards it is considered that the scheme would have no other adverse impact on visual amenity.

Benefits

The proposal will provide 8 small units of accommodation, which the applicant has argued has been identified as a local housing need, by the Keinton Mandeville Community Plan (2006). It is accepted that the provision of this type of housing could indeed be a benefit to the local community. However, it is not clear that there is any evidence that such a need exists in this

particular community. The applicant cites the Community Plan, which is somewhat old and not entirely in accordance with the NPPF and the emerging local plan. Furthermore, the community plan does not expressly state that small units are required, merely that there is need for affordable housing for young people and families. The applicant has not suggested any mechanism to ensure that the proposed housing remains affordable or is even affordable in the first place, relying instead on the fact that the units are relatively small. As such, there can be no guarantee that the proposal would fulfil the locally expressed desire for affordable housing for young people and families, and little weight can therefore be placed on this particular benefit of the scheme.

The proposal will provide eight units of residential accommodation, which must in itself be seen as a benefit to the supply of housing in South Somerset. Whether this benefit alone can be argued to outweigh the landscape harm identified above is discussed later in this report.

Residential Amenity

The proposed buildings, by reason of their size, position and orientation will have no significant impact on the amenity of adjoining occupiers by way of overlooking, overshadowing or overbearing. As such the proposal is considered to cause no demonstrable harm to residential amenity in accordance with policy ST6 of the South Somerset Local Plan.

Planning Obligations

A contribution of £40,289 towards outdoor playing space, sport, and recreation has been requested. A s.106 monitoring fee of £500 has also been sought. The applicant has agreed to pay all the contributions.

Accordingly, should the application be approved a Section 106 agreement will be necessary to:-

- Secure the agreed contribution towards strategic and local outdoor playing space, sport and recreation facilities.
- Secure the agreed monitoring fee.

Subject to the applicant agreeing to these obligations the proposal would comply with saved policies ST10 and CR2 of the local plan.

EIA

The requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 have been considered. The Council is of the opinion that the proposed development will not have significant environmental effects and that no environmental statement is required for the purposes of environmental impact assessment.

Other Matters

A neighbour has raised a concern that the impact on ecology has not been properly considered, in particular the impact on badger setts and on voles, adders, grass snakes and slow worms. The SSDC Ecologist has been consulted in regard to the impacts of the development, and has raised no objections subject to the imposition of conditions to protect slow worms and badgers on any permission issues. It is therefore considered that the matter has been properly considered and that any adverse impact on any protected species would be unlikely.

A neighbour has raised a concern that the increased hard surfacing would increase the risk of flooding to their adjoining land. However, there is no reason to assume that this would be the case, and it is considered that the implementation of a suitable drainage scheme could be secured through the imposition of suitable conditions on any permission issued.

A concern has been raised that the development does not accord with the wishes of local residents as expressed in the Keinton Mandeville Community Plan in a number of respects. However, the community plan has little statutory weight as it does not form part of the development plan for the area. It can only be afforded weight where it accords with the local plan and the NPPF, against which this application has been assessed above.

On the previous scheme the applicant asserted the application site to be grade 3b agricultural land. The LPA has no evidence to dispute this assertion. As such, the proposal does not represent the loss of the best and most versatile agricultural land.

Conclusion

Given the site's location very close to the settlement limits of Keinton Mandeville, it is considered that, in principle, it is a sustainable location for development. Notwithstanding the concerns of the neighbouring occupiers, it is considered that there will be no significant adverse impact on residential amenity, highway safety, flooding, or drainage. However, it is considered that there will be a significant adverse impact on the character of the area, by way of significant built form projecting into open countryside and a pattern of development failing to follow the strong linear settlement pattern established around the main village through road, contrary to saved policies ST5 and EC3 of the local plan, and the aims and objectives of the NPPF.

These adverse impacts to the local landscape character and settlement pattern are significant and irreversible, and are considered to significantly and demonstrably outweigh the modest benefits towards meeting the LPA's housing supply.

As such, notwithstanding the support of the parish council and neighbouring occupiers, the application has not addressed the previous for refusal and is recommended for refusal.

RECOMMENDATION

That application reference 14/03788/FUL be refused for the following reason:

SUBJECT TO THE FOLLOWING:

01. The proposed development will, by way of significant built form projecting into open countryside and a pattern of development failing to follow the strong linear settlement pattern established around the main village through road, would have an unacceptable adverse impact to local landscape character and settlement pattern contrary to saved local plan policies ST5, ST6 and EC3, and the aims and objectives of the NPPF. The adverse impacts are considered to significantly and demonstrably outweigh the modest benefits towards meeting the LPA's shortfall in housing supply, contrary to paragraph 14 of the NPPF.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on

solutions. The council works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

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

Agenda Item 17

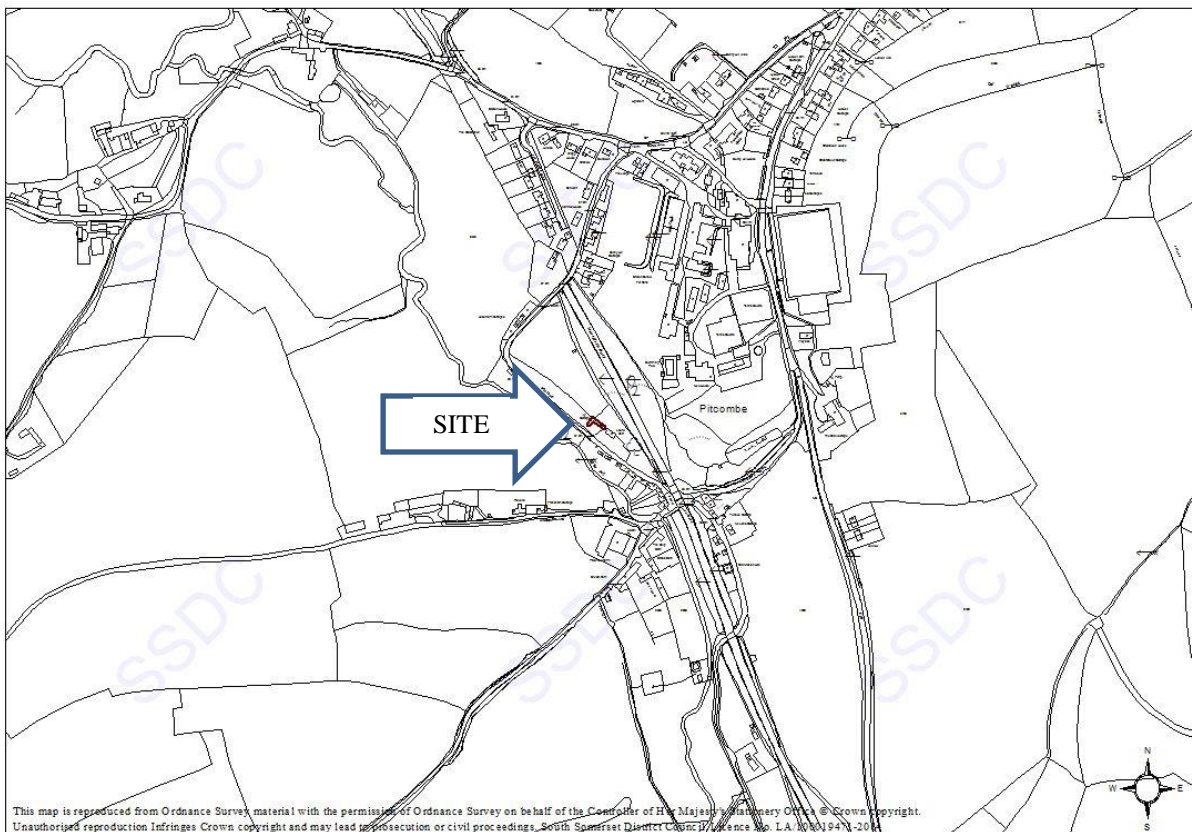
Officer Report on Planning Application: 14/02995/FUL

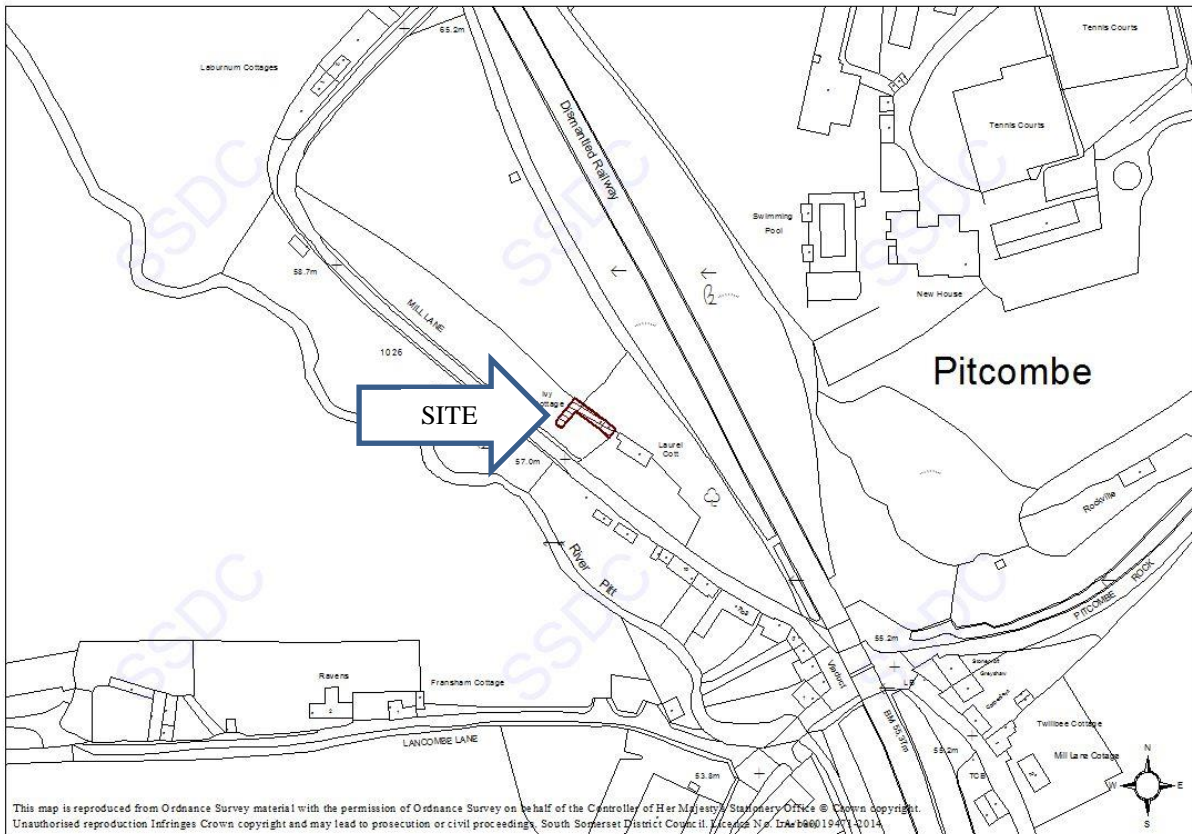
Proposal :	Erection of a two storey extension. (GR 367184/133238)
Site Address:	Ivy Cottage Mill Lane Pitcombe
Parish:	Pitcombe
TOWER Ward (SSDC Member)	Cllr Mike Beech
Recommending Case Officer:	Sam Fox Tel: 01935 462039 Email: sam.fox@southsomerset.gov.uk
Target date :	22nd August 2014
Applicant :	Ms J Barnard
Agent:	Mr P Coe, Coe Design Ltd Pound Lane Studios Yarlington Wincanton Somerset BA9 8DG
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application was referred to the Chairman at the request of the Ward Member as the comments of neighbours were contrary to the officer's recommendation. The Chairman has requested the application go to the Area committee to consider the neighbour issues.

SITE DESCRIPTION AND PROPOSAL





The site is located on the edge of the village, within the conservation area.

The property is a detached, two-storey dwelling constructed of stone and render with UPVC windows under a tiled roof. The property sits in a long plot running parallel to the highway in a north westerly direction. The property sits at the end of the built form along this section of road with one adjacent residential property to the southeast of the site. The property benefits from a long garden and access with parking area.

This application seeks permission for the erection of a two storey extension.

HISTORY

None recent

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Saved policies of the South Somerset Local Plan (Adopted April 2006):

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

Policy EH1 - Conservation Areas

National Planning Policy Framework

- 7 - Requiring good design
- 12 - Conserving and enhancing the historic environment

South Somerset Sustainable Community Strategy
Goal 8 - High Quality Homes
Goal 9 - A Balanced housing Market

CONSULTATIONS

Parish / Town Council - The Council considered the application following their site visit and raised no objection to the proposal which was considered to be a significant improvement on the current site and would bring the existing building into a condition appropriate for its location. The additional extension was not considered to be out of keeping with the area. The Council however wished to make the following observations.

Trees: The planning application did not make clear whether any trees would be lost under the development. The applicant's comments at the meeting that none would be lost were noted but the Council wished to see confirmation of that position.

Car parking: The description of car parking in the design and access statement was not as detailed as it could have been and should reflect the description provided verbally by the applicant. The separation of the plan showing the development from the plan showing car parking had been unhelpful. The full meaning of the plans had become clear at the site visit. A single plan showing both would be clearer, such a plan to show clearly the proposed work to the car parking area and approach. An additional account of the intended re-design of the ramped driveway and the creation of a parking area within the garden should accompany these plans.

Car parking entrance/exit: The confirmation of Highways to the design and visibility splay of the entrance needed be obtained.

Design of the extension: the Council noted that the applicant had taken pre-application advice from the Conservation Officer that the extension should be perpendicular not lateral. Members did not feel that this was unreasonable and did not favour the "railway carriage" look of a lateral extension. The gable end fronting the road was not considered intrusive given the distance between the end of the building and the road. The Council considered, however, that the Conservation Officer should be required to confirm their position on the design as a perpendicular extension.

Following submission of an additional plan on 21 August 2014 showing the access and parking alterations the following comments were received:

Thank you for sending the additional information on the above being the revised plan on parking and access. The provision of the plan meets one of the observations of the Council when it considered the application. There is, however, one point that seems to need clarification. The gradient for the ramp in the existing layout is described at 10%. In the revised plan it is marked on the plan as both 10% and 8%

I assume that it is 8% as confirmed by the applicant but perhaps you could also confirm this.

County Highway Authority - Standing advice applies, parking for up to 3.5 vehicles.

Area Engineer - No comments received

Conservation Officer - A scheme to extend this property has been discussed at length, with various solutions proposed. The existing property is very small, with a very narrow width. I understand that the neighbouring cottage has been lengthened but has also been extended towards the road by increasing the depth of the building. The best way to extend the existing building would be to extend to the rear, but this land is not within the curtilage of the house.

Failing that I did advocate a linear extension, avoiding a projection towards the road. I do still feel that this would be better, but it would have to be narrow to match the existing cottage; and to achieve the desired level of additional accommodation it would have to be very long. The resulting length of the property would be excessive, and would have quite an impact on the character of the conservation area.

Returning an extension towards the road in this manner isn't usually an approach we would advocate. There is no precedent for it locally and the building stands above the road level so it will be quite visible. However the house is set back a considerable distance from the road. Erecting a return extension that projects towards the road will give the overall building a more compact form (rather than the alternative linear extension, which would double the overall length). The extension is slightly wider than the original building but does still have a modest scale. The width of the ground floor has been extended by a simple and traditional lean-to form facing northwest, set back from the road elevation, which successfully increases the ground floor area without making the road facing gable too wide.

Although a more modest linear extension, perhaps an addition of half the length of the existing building would have far less impact on the character of the area, I do feel that, on balance, this extension is acceptable. It is large but it does have a traditional narrow width, with appropriate simple detailing.

Before I can offer full support however there are a couple of details that need to be clarified:

- There is a change in material along the main elevation of the existing cottage just under the eaves. I understand the eaves height has been raised, so it is quite likely that the material behind the render is modern - perhaps concrete block. I suggest this is either investigated at this stage by removing some of the render or the plans annotated with a commitment to reconstruct this element in stone if it doesn't exist.
- The drawings don't show the expression of any lintels over the window openings. Stone or timber lintels should be expressed in a traditional manner on the internal face of the stone, and the drawings should reflect this.

SSDC Tree Officer - The tree officer has raised no objection to the proposal, the garden is outside the conservation area and any trees potentially affected by the parking development he did not consider of any note or significance.

REPRESENTATIONS

Fifteen people have written letters of support whilst seven people have written letters of objection. The main reasons for objection are as follows:

Overlarge, out of proportion, intrusive
Changes character of cottage
Only front extension in conservation area
Disproportionate
Dominant
Overbearing
At odds with conservation area
Overlooking
Elevated position makes it appear worse

CONSIDERATIONS

Visual amenity

The proposed extension is considered to be of an appropriate design and detailing that would be subservient to the main dwelling in terms of scale and design. The materials are stated as being to match the existing property. The conservation officer has raised no objection to the proposal. On this basis it is not considered that it would harm the character of the property or have a detrimental impact on the visual amenity of the conservation area.

Residential amenity

It is not considered that the window layout and general bulk of the extension is such that it would give rise to undue overlooking / loss of privacy or an overbearing relationship with neighbouring properties. Therefore the proposal would not harm local residential amenity.

Neighbour comments

The comments of the neighbours have been noted. Whilst the overall size of the proposal is quite large, the bulk only slightly smaller than that of the main dwelling, it sits comfortably within the good size plot and is not considered to be disproportionate. Due to the orientation of the property and its distance from other residential units it is not considered to have any detrimental impact on the residential amenity of the occupiers of the adjacent property in terms of overbearing, overlooking or loss of light. In terms of the character of the property and the surrounding conservation area, whilst this will change with the introduction of the proposal, with the other improvements to be made in to the main dwelling in terms of the exposure of the natural stone and the re-introduction of the timber windows, the overall impact is considered an improvement to both. In terms of the parking and access, the applicant is improving an existing access by way of reducing the gradient and providing a larger parking/turning area as part of the proposal, exceeding the Highway Authority requirements and thus improving the existing arrangement.

Parish Council comments

The comments of the Parish Council have been noted. Regarding the trees, the applicant has verbally assured the Parish Council that there is no intention of removing any trees and as there are no preservation orders on the site nor is the garden within the conservation area, it is considered unreasonable to obtain any written assurance. The Conservation Officer comments have addressed the design question whilst an additional plan showing improvements to the access and parking has been provided, with a gradient improvement of 8%. Regarding the access, visibility splay comment, the Highway Authority requirement for the site is provision of parking only whilst the reduction in the gradient falls within the standards they normally require.

Highway comments

Standing advice requires parking for up to 3.5 vehicles which the proposal meets.

Conclusion

The property is a small very narrow rendered cottage set back from the highway in an elevated position on the edge of the conservation area. Whilst the proposal is quite large, it does sit comfortably within the plot and with the use of natural stone and timber is considered to be an improvement on the existing tired looking render and UPVC. Whilst the proposed position to the front of the property is not a common feature of the area, this is considered to be an acceptable form of development and is not considered to be of significant detrimental harm to character of the existing dwelling nor the wider surrounding conservation area. Accordingly the proposal is considered to comply with policies EH1, ST5 and ST6.

RECOMMENDATION

Permission be granted subject to the following conditions:-

01. The proposal, by reason of its size, scale and materials, respects the character of the conservation area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of policies EH1, ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006).

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. No work shall be carried out on site unless details of the design, materials and external finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In order to ensure that the development accords with the character of the area in accordance with Policy EH1 of the South Somerset Local Plan as adopted 2006.

03. No work shall be carried out on site unless full details the new natural stonework walls, including the materials, coursing, bonding, mortar profile, colour, and texture along with a written detail of the mortar mix, have been provided in writing; this shall be supported with a sample panel to be made available on site and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

Reason: In order to ensure that the development accords with the character of the area in accordance with Policy EH1 of the South Somerset Local Plan as adopted 2006.

04. No work shall be carried out on site unless details of the design, materials and external finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In order to ensure that the development accords with the character of the area in accordance with Policy EH1 of the South Somerset Local Plan as adopted 2006.

05. No work shall be carried out on site unless design details of all roof eaves, verges and abutments, including detail drawings at a scale of 1:5, and all new cast metal guttering, down pipes, other rainwater goods, and external plumbing shall be submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In order to ensure that the development accords with the character of the area in accordance with Policy EH1 of the South Somerset Local Plan as adopted 2006.

06. No work shall be carried out on site unless details of all new vents and external plumbing have been submitted to and approved in writing by the Local Planning Authority. Such

details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In order to ensure that the development accords with the character of the area in accordance with Policy EH1 of the South Somerset Local Plan as adopted 2006.

07. The development hereby permitted shall be carried out in accordance with the following approved plans: Details and drawing numbers Location Plan, 195.100.01P and 195.200.SL.X/P received 27 June 2014, amended drawing 195.100.02P received 12 August 2014 and additional drawings 195PX and 195P02 received 21 August 2014.

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

Agenda Item 18

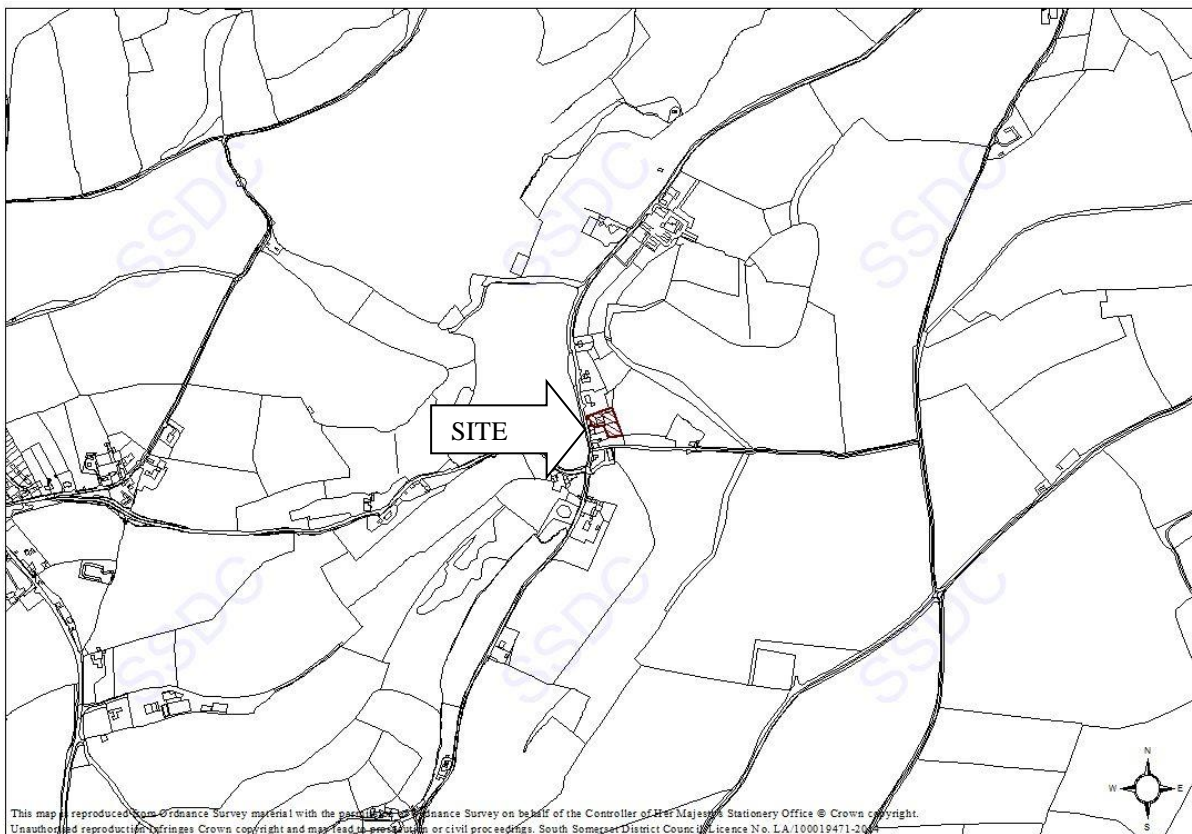
Officer Report on Planning Application: 14/03507/FUL

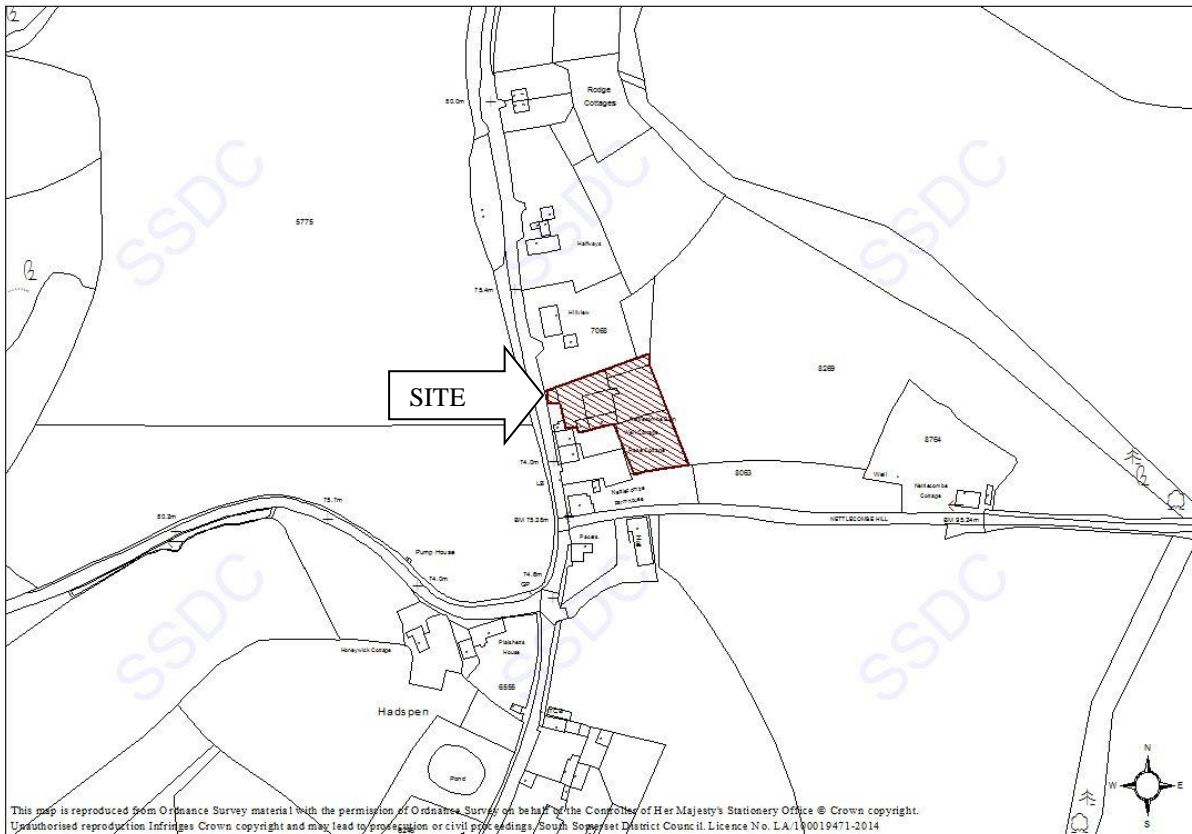
Proposal :	Replacement dwelling (GR 365717/132666)
Site Address:	Nettlecombe Barn Hadspen Castle Cary
Parish:	Pitcombe
TOWER Ward (SSDC Member)	Cllr Mike Beech
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	24th September 2014
Applicant :	Mr And Mrs C Alderson
Agent:	Yiangou Architects Ltd Mr A Lewis Dyer House 3 Dyer Street Cirencester Gloucestershire GL7 2PP
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is to be considered by Area East Committee at the request of the Ward Member, with the agreement of the Area Chair, to enable Members to fully debate the proposal and consider whether the revised scheme addresses the previous reason for refusal (13/02727/FUL).

SITE DESCRIPTION AND PROPOSAL





The site is located within the village of Hadspen and is in the designated conservation area. It includes a yard area to the north, formally a farmyard, and a large rear garden to the east of the house with a paddock beyond that extends up a steep hill to the east and is surrounded by woodland. Currently on site is an existing single storey dwelling, a former barn that has subsequently been extended. This is located along the southern boundary and shares the boundary with the adjoining property to the south, Well Cottage. Also on site a number of outbuildings, which are proposed to be removed.

This application represents a re-submission of a previously refused scheme, with revisions made to the proposed dwelling, and additional supporting information submitted, in the hope of addressing the previous refusal reason. The dwelling is still to be constructed of natural sourced rubble stone for the walls, pantiles to match the existing tiles and metal painted gutters and downpipes. Glazed screens and windows will be painted aluminium.

The application is supported by a Design and Access Statement, Planning Statement, Heritage Impact Assessment and Landscape and Visual Impact Assessment.

The main changes made to the previously refused proposal are as follows:

- Reduction in length of 2 storey element by approximately 800mm.
- Omission of garage, utility and boot room in single storey element adjoining southern boundary, in favour of providing two additional bedrooms and ensuite bathroom.
- Retention of south wall of existing building and existing boundary treatment.
- Additional roof lights to the two storey roof line and enlarge roof lights to the single storey roof.
- Amended window details, including narrower openings to the two storey gable ends.
- Since submission, the proposal has also been amended to further reduce the size and

mass by omitting the two storey flat roofed element.

RELEVANT HISTORY

13/03599/CON - Demolition of a dwelling within a conservation area - Application Refused - 15/11/2013 for the following reason *"The proposed demolition of this heritage asset, for which no reasonable justification has been put forward, would be detrimental to the character and appearance of the conservation area. As such the proposal is contrary to saved policy EH2 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework."*

13/02727/FUL: Demolition of dwelling and the erection of a replacement dwellinghouse - Application Refused - 15/11/2013 for the following reason *"The proposed replacement dwelling, by reason of its size, scale and design, would result in an incongruous form of development, to the detriment of the character and appearance of the conservation area and the visual amenities of the locality."*

02/01850/FUL - The erection of a ground floor extension - Application permitted with conditions - 13/08/2002

02/00979/FUL - The erection of an extension on eastern elevation - Application Refused - 12/06/2002

99/00790/FUL - The erection of a porch to dwelling, a garden shed and stables/hay barn - Application permitted with conditions - 22/02/2000

98/02123/FUL - The erection of a ground floor extension - Application permitted with conditions - 05/11/1998

92/00902/FUL - ALTERATIONS AND THE CONVERSION OF REDUNDANT STABLE INTO A SINGLE STOREY DWELLING - Application permitted with conditions - 05/03/1993

90/01090/FUL - ALTERATIONS AND CONVERSION OF BARN INTO A SINGLE STOREY DWELLING WITH GARAGE - Application permitted with conditions - 12/12/1990

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the relevant policy framework is provided by the National Planning Policy Framework and the saved policies of the South Somerset Local Plan 2006.

Saved policies of the South Somerset Local Plan (April 2006)

ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
EC3 - Landscape Character
EC8 - Protected Species
EH1 - Conservation Areas

EP6 - Demolition and Construction Sites

National Planning Policy Framework

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environment

Chapter 12 - Conserving and Enhancing the Historic Environment

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments

Goal 4 - Services and Facilities

Goal 8 - High Quality Homes

Goal 9 - A Balanced housing Market

Other Relevant Documents

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2013)

CONSULTATIONS

Pitcombe Parish Council: The Parish Council considered the originally submitted plans at a meeting on 12th August 2014 and made the following observations:

The Council noted the reasons for the refusal of the previous application by the District Council which related to size, scale and design being incongruous and to the detriment and appearance of the area and the visual amenities of the locality. The Council also noted that its objections to the previous application had also related to the size, scale, design and impact of the scheme. These had been issues of principle which needed to be addressed in any further application.

The Council acknowledged that the current scheme had been amended from the previous application, specifically the retention of the wall adjoining the adjacent owner's property and the re-ordering of the internal layout.

Having considered the proposals, however, the Council did not feel that the previous reasons for objection had been addressed sufficiently or effectively. The size and scale of the development remained too large and unsuitable for the site. The design was out of keeping with the character of the local Conservation Area and not complementary. Specific examples were the large glass windows on the south facing elevation and the addition of three large lights overlooking the adjacent property. The visual appearance of the proposed building remained incongruous and to the detriment of the appearance of the area. For these reasons the Council objected to the proposal and also agreed to request that it be determined by the Area East Committee.

On considering the amended plans to omit the two-storey flat roofed element, the Parish Council made the following additional comments:

The Council acknowledged that the design of the building had been changed and considered this to be an improvement. It was also noted that the size of the proposed building had been reduced slightly.

The Council remained of the view however that the size and scale of the proposed development remained too large; was disproportionate in relation to the original building and unsuitable for the site. The small reduction in size was not significant enough to address the Council's previous concerns. The design, size and scale remained out of keeping with the character of the local conservation area and was not complementary. The appearance of the proposed building remained incongruous and detrimental to the appearance of the area. The Council re-affirmed its objection to the application as expressed in the amended plans.

County Highway Authority: County Council standing advice should be applied.

County Archaeologist: No objections on archaeological grounds.

SSDC Environmental Protection Officer: No comments.

SSDC Landscape Architect: No objection. The following comments are made: *"I note the amended detail of the proposed replacement dwelling, and recollect the earlier application.*

It lays within a small hamlet, which has a tightly drawn conservation area. Most of the housing are singular plots, the majority which address the road. Though set back, this is based upon an existing barn and earlier consented structures, such that the proposal has a credible plan form. I have no issue with the principle of this proposal, and note the minor modifications to the overall footprint which ensure avoidance of an uncharacteristic massing effect, to thus be acceptable. I have also reviewed the LVIA submitted with the proposal, which usefully indicates the visual envelope to be minimal. I have no substantive landscape issues to raise."

SSDC Conservation Officer: No objection subject to standard conditions to cover materials, detail of the window and door system, eaves and verge, extract vents and flues and external fittings (lights, metre boxes, etc). The Conservations Officer's comments are as follows: *"I have no objection to the rebuilding of the existing converted barn. It has been substantially extended and altered during conversion, and is of limited historic significance. In terms of the appropriateness of the new build extensions this small hamlet has a fairly scattered built form with some buildings along the road edge and some set back. The host building as well as 'Halfways' are set back, addressing the road gable on. Extending the building in this manner with a parallel extension set back from the road is appropriate, respecting the existing built character. Although the extension is large in terms of footprint, its overall massing is fairly modest and traditional; and will not look out of place in this position. The proposal is therefore considered to preserve the character of the conservation area, and as such I can advise that I have no objection to the scheme."*

REPRESENTATIONS

Seven letters of objection have been received from the occupiers of three local dwellings: Well Cottage, Nettlecombe Cottage and Nettlecombe Farmhouse. The nature of the objections fall into various categories, these include:

Size, Scale and Appearance

- Even though the plans have been revised, the proposed dwelling is still inappropriately large. It is disproportionate to the dwelling it is to replace and also to the locality and will set an undesirable precedent in terms of scale.
- The amendments are minimal and even with the loss of the two storey flat roof element, this does not affect the overly large and sprawling nature of the proposed building.
- The proposed changes are minimal and do not address the reasons that the proposal

was originally refused.

- The roof lights and various glazed areas will lead to light pollution to the detriment of the area and also residential amenity.
- The proposal no longer includes garaging. Presumably an application will be made later for this, which will lead to further development of the site.

Residential Amenity

- The provision of three large opening roof lights on the southern roof slop of the single storey element, which serve a corridor with an open doorway to the kitchen will lead to light pollution and noise to the detriment of residential amenity. It would be better if these were reduced to two smaller roof lights with only one being opening. Also any light should be downward facing to avoid light intrusion into the neighbouring garden.
- If approved, builders will need to erect scaffolding within and have access to the rear of Well Cottage. It should be ensured that any damage to the neighbouring garden is put right like for like.
- Can it be conditioned that no additional windows or other openings are able to be put into the south or west facing walls, including venting and pipes.

Other Issues

- The size of the existing dwelling has increased from 100 sq.m in the original application to 135 sq.m in this latest scheme. Which is correct? This is considered to be misleading as the increase in size is made to look smaller.
- The accuracy of viewpoints included within the Landscape and Visual Impact Assessment are questioned. It is felt that the report should not be used in considering this application due to containing many errors.
- No application appears to have been received to demolish this building within a conservation area. Does this application for a replacement dwelling suffice?

APPLICANTS CASE

We have considered the reasons for refusing planning permission and conservation area consent for the previous proposals in November 2013. As a consequence specialist heritage and landscape consultants have been instructed to assess the previous proposals and the context within which they were to be placed. Following an initial decision to reduce the size of the proposals, the specialist consultants were asked to advise on the merits of submitting a revised scheme.

In recognition of the views of local residents and the Parish Council on the previous proposals, the applicant has entered into constructive and on-going dialogue with the immediate neighbour at Well Cottage whilst the project team hosted a public exhibition and presentation. The proposals were amended and refined following the receipt of comments and feedback.

The submitted HIA (Heritage Impact Assessment) and LVIA (Landscape and Visual Impact Assessment) both show that the current proposals are appropriate in all respects. Together with additional analysis contained in this Statement, we have shown the demolition of most of the existing barn together with the construction of a replacement dwelling is entirely appropriate in terms of its relationship with adjoining dwellings, impact on the conservation area and the local landscape.

In our view the proposals conform to the requirements set out in Local Plan Policies ST5, ST6 and EH2 as well as the NPPF.

For these reasons we sincerely hope planning permission will be granted.

(Extract from the conclusion section of *Planning Statement*, p18, dated July 2014)

CONSIDERATIONS

The replacing of the existing property on a one for one basis is considered to be acceptable in principle and accords with both local and national policy objectives for promoting sustainable development. Notwithstanding this however, careful consideration has to be given to the proposed replacement scheme, with particular consideration given to the impact on the visual amenities of the local area, impact on the character and appearance of the conservation area, whether any unacceptable harm is caused to the residential amenity of local residents and whether there would be any severe impact on highway safety.

This application is a re-submission of a previous scheme 13/02727/FUL, which was refused at Area East Committee in November 2013. This original proposal was refused for the following reason:

"The proposed replacement dwelling, by reason of its size, scale and design, would result in an incongruous form of development, to the detriment of the character and appearance of the conservation area and the visual amenities of the locality."

The applicant has made some revisions to the proposal, which include reducing the length of the two-storey element by approximately 800mm, omission of a two-storey flat roofed projection to the south elevation, re-arrangement of the internal layout and alterations to the size and positioning of some of the openings. Furthermore, additional reports have been submitted in the form of a 'Landscape and Visual Impact Assessment' and a 'Heritage Impact Assessment' to increase the evidence base in support of the proposal, particularly in seeking to establish the impact that the redevelopment of this site will actually have on the character of the conservation area and the visual amenities of the locality. The applicant hopes that these amendments and additional supporting evidence will address the reason for refusal.

Impact upon Visual Amenity

The footprint of the replacement dwelling is reduced slightly as a result of the reduction of the length of the two storey element. The visual impact is further lessened, particularly when being viewed from the adjoining highway, as a result of the omission of the flat roofed protrusion on the south elevation. The submitted Landscape and Visual Impact Assessment also provides additional supporting evidence in respect to the impact that the dwelling will have on the surrounding landscape.

The Council's Landscape Architect has given the proposal consideration and reviewed the Landscape and Visual Impact Assessment and concluded that the proposed scheme has a credible plan form and is designed to avoid an uncharacteristic massing effect. Furthermore, the findings of the Landscape and Visual Impact Assessment, which indicate that the visual impact will be minimal, are supported. Overall, having taken into account the size of the plot, the specific design, including revisions to reduce its scale and mass, the location and form of adjoining dwellings and existing trees on the site it is considered that the proposed development is acceptable. As a result of these amendments and submitted supporting information, the scheme is considered to satisfactorily address the previous reason for refusal so as to allow a recommendation of approval.

Impact upon Conservation Area

As with consideration of visual amenity, the applicant has provided further supporting information by way of a Heritage Impact Assessment, which concludes that the demolition of the existing building should not be seen as having an adverse impact on the character and

appearance of the conservation area and that the proposal will meet the requirement to preserve and potentially enhance the conservation area.

The Council's Conservation Officer has considered the revised proposal. In assessing the scheme against the established built form of the hamlet and local pattern of development, also taking into account the manner other buildings have been extended in the immediate vicinity, it is felt that despite the size of the extension, the massing of the proposal is fairly modest and traditional and will not look out of place in this position. It is therefore considered that the proposal preserves the character of the conservation area.

Impact upon Residential Amenity

The previously considered scheme was not refused on residential amenity grounds and therefore it is appropriate to consider that there would be no unacceptable harm to residential amenity. It is of course appropriate to consider any changes to the proposal that may have a different impact.

Despite the previous acceptance of the proposal in respect to residential amenity, the applicant has tried to change the scheme to take into account issues raised by the immediately adjoining occupier to the south, Well Cottage. These include the removal of garaging and utility rooms within the single storey part of the building and replacement with two bedrooms and a corridor abutting the southern boundary, which should reduce the level of activity taking place close to the neighbouring property. It is also now proposed to retain the southern boundary wall to reduce the disturbance to the neighbour and also allow retention of established garden and planting.

One new objection has however been received in that three roof lights are proposed and that these are increased in size and will serve an open corridor linking into the proposed kitchen/dining room. It is felt that this will lead to light pollution to the detriment of residential amenity. The applicant has responded to a suggested reduction in size and number by confirming that these have been designed specifically to allow light into an otherwise unlit area of the property and improve levels of light in the adjoining kitchen. Notwithstanding this, it is not considered that the provision of these roof lights will cause unacceptable harm to residential amenity. In the previous the agent suggested that conditions could be imposed to ensure that the proposed new roof lights were fixed shut and that permitted development rights could be withdrawn for any additional windows. It is considered appropriate to repeat this requirement, which will further reduce the impact of the proposal on neighbouring amenity.

Also as suggested in respect to the previous application, a scheme should be submitted to minimise noise and disturbance during construction, in the form of a Construction Environment Management Plan (CEMP). This would require details of the phases of construction and mitigation measures to be submitted to minimise disturbance.

Highways

The Highways Authority refer to their Standing Advice in the determination of the application. At present there is an existing access onto the classified road that serves the dwelling. This situation is not proposed to be altered. An existing gate that opens outward is to be altered to open inwards. While no garaging is now proposed, the paved forecourt is still considered to provide sufficient parking and turning on site to enable vehicles to enter and exit the site in forward gear. These aspects however need to be conditioned to ensure the level of parking on the site and sufficient turning on site.

Conclusion

The proposed replacement dwelling has been revised and additional supporting information provided as the applicant seeks to address the refusal of previous scheme 13/02727/FUL. As a result of the changes made and the lack of objection from the Council's key consultees, it is considered that the proposed development adequately preserves the character of the conservation area and local area in general and provides an appropriate modern dwelling in line with the saved policies of the development plan and the aims and objectives of the NPPF.

RECOMMENDATION

Grant permission subject to the following conditions

01. Justification

The replacement dwelling due to its design and form respects the character of the conservation area and provides an appropriate modern dwelling. The proposal also does not adversely affect residential or visual amenity. The proposal therefore complies with saved policies ST5, ST6, EC3, EH1 and EP6 of the South Somerset Local Plan and the provisions of chapters 4, 7, 11, 12 and the core planning principles of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: '1551.080 Rev A', received 30th July 2014 and '1551-110 Rev E, '1551-11 Rev D', '1551-1112 Rev D' and '14/1439/02', received 26th September 2014.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority;

- a) details of materials (including the provision of samples where appropriate) to be used for the external walls, roofs and new boundary walls;
- b) sample panels of stonework shall be provided on site for inspection;
- c) details of the design, materials, external finish and recessing for (including the provision of samples where appropriate) to be used for all new doors, windows (including roof lights), boarding and openings.
- d) details of the design of all roof eaves, verges and abutments, including detail drawings at a scale of 1:5;
- e) details of all new cast metal guttering, down pipes, other rainwater goods, external plumbing, extract vents and flues;
- f) details of position and colour finish of meter cupboards, gas boxes and any external lighting..

Once approved such details shall be fully implemented and thereafter shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area, in accordance saved policies ST5, ST6, EC3 and EH1 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

04. No works shall be undertaken unless details of all proposed levels including finished floor levels are submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the conservation area, in accordance with saved policies ST5, ST6 and EH1 of the South Somerset Local Plan 2006 and the provisions of chapter 7 and the core planning principles of the National Planning Policy Framework.

05. No works, including associated site vegetation clearance, landscaping, demolition of existing structures, ground-works, operation of heavy machinery or the storage of materials occurring on-site, shall be undertaken unless a scheme of tree protection measures shall be submitted to and agreed in writing with the Council and it shall include the following details:

- (i) A statement of intent describing site-specific tree protection measures
- (ii) a location plan and specification of tree protection fencing and;
- (iii) a commitment to ensuring that a pre-commencement site meeting takes place between the builder/project manager and the Council's Tree Officer (01935 462670), which shall be arranged at a mutually convenient time to allow for the Council's inspection and approval of the protective fencing.

On approval of the protective fencing, the agreed tree protection measures shall be implemented in their entirety for the duration of the construction of the development (inclusive of any landscaping operations).

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the objectives of saved policies ST6 and EH1 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 11 of the National Planning Policy Framework.

06. No works shall be undertaken unless a Construction Environmental Management Plan (CEMP) the development has been submitted to and approved in writing by the Local Planning Authority. Subsequent development shall be carried out in accordance with the requirements of the approved CEMP.

The statement shall provide details for:

Working hours during which construction works shall take place;

Procedures for noise and dust mitigation during construction;

Storage of plant and materials used in constructing the development;

Wheel washing facilities or other measures to ensure that mud and other debris are not deposited on the local highway network;

Reason: To safeguard residential amenity and to safeguard the character and appearance of the conservation area, in accordance with saved policies ST5, ST6 and

EH1 of the South Somerset Local Plan and the provisions of chapters 7, 12 and the core planning principles of the National Planning Policy Framework.

07. The proposed roof lights on the southern elevation of the single storey element along the boundary with Well Cottage shall be fixed shut and permanently retained in this condition.

Reason: In the interests of residential amenity, in accordance saved policy ST6 of the South Somerset Local Plan 2006 and the core planning principles of the National Planning Policy Framework.

08. The parking and turning area indicated as 'paved forecourt' on approved plan '1551-110 Rev E' shall be kept free from obstruction at all times and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of chapter 4 of the National Planning Policy Framework.

09. Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or any subsequent order amending or revoking and re-enacting that Order) there shall be no additional openings, including windows and roof lights, and vents or flues installed to the southern elevation of the single storey element that shares a boundary with Well Cottage without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the conservation area, in accordance saved policies ST5, ST6 and EH1 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 12 and the core planning principles of the National Planning Policy Framework.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling hereby approved without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the conservation area, in accordance saved policies ST5, ST6 and EH1 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 12 and the core planning principles of the National Planning Policy Framework.

Agenda Item 19

Officer Report on Planning Application: 14/02116/COL

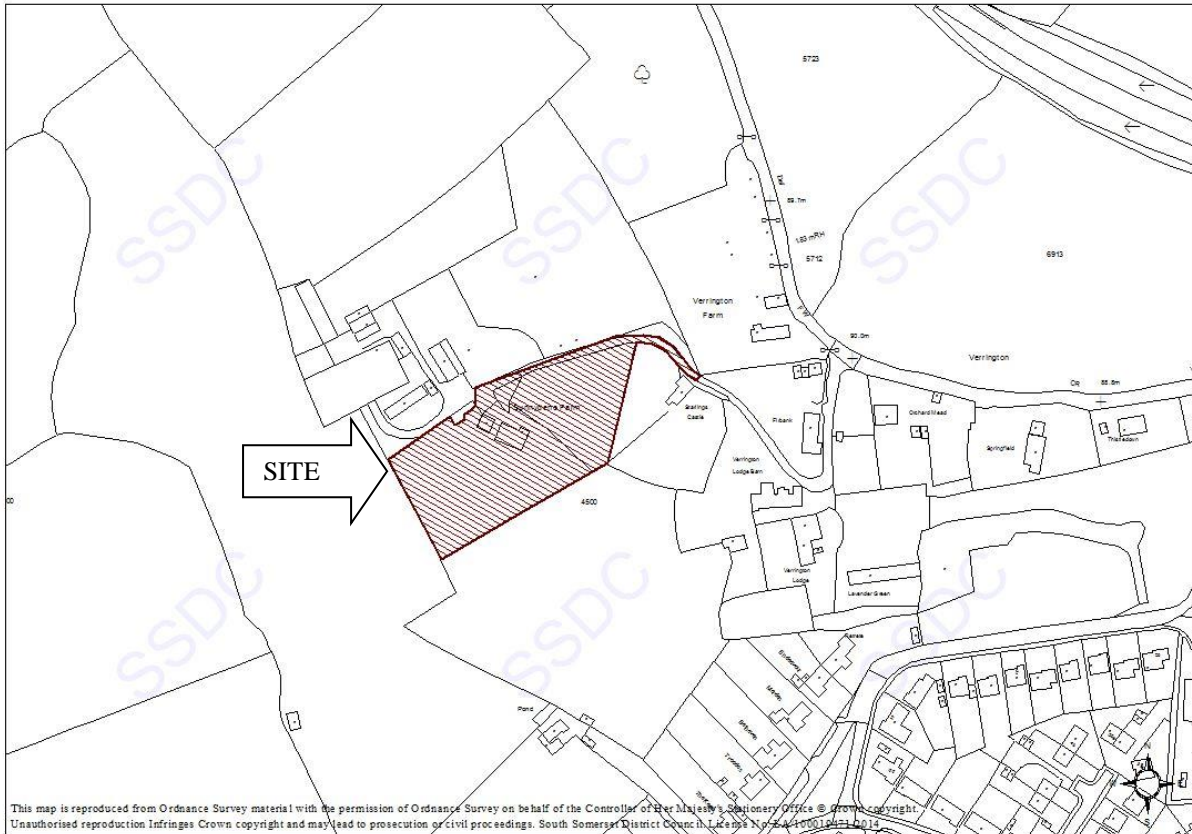
Proposal :	Application for a certificate of lawfulness for the continued occupation of the dwelling without compliance with condition 2 (agricultural tie) of planning permission 791810 dated 30th August 1979 (GR 370596/128981)
Site Address:	Lavender Green Verrington Wincanton
Parish:	Wincanton
WINCANTON Ward (SSDC Member)	Cllr N Colbert Cllr C Winder
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	10th July 2014
Applicant :	Mrs Maureen Foreman
Agent:	Mr Edward Dyke Agriculture House Market Place Sturminster Newton DT101AR
Application Type :	Other

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee at the request of a Ward Member with the agreement of the Area Chairman to allow the issues to be fully debated.

SITE DESCRIPTION AND PROPOSAL





A certificate of lawfulness is sought to permit the use of the dwelling known as Lavender Green without compliance with the agricultural tie condition imposed on planning permission 791810 dated 30 August 1979. This permission was for the erection of a bungalow.

The condition relating to this application stated the following:

'The occupation of the dwelling shall be limited to persons employed or last employed full time locally in agriculture as defined in Section 290 of the Town and Country Planning Act 1971 or in forestry and the dependants of such persons.'

The application covering letter explains that occupation of the property has been in breach of the condition since the property was purchased in 2001. In essence it is claimed that Mr Foreman was never employed 'locally' in agriculture being employed at his company's enterprise in Sussex, returning to Lavender Green at weekends.

Supporting evidence, for their case, included as part of the application includes:

- A covering letter from the agent
- 3 statutory declarations
- A site location plan

Following further enquiry by the Council's legal officer the applicant submitted a further statutory declaration by Clare Lyons, used to corroborate the evidence submitted already.

RELEVANT BACKGROUND

791810 - Erection of an agricultural bungalow on land at Verrington Lodge Farm - conditional approval - 04 January 1980.

CONSULTATIONS

SSDC Legal Services - Their response recommends that a certificate is granted on the basis that on the evidence presented to the Council the existing use of the dwelling without compliance with the condition attached to the planning permission under reference number 791810 containing an agricultural occupancy condition has existed for a continuous period of 10 years on the date of the application made for this certificate.

Wincanton Town Council recommend refusal. Condition 2 (Agricultural Tie) should remain. The residents have been committing an offence for several years.

Representations

9 neighbours were consulted with the main aim to identify any representations that might seek to contradict the claims of the applicant. There were no responses.

Considerations

The application seeks a Certificate of Lawfulness and as such the planning merits of the development cannot be considered. The application is to be determined on the basis of the evidence submitted by the applicant and any evidence that might contradict this.

It is the view of the SSDC Legal Services Department that the application should be approved as there has been sufficient evidence provided that existing use of the dwelling without compliance with the condition attached to the planning permission under reference number 791810, containing an agricultural occupancy condition, has existed for a continuous period of more than 10 years on the date of the application made for this certificate.

In the absence of any evidence to contradict the application and based on the supporting documents submitted with the application it is considered that on the balance of probability, as advised by the Council's Solicitor, the Certificate should be granted.

RECOMMENDATION

That a Certificate of Lawfulness be issued for the continued occupation of the dwelling without compliance with condition 2 (agricultural tie) of planning permission 791810, dated 30 August 1979.
