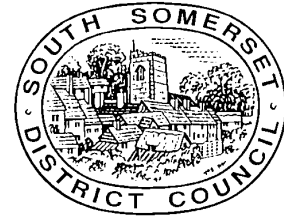


**South Somerset District Council**

*Notice of Meeting*



# Area East Committee

*Making a difference where it counts*

**Wednesday 13th March 2019**

**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 **10am**.

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 4 March 2019.

**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 13 March 2019**

### **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> February.

#### **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 10<sup>th</sup> April at 9.00 am.

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

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

## **7. Reports from Members**

### *Items for Discussion*

- 8. Allocation of Members Discretionary Budget 2018/19** (Pages 6 - 8)
- 9. Community Capital Grant Request (Executive Decision)** (Pages 9 - 20)
- 10. Area East Committee Forward Plan** (Pages 21 - 22)
- 11. Planning Appeals (For Information Only)** (Pages 23 - 25)
- 12. Schedule of Planning Applications to be Determined by Committee** (Pages 26 - 28)
- 13. 18/02218/FUL - Land South Of St John The Baptist Church, Church Lane, Horsington** (Pages 29 - 38)
- 14. 18/02220/LBC - Land South Of St John The Baptist Church, Church Lane, Horsington** (Pages 39 - 44)
- 15. 18/03100/FUL - 1 High Street, Bruton** (Pages 45 - 52)
- 16. 18/03101/LBC - 1 High Street, Bruton** (Pages 53 - 58)
- 17. 18/03964/HOU - Taloris Lodge, Charcroft Hill, Brewham** (Pages 59 - 63)

**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

AE

## Allocation of Members Discretionary Budget 2018/19

*Portfolio Holder:* Cllr Nick Weeks  
*Service Manager:* Tim Cook, Locality Team Manager  
*Lead Officer:* Tim Cook, Locality Team Manager  
*Contact Details:* tim.cook@southsomerset.gov.uk or (01963) 435088

### Purpose of the Report

To update members on the progress of Area Priorities agreed last year and confirm the allocation of the Members Discretionary budget towards existing priority projects.

### Public Interest

Update on priorities and agree continued support for projects and initiatives in Area East for the forthcoming year.

### Recommendation

That Members approve:

- (1) Maintaining the allocation towards priority projects and note the progress.
- (2) Approve moving £4790 from the Members Discretionary Budget to the Area East Capital Reserve.

### Background

Members agreed the priorities set out in the draft Area Development Plan at the meeting of Area East in June 2018.

The Members Discretionary Budget (MDB) allocations are agreed annually providing a fund which is used to address the priorities of the Area Committee, it has enabled us to proactively support a variety of research projects and other interventions adding value or 'gap filling' in a very flexible way.

### Progress on remaining Area Development Plan priorities

Members agreed to ring-fence the Members Discretionary budget for 2018/19 for the delivery of key projects at the meeting of AEC in March 2018.

In the report taken to April 18 committee, members agreed the allocation of funds in the Members' Discretionary budget for priority projects. The funding distribution against agreed priorities is set out in the table below.

Priority Project	Allocation £	Description	Progress
Food Fair	£3,000	District wide event to take place in Area East. Additional resource will be used to raise the profile of local food businesses and attract people to the area.  Originally £1000 but	Event planned for Saturday 30 <sup>th</sup> March 2019. Additional budget agreed with Area Chair and Ward Members in order to deliver a destination event for the area.

		increased in line with the scale of the event.	
Rural Transport/Travel Plan Good Practice research	£5,000	Develop a new model of securing contributions towards improved transport provision and to directly support local transport solutions.	Draft brief completed and process underway to identify a consultant to complete a study to underpin a potential new approach to Transport contributions.
Capacity Building for key organisations	£2000 originally allocated, not required so moved to support the Food Fair.	To help key local organisations access professional support to develop business plans to improve resilience and sustainability.	Allocation moved to Food Fair. See above.
AGP Feasibility Study	£2,500	To assess need and identify preferred options for type and location of a new facility for Area East.	This project is now adopted as a priority for the Area East Chapter of the Council Plan. Recommendation is to ring-fence this funding for a local project group.
Heart of Wessex Rail Partnership	£2,000	Regular contribution towards the partnership.	Contribution agreed at AEC meeting in December 2018. Paid.
Heart of Wessex LAG support	£1,000	To help facilitate the work of the Local Action Group.	Retain for meeting space provision etc.
RSI top up/ support for business organisations	£2,850 RSI £2150 Business Support	To develop the RSI scheme and provide opportunities to support local business organisations.	Support given to business associations.  RSI not needed in this financial year.
<b>Total</b>	<b>£18,500</b>		

### Members Discretionary 2018/19

Regular contributions that are taken from the budget include the following:

Local Information Centre's in Bruton, Castle Cary and Wincanton. - £1,500

Heart of Wessex Rail Partnership - £2,000

### Financial Implications

There is currently £4,790 unallocated in the Members Discretionary Budget for 18/19. Elsewhere within the agenda Members will be considering a community grant request, to ensure that sufficient funds are available should Members wish to endorse this funding request it is suggested that the £4790 unspent balance in the Members Discretionary Budget is moved to the Area East Capital Reserve.

If members agree the recommendations in this report, there will be no unallocated balance in the Members Discretionary Budget for 18/19.

### **Corporate Priority Implications**

Focus Four: Health & Communities: encouraging communities to be healthy, self-reliant and with individuals who are willing to help each other.

### **Carbon Emissions & Climate Change Implications**

Providing local access to a range of activities and services reducing the need to travel which therefore reduces carbon emissions.

### **Equality and Diversity Implications**

The loss of services designed to meet the needs of the most disadvantaged in target communities is likely to have a significant effect over time.

### ***Background Papers:***



# Agenda Item 9

## **Community Capital Grant Request (Executive Decision)**

*Portfolio Holder:* Cllr Nick Weeks  
*Lead Officers:* Pam Williams, Specialist - Economy  
Terena Isaacs, Locality Officer  
*Contact Details:* pam.williams@southsomerset.gov.uk (01963 435020)  
terena.isaacs@southsomerset.gov.uk (01935 462268)

### **Purpose of the Report**

For Members to consider a request for a community grant from Caryford Community Hall Association

### **Public Interest**

Awarding grants is a key way that SSDC supports and helps to deliver community projects sponsored by Parishes and voluntary community organisations in the towns and villages across Area East.

### **Recommendations**

- Members agree an 'in principle' contribution of up to £27,500 (£22,710 from the Area East Capital Reserve and £4,790 from the Members Discretionary Budget) as a 4.8% contribution towards the extension and refurbishment of Caryford Hall, subject to standard grant conditions and the agreement of District Executive.
- Members note that, if agreed, this and the £12,500 contribution previously agreed by Area East Committee in December 2018 will result in a total contribution of £40,000 (7%) towards the extension and refurbishment of Caryford Hall.

### **Background**

This request is considered as part of the Districtwide Community Grants policy which welcomes applications from community organisations, for funding towards non-capital works between £100 and £1,000, or capital projects between £500 and £1,000. These lower level requests can be considered at any time under delegated powers, subject to Ward Member agreement.

Within the District Council's scheme of delegation, capital projects seeking up to £12,500 are considered by Area Committees but District Executive is the decision making body for amounts over £12,500.

When assessed, projects which score above 22 points are eligible for SSDC support under the current Districtwide policy. Attached to this report, appendix A and B show the standard grant conditions used by SSDC and the community grant's policy.

Caryford Hall Community Hall Association is requesting a £40,000 contribution towards an ambitious £568,000 project to refurbish and extend the hall

In December 2018, Members agreed a contribution up to £12,500 (19%) against £64,837 phased 1A project costs, towards preliminaries, foundations and structure of a new link corridor and plant room at Caryford Hall. This decision provided some added confidence to other grant giving bodies when the group submitted applications to key funders in December

The intention was that future requests should come forward incrementally for subsequent phases of the project. However, the current advice is that applications should be presented as a whole project

and considered once; referring to District Executive if the overall contribution exceeds the limits for Area Committee approval

This request for funding is therefore presented to Area East for endorsement but final sign off will be with District Executive in a report to be presented to the April meeting

### Parish Precept information

Parish	Ansford
Parish population	1085
No. of households	481
Precept 2018/19	£29,730
Band D Charge 2018/19	£74.77

### The Project

Caryford Hall is a well located hall attracting users from across the settlement of Castle Cary/Ansford and a wider catchment. The hall has an extensive programme of regular activities which is complemented by occasional/one off events and bookings. Attached at Appendix C is an overview submitted in support of this application by Caryford Community Hall association

The current usage has outgrown the hall which opened in 1994 and has been in need of refurbishment and upgrade for some time. The main issues are:

- An inability to meet the needs of a growing population in its current layout.
- A meeting room which is small, dark and difficult to let out at the same time as the main hall, as sound leaks from one room to the other.
- A kitchen which is poorly laid out and outdated.
- Insufficient toilets that need upgrading.
- Insufficient storage.

The assessment of this application is as follows:

Category	Maximum score	Score
A Eligibility	Y/N	Y
B Equalities Impact	7	5
C Need for Project	5	4
D Capacity of Organisation	15	15
E Financial need	7	4
F Innovation	3	3
<b>Total</b>	<b>37</b>	<b>31</b>

Projects scoring above 22 points are eligible for SSDC support under the current policies.

The facility serves Ansford and Castle Cary, the settlement as a whole has planning permissions granted for over 650 new dwellings which, if built, will increase the population by about a third. There is £240k of S106 contributions for Community Halls in Ansford & Castle Cary but the trigger points have yet to be reached for any site and there is no guarantee that funds will be received as developers may try re-negotiate agreements on grounds of viability. Previously, some Members have suggested that part of any funding award should take the form of a loan, in anticipation of the funds identified

through S106 agreements coming forward. However, the officer advice is that this is not desirable due to the uncertainty surrounding this funding.

<b>Funding Sources</b>	<b>% Funding of Total Scheme Cost</b>	<b>Amount of Funding £</b>	<b>Status</b>
Ansford Parish & Castle Cary Town Council	1	4,000	Secured
Own	6	36,000	Secured
Grant Yarlington Homes	1	3,000	Secured
Garfield Weston	5	30,000	Pending
Viridor	24	137,000	Pending
Multiple other funders	26	148,100	Mainly pending
Fundraising target	28	158,320	Pending
SSDC approved	2	12,500	Approved
SSDC requested	7	40,000	Requested
<b>Total project costs</b>	<b>100</b>	<b>568,920</b>	

## **Financial Implications**

Caryford Community Hall Association requested £40,000 but Area East Committee is asked to endorse a funding allocation of £27,500 ahead of it being referred to District Executive for consideration.

There is currently an unallocated balance of £26,522 in the Area East Capital Reserve. If the Committee approved the recommendation in the previous report to move £4790 from the Members Discretionary Budget to the Area East Capital Reserve, it is suggested that Members request District Executive approval of an allocation of £27,500 from the Area East Capital Reserve towards the Caryford Hall project. This will leave an unallocated balance of £3,812 in the Area East Capital Reserve which will roll forward to 2019/20 and will be topped up with £25,000 giving a working budget in the Area East Capital Reserve of £28,812 for 2019/20.

## **Corporate Plan Implications**

To build healthy, self-reliant, active communities by:

- Supporting communities so that they can identify their needs and develop local solutions
- Target support to areas of need
- Help people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities

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

Providing local access to a range of activities and services reducing the need to travel which therefore reduces carbon emissions.

## **Equality and Diversity Implications**

An access audit has already been undertaken

## **Background Papers**

Area East Agenda & Minutes December 2018

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## Appendix A – Standard grant conditions

1	The funding has been awarded based on the information provided on the application form for your application number.
2	The enclosed Evaluation Form will need to be completed in full and returned to the appropriate Area/Central office when you return your signed acceptance of the funding offer.
3	All other funding sources are secured.
4	SSDC are given prior notice of the date when work is to commence.
5	SSDC is acknowledged on any publicity and on any permanent acknowledgement of assistance towards the project.
6	The applicant will work, in conjunction with SSDC Officers, to monitor the success of the scheme and the benefits to the community, resulting from SSDC's contribution to the project.
7	<p>All grants offered by SSDC will be based on a set of conditions. Conditions include one or more of the following:</p> <ul style="list-style-type: none"> <li>• Monitoring arrangements.</li> <li>• Publicity options.</li> <li>• Before and after photos.</li> <li>• Return signed acceptance slip.</li> <li>• Grants can only be paid for a single year and a second application is not allowed for the same project within 3 years (unless Service Level Agreement).</li> <li>• Any changes to the project should be notified to SSDC.</li> <li>• Share good practice with other organisations if successful in securing external funding.</li> <li>• All other funding sources are secured.</li> <li>• Conditions of grant should be presented in Committee report.</li> </ul>
8	<p>For buildings, facilities and equipment:</p> <ul style="list-style-type: none"> <li>• Capital grants are on a one-off basis.</li> <li>• Capital grant applications should include a strategy for maintenance of equipment to applicable standards, and a strategy for replacement (or otherwise) if appropriate.</li> <li>• Subject to planning permission if necessary.</li> <li>• Shared use of buildings/equipment, where appropriate.</li> <li>• Proper signage to buildings/facilities.</li> <li>• The applicant must ensure that its play area is inspected and maintained in accordance with EN1176 or a successive standard.</li> <li>• For Village Halls, an access audit must be carried out and all projects should be improving access for people with disabilities.</li> </ul>



## SSDC Community Grants Policies

March 2016 revision

All Community Grants		
1	Corporate Priorities	<ul style="list-style-type: none"> <li>The assessment of grant applications will be linked to the Council's priorities in the SSDC Council Plan 2012-2015. These are summarised in the application pack (and published on-line) and incorporated into the grants assessment and scoring system.</li> <li>Specific guidance linked to specialist work areas (eg. Sports, Arts, Leisure and Play provision) are published where relevant.</li> <li>Area Committees may set their own priorities for the year and will publicise these where relevant.</li> </ul>
2	Area or District-wide?	<p>An organisation should be considered for District-wide funding if:</p> <ol style="list-style-type: none"> <li>40% or more of the organisation's activity is benefiting people in 2 or more SSDC areas, <b>or</b></li> <li>It is unique in the district and no equivalents exist in the areas, <b>or</b></li> <li>It may have a local base but plans to develop quickly across the district.</li> </ol> <p>District-wide organisations receiving core funding should apply to the areas separately for local project work or when piloting new local initiatives.</p>
3	Repeat Funding & Service Level Agreements (SLAs)	<ul style="list-style-type: none"> <li>Grant funding is for one year only.</li> <li>A second grant application for the same project will not be considered within 3 years of the first award.</li> <li>All organisations requesting repeat funding should have a Service Level Agreement with SSDC .</li> <li>SLAs will be based on:             <ol style="list-style-type: none"> <li>an agreed set of annual measurable targets against which performance will be monitored;</li> <li>monitoring of the continued health of the individual organisation;</li> <li>value for money being demonstrated.</li> </ol> </li> <li>SLAs will be either:             <ol style="list-style-type: none"> <li>for 1 year, if SSDC wishes to support the organisation's core running costs on an ongoing basis, but wishes to consider funding annually or</li> <li>for 3 years if an organisation is:                 <ol style="list-style-type: none"> <li>assessed to be a key or substantial partner making a significant contribution to corporate and strategic priorities and/or</li> <li>is delivering services on a long-term basis as delegated by the council.</li> </ol> </li> <li>3 year SLAs will be reviewed in the 3<sup>rd</sup> year of operation.</li> </ol> </li> <li>Where SSDC has an SLA with an organisation, at least one year's notice will be given if funding levels may change.</li> </ul>
4	Funding/costs	<ul style="list-style-type: none"> <li>SSDC will consider grants for up to 50% of the total project costs.</li> <li>Applications for minimum of £101 and a maximum of £12,500 will be considered. Requests of over £12,500 or for £100 or under</li> </ul>

		<p>are beyond the remit of these community grants policies.</p> <ul style="list-style-type: none"> <li>• Project costs will be monitored to ensure that the SSDC contribution does not exceed 50% of the total project costs.</li> <li>• Grants will be awarded subject to other funding being secured. The applicant group is expected to make a contribution from their own funds/fundraising unless there are exceptional circumstances.</li> <li>• SSDC will only fund projects where a contribution is being made by the Town or Parish Council unless there are very exceptional circumstances. This contribution should be proportionate to the size of the Parish. Applicants should approach their Town/Parish Council for funding before coming to SSDC. The greater contribution received from the Town/Parish Council and the less requested from SSDC will help the application achieve a higher score when the grant is assessed.</li> </ul>
5	VAT	SSDC may be able to recover VAT on major schemes costing over £100,000. Gifts in kind may be offered where appropriate.
6	Publicity	SSDC should be acknowledged on publicity material. A simple menu of 'publicity opportunities' is sent out with all grant offer letters.
7	Monitoring	<ul style="list-style-type: none"> <li>• Monitoring arrangements will be a condition of grant and will be included in offer letters.</li> <li>• Monitoring will be proportionate to the size of grant and organisation.</li> <li>• Monitoring information will be fed back to the relevant Committee.</li> </ul>
8	Non-financial support	Other forms of Council assistance such as 'help in kind' will be discussed with applicants and specified in applications and committee reports.
9	Delegation	<ul style="list-style-type: none"> <li>• Requests for £1,000 or under are delegated to the Area Development Manager (or other nominated officer) following consultation with Area Chair, Portfolio Holder or Ward Member as appropriate and reported to the relevant committee for information only.</li> <li>• Requests for £100 or under will not be considered under these Community Grants policies.</li> </ul>
10	Retrospective support	Funding will not normally be considered for expenditure that has already been incurred.
11	Reserves	SSDC will normally only fund projects where a maximum of 1 year's running costs is held in free reserves. If a group has dedicated reserves for a particular project, these should be ring-fenced.
12	Offer letters/grant conditions	<p>All grants offered by SSDC will be based on a set of conditions, which will be presented in Committee reports, to include the following:</p> <ul style="list-style-type: none"> <li>• Projects must start within 6 months of the grant being offered or as otherwise specified in the offer letter</li> <li>• A project update will be provided every 3 months, and completed evaluation form returned at the end of the project/year</li> <li>• Publicity options</li> <li>• Return signed acceptance slip</li> <li>• Grants can only be paid for a single year and a second application is not allowed for the same project within 3 years (unless SLA)</li> </ul>

		<ul style="list-style-type: none"> <li>• Any changes to the project should be notified to SSDC</li> <li>• Share good practice with other organisations</li> <li>• All other funding sources are secured</li> <li>• Grants are only payable upon receipt of invoices or receipts which provide evidence of the costs of project/purchase</li> <li>• Evidence is supplied of the following: <ul style="list-style-type: none"> <li>• relevant permissions being obtained (eg. planning permission)</li> <li>• adequate insurance cover</li> <li>• Equal Opportunities Policy or equivalent statement</li> </ul> </li> </ul> <p>Other monitoring arrangements, as specified by the committee awarding the grant.</p>
13	Loans	<p>SSDC will help applicants access loans from other sources where possible, and consider loans only when alternative forms of borrowing are not available or at a prohibitive cost.</p> <p>Details of SSDC's Loans Policy are set out in the Council's Financial Procedures Rules, including:</p> <ul style="list-style-type: none"> <li>• The maximum amount of a loan shall normally be £150,000. Small loans of £5,000 or less may be considered by the Area Portfolio Holders in consultation with the Area Development Manager.</li> <li>• Interest will be charged at the Public Works Loan Board rate</li> <li>• Loans should be guaranteed by the town/Parish Council or similar trustees</li> <li>• The maximum repayment period will be 10 years and repaid in instalments in accordance with the agreed payment reschedule.</li> </ul>
14	Insurance	Applicants must provide evidence that they have adequate insurance cover where appropriate.
<b>For projects involving Buildings, Facilities &amp; Equipment</b>		
15	Quotes/standards	<ul style="list-style-type: none"> <li>• 3 estimates or quotes should be submitted with applications where possible.</li> <li>• Play area refurbishments will only be eligible for grant aid if the contractor is selected from the SSDC approved list.</li> <li>• SSDC Building Control service will normally be used for all projects receiving grant aid, where Building Regulations are required.</li> </ul>
16	Leases	<p>Capital grants can be awarded to leased facilities on the following grades:</p> <p style="padding-left: 40px;">&lt;£5k grant = minimum 10 yr lease. &gt;£5k grant = minimum 15 year lease</p> <p>Proof of ownership or evidence of an appropriate lease is required at the application stage.</p>
17	Access	<ul style="list-style-type: none"> <li>• Shared use of buildings and equipment should be demonstrated, where appropriate, and will be a condition of grant. Proper signage to buildings/facilities will be a condition of grant.</li> <li>• Capital projects will need to have incorporated disabled access and an access statement will be required where relevant (SSDC may be able to help with this).</li> </ul>
18	Maintenance	<ul style="list-style-type: none"> <li>• Capital grants are offered on a one-off basis therefore projects should include a strategy for maintenance of equipment to applicable standards, and a strategy for replacement (or</li> </ul>



		<p>otherwise) if appropriate.</p> <ul style="list-style-type: none"> <li>• Routine maintenance and replacement of equipment is not normally eligible for grant aid.</li> </ul>
<b>19</b>	Rent	<ul style="list-style-type: none"> <li>• Organisations occupying SSDC owned property should be assessed and treated in the same way as any other organisation. SSDC support should reflect the value placed on the work of the organisation not the cost of the accommodation. Applicants should apply for a grant in the normal way and include rental costs in their budget.</li> </ul>
<b>20</b>	Planning permission	<ul style="list-style-type: none"> <li>• Outline planning permission/building regulation approval should normally be obtained before a grant application goes to committee.</li> <li>• Awards will only be offered subject to planning permission (and other relevant permissions) being given (where relevant).</li> </ul>
<b>21</b>	Rate Relief	<p>Applications for Rate Relief should be made directly to SSDC Business Rates section, who will apply a clear set of eligibility criteria. Officers will advise organisations on this.</p>

### **Caryford Hall Association**

#### **Supporting information – submitted by group**

##### **Purpose of your group**

Our Constitution states that the objects of Caryford Community Hall Association shall be:

- (a) to promote the benefit of the inhabitants of the civil Parishes of Castle Cary and Ansford and all inhabitants within a radius of two miles outside the said Parish boundaries (hereinafter called 'the area of benefit') without distinction of sex or of political, religious or other opinions by associating the local authorities, voluntary organisations and inhabitants in common effort to advance education and to provide facilities in the interest of social welfare for recreation and leisure-time occupation with the object of improving the conditions of life for the said inhabitants;
- (b) to establish or to secure the establishment of a Community Centre (hereinafter called 'the Centre') and to maintain and manage, or to co-operate with any local statutory authority in the maintenance and management of such a Centre for activities promoted by the Association and its constituent bodies in furtherance of the above objects.

However, although the Constitution mentions the Hall as serving a radius within two miles, in fact it is used by people from much further away – in fact from all over South Somerset as was evidenced at the last lecture.

##### **Some of our achievements from the last 12 months**

We are a seriously well-used Hall – as we raise our profile we welcome the fact that we are being booked to capacity by a wider user group - from a one-day Reggae Festival to a string quintet from the Bournemouth Symphony Orchestra (via Take Art). We had a Take Art Oscar Wilde performance at the Hall last week and will be booking Take Art events for their 2019/20 programme.

At the same time our regular users continue to re-book whilst Tai-Chi and Yoga are new classes for this year. With uncertainty about the future of the 1610 sports & leisure facility in Castle Cary we have been approached as a venue for netball and taken enquiries about the Hall being used as a mindfulness retreat once a month on a Saturday and for Scottish dancing evenings, both of which have attracted interest from local people.

We retained our Hallmarks 1, 2 and 3 status following a Hallmark visit to the Hall on 31<sup>st</sup> July last year. The three benchmarks are an indication of the way in which the Hall is governed and its interaction with the local community and we are proud to have retained these.

We have raised £15,900, which includes match funding, from local fundraising events in the last year.

Finally, we were recommended by the Community Council for Somerset as the venue for a BBC Somerset live broadcast of the Simon Parkin Show from 9.00 am – 12.00 noon on 24<sup>th</sup> January during National Village Halls Week. This was a great honour for us; we were chosen out of 325 village halls in Somerset because of the wide range of activities on offer at the Hall catering for all ages from toddlers to pensioners and the part these activities play in reducing social isolation and loneliness, bringing people together and improving fitness, as well as being a venue for private parties/celebrations. It was an opportunity for some of the regular hirers to talk about the events they put on at the Hall and created a lot of good will. It attracted a big audience.

##### **More about the project and why it is needed**

Whilst Caryford Hall is much used for a wide range of activities and continues to receive enquiries for new activities, we are only too aware of its shortcomings, perhaps inevitable in a Hall which opened in 1994:

- An inability to meet the needs of a growing population in its current layout.
- A meeting room which is small, dark and difficult to let out at the same time as the main hall, as being next to each other, sound leaks from one room to the other.
- A kitchen which is poorly laid out and outdated.
- Insufficient toilets and those we do have are way past their best.
- Insufficient storage.

The plan is to build a new meeting room at the other end of the building and therefore away from the main hall. This room will be almost twice the size of the existing room and will be fully equipped with a sound system, drop-down screen, hearing loop and a soundproof partition to divide the room into two. This will give us much needed flexibility as well enabling us to accommodate more bookings without impacting on those taking place in the main hall.

The kitchen will move into the vacated meeting room to provide a large, safe and workable space which can be used for more ambitious functions servicing multiple parallel events.

This in turn will enable us to enlarge the foyer and to provide a discreet drinks serving area which will also be a serving point for hot drinks for the new meeting rooms. We will increase and modernise the toilets, improve their energy efficiency and provide additional storage.

We know these improvements are needed because we are already oversubscribed with our current population. Ansford and Cary together have planning permissions granted for over 650 new dwellings which, if all built, will increase our population by about a third. Already new homes are appearing on Station Road so now is the time to do this upgrade.

There are several letters which indicate the support for the planned improvements to the Hall and why these changes are needed. We have strong support from Ansford Parish Council, Castle Cary Town Council and our current MP (David Warburton) and the planned improvements are identified as a priority in the Neighbourhood Plan.

### **Who will be involved in the running of the project?**

We recognise that a project of this scale and budget requires proper organisation and management from the outset. The Hall management committee (comprising thirteen members of the local community including a representative from Ansford Parish Council) has been, and will continue to be, advised by a project steering group, including some members of the management committee together with other members of the local community with specific skills or experience in capital development projects. These include a chartered surveyor, a retired town planning consultant, a professor of economics and two who have worked within major national institutions.

At the same time we recognise the importance of careful cost control on all aspects of the work and have instigated additional internal monitoring procedures to ensure that the trustees are fully informed at all stages of potential costs and the funds available. We have a fully developed Business Plan.

### **Who will benefit and how?**

The whole community. This is a hall for all. From toddlers to pensioners, the Hall is the community's venue for lectures, concerts, weddings, wakes, indoor sports, arts events, the annual garden show, and so on. Caryford Hall is the only facility in Ansford and Castle Cary and for miles around that can perform these functions.

Having a larger fully-equipped meeting room (divisible into two) will enable us to increase the number of bookings and remove the problem of noise leaking through from the main hall. We will also be able to broaden the uses to which the Hall is put and offer a more suitable space for people who find the main hall too large but the current meeting room too small and/or otherwise unsuitable.

A well-designed and equipped kitchen, and a separate bar serving area, will improve its appeal to people looking for a local venue for birthday celebrations, wedding receptions or suchlike and will provide a safer environment for those serving food or drink.

The current lack of storage means carrying large and unwieldy boxes of glasses and water jugs from the main store to the other side of the building. This presents health and safety issues and also means that some people are precluded from using the Hall because they cannot access the facilities. Extra storage in the kitchen and the bar area will remove this problem.

The Hall was built on a shoestring and the toilet facilities are now looking decidedly shabby and inadequate. Providing more toilets of a modern design, with improved energy efficiency will greatly improve the washroom facilities.

### **How we will promote the project during its development and after completion**

All the way through, we have widely consulted with regular users and updated them and the wider community via our website, social media, the town newsletter, the parish magazine, press releases, community consultations and our own twice-yearly leaflet. We shall continue to do this once the development is complete and to promote the new facilities in the town and the surrounding villages.

We plan on communicating very directly with the residents of the new houses that Caryford Hall is their Hall.

### **How we will continue to fund the project**

The Hall is entirely self-supporting and non-profit making with all day-to-day running costs covered by the hire charges. These charges are kept as low as possible so that all can use it. With a project of this size however, we do need the help of the Parish/Town Council and the District Council as well as grant making bodies to raise the required funds.

As well as the management committee, we have a team that focuses on local fundraising events with help from the Friends of Caryford. To date they have put on 37 events with a further 16 planned for 2019.

Separately we have another team working on grant applications and approaches to businesses and wealthy individuals.

This being our 25<sup>th</sup> anniversary year, we have just launched our Silver Jubilee Appeal to local residents, making clear to them the benefits of Gift Aid, and will continue to appeal for local donors and to apply to grant making bodies to cover the cost of the overall project. As building work begins and the community can see that progress is being made, we will launch an appeal for buy-a-brick, crowdfunding, fitting-out sponsors etc. We will not stop until the project is complete.

# 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>10 April 19</b>	Citizens Advice South Somerset	Update Report	Angela Kerr, Citizens Advice South Somerset
<b>12 June 19</b>	Area Delivery Plan	Progress Report	Stephen Barnes
<b>12 June 19</b>	Wincanton Town Centre Strategy	Update report to include outcome of public consultation and next steps	Pam Williams/Peter Paddon

# 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**

18/01524/OUT - Land Behind Splinters, Church Street, Keinton Mandeville, Somerton.  
Outline application for the erection of 2 new dwellinghouses with associated garaging (Revised application)

### **Appeals Allowed**

18/00275/FUL – Land west of Elliscombe Cottages, Gibbet Road, Maperton, Wincanton.  
Erection of a barn and demolition of existing barn/agricultural store.

### **Appeals Dismissed**

None

**Background Papers:** None

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## Appeal Decision

Site visit made on 30 January 2019

by **M Bale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 01 March 2019

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**Appeal Ref: APP/R3325/W/18/3210133**

**The Forge, Gibbet Road, Elliscombe, Maperton, Wincanton, Somerset BA9 8EA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Michael Gillman against the decision of South Somerset District Council.
  - The application Ref 18/00275/FUL, dated 12 January 2018, was refused by notice dated 8 March 2018.
  - The development proposed is the erection of extension to existing barn/agricultural store to replace existing buildings to be demolished.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the erection of extension to existing barn/agricultural store to replace existing buildings to be demolished at The Forge, Gibbet Road, Elliscombe, Maperton, Wincanton, Somerset BA9 8EA in accordance with the terms of the application, Ref 18/00275/FUL, dated 12 January 2018, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 'As Existing'; 'As Proposed'; 'Site & roof plans'.
  - 3) Within 1 month of the building hereby permitted being brought into use, the existing buildings indicated as 'existing building to be removed' on the plans hereby permitted shall be completely demolished and all resultant materials removed from the site.

### Procedural matters

2. The address of the appeal site differs on the application and appeal forms. I have used the address from the application form.
3. Following my site visit I wrote to both parties seeking their views as to the appropriateness of a condition requiring the demolition of existing buildings. I have had regard to the responses received.

### Main Issue

4. The main issue is whether the proposed building is an acceptable form of development with regard to local and national planning policy.



## Reasons

5. Policy SD1 of the South Somerset Local Plan 2006-2028 (LP) clarifies that the Council will take a proactive approach, seeking to secure development that improves the economic, social and environmental conditions within the district. LP Policy EQ2 aims to protect and enhance the natural environment and conserve the countryside. As such, development proposals should be of a high quality, promoting local distinctiveness and preserving or enhancing the character and appearance of the district.
6. The Council is concerned that there is no compelling agricultural need for the building and that the size proposed may be greater than the appellant's requirements. However, this does not amount to substantive planning harm in the context of LP Policies SD1, EQ2 or the National Planning Policy Framework. Moreover, the proposal would result in the replacement of the existing, somewhat dilapidated structures rather than the creation of significant additional built form.
7. The Council's officer report clarifies that the building would facilitate a general tidying up to make a more attractive site and would not harm the living conditions of nearby neighbours. I find that these outcomes meet the aims of LP Policies SD1 and EQ2.
8. I note some concerns stemming from previous allegations of residential occupation at the site but that has limited bearing on this proposal to replace and extend agricultural buildings. The provision of a toilet and small area separate from the main floor area within the proposed building does not signify a residential use, which in any case is not a part of the proposal as described. I, therefore, attach limited weight to these matters.
9. A plans condition is required in the interests of certainty. To ensure that there is no significant increase in built form at the site, a condition is required to ensure the demolition of the existing structures.

## Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

*M Bale*

INSPECTOR

# 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 10am.**

Members of the public who wish to speak about a particular planning item are recommended to arrive for 9.45am.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
13	BLACKMOOR VALE	18/02218/FUL	Erection of a dwelling together with associated landscaping	Land South Of St John The Baptist Church Church Lane Horsington	Mr C Godson
14	BLACKMOOR VALE	18/02220/LBC	Demolition of outbuildings, the erection of a dwelling with associated works and landscaping	Land South Of St John The Baptist Church Church Lane Horsington	Mr C Godson
15	BRUTON	18/03100/FUL	Repairs and alterations to existing building to provide additional guest accommodation.	1 High Street, Bruton	Mr Aled Rees
16	BRUTON	18/03101/LBC	Repairs and alterations to existing building to provide additional guest accommodation	1 High Street, Bruton	Mr Aled Rees
17	TOWER	18/03964/HOU	Erection of extensions and formation of new access and parking area	Taloris Lodge, Charcroft Hill, Brewham, Bruton	Mr Sean Taylor

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

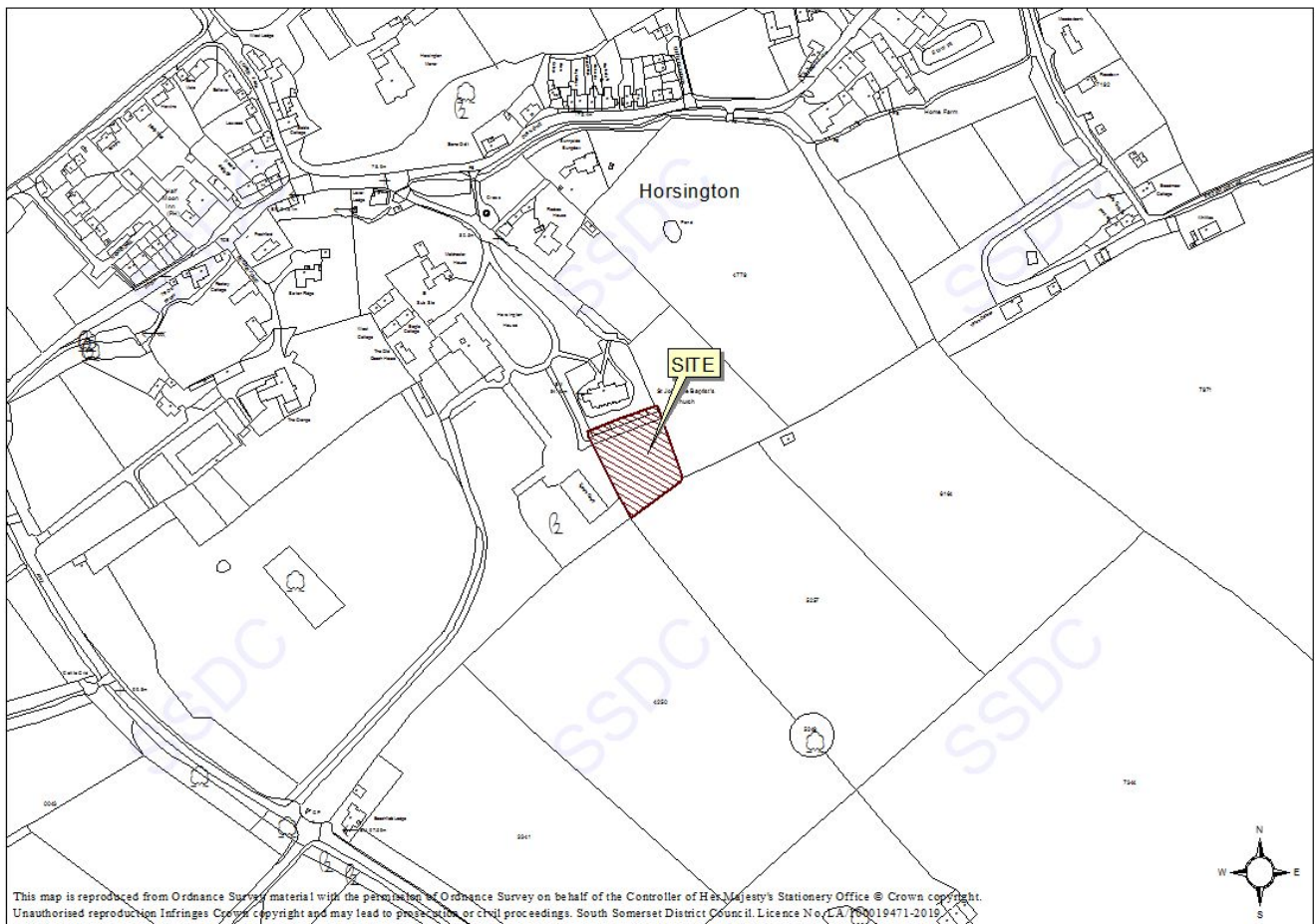
## Officer Report On Planning Application: 18/02218/FUL

<b>Proposal :</b>	The erection of a dwelling together with associated landscaping
<b>Site Address:</b>	Land South Of St John The Baptist Church Church Lane Horsington
<b>Parish:</b>	Horsington
<b>BLACKMOOR VALE Ward (SSDC Member)</b>	Cllr William Wallace Cllr Hayward Burt
<b>Recommending Case Officer:</b>	Dominic Heath-Coleman Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
<b>Target date :</b>	17th September 2018
<b>Applicant :</b>	Mr C Godson
<b>Agent: (no agent if blank)</b>	Mr Philip Brown Wykeham House 3 Station Road Okehampton EX20 1DY
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL

The application is before the committee at the request of the ward member, and with the agreement of the area chair, in to allow local concerns to be debated.

### SITE DESCRIPTION AND PROPOSAL





The proposal seeks permission for the erection of a dwelling together with associated landscaping. The site is a walled garden in the grounds of a large country house (now subdivided), containing several outbuildings but otherwise empty and currently uncultivated. The walls of the garden are made of brick and natural stone. The main house is a grade II listed building and, as such, the structures of the walled garden are considered to be listed in association. Immediately to the north of the walled garden is a grade II\* listed church. To the east and south of the site is open countryside, with the grounds of the main house immediately to the west. The site is adjacent to a conservation area, and not within a development area as defined by the local plan. There is a public footpath adjacent to the western boundary of the site.

The proposed development consists of the erection of a single storey dwelling of modern design, to be finished in natural stone, glass, and standing seam zinc cladding, all under a living 'green' roof. It is proposed to access the site through the existing northern access into the grounds of the main house, along an existing unaltered driveway, and then a long short section of improved and re-aligned driveway into the walled garden itself.

### RELEVANT HISTORY

18/02220/LBC - Demolition of outbuildings, the erection of a dwelling with associated works and landscaping - Pending consideration

### POLICY

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

development plan unless material considerations indicate otherwise.

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) and any adopted neighbourhood plans.

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

Policy SD1 - Sustainable Development  
Policy SS1 - Settlement Strategy  
Policy EQ2 - General Development  
Policy EQ3 - Historic Environment  
Policy EQ4 - Biodiversity  
Policy TA5 - Transport Impact of New Development  
Policy TA6 - Parking Standards

**National Planning Policy Framework**

Chapter 2 - Achieving Sustainable Development  
Chapter 5 - Delivering a Sufficient Supply of Homes  
Chapter 12 - Achieving Well-Designed Places  
Chapter 16 - Conserving and Enhancing the Historic Environment

**Other Material Considerations**

None

**CONSULTATIONS**

**Horsington Parish Council** - Initially:

*"The remaining Councillors took note of the neighbours' concerns and are unanimously opposed to the proposed development for the following reasons:*

- the property is out of keeping with the area - a modern building in a listed wall and listed house environment.*
- too close to the Church. Also the Churchwardens feel that the residents of the new home would complain about the bells.*
- under policy SS2 it does not meet an identified housing need.*
- the access to the proposed house is past a private apartment but access to all the existing properties is along a drive from the main road. The proposed access would lead to a loss of privacy."*

On the receipt of amended plans:

*"The remaining Councillors are opposed to the applications and feel that the amendments do not address the concerns that the Parish Council has already raised.*

*Councillors are particularly concerned about the access from Church Lane.*

*It is also understood that there is some ambiguity regarding the right of way on the property."*

**County Highway Authority** - Refers to standing advice

**SSDC Highway Consultant** - Initially raised concerns. On the receipt of additional information, he stated:

*"I have reviewed the amended plan showing the junction visibility splays on to Duck Lane and the initial*

*width of the Church Lane. I am satisfied with the details submitted and therefore raise no highway objection to the scheme."*

**SSDC Conservation Officer [in response to the concurrent application for listed building consent] -**

*"The proposed dwelling is in the setting of the GII\* listed Church of St John the Baptist, the site is surrounded on four sides by a high wall and as the Heritage Statement points out this area would once have formed a kitchen garden, the only visible remains are the wall and traces of pathways. The proposed dwelling has undergone several design alterations in order to ensure that it does not impact on the Church and wider setting including long distance views which would could potentially experience a level of light pollution.*

*The design is high quality and well considered and because of this will not detract from the setting of the Church, subsequently the proposed new dwelling will be an attractive addition to the area, albeit largely hidden from view. The low roof sits just beneath the level of the surrounding wall, so the building would physically be subservient to the church. Views to the building will be limited by the high wall which surrounds the site.*

*I think that the proposed house, will be innovative, responsive and sensitive. It represents a kind of design that works because of the careful thought that goes into understanding the requirements of the site and mitigating against perceived impacts. Which is perfectly illustrated in this instance by the considerate response to both climate and concerns.*

*I am very happy to support this application."*

**SCC Archaeology** - Initially requested the submission of a geophysical survey of the site. On receipt they confirmed that they have no objection on archaeological grounds.

**SSDC Ecologist** - Notes the submitted ecology reports and survey. Recommends the use of conditions to:

- 1) Ensure a European protected species license is submitted to the LPA prior to work commencing on site
- 2) Secure the submission of an appropriate lighting scheme to prevent disturbance to bats
- 3) Ensure any demolition works are appropriately supervised
- 4) Appropriate gaps in left in re-pointing to allow bat roosting
- 5) Ensure nesting birds are protected and to secure bird boxes
- 6) To secure appropriate reptile protection

**Historic England** - Initially raised concerns. On the receipt of amended plans, they offered the following comments:

*"We note the alteration to the roofline, namely the lowering of the pavilion section by 580mm. Whilst minimal, we nevertheless consider this a welcome amendment which breaks up the overall bulk and height, and lessens any conflict in views of the church. Likewise any visible light will be necessarily reduced.*

*The additional lighting explanation in the accompanying email and updated Lighting Strategy is likewise welcomed; this provides assurance that all effort has been made (with regards to luminaires, glazing, lowering the pavilion, and external mitigating screening) to minimise any effect of lighting. As far as we are qualified to comment, we accept that lighting controls have been fully explored and assessed, and as such find no reason to contend the assertion that 'the experience of the church will not be adversely affected during low light levels, nor will light from the 'pavilion' glazing be highly visible from the PROW to the south.'*



## *Recommendation*

*Historic England has no objection to the application on heritage grounds. We consider that the issues and safeguards, as set out in our letter dated 12 September 2018, have been satisfactorily addressed.*

*In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.*

*Your authority should take these representations into account in determining the application."*

## **REPRESENTATIONS**

Letters of objection were received from the occupiers of seven neighbouring properties. Objections were raised in the following areas:

- Access arrangements would open private gardens to public and would cause disturbance and loss of privacy to existing residents
- Access arrangements would be dangerous during construction and afterwards
- Adverse impact on heritage assets and character of area
- Principle of development
- Future occupiers may complain about church bells
- Proposal could set a precedent for further infilling
- No right of access to proposed development site
- Proposal necessitates new building for jointly owned machinery and tools

## **CONSIDERATIONS**

### **Principle of Development**

Horsington is defined in the local plan as a Rural Settlement, where development will be strictly controlled. The starting point for considering development in Rural Settlements is policy SS2 of the South Somerset Local Plan. The proposal is contrary to that policy, as it does not provide employment opportunities, create or enhance community facilities and services, or meet an identified housing need. However, as SSDC cannot currently demonstrate a five year supply of housing land, elements of that policy must be considered out of date. As such, it is considered that the LPA cannot rely on the proscriptions of that policy in regard to what the development must provide (e.g. meeting an identified housing need), but must accept that the settlement is broadly sustainable and capable of supporting some residential development. As such, although the proposal is contrary to policy SS2 of the local plan, only limited weight can be applied to this adverse impact in the planning balance.

### **Visual Amenity**

The proposal involves the erection of a new dwelling close to a conservation area, a grade II listed building, and a grade II\* listed building. It will also involve alterations to structures listed in association. As such, the SSDC Conservation Officer, and Historic England were consulted. Historic England raised some initial concerns but, on the receipt of amended plans and additional information, they raised no objections to the scheme. The SSDC conservation officer was very positive about the scheme and raised no objections. On this basis, it is considered that there will be no harm to the character or setting of the nearby heritage assets. The proposed design and materials are considered to be of a high standard, and have been well-considered.

As such, notwithstanding local concerns in regard to visual amenity, the visual impacts of the scheme area considered to be acceptable in accordance with policies EQ2 and EQ3 of the local plan and the aims and objectives of the NPPF.

### **Residential Amenity**

The proposal would have no impact on neighbouring amenity by way of overlooking, overshadowing, or overbearing.

A concern has been raised that the proposal will have an adverse impact on the amenity of neighbouring properties by way of disturbance due to the increased use of the northern access into the grounds of the listed house. It is evident that currently only the applicants and one other property use this access, with all other properties in the grounds using an alternative means of access along 'the long drive' onto the A357 to the south of the village of Horsington. The proposal will therefore increase the use of the northern access from two properties to three. Clearly there will be an increased level of disturbance during the construction phase of the development. However, such disturbance will be transitory and therefore would not be a reason to constrain development. Once the construction phase has finished, it is not considered that the use of the access by a third dwelling is likely to cause significant enough harm to residential amenity to warrant refusal of the scheme. The direct route from the point of access to the application site does not pass in close proximity to the habitable areas of any third part properties. Whilst vehicle movements across the grounds will be visible, they are unlikely to cause significant disturbance through increased noise and will, in any case, be relatively infrequent, as they will serve only one additional dwelling. For similar reasons, it is not considered that there will be any significant loss of privacy for existing residents.

As such, notwithstanding local concerns, it is considered that there would be no demonstrable harm to the residential amenity of surrounding occupiers in accordance with policy EQ2 of the local plan and the aims and provisions of the NPPF.

Local concerns have also been raised as to the potential for future occupiers of the dwelling to be disturbed by the bell ringing at the nearby church. However, the church and its bells are an established existing feature of the locality, which any future occupiers of the proposed dwelling would be well aware of. Somebody who felt that they were likely to be disturbed by church bells would be unlikely to occupy a house next door to a church. The proximity of the dwelling to the church is not unusually close, when compared to thousands of similar situations elsewhere in the country.

### **Highways**

The highway authority was consulted and referred to their standing advice. As such, the SSDC planning consultant reviewed the scheme in detail. On the receipt of additional information from the applicant, he confirmed that he had no objections to the scheme.

As such, it is considered that the impacts on highway safety are acceptable in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

Local concern has been raised regarding the safety implication of the increased use of the existing access, particularly in regard to the children of one of the affected dwellings using the area to play. However, it is noted that the access rights are not currently exclusive to the occupiers of any single dwelling. Presumably, therefore, any playing children must already be appropriately supervised and the increased use of the access by another single dwelling is unlikely to have significant implications on the way that space can be used.

### **Ecology**

The SCC Ecologist was consulted and raised no objections subject to a variety of detailed conditions on any permission issued. Such conditions are considered to be reasonable and necessary.

### **Other Matters**

A concern has been raised locally as to whether the appropriate rights of access exist. However, the applicants maintain that they do. It is not for the planning system to arbitrate on any such disputes and the granting of planning permission would not override any other legislation. If the necessary access rights do not exist then it will not be possible to implement the permission. This would not, however, be a reason to withhold granting planning permission.

A concern has been raised locally that the proposal could set a precedent for further infilling in the village. However, the circumstances of this application are unique, and there is no reason to assume that granting permission would set any undesirable precedents.

A further concern raised locally is that the proposal necessitates a new building for housing jointly owned machinery and tools. The concern is noted. However, any application for future buildings on the site would be considered on their own merits. The SSDC conservation officer and Historic England have not raised the loss of existing outbuildings as a concern.

### **Conclusions and Planning Balance**

With no five year supply of housing land in South Somerset, footnote 7 to paragraph 11 of the NPPF is engaged, which explains that, for applications involving the provision of housing, relevant policies are considered out-of-date where "*...the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.*" As such the tilted balance set out in paragraph 11 of the NPPF is the measure against which the development should be assessed. This states that "*For decision-taking this means...where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. 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."*

In this case there are no specific policies in the NPPF that indicate development should be restricted, so an assessment must be made as to whether the adverse impacts of the development significantly and demonstrably outweigh the benefits.

The benefits of the proposed development are relatively modest, and would be that the proposal would contribute to the shortfall of housing land supply in South Somerset, which is benefit that must be afforded significant weight.

Weighed against the benefit outlined above, the scheme will also cause some harm. The policy is contrary to policy SS2 of the South Somerset Local Plan. However, as highlighted above this particular harm can only be afforded limited weight as policy SS2 must be considered out of date in the absence of a five year supply of housing land. Notwithstanding local objections, no other areas of harm have been identified by statutory consultees, notably the by any of SSDC's officers consulted or Historic England.

Given all of the above, it is considered that, on balance, the identified harm does not significantly and demonstrably outweigh the benefits of the scheme and, as such, planning permission should be granted.

## RECOMMENDATION

Permission be granted for the following reason:

The proposal is considered to be acceptable in principle and, by reason of its size, scale and materials, respects the character of the area, and causes no demonstrable harm to residential amenity, biodiversity, the character and setting of the listed buildings, and highway safety in accordance with the aims and objectives of Policies SD1, SS1, EQ2, EQ3, EQ4, 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 begun before the expiration of three years from the date of this permission.

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

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

Site Location Plan labelled "Phillip Brown Associates"  
Lighting Strategy - Revised Version 1  
GDN/P.01D  
GDN/P.02A  
GDN/S.03B  
GDN/P.04B

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

03. The area allocated for parking and turning on the submitted plan, drawing number GDN/P.02A, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

04. No work shall be carried out in relation to any of the below elements until particulars of that element 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 the external walls and roofs;
- b) the mortar mix and coursing of the external walls (best illustrated through the provision of a sample panel);
- c) the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- d) all hardstanding and boundaries
- e) the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

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

05. A copy of the European protected species licence will be submitted to South Somerset District Council prior to work commencing on site.

Reason: To ensure that no harm would come to roosting bats. The Habitats Regulations requires a system of "strict protection" for European protected species including through the planning system effectively preventing harm occurring to such protected wild animals.

06. No artificial lighting associated with the development will illuminate the northern boundary of the walled garden and scattered trees beyond the western boundary. A lighting scheme showing how this would be achieved should be submitted to South Somerset District Council before work on site commences for approval.

Reason: All bats are afforded protection under the Habitats Regulations 2017 by which populations are to be maintained at Favourable Conservation Status as defined under Article 1 of the Habitats Directive 1992. Lacking evidence to the contrary it must be assumed the boundary hedgerow forms part of the habitat available to maintain local bat populations. Bat species are adversely affected by the introduction of artificial lighting on commuting routes, which in effect can cause severance between roosts and foraging areas. A dark boundary area will also help maintain other light sensitive species on site and contribute towards conserving biodiversity.

07. During any stone wall dismantling works, an experienced and qualified bat ecologist should be present in case any bats are found. In the event that bats are located works must stop, the area cordoned off with a 5m buffer zone, appropriate bat care administered and Natural England contacted regarding the requirement for a European Protected Species Licence. In the event that basic wall repairs, comprised of repointing, are to be carried out to the boundary stone wall, to retain potential bat access into the wall cavities, during re-pointing a 25mm section of wooden dowel is to be inserted into the gaps between stone work, the area re-pointed around the dowel, then after 5 minutes of setting the dowel is to be twisted and removed to leave a 25mm round entrance and exit hole. This method will allow the wall to be re-pointed and secured and will retain the access into the potential bat roosts.

Reason: All bats are afforded protection under the Habitats Regulations 2017 by which populations are to be maintained at Favourable Conservation Status as defined under Article 1 of the Habitats Directive 1992. Lacking evidence to the contrary it must be assumed the boundary hedgerow forms part of the habitat available to maintain local bat populations. Bat species are adversely affected by the introduction of artificial lighting on commuting routes, which in effect can cause severance between roosts and foraging areas. A dark boundary area will also help maintain other light sensitive species on site and contribute towards conserving biodiversity.

08. No building demolition works and vegetation, including mature tree, scrub and tall ruderal herbs, removal work shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the buildings to be demolished and trees, scrub, grassland and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

As an enhancement and compensation measure, and in accordance with National Planning Policy Framework (NPPF), the following shall be carried out:

- Installation of 1x RSPB artificial house martin nesting cups under the eaves on the north or east elevation of the new dwelling.
- Installation of 1x passerine bird nest on the northern or eastern elevation of the new dwelling or retained shed at a height above 3 metres.

Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). Although this is a legal obligation the law does not specify a time period - some species can breed outside the time frame given. To ensure the proposal meets the requirement within the National Planning Policy Framework 2017 (NPPF)\*, allowing the development to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

\*NPPF 2017 Section "170. Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity".

09. Any features such as rubble, stone and log piles which potentially afford resting places for reptiles will be dismantled by hand by a suitably qualified ecologist between April, May and October and any individuals found translocated to an appropriate location prior to works commencing on site.

Any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level, cleared towards the northwest boundary of the wall garden to allow any reptiles to escape through the access (ensuring this access is kept open during the cut), brushings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land to the west of the site. This work may only be undertaken during the period between April and October.

Reason: Reptile species are afforded protection from intentional and reckless killing or injury under the Wildlife and Countryside Act 1981 (as amended). Outside the period from April to October these species are likely to be in torpor or hibernation when disturbance is likely to pose a risk to survival.

#### **Informatives:**

01. Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email [cil@southsomerset.gov.uk](mailto:cil@southsomerset.gov.uk)

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# Agenda Item 14

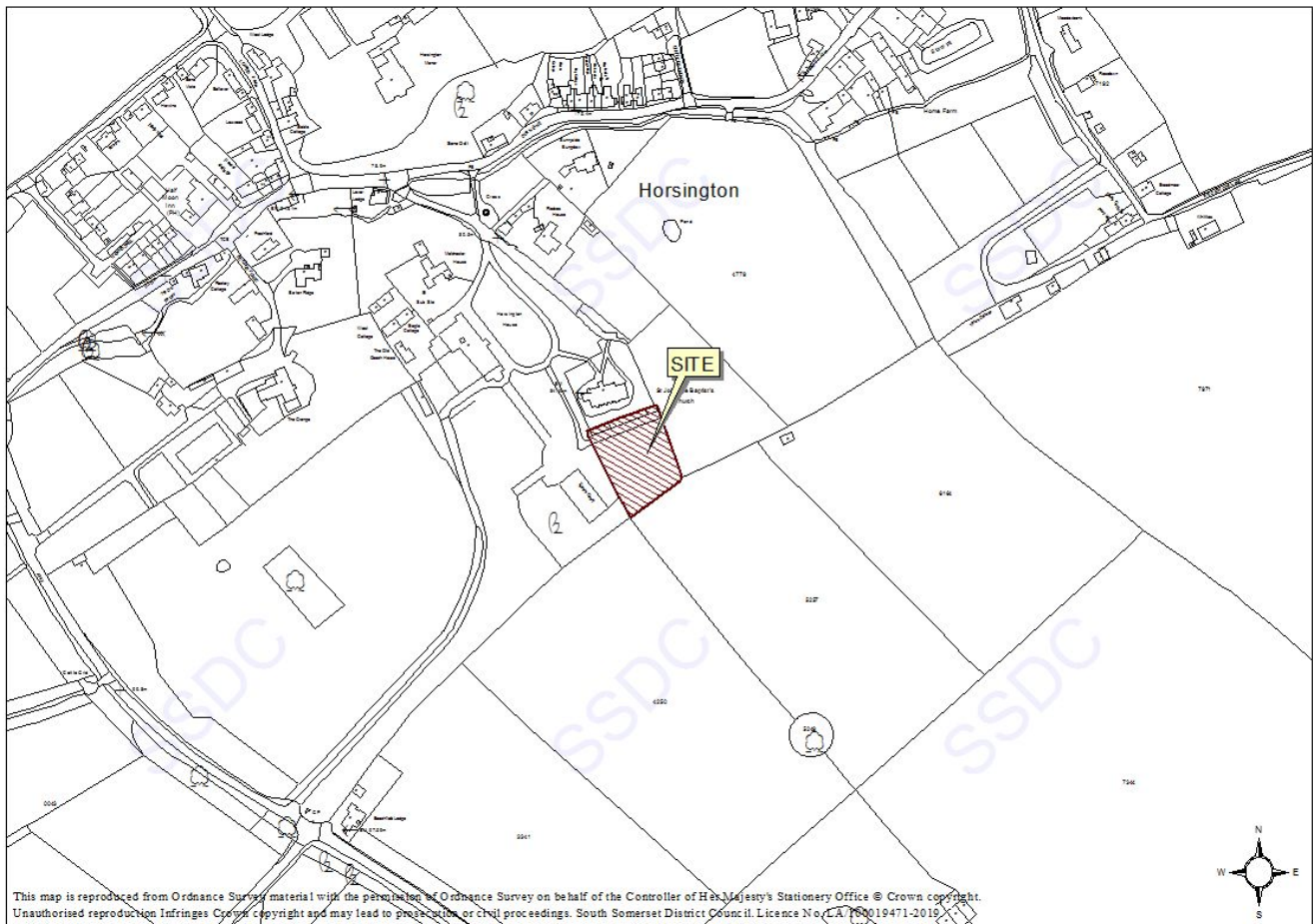
## Officer Report On Planning Application: 18/02220/LBC

<b>Proposal :</b>	Demolition of outbuildings, the erection of a dwelling with associated works and landscaping
<b>Site Address:</b>	Land South Of St John The Baptist Church Church Lane Horsington
<b>Parish:</b>	Horsington
<b>BLACKMOOR VALE Ward (SSDC Member)</b>	Cllr W Wallace Cllr Hayward Burt
<b>Recommending Case Officer:</b>	Dominic Heath-Coleman Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
<b>Target date :</b>	17th September 2018
<b>Applicant :</b>	Mr C Godson
<b>Agent: (no agent if blank)</b>	Mr Philip Brown Wykeham House 3 Station Road Okehampton EX20 1DY
<b>Application Type :</b>	Other LBC Alteration

### REASON FOR REFERRAL

The application is before the committee at the request of the ward member, and with the agreement of the area chair, in to allow local concerns to be debated.

### SITE DESCRIPTION AND PROPOSAL



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The proposal seeks consent for the erection of a dwelling together with associated landscaping. The site is a walled garden in the grounds of a large country house (now subdivided), containing several outbuildings but otherwise empty and currently uncultivated. The walls of the garden are made of brick and natural stone. The main house is a grade II listed building and, as such, the structures of the walled garden are considered to be listed in association. Immediately to the north of the walled garden is a grade II\* listed church. To the east and south of the site is open countryside, with the grounds of the main house immediately to the west. The site is adjacent to a conservation area, and not within a development area as defined by the local plan. There is a public footpath adjacent to the western boundary of the site.

The proposed development consists of the erection of a single storey dwelling of modern design, to be finished in natural stone, glass, and standing seam zinc cladding, all under a living 'green' roof. It is proposed to access the site through the existing northern access into the grounds of the main house, along an existing unaltered driveway, and then a long short section of improved and re-aligned driveway into the walled garden itself.

**HISTORY**

18/02218/FUL - The erection of a dwelling together with associated landscaping - Pending consideration

**POLICY**

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



or historic interest which it possesses'

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

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

Relevant Development Plan Documents

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

Policy EQ3 - Historic Environment

## **CONSULTATIONS**

**Horsington Parish Council** - Initially:

*"The remaining Councillors took note of the neighbours' concerns and are unanimously opposed to the proposed development for the following reasons:*

- the property is out of keeping with the area - a modern building in a listed wall and listed house environment.*
- too close to the Church. Also the Churchwardens feel that the residents of the new home would complain about the bells.*
- under policy SS2 it does not meet an identified housing need.*
- the access to the proposed house is past a private apartment but access to all the existing properties is along a drive from the main road. The proposed access would lead to a loss of privacy."*

On the receipt of amended plans:

*"The remaining Councillors are opposed to the applications and feel that the amendments do not address the concerns that the Parish Council has already raised.*

*Councillors are particularly concerned about the access from Church Lane.*

*It is also understood that there is some ambiguity regarding the right of way on the property."*

**SSDC Conservation Officer** -

*"The proposed dwelling is in the setting of the GII\* listed Church of St John the Baptist, the site is surrounded on four sides by a high wall and as the Heritage Statement points out this area would once have formed a kitchen garden, the only visible remains are the wall and traces of pathways. The proposed dwelling has undergone several design alterations in order to ensure that it does not impact on the Church and wider setting including long distance views which would could potentially experience a level of light pollution.*

*The design is high quality and well considered and because of this will not detract from the setting of the Church, subsequently the proposed new dwelling will be an attractive addition to the area, albeit largely hidden from view. The low roof sits just beneath the level of the surrounding wall, so the building would physically be subservient to the church. Views to the building will be limited by the high wall which surrounds the site.*

*I think that the proposed house, will be innovative, responsive and sensitive. It represents a kind of design that works because of the careful thought that goes into understanding the requirements of the site and mitigating against perceived impacts. Which is perfectly illustrated in this instance by the considerate response to both climate and concerns.*

*I am very happy to support this application."*

**Historic England [in relation to the concurrent application for planning permission]** - Initially raised concerns. On the receipt of amended plans, they offered the following comments:

*"We note the alteration to the roofline, namely the lowering of the pavilion section by 580mm. Whilst minimal, we nevertheless consider this a welcome amendment which breaks up the overall bulk and height, and lessens any conflict in views of the church. Likewise any visible light will be necessarily reduced.*

*The additional lighting explanation in the accompanying email and updated Lighting Strategy is likewise welcomed; this provides assurance that all effort has been made (with regards to luminaires, glazing, lowering the pavilion, and external mitigating screening) to minimise any effect of lighting. As far as we are qualified to comment, we accept that lighting controls have been fully explored and assessed, and as such find no reason to contend the assertion that 'the experience of the church will not be adversely affected during low light levels, nor will light from the 'pavilion' glazing be highly visible from the PROW to the south.'*

#### *Recommendation*

*Historic England has no objection to the application on heritage grounds. We consider that the issues and safeguards, as set out in our letter dated 12 September 2018, have been satisfactorily addressed.*

*In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.*

*Your authority should take these representations into account in determining the application."*

#### **REPRESENTATIONS**

Letters of objection were received from the occupiers of three neighbouring properties. Objections were raised in the following areas:

- Access arrangements would open private gardens to public and would cause disturbance and loss of privacy to existing residents
- Access arrangements would be dangerous during construction and afterwards
- Adverse impact on heritage assets and character of area

#### **CONSIDERATIONS**

The proposal involves the erection of a new dwelling close to a conservation area, a grade II listed

building, and a grade II\* listed building. It will also involve alterations to structures listed in association. As such, the SSDC Conservation Officer, and Historic England were consulted. Historic England raised some initial concerns but, on the receipt of amended plans and additional information, they raised no objections to the scheme. The SSDC conservation officer was very positive about the scheme and raised no objections. On this basis, it is considered that there will be no harm to the character or setting of the nearby heritage assets. The proposed design and materials are considered to be of a high standard, and have been well-considered.

The comments of the parish council and neighbouring occupiers are noted. However, these relate largely to planning matters (rather than listed building consent matters) and are considered as part of the concurrent application for planning permission.

As the opinion of the conservation officer is considered to hold considerable weight in applications of this nature, the proposal is not considered to have a negative impact on the character or setting of the listed buildings.

It is therefore considered that the proposal does not adversely affect the character of the listed buildings in accordance with the NPPF, and policy EQ3 of the South Somerset Local Plan.

As such the proposal should be recommended for approval.

## **RECOMMENDATION**

Grant consent for the following reason:

The proposal, by reason of its materials and design is considered to respect the historic and architectural interests of the buildings and is in accordance with policy EQ3 of the South Somerset Local Plan, and the provisions of the NPPF.

## **SUBJECT TO THE FOLLOWING:**

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

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

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

Site Location Plan labelled "Phillip Brown Associates"  
Lighting Strategy - Revised Version 1  
GDN/P.01D  
GDN/P.02A  
GDN/S.03B  
GDN/P.04B

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

03. No work shall be carried out in relation to any of the below elements until particulars of that element 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 the external walls and roofs;

- b) the mortar mix and coursing of the external walls (best illustrated through the provision of a sample panel);
- c) the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- d) all hardstanding and boundaries
- e) the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

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

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# Agenda Item 15

## Officer Report On Planning Application: 18/03100/FUL

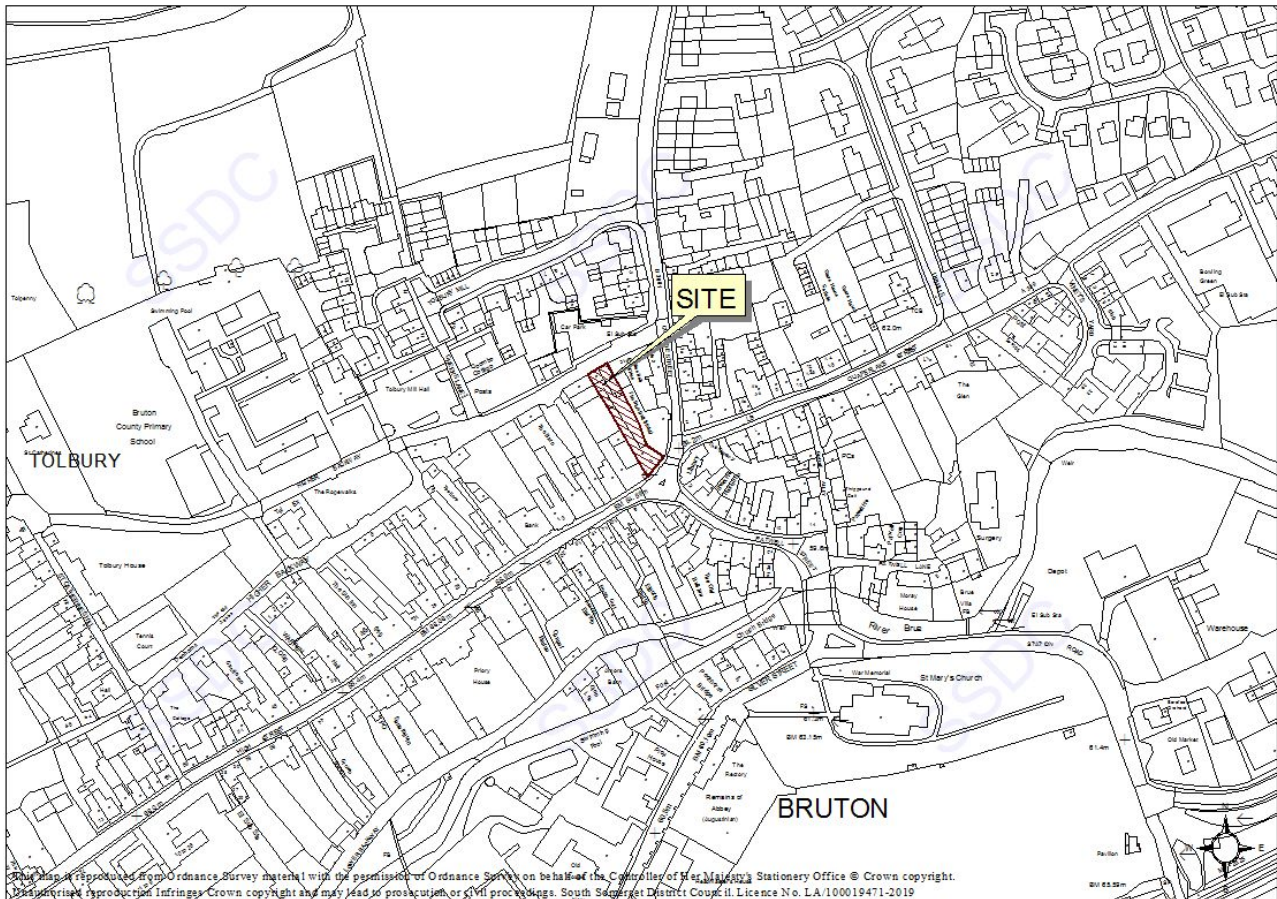
<b>Proposal :</b>	Repairs & alterations to existing Forge Building to provide additional guest accommodation in conjunction with use of the remainder of the property as bed & breakfast accommodation.
<b>Site Address:</b>	1 High Street Bruton BA10 0AB
<b>Parish:</b>	Bruton
<b>BRUTON Ward (SSDC Member)</b>	Cllr Anna Groskop
<b>Recommending Case Officer:</b>	Stanley Norris Tel: 01935 462462 Email: <a href="mailto:planningcaseteam@southsomerset.gov.uk">planningcaseteam@southsomerset.gov.uk</a>
<b>Target date :</b>	21st December 2018
<b>Applicant :</b>	Mr Aled Rees
<b>Agent: (no agent if blank)</b>	Mr Patrick Benjamin Benjamin + Beauchamp Architects The Borough Studios The Borough Wedmore BS28 4EB
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

This application is called before Area East Committee as requested by the Chair as multiple neighbour objections were submitted contrary to the officer recommendation.

**Date of site visit:** 05/12/2018

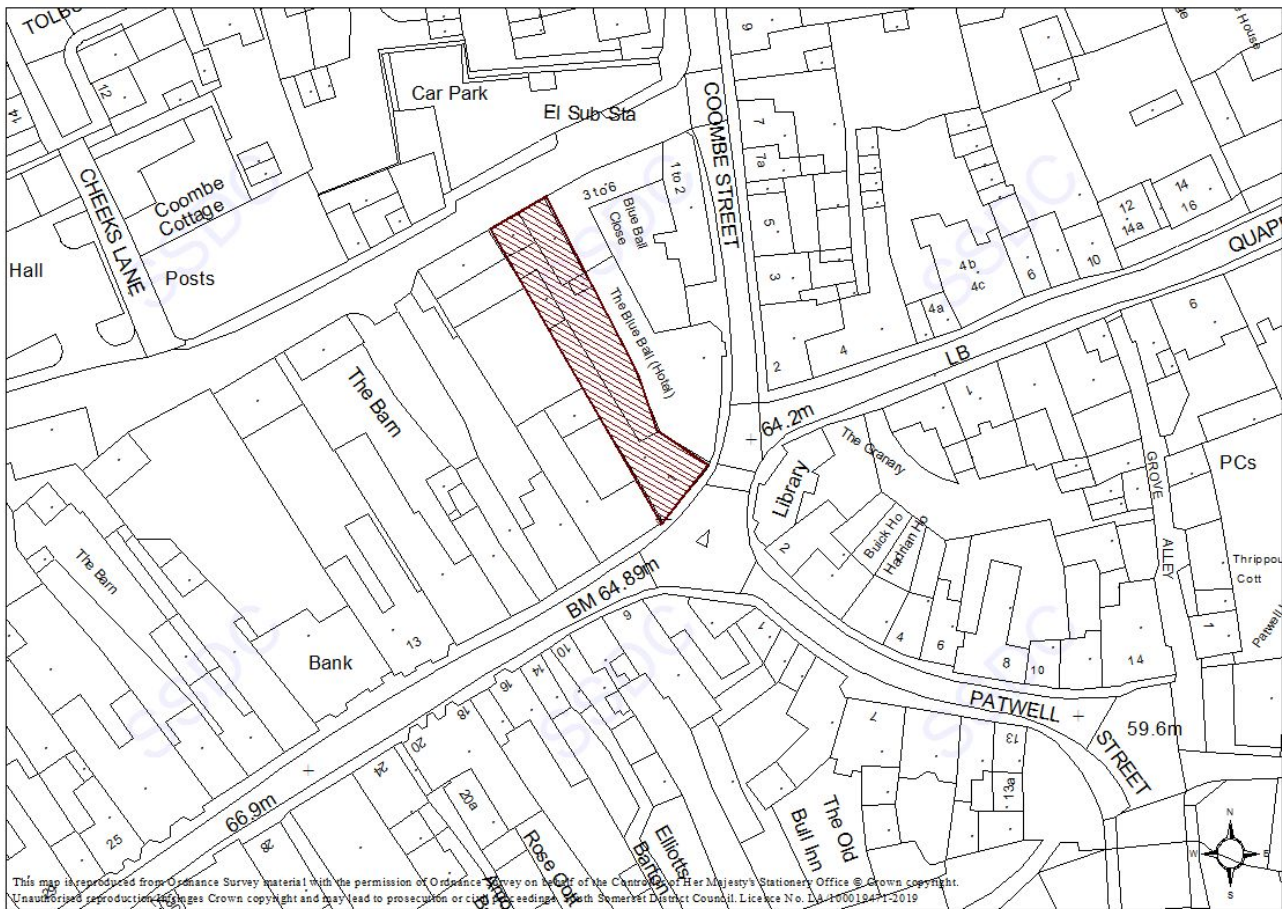
**Neighbours/consultees correct:** Yes

**Site Location and Description:**



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1 High Street is a two storey terrace property in one of the most prominent sites in Bruton, towards the eastern end of High Street. The dwelling dates back to the 16th Century and is recognised as Grade II Listed and falls within the designated Conservation Area. The dwelling was given permission in 2016 to change its use to bed and breakfast accommodation.

The proposed development is for the conversion of the existing 16th century forge building at the rear of the building, the proposal outlines the conversion into four further bedrooms in conjunction with the use of the main building as well as a garage to provide parking for 2 vehicles.

**History:**

This application runs concurrent with 18/03101/LBC

Application Number: 16/02948/FUL & 16/02949/LBC

Description: Alterations, extension and repairs to existing building. Change of use to C1 (bed and breakfast) accommodation.

Close Date: 11/10/2016

Status: Application permitted with conditions

Application Number: 16/01635/LBC

Description: Demolition of existing outbuildings

Close Date: 16/06/2016

Status: Application permitted with conditions

**Policy:**

South Somerset Local Plan 2006-28:  
Policy SD1- Sustainable Development  
Policy EQ2 - Design and General Development  
Policy EQ3- Historic Environment  
Policy TA5 - Transport Impact of New Development  
Policy TA6 - Parking Standards  
Policy EP4 - Expansion of Existing Businesses in the Countryside  
Policy EP8 - New and Enhanced Tourist Facilities

NPPF:

Chapter 12 - Achieving Well Designed Places

Chapter 16 - Conserving and Enhancing the Historic Environment:

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 - In considering whether to grant planning permission, or permission in principle, for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 - In the exercise, with respect to any buildings or other land in a conservation area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Planning Practice Guidance, 2014. (As Amended)

Somerset County Council Parking Strategy (September 2013) and Standing Advice (June 2017)

#### **Town/Parish Council:**

The Planning Committee of Bruton Town Council resolved to support these applications.

The Planning Committee also expressed its appreciation of the applicant's recognition of Bruton's parking problems and was looking forward to seeing the mitigation measures which he promised being implemented effectively.

#### **SSDC Conservation Officer [in response to the concurrent application for listed building consent]**

This application refers to the restoration of an existing forge building which is currently in a dilapidated state. The proposal is to convert the building to contain four bedrooms for a B&B, the forge house is connected to the rear of 1 High Street a Grade II listed building which dates back to the 16th century.

1 High Street sits at the top of the hill in Bruton, in one of the most prominent sites along the street and at the eastern end of Commercial Street, for this reason it is likely that the building has always been a high status building, though over the years the function will have changed to suit the needs of the time.

1 High Street is a B&B, with a series of connected buildings sited within a narrow tenement, very typical of the medieval layout found throughout the historic core of Bruton. Access from the rear is gained through a cart entrance under stone arch and opens directly into a passage with the west front of the forge house.

The forge house has been used for storage and contains no facilities associated with a domestic dwelling. The proposals seek to change the use of the forge house into domestic which will ensure that the building remains in viable use into the future and its business use will be of public benefit.

The road side elevation (north) which is the most significant elevation, facing a public highway will not be changed in appearance apart from tidied up. The west elevation visible within the courtyard will be altered, there are currently two large poor quality handmade metal framed 6 x 3 and 8 x 3 rectangular paned windows and one slit window within the eaves containing 5 panes. There are two doors in the west elevation.

The proposed changes involve the removal of the larger of the two metal framed window, proposed to be infilled with recessed natural stone and the wooden lintel will remain. The 6x3 window will become a doorway with the original style of fenestration extended to the floor. This elevation is not the primary elevation of the building, therefore their loss is not considered to be harmful to the significance of the building.

It is proposed to add a double door in the south elevation which will open out onto a new terrace, the door will be located within a currently blocked window, and the existing timber lintel will be raised and replaced with concrete and faced in timber in order to accommodate this change. This wall contains a blocked chimney and other smaller features, these will not be altered apart from to locate the double door. This is acceptable.

There is also an active permission for new rooflights to be placed into the west elevation, which has not yet been implemented. It is proposed to reduce the number from 3 to 2 and to relocate the rooflights at the same height along the same roofslope. This is acceptable.

There is a set of stairs located at the back of the forge which is proposed for removal. At the lower section has a steep ladder with open treads (leaning on an under stair cupboard) opening onto a small landing area, this gives split level access to two rooms. The stair is in a dilapidated state and its existing location will compromise the proposed layout of the forge. During discussion with the architect on site it was agreed that a similar to existing 'rustic' design for the new stairs would be appropriate in this instance. In my professional opinion the public benefit achieved as a result of the stairs relocation will outweigh the harm caused by its removal.

A sub floor will be inserted over the existing first floor, creating an even floor, but also allowing the structure of the ceiling to be seen from below. This is acceptable.

I have no objection to this proposal, subject to submission of further details as outlined below. (SEE CONDITIONS)

#### **Other Consultees :**

##### **SSDC Highways Consultant**

I understand the proposal would increase the number of bedrooms from the permitted seven to 12. Ideally there would be sufficient on-site car parking to allow one space to be allocated to each bedroom. However, the parking provision of six spaces for 12 rooms would be consistent with the optimum standard set out in the Somerset Parking Strategy and the site is located in the centre of the town close to public car parks and on-street parking areas. I also note the provision of a secure, undercover cycle parking facility. Therefore, no highway objection is raised.

##### **County Highways Consultant**

Standing Advice Applies

##### **South West Heritage**

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

##### **Representation/Neighbour Comments**



Site notice displayed on downpipes on front elevation of the property.

17 neighbouring properties received letters of notification and 7 letters of objection were received. A key theme appearing in all objections was concerns over the parking provision and issues raised included;

- Concerns over 'unrealistic' guest parking which would require the presence of a valet at all times
- Not sufficient parking for staff on site
- Existing parking conditions within Bruton are 'dire' and town is 'overcapacity'
- Concern over safety of vehicles leaving the site as vision in both directions is considered 'unsafe'
- Public transport within Bruton is not sufficient to warrant only 6 parking spaces

One neighbour also had concerns over the development of the forge and thought that the historic building should be developed more sympathetically.

## **CONSIDERATIONS**

### **Principle of Development**

The Case Officer in the original application for the change of use to bed and breakfast stated- 'There are no local plan policies seeking to protect retail uses in settlements such as Bruton. Instead chapter 2 of the NPPF is the most important material consideration. The proposal is considered to be in-line with the thrust of this chapter, which recognises that a variety of uses (including residential) can play an important role in ensuring the vitality of town centres. As such, the principle of the proposed development is considered to be acceptable.'

Having revisited the chapter, the principle of increasing the amount of bedrooms within the bed and breakfast accommodation is supported. Subject to compliance with relevant policies and material considerations, the principle of development is accepted.

### **Visual Amenity**

As the building is a grade II listed building within a conservation area the SSDC conservation officer was consulted in regard to visual amenity on the concurrent application for listed building consent. After amended plans and two site visits were had with the agent, the conservation officer was happy that the proposed design would not cause any significant harm to the historic significance of the building as well as ensuring that the building remains viable for use within the future, providing a public benefit.

The northern elevation of the forge (bordering Higher Backway) will remain mostly unchanged (other than tidied up) and therefore there will not be significant change from the highway running perpendicular to the forge building.

The western elevation which will be visible from within the courtyard will receive the greatest amount of change, with the addition of a small window on the ground floor, the blocking of a window and the change from the second window to become a doorway with the existing style of fenestration extended to become a full length door. The conservation officer has stated that as this is not the principle elevation of the forge these changes will not be harmful to the significance of the listed building.

The changes to the southern elevation will not be as significant and will see the addition of a ground floor door which will open out on to a new terrace, the door will be in place of an existing blocked up window and will see the addition of a new window in the existing opening. The newly proposed door and window would be finished in similar fenestration to other openings and would be finished with new oak lintels. The conservation Officer has stated that she is happy with the proposals to retain the blocked chimney and other existing smaller features of historical significance.

The conservation Officer has also included several conditions on any permission issued to control the detailing of the scheme. Such conditions are considered to be reasonable and necessary. As such, the impact on visual amenity is considered to be acceptable in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

### **Residential Amenity**

Despite the large changes it is not considered that the proposal would have any significant impact on the residential amenity of any adjoining occupiers. There will be no issue with overbearing or dominance as the footprint of the forge will remain the same. In accordance with policy EQ2 of the South Somerset Local Plan the development is considered acceptable.

### **Highways**

All seven of the received objections included concerns over highways and parking provisions. The highway authority was consulted and referred to their standing advice. The SSDC Highways Consultant has made an assessment of the scheme and considers that there will be no adverse impact on highway safety.

In his comments he has outlined that that the overall provision of 6 parking spaces for the overall 12 guest rooms is in line with optimum standards set out in the Somerset Parking Strategy. The provision of a secure bike shed has also been noted by the Highways Consultant, who has also noted the location of a public car park to the north and on street parking along the main High Street.

### **Conclusion**

The proposed development is considered to be acceptable in principle and will have no adverse impact on the character of the conservation area or the listed building, and will cause no demonstrable harm to residential amenity or highway safety in accordance with policies SD1, SS1, EQ2, EQ3, TA5, and TA6 of the South Somerset Local Plan.

### **RECOMMENDATION**

Approve for the following reason:

01. The principle of development is considered to be acceptable in this location and the proposal, by reason of its size, scale and materials, respects the character of the conservation area, and causes no demonstrable harm to residential amenity, the character and setting of the listed building, and highway safety 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 begun before the expiration of three years from the date of this permission

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings. The external surfaces of the development shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

Plans Titled-

- 056.000 A Location Plan
- 0560.P.019 Block Plan
- 0560.P.017 Forge Elevation as Existing
- 0560.P.018 A Forge as Proposed
- 0560.P.030 Proposed Parking Plan
- 0560.P.016 Forge Floor Plans
- 0560.SK.10 Proposed Forge Internal Elevation

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

03. No work shall be carried out fit the new staircase until details of the new staircase, including detailed design, materials and finish are to be submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

04. No work shall be carried out to fit any new WCs, Bathrooms, Kitchens or Utility rooms unless details of all new services to such rooms, including details of routes of foul water and any ventilation or extraction have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

05. No work shall be carried out to fit any doors, windows, boarding or other external opening unless details of the design, materials and external finish of these elements have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

06. The windows comprised in the development hereby permitted shall be recessed in accordance with details to be submitted to and approved in writing with the Local Planning Authority before any windows are fitted.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

07. No work shall be carried out to fit the roof lights unless details of the units have been submitted to and agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing, the roof lights shall be top hung and flush with the roof covering. Such approved details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028)

08. The area allocated for parking and turning on the submitted plan, drawing no 0560.P.030 A received 30/11/2018, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles used in connection with the bed and breakfast use of 1 High Street, Bruton.

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

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# Agenda Item 16

## Officer Report On Planning Application: 18/03101/LBC

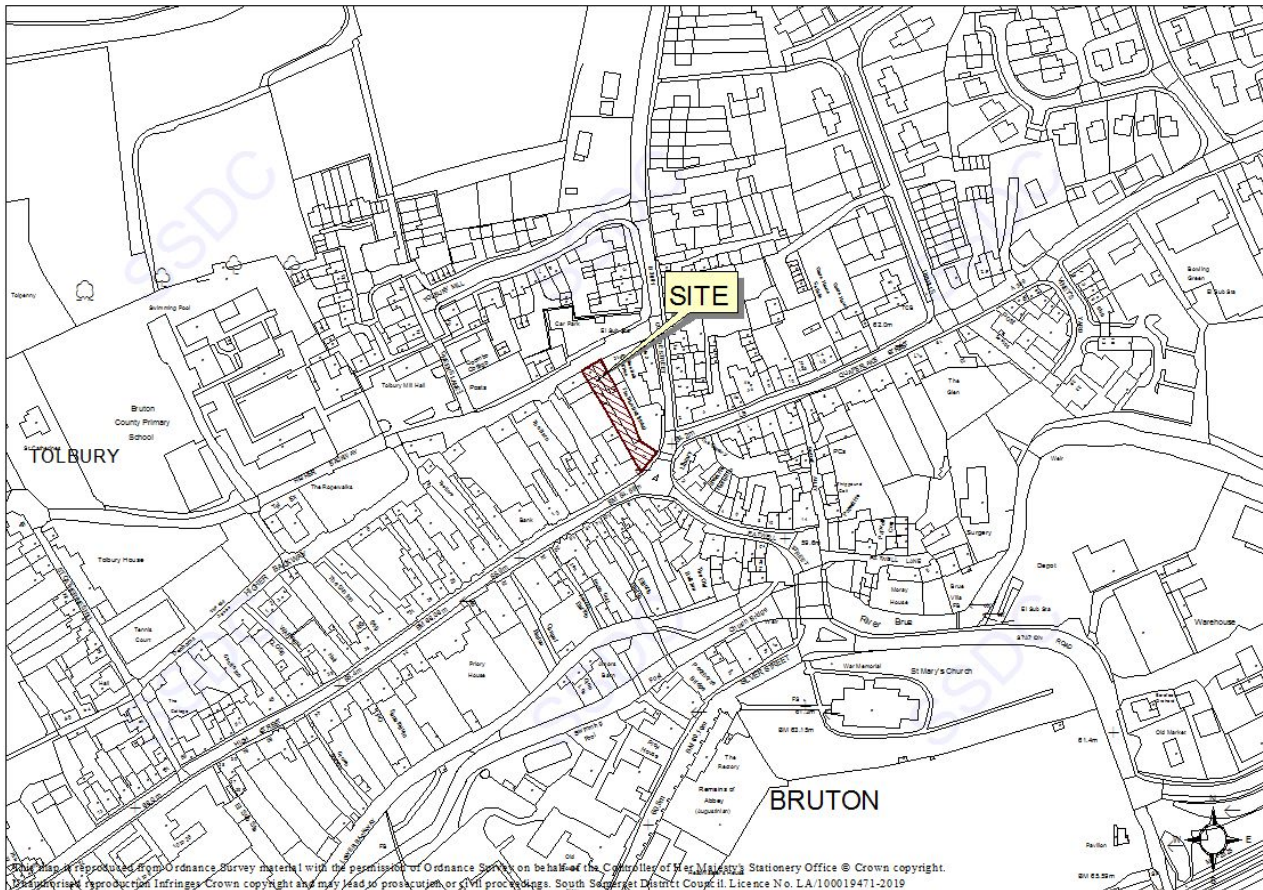
<b>Proposal :</b>	Repairs & alterations to existing Forge Building to provide additional guest accommodation in conjunction with use of the remainder of the property as bed & breakfast accommodation.
<b>Site Address:</b>	1 High Street Bruton BA10 0AB
<b>Parish:</b>	Bruton
<b>BRUTON Ward (SSDC Member)</b>	Cllr Anna Groskop
<b>Recommending Case Officer:</b>	Stanley Norris Tel: 01935 462462 Email: <a href="mailto:planningcaseteam@southsomerset.gov.uk">planningcaseteam@southsomerset.gov.uk</a>
<b>Target date :</b>	21st December 2018
<b>Applicant :</b>	Mr Aled Rees
<b>Agent: (no agent if blank)</b>	Mr Patrick Benjamin Benjamin + Beauchamp Architects The Borough Studios The Borough Wedmore BS28 4EB
<b>Application Type :</b>	Other LBC Alteration

This application is called before Area East Committee as requested by the Chair as multiple neighbour objections were submitted contrary to the officer recommendation.

**Date of site visit:** 05/12/2018

**Neighbours/consultees correct:** Yes

**Site Location and Description:**







South Somerset Local Plan 2006-28:  
Policy EQ3- Historic Environment

**NPPF:**

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

**Planning (Listed Buildings and Conservation Areas) Act 1990:**

Section 16 (2) states: "In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

**Town/Parish Council**

The Planning Committee of Bruton Town Council resolved to support these applications.

**SSDC Conservation Officer**

This application refers to the restoration of an existing forge building which is currently in a dilapidated state. The proposal is to convert the building to contain four bedrooms for a B&B, the forge house is connected to the rear of 1 High Street a Grade II listed building which dates back to the 16th century.

1 High Street sits at the top of the hill in Bruton, in one of the most prominent sites along the street and at the eastern end of Commercial Street, for this reason it is likely that the building has always been a high status building, though over the years the function will have changed to suit the needs of the time.

1 High Street is a B&B, with a series of connected buildings sited within a narrow tenement, very typical of the medieval layout found throughout the historic core of Bruton. Access from the rear is gained through a cart entrance under stone arch and opens directly into a passage with the west front of the forge house.

The forge house has been used for storage and contains no facilities associated with a domestic dwelling. The proposals seek to change the use of the forge house into domestic which will ensure that the building remains in viable use into the future and its business use will be of public benefit.

The road side elevation (north) which is the most significant elevation, facing a public highway will not be changed in appearance apart from tidied up. The west elevation visible within the courtyard will be altered, there are currently two large poor quality handmade metal framed 6 x 3 and 8 x 3 rectangular paned windows and one slit window within the eaves containing 5 panes. There are two doors in the west elevation.

The proposed changes involve the removal of the larger of the two metal framed window, proposed to be infilled with recessed natural stone and the wooden lintel will remain. The 6x3 window will become a doorway with the original style of fenestration extended to the floor. This elevation is not the primary elevation of the building, therefore their loss is not considered to be harmful to the significance of the building.

It is proposed to add a double door in the south elevation which will open out onto a new terrace, the door will be located within a currently blocked window, and the existing timber lintel will be raised and replaced with concrete and faced in timber in order to accommodate this change. This wall contains a blocked chimney and other smaller features, these will not be altered apart from to locate the double door. This is acceptable.

There is also an active permission for new rooflights to be placed into the west elevation, which has not yet been implemented. It is proposed to reduce the number from 3 to 2 and to relocate the rooflights at the same height along the same roofslope. This is acceptable.

There is a set of stairs located at the back of the forge which is proposed for removal. At the lower section has a steep ladder with open treads (leaning on an under stair cupboard) opening onto a small landing area, this gives split level access to two rooms. The stair is in a dilapidated state and its existing location will compromise the proposed layout of the forge. During discussion with the architect on site it was agreed that a similar to existing 'rustic' design for the new stairs would be appropriate in this instance. In my professional opinion the public benefit achieved as a result of the stairs relocation will outweigh the harm caused by its removal.

A sub floor will be inserted over the existing first floor, creating an even floor, but also allowing the structure of the ceiling to be seen from below. This is acceptable.

I have no objection to this proposal, subject to submission of further details as outlined below. (SEE CONDITIONS)

#### **Representations:**

Site Notice displayed on front elevation of building.

7 letters of objections were received on the proposed development, all 7 made comments regarding parking arrangements with one neighbour also having concerns over the development of the forge and thought that the historic building should be developed more sympathetically.

#### **Considerations:**

As the property is a grade II listed building and within a conservation area, the SSDC conservation officer was consulted in regard to visual amenity. After amended plans and two site visits were had with the agent, the conservation officer was happy with that the proposed design would not cause any significant harm to the historic significance of the building as well as ensuring that the building remains viable for use within the future, providing a public benefit. Although conditions are to be included to ensure historical character is not lost.

In response to the objection, it is considered that all alterations and adjustments are sympathetic of the original forge building. The principle elevation visible from Higher Backway although tidied up will be kept unchanged and therefore it is not considered that the alterations would cause any significant harm to the character of the Listed Building or the locality of the Conservation Area.

The other objections received, relating to parking are considered to be planning related matters and therefore are discussed on the concurrent application (18/03100/FUL) and are not considered to have an impact on the Listed Building.

As the opinion of the conservation officer is considered to hold considerable weight in applications of this nature, the proposal is not considered to have a negative impact on the character or setting of the listed building.



As such the proposal is recommended for approval.

**RECOMMENDATION:**

Grant Listed Building Consent for the following reason:

01. The proposal, by reason of its materials and design is considered to respect the historic and architectural interests of the building and is in accordance with policy EQ3 of the South Somerset Local Plan, and the provisions of the NPPF.

**SUBJECT TO THE FOLLOWING:**

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings. The external surfaces of the development shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

Plans Titled-

- 056.000 A Location Plan
- 0560.P.019 Block Plan
- 0560.P.017 Forge Elevation as Existing
- 0560.P.018 A Forge as Proposed
- 0560.P.030 Proposed Parking Plan
- 0560.P.016 Forge Floor Plans
- 0560.SK.10 Proposed Forge Internal Elevation

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

03. No work shall be carried out fit the new staircase until details of the new staircase, including detailed design, materials and finish are to be submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

04. No work shall be carried out to fit any new WCs, Bathrooms, Kitchens or Utility rooms unless details of all new services to such rooms, including details of routes of foul water and any ventilation or extraction have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

05. No work shall be carried out to fit any doors, windows, boarding or other external opening unless details of the design, materials and external finish of these elements have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

06. The windows comprised in the development hereby permitted shall be recessed in accordance with details to be submitted to and approved in writing with the Local Planning Authority before any windows are fitted.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

07. No work shall be carried out to fit the roof lights unless details of the units have been submitted to and agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing, the roof lights shall be top hung and flush with the roof covering. Such approved details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

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# Agenda Item 17

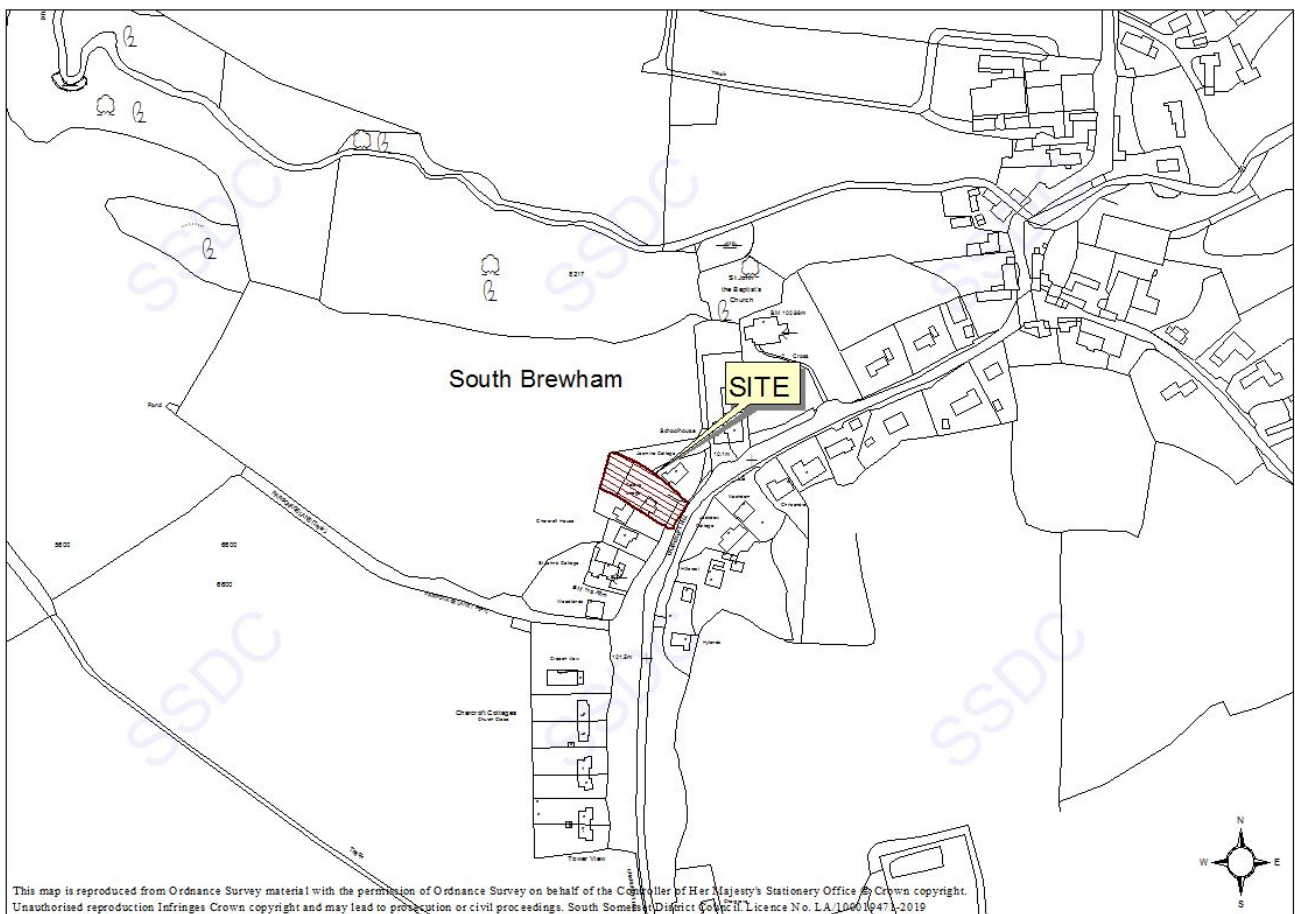
## Officer Report On Planning Application: 18/03964/HOU

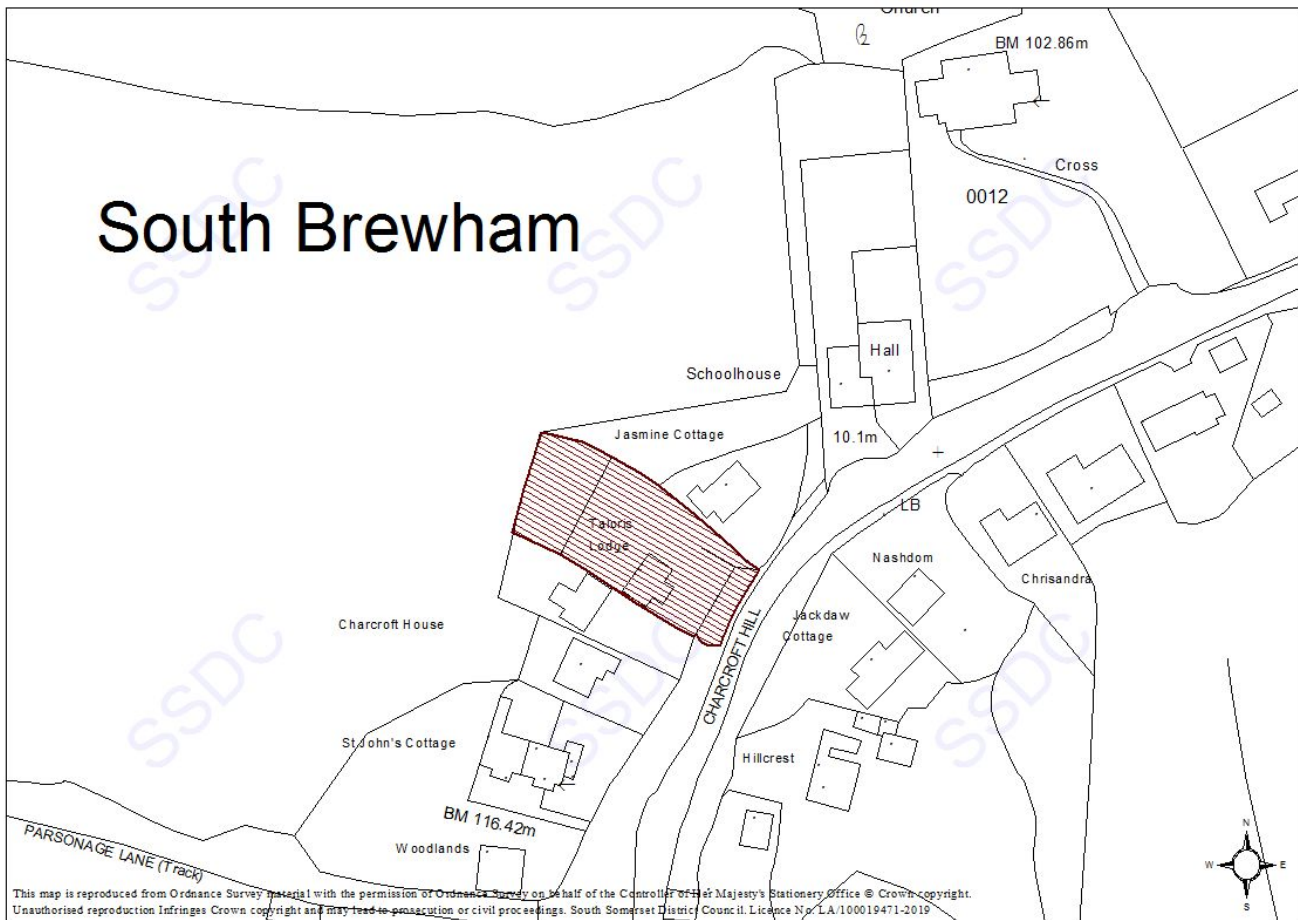
<b>Proposal :</b>	Erect extensions and form new access and parking area.
<b>Site Address:</b>	Taloris Lodge Charcroft Hill Brewham
<b>Parish:</b>	Brewham
<b>TOWER Ward (SSDC Member)</b>	Cllr Mike Beech
<b>Recommending Case Officer:</b>	Stanley Norris Tel: 01935 462462 Email: planningcaseteam@southsomerset.gov.uk
<b>Target date :</b>	18th January 2019
<b>Applicant :</b>	Mr Sean Taylor
<b>Agent: (no agent if blank)</b>	Mr David Nurse David Nurse Building Consultant Stonegarth Godminster Lane Bruton Somerset BA10 0NB
<b>Application Type :</b>	Other Householder - not a Change of Use

This application is called to Area East Committee by the chair as the officer recommendation is contrary to views held by the Ward Member and the Parish Council.

**Neighbours/consultees correct:** Yes

**Site Context/Description and Proposal:**





Taloris Lodge is a semi-detached two storey dwelling located in a relatively isolated position. The dwellinghouse is constructed of reconstructed stone under a concrete interlocking tile roof with UPVC openings. Neighbouring properties are located on both sides, there is an approximate distance of 13 metres between the north eastern flank of Taloris Lodge and the south western flank of Jasmine Cottage. The South Western Neighbour, North View is set back further from the road with its north western (side) elevation sitting approximately 2 metres west of the rear of Taloris Lodge.

Taloris Lodge is not located within a Conservation Area however the neighbouring dwelling to the north east, Jasmine Cottage is a Grade 2 Listed Building and situated further north are the Grade 2 Listed Village Hall (approx. 48 metres flank to flank) and even further beyond is the Grade 2\* Listed St John the Baptist Church (approx. 100 metres from flank to flank). Approximately 40 metres east (opposite) is Gordons Cottage another Grade 2 Listed Building.

The proposal outlines large erections to the principle elevation and the northern elevation. The erections will see an increase in the overall width of the dwelling from approximately 11 metres to 15.6 metres and increase in the existing depth from approximately 8 metres to approximately 19.6 metres including a large terraced/balcony area at the rear. The proposal will increase the number of bedrooms from 3 to 4.

New access is also proposed to the site in the south eastern corner of the properties boundary.

## History

No relevant history.

## **Policy**

South Somerset Local Plan 2006-2028:

Policy EQ2 -General Development

Policy EQ3- Historic Environment

Policy TA6 - Parking Standards

NPPF:

Chapter 12 - Achieving Well Designed Places

Chapter 16 - Conserving and Enhancing the Historic Environment

Planning Practice Guidance, 2014. (As Amended)

South Somerset District Council Supplementary Guidance - Extensions and Alterations to Houses - A Design Guide

Somerset County Council Parking Strategy, March 2012 and September 2013.

## **Town/Parish Council**

Brewham Parish Council had no objections to the proposal.

## **Neighbour Comments**

4 Neighbours notified of proposed development

1 letter of objection received outlining that the development is out of character with the area, will limit natural light within their property and will ruin the view from the property.

These objections will be discussed throughout this report, however, the objection based on the ruining of a view will not be discussed as this is not considered to be a planning issue.

## **Other Consultees**

**Archaeological Consultant** - 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.

**County Highways** - Standing Advice Applies

**SSDC Highways Consultant** - I think this development is likely to be acceptable; however, I would like to see some additional detail on the plans. The extent of the visibility splays that would be available at the point of access need to be shown- these must measure 2.4mts x 42mts in both directions with no obstruction greater than 600mm within the splays. The entrance gates should be set back a minimum distance of 5 mts from the edge of the carriageway and the access between the carriageway edges and gates must be properly consolidated and surfaced (not loose stone or gravel). Parking provision should accord with the optimum standards set out in the Somerset Parking Strategy, independent of a turning area.

## **CIL**

This authority does not collect CIL on householder development.

## **Visual and Landscape Impact**

Older dwellinghouses within the vicinity are generally constructed with natural stone with the more modern properties built using reconstructed stone (as Taloris lodge is existing). The proposal outlines the use of render and timber boarding which is considered to cause harm to the existing street scene and is considered to be out of character with the established character.

It is important to ensure that the design, scale and appearance of any proposal is appropriate to avoid dominating the existing house. Particular care should be given to extensions which front the highway due to their often prominent position and impact on the character of the property and the surrounding area. Whilst the proposal is of a standard design that is sometimes acceptable in other locations, the position of the host property results in a large two storey element which is highway-facing and brings the build line closer to the highway. The extension would also protrude 8 mts further east towards the highway, and would upset the broad arc of build line which enhances the character of the area and any build significantly forward of this is considered to detract from the character of the settlement.

There are no visual constraints with the proposed new access.

### **Residential Amenity**

Although a large part of the proposal outlines the erection of a large first floor terraced area it is not considered that this would result in any overlooking issues or result in a loss of privacy on Jasmine Cottage as the border between these properties is heavily landscaped with mature shrubs and trees. It is also considered that this erection would not have an overlooking impact on Northview, as there will be a 2 metre block wall which will eradicate any overlooking issues to the south west.

The alterations to the existing dwellinghouse also outlines the installation of multiple new windows and openings, including the addition of 2 new dormer windows facing north from the proposed garage element, these additions are not considered to cause any demonstrable harm to residential amenity of occupiers within the vicinity.

In terms of size, appearance and design the proposal is considered to have an overbearing and dominant impact on neighbouring properties. The letter of objection received from a neighbouring property suggested that the erection would limit the amount of natural light that the property would receive, although due to the degree of separation between Charcroft House and Taloris Lodge, it is not considered that this would be sufficient to warrant a refusal.

It is however considered that the overbearing impact on Northcroft is demonstrable enough to warrant a refusal. Although there has not been an objection submitted, it is considered that the position of the extension and the size would create a large wall (approximately 8 mts in depth with a height of 6.5 metres) which would run along the boundary, and therefore is considered to be dominant, overbearing and inflict a loss of natural light.

### **Impact on Listed Building**

When making a decision on a planning application for development that affects the setting of a listed building, a local planning authority must have special regard to the desirability of preserving the setting. South Somerset Local Plan Policy EQ 3 sets out that;

'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 complement it and through the use of appropriate materials and techniques'

It is considered that the proposal is contrary to the requirements of Policy EQ3 and would cause demonstrable harm to the character of the area and the setting of the listed buildings. It is also considered that the positioning of the extension would detract from the enjoyment of the nearby listed buildings for other residents within the vicinity.

### **Conclusion**

It is considered that the proposal is out of keeping with the local area, in terms of the size, positioning and design of the erections. It is also considered that the proposal would detract from the character of the nearby listed buildings.

### **Recommendation**

Refuse for the following reason;

01. The proposal is considered to be contrary to Policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the guidance set out in the National Planning Policy Framework (NPPF), in that the development does not preserve or enhance the character of area and adversely harms the setting of nearby Listed Buildings by virtue of its size, scale, design materials and local impact.

### **Informatives:**

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
  - Offering a pre-application advice service, and
  - As appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions.

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