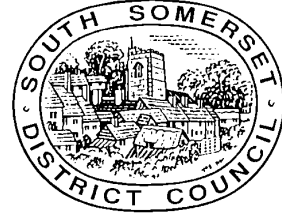


**South Somerset District Council**

*Notice of Meeting*



# Area East Committee

*Making a difference where it counts*

**Wednesday 11th July 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](mailto:democracy@southsomerset.gov.uk)

This Agenda was issued on Monday 2 July 2018.

**Alex Parmley**, *Chief Executive Officer*

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



## **Information for the Public**

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).

Agendas and minutes of meetings are published on the council’s website  
[www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions](http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions)

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

## **Public participation at 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.

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

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

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

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# **Area East Committee**

## **Wednesday 11 July 2018**

### **Agenda**

#### ***Preliminary Items***

#### **1. Minutes of Previous Meeting**

To approve as a correct record the minutes of the previous meeting held on Wednesday 13<sup>th</sup> June.

#### **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 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 8<sup>th</sup> August at 9.00 am.

#### **5. Public Question Time**

#### **6. Chairman Announcements**

## **7. Reports from Members**

### *Items for Discussion*

- 8. Milborne Port - Conservation Area Appraisal and Designation of extensions to Conservation Area** (Pages 6 - 24)
- 9. Annual Progress Report - Heart of Wessex LEADER Programme** (Pages 25 - 28)
- 10. Area East Committee Forward Plan** (Pages 29 - 30)
- 11. Planning Appeals (For Information Only)** (Page 31)
- 12. Schedule of Planning Applications to be Determined by Committee** (Pages 32 - 34)
- 13. 18/00942/FUL - Land and Garages off Mill Street, Wincanton** (Pages 35 - 46)
- 14. 18/00943/FUL - 35 Mill Street, Wincanton** (Pages 47 - 51)
- 15. 18/00650/OUT - Knights Templar Court Nursing Home, Throop Road, Templecombe** (Pages 52 - 64)
- 16. 18/01071/S73\*\* - Land Rear Of 18 To 24 Westcombe, Templecombe** (Pages 65 - 73)
- 17. 17/03797/FUL - The Chestnuts, Queen Street, Keinton Mandeville** (Pages 74 - 85)

**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

## **Milborne Port – Conservation Area Appraisal and Designation of extensions to Conservation Area**

*Director:* Martin Woods, Service Delivery  
*Group Manager:* Development Manager  
*Lead Officer:* Andrew.tucker@southsomerset.gov.uk or 01935 462168

### **Purpose of the Report**

To formally designate extensions and amendments to the Milborne Port Conservation Area and approve the recently prepared Conservation Area Appraisal.

### **Public Interest**

This report proposes alterations to the conservation boundary and the adoption of the Conservation Area Assessment for Milborne Port. Conservation areas are *areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance*. The Milborne Port Conservation Area was first designated in 1988. In accordance with the Council's duty to review and keep up-to-date its conservation areas, it is now in need of review to ensure that it covers the appropriate area.

The District Council is also required to formulate and publish proposals for the preservation and enhancement of conservation areas. A conservation area appraisal that identifies what is special about an area assists in making the designation effective in conserving that special interest, allowing planning decisions to be made with a thorough understanding of the conservation area's character.

An appraisal is therefore an essential tool for the planning process and for managing informed intervention. It should provide a sound basis, defensible on appeal, for the relevant development plan policies and development control decisions made in the area. The appraisal is intended to provide the District Council and the local community with a clear idea of what features and details contribute to the character of the conservation area and how these may relate to any wider proposals for regeneration.

### **Recommendations**

- (1) Formally designate changes to the Milborne Port conservation area boundary
- (2) Approve the Milborne Port Conservation Area Appraisal
- (3) Advertise the changes to the designated area in accordance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990

### **Background**

Conservation areas are areas of **'special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'**.

Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local authorities to identify appropriate parts of their areas, to designate them as conservation areas and to keep them under review.

Historic areas are now extensively recognised for the contribution they make to our cultural inheritance, economic well-being and quality of life. Public support for the conservation and enhancement of areas of architectural and historic interest is well established. By suggesting continuity and stability, such areas provide points of reference in a rapidly changing world: they

represent the familiar and cherished local scene. About 10,000 have been designated nationally since they were introduced in 1967 and there are now 88 in South Somerset.

Local Authorities are required by the Act to review conservation areas from time to time and formulate and publish proposals for their preservation and enhancement. The preparation of character appraisals forms a part of this process, offering the opportunity to re-assess a designated area and to evaluate and record its special interest, particularly to help guide the way change and development takes place. An up to date appraisal will help guide development and regeneration in ways that will preserve the special character of the area. Appraisals are designed to provide guidance and support to parish councils, on decisions taken by the Council, its Development Management Service and to raise public awareness about the special character of the areas.

Designation is a matter for local (Area Committee) decision and is the principle means by which a local authority can apply conservation policies to a particular area.

To manage changes in Conservation Areas, normal permitted development rights (works that can be carried out without planning permission) are restricted and planning permission is required for some works that may affect the external appearance of dwellinghouses. Trees in conservation areas are also protected and works to them require prior notification.

### **Milborne Port Conservation Area appraisal and boundary review.**

The Conservation Area was designated in 1988 and has not been reviewed since that date. To remain sound and effective conservation areas need to be reviewed and brought up to date with revisions to the boundary where they are necessary or desirable, taking account both of current understanding of historic significance and reviewing changes and development that has taken place since original designation.

Through the process of review and the preparation of the appraisal, some amendments to the boundary are felt to be necessary to the area, some to correct boundary anomalies and ensure the boundary coincides with on-the-ground features and some to add areas that have now been identified as worthy of inclusion. The proposed alterations and extensions to the designated conservation area are shown on the attached map.

### **Proposed boundary changes**

The attached maps show the existing boundary and proposed alterations marked and numbered.

### **Key to proposed boundary changes – Final March 2018**

Locations of numbered changes are shown on proposals maps

1. **Add** – Landscaped grounds of Ven House. Map 3
2. **Add** – Small area of woodland adjacent to Canon Court Farm beneficial to the setting of the southern part of the conservation area. Map 1
3. **Not used**
4. **Add** – Adjacent to Old School House - amendment to boundary to follow physical boundary features. Map 1
5. **Remove** – Amendment to boundary to follow physical boundary features the A30 road junction with Gainsborough.

6. **Add** – Two attractive early C20 houses and gardens that contribute to the setting of the listed former school and to Gainsborough. Map 1
7. **Add** – Group of houses around small green at junction of Rosemary Street and Paddock Walk, the river bridge and cottages on Lower Gunville. Attractive area substantially unchanged since c1840 containing older cottages and The Knapp. Map 1
8. **Add** – C19 house Orchard Close. Map 1  
**Remove** – parking area at Glovers Close
9. **Remove** - Amendment to boundary to follow physical boundary features excluding Venn Farm bungalow. Map 1
10. **Add** – Area to include the distinctive avenue along the A30 western approach to the village, listed early C20 house Bowling Green, listed Crackmore Lodges and the segment of Sherborne Castle designated Historic Park that lies in South Somerset District. Map 4
11. **Add** – A large extension to the north of the village centre including the river valley at Kingsbury Regis, the undeveloped land that separates Kingsbury from the core of the village, older buildings along Cold Harbour, the former Methodist Church, the Old Angel Inn and some properties along Station Road; Bazzleways, Springfield, Bullens, Stonehaven and Culverdene House. Map 2

## Consultations

The boundary proposals were sent to the Parish Council and Ward members prior to the wider public consultation. A number of comments and suggestion were received after a Parish Council meeting in support of some proposals and against some others.

All the properties that would be affected by inclusion in the conservation area for the first time were then consulted on the boundary proposals by letter, public notices were displayed in the village, and all the details were displayed on the SSDC website and with full details also being available to the public with the Parish Council.

A number of suggestions and responses about the boundary changes were received. No comments have been received relating to the draft Appraisal.

<b>Milborne Port Conservation Area Review</b>		
<b>CONSULTATION RESPONSES</b>		
	<b>Response</b>	<b>SSDC Reply/ Response</b>
	<p>The proposals are a good plan for maintaining the historic character of the village but</p> <p>Do not remove stone wall opposite the Old School Gainsborough (change 5)</p> <p>Add green spaces either side of Newtown to preserve its special identity</p>	<p>Wall would not be removed from CA but boundary of CA would follow and include the wall</p> <p><i>The proposed boundary is drawn to include the grass A30 road verge, the walls along Gainsborough and the old Pump House which I believe is what you wish to see included</i></p>



	Support for the proposed changes to the CA but In Kingsbury Regis include all of the land to the north and south of Court Lane, as well as the fields immediately behind the listed buildings at Manor Farm.(Change 11) Retain and Brookside in CA. (Change 3)	Fields not suitable for inclusion in CA and designation to prevent development not appropriate  Retain as part of historic minster precinct
	Object to physical removal of car park	Misunderstood proposals in vicinity of Glovers Close - <i>I can assure you we are not physically removing the car park. The proposal is to amend the conservation area boundary so that it doesn't include the car park.</i>
	Object to physical removal of car park	Ditto
	Object to physical removal of car park	Ditto
	Proposal is welcomed and I hope it will increase the protection of the historical and valuable building fabric of Milborne Port. The extension to include Ven House is also an important one as I hope it will safeguard the setting of this significant grade 1 listed house.	No response required
	Object to inclusion of farmland south and north east of Ven House. (Change 1)	We have noted your concerns and also those expressed by the Parish Council regarding the land farmed by the Venn Farm Partnership around Ven House and have modified the proposals to only include the landscaped areas associated with Ven House together the small woodland south of Brook Street which is important to the setting of the southern part of the village. Thus the farmland to the north and north east of the A30 would remain outside the conservation area. I attach a map to illustrate this.
	To include The Granary and fields around Manor Farm Kingsbury	Granary isolated from manor Farm and separated by modern houses so not appropriate to include
Milborne Parish Council	Change 1 – Disagree with inclusion of Ven HPG - could be counterproductive for the trees	Omit Ven HPG except land in ownership of Ven House
	Change 2- Woodland adj Canon Court Farm – No opinion	No action necessary
	Change 3 – Brookside and Pudbrook - Why are only older buildings considered conservation?	Not to remove Brookside and Pudbrook from CA
	Change 4 – minor boundary correction - Agree	No action necessary

	Change 5 – minor boundary correction - Agree	No action necessary
	Change 6 – Add two houses in Gainsborough - Agree	No action necessary
	Change 7 – Add group at Rosemary St - Agree	No action necessary
	Change 8 – add Orchard Close - Agree	No action necessary
	Change 9 – minor boundary correction - Agree	No action necessary
	Change 10 – Add avenue along A30 from Crackmore Lodges - Concern about trees	No action proposed
	Change 11 –Add extension to Kingsbury Regis - Agree	No action necessary
	Disagree with addition of land around Newtown	Omit extensions at Newtown

The table below summarises the response and the actions taken.

### **Procedure**

The boundary amendments are designated by a decision by this committee and it only remains to publicise the decision. The appraisal will be an advisory document that will form part of the Historic Environment Strategy that in turn forms part of the Local Plan and is required by the National Planning Policy Framework.

### **Financial Implications**

The cost of statutory publicity in the local press and the London Gazette is expected to be approximately £100.

### **Implications for Corporate Priorities**

Contributes to Corporate Aims 4 'Ensure safe, sustainable and cohesive communities' and 5 'Promote a balanced natural and built environment'.

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

No implications arising from this report.

### **Equality and Diversity Implications**

None

**Background Papers:** Conservation Area Files  
Milborne Port Conservation Area Assessment.

## **Milborne Port Conservation Area**

### **Appraisal (Draft Sept 2017)**

#### **Introduction**

Conservation areas are areas of '*special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*'. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local authorities to identify appropriate parts of their areas, to designate them as conservation areas and to keep them under review.

Historic areas are now widely recognised for the contribution they make to our cultural inheritance, economic well-being and quality of life. Public support for the conservation and enhancement of areas of architectural and historic interest is well established. By suggesting continuity and stability, such areas provide points of reference in a rapidly changing world: they represent the familiar and cherished local scene. About 10,000 have been designated nationally since they were introduced in 1967 and there are over 80 in South Somerset.

The Milborne Port Conservation Area was first designated in 1988. The District Council is required by the Planning (Listed Buildings and Conservation Areas) Act 1990 to define the special interest and publish proposals for the preservation and enhancement of conservation areas. Conservation area appraisals contribute to the fulfilment of this requirement.

In order that designation is effective in conserving the special interest, planning decisions must be based on a thorough understanding of the Conservation Area's character. Appraisals are therefore essential tools for the planning process and to manage informed intervention. They will provide a sound basis, defensible on appeal, for the relevant development plan policies and development control decisions and will form the framework for effective management of change. The appraisal will help provide the District Council and the local community hold a clear idea of what features and details contribute to the special character of the conservation area. The more clearly the character or special interest of a conservation area is defined, the easier it is to manage without damaging that interest.

The appraisal document follows the content recommended in *Conservation Area Designation, Appraisal and Management* Historic England 2016

#### **Summary of special interest**

- Survival of Saxon/Medieval street plan, with clearly defined Minster area
- A spectacular Saxo-Norman church of great significance
- Heritage of cloth and gloving industry
- Sequential views along streets and interesting glimpses through narrow gaps in the streetscape to surrounding landscape
- Heavily wooded scarp slopes giving views into and out of the settlement, and creating a sense of landscape enclosure
- Well contained principal streets with a good range of vernacular buildings contrast with steep and narrow lanes running into river valley
- Consistency of building materials and scale creates a distinctive local character

#### **Location and Setting**

Milborne Port is situated within and alongside a shallow valley formed by a headwater tributary of the River Yeo, known here as the Gascoigne, within the gentle folds of the East Somerset Hills. It is located some 12km east of Yeovil, and is served by the A30 trunk road, which passes through the village core. It was formerly a royal Saxon borough, with its own pre-Domesday market and mint, and a minster of Saxon origins. The village thrived on market trade throughout the Middle Ages, whilst

cloth weaving became the prime industry with an increasing emphasis on sailcloth from the 18<sup>th</sup> century, and gloving from the mid-19<sup>th</sup>. Residential development in the early 19<sup>th</sup> century was motivated by conflicting political aspirations, which led to the building of “Newtown” to the west of the village, whilst in the last 50 years Milborne Port has seen steady growth to the north of the A30, and now has a population approaching 3000 residents.

The village has grown primarily to the north and northwest from its compact Saxon core, though its centre and main commercial area remain concentrated around the High Street (A30). Residential growth initially spread from this core to the side of the River Gascoigne valley, and along East Street in the early 19<sup>th</sup> century, along with the separate development of Newtown to the west. The past 60 years has seen moderate growth between the roads that converge toward the core from the north, to form two moderately-scaled areas of housing to either side of the central valley. The former cloth and gloving employment areas are now dedicated for residential development, hence the commercial area aside, there are few employment areas within the village.

The immediate landscape setting of the village is the valley centred upon the River Gascoigne, as defined by the broad crown of Vartenham Hill’s eastward falling dip-slope to the west of the parish, and the wooded escarpment of East Hill to the east. To the south, a continuation of that escarpment sweeps through Crendle, Hanover and Goat Hills to provide enclosure to the valley, which is characterised by the open parkland and mixed woodlands originally associated with Ven House. To the north, the setting is less defined, but broadly coincides with the elevated ground associated with Combe, Broad and Stout Hills that lay in close proximity to the main London – Exeter rail line, to thus place the village in a hill-encircled vale.

The geological map illustrates the topography of the area. Inferior oolitic limestone rock on which the village is located has historically provided materials for the construction of the buildings in the 17<sup>th</sup> & 18<sup>th</sup> centuries, quarried from Highmore's Hill and also from Milborne Down.

## **GENERAL CHARACTER AND PLAN FORM**

The village is rich in architecturally interesting buildings and streets with a tightly-grained urban form of modest buildings largely built in the local vernacular.

The overall plan form is of a nucleated core around the High Street and South Street, based on the Saxon and early medieval layout of regular north-south and east-west alignment of streets. Extensions of the built area into the river valley results in some steep winding streets and whose character contrasts with the village core.

Radial routes lead north, east and west and out to the now linked but originally separate settlements of Kingsbury and Newtown adjoining.

## **HISTORIC DEVELOPMENT AND ARCHAEOLOGY**

In the mid-11<sup>th</sup> century Milborne was a large rural estate with urban and industrial characteristics and its church was a minster whose parochia included places several miles south in Dorset, as well as Charlton Horethorne to the north and Goathill to the south-west. The country house called Ven represents a secondary settlement established south-east of the borough by the 13<sup>th</sup> century while Kingsbury Regis in the valley to the north formed another separate settlement.

The parish church stands on the highest point of a spur formed where the south-flowing stream from Kingsbury turns eastwards. A roughly rectangular area is defined by High Street, South Street, Brook Street, and Bathwell Lane on the west probably marks the minster enclosure. The same area seems to have formed part of the medieval borough, which also extended north into the present North Street.,

At the north-east corner of the presumed minster enclosure a triangular market place was formed at the junction of North and South streets with the east end of High Street. Much of that area had been encroached upon during the 18th century, by housing and by the market house. The cross, whose base seems to date from the 13th century, was removed to the site of the former bandstand at the end of Bathwell Lane in 1959.

North of the east-west axis the settlement pattern is less regular but comprised North Street and the road to Charlton Horethorne.

The cloth industry augmented a rural, agricultural economy during the medieval and post-medieval period and the C14th Lay Subsidy records fullers, dyers and tailors amongst the taxpayers. By 1781 there were four weaving sheds producing flax- and sail-cloth. During the industrial period the cloth industry was replaced with tanning and by 1830, the textile industry had been largely superseded by tanning and glove production with as many as seven glove-making businesses recorded in the town in the first half of the 19th century. The first gloving factory was operational by 1810, swiftly followed by further factories in 1816 and 1823, owned by Ensor, Silas Dyke, and Pitman. Dyke's factory was the last to close for production in 1984, but the Tannery remained until 1994.

The Tithe Map of 1840 indicates the extent of development within the village, and relates to the new factories and associated housing. Ven House and the associated Yard House and terraced housing along East Street are clearly shown. Further housing constructed for glove makers, principally women who worked from their homes (VCH 1999) is evidenced on these maps by the higher density development through the village, providing an indication of the increasing importance of the village for its trading links.

From the mid 1800s, large gentry houses, evidence of the economic success of the industry, were constructed by the wealthy glove factory owners (Ensor, Dyke and Pitman) in different parts of the village: Cross House at North/High Street junction; Knapp House at Rosemary Street, and Bazzleways along Station Road. The build of these houses formed the basis for the beginning of extended development within and on the periphery of the town

The survival of relatively few 18th-century houses in the High Street and around the market place suggests that the village settlement was sparse. By 1820s the built-up area had expanded northwards and there was infilling, largely in the form of small cottages. Conflicting political factions in the borough lead to the creation of the settlement of small thatched houses in Newtown.

Examples of workers' housing included Ven estate C19 housing in East Street, Russell Place (1867) and Baunton's Orchard, both in Kingsbury..

By 1948, much residential infilling has occurred in the southern sector of the village, particularly at the lower end of south street, and to the rear of Brook Street. Development continued during the 1950s and 1960s with undistinguished artificial stone houses and bungalows along North Street, off Station Road, along Rosemary Street, and off Coldharbour.

## **THE CHARACTER OF THE AREA**

### **The character and interrelationship of spaces**

The key to the form of the area is the surviving historic cruciform street pattern with the High St, the present A30 road, running through the core of the village with streets running north and south from the former central market place at their junction. The area south of High St is the original Saxon Minster precinct still defined by South St and Bathwell Lane.

Much building and infilling in the last 50 years has taken place with the result that modern houses of sometimes incongruous design exist in many streets and back plots – bungalows of artificial stone, broad white fascias, low pitched roofs etc. While these are not of historic interest or architectural distinction they are so closely intermixed into the conservation area that it is not appropriate to try to exclude them.

### **Landmarks**

Church of St John; clock tower of the former school, Gainsborough; The Town Hall, Ven House and its formal setting

### **Key colours**

Warm russet brown of local Oolite stone is a distinguishing colour theme throughout with warm red brick and clay tile accents.

## **CHARACTER ANALYSIS**

The conservation Area has been designated for its special character but, as with many larger villages, at Milborne Port this is not one that is singular or homogenous. Milborne Port's conservation area has a varied character with the distinctly urban High Street, for instance, contrasting with the rural atmosphere of Brook Street and Tapps Well or the grandeur of Ven. These are parts that have different character variations but contribute to the whole. The definition of these 'sub areas' and the description of the elements making up their character provides a convenient way to a more detailed, comprehensive description.

When using this document it should be noted that there will often be a transitional area between the defined character areas where the character may contain aspects of both adjacent areas.

The area can be subdivided into 8 areas (see map):-

1. The village centre – High, North, South and East Streets
2. Tapps Well and Brook Street
3. Sherborne Road and Gainsborough
4. Ven, and its parkland
5. Gunville and Rosemary Street
6. The western approaches – proposed extension
7. Station Road and Coldharbour
8. Kingsbury

### **1. The village centre – High, North, South and East Streets**

The central historic core of the village focussed on High Street, the historic E-W through route, North and South Streets crossing at the former market place with the probable original Saxon minster precinct still identifiable between Bathwell Lane and South Street. The character is mixed country-town urban through High St and in the central parts of North, South and East Streets with street spaces largely enclosed by buildings or walled, the streets narrow and a distinctly varied building line in High St.

Away from this immediate central area southern South St, further out on North St and East Street the character is somewhat more mixed or suburban with less consistent built-up frontages, more dispersed buildings. Bathwell Lane, although well-defined by walls, is more rural and open in character with the large churchyard providing a noteworthy open space. Minor lanes, Church St and Chapel Lane, are of variable enclosure and more 'villagey' character.

**Built form** High density much street enclosure without setbacks on main streets although some setbacks are found in all streets. Density reduces at edges of the subarea and a number of suburban elements are present in all parts.

**Build type** Mixed era C17/C18/C19 and modern houses and cottages now in varied uses; Market house now town hall; former coaching inns; Parish and United Reform Churches, gentry houses; uniform estate cottages in East St. Former glove factory in North St (3 storey), workshops. Early C21 housing development next to churchyard.

**Key characteristics** generally 2 storey domestic but occasional single storey too - eg South St. Occasional larger domestic (Canon Court, Cross House). Local stone rubble, some ashlar Ham Hill stone, some red brick dressings or pale colour render, boundary walls in stone. Slate and tile roofs, stone eaves courses, generally gabled, white windows, brick chimney stacks. Some gabled dormers but roof dormers atypical

#### **Views and vistas**

- West from The Clump and Bathwell Lane over the river valley at Tapps Well
- Southwards through Five Court towards Church tower

#### **Significant trees and green spaces**

- Churchyard of St John The Evangelist with some fine trees
- Tall pines adjacent to Cross House
- Prominent ?oak opposite Town Hall
- Largely paved open area at Fives Court on south side of High St.

**Details and features** Raised pavements on High St with railings; Railings and decorative paving at Cross House; adjacent to the Town Hall, pavings, Somerset lamp standard and K6 telephone box opposite. Railings at Cross House, Glovers Court

**Unlisted buildings of note** - 27 and 28 High St opposite Town Hall; group along Thimble Lane; Limerick Villas, terrace of six, stone with brick dressings and former glove factory at Glovers Court, 3 storey in local stone with Ham Hill dressings in North St; Orchard Close, Glovers Close.

**Listed buildings** - Church of St John The Evangelist GI; Canon Court GII; United Reformed Church and schoolroom GII; Nos 61, 71, 72, 164, 168 and 169 South St all GII; 58, London Road; Queens Head Inn GII; Tippling Philosopher Inn (formerly Kings Head) GII; Old Bank and Bank House GII; 103 Gunville GII; Fives Court GII; Nos 4,6, 7, 8, 9, 204, 205, 206 High Street all GII; Town Hall GII; Cross House, The Lodge, Nos 159 and 160 North St GII.

## **2. Tapps Well and Brook Street**

The river south of Sansomes Hill flows south through the undeveloped river valley at Tapps Well before turning east where it flows behind the gardens of the Brook Street houses. Character is rural-feeling, wrapping the built area of the old Saxon minster precinct, open on the west and more enclosed on its south side; the rural edge of the village. In Brook Street feeling of enclosure with containment by boundary walls or buildings.

**Built form** Individual buildings around Tapps Well or dispersed and grouped in Brook Street. Some buildings set back with walled front gardens some hard on edge of lane.

**Build type** On Bathwell Lane, mid C20 (new) vicarage, late C20 individual houses; in Brook Street mix of C18/C19/C20 houses and cottages, ranges of farm buildings at Canon Court Farm.

**Key characteristics** 2 storey domestic scale. Local stone some brick dressings, clay tile (crested ridge to farm building), and slate roofs, brick chimneys, white windows. No dormers typically.

**Views and vistas** Open prospect west across the river in its small steep valley, the meadows further south and south from Brook Street across field to wooded copse behind.

### **Significant trees and green spaces**

- Significant green space with landmark large trees known as The Clump at the junction of Bathwell Lane.
- The open river valley at Tapps Well is a key green area that forms the setting of the historic Saxon core of the settlement, separating it from the later development on the west and important to the setting of Sansomes Hill, the churchyard etc.
- Small field adj to Brook Street and woodland at Canon Court Farm.
- In Brook Street many trees and lush gardens significant to its character.

### **Details and features**

**Unlisted buildings of note** the 1937 Vicarage, Bathwell Lane; range of farm buildings at Canon Court Farm; C19 Brook House

**Listed buildings** –89, Brook Street GII; Base of medieval cross, Bathwell Lane GII;

### **3. Sherborne Road and Gainsborough**

Area centred on the approach to the High Street from the junction with Goathill Road the river crossing, Sansome's Hill and the southern length of Gainsborough. In character it is sylvan with trees and gardens behind walled boundaries and buildings spread out; semi-rural but dominated by heavy traffic on the Sherborne Road. The descent to the river is a short enclosed section with buildings and walls pressing close to the road in contrast to the more open Sansome's Hill area at the Gainsborough junction.

**Built form** Largely lower density and suburban with many buildings set back in gardens.

**Build type** C19 former Vicarage; C18/19 cottages, C20 houses, C19 former school at Gainsborough junction

**Key characteristics** Mostly 1 and 2 storey domestic scale. In contrast, former school and Old Vicarage are large and feature dominant big gables. Local rubble stone, stone dressings, coloured roughcast, some pale render. Plain tile roofs; stone tiles at Sherborne House.

**Views and vistas** Westwards from Gainsborough over open fields.

### **Significant trees and green spaces**

- Many trees in gardens and around Goathill Road junction and along Sherborne Road
- Broad road verge with embryonic hedgerow avenue planting opposite.

**Details and features** Base of medieval cross at The Clump, moved from High St.; Former pump house on corner of Gainsborough; Prominent clock tower and railings, piers, wall and gates to former school

**Unlisted buildings of note** – Wayside and Gauntlet Cottage, Sherborne Road

**Listed buildings** – Former Primary School, Gainsborough GII; Pump House GII; Old Vicarage GII; Sherborne House GII

### **3. Ven, and its parkland**

An extensive area on the east side of the village, centred on Ven House of 1725, a grand symmetrical block, brick with stone giant order and cornice beneath balustraded attic. Attendant triumphal-arch pavilions frame the approach from the north and screen the service ranges. Around the house are formal gardens and plantations much enhanced and extended in recent years.



The wider area is the former parkland now designated a Grade 2 Historic Park and Garden. The parkland area is bounded by wood-covered hills, and is primarily open pasture but relic historic plantings survive. Hedgerows do not feature and the contrast between the park's open sweep of grassland, and the heavily wooded escarpment frame, is striking and of considerable significance too for the setting of the house and village.

The wider parkland has lost a number of its designed features, most notably the double avenue of specimen elm running out from the north front of the house towards East Hill. Whilst the parkland is not in pristine condition there is sufficient evidence of the former structure and open grassland to reveal the historic parkland character.

The area also includes the former garden plantations and built-within walled gardens around Little Ven that form the eastern edge of the village's built area.

the land in immediate proximity to Venn Farm, where agricultural buildings and storage areas are an incongruous built element within the wider parkland setting.

**Built form** Dispersed individual buildings in extensive gardens and parkland

**Build type** Substantial country house and associated buildings, gentry house with former coach house, C20 houses, largely modern farm buildings.

**Key characteristics** Ven is 3 storeys and 7 bays; varied 2 storey domestic. Mixed scales – grand, substantial domestic, C20 domestic. Brick and stone at Ven, grey render at Little Ven, Local stone, slate and tile roofs, hipped and gabled, white windows, brick chimney stacks.

**Views and vistas** In the formal setting to Ven - vistas from London Road to north front, south eastwards from south front and north-east up remnants of former approach avenue; views to wooded escarpment of East Hill.

#### **Significant trees and green spaces**

- Wooded escarpment and parkland trees
- Tree around Ven itself especially significant cedars
- Trees around The Coach House significant to east end of High Street and mark transition from the urban area to open parkland along London Road.

**Details and features** Stone entrance gateway to Ven with boundary walls along London Road front; terraces and walls top formal gardens; boundary walls of former walled kitchen gardens, South Street;

**Unlisted buildings of note** -The Coach House, London Road; walls to former walled gardens S-W of Little Venn.

**Listed buildings** – Ven House, pavilions, stabling and orangery all GI; Little Ven GII;

#### **5. Gunville and Rosemary Street**

Between High street and the river valley, Lower Gunville (and Higher) cross the sloping valley side and feature rows and groups of buildings on different levels, with some prominent retaining walls; a narrow tight-knit street dropping down to Rosemary Street and its river bridge. Here the character is (on the south side within the CA) a rural one of low scale cottages, trees and walled gardens leading to an attractive triangular green at the junction with Paddock Walk. Recently constructed development at Gunville Gardens (outside the CA) impacts on this intimate character.

**Built form** Mixed density some higher, linked or terraced, some lower detached houses and cottages

**Build type** C18/19 houses and cottages

**Key characteristics** Local rubble stone, some red brick dressings, grey render, retaining walls in stone, slate and tile roofs, generally gabled, white windows, brick chimney stacks. Dormers atypical

**Views and vistas** West along Rosemary Street to the green and The Knapp; westwards from Higher Gunville.

**Significant trees and green spaces**

- Triangular green Rosemary Street
- Dominant tree east of 1 & 2 Pope's Lane In plot of 8 Limerick Close

**Details and features** Stone parapet river bridge, high rubble walls and gates to The Knapp, high retaining walls eg at bottom of Pope's Lane.

**Unlisted buildings of note** Curved frontage Millbeck Cottage, cottage pair at 112 & 114 Rosemary Street, The Knapp, a larger later C19 house now in two parts.

**Listed buildings** - none

## **6. The western approaches – proposed extension**

The distinctive approach to the village along Sherborne Road from the west, characterised by the woodland belt on the south side and the majestic tree line on the north side that together form an almost formal avenue. The area also includes the listed C20 country house, Bowling Green and the portion of designated Sherborne Castle Historic Park that falls within the Somerset county boundary with its Crackmore entrance lodges.

**Built form** Dispersed individual buildings

**Build type** Early C20 country house and contemporary outbuildings; estate lodges

**Key characteristics** Bowling Green 2 storey with attics, tall single story domestic at Crackmore. Local stone rubble, ashlar stone, slate and plain tile roofs, stone chimney stacks, stone mullion and white windows.

**Views and vistas** From Sherborne Road, vista through gateway to Bowling Green north front; along approach road to Crackmore Lodges; both east and westwards along the Sherborne Road 'avenue'. Longer views from Bowling Green to surrounding landscape, Goathill and Hanover Hill to the south and the distant East Hill escarpment eastwards.

**Significant trees and green spaces** The Sherborne Road 'avenue'; wooded area of Sherborne Castle park

**Details and features** Walled boundary to Bowling Green with gateway on Sherborne Road, stone gate piers and gates at Crackmore

**Unlisted buildings of note** - none

**Listed buildings** - Bowling Green House GII, gates and gate piers GII, cottage and stable block both GII, Crackmore Lodges, gates and gatepiers GII. Sherborne Castle Park G1

## **7. Station Road and Coldharbour – proposed extension area**

Station Road, the principal northward route, runs along the eastern edge of the river valley with the open paddocks of the scarp on one side giving views westwards. This open area, large trees on both sides of the road, open fields and a prospect of wooded eastern ridge at Wheathill give a semi-rural

character. Coldharbour is a contrasting terraced cluster, the street enclosed, dropping steeply towards the river

**Built form** Low density, well-spaced, in gardens, mostly set back from road in Station Road. Terraced group along Coldharbour without set backs.

**Build type** C18/19 gentry houses, attached cottages, some larger including modern. Former Methodist manse and church converted to residential.

**Key characteristics** 2 storey, varied but domestic scale. In contrast former church at Coldharbour is big in scale and set back. Local stone, occasional pale render, brick dressings, clay tile and slate roofs, brick chimneys, white windows including bays. Dormers not typical.

**Views and vistas** West across river valley; eastwards to wooded scarp of East Hill

**Significant trees and green spaces**

- Paddocks on east of river valley with large trees;
- more major trees at Bazzleways and beside the green gap to the south.
- Significant skyline trees on S side of Coldharbour

**Details and features** Boundary walls on south side of Coldharbour; walls and entry to Bazzleways; railings at Moonfleet

**Unlisted buildings of note:** Bazzleways, Moonfleet; attractive frontage group on Coldharbour, (Hill View to Co-op); 1-3 Station Road, stone and brick terrace with bays.

**Listed buildings** – Old Angel Inn GII; group of former Methodist Church, schoolrooms and Manse GII; Top Cottage GII

**8. Kingsbury – proposed extension area**

Originally a separate hamlet in the river valley north of the village, Kingsbury largely retains this character of rustic charm although recent infill building has taken place.

The river forms its core - a tranquil green corridor with old bridges and former farms.

**Built form** Low density, scattered form in gardens with many set back behind walls containing the lanes. Spacious and open character along riverside, contained in steep lane from Station Road.

**Build type** Farmhouses and farm buildings, converted, C18/ C19 houses and cottages with some modern infills.

**Key characteristics** 1 and 2 storey, varied but domestic scale. Local stone, some pale render and artificial stone, clay tile, thatch, stone tile and slate roofs, brick chimneys, white windows. Dormers not typical.

**Views and vistas** View northwards across river with old bridges and green river banks

**Significant trees and green spaces** River corridor with garden areas and significant localised tree and scrub cover.

**Details and features** Ford and slab stone footbridge; single arch road bridge of 1856 in exquisite riverside setting.

**Unlisted buildings of note** The Old Barns, Court Lane;

**Listed buildings** – Greystones GII; Manor Farm House GII; Road bridge GII; Footbridge and ford GII

## **9. Newtown**

A planned settlement separate from the village dating from 1818-20 originally built to increase the Whig parliamentary vote by installing Whig voters in the planned 80 houses and unseat the Tory incumbent. Original houses have been augmented by infill or replacement and the area is a distinctive tight-knit enclave accessed by a narrow loop lane and largely isolated from the built form of the village.

**Built form** Cottages in gardens set back behind hedges. Enclosed character.

**Build type** C18, C19, C20 residential cottages and houses, some linked or terraced, some detached.

**Key characteristics** 2 storey houses, many of a small domestic scale. Original pattern was mixed; a thatched irregular vernacular style tending towards the *cottage orné* style, followed in some later cases but not consistently. Gables, dormers, flat and ridged, hips, half hips, pent and irregular or curved roof forms, porches all feature. Painted render, local stone, Ham Hill stone, artificial stone with thatch, tile and slate roofs, white windows, brick chimney stacks. A considerable mixture.

**Views and vistas** Some views from the rear gardens northwards and westwards over the adjacent fields

**Significant trees and green spaces** Some fair-sized garden trees.

**Details and features** Hedged enclosure

**Listed buildings** Thatched Cottage, 19- 62, 74-76 Newtown all GII

**Unlisted buildings of note** Gainsborough Arms, Gainsborough

## **References**

The Buildings of England Somerset South and West – J Orbach and N Pevsner 2014  
Milborne Port Conservation Area Unpublished thesis Barbara Talbot  
Somerset Extensive Urban Survey SCC  
Victoria County History  
Medieval Villages in South East Somerset – A Ellison 1983  
Milborne Port Village Design Statement  
Historic Environment Record South West HeritageTrust

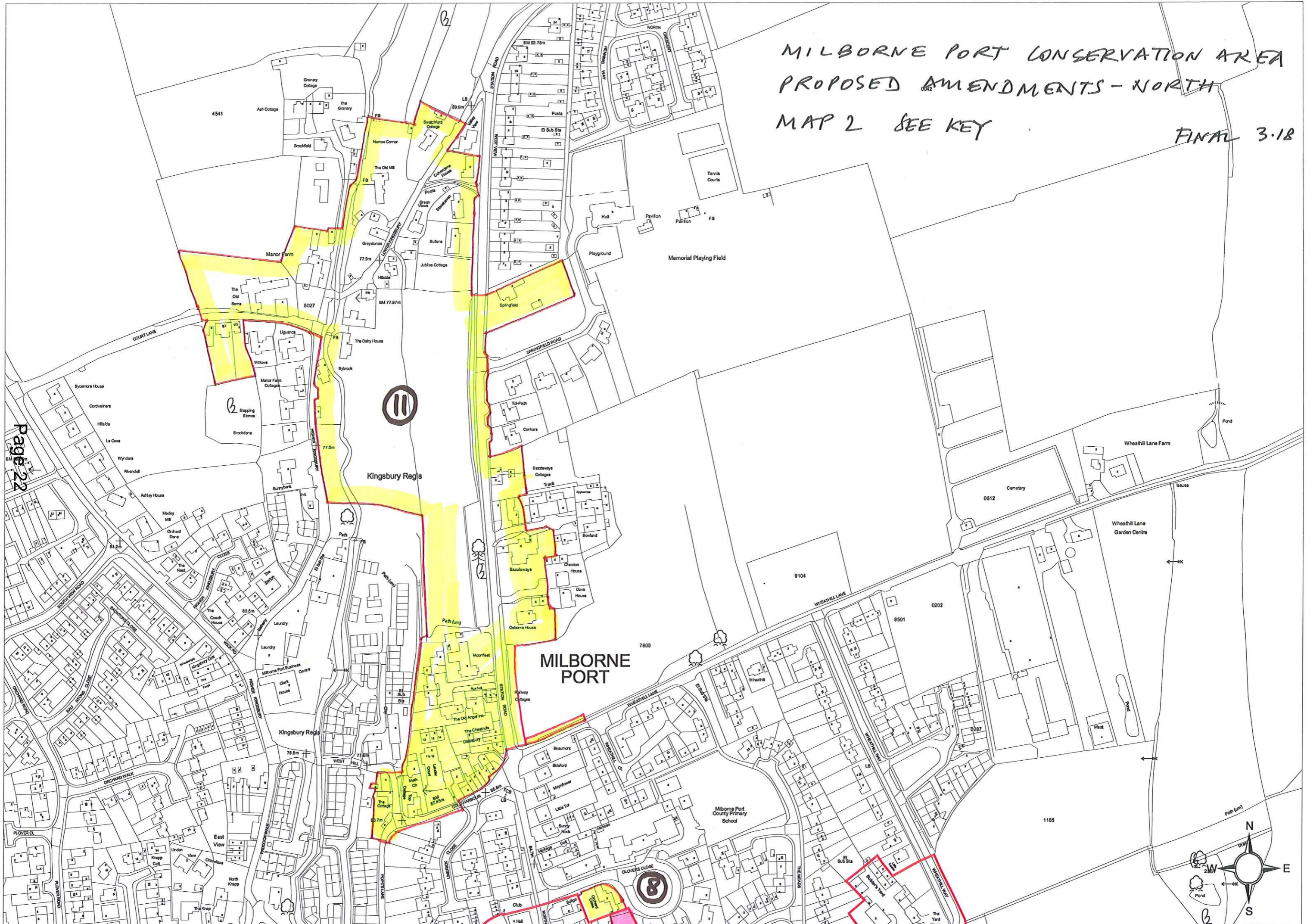




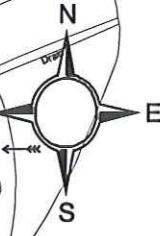


MILBORNE PORT CONSERVATION AREA  
PROPOSED AMENDMENTS - NORTH  
MAP 2 SEE KEY

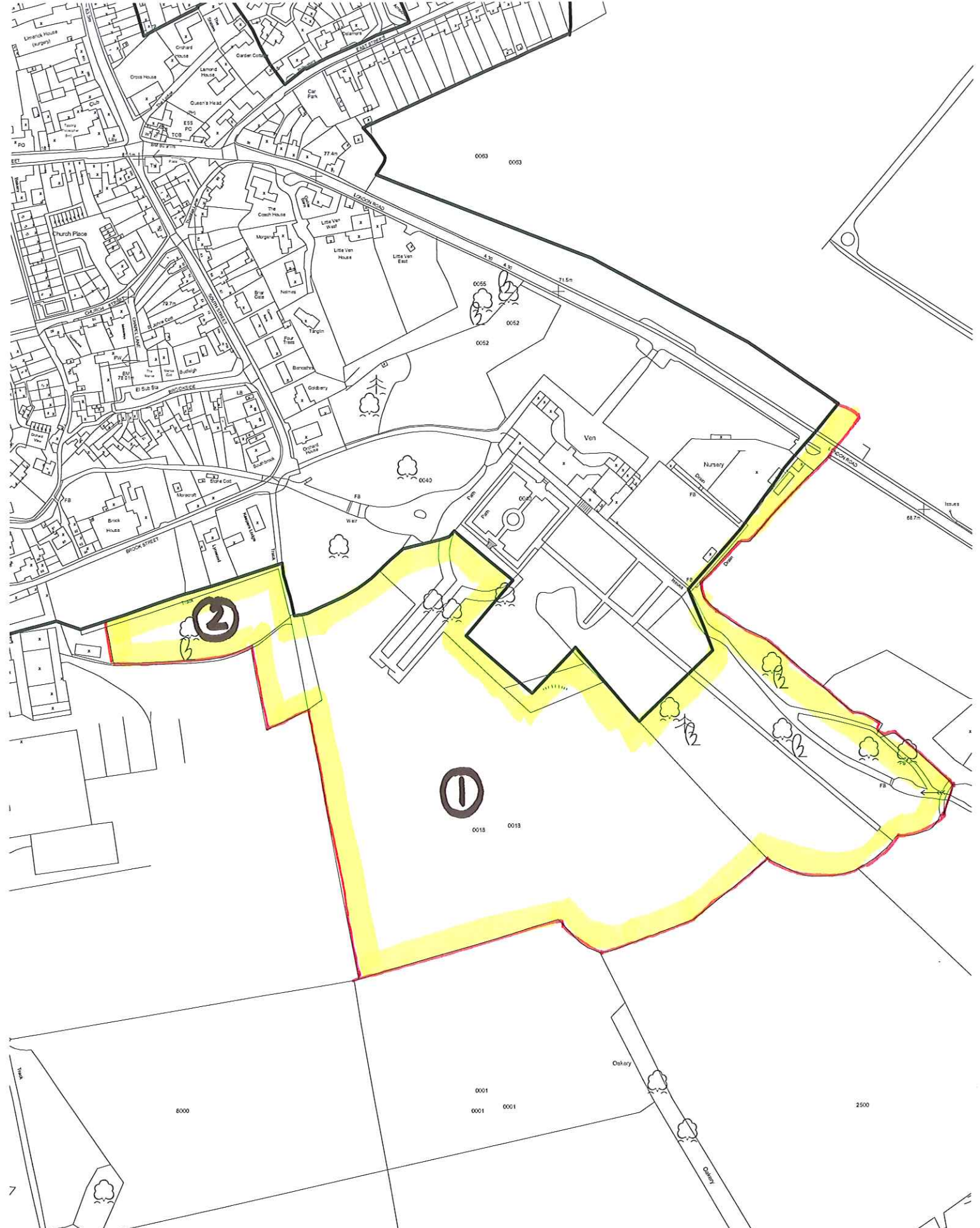
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MILBORNE PORT







MILBORNE PORT CONSERVATION AREA

PROPOSED AMENDMENTS

FINAL 3.18

MAP 3 SEE KEY







# Agenda Item 9

## **Annual Progress Report – Heart of Wessex LEADER Programme**

*Portfolio Holder:* Cllr Nick Weeks  
*Communities Lead:* Helen Rutter, Communities  
*Lead Officer:* Helen Rutter  
*Contact Details:* [helen.rutter@southsomerset.gov.uk](mailto:helen.rutter@southsomerset.gov.uk) or (01963) 435012

### **Purpose of the Report**

To update Area East Committee on the activities of the Heart of Wessex LEADER Programme during 2017/18.

### **Public Interest**

The whole of rural South Somerset benefits from the LEADER Programme, which supports locally designed rural development and enterprise initiatives. This is a 5 year EU funded programme that went live in November 2015. It focuses on supporting rural job creation and economic development.

Due to BREXIT the programme will finish early. All projects should be contracted by March 2019 and the current guidance is that project spend should be completed (ie final claims paid) by December 2019.

### **Recommendation**

That Members note and comment on the report.

### **Background**

Projects funded under the new LEADER Programme (2015-2020) focus on delivering jobs and growth, 70% of the projects funded under LEADER will directly support the rural economy (eg: through creating and developing micro and small sized rural businesses). 30% of projects will also need to demonstrate that they are contributing to improving the rural economy. The programme has 6 priorities: (1) increasing farm productivity (2) micro & small enterprise and farm diversification (3) rural tourism (4) rural services (5) cultural & heritage activity and (6) forestry productivity.

The Heart of Wessex LAG covers south Wiltshire, part of Mendip, the Area East part of South Somerset and part of Area West. Locally it is overseen by a Local Action Group (LAG). The total picture of LAG coverage across SSDC is shown in the appendix. This has aligned its activities to the Local Enterprise Partnership (LEP). The Managing Agent and Accountable Body for the heart of Wessex LAG is Wiltshire Council. The Project Manager and Administrator are based at the Balsam Centre Wincanton.

The launch of the programme was delayed for over 9-months due to the General Election and a total revision of all the documentation required for the launch of the new programme. The first call for expressions of interest was put out in November 2015.

Cllr Mike Lewis, Area East, was appointed to serve on the Executive for the LAG. All Members in the area of benefit have been kept in contact through the newsletter from the LAG and further details of the programme are on the website: [www.heartofwessex.co.uk](http://www.heartofwessex.co.uk)

## Progress of the Programme

- The Heart of Wessex LAG has allocated £1,108,858 of LEADER grant funding to 32 projects across the LAG area. Twelve of these are in Area East
- The LAG Forum is open to all interested businesses, community groups and individuals. The Forum exists to enable the wider community to get involved in shaping the programme, hear from successful projects and to help promote the availability of grants
- There are 5 projects working towards submitting applications to be considered by the LAG Executive at the July meeting = £287,137.60 (will then be 93% committed)
- Remaining headroom, therefore £105,335.20.
- Heart of Wessex Total Project Allocation = £1,485,388.00
- Total committed to date = £1,092,714.75 (74% of project allocation)
- Potential further investment in project pipeline = £521,382.40
- The Heart of Wessex LAG is now closed to new project applications, pending the availability of any further funding
- All grant funds are paid retrospectively and all claims must be fully evidenced
- Business advice is available from various sources to help businesses establish and grow. This includes the NDO (economy), SSDC Economic Development Team and a range of other sources/websites for various aspects of business growth, funding, etc. A factsheet has been produced to help businesses find the help they need

**Awards approved for projects located in Area East** (each with a grant intervention rate of 40%) **are as follows:**

<b>Applicant</b>	<b>Project</b>	<b>Grant Awarded £</b>	<b>Total Project Cost £</b>
Snells, Mudford	Support build & furnishing of The Trough Farm Shop	96,708.00	241,177
Camel Hill Farm, Queen Camel	Purchase of a No Till Drill	15,278.00	38,195
SH & GH Keen, Wincanton	Purchase of 2 pieces of machinery	17,257.60	43,145
Godminster Farm, Bruton	Moo Meters – cow collars	12,724.00	31,810
Norwood House Chocolate, Wincanton	Purchase of capital equipment to expand artisan production	14,037.00	50,000
Lievito Ltd. Lovington	Purchase of new equipment to expand artisan bakery	36,355.04	90,888
Snells, Mudford	The Glass Box – extension to restaurant	63,392.80	158,480
AJ Portch, Gilcombe Farm, Bruton	To expand compostable toilet hire business by increasing the number of units	77,020.00	192,550
Kimbers Farm Shop, Charlton Musgrove	To create a café & kitchen for farm shop	43,496.58	108,743
DV & ME Sweet & Son, Holton	Installation of cubicle matting to improve dairy cow welfare	14,088.00	35,220
Feltham's Farm Ltd, Horsington Marsh	New cheese factory	71,928.71	179,823
CLG & J Wadman & Son, Elliscombe	Installation of a robotic milking system to improve animal welfare & productivity	133,756.38	334,392
	<b>Totals</b>	<b>£596,042.11</b>	<b>1,504,423</b>

The figures quoted are the award of funding based on the application form. Final figures may vary as the funding is paid retrospectively based on actual project costs. Area East projects have attracted significant funding through this programme. The vast majority are enhancements to farming enterprises. As a result many new jobs are being created and others safeguarded.

### **Next steps**

Applications are now closed to new enquiries. Projects are now delivering and the team is working with beneficiaries of the grants to ensure successful delivery of their projects.

At the present time we do not know if there will be a successor scheme put in place by the UK Government.

### **Financial Implications**

None directly arising from this report. The Area East Committee set aside a ring-fenced sum to support of the programme in 2014 – £960 is remaining. The intention was to assist applicants to bring forward high quality proposals in this Area.

### **Corporate Priority Implications**

The current Council Plan states that:

- We want a strong economy, which has low unemployment and thriving businesses – one of stated ways which we will address this is to:
  - Work in partnership to deliver investment and development that local people value

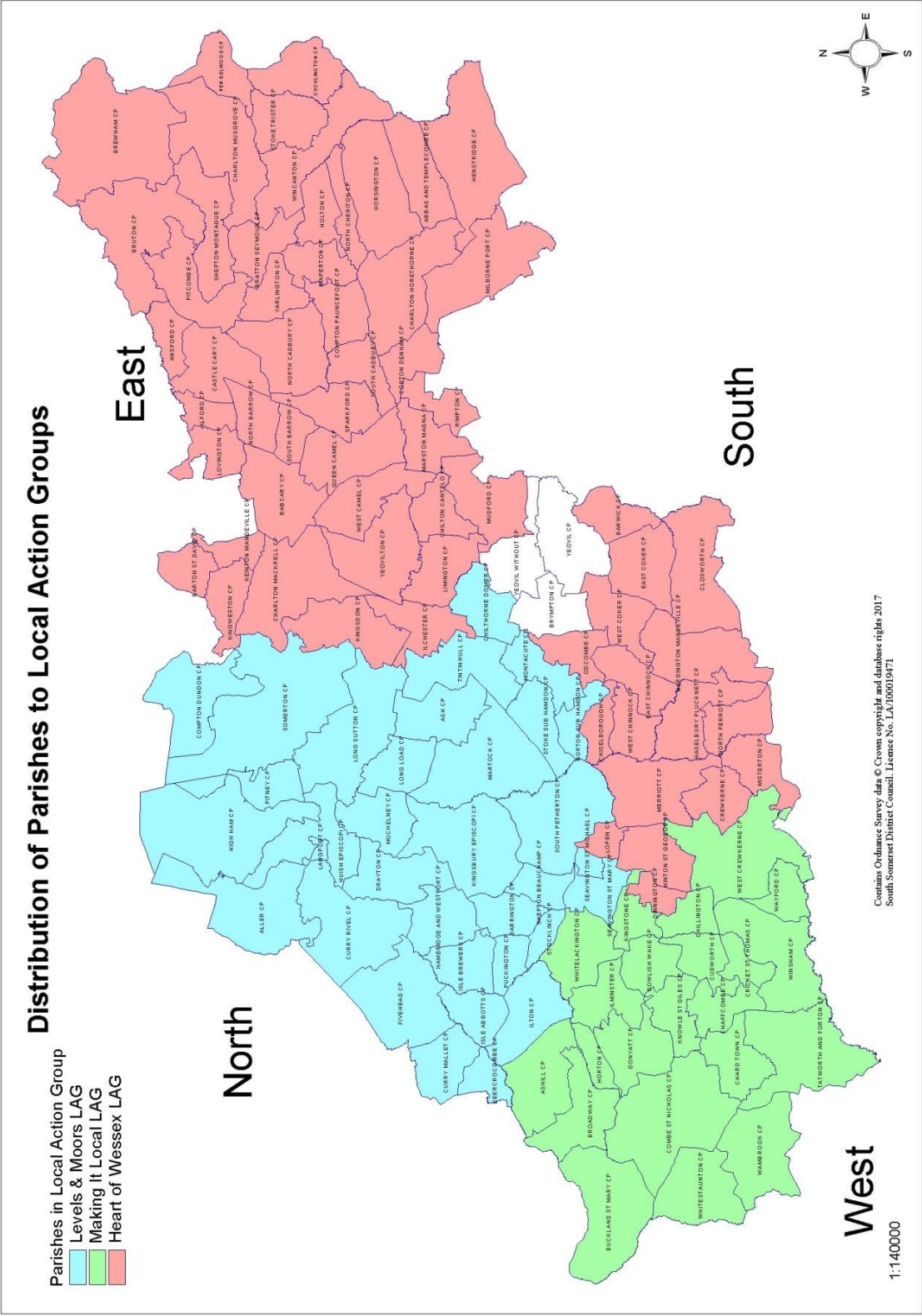
### **Carbon Emissions & Adapting to Climate Change Implications (NI188)**

Carbon emissions and adapting to climate change implications (NI188) in due course this designation could provide a way of supporting local employment and promote local produce/services in our communities contributing to greater self-containment, thereby reducing carbon emission

### **Equality and Diversity Implications**

Rural communities are vulnerable to isolation from services & markets and face higher transport costs. This programme provides an opportunity to support locally important economic initiatives.

**Background Papers:** See website



# 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

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## Appendix A

### Area East Committee Forward Plan

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background and Purpose</b>	<b>Lead Officer</b>
<b>12 September 18</b>	Highways Update Report	To update members on the total works programme and local road maintenance programme	John Nicholson
<b>12 September 18</b>	Heart of Wessex Rail Partnership update report	To update members on the progress of the partnership and to consider funding contributions	Tim Cook
<b>12 September 18</b>	Wincanton Regeneration Programme	<i>To update members on the progress of the programme</i>	<i>Helen Rutter</i>

# Agenda Item 11

## **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**

17/02712/FUL - 52 Ash Walk, Henstridge  
The erection of 3 no. dwellings along with associated access and parking.

17/04632/OUT - Hales Lea, Mudford  
Outline application for self-build and custom housebuilding.

17/04728/OUT – Land rear of Cottons House, Keinton Mandeville  
Outline application for the erection of 7 no. bungalows including formation of new access road to the west of Cotton House and associated works.

18/00714/OUT – Former Carrs of Yeovil, Main Street, Mudford  
Outline application for the erection of building (B1 business use).

17/04023/FUL – Harvester Works, Mayfield Close, Galhampton  
Erection of 8 No. detached dwellings (re-submission of previously withdrawn planning application 16/02364/FUL)

### **Appeals Allowed**

None

### **Appeals Dismissed**

None

### **Enforcement Appeals**

None

**Background Papers:** None

# Agenda Item 12

## 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 10am.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
13	WINCANTON	18/00942/FUL	Demolition of single storey extension at 35 Mill Street and two thirds of a garage block along with stone boundary walls. Erection of 3 no. dwellings.	Land and garages off Mill Street, Wincanton	Mr Colin Williams
14	WINCANTON	18/00943/FUL	The erection of a rear single storey kitchen extension	35 Mill Street, Wincanton	Mr Colin Williams
15	ABBAS & TEMPLECOMBE	18/00650/OUT	Demolition of the existing buildings and the erection of 19 No. dwellings with associated access and parking (outline application)	Knights Templar Court Nursing Home, Throop Road, Templecombe	Lawsh One Ltd
16	ABBAS &	18/01071/S73A**	Section 73a	Land rear of 18 to	Mr R



	TEMPLECOMBE		application to vary condition 2 (approved plans) of planning approval 09/03037/FUL to allow for revised plans, to replace on Plot 1 a single storey dwelling with a two storey dwelling	24 Westcombe, Templecombe	Thorner
17	NORTHSTONE	17/03797/FUL	Demolition of existing dwelling and outbuildings and erection of replacement 2.5 storey dwelling with associated detached garage.	The Chestnuts, Queen Street, Keinton Mandeville	Mr M Tetstall

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.

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# Agenda Item 13

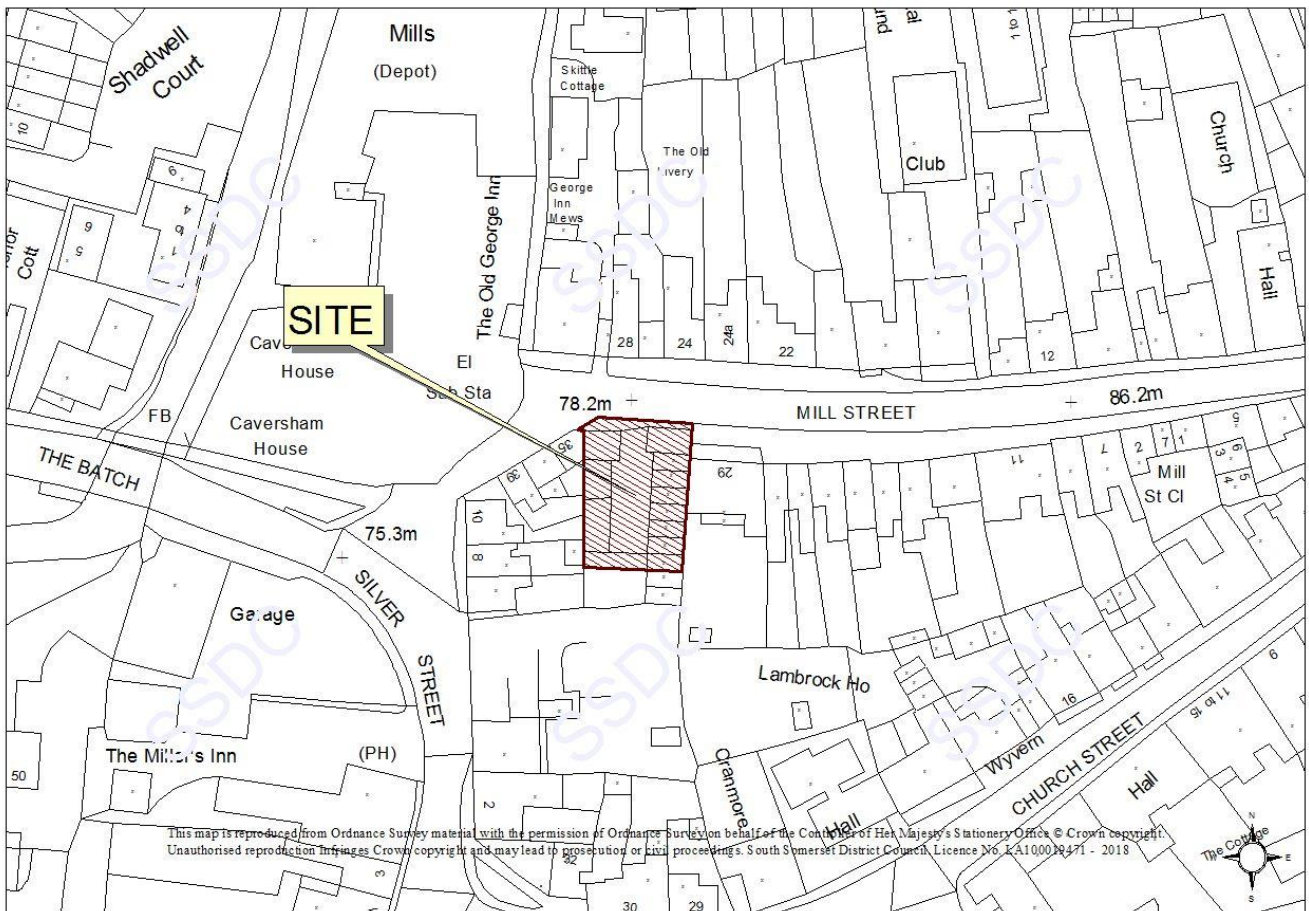
## Officer Report On Planning Application: 18/00942/FUL

<b>Proposal :</b>	Demolition of single storey extension at 35 Mill Street and two thirds of a garage block along with stone boundary walls. Erection of 3 dwellings.
<b>Site Address:</b>	Land And Garages Off Mill Street Wincanton
<b>Parish:</b>	Wincanton
<b>WINCANTON Ward (SSDC Member)</b>	Cllr Nick Colbert Cllr Colin Winder
<b>Recommending Case Officer:</b>	Jeremy Guise Tel: 01935 462645 Email: jeremy.guise@southsomerset.gov.uk
<b>Target date :</b>	31st May 2018
<b>Applicant :</b>	Mr Colin Williams
<b>Agent: (no agent if blank)</b>	Ian Sing Lerner Sing Ltd 29 Lower Street Rode Frome BA11 6PS
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

This application has been called to East Area Planning Committee at the request of ward member and with the agreement of the chairman, to allow assessment of the impact on the conservation area and amenities of neighbours.

### SITE DESCRIPTION AND PROPOSAL





The application site is a rectangular shaped piece of land 0.04ha (423sqm) fronting onto Mill Street, to the north and a garage in the same ownership, to the south. The site is currently occupied by 'lock up' garages along the eastern side - part of a block of 9 of which 6 are located in the application site. The southern three are shown retained as part of the neighbouring garage site, which is also in the applicant's ownership. Topography the site falls approximately 1m from south to north and approximately 2.5m from east to west across the frontage.

The site is located in the historic centre of Wincanton in an area designated as a Conservation area. There is a small terrace of three houses (Nos. 35-39 Mill Street) on lower ground, immediately to the north west of the site. These are located at a point where Mill Street turns the corner into Silver Street. Nos 6-10 Silver Street back onto the site at right angles. Small yards belonging to these houses converge in a tight space.

Planning permission is sought for the development of three dwellings in alignment with No. 29 Mill Street. The plots are set back 6m from the frontage with the area in front used for car parking, two dedicated spaces per house. Floorplans show a combined living /dining room, a WC and a kitchen at ground floor level and three bedrooms two bathrooms one en-suite at first floor level. Externally the houses 'step up' then hill to the east on rising land. They are shown rendered with 'tunnel back' extension projecting sub gables to the rear and small 27-31sqm rear yards / gardens.

The application is accompanied with a Design and Access Statement (DAS) prepared by Larnier Sing Ltd and a Transport Statement prepared by MBC Traffic Engineers. The DAS states:-

*The proposal is to construct a 3 dwelling two storey terraced block of housing with tiles pitched roofs, which the terraced stepped after the first houses to eliminate undue excavation of the area, and to mirror the type of stepped form in the street. Two thirds of the rear existing garage block (6 no*

garages) and the Utility extension to 35 Mill Street will be demolished as part of this scheme. 3 garages of the original garage block are to remain.

#### Appearance

-The new building will be 2 storeys with painted rendered walls with plain clay tiles and brick work chimneys.

-As the rear will be gardens fenced off with timber boarded fencing.

-At the front an area will be formed in tarmac to provide 2 parking bays on each for the houses. There will be a continuous 1.7m public footpath across the front of the site, with a dropped kerb to allow for vehicular access to the parking bays.

#### Access

The vehicular access to the rear of the site as it is now will cease to exist.

The Transport Statement quotes Paragraph 32 of the NPPF and concludes:-

*There is by no reasonable interpretation a 'severe' impact of the proposal, safe and suitable access can be achieved for all users, and the site is transport accessibly location. In our opinion, there should be no sustainable highways or transport objections to the proposed redevelopment.'*

There is a parallel application ref. 18/00943/FUL for the erection of a rear single storey kitchen extension at 35 Mill Street Wincanton that is pending determination.

#### HISTORY

Ref. 63085 Erection of eight private lock-up garages and the formation of vehicular access - conditional approval 27/08/1963

Ref.63085/A Erection of a block of nine private garages and the alteration of an existing access - conditional approval 08/11/1966

#### 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).

The policies of most relevance to the proposal are:

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

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS2 - Development in Rural Settlements

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - General Development

Policy EQ4 - Biodiversity

Policy TA1 - Low Carbon Travel

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

Policy HG5 - Achieving a Mix of Market Housing

## **National Planning Policy Framework**

Chapter 6 - Delivering a wide choice of high quality homes

Chapter 7 - Requiring Good Design

Chapter 8 - Promoting healthy communities

Chapter 10 - Meeting the challenge of climate change , flooding and coastal change.

Chapter 11- Conserving and enhancing the natural environment

## **Other Material Considerations**

Somerset County Council Parking Strategy

Wincanton Neighbourhood Plan 2018-2028

## **CONSULTATIONS**

**Wincanton Town Council** - Recommends approval.

**County Highway Authority** - The Highway Authority has the following observations on the highway and transportation aspects of this proposal following consideration of the application details and a site visit carried out on 14th May 2018.

Somerset County Council's Highway Development Control require further information in this instance.

**Traffic Impact:-** The proposed development of three dwellings is unlikely to cause a significant impact to the operation of the local highway network.

**Parking:-**The proposed car parking provision of six spaces for the three dwellings is less than the optimum recommended provision of eight (7.5) car parking spaces set out in the Somerset County Council Parking Strategy (March 2012).

A review of the proposed site plan (Drawing No. 703/01) shows that the arrangement of the six on-site car parking spaces will extend across the north of the site and will front the footway. It is expected this arrangement will result in the loss of two on-street public parking spaces. These on-street parking spaces are subject to 1 hour max stay, no return within 2 hours (Mon-Sat 8am-6pm) restrictions.

In order for the applicant to remove the two on-street car parking spaces and provide access to the proposed development site, the Traffic Regulation Order (TRO) process will need to be followed.

**Visibility:-** Vehicular visibility splays for the proposed site access has not been provided by the applicant. Vehicle access to the site is via Mill Street, which is subject to a 30mph speed limit and operates as a one-way highway. Based on Manual for Streets Standards, visibility splays of 2.4m x 43m (for visibility to the right from the site access) is required to be demonstrated by the applicant.

Pedestrian visibility has not been assessed by the applicant. It is also recommended that pedestrian visibility of 2.4m x 2.4m this is demonstrated by the applicant.

**Other:-** The development proposals have also included providing a footway of 1.7m width that will front the north of the site. The width of the proposed footway is 0.1m less than the preferred average width of a footway (1.8m) which is set out in Estate Roads in Somerset Design Guidance. It must be ensured that the proposed development retains the existing footway width or widens the footway to the recommended width of 1.8m.

The red line boundary of the site location plan supplied by the applicant has overlapped with public highway (Highway Maintainable at Public Expense) at the section of footway that bounds the north of the site. It should be clarified with the applicant that this described area is public highway.



Conclusions:- The Highway authority does not object to the principle of the development, but details of this application for full planning permission are insufficient for the Highway Authority to provide a final recommendation.

The applicant should provide further details regarding the expected loss of two on-street car parking spaces in order to provide their proposed on-site parking arrangement. Plans demonstrating the design of Mill Street following the loss of on-street parking on should be provided along with visibility splays for vehicles and pedestrians.

The applicant should also be aware that they will need to finance the Traffic Regulation Order for the loss of on-street parking.

**SSDC Highways Consultant** On the basis that the site is located in the town centre within easy / comfortable access to nearby public car parks, no highways objections is raised.

**SSDC Conservation Officer** - The current gap in the historic street and poor design of the current garages is recognised as a negative feature here, highlighted on page 26 of Wincanton's Conservation Area Appraisal. Historic maps and photos show that a pair of cottages existed here, positioned well forward of the building line to the east.

I welcome the opportunity we have here to reinstate the historic form of the street and remove the current negative impact arising from the garage block. However, it is a very sensitive site. It is significant to the character of the conservation area and the setting of a number of listed buildings. Mill Street is arguably Wincanton's most characterful street. This is derived from the large number of historic buildings either side of the hill, set far apart to give a spacious and generous setting. It is really important that the reinstatement of cottages here enhances its existing character.

Therefore, I have no objection to the principle of development here. However I have several concerns about the proposal as it currently stands.

The overall position does not seem to be appropriate. I suggest bringing the building forward so that it can be considered a proper reinstatement. This will remove the formalised on plot parking at the front, which I consider to be wholly inappropriate in this location, and will free up more space at the rear. It will also improve the really poor proposed relationship with the neighbour to the west.

In terms of the parking, I note that there is some informal parking on the wide pavement to the east of the site, however it is informal. The proposed plots would have formalised on plot parking at the front, which would look poor and cause the lower part of the street to be dominated by a row of parked cars viewed side on. I note that the applicant owns the garage site at the rear so it should be possible to secure access to garaging and parking at the rear of the plot.

Turning to the design of the buildings, I suggest that a narrower depth of building will be more suitable as per the historic photos. Rear extensions could be adapted to provide additional accommodation lost by narrowing the gable width. Although there is some render in Wincanton it doesn't dominate Mill Street. I suggest that the gable end facing up the street and the front should be stone.

The front elevation needs improving. Designing all three plots to look the same is contrary to the character of the street - almost every building here is different. Bays could be considered to some of the lower windows as these feature here. The first floor windows should be more consistently sized to avoid the obvious location of a bathroom.

The form of the chimneys needs improving. The chimneys should have a narrow single flue width facing the road, and be double depth on the gable, with two pots. The chimneys should stand in line with the end masonry wall, so the verge should be broken at this point. The brick should timber down into the

stone in a traditional manner.

As the application stands I must recommend refusal. The current proposal, by virtue of the positioning of the units, frontage parking and building design, will cause harm to the character of the conservation area and setting of nearby listed buildings.

## **REPRESENTATIONS**

Eleven letters of has been received from the occupiers of a neighbouring properties. They all raise objection to the proposal. The grounds of objection can be summarised as follows:-

### Overdevelopment

Replacing existing garages with houses is welcomed in principle, but the intent to 'cram' as many houses on the small site to maximise profit has produced a cheap design that has no architectural merit and will not protect or complement the existing architecture and character of the street. To produce housing of character it would be necessary to reduce the number of houses and significantly increase the build quality. The proposal for three dwellings is needlessly dense for the small footprint. This will have several negative consequences to those properties in the immediate surrounds. I would suggest two properties would be more reasonable.

### Impact on neighbours

Building opposite will severely reduce light to the small windows in my cottage

The proposal will look directly into my living room and bedroom affecting my privacy

The new houses proposed will greatly infringe on the privacy of my home and also could in turn greatly devalue my property's attraction

I live immediately next door at no. 37 Mill Street and having seen the plans I feel these developments will have a detrimental effect on my property. The 3 dwellings which will be at the rear of my property will have a serious impact on the light issue and will make my kitchen and living room very dark.

### Impact on Character of conservation area

This does not preserve and enhance the conservation area. The demolition of the existing historic stone walls is unacceptable within a conservation area. Has there been consideration to re-use the stone material on the fascia of the new buildings?

The garages are inconspicuous from Mill Street, so the perceived advantages to the appearance of the area resulting from their removal are slight.

Mill Street is the oldest street in Wincanton, modern houses are out of keeping

The street 'Mill Street' is one of the most historic streets in the area, with heritage dating back some 300 plus years. It is likened to Gold Hill Shaftsbury. Plans show the development with no consideration to the heritage or historic aesthetics of this street.

### Materials

It's proposed that the new properties are rendered and painted to be in keeping with the surroundings. There are only three rendered houses and one rendered building, The Old George Inn, and the latter is not opposite. All the remainder are stone.



The use of render in the street has been overstated to reduce building costs and maximise profit. Render should be rejected and replaced by natural stone with lime mortar or a combination of stone and brick similar to the adjoining houses.

Roofing should be of natural slate or clay rosemary plain tiles.

The design of the porches further creates an image of cheap affordable housing similar to that being constructed elsewhere in Wincanton. Any porches must be more in keeping with the existing porches in the street or removed in their entirety.

New rendered buildings will not be in keeping with the street : there are 40 residences facing onto the street , only three of which are rendered ; those properties were rendered at a time pre-dating the existence of conservation laws or grade listings, and represent a historical significance in their own right. In the case of The Old George, the render is necessary for structural integrity and protected by eth Grade II listing. As such, there is no mitigation to render these properties when local stone / rubble is possible.

A key photo attached to the planning application is misleading: the Old George (which is historically rendered) is indicated as being directly opposite the proposed site, whereas the camera is actually off-set by approx. 45 degrees in order to capture that property. The two properties that are directly opposite the site are stone rubble.

Rendered houses totally out of keeping with the aesthetic nature of this historic street

Loss of parking/ adequacy of parking

Removal of the boundary wall and opening up for parking will result in the loss of some existing on-street parking. Parking in the area is tight. Questions whether the proposed parking spaces are big enough for 4x4s.

The parking is already a major issue around mill Street and the plans do not pay consideration to this.

The parking arrangement is totally unacceptable and will reduce existing parking space. The photographs provided with the application do not reflect the dire parking situation in Mill Street whose residents either cannot park in the street if they return in the evening due to events at the social club or church or blocked in and prevented from accessing the road . The developer is retaining three garages to the rear for use of his business Bridge Motors. These garages should be retained and instead designated to each of the houses.

The proposal would negate the use of two (arguable three) extant parking spaces, whilst also increasing demand for the remaining spaces. The parking spaces assigned to the new properties will be private, whereas the new residents will entail increased visitors / guests / workmen / and second family cars to this end of the street, where parking is already insufficient.

Miscellaneous

My house is more than 200 years old; the excavation work around such old buildings could cause considerable issues.

The proposed new houses could in turn greatly devalue my property's attraction

Notification for the application appears to have been very limited, and many residents claim to have not been notified. My property received three notifications, including two with spurious addresses. It seems the target audience may not have been allowed sufficient opportunity to raise comments or objections.

## CONSIDERATIONS

### Principle of Development

The site represents a gap in the existing frontage along Mill Street. Historic records show that it was previously occupied by frontage buildings, abutting the pavement, in alignment with No.35, to the west and forward of its neighbour at No. 29 to the east. Numbering (odds only on the southern side of the street) suggests two properties. Residential development that re-instates the street is therefore welcome in principle. However, the current proposals are not supported. They are considered to be unsympathetic to the character of the conservation area, detrimental to the amenities of neighbouring residential property and to provide inadequate external amenity space (gardens) for 3 bedroom sized family houses.

The difficulties that the site has in accommodating three 3 bedroom houses with adequate external amenity space, suggests that the historic division of the site into two units, indicated by the historic street numbering, is the optimum amount of development for units of this size on this site. The development of three 3 bedroom houses on this site would lead to a cramped layout, a sign of overdevelopment.

### Visual Amenity

Planning applications affecting a conservation area are considered, in the first instance, against the provisions of Policy EQ3, Historic Environment of the adopted Local Plan. It states:-

*Heritage assets will be conserved and where appropriate enhanced for their historic significance and important contribution to local distinctiveness, character and sense of place. Their potential to contribute towards the economy, tourism, education and local identity will be exploited.*

*All new development proposals relating to the historic environment will be expected to:*

*-Safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets*

*-Make a positive contribution to its character through high standards of design which reflect and compliment it and through the use of appropriate materials and techniques*

*Ensure alterations, including those for energy efficiency and renewable energy, are balanced alongside the need to retain the integrity of the historic environment and to respect the character and performance of buildings, adopting principles of minimum intervention and reversibility.*

Mill Street bow widens between Nos. 11 and 29. The historic building therefore represented the point where the bow in the street ended.

In terms of appearance and impact on the street scene the architect has made some effort to reference the character and setting of the conservation area by: stepping the buildings down with the underlying topography. Showing sash, portrait shaped windows and deep roofs with chimneys. But, despite stepping up with topography, the base floor levels are high (1m above No.35) with stepped entrances. Coupled with the modern floor to ceiling heights and deep 3.5m high roof planes (a consequence of the 7m depth, of the main part of the house) the houses are too high and the relationship poor.

Large sections of the southern side of Mill Street, where it 'bows' out to the south between Nos 11 and 29, are wide enough to accommodate vehicles parked in a perpendicular arrangement to the highway. In modern times this obviously provides a useful resource for residents as parking in the town centre is at a premium.

Historic records, maps and photographs, confirm what the patched up end elevations of Nos. 29 and 35 Mill Street show on the ground, that the garage block site was once occupied by buildings (presumably Nos. 31 and 33 Mill Street). These buildings were positioned on the site frontage, immediately abutting the pavement in alignment with No. 35 - and forward of No.29.

The alignment of the proposed houses is with No.29, to the east, rather than replicating the historic alignment with No. 35, to the west. This allows the frontages to be dedicated to allocated parking, which isn't quite the same as the informal parking in 'the bow' further up. The spaces are laid-out, allocated for used by the residents, and more likely to be permanently parked. Essentially it introduces a suburban feature to the street, which will adversely affect its character. It also results in the houses being pushed further back into the site, and results in their internal configuration being quite deep, 11m, with a consequent adverse impact on the neighbours' amenity. Shallower, frontage development would better respect the character of the conservation area.

The vast majority of buildings in Mill Street are constructed from stone, with only a handful of rendered frontages. In order to maintain the historic character of the conservation area it is considered that the frontages onto Mill Street, and parts of the side elevation that are visible and reasonably conspicuous within the street scene, need to be constructed from stone.

### **Residential Amenity.**

Policy EQ2 of the adopted South Somerset Local Plan seeks to protect the residential amenity of neighbouring properties. It states:-

*Development will be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district.*

*Development proposals, extensions and alterations to existing buildings, structures and places will be considered against:*

- *Sustainable construction principles ;*
- *Creation of quality places*
- *Conserving and enhancing the landscape character of the area;*
- *Reinforcing local distinctiveness and respect local context.*
- *Creating safe environments addressing crime prevention and community safety;*
- *Having regard to South Somerset District Council's published Development Management advice and guidance; and*
- *Making efficient use of land whilst having regard to:*
- *Housing demand and need;*
- *Infrastructure and service availability*
- *Accessibility*
- *Local area character*
- *Site specific considerations*

*Innovative designs delivering low energy usage and/or wastage will be encouraged. Development must not risk the integrity of internationally, nationally or locally designated wildlife and landscape sites. Development proposals should protect the residential amenity of neighbouring properties and new dwellings should provide acceptable residential amenity space in accordance with Policy HW1*

The relationship with neighbouring property would be oppressive. The bulk and mass of the proposed building: 7m depth of the house plus an extra 4m set back in the tunnel back (11m in total) with a high gable would result in an over-dominant feature that would adversely affect the amenities of Nos. 35-39. The difference in levels exacerbates the relationship, with the site located approximately 1.5m above neighbours. Having such a large building in an elevated position close to the rear of these

properties will have a significant negative affect upon neighbours' amenities contrary to policies EQ2 Size of garden usable external amenity space approximately 29sqm, 27sqm and 31sqm. Policy EQ2, General Development of the adopted South Somerset Local Plan which requires development proposal to provide acceptable levels of residential amenity space, Policy HW1 which requires private open space to be given full consideration and Policy 7, Housing Types, of the of the adopted Wincanton Neighbourhood Plan, which seek reasonable sized gardens to allow informal play.

## Highways

Mill Street is a quiet street on the edge of Wincanton town centre. The scheme that has been submitted does not satisfy the Highway Authority in respect of all details. This forms a reason for refusal, albeit one that can probably be overcome. But it is clear that the highway authority support the proposal in principle.

The existing lock-up garages and two on-street parking spaces would be lost as a result of the development. The lock-up garages are currently in the same ownership as the Bridge Motors Ltd., the garage that fronts Silver Street. It is surmised that they are used in connection with that business. However, neither the DAS or TS discuss the implications of loss of the garages. Equally, no representations from the Parish Council or local residents relating to the loss of the garages have been received. Representations relate only to the loss of two on street parking spaces. Given the lack of any evidence that the removal of the garages will result in the loss of parking in the area, it is insufficient grounds to refuse planning permission on grounds of loss of garaging.

Proposals for new development are considered in relation to Policy TA6 Parking Standards, which states:-

*Parking provision in new development should be design-led and based upon site characteristics, location and accessibility. The parking standards within the Somerset County Council Parking Strategy will be applied in South Somerset.*

According to the Somerset County Council Parking Strategy Wincanton is designated in being located in an intermediate accessibility zone B (amber) where the optimal level of 2.5 spaces per unit (i.e. 7.5). The proposed provision is 1.5 spaces short of the optimum and involves the loss on-street parking equivalent to two spaces.

The proximity of the site to the town centre facilities, shops and bus hub means that a proposal that provides slightly sub-optimal level of parking cannot reasonably be refused on these grounds. It is also considered unreasonable to withhold planning permission on the grounds that it would involve the loss of on-street parking equivalent to two spaces. The issue is with the design of the frontage parking and its adverse implications for the street scene and character of the area.

The applicant has not included electrical charging points, and is therefore not in compliance with Policy TA1, Low Carbon Travel which states:-

*All new residential development and employment developments in South Somerset should, should subject to general viability: ii. Provide for the charging of electric vehicles with an external charging point of at least 16 amps adjacent to each parking space and within the curtilage of the site. Such charging points should also be provided for garages within the development.*

In the absence of a development proposal that satisfies wider planning policy aims and objectives and delivers sustainable development, the failure to provide on-site charging points, as per policy TA1, forms another refusal reason.

## Conclusion

Residential redevelopment of this garage block is acceptable in principle. But the proposal as currently submitted falls a long way short of what can be considered to be acceptable. The size, mass, scale and material details of the proposal would have significant detrimental effect upon the character of the conservation area and the amenities of neighbouring residential property. In addition the level of external amenity space proposed is inadequate for three bed, family sized dwellings. As such the proposal is contrary to policies EQ2, and EQ3, of the South Somerset Local Plan.

## **RECOMMENDATION**

Refuse for the following reasons:

### **SUBJECT TO THE FOLLOWING:**

01. The proposal development is located on higher land directly to the south east of established residential property. Owing to its close proximity to the boundary and its depth and height the proposal would result in an unacceptable level of overshadowing to the rear of those properties, adversely compromising their amenities. As such the proposal would be contrary to policy EQ2, General Development, which requires development proposal to protect the residential amenity of neighbouring properties.
02. The proposed houses by reason of: their form and design would not safeguard and enhance the character and local distinctiveness of the Wincanton conservation area. As such the proposal would be contrary to policy EQ3, Historic Environment, and Policy EQ2 General Development, of the adopted South Somerset Local Plan, which requires all proposals to conserve and enhance heritage asset and be of high quality and Policy 2, key buildings and spaces of the adopted Wincanton Neighbourhood Plan, which requires all development in the town's conservation areas to preserve and enhance their character and appearance; and paragraphs 64 and 131 of the NPPF.
03. The proposal fails to provide adequate external amenity space, of a regular size and configuration, for three bed family dwellings. As such the proposal is contrary to Policy HW1, Provision of open space, outdoor playing space, sports cultural and community facilities in new development, and Policy EQ2, General Development of the adopted South Somerset Local Plan which requires development proposal to provide acceptable levels of residential amenity space and Policy 7, Housing Types, of the of the adopted Wincanton Neighbourhood Plan, which seek reasonable sized gardens to allow informal play.
04. The proposed new residential development does not include 16amp electric charging points and, as such, does not contribute positively towards low carbon travel as required by Policy TA1ii of the adopted South Somerset Local Plan and paras 93 and 94 of the NPPF.
05. In the absence of details demonstrating how the design of Mill Street, following the loss of on-street parking, and visibility splays for vehicles and pedestrians can be satisfactorily accommodated, the proposal is considered contrary to policies TA5 and TA6 of the South Somerset Local Plan.

### **Informatives:**

01. This decision relates to the following drawing Nos. 703/BL1a; 703/BL1; 604/S01a; 703/01; 703/02; 703/03 and 703/04 received 05 April 2018.
02. It may be possible to address refusal 4 and 5 by the provision of additional information and or minor alterations to the submitted scheme.

03. In this case there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.
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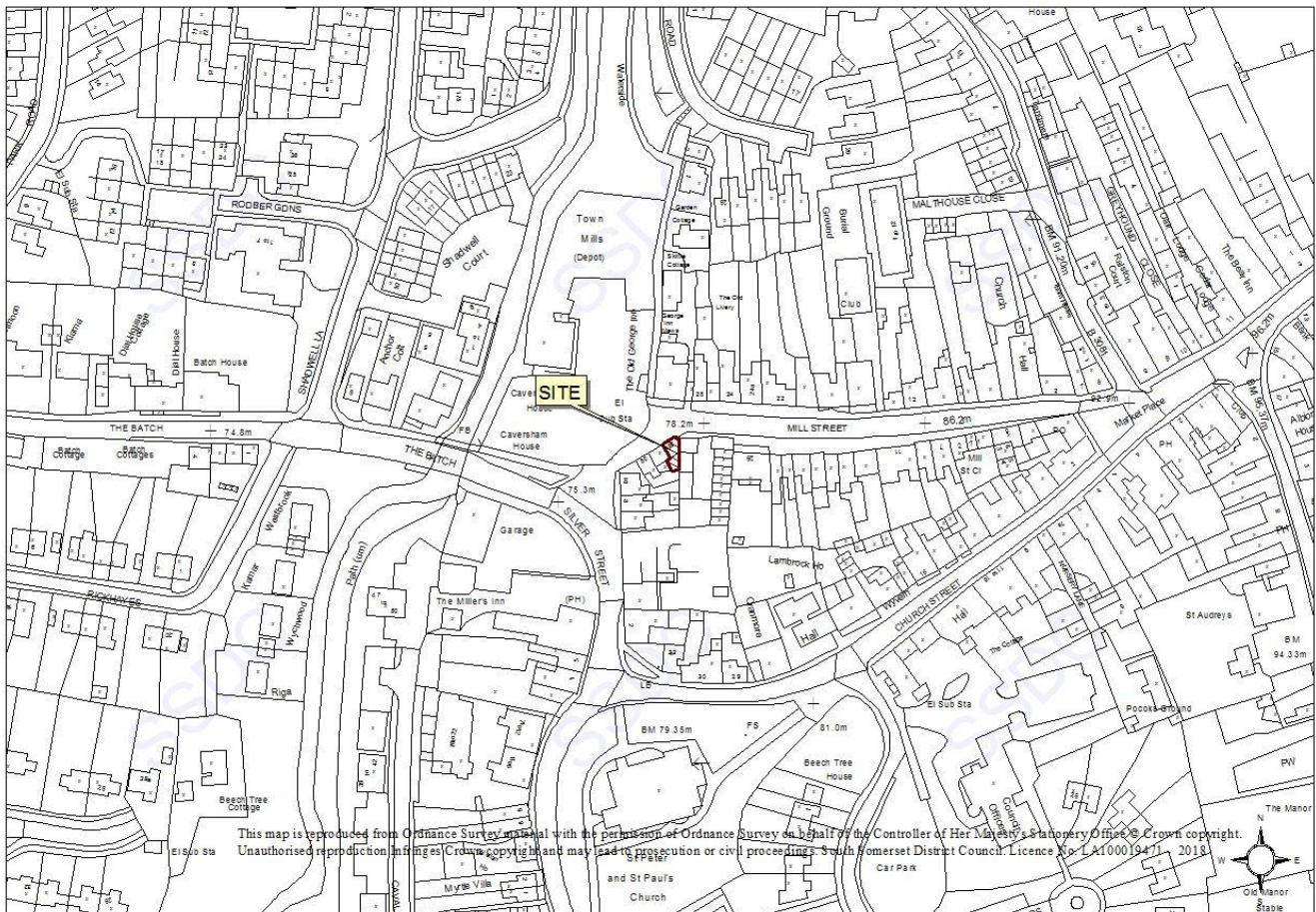
# Agenda Item 14

## Officer Report On Planning Application: 18/00943/FUL

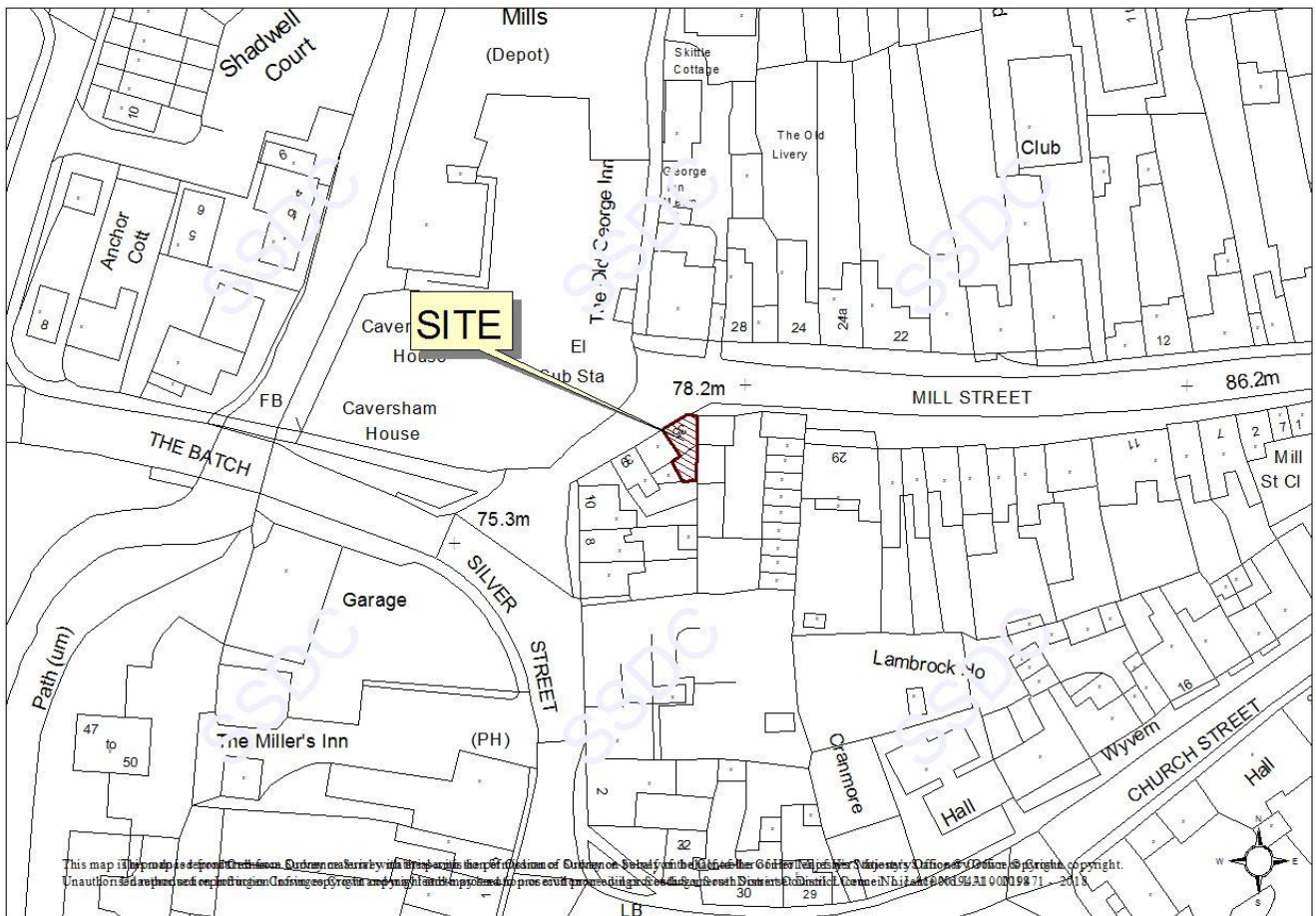
<b>Proposal :</b>	The erection of a rear single storey kitchen extension
<b>Site Address:</b>	35 Mill Street Wincanton BA9 9AP
<b>Parish:</b>	Wincanton
<b>WINCANTON Ward (SSDC Member)</b>	Cllr Nick Colbert Cllr Colin Winder
<b>Recommending Case Officer:</b>	Jeremy Guise Tel: 01935 462645 Email: jeremy.guise@southsomerset.gov.uk
<b>Target date :</b>	31st May 2018
<b>Applicant :</b>	Mr Colin Williams
<b>Agent: (no agent if blank)</b>	Mr Ian Sing 29 Lower Street Rode Frome BA11 6PS
<b>Application Type :</b>	Other Householder - not a Change of Use

This application has been called to East Area Planning Committee at the request of ward member and with the agreement of the chairman, to allow assessment of residential amenity and the provision of residential amenity.

### SITE DESCRIPTION AND PROPOSAL







No.35 is the easternmost property in a small terrace of three dwellings built on the corner where Mill Street turns into Silver Street.

Traditionally the property had only a very small rear yard (approximately 9sqm), but since the demolition of the neighbouring properties (Nos. 31 and 33 Mill Street) in the 1960's the premises has been extended to the east with a utility room and 'a small non private garden space to one side' (para. 1ii of Design and Access Statement). Currently this is in the same ownership as the neighbouring lock-up garage site.

Mill Street is one of the oldest streets in Wincanton. Its' listed buildings and historic features make a significant contribution to the character of the conservation area. Topographically levels rise quite steeply from the west towards the town centre in the east, with the neighbouring lock-up garage site on artificial land to the east.

Planning permission is sought for the erection of a rear single storey kitchen extension. Plans show a small flat roofed brick extension of approximately 2.5sqm in size.

The application is accompanied with a Design and Access Statement prepared by Lerner Sing Ltd, the applicant's agent. It acknowledges, in the constraints section, the links between the site and the area to the east, where No.35s existing utility room is located: and a requirement to provide a side access to the rear of No.35. It states, in relation to 'The brief'

*The brief from the client was to prepare a scheme to replace the side extension (which is to be demolished for new 3no. dwelling scheme to the east side of the house) with a new rear extension to enlarge the existing kitchen.*



There is a parallel application ref. 18/00942/FUL for the demolition of single storey extension at 35 Mill Street and two thirds of garage block along with stone boundary walls. The erection of 3 dwellings on land & garages off Mill Street, Wincanton. That application is pending determination

## **HISTORY**

Ref. 63085 Erection of eight private lock-up garages and the formation of vehicular access - conditional approval 27/08/1963

Ref.63085/A Erection of a block of nine private garages and the alteration of an existing access - conditional approval 08/11/1966

## **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).

The policies of most relevance to the proposal are:

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

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

### **National Planning Policy Framework**

Chapter 7 - Requiring Good Design

Chapter 12 - Conserving and Enhancing the Historic Environment

### **Other Material Considerations**

Somerset County Council Parking Strategy

Wincanton Neighbourhood Plan 2018-2028

## **CONSULTATIONS**

**Wincanton Town Council** - Recommends approval.

**County Highway Authority** - No observations

**SSDC Highways Consultant** On the basis that the site is located in the town centre within easy / comfortable access to nearby public car parks, no highways objections are raised.

**SSDC Environmental Health** - Have no comments in respect of this application.

## **REPRESENTATIONS**

One letter of general support received from the occupier of a neighbouring property at No.37 Mill Street. It appears to be primarily concerned about the parallel application to develop three houses on the neighbouring site to the east (ref. 18/00942/FUL) but does state *that these developments will have a*

*detrimental effect on my property.*

## **CONSIDERATIONS**

### **Principle of Development**

Historically No.35 Mill Street, like its neighbours at Nos 37 and 39, has been built on a very small piece of land at the western end of Mill Street, where it turns the corner into Silver Street. The rear yards of Nos. 8 and 10 Silver Street extend eastwards leaving Nos 35-39 Mill Street with very little external amenity space. As a result of this constraint No.35 has been extended into the site of the former No.33 Mill Street, following the demolition of Nos 33 and 31 Mill Street and development of 9 lock up garages during the 1960s. An attached utility room has been built on part of the site of No. 33 Mill Street and part of the site separated off to form a garden for No. 35. This currently forms the main external amenity space for No.35.

The proposal would involve the removal of the utility room and loss of the garden space created from the site of No.33 and an extension to the existing kitchen of No. 35. It would also involve a small extension into the remaining space, diminishing it still further, from approximately 9sqm to 6.5sqm. The dwelling would be left with very little external amenity space. The proposal is therefore detrimental to its amenities.

In the absence of an overarching case, demonstrating that the loss is necessary to secure an acceptable comprehensive redevelopment of the neighbouring lock -up garage site, the proposal is considered unacceptable and contrary to EQ2, of the adopted South Somerset Local Plan which seeks the creation of quality spaces that make efficient use of land in regard to the local area character and site specific characteristics.

### **Visual and Residential Amenity**

The proposed flat roofed, single storey extension is small 2.5sqm, inconspicuous and only really visible to the neighbours. Given the restricted size of the immediate neighbour's rear yard and the close relationship of the properties, it would contribute towards the sense of enclosure for the neighbour. But cognisant of the provisions of the General Permitted Development Order (GPDO) it is not considered that there is reasonable justification to refuse planning permission for the extension either on grounds that it would adversely impact upon the visual amenity of the property or the residential amenity of neighbours.

### **Highways**

The proposal involves no increase in the number of bedrooms available at the property, and no alteration to the existing parking arrangements. Although in the same ownership it is not apparent that the occupiers of No.35 have, or have in the past had, use of any of the lock up garages on the adjacent site. Consequently it is not considered that the proposal would alter, for the better or worse, the existing parking situation in the area and no highway objection is sustained to the proposal.

### **Conclusion**

The proposal would involve the loss of almost all the existing external amenity space associated with the dwelling house. In the absence of an overarching case demonstrating that the loss is necessary to secure an acceptable comprehensive redevelopment of the neighbouring lock up garage site the proposal is considered unacceptable and contrary to EQ2, of the adopted South Somerset Local Plan.

## **RECOMMENDATION**

Refuse for the following reason:

**SUBJECT TO THE FOLLOWING:**

01. The proposal would involve the loss of almost all the existing external amenity space associated with the dwelling house and as such is detrimental to its overall amenity. In the absence of an overarching case, demonstrating that the loss is necessary to secure an acceptable comprehensive redevelopment of the neighbouring lock up garage site, the proposal is considered unacceptable and contrary to EQ2, of the adopted South Somerset Local Plan.

**Informatives:**

01. This decision is based upon the following plans: 703/BL1a; 703/BL1; 604/S01a; 703/01; 703/02; 703/03 and 703/04 received 05 April 2018.
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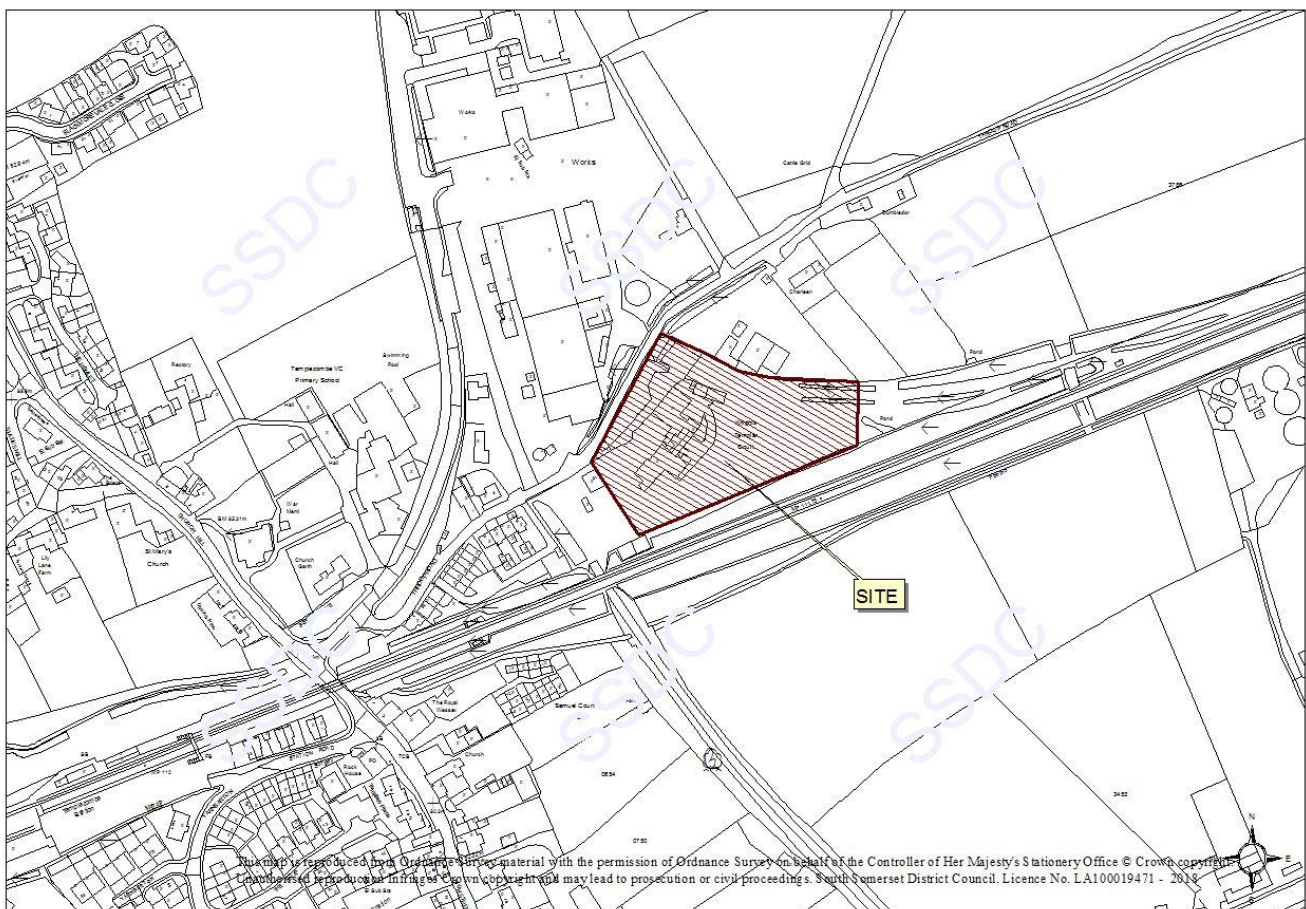
# Agenda Item 15

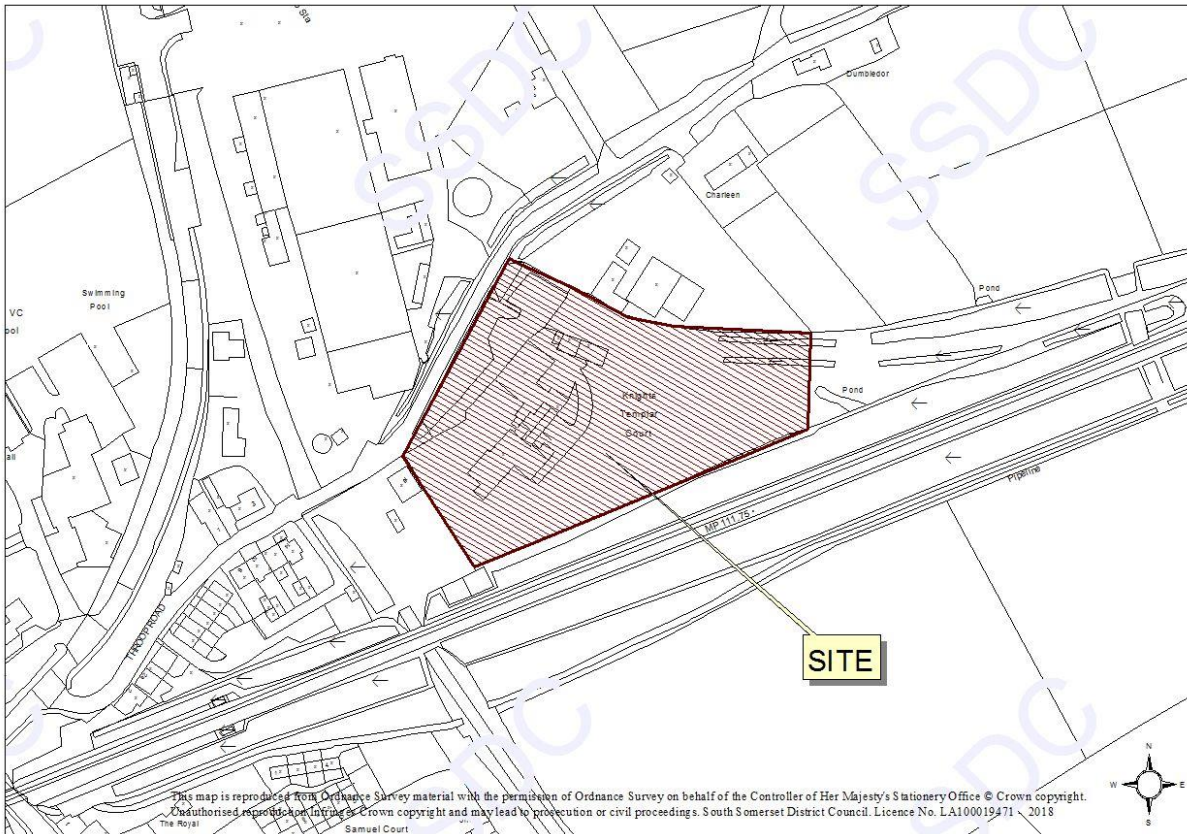
## Officer Report On Planning Application: 18/00650/OUT

<b>Proposal :</b>	Demolition of the existing buildings and the erection of 19 No. dwellings with associated access and parking (outline application)
<b>Site Address:</b>	Knights Templar Court Nursing Home Throop Road Templecombe
<b>Parish:</b>	Abbas/Templecombe
<b>BLACKMOOR VALE Ward (SSDC Member)</b>	Cllr William Wallace Cllr Hayward Burt
<b>Recommending Case Officer:</b>	Jeremy Guise Tel: 01935 462645 Email: jeremy.guise@southsomerset.gov.uk
<b>Target date :</b>	18th June 2018
<b>Applicant :</b>	Lawsh One Ltd
<b>Agent: (no agent if blank)</b>	Mr Chris Miell Pure Town Planning Suite 7 Pine Court 36 Gervis Road Bournemouth BH1 3DH
<b>Application Type :</b>	Major Dwlg 10 or more or site 0.5ha+

This application has been called to East Area Planning Committee at the request of ward members and with the agreement of the chairman, due to the size of development, objections and concerns about highway access and compliance with policy TA5.

### SITE DESCRIPTION AND PROPOSAL





The application site is a roughly triangular shaped piece of land, accessed from the west off Throop Road. It is approximately 0.93ha in size, located in a 'bowl' of lower land to the north of the London Waterloo to Exeter railway line and on the eastern fringes of Templecombe.

The site has been vacant since June 2017, but was previously occupied by the Knights Templar Court Nursing Home and its' landscaped grounds (Use class category C2). The nursing home premises comprises of: a late eighteenth / early nineteenth century stone built house, in the centre north of the site, and a series of linked modern extensions located mainly in the south east. There's a brick built outbuilding dating from the late nineteenth century located immediately to the rear of the stone house, otherwise the landscaped grounds are interspersed with a number of small ornamental and garden trees. These are concentrated along the railway embankment that rises to the south and, in the form of a line of tall, dense firs adjacent to Throop Road that screen the industrial buildings to the north.

The surrounding area is mixed character. There is residential property to the west, including No.18 the neighbour immediately to the west, whose garden abuts the western boundary and has windows that outlook onto the site. To the north west, screened by the firs, is the Thales factory complex whilst to the north east the track bed of former railway line defines the site.

Outline planning permission is sought for the demolition of existing buildings and the erection of 19 dwellings. The application is submitted in outline at this stage with the principle and access to be considered at this stage leaving appearance, landscaping layout and scale to be considered at the reserved matters stage, should planning permission be granted.

An illustrative plan showing two small terraces in the centre and pairs of detached and semi-detached in the north of the site accompanies the application.

The application is accompanied with a suite of supporting documents: planning statement prepared by Pure Planning; a Transport Statement Prepared by JPC Highway Consultants, and an Extended Phase

1 Habitat Survey prepared by Abbas Ecology. The planning statement concludes and summarises the case as follows:-

*The application seeks outline planning permission with some matters reserved for the erection of up to 19 dwellings with associated access and parking in Knights Tempar Court , Troop Road, Templecombe.*

*The LPA do not have a 5 year housing supply and therefore the presumption in favour of sustainable development has been triggered and existing policies relating to the supply of housing are out-of-date. The site is located within a rural settlement, which is considered an appropriate location for additional residential development*

*The proposal would deliver economic, social and environmental benefits through the reuse of previously developed land and provision of on-site affordable housing and therefore is considered to represent sustainable development.*

*The indicative plans show that a proposed could be delivered which would integrate satisfactorily with the character and appearance of the area, whilst protecting against harm to the amenities of neighbouring properties and highway safety .*

*The applicant therefore considers there are no adverse impacts to the scheme and certainly none which would significantly and demonstrably outweigh the benefits of the proposed planning consent.*

The existing stone house is attractive and makes a positive contribution to the character of the area. It can be considered as an undesignated heritage asset.

During the course of consideration of the applicant's agent has been asked to consider whether it can be retained and incorporated as a feature into the proposal.

The applicant's agent has declined to retain the building for the following reasons:-

- *The existing property suffers from damp and repair work would be very expensive.*
- *The existing property has uneven floor levels and low head height throughout the building therefore would be likely inappropriate for occupation by disabled and elderly occupiers.*
- *The existing property has been heavily internally and lacks heritage value.*
- *The modern external alterations also detract from the site's heritage value. In our view, if the building had significant heritage value and was in good order, given its age, it would have been statutory listed by Historic England.*
- *If the building was retained, the garden areas for the converted units would be north facing, this is something we've tried to minimise with our layout. I note that the climate change mitigation officer sought to minimise north facing gardens within her consultation response.*
- *The converted units would be cramped and provide a poor standard of living for occupants and the development would unlikely to meet the Government's minimum space standards.*
- *The conversion of the building would significantly increase development costs, which may impact on the scheme's viability and the provision of much needed new-build affordable housing.*

## **HISTORY**

Ref. 06/02840/OUT Erection of 20 bed extension to care home conditional planning permission granted 20/10/2006 (Not built)

Ref. 02/00826/FUL The demolition of outhouse and erection of two storey extension conditional planning permission granted 29/04/2002

Ref. 01/02501/OUT The erection of a two storey 20 bedroom nursing home (renewal) conditional



planning permission granted 9/11/2001

Ref. 98/00728/OUT The erection of a two storey 20 bedroom nursing home (renewal) conditional planning permission granted 16/10/1998

Ref. 94/02199/OUT The erection of a two storey 20 bedroom nursing home (outline renewal) conditional planning permission granted 31/03/1995

Ref. 90/02519/OUT Erection of two storey 20 bedroom nursing home conditional planning permission granted 02/05/1991

Ref. 90/02518/FUL The erection of a single storey extension to elderly persons rest home /nursing home conditional planning permission granted 09/05/1990

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 6, 7, 8 and 11 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).

The policies of most relevance to the proposal are:

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

Policy SD1 - Sustainable Development  
Policy SS1 - Settlement Strategy  
Policy SS2 - Development in Rural Settlements  
Policy SS7 - Previously Developed Land  
Policy EQ1 - Addressing Climate Change in South Somerset  
Policy EQ2 - General Development  
Policy EQ3 - Heritage  
Policy EQ4 - Biodiversity  
Policy TA5 - Transport Impact of New Development  
Policy TA6 - Parking Standards  
Policy HG3 - Provision of Affordable Housing  
Policy HG5 - Achieving a Mix of Market Housing  
Policy HG6 - Care homes and specialist accommodation

### **National Planning Policy Framework**

Chapter 6 - Delivering a wide choice of high quality homes  
Chapter 7 - Requiring Good Design  
Chapter 8 - Promoting healthy communities  
Chapter 11- Conserving and enhancing the natural environment

### **Other Material Considerations**

Somerset County Council Parking Strategy

## **CONSULTATIONS**

**Abbas /Templecombe Parish Council** - Members discussed the applications and made the following observations-

- There seemed to be some inconsistencies with regard to mains sewer or septic tank. The application refers to main sewer but previous applications on the property refer to septic tank. It is believed that the sewage is pumped from the site to the main sewer. It is acknowledged that pumping stations are now owned and managed by Wessex Water.
- It was felt that the loss of the property as a care home is detrimental in view of an aging population and a shortage of care homes.
- Density of dwellings. Expansion is welcomed but not to this density and It is noted there are only three affordable dwellings included in the application.
- Access to site is restricted currently by parked vehicles and there is no inclusion of a footpath from the site.
- No prior public consultation.
- It is noted that Doctor's Surgery and School is now full and there is no pub. It is questioned whether the infrastructure could cope. Under the Local Plan Templecombe are committed to 108 properties, taking into account the Slades Hill development and current development in the Village of 25 properties that leaves a total of 8 outstanding
- It is felt there is natural growth in the Village, is there a market for a further increase in the capacity of properties?

The following response is submitted:-

The Members have reservations on the number of properties. The Parish Council are concerned with both the density of the dwellings within the site, the fact that only three affordable dwellings would be generated as a result of the inclusion of former dwellings on the site in the overall calculation and also the limited space for additional visiting traffic to the site in addition to any residents cars. The number of properties would have an impact on the Village infrastructure and it is felt access to and from the site is not adequate. The Parish Council are concerned that the development would need to be accessed down a narrow lane with poor visibility and a small bridge and further restricted by existing on road parking and where there is no footpath linking the proposed site to the rest of the Village in order to encourage anything other than private vehicle access. It is also considered that the sewage system may not be sufficient for an application of this extent. It is considered that the application is currently in an inappropriate form.

**County Highway Authority** - The applicant should be aware that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC). This will include any private roads/drives that serve more than 2 dwellings.

The planning application is for 19 dwellings on a site with the existing use of a nursing home. According to TRICS, the average dwelling generates 6-8 vehicle movements per day, which would represent approximately 152 vehicle movements per day. This likely will represent an increase in the level of vehicle movements.

Throop Road, has a 20mph speed limit in place and from my onsite observations, it was apparent that vehicle speeds were consistent with this. It must be remembered that although narrow along this stretch, there is an existing class use that would generate its own level of vehicle movements.

The access to the site is already in place and it must be noted that although the access onto Throop Road from the proposal is not ideal due to the restricted visibility to the North East, Throop Road is a not through road serving existing dwellings and farms and it is likely that there will not a significant level of vehicle movements from this direction. Again, it must be remembered that the site has an existing use that would generate vehicle movements already.

The applicant has provided an indicative layout of the internal layout and in its current form, the internal roads are not to an adoptable standard. Should that applicant wish for the internal roads to be adopted



then before any future submission the applicant should consult with 'Estate Roads in Somerset - Design & Guidance Notes' to establish these requirements. As already mentioned, the applicant should be made aware that it is likely that APC will apply.

The parking levels will be dealt with at the Reserved Matters Stage of this planning application however, these would need to be in line with the Somerset Parking Strategy (SPS). Templecombe is in Zone B of the SPS and for a 1 bedroomed dwelling 1.5 spaces would need to be provided, for a 2 bedroomed dwelling, 2 spaces provided, for a 3 bedroomed dwelling 2.5 spaces provided and for a 4 bedroomed dwelling 3 spaces provided. The SPS also sets out the appropriate level of bicycle parking that must be provided where there should be sufficient space for one bicycle per bedroom. Electric Vehicle Charging points must also be considered as well as any garage dimensions which for a single garage are 3x6 metres and for a double garage 6x6 metres.

The applicant should note that it is an offence for water or detritus to be discharged onto the highway under the Highways Act (1980) and water must not be allowed to be discharged under any circumstance. The applicant must not also assume that connections to any existing highway drains and gullies can be made. Should the applicant wish to use soakaways, then these must be located more than 5.0m from any existing or proposed highway.

Taking the above into account, the Highway Authority does not wish to raise an objection to the planning application, subject to an appropriate Travel Plan being secured within the S106 legal agreement.

**SSDC Highways Consultant** On the basis that the site is located in the town centre within easy / comfortable access to nearby public car parks, no highways objections is raised.

**SSDC Housing Development Officer (Rural)** - Policy requires 35% affordable housing; the new Strategic Housing Market Assessment (SHMA) published in October 2016, indicates a split of 80:20 social rent: intermediate product. Taking into account the vacant building floor space already detailed in the planning application, I concur with the calculations detailed which equates to 3.35 units. We will count this as 3 units which we would expect to be provided for social rent and the remaining 0.35 of a dwelling to be provided as a commuted sum.

I would like to propose the following property mix:

2 x 1 bed house/flat/bungalow	(2 person)
1 x 2 bedroom house or bungalow	(4 person)

I would expect the affordable units to be pepper potted throughout the site, that the units are developed to blend in with the proposed housing styles and prefer the dwellings to be houses/bungalows or if flats have the appearance of houses.

These affordable dwellings will form an integral and inclusive part of the layout.

I have detailed below our prevailing minimum internal space standards which should also be adhered to:

1 bedroom flat	2 Person	47 sqm	
2 bedroom flat	4 Person	66 sqm	
2 bedroom house	4 Person	76 sqm	(86 sqm if 3 storey)
3 bedroom house	6 Person	86 sqm	(94 sqm if 3 storey)
4 bedroom house	8 Person	106 sqm	(114 sqm if 3 storey)
4 bedroom parlour house	8 Person	126 sqm	(134 sqm if 3 storey)

We would expect the s106 agreement to contain appropriate trigger points to guarantee that some of the affordable housing provision is delivered in the event that the site gains permission but is only ever

partially built out.

The s106 should also include a schedule of approved housing association partners for delivery of the affordable units: Livery Housing; Magna Housing; Stonewater Housing and Yarlinton Housing Group.

**SSDC Environmental Health** - Have no comments in respect of this application.

**SCC Archaeology** - As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds

## **REPRESENTATIONS**

A petition style letter of has been received from six neighbouring properties in Throop Road and a letter. The letter does not raise objection in principle to residential re-development of the site raises objections / concerns about the proposal on the following grounds:-

- Throop Road is single lane, unsuitable for more traffic.
- Two parking spaces per dwelling is insufficient provision. Visitor / delivery vehicle parking not considered.
- Will add to pressure on junction Throop Road with A357 from Thales and the primary school.
- Concern about the effect upon limited services in Templecombe - school shops public house
- Could be problems connecting to a sewer.
- This site would be a great loss to our community as it is and has been the only old folks/nursing home in the immediate vicinity.
- The surrounding roads, Throop Road and School Lane and the main A357 are a hive of activity being used extensively by the local school, church and Thales factory. Hundreds of cars and lorries each day. A development of houses in the planned site would add a great strain on this area especially as we have no pavements in Throop Road which is very narrow.
- I understand that another proposed development on the entrance to our village for 70 houses has been ongoing for several years therefore further development of this nature cannot be required when no houses have been built i.e. no demand.
- I have lived in Templecombe for 18 years and to my knowledge around 100 houses have been built on brownfield or additional sites during this time. I feel we are at a maximum considering the lack of amenities. We have a railway Station which is great but only one shop/post office. The doctors' surgery is full as is the school.

## **CONSIDERATIONS**

### **Principle of Development**

#### **Planning Consideration**

Given the increasing need for care homes and other specialist accommodation in South Somerset during the plan period 2008-2028 (SHMA quoted para. 10.41 of the Local Plan) concerns about the loss of this care home use are evidenced and understandable. Nevertheless there is no policy to underpin and require their retention. Policy HG6: Care houses and specialist accommodation focuses entirely on proposals for new care homes and is silent on the issue of retention of existing homes.

In such circumstances there isn't a policy framework to require the retention of the existing nursing home. Residential, redevelopment is an acceptable alternative.

The proposal is for 19 dwellings on a site of 0.93ha. This provides for a density of 20.4 dwellings per hectare. A density of 20 units per hectare is well within acceptable perimeters for a site located in a large village with reasonably good services and public transport connections, train station, bus route etc.

As previously developed land, also known as 'brownfield' Policy SS7 - Previously Developed Land is a

relevant consideration. It states:

*The Council will encourage early development of previously developed land. A minimum target of 40% of new development should be on previously developed land and a 5-year land supply shall apply.*

South Somerset District Council (SSDC) Local Plan seeks to concentrate the bulk of new development in existing settlements in order to: take advantage of employment and service opportunities available in these places, minimise the infrastructure investment required across the district and increase the level of self-containment.

Policy SS1, Settlement Strategy, establishes a settlement hierarchy with Yeovil, as the most populous settlement in the district at the top down to named small towns and larger villages. The final paragraph of policy SS1 states:-

*Rural Settlements will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in policy SS2)*

*Policy SS2: Development in Rural Settlements states:-*

*Development in Rural Settlements (not market towns or Rural Centres) will be strictly controlled and limited to that which:*

*-Provides employment opportunities appropriate to the scale of the settlement; and/or*

*-Creates or enhances community facilities and services to serve the settlement; and/or*

*Meets identified housing need, particularly for affordable housing*

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

*Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation.*

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

Para 5.41 states:-

*It is important to ensure that the occupiers of new homes in Rural Settlements are able to live as sustainably as possible by having easy access to basic facilities that provide for their day needs. Therefore, new housing development should be located in those Rural Settlements that offer a range (i.e. two, or more) of the following services, or that provide these within a cluster of settlements:-*

*Local convenience shop;*

*Post office*

*Pub;*

*Children's play area sports pitch;*

*Village hall/ community centre;*

*Faith facility; and*

*Primary school*

Templecombe is a large village which provides a good range of services, but is not a rural centre named in Policy SS1. It therefore satisfies the technical requirements paragraph 5.41.

However, SSDC cannot currently demonstrate a 5 year land supply and policies SS1 and SS2 cannot be considered up to date and awarded full weight in considerations. Where this occurs paragraph 14 of the National Planning Policy Framework (NPPF) comes into consideration

The relevant part states:-

*[14 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking.*

*Where the development plan is absent, silent or relevant policies are out-of date, granting permission unless:*

*Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;*

*Specific policies in this Framework indicated development should be restricted.*

NPPF Para 111 'Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield Land) provided that it is not of high environmental value. Local Planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.

The indicative layout submitted with the application adequately demonstrates that the amount of development applied for can be accommodated on the site. The layout has a number of weaknesses in terms of use of garage courts, relationship to the neighbouring house and efficiency of the road arrangements, but there is scope within the available space to resolve these issues at the reserved matters stage.

Policy HG3, Provision of affordable housing, sets a housing target of 35% affordable housing units for developments of over 6 dwellings or 0.2ha in rural settlements.

The Parish Council's disappointment that only 3 (16%) of the proposed 19 dwellings are proposed as affordable units is understood and shared. However, the 'Vacant Building Credit', cited by the applicant's agent as justification for this, is a material planning consideration, brought in by the government to promote the re-development of vacant brownfield sites. A section 106 legal agreement to secure the provision of three affordable units and a financial contribution of 1.5% (16%+1.5%=17.5% affordable housing which represents 35% affordable housing divided by 2 - the Vacant Buildings Credit)

At this outline application stage the mix of house types and sizes is unknown. The Council wishes to see a mix of market house types and sizes that reflect its Policy HG5 objectives. Policy HG5, Achieving a mix of market housing states:-

*A range of market housing types and sizes should be provided across the district on large sites that can reasonably meet the market housing needs of the residents of South Somerset. The mix should contribute to the provision of sustainable and balanced communities.*

Paragraph 10.36 of the supporting text makes clear that the requirement is that three quarters of the units in a development should be 2 and 3 bedroom sized units.

A condition to ensure that the dwelling mix reflects these requirements is considered appropriate at this outline application stage.

### **Visual Amenity**

The site is currently occupied by buildings associated with the former residential care home use: the original house, dating from the late 18th early 19th Century, and modern extensions. There is also a brick outbuilding situated on the north eastern side of the site which appears to have been used for storage.

The modern extensions and outbuilding are of little architectural merit, but the original house is visually quite pleasant and could be considered an undesignated heritage asset. Stripped of its modern and refurbished it has some merit and could become a centrepiece linking the proposed residential development to its past. This has been suggested to the applicants agent, and considered. The response is that many of the internal fittings have been removed and the building is in a poor state of repair. The applicants do not want to retain it. As an undesignated heritage asset it can't be retained, short of nomination for listing. The building is not considered to be of sufficient merit to justify nomination for listing. It is therefore accepted that it can be demolished.

The site sits in a 'bowl' of lower land and is inconspicuous from the wider area. The Exeter to Salisbury rail line railway embankment cuts off all views to the south. There will be glimpses of the site through the embankment trees from passing trains. Troop Road continues beyond the site entrance on higher land to the north. Currently views into the site from this direction are screened by a line of thick fir trees. But even if these were subsequently to be removed, the wider landscape means that there is scope for a quality design to come forward without many constraints.

The illustrative plan that accompanies the application is considered to have several weaknesses. The layout could be improved resulting in larger gardens and less road space; parking could be better related to existing property and the relationship with the closet neighbour could be better. But it is only illustrative, intended to demonstrate that the quantum of development sought can be accommodated on the site. Further details, including layout, design and appearance, would need to be submitted, considered and approved at reserved matters stage should this outline proposal be permitted. In that respect, the illustrative plan is considered to be fit for purpose. It adequately demonstrated that the amount of development can be accommodated on the site and provides a framework for a more detailed design at reserved matters stage.

The usual suite of conditions attached to an outline permission requiring submission and approval is recommended.

As such, the impact on visual amenity is considered to be acceptable in accordance with the policies of the South Somerset Local Plan.

### **Residential Amenity**

There is just one residential property in the immediate vicinity of the site: No. 18 Throop Road. It has windows facing towards the site and the whole of its eastern rear garden boundary. Currently the windows look out onto the tranquil grounds of the former nursing home and the garden abuts the landscaped grounds. Whilst the planning system does not normally protect private views, the aspect of these windows and the quiet character of the rear garden could be compromised by a layout that resulted in building mass close to the boundary or introduced traffic and noise into the area immediately adjacent to the rear garden. However, the proposal is for a relatively low density residential development. There is considered to be scope to design a scheme that addresses these issues. Consequently it is not considered that the proposal would have any significant impact on the residential amenity of any adjoining occupiers in accordance with policy EQ2 of the South Somerset Local Plan.

### **Highways**

The highway authority is satisfied that Throop Lane is capable of coping with the increase in traffic associated with the proposed development and that there is scope within the site to accommodate parking to the appropriate standard for zone B (amber) accessibility area (1.5, 2, 2.5 and 3 spaces - depending on house size in relation to bedrooms). There is also scope to incorporate the low carbon travel provisions - bicycle storage and electric charge points). In terms of sustainability Templecombe is a large village with a train station and regular bus service

As such, it is considered that there will be no adverse impact on highway safety and the proposal is in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

## Conclusion

The loss of the existing authorised care home use is regrettable, but in the absence of a policy framework to require its retention it is not possible to withhold planning permission on the grounds that the proposed use would result in loss of a care home. Similarly, the existing last eighteenth / early nineteenth century house, which forms the core of the disused care home complex and can be considered as an undesignated heritage asset, is not protected by any listed status and can, in the absence of a willingness on the part of the applicant to retain it be demolished.

The site is previously developed land within the settlement boundary of Templecombe. Templecombe is considered to be a sustainable settlement, a large village with a range of facilities and transport connections. Residential development is an acceptable alternative land use to the care home.

The site is approximately 0.93ha in size with few constraints. The development of nineteen units at a density of 20.4 units per hectare is not considered excessive. Whilst there are some reservations in relation to some of the details in the illustrative plan that accompanies the outline application, it does demonstrate that 19 units can satisfactorily be accommodated on the site and provides a robust framework for the drafting and consideration of reserved matters details.

The reduction in the amount of affordable housing, on account of the previously developed land status, is a national provision over which SSDC does not have discretion.

## RECOMMENDATION

Resolve to grant conditional planning permission, in accordance with the condition schedule set out below, subject to:-

- The applicant entering into a Section 106 legal agreement, or equivalent, to:-
- Secure three affordable housing units
- A contribution towards affordable housing
- Travel Plan

01. The principle of residential development on this vacant brownfield site within Templecombe village is considered to be acceptable. The illustrative plan, that accompanies this outline permission, demonstrates that 19 dwellings at a density of 20.4 units per hectare can be accommodated. The proposal utilises the existing access off Troop Road, which is considered capable of serving the proposed development.

Other matters: appearance, landscaping layout and scale are to be considered at the reserved matters stage. As such the proposal is considered to be in accordance with the aims and objectives of Policies SS1, SD1, EQ2, EQ3, TA5, and TA6 of the South Somerset Local Plan and the aims and provisions of the NPPF

## SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 4109/2 unnumbered first floor plan of existing 2883/7B 410/AS10; 4307/01; 4307/02; 4307/03; 4307/04; 4307/05; 4307/07; 4307/08; 4307/09; Unnumbered tree plan and LDS/14649-TP1 received 19 March 2018.

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

02. Details of the layout, appearance, landscaping, and scale (herein after called the 'reserved matter') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: As required by Section 92(2) of the Town & Country Planning Act 1990

03. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiry of three years from the date of this permission or not later than 2 years from the approval of the last reserved matters' to be approved

Reason: As required by Section 92(2) of the Town & Country Planning Act 1990

04. No development shall commence unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
- Construction vehicle movements;
  - Construction operation hours;
  - Construction vehicles routes to and from site;
  - Construction delivery hours;
  - Expected number of construction vehicles per day;
  - Car parking for contractors;
  - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
  - A scheme to encourage the use of public transport amongst contractors; and
  - Measures to avoid traffic congestion impacting upon the Strategic Road Network

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local plan

05. The proposed residential development shall provide a mix of house types and sizes. At least 12 of the 16 market dwellings shall be either 2 or 3 bedroomed units unless otherwise agreed in writing by the Local Planning Authority.

Reason: The Local Planning Authority wishes to ensure that a range of market housing types and sizes are provided across the district as required by Policy HG5: Achieving a mix of market housing of the adopted South Somerset local Plan and paragraph 50 of the NPPF.

06. The proposed new residential development shall include 16amp electric charging points for electric vehicles, accessible to all residences, as required by Policy TA1ii low carbon travel of the adopted South Somerset Local Plan and paras 93 and 94 of the NPPF.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1, low carbon travel, of the adopted South Somerset Local Plan

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, and any successors no development in Classes A, B, C and D of part 1 Schedule 2 shall take place without the prior permission in writing of the local Planning Authority.

Reason: To maintain the aesthetic integrity and residential amenity of the development and preserve the amenities of the neighbouring residential property.

08. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority

in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure satisfactory highways are put in place to serve the development.

09. 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: To ensure satisfactory pedestrian access is provided to every dwelling in the development

10. At the proposed access there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown on the submitted plan. (Drawing No 4307/07). Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: To ensure the provision of a safe access to the development.

11. 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 first occupation and thereafter maintained at all times.

Reason: To prevent its discharge of surface water onto the highway.

12. The development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: To minimise the disruption to neighbouring residences and businesses from construction traffic during the implementation of this planning permission.

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# Agenda Item 16

## Officer Report On Planning Application: 18/01071/S73A \*\*

<b>Proposal :</b>	Section 73a application to vary condition 2 (approved plans) of planning approval 09/03037/FUL to allow for revised plans, to replace on Plot 1 a single storey dwelling with a two storey dwelling.
<b>Site Address:</b>	Land Rear Of 18 To 24 Westcombe Templecombe
<b>Parish:</b>	Abbas/Templecombe
<b>BLACKMOOR VALE Ward (SSDC Member)</b>	Cllr William Wallace Cllr Hayward Burt
<b>Recommending Case Officer:</b>	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
<b>Target date :</b>	3rd July 2018
<b>Applicant :</b>	Mr R Thorner
<b>Agent: (no agent if blank)</b>	Mr Steven Moyse Lake View Lower Charlton Trading Estate Martins Lane Shepton Mallet BA4 5QE
<b>Application Type :</b>	Major Dwlg 10 or more or site 0.5ha+

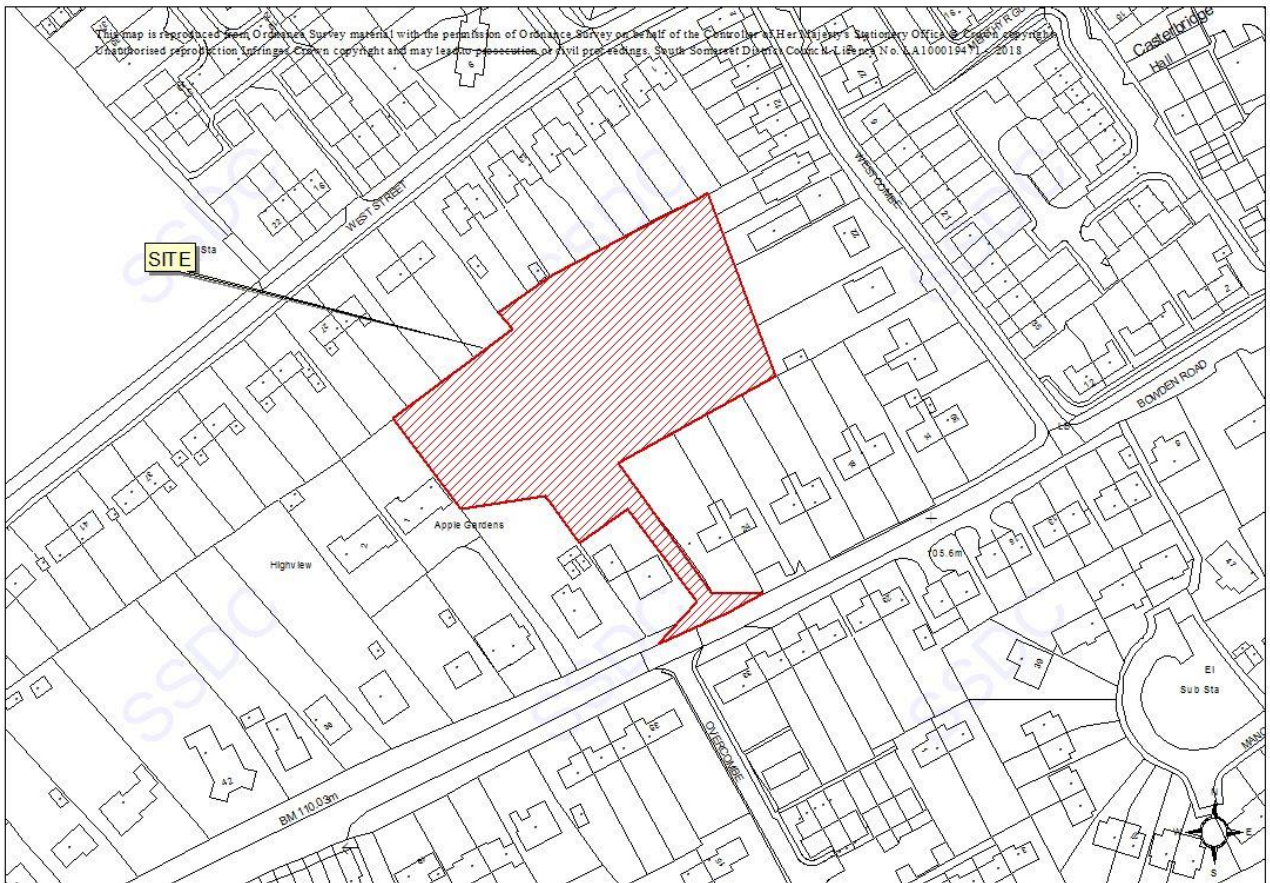
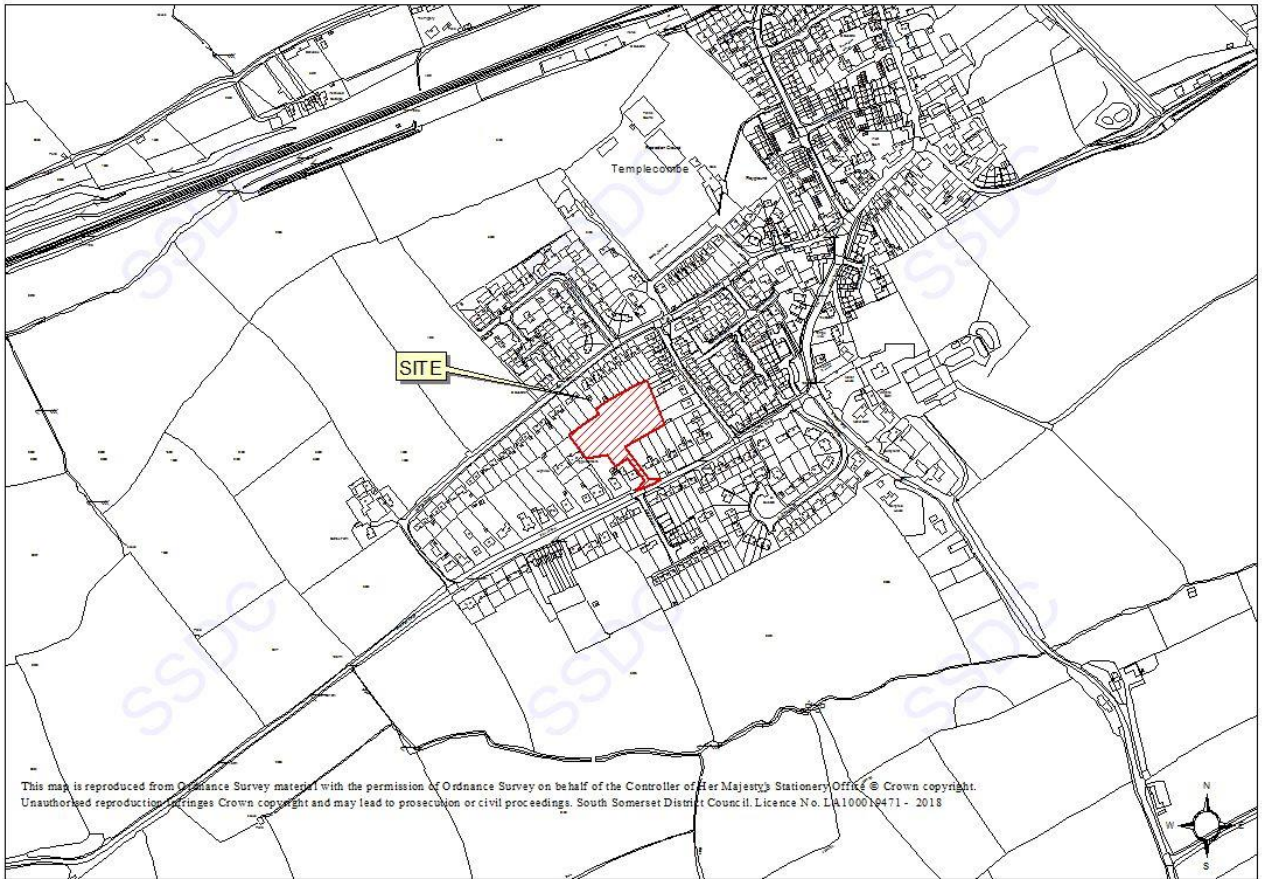
### REASON FOR REFERRAL

The application has been referred to Area East Committee at the request of the Ward Members and with the agreement of the Area Chair to allow the local concerns raised during the course of the application, in particular the impact the proposal will have upon the amenity of surrounding properties, to be considered further.

This application has also been 2-starred under the Scheme of Delegation - referral of applications to the Regulation Committee for determination. In collective agreement with the Leader, Portfolio Holder, Area Chairs, Director (Service Delivery), Monitoring Officer, and Lead Specialist (Planning) all major applications will be 2-starred for the immediate future to safeguard the Council's performance, pending a more substantive review.

The Area Committees will still be able to approve and condition major applications. However, if a committee is minded to refuse a major application, whilst it will be able to debate the issues and indicate grounds for refusal, the final determination will be made by the Regulation Committee.

### SITE DESCRIPTION AND PROPOSAL



This application is seeking to vary the approved plans condition (condition 2) of planning approval 09/03037/FUL, and subsequent Section 73 applications 11/02147/S73 and 16/03330/S73A, in order to amend Plot 1 from a single storey bungalow to a two-storey dwelling. The application follows a previous Section 73 application (17/04047/S73a) which sought to amend Plots 2 and 3 from single storey bungalows to two-storey dwellings. This application was refused earlier this year for reasons relating to harm to neighbour amenity and inappropriate and unusable parking layout.

The original consent for this site was application 09/03037/FUL which granted permission for the erection of thirteen dwellings, which included a mixture of two-storey and single-storey houses. This original scheme has since been varied by two separate Section 73 applications, the first of which was approved in 2011 (11/02147/S73) and permitted amendments to the site plan including changes to the positions of Plots 1, 2 and 3. The second Section 73 (16/03330/S73A) application permitted changes to the approved plans and floor level details in order to address final road and drainage issues and to make some slight changes to the fenestration detailing of a number of the plots.

The works to the development are now at an advanced stage with a number of the approved dwellings now complete and being occupied. The application site is former garden land that belonged to several neighbouring properties. The site is a relatively flat and level with adjacent development and is surrounded by residential properties to all sides including bungalows to the west (known as Collingham Close) immediately to the rear of Plots 1,2 and 3, a bungalow to the north and two-storey dwellings to the east and south. An access road to serve the development runs between 26 and 28 Bowden Road.

## **HISTORY**

17/04047/S73a: Application to vary condition 2 (approved plans) of planning approval 09/03037/FUL, 11/02147/S73 and 16/03330/S73a to substitute with revised plans. Refused at Committee for the following reason:

01. The proposed alterations to plots 2 and 3 would, by reason of their resultant height, size, and position, result in an unacceptable impact on the residential amenity of the occupiers of neighbouring properties by way of overlooking and the resultant loss in privacy, contrary to policy EQ2 of the South Somerset Local Plan (2006-2028) and the policies contained within the National Planning Policy Framework.
02. The proposed alterations to plots and 2 and 3 would, by reason of the increase in size and numbers of bedrooms, result in an inappropriate and unusable parking layout contrary to policies TA5 and TA6 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.

16/03330/S73a: Section 73a application to amend conditions 2 (approved plans) and 9 (finished floor levels) of planning approval 09/03037/FUL following level changes arising from final road and drainage designs. Permitted.

11/02147/S73: Application to vary condition 2 of planning approval 09/03037/FUL (revised site plan). Permitted.

10/02561/FUL: Erection of six bungalows with garages on former garden land (revised application). Pending consideration.

09/03037/FUL: The erection of thirteen dwellings. Permitted April 2010.

08/04307/FUL: Erection of six dwellings on former garden land. Application withdrawn 2008.

06/01540/FUL: Erection of a bungalow with detached garage. Permitted 2006.

05/02627/FUL: Alterations to garages for plots 9 and 10. Permitted 2005.

03/01480/FUL: Erection of twelve dwellings and access road. Permitted 2003.

01/00341/OUT: Erection of fourteen dwellings. Refused 2001.

## **POLICY**

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

SS2 - Rural Settlements

SS6 - Infrastructure Delivery

HG4 - Provision of Affordable Housing - Sites of 1-5 Dwellings

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision open space, outdoor playing space, sports, cultural and community facilities in new development

EQ2 - General Development

EQ4 - Biodiversity

National Planning Policy Framework

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting healthy communities

Part 10 - Meeting the challenge of climate change, flooding and coastal change

## **CONSULTATIONS**

**Templecombe Parish Council:** Object. Made reference to their comments for the previous application namely:

- The replacement of a single storey dwelling with a two-storey dwelling on plot 1 is not acceptable. This will result in the proposed dwelling overlooking the neighbouring property and result in a loss of privacy.
- The Parish Council understood that there was a specific need for bungalows within the area highlighted in advice given for Slades Hill.

**County Highways:** Referred to their standing advice.

**SSDC Highway Consultant:** If the proposed alteration increases the number of bedroom within the dwelling the on-site parking provision should accord with the optimum standards set out in the Somerset Parking Strategy.

## **REPRESENTATIONS**

Written representations have been received from six adjacent households raising the following objections and concerns:

- The development was approved as a mixed development of single and two storey houses, there is now a creep in house heights. The density of the housing is too high for the location and the access road (which is a narrow road onto a narrowish road, opposite a narrow road). Increasing the number of potential residents will make this worse.
- If the property needed to be two-storey then this should have been applied for at the outset.
- The developer has made a mess of 28 Bowden Road's boundary fence.
- A two-storey dwelling would be obstructive and block our view (30 Bowden Road). Despite the changes to the design, with obscure glass windows facing our property and roof windows, our property can still be overlooked.
- The proposed building is encroaching upon our neighbour's land and therefore does not have the required space to be built.
- We hope this will be the last application and shall be glad when all the noise and traffic finally ceases.
- I purchased my property (6 Collingham Close) on the understanding that the left hand of the development would be three detached bungalows (not houses) which was visually acceptable and gave a more open aspect and balance to the small development. Their replacement with two-storey dwellings would make a significant impact both visually and practically.
- The house will block most of the natural light from our garden (28 Bowden Road) from 3pm onwards. We will have no privacy in our garden. The upper rear windows will have clear visibility across one half of our garden and the front windows would have a clear view over the other half. We have had no privacy over the last two years due to builders overlooking our garden. The house will also destroy any outlook we currently have.
- Plot 1 is drawn into our boundary by 1.4m (28 Bowden Road). The developer is summoned in court in November to defend their actions having already destroyed parts of our property. We have a letter from the developers solicitor stating they will not construct a house within our rear boundary, therefore this application is a complete waste of time and resources.
- The land was sold purely on the basis that bungalows would be built here.
- We bought plot 7 due to its proximity to our son who lives at 28 Bowden Road and because it guaranteed to be in line of sight in case of emergency.
- The developer must be made to honour their agreement made years ago when buying the land and build the approved development which we all liked and paid good money to enjoy.

## **CONSIDERATIONS**

Planning permission for the erection of 13 dwellings on this site, including a mix of bungalows and two-storey houses, was granted in 2010 under application 09/03037/FUL. The current application follows several previous Section 73 applications that permitted various minor amendments to the original scheme, including alterations to some of the fenestration details and internal floor levels and agreement of some of the detailed condition details. The application also follows application 17/04047/S73a which sought to amend Plots 2 and 3 from single storey bungalows to two-storey dwellings, however, this application was refused earlier this year for reasons relating to harm to neighbour amenity and inappropriate and unusable parking layout.

The key considerations with regard to this current scheme is the impact the proposal will have upon the visual amenity and the character and quality of the overall development and upon the residential amenities of neighbouring properties and highway safety.

### **Visual amenity**

The approved development comprises a mix of two-storey and single storey dwellings and is surrounded by a mixture of two and single storey dwellings. It is considered that the proposed



amendment to Plot 1 to change it to a two-storey dwelling, will be in keeping with the wider scheme as well as surrounding existing development and to therefore cause no new substantive harm to visual amenity or the character of the area.

### **Residential amenity**

Objections have been raised by both the Parish Council and a number of surrounding householders raising concerns that the proposal will result in harm to neighbour amenity with particular concerns relating to loss of privacy and loss of light to their homes.

The raising in height of Plot 1 will undoubtedly result in it having a more imposing presence to the immediate neighbours than if it were single storey however due to its juxtaposition with surrounding properties and the intervening distance it is not considered to cause any substantive overbearing concerns. It is noted that the occupiers of 28 Bowden Road are concerned that this will adversely affect their outlook and cause them loss of light. Again it is accepted that this will impact on their outlook and may in the height of summer take away a very limited amount of light to their garden close to sunset, however, due to the open aspect to either side of their garden and the fact that Plot 1 sits to the north of them will ensure that the increased height of this unit will not impact on them substantively in this way.

The occupiers of 28 Bowden Road have also raised concern that the revised design and height of Plot 1 will result in loss of privacy to their property, in particular to their rear garden. There are no openings proposed within the south elevation of the new dwelling and as such this revised proposal will not result in any new direct overlooking or loss of privacy issues to this neighbour.

The addition of a first floor does with first floor openings to the front and rear does have the potential to increase overlooking of the private rear garden areas associated with No's 30 and 26 Bowden Road. In regard to No 30, it is noted that there are numerous mature trees (a mix of deciduous and evergreen) growing within their garden along the rear boundary of Plot 1 which blocks much of the view of the far end of No 30's rear garden during the summer months and to a lesser degree in the winter months and in any case does not appear to directly overlook any private seating area. Whilst the proposal will afford some views towards the rear of the house at No 30 these are very oblique and as such are not considered to constitute a demonstrable loss of amenity to this neighbour. With regard to No 26, such views are across a public highway and due to the intervening distance, and oblique nature of the views to the more private area towards the rear of the house, the proposal is also not considered to cause any demonstrable loss of privacy to this neighbour.

Due to the position of the plot, its layout, design and intervening distance this revised proposal is not considered to cause any new demonstrable harm to any other neighbouring property.

### **Parking and highway safety**

The proposed amendments will amend Plot 1 to a three-bedroom house, which under the County Parking Strategy should be served by a minimum of 2.5 parking spaces, i.e. 3 parking spaces. The scheme as initially submitted had a poor parking layout with substandard parking spaces, however, amended plans have since been submitted fully addressing this concern and ensuring that the parking provision and layout accords with the highway authority's standing advice. The proposal is therefore not considered to give rise to any substantive highway safety concerns.

### **Other matters**

There has been a claim that the position of Plot 1 encroaches on to land belonging to the neighbour at 28 Bowden Road, although it is unclear how this is the case as the redline area for the site has not changed from the original application and the dwelling clearly sits within the redline area. It should be noted however that the granting of planning consent does not then grant the right for a development to encroach upon someone else's land without the separate agreement of that third party.



Several neighbours have also objected on the basis that they bought their properties with the understanding that this plot would be single storey. Whilst there may have been legal restrictions of this nature that formed part of the sales agreement for their properties, such restrictions are wholly separate to the planning system and as such should not influence the outcome of this application. It should be noted however that should this application be approved then the resulting permission does not override such legal matters, rather they will still need to be resolved separately between the relevant parties through the appropriate legal channels.

### **CIL (Community Infrastructure Levy) and S106 contributions**

The original 2009 permission included a Section 106 Agreement which secured a financial contribution towards sports, arts and leisure facilities, due to the size of the development and the local plan policies at the time there were no affordable housing obligations. This S106 Agreement is still current and due to the clause set out under paragraph 1.14 it continues to apply to any subsequent amendments or modifications to the original consent, including the current application. The additional floor area that will result from this application, should it be approved, will be liable for CIL. A CIL liability form (Form 0) has been provided with the application.

### **Conclusion**

For the reasons set out above, the proposed amendments are not considered to give rise to any new demonstrable harm to visual amenity, residential amenity, highway safety or other environmental concerns. The application is therefore recommended for approval.

### **RECOMMENDATION**

Grant consent for the following reason:

The proposed development, by reason of its context, density, scale, layout, design and materials, respects the character of the area, causes no demonstrable harm to visual amenity, residential amenity or highway safety and is considered to constitute an appropriate sustainable form of development that accords with the aims and objectives of policies SS2, SS6, TA5, TA6, HW1, EQ2, EQ4 and EQ5 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

### **SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be carried out in accordance with the following approved plans numbered F1325/217S, F1325/205E, F1325/216, F1325/212C, F1325/214C, F1325/215, F1325/200B, F1325/203B, F1325/206C, F1325/207C, F1325/208C and F1325/210C.

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

02. The external wall, roof and chimney materials, the materials and external finish for all external windows and doors, internal and external boundary treatments and surfacing materials for the access drive, paths, turning and parking areas shall accord with those detailed agreed under discharge of condition application 13/00878/DOC, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the character and appearance of the area to accord with policy EQ2 of the South Somerset Local Plan.

03. Prior to any other works commencing in respect of the development hereby permitted the visibility splays shown on drawing no. F1325/217D shall be provided in full and shall thereafter be permanently maintained in this fashion.

Reason: In the interests of highway safety to accord with policy TA5 of the South Somerset Local Plan.

04. 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 to accord with policy TA5 of the South Somerset Local Plan.

05. At the proposed access there shall be no obstruction to visibility greater than 300mm above adjoining road level within the visibility splays shown on the submitted plan F1325/217D, such visibility splays shall be permanently retained and maintained thereafter.

Reason: In the interests of highway safety to accord with policy TA5 of the South Somerset Local Plan.

06. The foul and surface water drainage details to serve the development shall accord with the details set out on drawing number F1325/225B received 29/07/2016, unless otherwise agreed in writing by the local planning authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure the site is adequately drained to accord with policy EQ7 of the South Somerset Local Plan.

07. The development shall be carried out in accordance with the internal ground floor levels set out on drawing number F1325/217S, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential and visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

08. The development shall be carried out in accordance with the landscaping scheme detailed on drawing number J46-01A received 31/01/2013. All changes to existing ground levels and all planting, seeding / turfing comprised in the approved details shall be carried out in the first planting and seeding season following the first occupation of the dwellings or the completion of the development, whichever is the sooner. Any trees or plants 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: To safeguard the character and appearance of the area and to protect the trees on the site subject to a Tree Preservation Order to accord with policy EQ2 of the South Somerset Local Plan.

09. The tree protection measures detailed on drawing number J46/-01A received 31/01/2013 shall be implemented and kept in place until the approved development is completed, unless otherwise agreed in writing by the local planning authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order to accord with policy EQ2 of the South Somerset Local Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

Reason: To safeguard the character and appearance of the area to accord with policy EQ2 of the South Somerset Local Plan.

11. Prior to plot 16 (as identified on drawing number F1325/217D received 19/07/2016) being first brought into use the first floor window in the south elevation shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no openings within the south elevation of Plot 1 without the prior express grant of planning permission.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

**Informatives:**

01. The applicant is reminded that no consent is hereby granted for the installation of Air Source Heat Pumps (ASHPs). If the applicant wishes to install such equipment without the need for planning permission it will need to comply with the requirements of Class G, Part 14, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
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# Agenda Item 17

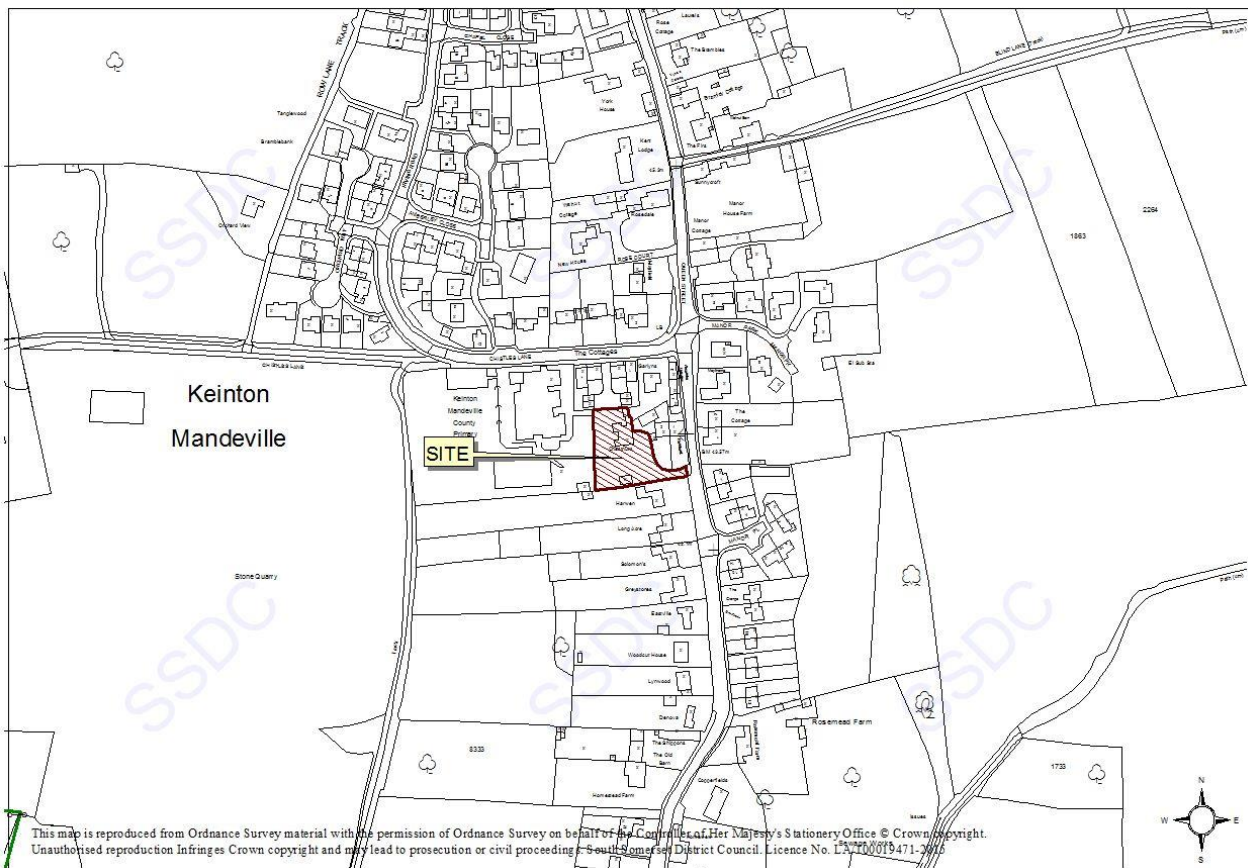
## Officer Report On Planning Application: 17/03797/FUL

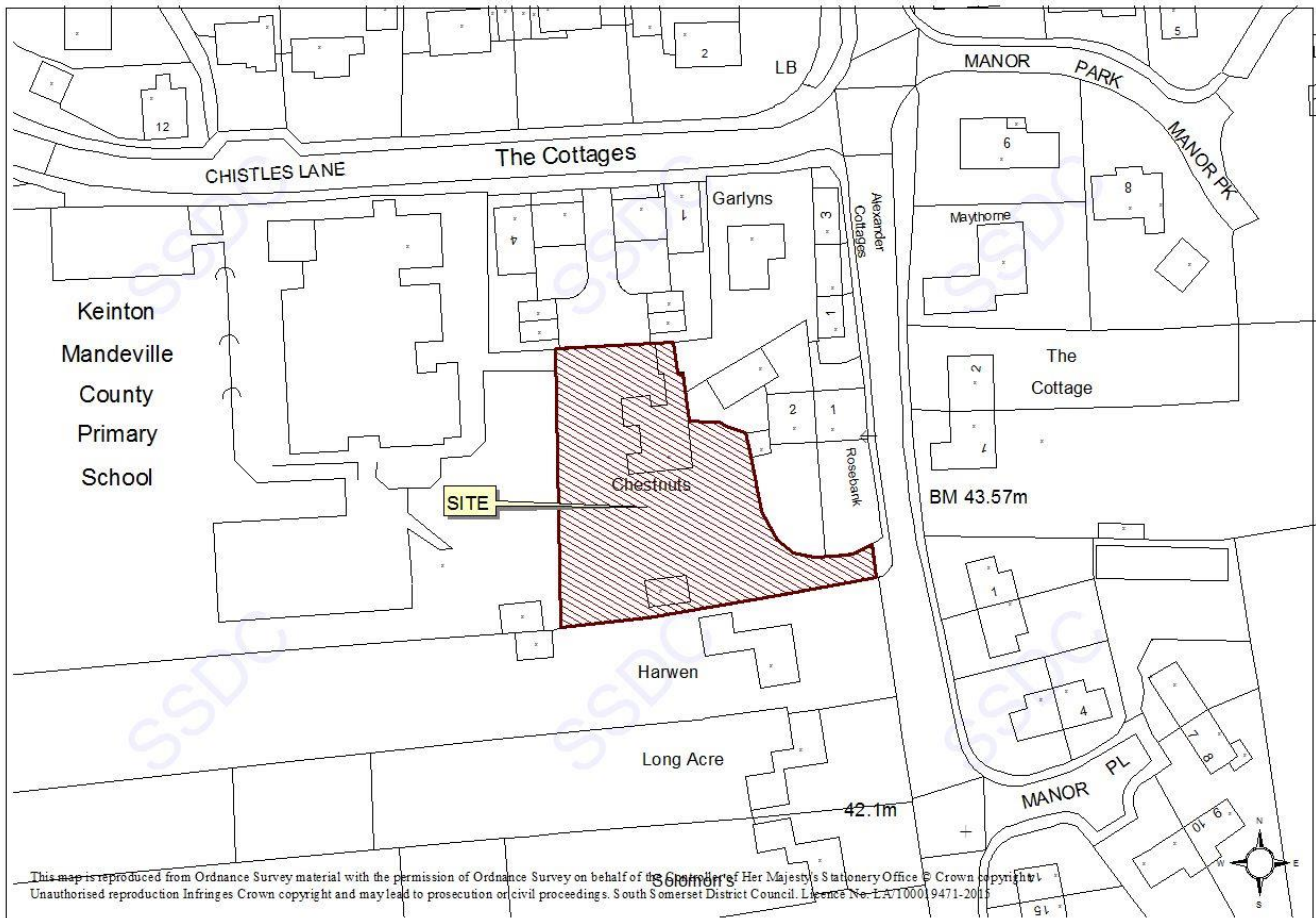
<b>Proposal :</b>	Demolition of existing dwelling and outbuildings and erection of replacement 2.5 storey dwelling with associated detached garage.
<b>Site Address:</b>	The Chestnuts Queen Street Keinton Mandeville
<b>Parish:</b>	Keinton Mandeville
<b>NORTHSTONE (SSDC Member) Ward</b>	Cllr David Norris
<b>Recommending Officer:</b>	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
<b>Target date :</b>	13th November 2017
<b>Applicant :</b>	Mr M Tetstall
<b>Agent: (no agent if blank)</b>	Mr Richard Rowntree Della Valle Architects Lake View Charlton Estate Shepton Mallet BA4 5QE
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL

The application has been referred to Area East Committee at the request of the Ward Member and with the agreement of the Area Chair in order to give further consideration to the concerns raised in relation to the heritage issues and overlooking of the neighbouring school.

### SITE DESCRIPTION AND PROPOSAL





This application is seeking full planning permission for the demolition of the existing dwelling and erection of a replacement dwelling and associated garage.

The Chestnuts is a modest traditional stone built cottage that appears on the 1888 OS map and is considered to be an undesignated heritage asset. There are no conservation areas or Article 4's in Keinton Mandeville. The property is set back from the public highway behind a pair of semi-detached cottages. The property is surrounded on all sides by residential development except to the west where there is a primary school. There is a grade II listed bee house / dove cote within the school grounds which sits alongside the southwest boundary corner of the site within the schools grounds. The garden was in an overgrown state at the time of visiting and there was a mature cedar tree growing close to the southeast corner of the garden. The property is located within flood zone 1.

## RELEVANT HISTORY

None

## POLICY

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

SS2 - Rural Settlement

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

EQ3 - Historic Environment

EQ4 - Biodiversity

National Planning Policy Framework:

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting Healthy Communities

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

## CONSULTATIONS

**Keinton Mandeville Parish Council:** Latest comments - Recommend refusal. Our previous comments stand, the amended plans do not address our previous concerns. The roof terrace still overlooks the school and it would be preferable for the original dwelling to remain.

Objects. In view of the additional information available and the changes to the proposed design the Parish Council agreed to recommend refusal for the following reasons:

- The increased use of render is not in-keeping with the dwelling to be demolished. This change was likely to increase the visual impact of the proposed new dwelling on surrounding properties. Natural stone would be preferable;
- The terrace remains, albeit smaller, and overlooks the school;
- The observations in the conservation officers report, not available at the time of the original consideration, were judged to be significant, and the council would support retention of the existing property if possible.

Initial comments - Recommend approval. Offered the following observations:

- Materials - use of natural stone is positive and desirable. The timber cladding will make the house look smaller which is positive.
- Issue with terrace overlooking the school. The existing hedge is tall enough to obscure this, however the hedge could be easily removed, especially if it blocks sunlight from the terrace.
- Proposed garage is large - concern about residential use in the future, but no objection to use as office space
- Combination of building materials is acceptable
- Height had been queried with the applicant and was acceptable.
- Window in eastern elevation of garage - would be desirable for this to be fixed and obscured, it is questionable whether there is actually a need for this window given the other windows.

**County Highways:** Referred to their standing advice.

**SSDC Highway Consultant:** No significant highway issues on the basis that this development represents a like for like scheme in traffic impact terms. The first 6m of the access needs to be properly surfaced with appropriate drainage measures implemented.



**Ecologist:** The bat survey does not record any bats roosting in the house but due to potential for roosting recommend an Ecological Construction Method Statement. This too has been submitted and therefore recommend a condition requiring the development is undertaken in accordance with the method statement.

**Tree Officer:** By far the most notable tree currently present on-site is the early-mature Yew located close to the access driveway. The proposal aims to sustainably retain the Yew tree by constructing a specially engineered permeable driveway. If consent is to be granted, please consider imposing a condition requiring tree protection measures.

**Conservation Officer:** Latest comments - Recommend refusal.

My views on the Historic Building Assessment prepared by Context One. I have reviewed this document and can provide you with the following comments.

I agree that the building is not 'a fine exemplar of Victorian architecture'. This isn't in question. If the building were so special it would be listed or worthy of an designation request to Historic England to be considered for listing. The criteria for the selection of an undesignated heritage asset must be lower. We don't have a local list here in South Somerset. This is a formal process whereby buildings of local or regional heritage significance are identified, in accordance with an agreed protocol. At South Somerset we identify undesignated heritage assets in a more ad hoc way, and usually record them on the County HER.

The building is relatively intact. It is a good example of a mid to late C19th Keinton Mandeville house, built in good quality local materials, with nice attention to detail. The use of good quality local stone in Keinton Mandeville is itself of value as the growth of the village is a result of the success of the quarries here. The report clarifies that the original roof is still in place. Decorative features are retained such as the barge boards, and front sashes with margin lights. The original planform is identifiable and original fireplaces exist in the principle first floor rooms. Some changes have taken place internally and extensions added to the rear, but these are not so damaging as to detract from what is a relatively intact historic property.

The report unhelpfully refers to a Conservation Area in Keinton Mandeville. There isn't and as far as I am aware never has been a Conservation Area in this village.

I am mindful of the strong views of Save Britain's Heritage, most recently in their letter dated 23.02.18. They object to the demolition of the building, advising that the 'building is of the type that give the village of Keinton Mandeville and surrounding settlements their character... Collections of typical undesignated heritage assets are important to preserve local character'.

I am afraid I must still recommend refusal. I am of the view that the building warrants consideration as an undesignated heritage asset, and that its demolition should weigh heavily against the proposal, in accordance with para. 135 of the NPPF.

Comments in response to the agent's email dated 24/10/17 - In terms of the demolition of the existing building the application needs to include clear justification if we are to support the principle of a replacement dwelling. In the context of paragraph 135 of the NPPF 'the scale of any harm or loss' must be considered severe as the application proposes the full demolition of the existing building, which logically must be considered to cause harm to the significance of the existing building. No case has been made to justify the demolition of the existing building, therefore in accordance with the balanced judgement referred to in paragraph 135 of the NPPF I recommend refusal.

On the basis that a case is made to justify the demolition of the building I still have concerns about the bulk of the proposed dwelling and specific elements of the design. It is interesting to note that the

proposed dwelling will technically only be marginally taller than the existing building. I suggest that its scale is exacerbated by the oversized porch element and large areas of glazing on the front elevation.

If a case cannot be made to satisfy paragraph 135 of the NPPF then I suggest a scheme that sensitively repairs the existing cottage and seeks extension (for which there appears to be plenty of scope to the west) should be looked upon favourably.

Initial comments - Recommend refusal. The site has an historic context that has not been adequately reflected in the submission. The existing house is a pretty mid C19th dwelling, with fine sash windows with margin lights, and decorative barge boards. The east facing gable is readily seen from the road, in context with modest traditional lias cottages. Adjacent to the southwest corner of the site is a listed winter bee house.

The NPPF makes it clear that heritage assets don't have to be designated to be worthy of consideration in developing proposals. The application proposes the demolition of the existing dwelling, which needs to be justified against paragraph 135 of the NPPF. The brief letter included relating to the building's structural condition suggests that there could be structural solutions that will allow the building to be retained. The building appears to be capable of taking a well-considered extension.

The Design & Access Statement should consider the setting of the little Bee House. The proposal includes a large garage building close to it, which will be likely to overwhelm the scale of this protected building. I suggest that a revised location is considered.

Setting these matters aside, I have several concerns with the proposed design. In general terms the building seems significantly over scaled given the scale of the existing building and scale of cottages nearby. Consideration should be given to a more modest two storey form with a lower eaves level and overall height. The huge front 'porch' is a really poor design element that should be removed, as should the diagonal glazing set behind - openings of this form look poor, especially set into a masonry wall. Stone water tabling would be best avoided.

As the application stands I recommend refusal. The submission fails to properly evaluate the setting of the adjacent listed building and justify the demolition of the existing dwelling. The proposed dwelling will cause harm to the character of the area and setting of the listed Bee House.

## **REPRESENTATIONS**

Written representations have been received from five local households raising the following observations and concerns:

- The new house is too big for the site. The huge roof terrace and multi-storey porch are completely out of character with the surrounding houses.
- The terrace will overlook the primary school and presents a potential safeguarding issue.
- My property abuts the site and the level of my garden is at least 1.5m lower than on the Chestnuts side so the height and dominance of the proposed building is magnified.
- The main part of the new house will be 800mm higher than the former building. The extension to the north is approximately the same height as the former house. The main part of the dwelling will extend forward (about half the length of my garden) and will be built 2.5m closer to my boundary considerably blocking the light from the west. The extension to the north will also enfringe on light to my studio where I work. The size of the house is nearly double that of the former one.
- The three windows on this east elevation are to be obscured glass, can this be enforced?
- The plans show my boundary to be just a hedge. At present it is a 6 foot high stonewall along

my boundary but belongs to The Chestnuts, can this be preserved?

- The garage is too close to the dovecote, which is listed, and is too close to our boundary. The garage is too big, concerned that it will be used as a dwelling.
- The new house is also much bigger than the original and will overlook all the neighbouring properties and the primary school.
- Will the boundary wall that borders our garden (Old Paddock / Garlyns) be retained?
- The Chestnuts is a charming period house and makes an important contribution to neighbouring cottages and the streetscene. The application fails to take into account the relationship with the grade II listed beehouse that adjoins the site. The beehouse is one of only two in Somerset and is the only example known in Britain of a beehouse combined with pigeon accommodation. The proposed demolition and replacement dwelling and detached garage will adversely affect the setting of this important heritage asset.
- The loss of The Chestnuts would cause harm to Keinton Mandeville's character, distinctiveness and heritage and the proposed new dwelling will be harmful to the character of the village centre and setting of the listed building, contrary to paragraphs 129, 131, 135 and 137 of the NPPF and policies EQ3 and SS2 of the local plan. There is no justification for the demolition of The Chestnuts.
- The structural engineer's letter shows no substantive link between a cursory description of the property and the list of possible remedial work. Putting a case for the demolition of a period property because more modern construction techniques might provide more energy efficiency demonstrates a lack of care and understanding of the historic built environment and are no reasons to justify the demolition of a period property. There is no inevitability that with appropriate care and repair of this property it would not be mortgagable or insurable.
- A building does not have to be listed to be of local value and importance. This historic building is unique to the village and irreplaceable and makes an important contribution to Keinton Mandeville's local history, identity and sense of place.
- SSDC has a statutory duty to conserve and enhance the historic environment.
- The terrace will overlook my back garden (Orchid Cottage) reducing my privacy.
- The new house due to its size will possibly reduce the daylight to my property (Orchid Cottage).

Representations have also been received from the charitable organisation SAVE Britain's Heritage objection to the application for the following reasons:

- Whilst not listed or in a conservation area The Chestnuts should be considered as a non-designated heritage asset due to its architectural merit and connection to the history of the village. It is also within the setting of a listed dovecot of particular rarity. As such paragraphs 129, 131, 135 and 137 of the NPPF must be taken into account.
- The D&A Statement does not include any analysis of the significance of the non-designated heritage asset or the potential impact on the listed dovecot. The proposals will cause harm to both heritage assets.
- The application is also counter to local planning policy.
- The Heritage Statement disregards established principles in considering this application. The application proposes the loss of a nicely detailed vernacular building of the type that gives the village of Keinton Mandeville and surrounding settlements their character. Demolishing individual structures on the basis that others remain as examples of the local vernacular can only erode that character and potentially lead to its destruction.
- The house has not been statutorily listed but this in itself should not be cited as a reason to demolish a historic structure and does not justify an assertion that it has no architectural or historic value on a local scale. A heritage asset, including a non-designated heritage asset, simply needs to have a degree of significance meriting consideration in planning decisions. The Chestnuts certainly merits this consideration due to its place in local history and architectural tradition of the village and wider area.

- That the house is unoccupied and has become dilapidated should also not be advanced as arguments to demonstrate lack of significance. Nor does it follow that this poor condition demonstrates a lack of commercial, social or environmental value. All heritage assets are vulnerable to this. The house may have been altered over time but enough historic fabric, especially externally, remains clearly to evidence its character and place in the local vernacular.
- Repair and adaptive reuse of historic buildings including non-designated heritage assets should be prioritised over destruction and replacement. Structural defects are relatively common in historic buildings and should not be regarded as meaning that the structure is necessarily beyond repair.

## **CONSIDERATIONS**

This application is seeking full planning permission to demolish the existing dwelling and erect a larger replacement dwelling and associated outbuilding.

### **Principle**

The Chestnuts is a modest stone built cottage dating from the mid-19th century that is neither listed nor is it located within a conservation area, it is however considered to be a vernacular building of some merit that has a pleasing façade with some fine features and to therefore be a heritage asset, albeit non-designated. Adjacent to the southwest corner of the cottage is a grade II listed winter bee house and the east facing gable of the cottage is readily viewed from the road in context with modest traditional stone cottages that sit gable end on to the road.

Paragraph 135 of the NPPF relates specifically to the treatment of non-designated heritage assets stating that "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

The proposed development involves the demolition of the existing house and so will represent the total loss of this heritage asset. It is noted that the Conservation Officer, a number of local residents as well as the Parish Council have objected to the application due to its loss. The charitable organisation SAVE has also provided comment objecting to the loss of this vernacular building.

The applicant's principle justification for seeking a replacement house would appear to be due to its physical condition which they argue has been affected by subsidence and that it makes more financial sense to erect a new dwelling rather than repair the existing house. Whilst a structural survey has been requested from the applicants to support their case they have instead provided a letter from a structural engineer setting out his visual observations which states that the cause of the movement is not certain and that possible solutions to the problem would be complex and expensive. The letter does not give any indication of when the subsidence most likely occurred or a definitive explanation for what caused it or whether this is still an ongoing issue. It has not therefore been possible to conclude what the actual remedial works would entail, their cost and whether there are likely to be ongoing issues in the future. This supporting information, given the lack of apparent analysis beyond a visual exploration, is therefore considered to be unconvincing as an argument for justifying the loss of this heritage asset.

In accordance with the requirements of the NPPF and at the request of the Council's Conservation Officer the applicant has provided a Historic Building Assessment in support of their application. Unfortunately this report does not really tackle the crux of the issue. The author goes into some detail with regard to the condition of the property and its internal and external features and its relationship with the listed bee house. Within the report he states that the house retains some mid-to late 19th century

features but is not unusual in any way, does not warrant retention as an exemplar of Victorian architecture and does not fulfil Historic England's guidelines for designation as a listed building. It is on this basis that he questions whether The Chestnuts warrants the classification as a non-designated heritage asset and suggests the significance of the house is minimal.

The author's views on what constitutes a non-designated heritage asset do not accord with the Council's Conservation Officer's own views. It is accepted that The Chestnuts is not exemplar of its kind because otherwise a case would have been put to Historic England to seek its listing, but just because it is not exemplar does not mean that the building has no merit and cannot be considered a non-designated heritage asset.

Unfortunately there is no clear definition of what constitutes a non-designated heritage asset and it falls to the LPA to identify whether they consider something merits being considered as such. A heritage asset, however, be it designated or non-designated, can be buildings, monuments, sites, places, areas or landscape that are identified as having a degree of significance meriting consideration in planning decisions.

In this instance, it is considered that sufficient historic fabric remains, especially externally, that evidence its character and historic origins as a pleasing example of the local vernacular which in turn makes a positive contribution to the locality and the distinctiveness of Keinton Mandeville. On this basis it is considered appropriate to treat The Chestnuts as a non-designated heritage asset.

It has already been established that the development will result in the total loss of this heritage asset, however, paragraph 135 of the NPPF also requires this to be balanced against the significance of that heritage asset.

Whilst The Chestnuts is an attractive vernacular building its significance as a heritage asset should be considered more broadly in terms of the contribution it makes to local distinctiveness, the context of its surroundings and its visual presence within any public views. The dwelling is set in from the public highway and behind the neighbouring cottages 1 & 2 Rosebank and its east gable is visible across their gardens from the highway and is viewed in conjunction with these cottages. This view however is quite restricted in that you can only see The Chestnuts for a brief period before the cottages 1 & 2 Rosebank to the east and intervening vegetation and the neighbouring property Harwen to the south block such views. This along with its set back position ensures that whilst the property has a visual presence within the streetscene it is in essence a background feature rather than one of prominence and as such its impact upon the character and appearance of the streetscene is quite subtle. Furthermore it is not considered to form part of a particularly interesting or place defining group of historic buildings.

On this basis it is concluded that the significance of this heritage asset in terms of its importance both architecturally and the contribution that it makes to the character and distinctiveness of the locality is limited and is of insufficient merit to warrant insisting on its retention. Accordingly it would be unreasonable to object to the proposed development on the basis of the loss of the existing dwelling.

Further to the above comments, the application is seeking a replacement dwelling on a one for one basis. For this reason and the reasons set out above the principle of the proposed development is considered to be acceptable.

### **Visual amenity and setting of listed bee house**

The scheme has been amended since it was first submitted in response to concerns raised in respect of the design of the new dwelling. Whilst the new dwelling has quite a contemporary design its form and use of natural stone on its most prominent facades (i.e. front elevation and east side elevation) and use of natural slate or double roman roof tiles accord with the prevailing traditional material pallet

of the area. The highest part of the new house will be 1m higher and overall its massing will be greater than the existing cottage however the plot is relatively generous in size and it will be fairly comfortably accommodated within it. Furthermore, given its position set well back from the highway it should not appear unduly dominant or out of scale of surrounding properties.

The scheme includes a large double garage / outbuilding which is to be sited alongside the south boundary of the site and close to the southwest corner of the site and the listed bee house. According to the listing details the bee house could have been built at any time during the 18th century and therefore quite possibly pre-dates The Chestnuts, as such it is unclear whether the bee house is associated in anyway historically with The Chestnuts. In any case the bee house sits within the adjoining school grounds and is clearly within separate ownership to The Chestnuts, which appears to have been the case since before the bee house was listed. It is not considered therefore that The Chestnuts sits within the listed curtilage of the bee house.

At the time of visiting the time there was a modest tine shed on the site of the proposed garage and the end gable of the bee house was visible from the southwest corner of the application site. Whilst currently there is inter-visibility between the bee house and the site it is appropriate to acknowledge that permitted development rights would allow the current owners of The Chestnuts to put up high fencing and to erect a substantial outbuilding immediately alongside the bee house without the need for planning permission.

Bearing this in mind and the tenuous association between The Chestnuts and the bee house it is considered unreasonable to object to the garage purely on the basis of the setting of the bee house. To reduce any impact however the applicant has amended the scheme to set the garage building further away from the bee house so that the bee house is afforded a greater degree of separation and space from this development.

The Conservation Officer has raised no objection to the latest amended scheme and overall, for the aforementioned reasons, the proposed development is considered to be acceptable visually without adversely affecting in any substantial way the setting of the listed bee house.

There is a mature cedar tree growing within the south east corner of the site and close to the access drive. The Tree Officer is satisfied that its retention and protection is feasible as part of this scheme but has requested a condition to secure a tree protection plan.

### **Residential amenity**

A number of adjacent neighbours have objected to the proposed development raising a number amenity concerns.

The replacement dwelling will be larger both in its footprint and height (the highest ridge of the house will be 1m higher than that of the existing cottage), it will also be in a slightly different position in that it will be positioned further to the south than the existing house by several metres.

In terms of the impact of the new house upon the nearest neighbour, 2 Rosebank Cottage, it is acknowledged that the application site is raised up above the level of their own property and that an upper window is proposed in the east gable that will look directly across the private garden of 2 Rosebank. The plans detail this window as being obscurely glazed and it is considered that any potential overlooking issues can be appropriately controlled by the imposition of a condition to ensure it is retained in perpetuity with obscure glass and fixed closed and a further condition to restrict any additional first floor / roof openings within this elevation. Due to the position of the dwelling in relation to 2 Rosebank and its studio the proposal is not considered to give rise to any substantive overbearing or loss of light concerns to this neighbour.



The owners of 2 Rosebank Cottage has also sought reassurance that the existing high stonewalls along their adjoining boundary will be retained. It is not unreasonable to expect high boundary treatment to be retained around the garden of The Chestnuts in order to ensure future occupiers as well the occupiers of neighbouring properties have an acceptable level of privacy. To this end a condition is proposed to secure such boundary treatment.

Objections have been received from neighbours to the north raising concerns about overlooking from the new dwelling as well as loss of light. However, the new dwelling is not considered to give rise to any substantive additional levels of overlooking of these neighbours compared to the existing dwelling given its position and the intervening structures and shared parking area, or, because of the intervening distance to cause any substantive loss of light.

One of the neighbours has suggested the terrace proposed on the west elevation, which will allow views towards the school, is a potential safeguarding issue. It is considered that there is no justification for this suggestion. The majority of schools are located in built up areas and are often overlooked by surrounding properties, it is unreasonable to assume that anyone choosing to live close or in a property that overlooks a school is likely to have a harmful interest in children. If this ever were shown to be the case then this would be a police matter.

The new garage is a substantial building and is to be built close to the south boundary, the boundary with the neighbouring property Harwen. The garage will be set away from the house at Harwens and due to its position to the north of the neighbour should not cause any significant loss of amenity to this neighbour. In terms of any loss of privacy issues, there are no openings proposed in the south elevation of the garage that faces on to Harwen and the first floor window in the garage will only have a very oblique view towards the rear of this house. No new window to window issues will be created as a result of the new dwelling and the garage associated with Harwen obstructs any direct views across the private rear garden of Harwen.

For the above reasons, the proposed development is not considered to give rise to any demonstrable harm to neighbour amenity.

### **Highway safety**

The proposed parking and turning arrangements accord with the highway authority's parking standards and is therefore considered acceptable. The proposal should not result in any noticeable increase in traffic movements from that existing and so although the access is substandard in regards to its visibility splays the proposal does not represent any increased highway safety concerns over and above the existing situation.

### **Other matters**

The Council's Ecologist is satisfied that the proposal is unlikely to negatively impact upon any protected species but has requested a condition to ensure that the development is carried out in accordance with the Ecological Construction Method Statement that formed part of the submitted bat report.

The development does not trigger a need for any off-site contributions however it will be CIL liable, it is noted that the applicant has provided the relevant CIL form accepting this.

### **Conclusion**

For the reasons set out, the proposed development is considered to constitute a sustainable form of development that respects the character and appearance of the locality and the setting of the adjacent bee house. It is considered that the existing dwelling lacks the necessary special interest and does not

make a significant contribution to the local character and distinctiveness to warrant its retention as a non-designated heritage asset, as such it would be unreasonable to insist on its retention or to object to the proposed development for this reason. The development is not considered to cause any demonstrable harm to neighbour amenity, visual amenity, highway safety, nor are there any overriding ecology or other environmental concerns that would warrant withholding planning permission. For these reasons the application is recommended for approval.

## **RECOMMENDATION**

Grant consent for the following reason:

The development, by reason of its siting, scale, layout, design and materials, respects the local context and local distinctiveness as well as the setting of the adjacent bee house and is not considered to give rise to any substantive visual amenity, residential amenity, ecological, highway safety or other environmental concerns, nor is the existing dwelling considered to be of such interest or to make a significant contribution to character and interest of the local area that it warrants retention as a non-designated heritage asset. The proposal thereby accords with the aims and objectives of policies SD1, TA5, TA6, EQ2, EQ3 and EQ4 of the South Somerset Local Plan as well as the provisions of the National Planning Policy Framework.

## **SUBJECT TO THE FOLLOWING:**

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered F1406\_001, F1406\_101e, F1406\_100d and F1406\_102b.

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

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

- a) materials (including the provision of samples where appropriate) to be used for external walls and roofs;
- b) full details of the new natural stonework walls, including the materials, coursing, bonding, mortar profile, colour and texture, to be provided in the form of a sample panel to be made available on site;
- c) material and external finish to be used for all windows, external doors, lintels, entrance gates, boarding and openings;
- d) details of all eaves/fascia board detailing, guttering and downpipes and other rainwater goods;
- e) details of the surface material for the parking and turning area; and
- f) details of all boundary treatment, to include the retention of the existing boundary walls.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

04. The development hereby permitted shall not be commenced unless details of the internal ground floor levels of the dwelling hereby permitted have been submitted to and approved in writing by

the Local Planning Authority. The highest ridge of the new dwelling hereby permitted shall be no greater in height than 1.0 metre above the ridge height of the existing dwelling on the site.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

05. The development hereby permitted shall be carried out in complete accordance with the requirements and recommendations of the Ecological Construction Method Statement by Country Contracts.

Reason: For compliance with the Wildlife and Countryside Act 1981, and for the conservation of biodiversity in accordance with policy EQ4 of the South Somerset Local Plan and the NPPF.

06. Prior to commencement of the development, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, the submitted scheme of tree protection measures (as prepared by Hillside Trees Ltd, dated September 2017) shall be installed and made ready for inspection. The pre-commencement site meeting requirement shall be arranged to include the presence of the Council (01935 462670) at a mutually convenient time for all parties. The locations and suitability of the tree protection measures shall be inspected by the Council and confirmed in-writing by the Council to be satisfactory prior to any commencement of the development. The approved tree protection requirements (inclusive of the specified arboricultural supervision) shall be implemented in their entirety for the duration of the construction of the development (inclusive of hard and soft landscaping measures) and the protective fencing and signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with policies EQ2 and EQ4 of the South Somerset Local Plan.

07. Prior to the development hereby approved being first brought into use the second floor window in the east elevation of the dwelling hereby permitted shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed above ground floor level in the east elevation of the dwelling hereby permitted, without the prior express grant of planning permission.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the south elevation of the garage building hereby permitted, without the prior express grant of planning permission.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.