

South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 11th April 2018

9.00 am

**Council Offices, Churchfield,
Wincanton BA9 9AG**

(Disabled access and a hearing loop are available at this meeting venue)



The following members are requested to attend this meeting:

Mike Beech
Hayward Burt
Tony Capozzoli
Nick Colbert

Sarah Dyke
Anna Groskop
Henry Hobhouse
Mike Lewis

David Norris
William Wallace
Nick Weeks
Colin Winder

Consideration of planning applications will commence no earlier than **10.15am**.

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462038 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 2 April 2018.

Alex Parmley, *Chief Executive Officer*

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



Information for the Public

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

Decisions made by area committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as “key decisions”. The council’s Executive Forward Plan can be viewed online for details of executive/key decisions which are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

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

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

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

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www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

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Public participation at committees

Public question time

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

Planning applications

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered.

Comments should be confined to additional information or issues, which have not been fully covered in the officer’s report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should

also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the planning officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The planning officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to three minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- Town or Parish Council Spokesperson
- Objectors
- Supporters
- Applicant and/or Agent
- District Council Ward Member

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

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

Recording and photography at council meetings

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

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

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Area East Committee

Wednesday 11 April 2018

Agenda

Preliminary Items

1. Minutes of Previous Meeting

To approve as a correct record the minutes of the previous meeting held on Wednesday 14th March 2018.

2. Apologies for absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

Planning Applications Referred to the Regulation Committee

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

Councillors Sarah Dyke, Tony Capozzoli, Nick Weeks and Colin Winder.

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

4. Date of Next Meeting

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

5. Public Question Time

6. Chairman Announcements

7. Reports from Members

Items for Discussion

- 8. Report for Area East Committee on the Performance of the Streetscene Service**
(Pages 6 - 9)
- 9. Area East End of Year Report 2017/18** (Pages 10 - 17)
- 10. Area East Committee Forward Plan** (Pages 18 - 19)
- 11. Action List (For Information Only)** (Page 20)
- 12. Planning Appeals (For Information Only)** (Page 21)
- 13. Schedule of Planning Applications to be Determined by Committee** (Pages 22 - 24)
- 14. 18/00123/COU - Pippins, Cary Road, North Cadbury** (Pages 25 - 32)
- 15. 18/00219/FUL - Babwell Farm, Common Road, Cucklington** (Pages 33 - 41)
- 16. 17/04588/REM - Vedelers Hey, Balsam Park, Wincanton** (Pages 42 - 48)

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

This does not apply to decisions taken on planning applications.

Agenda Item 8

Report for Area East Committee on the Performance of the Streetscene Service

Portfolio Holder: Jo Roundell Greene - Environment Portfolio
Director: Clare Pestell - Commercial Services and Income Generation
Lead Officer: Chris Cooper – Environmental Services Manager
Contact Details: chris.cooper@southsomerset.gov.uk or (01935) 462840

Purpose of the Report

To update and inform the Area East Committee on the performance of the Streetscene Service in the Area for the period August 2017 to February 2018.

Recommendation

Members are invited to comment on the report

The major focus of the service so far for this period that affect Area East, are listed below.

- Delivery of the annual work schedules for street cleansing and grounds maintenance.
- Christmas tree shredding

Operational Works

Since the last report, the service is finalising this year's annual work schedule and is also pleased to report that it is on target for completion by the end of this financial year. As part of this, our horticultural teams are currently undertaking the winter mowing operation which will ensure that the impending grass cutting season gets off to a good start.

We are currently focussing on litter picking on our main roads and will finish this work schedule by cleaning the verges of the A303 again.

Recently we have been investigating how to safely clean the central reservation areas of the A303 and looking into the cost implications of the traffic management system needed to fulfil this work. Our enquiries resulted in two very different approaches that were suggested by specialist companies, along with considerable variance in the associated costs. This caused some concern among the team and subsequently we have met with the Highways Agency regarding the cleansing of this road and we are working with them to identify a work method that we can follow with confidence and could become 'standard practice' for authorities carrying out similar duties. We expect to hear from the agency with their suggestions very soon.

Over the last few years the team has focussed on addressing a number of service demands, including:

- Providing additional waste bins by increasing our capacity to accommodate these requests
- Improving road sweeping on our major roads across the district by introducing a night shift sweeping round
- Highway weed control following changes to the County Highways maintenance schedules.

We believe that we have been successful in improving these areas of service and the performance in these aspects of our work is sustainable. The next area of focus that we are looking to improve is the

litter cleaning of all of the small rural roads across the district and we are hoping to coordinate our efforts with voluntary groups to clear litter from the public rights of way. The works will be managed through a series of 'zones' and members will be updated on progress in their areas.

In January the team carried out Christmas tree shredding across the district with all trees processed being recycled as mulch for planted areas. This year we served 47 collection points with tree recycling taking place at Abbas & Templecombe, Bruton, Castle Cary, Charlton Horethorne, Corton Denham, Cucklington, Henstridge, Horsington, Ilchester, Keinton Mandeville, Kingsdon, Milborne Port, Mudford, Sparkford, West Camel and Wincanton.

Again, as in previous years, we were pleased to find a general absence of fly tipping in the collection bays that were set up and very few Christmas trees left in hedges and lay byes.

Once again, the horticultural team supplied naturalising bulbs to parish councils, although this was at a reduced level compared to previous year; however bulbs were donated to South Cadbury, Templecombe and Milborne Port. We will continue with this initiative in the coming financial year in line with demand.

The team continues to engage with voluntary groups throughout the district and in the Area we have worked with the 'Templecombe in Bloom' group and 'The Brue Crew' to help enable them to carry out various environmental improvement works.

The winter maintenance of the flood alleviation schemes was completed prior to the Christmas break and we continue to clear the debris screens to prevent blockages that lead to localised problems. Fortunately we haven't experienced any flooding so far this year, however the team are prepared and resources available should an event occur.

We have been working with the Engineering team to carry out some improvements to the flood alleviation schemes following a successful bid for additional funding. As a result a new trash screen will be installed at Henstridge by the end of March and other schemes will be developed across the district.

Improvements have been made at Wincantons Elm Drive open space, where the park has been open up by removing a hedge and dividing fence, replacing the dividing hedge with trees and replacing the old wooden fencing whilst incorporating a strip of land that runs alongside the park. We will continue to work on improvements here over the coming year.

As always, we continue to focus on managing the number of flytips found in the district, the chart below shows the numbers of fly tips collected from Area East over the last five months. The figures indicate a considerable reduction in occurrences when compared to the same period last year when we cleared 151 flytips across the area.

Across the district as a whole we have found a similar pattern with 494 flytips reported between August to January this financial year compared to 584 for the same period the previous year. We are continuing to monitor this situation and follow our approach of clearing away the items promptly so we do not allow the fly tips that have been made, to attract more items.

AREA EAST	Aug 17	Sept 17	Oct 17	Nov 17	Dec 17	Jan 18	TOTALS
Abbas & Templecombe		2				1	3
Alford							0
Babcary		1					1
Barton St David							0

Bratton Seymour							0
Brewham							0
Bruton	2	3	1		1		7
Castle Cary & Ansford	1	3		1			5
Charlton Horethorne							0
Charlton Mackrell	1						1
Charlton Musgrove							0
Chilton Cantelo		1	1				2
Compton Pauncefoot			1	3		1	5
Corton Denham							0
Cucklington					1	2	3
Henstridge			3	1		2	6
Holton			1				1
Horsington				1		1	2
Ilchester	1	6	4	2	1	1	15
Keinton Mandeville							0
Kingsdon		1	1				2
Kingweston							0
Limington		1					1
Lovington							0
Maperton					1		1
Marston Magna							0
Milborne Port				2			2
Mudford	4	2	2	2			10
North Barrow		1					1
North Cadbury							0
North Cheriton							0
Penselwood							0
Pitcombe			1				1
Queen Camel						1	1
Rimpton						1	1
Shepton Montague			1				1
South Barrow		2					2
South Cadbury							0
Sparkford		2	1		2	1	6
Stoke Trister			2	1		2	5
West Camel	1	1	1	1			4
Wincanton	2	6	3	3	1	2	17
Yarlington							0
Yeovilton			1				1
TOTAL AREA EAST	12	32	24	17	7	15	107

As part of the Councils transformation program, Streetscene has been rebranded as Environmental Services and now contains the Waste & Recycling Service and management of the Yeovil Crematorium and Cemetery, should members wish for updates on these aspects of the service in the future, I will be best placed to provide this information.

In line with these changes, we are working with Somerset Waste Partnership to review the types of material and volumes of potentially recyclable waste that is being deposited in town centre bins. The results of this study will inform us of the potential for further recycling options.

Our findings to date show that approximately half of the waste collected is potentially recyclable, with the main items being plastic, drinks cups, tin cans, cardboard and glass. With this initial data collected, we are now in a position to investigate the various collection options and associated cost implications. We are also leading on a management approach to minimise the use of single use plastics across the district council and updates on progress in this area of the service will be made if requested.

As noted in previous reports, the service is developing an MOT station at the depot, progress continues to be made and the essential electrical works are now finished, staff have been trained and building works are due to start soon. We are on schedule to be functional early in the new financial year.

In the last report we updated members that we had reduced our staff sickness levels to 9.4 days per Full Time Employees (FTE) from the previous year's level of 14 days per FTE and we aimed to reduce this further to a target of 8 days per FTE in financial year 2017/18, so far this year we have further reduced this to approximately 6 days per person resulting in further productivity and we aim to maintain this level of attendance, recognising that there will always be an amount of absence through sickness in a large workforce.

Finally, the team has recently carried out the recruitment of our agency staff provider and we are happy that we have secured a reliable, ethical and cost effective solution to our seasonal staffing needs.

What's coming next?

- Continued delivery of the annual work programmes
- Development of the workshop as an MOT station

Financial Implications

All of the matters highlighted in the report have been achieved within service budgets.

Implications for Corporate Priorities

- Continue to deliver schemes with local communities that enhance the appearance of their local areas
- Continue to support communities to minimise floodwater risks.
- Maintain street cleaning high performance across the district.

Background Papers

Progress report to Area Committees on the Performance of the Streetscene service.

Agenda Item 9

Area East End of Year Report 2017/18

Assistant Director: Helen Rutter, Communities
Service Manager: Tim Cook, Locality Team Manager – East
Lead Officer: Tim Cook, Locality Manager – East
Contact Details: tim.cook@southsomerset.gov.uk or (01963) 435088

Purpose of the Report

To provide Members with an overview of Area East progress and achievements during 2017/18 from the Area Development Plan (ADP)

Public Interest

This report gives a summary of work undertaken over the year in response to local priorities raised by local communities and Councillors. The Committee's priorities form a work programme to support local communities and to run complementary programmes of activities to address the particular needs of this rural area.

Recommendation

That members comment on and note the report and presentation.

Background

The Area East Committee focuses its resources to address local needs in order to promote improved quality of life in Area East. The ADP for 2017/18 contains a set of local priorities which align to our corporate priorities, a work programme with targets, to carry these forward throughout the year.

Delivering Priority Work

A brief presentation will be given at Committee highlighting the work taken forward in the ADP 2017/18. The Plan and the end of year position in summary is set out in the attached schedule (Appendix 1). The Committee has received regular reports of specific work in themes– youth, customer support and Local Information Centres, marketing, Retail Support Initiative (RSI) – or focused on delivery of schemes in the main towns throughout the year.

In addition to the proactive activities in the ADP, the team deals with a wide range of queries and funding requests from Parishes, businesses and community groups. Over the course of the year there have been over 300 community, parish and business enquiries dealt with mainly by the Neighbourhood Development Officers. Some have been relatively straightforward enquiries requiring on the spot advice and signposting. Others have led to involved work around issues such as registering an Asset of Community Value, designing a project to address a problem, funding advice, support to set up a new group etc. An overview of projects by Ward is contained in the A3 Area ward map, which will be distributed and presented at the Committee.

At the time of writing this report a total of £39343 capital and small grants have been awarded in 2017/18. This has supported investment of £248754.90 giving a leverage ratio of a little over 1:5. RSI grants of £6181 have been awarded supporting investment of £14863.

Delivering Area Priorities 2018/19

Members attended a workshop to prioritise projects for delivery in 2018/19.

In the report taken to March committee, members agreed the allocation of funds in the Members' Discretionary budget for priority work. The funding distribution against agreed priorities is set out in the table below sets out the agreed priorities-remove together with the budget allocation which is linked to the request is dependent upon corporate approval to carry-forward funds in the Members Discretionary budget.

Priority Project	Allocation £	Description
Food Fair	£1000	District wide event to take place in Area East. Additional resource will be used to raise the profile of local food businesses and attract people to the area.
Rural Transport/Travel Plan Good Practice research	£5000	Develop a new model of securing contributions towards improved transport provision and to directly support local transport solutions.
Capacity Building for key organisations	£2000	To help key local organisations access professional support to develop business plans to improve resilience and sustainability.
AGP Feasibility Study	£2500	To assess need and identify preferred options for type and location of a new facility for Area East.
Heart of Wessex Rail Partnership	£2000	Regular contribution towards the partnership.
Heart of Wessex LAG support	£1000	To help facilitate the work of the Local Action Group.
RSI top up/ support for business organisations	£5000	To develop the RSI scheme and provide opportunities to support local business organisations.
Total	£18,500	

The new operating model is due to be launched in January 2019 and we anticipate a period of transition from September onwards. In line with the discussions at the workshop, we are actively engaging with two very capable and experienced people with a view to outsourcing some elements of key projects to ensure there is sufficient capacity to deliver prioritised work during 2018

Financial Implications

There are no new financial implications arising directly from this report.

Corporate Priority Implications

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

In particular the work of the ADP contributes towards the following priorities:

High quality cost effective services

- Actively managing assets and resources to ensure the best financial or community return.

Economy

- Work with businesses and use our assets to grow our economy.

Environment

- Support communities to develop local, parish and neighbourhood plans.

Health & Communities

- Support communities so that they can identify their needs and develop local solutions.
- Target support to areas of need.
- Help people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities.
- Work with partners to tackle health issues such as diabetes and hypertension.
- Help keep our communities safe.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

This is considered on an individual project and programme basis as appropriate. The overall priority is to seek to create more balanced communities where people can live, work and get access to the services and facilities they need on a daily basis. The work of the Area Development Team helps to improve access to facilities, activities and services, reducing the need to travel.

Equality and Diversity Implications

This is considered on an individual project and programme basis as appropriate. All Area Development teams have done an Equality Impact Assessment and have an improvement plan in place.

Background Papers: ADP 2017/18;

**Place & Performance – Communities
Area East Development Service Plan 2017-18**

Portfolio Holder – Councillor Nick Weeks

Manager – Tim Cook (Locality Manager)

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: <i>Top level actions – more detail is within individual work programmes/project plans</i>					
Priority Area	Action	Target Date	Milestone	Lead Officer	Current Progress
1. Town centre & neighbourhood management	Support local Chambers of Commerce and business associations in market towns	Ongoing	Report to AEC on project performance	PW	Ongoing liaison with business organisations. Fledgling business network now established in Castle Cary. Potential for Area East to provide seed-corn funding to develop organisations subject
	Business network event arranged	Summer 2017	Report to AEC	PW	Successful event arranged November 2017
	Tourist 'attractions' breakfast event arranged			PW	Liaison with principal tourist attractions over key issues – A303
	Support projects which promote High Streets and encourage footfall. Investigate the appetite/cost etc for a Wincanton Food Fair	July 2017	Report with proposal to AEC.	PW/ED CSAs	Wincanton Town Centre now a corporate project. Brief finalised & consultants due to submit proposals for work by mid April. Preliminary work underway for a Districtwide food fair at the racecourse - to be organised in conjunction with ED

	Complete the transfer of Castle Cary Market House	Ongoing	Asset Transferred.	PW	HOTS largely agreed. CCTC now have a solicitor acting and legal work underway
	Progress the discussions about the transfer of assets inc. Dovecot Building & Car Parks in Bruton	Re-programmed 2018-19	Report to AEC.	JD/PW	BTC expressed interest in CAT on several town assets. Familiarisation visit to sites with Property & Development Manager
	Discuss transfer of village car parks with relevant Parish Councils	Re-programmed 2018-19	Position agreed with each Parish.	JD/PW	Discussion between property team and Mudford PC
2. Economic development, job creation & regeneration schemes Page 14	Progress local priority projects 1) Assessment of options & feasibility of extensions to existing Business Parks or new site, as appropriate	March 2017	Reports to AEC	PW	Proposals taken to Regen board but Town Centre work prioritised. LPR Issues & Options work suggests sites south of A303 so more opportunity for market to respond if included through LPR process
	2) Develop work space/hub - following Lime Room pilot assess suitability for corporate funding	March 2018	Workspace Demand Study completed.	PW	Pilot completed. Space available & marketed through networks & press during 2016 & 2017. Limited regular use. Existing bookings continue but no recent marketing in light of property review
	3) Respond to any renewed interest from owners of WSG – Business Unit feasibility. - 3 days	March 2018	Outline Planning submitted.	PW	Changes to committee in recent months. Now in a position to re-engage. Meeting set-up for April
	Enhanced Retail Support Initiative (RSI) in Wincanton & general RSI elsewhere in Area	Ongoing	Number & leverage of investment reported to AEC. Analysis of car park usage & vacancies to assist with targeting	PW CSA	Six awards during the year for projects totalling £14,863. Full report on RSI and car park occupancy to AEC May

	Support towns to take a full part in MTIG. Respond to the outcome of the Digital High Street	Ongoing.	Attendance at MTIG meetings.	PW	Area East towns usually represented at meetings held three times a year. Digital audits undertaken for towns and new funding programme under development. Wincanton to host next meeting
	Encourage eligible projects to bid for Heart of Wessex LEADER funding	Report June 2018	Report on performance of programme to AEC April 2017	ADT	Limited demand for enabling funding from AEC. In year review with some AEC funds re-allocated
	Receipt of land & exercising option on car park at Waterside, Wincanton	March 2017	Post Completion report.	PW	Land now transferred. Environmental improvements to be programmed later 2018
	Work with others to establish viability and obtain accurate costing for the potential south access to Bruton Station & associated footpath.	2017	Complete feasibility study.	JD CSAs	Feasibility study complete. Local discussions underway to look at preferred options which will then be costed.
3. Community-led planning & development	Support work to produce new plans in: Marston Magna The Charltons Sparkford	March 2017	Completed parish plans are endorsed at AEC	JD/TC	Community Plan for the Charltons completed and endorsed at the March AEC meeting. Work in Marston Magna is ongoing. Sparkford considering the need for a NP. Going forward support for this work to be drawn from other Areas/outourced
(a) Support parishes to carry out quality community research to prioritise & achieve planned projects or influence growth	Support work to update community plans in : Bruton Milborne Port North Cadbury Kingsdon	March 2017	Completed parish plans are endorsed at AEC	JD/TC	Plans completed and endorsed for Bruton and North Cadbury. Going forward support for this work to be drawn from other Areas/outourced

<p>(b) Support Towns and Parishes to take more of a lead in growth plans through Neighbourhood planning</p> <p>4. Improve access to services & facilities to reduce inequality</p> <p style="text-align: center;">Page 16</p>	<p>Support NP groups in: Castle Cary Queen Camel Wincanton</p>	Ongoing	Plans 'made' and incorporated into the LDF.	PW	<p>Wincanton NP 'made' after positive referendum result. Further work undertaken by Queen Camel to assess future housing requirement & prospective employment sites</p> <p>Castle Cary – Regulation 14 statutory consultation complete - draft plan currently being consulted upon</p>
	<p>Comment on impact of significant planning applications.</p>	Ongoing	Greater understanding of community impact of planning applications	PW	Not prioritised but responses made to 4 significant/sensitive applications in 2017
	<p>Encourage parish engagement with applications and S106 negotiations.</p>	April 2017	First ever parish accounts prepared, detailing S106 contributions	PW/TC/ JD	Accounts issued May 2017 and due to be updated shortly
	<p>Link community projects with locally available S106</p>	Ongoing	Establish priority for projects to draw against S106 funds when they become available	PW	Fairfield project in CC drawing on S106 held by SSDC. Liaise with town & parishes to agree priorities – review as projects 'go live'
	<p>Run a high quality access point & advice service for the public at Churchfield</p>	Ongoing	Annual report to AEC To achieve high level customer satisfaction	DH	Usage figures to be updated verbally at the meeting
	<p>Support development of Town/parish led LICs</p>	Annually	Cost efficient quality service	JH	LIC visits completed. Further work required identified to support volunteers to engage in the digital agenda.
	<p>Support Bruton & Wincanton Community Partnership to improve people's access to services & facilities</p>	Ongoing	Projects supported. Report to AEC on progress.	JD	Support given for successful work to make Wincanton a Dementia Friendly town. Potential for SSDC staff to benefit from this training too. New project to encourage parents to read with children.

(a) Improved community buildings	Limington to Yeovil multi-user path - Assess local support for the scheme. Scope potential external funding opportunities. Reach conclusion about the feasibility and deliverability.	Sept 2017	Conclusion on viability of the scheme.		Despite numerous attempts to get this project off the ground, it has been difficult to find a local sponsor or organisation to take it forward. Quotes for a solution provided by SCC are very high due to the specification. Other solutions are possible but will require a local group to take this forward.
	Support ongoing development of Wincanton Rec Trust and the Sports Ground/pavilion	Oct 2018	Report to AEC.	TC	Governance review completed and support given to establish a new CIO to take on the management of the facility. Post created to manage the site and generate income through promoted activity. Further work required to look at financial sustainability through a new business plan.
	Common Lane multi-user path	March 2017	Planning application submitted May 2018 Route available 2019	PW	Route agreed subject to consultation with land owners.
	Support the SSCAT to develop new services and sources of income to secure the long term financial future of the scheme.	March 2017	Annual report to AEC.	TC	AEC received a report on the outcome of a request for PC & TC financial support for SSCAT in March.
	Model a new approach to travel plans	Re-programmed 2018-19	March 2018.	TC	Research work will now commissioned as an area priority.

Agenda Item 10

Area East Forward Plan

Service Manager: Tim Cook, Area Development Lead (East)
Lead Officer: Kelly Wheeler, Case Services Officer (Support Services)
Contact Details: Kelly.wheeler@southsomerset.gov.uk or 01935 462038

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; Kelly Wheeler.

Background Papers: None

Appendix A

Area East Committee Forward Plan

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
9 May 18	Summary of Annual PC/TC Meeting	To advise members of the issues raised at the Annual PC/TC Meeting	Tim Cook
13 June 18	Annual Appointments	Annual Appointments report	Angela Cox
13 June 18	Development Control Scheme of Delegation - Nomination of substitutes for Area East Chairman and Vice Chairman – 2018/19	To nominate two members to act as substitutes for the Chairman and Vice-Chairman in their absence	Martin Woods
13 June 18	Community Grant Applications	To consider any SSDC community grant applications	Tim Cook
13 June 18	Area Development Plan 2018/19	To approve the Area Development Plan and confirm sources allocated to projects and programmes	Tim Cook
TBC	<i>Wincanton Community Hospital</i>	<i>Response to consultation on the future of Wincanton Community Hospital</i>	<i>Helen Rutter</i>

Agenda Item 11

ACTION LIST from Area East Committee – 14 March 2018

Item	Action Requested	Action taken/by whom
1	Contact John Nicholson regarding gully work in Limington	TC sent an email on 22/13/18. Response from JN received on 27/03/18. The mainstay is that it was not suitable to block the outlet in the gully so we needed access to the manhole and a gully emptier to be on site. The recent weather has been an issue and restricted resource to be able to do this. The SCC contractor has advised me they will be on site in the a.m of 28th March.
2	Write to Parishes/Towns thanking them for the response to the SSCAT request for funding.	Letters sent out to all TCs/PCs originally contacted.

Agenda Item 12

Planning Appeals

Director: Martin Woods (Service Delivery)
Service Manager: Simon Fox, Lead Specialist - Planning
Lead Officer: Simon Fox, Lead Specialist - Planning
Contact Details: Simon.fox@southsomerset.gov.uk or 01935 462509

Purpose of the Report

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

Recommendation

That the report be noted.

Background

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

Report Detail

Appeals Received

None

Appeals Allowed

None

Appeals Dismissed

None

Enforcement Appeals

None

Background Papers: None

Agenda Item 13

Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods, Service Delivery
Service Manager: Simon Fox, Lead Officer (Development Management)
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

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 10.15am.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 10.00am

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
14	CARY	18/00123/COU	Alterations, the erection of side extension and change of use of garage to catering kitchen	Pippins, Cary Road, North Cadbury	Ms Conway
15	TOWER	18/00219/FUL	Demolition of conservatory, the erection of a single storey and first floor rear extension along with the formation of a raised terrace	Babwell Farm, Common Road, Cucklington	Mr & Mrs Benedict Potheary
16	WINCANTON	17/04588/REM	Application for reserved matters following approval of 15/00288/OUT to include details of accesses, appearance, landscaping, layout and scale	Vedellers Hay, Balsam Park, Wincanton	Mr Simon Jenvey

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 14

Officer Report On Planning Application: 18/00123/COU

Proposal:	Alterations, the erection of side extension and change of use of garage to catering kitchen.
Site Address:	Pippins Cary Road North Cadbury
Parish:	North Cadbury
CARY Ward (SSDC Member)	Cllr Nick Weeks Cllr Henry Hobhouse
Recommending Case Officer:	Jeremy Guise Tel: 01935 462645 Email: jeremy.guise@southsomerset.gov.uk
Target date:	12th March 2018
Applicant:	Ms Conway
Agent: (no agent if blank)	Mr Stefan Pitman SPASE Ltd Engine Room Athelhampton House Athelhampton Dorchester, Dorset DT2 7LG
Application Type:	Other Change Of Use

REASON FOR REFERRAL TO COMMITTEE

This application has been referred to East Area Planning Committee by the Ward Member with the agreement of the Vice Chair to facilitate further consideration of the impact of delivery and cooking odour.

SITE DESCRIPTION AND PROPOSAL





'Pippins' is a detached, late twentieth century, house located in an established residential area within the village of North Cadbury. The property has a large (4.7x7m - 41sqm), detached garage located to the rear on the eastern side of the plot. It is constructed, like the main house, from stone with a tile roof and accessed via a drive that cuts across the front of the site. The drive doubles up as a hardstanding / parking area for 3-4 vehicles.

The wider area is completely residential in character consisting mostly of detached dwellings in spacious plots. 'Hillsmere' and 'Homestead', the neighbours to the east, are both bungalows. They are separated from the application site by the Cam, which is at this point a small stream. The village primary school is located some distance further to the east.

The proposal seeks planning permission to extend and change the use of the existing residential garage to a commercial use in connection with a catering business. The extension would add another 10sqm to the eastern side of the building and appear as a 'catslide' roof in relation to the existing. Windows on the eastern elevation are shown as high level and obscure glazed.

The application is accompanied with a Design and Access Statement (DAS). It states:-
The applicant has a mobile catering business which employs 7 people called Dorset Delights Catering. The company was established at West Down Farm, Poyntington. However, it now requires relocating after the property was sold.
The catering company provide food and event management for all types of functions, including weddings. The business specialise in providing fresh and locally sources food to venues throughout Dorset and Somerset The food is prepared by the owner of the company.
Whilst the business is therefore mostly 'mobile' in that they deliver the service away from any single location, a location for food preparation is required.
The garage located within the residential curtilage of the applicant's house offers such suitable

premises, without significant development.

The catering use will be private in the majority in so far as only the applicant will work in the kitchen facility and will not offer access to visitors. The applicant sources local produce and collects these, rather than relying on deliveries. Therefore no increased vehicular traffic is required.

Since submission the applicant has been asked to supply for further information. In response, agent has provided a further statement covering: residential amenity: employees: working hours; noise, odour and waste; and highways. Relevant sections state:-

Residential Amenity - The residential amenity of Pippins will not be jeopardised. This is the home of the applicant and the catering use of the present garage will be restricted to this area only. We do not see there to be any impact on the amenity of the property, which will function in a similar manor to the present.

To help support this application in light of comments made by the Planning Officer, the applicant would accept a condition be attached to the approval to make the use personal and exclusive to the applicant / Dorset Delights. This would help to clarify that the residential amenity will not be affected.

Employees - No employees will be working on site, except for the business owner, who resides in the property. Staff is employed to work at functions only. Therefore no impact will be made on the residential amenity.

The Planning Officer's questioning of the signage proposed given the lack of staff, deliveries and customers visiting the site, is simply answered to provide some form of business promotion. The signage is considered appropriate in scale, size and design for the area; however, it offers the ability for passers-by to acknowledge the company.

Working hours- The core working hours are between 6.00am- 2.00pm Working days will be Monday to Saturday, however the building will not be used every day and will vary on seasonable businesses it should be understood. There will need to be some flexibility in this given food regulations in the preparation of food within a certain time service

The impact of the use is considered minimal and not too dissimilar to what might be expected from a residential kitchen use, for reasons confirmed below.

Noise, Odour and waste - The type of food prepared by the business is not too dissimilar to those prepared within a residential kitchen. The food prepared does not require the use of more commercial frying or aromatic spices which would harm the odour and noise within a residential amenity such as this. The catering equipment includes the provision of a single oven and extract fan, together with fridge freezers, all of which are domestic grade as would be found in a domestic kitchen. The applicant confirms that these appliances reflect the fact that the type and intensity of food prepared is not too dissimilar to domestic purposes and certainly not equivalent to a large commercial catering facility that one would expect to find on a light industrial estate. This is further reflected by the lack of staff on site.

Likewise waste production on site is also minimal and will make use of existing boarded areas to the gable of the dwelling house . A small wheelie bin will be sufficient for the business needs.

Highway - the change of use of the garage is purely to provide a food preparation area for the applicant to take off site to functions. The applicants sources all ingredients off site, as one would in undertaking personal; shopping. Food is prepared and then loaded into the applicant's vehicle for transportation to the function.

The property offers parking for 3-4 cars at present and the garage is not used for car parking given the narrow size. No impact on the infrastructure will be made where no additional vehicles are required by the use.

HISTORY

None (there is a small handwritten sign by the door to the house indicating 'Dorset Delights', the name of the business)

POLICY

Relevant Development Plan Documents

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

Policy SS2, Development in Rural Settlements,

Policy EQ2, General Development,

Policy EQ7, Pollution Control,

Policy TA5: Transport Impact of New Development

Policy TA6 Parking Standards are relevant

The NPPF:

Chapter 1 Building a strong competitive economy

Chapter 3 Supporting a prosperous rural economy

Decision Taking Section

Other relevant policies:

Somerset County Council Parking Strategy

CONSULTATIONS

North Cadbury and Yarlington Parish Council - Recommends approval

The PC had some concerns over such issues as traffic movements on a busy road, rubbish/food disposal, river bank erosion (a particular concern also of a neighbour) and air venting. However, there was a lengthy discussion on these concerns and the Applicant responded openly and frankly. On the matter of advertising on front elevation of the garage, the Applicant agreed to drop the requirement, recognising that the advertising on the company vehicle would suffice.

The PC was not unanimous and took its decision on the assumption that the concerned Council Departments would only support the proposal if, particularly the issues of environmental health and bank erosion, were satisfied.

SSDC Highways Consultant - The DAS states that no employees will operate from the site and that no deliveries would be made. It would be useful to understand from the planning officer how this can be reasonably conditioned and enforced. Presumably there would be some food waste - how would it be collected, using the domestic waste service or by a dedicated commercial collection? The conversion of the garage would result in the loss of onsite parking for the residential property. While a narrative has been provided on this issue a plan should be submitted demonstrating how an appropriate level of parking in line with the optimum set out in the Somerset Parking Strategy can be retained / provided without conflict with access to the proposed catering kitchen.

Comments made 14/03/2018, after additional information provided.

I have read the further submission by the agent and reviewed the attached plan. As indicated previously, provided enforceable conditions can be imposed ensuring that the applicant purchases and collects all the food and that no staff are employed on the site, there should be no significant additional traffic generated by the scheme and no requirement to provide additional parking. On that basis, I do not believe a highways objection would be reasonable. I will leave it to you as the planning officer to determine whether or not appropriate/enforceable conditions can be imposed in this respect.

The removal of commercial waste on a fortnightly basis, while generating additional traffic, would not be sufficiently frequent enough to raise any significant concerns.

SSDC Environmental Protection Unit - I have looked at the latest information supplied by the applicant. However, I am still of the opinion that allowing a commercial catering business to operate in this residential area will have a detrimental effect on the amenity of nearby residents. I note the applicant has supplied details of a domestic extraction unit, I am still concerned about the potential for any extraction system to cause a statutory nuisance, particularly, in a residential area with a low background noise level. I also note that the hours of working are from 6.00am and I would consider this to also have the potential to cause disturbance to neighbours whatever the frequency of working days. I am therefore still of the opinion that this application should be refused to protect the amenity of the nearby residential properties.

However, should the application be minded to be approved, I would recommend the following be conditioned if possible;

- No deliveries at any time
- No hot food to be produced on the premises
- Hours of operation to be limited to 8:00 - 18:00

REPRESENTATIONS

Nine letters of representation (LOR's) have been received. All object to proposal. Their grounds of objection can be summarised as follows:-

- Neighbouring properties are all residential. Change of use of the garage to a catering business is detrimental. It will devalue neighbouring properties.
- Industrial disruption possibly 7 days a week would create severe disruption to peace and quiet.
- Will create traffic problems: servicing and parking on a complete blind spot. Will be a hazard for pedestrians and children using the nearby school
- Will displace existing parking on site resulting in vehicles reversing onto the road at a point where it floods during wet weather
- Will generate cooking smells, noise and vehicles day and night
- Will add to existing drainage and sewage problems
- Questions whether the applicants will pay business rates

CONSIDERATIONS

Principle of development

'Pippins' is a house located in an area which is exclusively residential in character. It is not an industrial estate, or even an area of mixed uses. The proposal goes beyond a use that is ancillary to the authorised dwelling house use and proposes the creation of a separate planning unit - albeit one with a shared access.

The impact of the proposed change of use to a commercial kitchen upon the amenities of residential properties in the area and the impact of parking arrangements upon its character are the main consideration in the assessment of this application. Further, issues are the impact on highway safety; the continuing habitability of 'Pippins' as a residence adjacent to a commercial unit with a shared access and the design and appearance of the proposed extension.

Policies SS2, Development in Rural Settlements, EQ2, General Development, EQ7, Pollution Control, TA5: Transport Impact of New Development
Policy TA6 Parking Standards are relevant

Policy EQ7, Pollution Control is considered to be most relevant to the principle. It states:-
Development that, on its own or cumulatively, would result in air, light, noise, water quality or other

environmental pollution or harm to amenity, health or safety will only be permitted if the potential adverse effects would be mitigated to an acceptable level by other environmental controls, or by measures included in the proposals. This may be achieved by the imposition of planning conditions or through a planning obligation.

In their submission the applicant and agent have been keen to emphasise the low key nature of the proposed activities: with no employees working on site (other than the householder) and levels of noise, cooking odour and waste 'not dissimilar to what might be expected from a residential kitchen.'

The credibility of these claims has been questioned by objectors who are concerned about noise, cooking odours, waste disposal, parking provision and deliveries. They highlight their experience with the use to date and the 'cramped' nature of the driveway. More than one of objector has referenced the existing disturbance and obstruction caused by delivery vehicles parking on the pavement when visiting the property since the informal use of the property as a catering business started.

It is considered likely that the intensity of activity arising from the use of an extended garage as a separate commercial kitchen would be significantly more than that associated with domestic scale use. The quantities of food and packaging delivered and distributed from the premises, levels of waste generated and hours of operation would all be greater than would be expected from a dwelling house. In particular it is very unlikely that a domestic use would regularly commence at 6am.

Some consideration has been given as to whether planning permission can be granted subject to a tight conditional regime restricting hours of operation, employees present, and deliveries. Both the Local Plan and the NPPF (Chapters 1 Building a strong competitive economy' and Chapter 3 supporting a prosperous rural economy) have general policies that are supportive of economic uses.

However, planning conditions can't be used to change the nature of the application

The proposed early starts, and statements received from residents about delivery vehicles and existing parking requirements exceeding the capacity of the site, indicate the difficulties involved in controlling the use with conditions. Any conditional regime would have to satisfy the tests set out in para 206 of the NPPF.

Some issues: such as the applicant's 'core hours' requirement for regular 6am starts, the nature of a kitchen being the 'cooking' of food are fundamental to the nature of the proposed business model and can't really be altered by conditions. If a 6am start is considered to be potentially disruptive to the residential neighbourhood, as it believed it would be, then there really isn't a condition to overcome this concern. Similarly a condition that prevented hot food being prepared in a kitchen is unenforceable..

Other issues, such as ensuring that only the householder works at the premises (i.e. it does not attract other employees and their vehicles); that deliveries, distribution and waste collection are all permanently kept at a very low level commensurate with a residential area or that the cooking processes does not involve odours or noise from extractors would be difficult to frame precisely enough to be enforceable, whilst also being reasonable enough not to interfere with the running of the business, especially as it evolves over time. The applicant's statement acknowledges the need for flexibility in relation to working hours.

Overall, this leads to the conclusion that the impact of the proposed use upon the amenities of neighbouring properties cannot be adequately safeguarded by conditions and that the site is not an appropriate location for the proposed use.

Visual amenity

The proposed extension to the garage is in keeping with the existing building and the main house. Providing matching materials were used it is considered that the visual impact of the development upon the property and wider character of the area is acceptable. In the event that planning permission were

approved, the applicant would be required to satisfy Building Regulations in relation to ground stability, given the proximity of the river Cam.

Highways considerations

The transport and parking implications of the proposed development fall to be considered, in the first instance, against Policy TA5 Transport Impact of New Development and TA6 Parking Standards of the adopted South Somerset Local Plan.

In addition to providing parking and servicing for the proposed 41sqm of catering business the proposal will also need to demonstrate that adequate parking is retained for the residential use of 'Pippins'.

The most relevant parts of Policy TA5 are iii and vi. They state:-

All new development shall be required to address its own transport implications and shall be designed to maximise the potential for sustainable transport through:

ii. Ensuring that the expected nature and volume of traffic and parked vehicles generated by the development would not have a detrimental impact on the character or amenity of the area and would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated

And

vi. Requiring car parking and vehicle servicing at levels appropriate to the development and its location, in accordance with the approved /adopted standards identified in Policy TA6

The site parking plan (ref. PL-1198-104) shows three standards sized (4.8x2.8m) residential parking spaces retained for 'Pippins' and unrestricted access to the converted garage. The provision of three parking spaces is considered sufficient for a house of this size in this location. (Zone B, mid population level, of the Somerset County Council Parking Strategy). The converted garage provides 41sqm of floor space. The parking standard requirement is for one space per 40sqm of floor space. There is sufficient space in front of the garage to park a vehicle, two if tandem arrangements are accepted. Thus, the overall amount of car parking space provided on site satisfies Policies TA5 and TA6 of the adopted plan. The complication is that if all, or most, of the parking spaces are in use, there is little manoeuvring space available on site to enable vehicles to enter and leave the site in forward gear. This leads to vehicles reversing into the site, or more likely, reversing out onto the highway. Because such manoeuvres are not easily accomplished, particularly for delivery vans, the attraction of parking in the road, especially on the wide section of pavement in front, whilst making a delivery or short visit, is obvious.

Parking spaces that are difficult to use lead to parking spilling out onto the highway would have a detrimental impact upon the character and amenity of the area and be contrary to policy TA5 (iii).

SSDC Highways Consultant does not consider an objection on highways ground to be reasonable. But this view is predicated on the basis that the applicant's claims about deliveries and non-employment of staff are correct and, crucially, can be controlled in the future through enforceable conditions.

Paragraph 203 'Planning conditions and obligations' of the NPPF advises Local Planning Authorities to consider whether otherwise unacceptable development could be made acceptable through use of conditions. Certainly conditions can be drafted that seek to ensure that 'the applicant purchases and collects all foods and that no staff are employed on the site'. But whether such conditions would be reasonable and enforceable in the context of granting planning permission for an established business to set up in this location is doubtful. The Dorset Delights business already has seven employees and claims that it is serviced without the use of delivery vans are credibly questioned by neighbours who cite direct experience with delivery vans associated with the business, parking on the wide section of pavement in front of 'Pippins' or vehicles reversing out onto the highway.

Access and parking arrangements are considered to be adequate for the existing domestic use at 'Pippins'. But if shared with a separate commercial unit they are likely to prove to be too cramped and

inadequate, leading to displacement of parking associated with the use onto the surrounding highway to the detriment of the character of the area. Conditions can be imposed to try and control deliveries and parking, but they are likely to be unenforceable. Furthermore, in the context of an approved commercial unit, it is questionable whether imposing such a strict conditional regime would be reasonable in the first place.

RECOMMENDATION

Refuse permission for the following reasons:

SUBJECT TO THE FOLLOWING:

01. The proposed use of the extended garage at 'Pippins' as a commercial kitchen would adversely affect the amenities of neighbouring residential property. The levels of noise and disturbance likely to be generated by the use are incompatible with the character of this part of North Cadbury as a residential area. As such the proposal is contrary to policies SS2, Development in Rural Settlements, EQ2, General Development, and policy EQ7, Pollution Control, of the adopted South Somerset Local Plan which requires development to: be commensurate with the character of the settlement; protect the residential amenity of neighbouring properties and only allow development which generates noise and disturbance if it can be adequately mitigated.
02. The proposed use of the extended garage at 'Pippins' as a commercial kitchen, a separate unit, is likely to result in additional parking on the highway around the site to the detriment to the character and amenity of the area. As such the proposal is contrary to Policy TA5 (iii) of the Transport Impact of New Development, that seeks to ensure that parked vehicles generated by development do not have a detrimental impact on the character and amenity of the area.

Informatives:

01. This decision is based upon the following submitted plans:
S-1198-101 & PL-1198-101 received 3rd January 2018, PL-1198-103A received 15th January 23018 and PL-1198-104 received 11th March 2018
02. 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 15

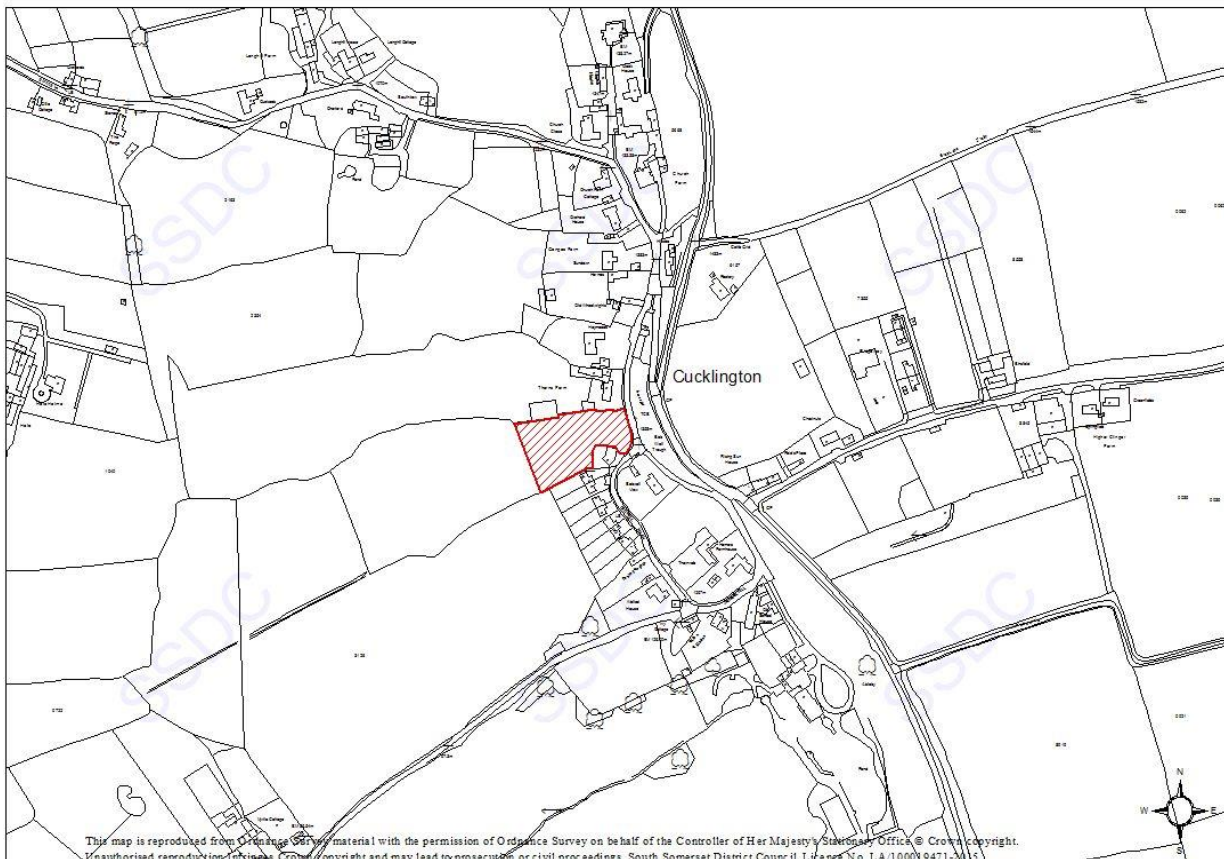
Officer Report On Planning Application: 18/00219/FUL

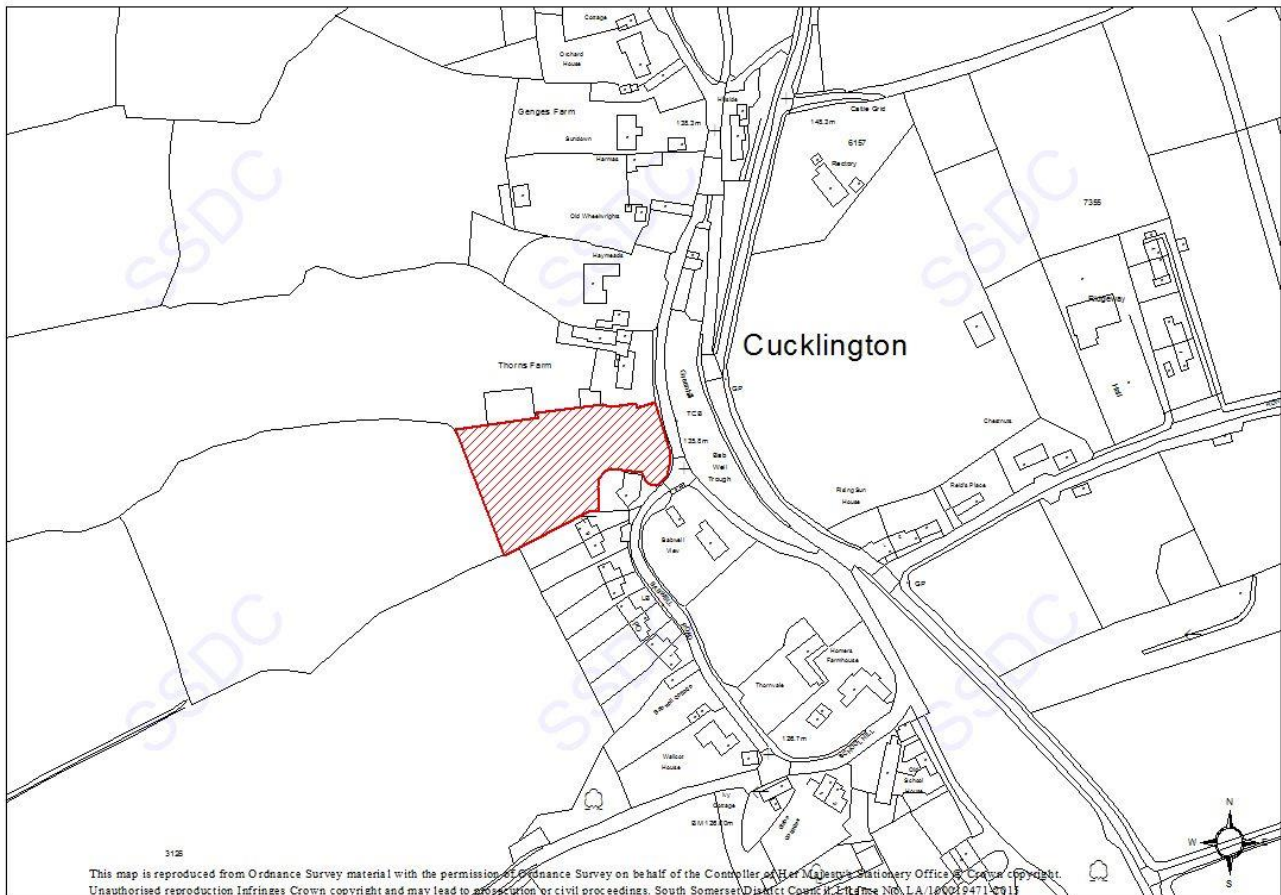
Proposal:	Demolition of conservatory, the erection of a single storey and first floor rear extension along with the formation of a raised terrace.
Site Address:	Babwell Farm Common Road Cucklington
Parish:	Cucklington
TOWER Ward (SSDC Member)	Cllr Mike Beech
Recommending Case Officer:	Sam Fox Tel: 01935 462039 Email: sam.fox@southsomerset.gov.uk
Target date:	30th March 2018
Applicant:	Mr & Mrs Benedict Pothecary
Agent: (no agent if blank)	Mr Andrew Jarvis Andrew Jarvis Architect Stone Cottage Studio Bittles Green Motcombe Shaftesbury SP7 9NX
Application Type:	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

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

SITE DESCRIPTION AND PROPOSAL





The site is located on an unclassified road in an elevated position with far reaching views to the west.

The property is a detached, two-storey dwelling constructed of stone under a tiled roof. The property currently benefits from a detached stone outbuilding with permission for a holiday let to the north side of the dwelling, a detached stone outbuilding to the rear of the dwelling with raised decked area used as a games room/studio, a single storey rear lean to extension with conservatory, off road parking to the north side and extensive rear garden sloping down to the west leading onto open countryside. There are residential properties to both sides.

This application seeks permission for the demolition of the conservatory, the erection of a single storey and first floor rear extensions along with formation of a raised terrace.

HISTORY

None relevant

POLICY

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

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

On this basis the following policies are considered relevant:-

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

National Planning Policy Framework

7 - Requiring good design

CONSULTATIONS

Cucklington Parish Council - The Parish Council recommend refusal of the proposal raising the following issues:

- Disruption with vehicles.
- Overdevelopment.
- Inaccurate photos.
- Harmful effect on amenity of neighbouring property.
- Loss of privacy.
- What about ancient lights.
- Will devalue sale of Rosebank when owner engaged in its sale.
- Timber cladding out of keeping.
- Plans inaccurate showing site levels.
- Fence will be intrusive.
- Harmful impact to fabric of Grade II listed Bab Well from construction traffic.
- Loss of evening views to Babwell View.
- Out of keeping with surrounding dwellings.
- Harmful impact on views from Green Hill viewpoint.
- Major concerns of impact of movement of heavy traffic.

Conclusion, while in principle Parish Meeting has no objection to some expansion of dwelling, different approach would be less likely to cause difficulties. Instead, any new extension might be attached to north end of Babwell Farm (considerable grassy area alongside drive) and run down connect studio without filling space to south end of property, as does the current proposal with such deleterious impact on neighbouring property. Would mean extension would not intrude nearly as much on privacy, views and light of Rosebank. But assurances of traffic movement would also be necessary in this tight area of the village.

Pre-application documentation with application and confidentiality issues/public viewing? Is it likely to influence people's decision to comment on application?

Non related matters, holiday let being let in breach of permission. Parking offsite in breach of permissions requiring onsite parking. Finely cultivated front garden deteriorated into an ugly mess since moving in.

County Highway Authority - Standing advice applies

Highway Consultant - No highways issues, no objections

Conservation Officer - In the context of the listed Well to the southeast of the site, I am satisfied that this protected structure will not be harmed.

SSDC Ecologist - I broadly agree with the conclusions and recommendations of the bat survey report

(Sedgehill Ecology Services, January 2017).

This identifies bat roosts in the existing two storey loft space. There is potential for harmful disturbance, and a bat mitigation plan is included to address this risk. The roosts are otherwise to be retained.

Provided the works are carried out in accordance with the bat mitigation plan, then harm to bats should be minimal. Under this scenario, and with no significant permanent change to the bat roosts, there isn't any requirement to report on the Habitats Regulations' derogation tests.

However, I do consider it necessary to include a condition requiring implementation of the bat mitigation plan.

REPRESENTATIONS

Five neighbours were notified and a site notice put up, one letter of support has been received and eight letters of objection raising the following main issues:

- Out of character in size, design and materials.
- Roofline out of keeping.
- Disproportionate size.
- Increased noise disturbance.
- Loss of privacy.
- Loss of views.
- Adverse impact on character of village.
- Impact on listed Bab Well not taken into account.
- Negative impact on amenity value of viewpoint from Green Hill
- Out of keeping within streetscene.
- Will dominate and overshadow Rosebank at front and rear.
- 3m high fence intrusive and oppressive.
- Increased parking issues in area.
- Does not conform to Cucklington Village Plan that 'new builds should conform to the character of the village'.
- Windows overlooking neighbour.
- Impact of heavy duty lorries on narrow road.
- Misrepresentation with photographs
- Not in line with SSDC design guide

CONSIDERATIONS

Visual amenity

The proposal involves the erection of a first floor extension over the existing single storey rear extension and the erection of a single storey extension replacing the existing small conservatory. The first floor extension is in the form of 3 gables of timber construction, set down from the existing ridge height, the centre gable protruding approximately 1m further than the other two. This will provide two additional bedrooms, one en-suite, and a family bathroom. The single storey rear extension will be on a larger footprint than the existing conservatory and will provide extended living accommodation. This will also be timber clad under a zinc lean to roof. This will open onto a newly formed terrace linking the existing detached studio building.

The gabled design and use of timber, whilst not matching the existing dwelling, are considered to be acceptable, clearly defining the proposal as a modern addition to the existing older stone dwelling. The proposal remains subservient sitting below the existing ridge and eaves height with lean to design for

the single storey element. 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 area.

Residential amenity

Given the orientation of the property it is not considered the proposal will result in any loss of light or overshadowing to the neighbouring property to the south, Rosebank, nor to the property to the north given the distance. The property sits forward of the property to the south, Rosebank, and the first floor element of the proposal will be set approximately 5m back from the rear elevation of this neighbour. Given this distance along with the existing boundary treatment and the neighbours covered seating adjacent to the boundary it is not considered that the first floor element of the proposal will offer any direct views of the neighbouring terrace and will not result in any significant loss of privacy/overlooking. In terms of the single storey extension, will be the same distance from the boundary as the existing conservatory, however, it will have a lower floor level with steps down from the existing dwelling into the new family/dining room, thus reducing any potential impact of overlooking from this element of the proposal. In terms of the new terrace, whilst this will be closer to the neighbouring boundary to the south, Rosebank, than the existing gravel area it will still be some 5m away and will be similar in height to the existing raised decking area currently serving the studio. It is not considered that this will result in any significant harm in terms of loss of privacy/overlooking given the existing boundary treatment and neighbouring covered patio area. The windows to the south side elevation directly facing Rosebank are to be obscure glazed, this can be further conditioned to be non-opening below 1.7m internally to prevent any possible issues of overlooking. On this basis it is not considered that the proposal would harm local residential amenity.

Parish Council comments

The comments of the Parish Council have been noted as follows:

Disruption with vehicles, whilst there may be some additional vehicle movement and potential for heavy traffic, this will be for a temporary period during the course of construction as would be expected of most development. Likewise, it is not considered potential construction traffic will have any detrimental impact on Bab Well given its distance from the site.

Out of keeping/overdevelopment, the proposal does not significantly increase the footprint of the existing dwelling and given the size of the plot and surrounding properties would not be considered overdevelopment or out of keeping in terms of size. Regarding the design and materials, there is no prevailing uniformity within the area in terms of design and likewise, whilst predominantly stone within the immediate streetscene there is also red brick and render along with a variety of roof materials. Given its position to the rear the introduction of timber cladding is not considered unacceptable nor the use of the gable design. I refer to my detailed comments above.

Regarding amenity on the neighbouring property, given the orientation of the properties it is not considered that the proposal will have any impact in terms of loss of light or overshadowing. The first floor element of the proposal will sit some 5m back from the rear of the neighbouring property, Rosebank, and with what exists it is not considered that this will have any significant impact in terms of loss of privacy or overlooking. The proposed new terrace area is approximately 5m from the neighbouring boundary at a similar level to the existing raised deck serving the studio. It is not considered, given the existing and proposed boundary treatments, that this element will cause any significant harm in terms of overlooking/loss of privacy. I refer to my detailed comments above.

Regarding the intrusive fence, the agent provided amended plans by email on 12 March 2018 showing a reduction of the fence height to 2m, something which could now be carried out under permitted development rights.

The issue over impact on the value of a property is not a material consideration.

Given the site visit and photos taken, the site levels appear relatively accurate.

Whilst photos have been provided a site visit was also carried out to assess the site with accuracy.

It is not considered the proposal will have any significant impact on the views of Babwell View, some 25m to the south east across the road facing a south westerly direction.

Green Hill viewpoint is some 30m to the east in an elevated position with far reaching views across the site to the west. Whilst some of the roof top of the proposal may be partially visible from here it is not considered this small element will have any significant impact on the far wider views across all the neighbouring properties along this stretch of road.

Regarding the issue of underpinning/foundations, the proposed use of timber will provide a lightweight addition over the existing extension that should overcome the issue of any additional support in terms of the foundations. However, this is a matter that will be dealt with through building control and should the matter arise for additional works will need to be addressed by the applicant in line with the building regulation compliance.

The Parish Council have also made reference to other issues raised regarding the possible breach of planning in terms of the holiday let, parking off the site and being let as a permanent dwelling more than 4 weeks along with the current state of the front garden being an ugly mess. These are not matters to be considered as part of this application and will be dealt with separately.

Regarding the inclusion of Preapp documents, this was included by the applicant, therefore, not an issue in terms of confidentiality nor is it considered this will influence if anyone would comment on the application.

Neighbour comments

The comments of the neighbours have been noted. The majority of the concerns raised have been addressed in the above comments and responses to the Parish Council comments. The following are additional issues to be addressed:

Regarding an increase in noise disturbance, the proposal is increasing the footprint of an existing terrace and conservatory, it is not considered that this will cause any significant in noise disturbance from the use of these areas.

The proposal is to the rear of the site and given the variety of properties within the village in terms of size, design and character, it is not considered proposal will have any adverse impact on the on the village character. Likewise, the Cucklington village plan refers only to 'new builds should conform to the character of the village'. Given the lack of prevailing uniformity within the village, some through planning applications, and the relatively small scale of the proposal it is arguable this does not conform

The conservation officer has commented on the proposal in terms of the impact on the listed Bab Well and raises no objection.

Regarding the increase in parking issues, the proposal is a householder extension and not a new dwelling and is not considered to raise any significant new issues in terms of parking.

Regarding the impact of the view back from the valley, the proposal will be seen alongside a multitude of different roof forms and buildings, including outbuildings, in a variety of materials and in different positions all the way along the ridge. It is not considered this addition to the existing dwelling will have any significant impact on the distant views from the valley to the west or the PROW over 200m away.

Regarding the proposal not being in line with the SSDC design guide, many of the issues raised relate to issues already covered, however, I will look at them in turn as follows:

Character of area - The proposal is not overly prominent within the streetscene as it is to the rear and is extending over an existing single storey extension, not overly large in scale or dominant to the existing dwelling. It is not considered the proposal will upset the spacing between buildings given its position nor is the use of timber cladding considered out of keeping/character given the only view will be from the south approach.

Privacy and amenity - The proposal will not reduce amenity for the neighbouring properties by overshadowing given the orientation of the properties. The windows to the south side elevation will be obscure glazed and the first floor rear windows are set some 5m back from the rear of the property, given what exists it is not considered there will be any significant increase in terms of overlooking.

Character of the house and design issues - The proposal, whilst using a new material, is not considered to be out of keeping with the main dwelling, timber and render against stone is a common design feature, clearly showing the new addition to the dwelling and over time showing the historic growth. The proposal is to build over the existing rear extension and extend where there is an existing small conservatory, it is not considered the addition of approximately 57 square metres of floor space and 29 square metres on the ground floor will dominate the main dwelling. The proposal will sit below the existing ridgeline and remains subservient in form, with the timber cladding clearly showing the new elements as supporting the main dwelling.

Materials - Whilst the materials are not matching as previously explained this is not considered to be unacceptable. In terms of the roof following principle characteristics of the existing roof, the proposal is considered in keeping with the use of gables of similar width to the existing gable ends and a lean to similar to the existing. The use of differing tiles as with the use of timber will clearly demonstrate the proposal as a supporting addition to the existing dwelling. With many extensions, including some on listed buildings, materials and design can stand out as a clear addition without causing harm to the main dwelling.

Windows - The proposal has been considered in terms of overlooking, this is not considered to cause any significant impact. Likewise, any windows directly facing the neighbour that are obscure glazed can also be conditioned to be non-opening below 1.7m internally. The issue of the need for ground floor obscure glazed windows facing the neighbour, whilst they will face the boundary these will not impact on residential amenity and are considered acceptable.

Regarding wildlife and biodiversity, the bat survey provided is considered to be acceptable whilst the issue of nesting swallows in the front eaves is covered under a separate legislation, an informative will be included to advise the applicant of this. are protected under the Migratory Bird Treaty Act of 1918, which makes it illegal to intentionally kill, injure or take any migratory bird. It is illegal to intentionally damage or destroy the nest, eggs, or young of a swallow while it is being built or in use.

Highway comments

The proposal is on an unclassified road with no alteration to the access, therefore, standing advice does not apply in this instance.

Conclusion

The proposal is considered to be an acceptable subservient addition to the existing dwelling in terms of scale, design and materials. The proposal is considered to be acceptable in terms of visual and residential amenity and in terms of highway safety.

Accordingly the proposal is considered to comply with policy EQ2.

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 area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of policy EQ2 of the South Somerset Local Plan (2006-2028).

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 a sample of the larch cladding has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028).

03. No new stonework shall be constructed on site unless full details of 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 the interests of visual amenity and to comply with saved policy EQ2 (General Development) of the South Somerset Local Plan (2006-2028) and the provisions of chapter 7 of the National Planning Policy Framework.

04. No work shall be carried out on site unless a sample of the roof tile has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028).

05. Roofing works and bats - all works affecting the existing roof and loft space shall be commenced, and temporary openings created by the works shall be re-sealed, during the months of April, September and October only. All existing bat roost access points shall be retained. The works shall be undertaken in accordance with all other measures in the 'Bat Mitigation Plan' (Appendix II, 'Daytime Bat and Nesting Bird Survey Report', Sedgehill Ecology Services, January 2017).

Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2017.

06. The materials to be used in the development hereby permitted shall be those as identified within the planning application and no other materials unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and to comply with saved policy EQ2 (General Development) of the South Somerset Local Plan (2006-2028) and the provisions of chapter 7 of the National Planning Policy Framework.

07. The development hereby permitted shall be carried out in accordance with the following approved plans: Details and drawings received on 19 January 2018, drawings received on 02 February 2018 and amended drawings received by email from the agent on 12 March 2018.

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

08. The windows in the south elevation shall be glazed with obscure glass and shall be non-opening below 1.7metres, measured from the internal floor of the room, which shall thereafter be retained. There shall be no alteration or additional windows in this elevation without the prior written consent of the Local Planning Authority.

Reason: In the interests of residential amenity and to comply with saved policy EQ2 (General Development) of the South Somerset Local Plan (2006-2028).

Informatives:

01. The applicants attention is drawn to the following should there be swallows present within the site.

Swallows and their nests are fully protected under the Migratory Bird Treaty Act of 1918, which makes it illegal to intentionally kill, injure or take any migratory bird. It is illegal to intentionally damage or destroy the nest, eggs, or young of a swallow while it is being built or in use.

Agenda Item 16

Officer Report On Planning Application: 17/04588/REM

Proposal:	Application for reserved matters following approval of 15/00288/OUT to include details of accesses, appearance, landscaping, layout and scale
Site Address:	Vedelers Hey Balsam Park Wincanton
Parish:	Wincanton
WINCANTON Ward (SSDC Member)	Cllr Nick Colbert Cllr Colin Winder
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date:	26th February 2018
Applicant:	Mr Simon Jenvey
Agent: (no agent if blank)	Mr Colin Powell Suite 10, Corum 2 Corum Office Park, Crown Way Warmley Bristol BS30 8FJ
Application Type:	Major DwlgS 10 or more or site 0.5ha+

Members will recall that this application was deferred at their March meeting to:

- enable negotiations with the applicant and the County Highway Authority as to the adoptability of the road and
- to assess the legality of proposed condition 11.

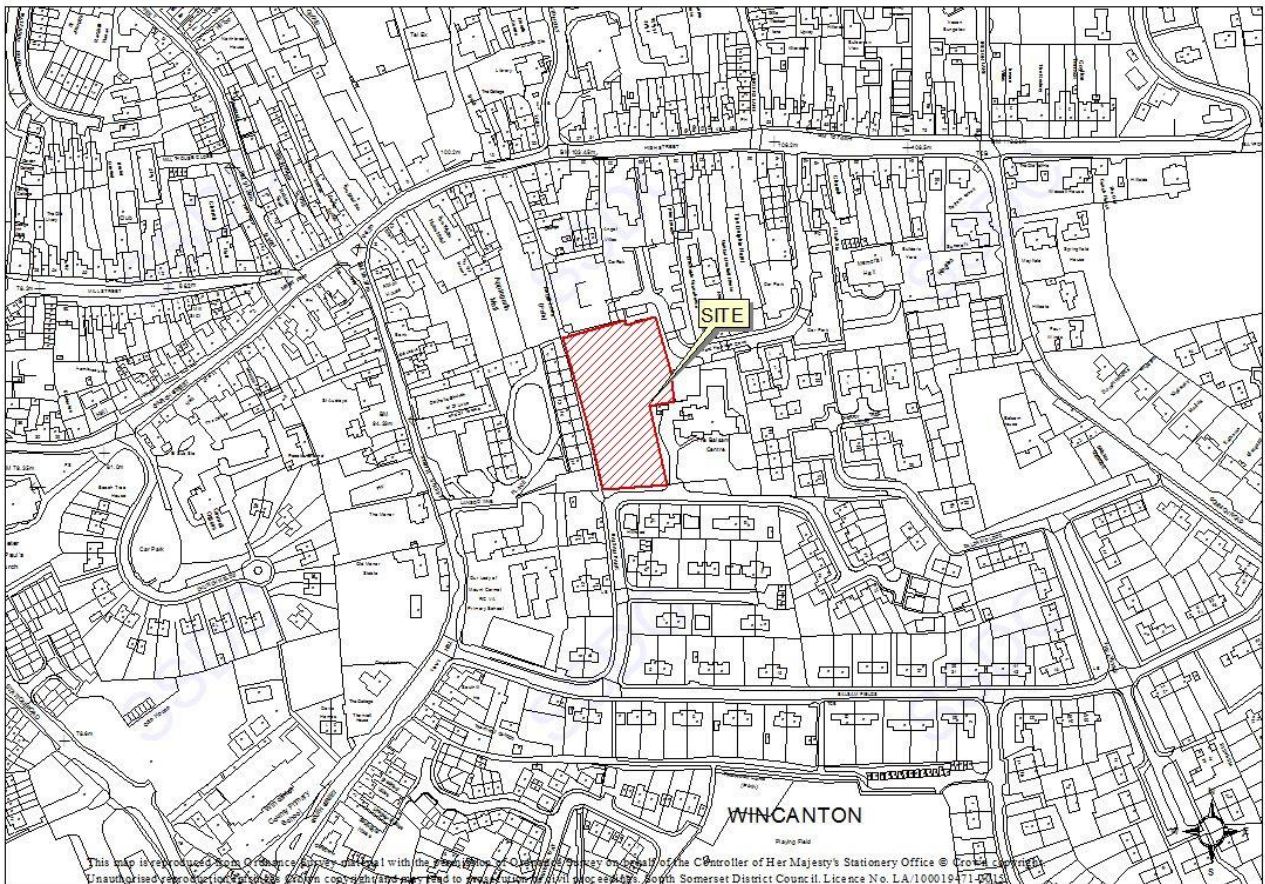
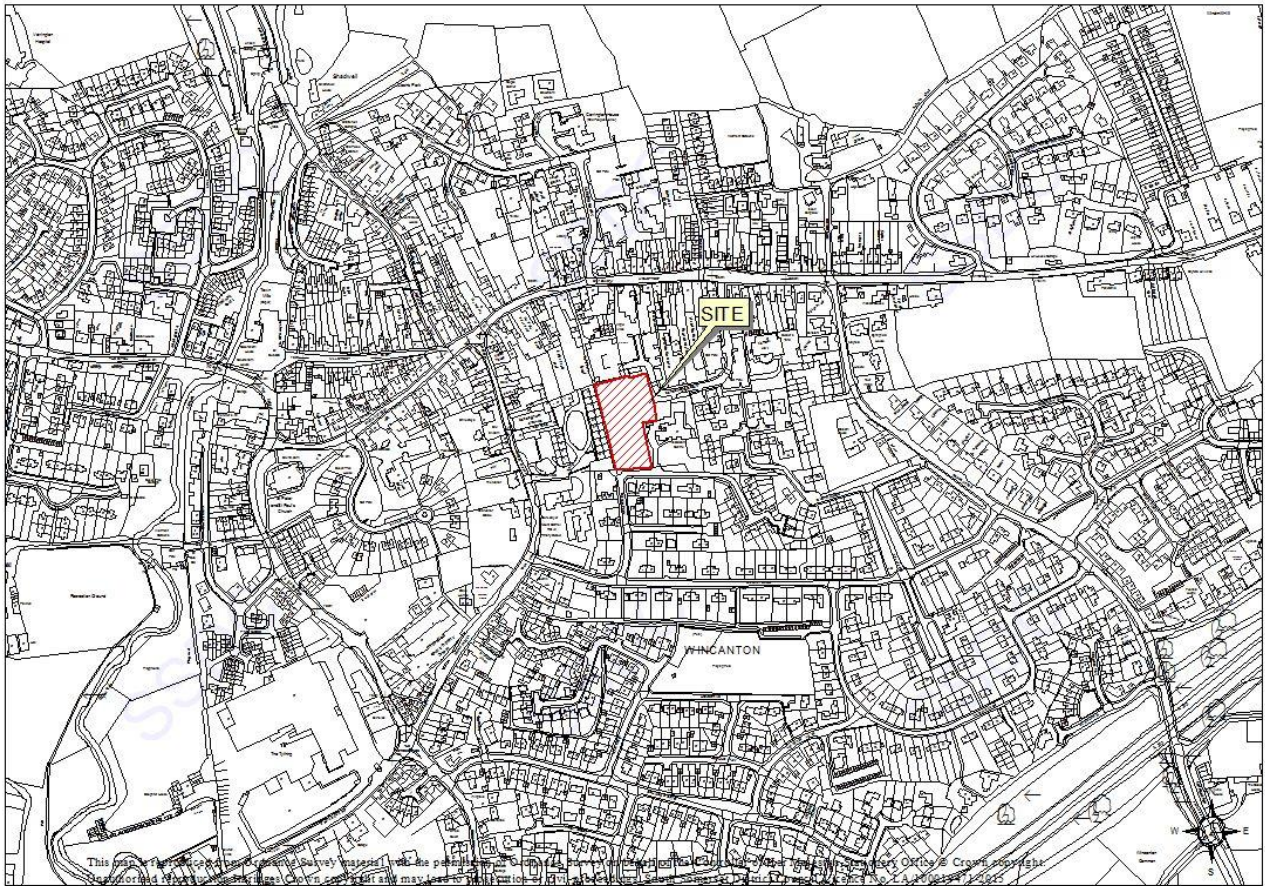
In terms of the 2nd point the Council's Legal Officer advises that it is possible to impose conditions at reserved matters stage where the outline permission contains a condition reserving those matters. The Outline permission reserved all matters and therefore the condition is appropriately attached.

With regard to the 1st point at the time of drafting the report the outcome of negotiations are still to be undertaken and a verbal up-date reported to committee. I re-attach the report previously considered by Members

REASON FOR REFERRAL

This application is before the committee, at the request of a ward member and with the agreement of the area chair, to allow public debate of the local concerns regarding traffic and access arrangements to the site.

SITE DESCRIPTION AND PROPOSAL



The 0.41 hectare site is located centrally within Wincanton, south of the High Street. It is bounded to the west by Angel Lane; to the north by the public car park (in the ownership of the District Council); to the south Balsam Park, and to the east The Balsam Centre. The previously vacant dwelling within the site's southern area has been removed due to safety concerns.

This Reserved Matters application seeks consent for the erection of 15 dwellings and include details of Access, Appearance, Landscaping, Layout and Scale.

The application is supported by:

- a Tree Condition Report
- A Design and Access Statement (November 2017)

Amended plans were received during consideration of the application in response to comments made by the Conservation Officer.

HISTORY

15/00288/OUT - Proposed demolition of existing dwelling and erection of up to 15 dwellings, Approved.

10/00935/OUT - Demolition of existing dwelling and residential redevelopment of site with new access - Refused 4.01.2011 on the basis of a lack of parking for family sized accommodation, with pressures on the town's car parking that would be to the detriment of local services and shops.

10/03349/FUL - Erection of 8(no.) two storey dwellings and the formation of pedestrian access into Angel Lane and the public car park to replace extant permission 04/00114/FUL to extend the time limit for implementation - Refused 5.10.2010 on the basis of a lack of parking for family sized accommodation, with pressures on the town's car parking that would be to the detriment of local services and shops.

08/02539/FUL - Demolition of existing dwelling and erection of 14(no.) dwellings with new access, Refused on the basis of the removal of a substantial tree acknowledged to be of high public visual amenity value and the subject of a Tree Preservation Order.

07/05602/FUL - Demolition of existing dwelling and erection of 14(no.) dwellings with new access, refused.

04/00114/FUL - The erection of 8 no. two storey dwellings and the formation of pedestrian access onto Angel Lane and the public car park - refused by committee and considered on appeal - refused, but appeal allowed 11.10.2005.

POLICY

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028)
SD1 - Sustainable Development

SS1 - Settlement Strategy
SS5 - Delivering New Housing Growth
SS6 - Infrastructure Delivery
HG3 - Affordable Housing
TA5 - Transport Impact
TA6 - Parking Standards
HW1 - Provision of open space...
EQ1 - Addressing Climate Change
EQ2 - General Development
EQ3 - Historic Environment
EQ4 - Biodiversity
EQ5 - Green Infrastructure

National Planning Policy Framework - March 2012
Chapter 1 - Building a strong competitive economy
Chapter 3 - Supporting a Prosperous Rural Economy
Chapter 4 - Promoting sustainable transport
Chapter 5 - Supporting high quality communications infrastructure
Chapter 6 - Delivering a 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

National Planning Practice Guidance

Other Relevant Documents

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012, following corrections made.

Wincanton Neighbourhood Plan 2018

CONSULTATIONS

Wincanton Town Council - recommends approval.

County Highways Authority - Further to my email of the 8th February 2018 I now have the following Estate Road comments to make with regards to amended layout drawing 17004/02 Revision B. No highway safety concerns were raised but there will be implications on the Section 28 process and adoption. The current layout would not be adoptable, the Highway Authority does not wish to raise any objections to the proposal on highway safety grounds subject to conditions to cover visibility, surface water, estate road details, gradients, and lighting.

SSDC Conservation Officer - following revised drawings supports the proposal following their earlier concerns.

SSDC Tree Officer - subject to ensuring tree planting scheme, I am satisfied that the removal of the Pine (TPO) is reasonable and justified.

REPRESENTATIONS

There have been three householder responses received following neighbour notification. These object. Their objections include:

- Traffic congestion, dangerous and disruptive

- School pick up
- Construction traffic

CONSIDERATIONS

Principle of Development

Outline planning permission has been granted for up to 15 dwellings on this site and therefore the principle of the development has been established. All Matters were previously reserved and as such the details of Access, Appearance, Landscaping, Layout and Scale are considered at this stage.

Access

The development will gain access from Balsam Park, an unclassified road that currently serves a residential area of Wincanton. The Highway Authority has raised no objection in terms of highway safety.

Appearance, Landscaping, Layout and Scale

The revised details react to the Conservation Officer's concerns to show a slightly more angular layout considered more in character with the adjacent conservation area. The large Monterey Pine Tree is to be removed due to structural difficulty following recent weather damage. The council's Tree Officer is supportive of its loss with a semi mature replacement sought to add some immediate presence to the locality. A condition to this effect would be attached to any planning permission.

Permeability within the town centre is encouraged by the pedestrian access between the site and public car park. A condition that secures this is proposed as part of any permission. Overall the proposal is considered to be acceptable without detriment to character and appearance of the locality including the setting of the Conservation Area.

Neighbour Amenity

The revised layout has turned some of the houses although their positions remain roughly the same distances between adjacent elevations and are currently measured between 23 and 27m apart from the Lansdowne Place dwellings. It is considered that the proposal would not unacceptably harm the residential amenity of occupiers of adjacent properties by disturbing, interfering with or overlooking such properties.

RECOMMENDATION

Approve

01. The proposal, by reason of its location, represents appropriate residential development within a recognised settlement and does not foster growth in the need to travel and is therefore sustainable in accordance with the aims of objectives of Policy SS1, EQ2, EQ3, of the South Somerset Local Plan 2006- 2028, and the NPPF.

SUBJECT TO THE FOLLOWING:

01. All trees are to be sourced as having UK provenance and shall be container-grown (preferably specified with "fully-feathered" forms or even "half-standards" as opposed to "standards"), sized as "12-14's" with a minimum root-volume of 45 litres. Each tree to be planted within a grass/lawned environment is to have a minimum radius of 500 millimetres around each trunk, to be stripped of all competing vegetation and a 100 millimetre depth of wood-chip or chipped bark is to be applied as a mulch-layer to a minimum radius of 500 millimetres around each trunk. Each tree will be supported by being securely gate-staked and firmly tied with rubber spacing blocks and rubber belting. Each tree planted within a lawned/turfed environment is to have an 'Arbortech Standard Strimmer-Guard' installed around the base of the trunk.

The replacement tree following removal of the protected pine tree shall be a semi-mature specimen, details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to its planting. Any tree which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: A landscape scheme is a working document - such details are required to provide the appointed landscape contractor with clear instruction to ensure the successful establishment of the new trees that is in the interests of character and appearance further to Policy EQ5, EQ6, EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

02. The development hereby permitted shall be carried out in accordance with the following approved plan: 17004/00, /02B, /03B, /04D, /05B and /06B.

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

03. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 25 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

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

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

05. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

06. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

07. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed in accordance with a design and specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

08. Within 3 months of the permission a drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

09. The walls either side of the access as shown on the drawing marked 'annotated drawing' with a drawing no. ref: 17004/02 shall be extended (west side), as indicated, with both sides of the access wall to be tapered from the points marked with an 'X', to fall to a height of 1m or thereabout where the walls terminate, as shown on the above drawing. The roadside wall shall remain its current height and infilled, repaired and made good with the available stone taken from the extant wall that is accepted by the applicant's email dated 21 February 2018.

Reason: In the interests of character and appearance further to Policy EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

10. Within 3 months of the permission a soft and hard landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. Full particulars shall include details that differentiate the parking spaces, foot way and vehicular surface from one another. A mix of materials including pavements for parking spaces should be envisaged.

Reason: In the interests of character and appearance further to Policy EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

11. In accordance with the applicant's email of 26 February 2016 there shall be no obstruction of the pedestrian access annotated 'Gateway to maintain existing access to town centre' on drawing no. 17004/04 RevD. There shall continue to be free and unobstructed access at all times connecting Balsam Park with the public car park.

Reason: To encourage pedestrian permeability within the town centre, further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

Informatives:

01. The applicant/ developer is reminded of the County Highways Authority's response that the current estate road layout is considered would not be adoptable.