
Area East Committee

Wednesday 9th September 2020

9.00 am

A virtual meeting via Zoom meeting software

The following members are requested to attend this meeting:

Robin Bastable
Hayward Burt
Tony Capozzoli
Nick Colbert
Sarah Dyke

Henry Hobhouse
Charlie Hull
Mike Lewis
Kevin Messenger
Paul Rowsell

Lucy Trimnell
William Wallace
Colin Winder

Planning applications considered no earlier than 9.00am on Wednesday 9th September 2020.

Any members of the public wishing to address the virtual meeting during either Public Question Time or regarding a Planning Application, need to email democracy@southsomerset.gov.uk by 9.00am on Tuesday 8th September 2020.

This meeting will be viewable online by selecting the committee meeting at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

For further information on the items to be discussed, please contact:
democracy@southsomerset.gov.uk

This Agenda was issued on Tuesday 1st September 2020.

Alex Parmley, Chief Executive Officer

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

Information for the Public

In light of the coronavirus pandemic (COVID-19), Area East Committee will meet virtually via video-conferencing to consider and determine reports. For more details on the regulations regarding remote / virtual meetings please refer to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 as part of the Coronavirus Act 2020.

Area East Committee

Meetings of the Area East Committee are usually held monthly, at 9.00am, on the second Wednesday of the month (unless advised otherwise). However during the coronavirus pandemic these meetings will be held remotely via Zoom and the starting time may vary.

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Public participation at meetings (held via Zoom)

Public question time

We recognise that these are challenging times but we still value the public's contribution to our virtual meetings.

If you would like to address the virtual meeting during Public Question Time or regarding a Planning Application, please email democracy@southsomerset.gov.uk by 9.00am on Tuesday 8th September 2020. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

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

This meeting will be streamed online via YouTube at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Virtual meeting etiquette:

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman or

Administrator will un-mute your microphone at the appropriate time. We also respectfully request that you turn off video cameras until asked to speak.

- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

Planning applications

It is important that you register your request to speak at the virtual meeting by emailing democracy@southsomerset.gov.uk by 9.00am on Tuesday 8th September 2020. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

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

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

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

The order of speaking on planning items will be:

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

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

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording

should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

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Area East Committee

Wednesday 9 September 2020

Agenda

Preliminary Items

1. Minutes of Previous Meeting

To approve as a correct record the minutes of the previous meeting held on 8th July 2020.

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 Henry Hobhouse, Paul Rowsell and William Wallace.

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 on Wednesday 14th October at 9.00am using Zoom virtual meeting software.

5. Public Question Time

6. Chairman Announcements

7. Reports from Members

Items for Discussion

- 8. Area Chapter 20/21 Update & Finance report (Executive Decision)** (Pages 7 - 15)
- 9. Disposal of Churchfields Office, Wincanton** (Pages 16 - 19)
- 10. Area East Committee Forward Plan** (Pages 20 - 21)
- 11. Planning Appeals** (Pages 22 - 34)
- 12. Schedule of Planning Applications to be Determined by Committee** (Pages 35 - 36)
- 13. Planning Application 20/01567/HOU- The erection of a single storey extension to dwelling, Welham Barn Wellham Farm Lane Charlton Mackrell Somerton TA11 7AJ** (Pages 37 - 42)
- 14. Planning Application 20/01269/HOU - The erection of a double garage and formation of new access, Braggcroft Rimpleton Road Marston Magna Yeovil Somerset BA22 8DH** (Pages 43 - 50)
- 15. Planning Application 20/00962/FUL - Change of use of agricultural land to garden; the erection of a garden store; amendments to dwelling design (roof height, fenestration and internal layout of east wing); deletion of approved access driveway (17/02438/REM) and the formation of a replacement access and driveway, Meadow House Lower Kingsbury Milborne Port** (Pages 51 - 56)

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.



Area East- Area Chapter 20/21 Update and Finance Report (Executive Decision)

Director:	Clare Pestell, Commercial Services & Income Generation
Manager:	Tim Cook, Locality Manager
Lead Officer:	Tim Cook, Locality Manager
Contact Details:	tim.cook@southsomerset.gov.uk

Purpose of the Report

1. To provide Members with an overview of this year's delivery of the Area Chapter and finance budgets for Area East

Public Interest

2. The priorities for Area East have been used to influence the development of the Council Plan for 2019/20. Some priorities identified clearly have an area focus and are better placed in an Area Chapter. The Area Chapter presents key projects and areas of work planned for the coming year by teams from across the whole organisation.
3. This report provides members with an update on the 20/21 Chapter.

Recommendations

4. That members:
 - note and comment on the report
 - Endorse allocation of spend on the following projects:
 - a. £2,000 from the Area Discretionary/Project revenue budget to support the development of a food and drink directory
5. Area Chapters focus on the priorities of the Area Committee. These priorities were identified by Members and SSDC Area + teams through member workshops, other service plans and data led information. The 2020/2021 Chapter forms part of the Council Plan.
6. Area + teams consist of officers across the council who are best placed to provide the resources necessary (people and financial) in order to delivery each priority set out in the chapter. Each action or project identified in the plan is allocated a lead officer who collaborates with other officers across the council and/or the local community to deliver the project. The overall approach to delivery is based on the



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principle that we will enable others to deliver where we can, partner where it makes sense and only deliver if absolutely necessary.

Budget Information

7. Area East has the following funding for allocation (not including carry forwards as these will already have been previously allocated to projects)

	Budget
20/21 Community Grant revenue budget – Yearly starting allocation for applications within the Community Grant programme	£10,200
20/21 Discretionary & Project revenue budget – Yearly starting allocation for local support / community start up projects and chapter projects	£21,290
Capital Programme – rolling programme for allocation within the Community Grant programme or other agreed capital project funding	£80,817
Reserves – Unallocated balance (Please see table below of current allocation)	£3,460

Current allocation of Reserves

	Original allocation	Balance remaining
Community Planning - Project Spend (Approved April 05)	£50,000	£15,930
Derelict Sites Castle Cary (Approved June 05)	£4,000	£4,000
Rural Business Units (Approved Nov 05)	£25,000	£5,800
Retail Support Initiative (Approved May 09)	£10,000	£10,000
Wincanton Retail Support Initiative (Approved July 14)	£10,000	£10,000
Total balance of allocation		£45,730

Delivery of the Area Chapter

8. Members will appreciate this first quarter has been overtaken by the recent pandemic and the requirement for SSDC to quickly respond to critical areas of need. Some staff were diverted to help other services within the Council, this along with an enforced lockdown, the slow re-opening of services and trades has meant



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that some project work will have been possibly delayed or the original project changed.

9. **Appendix A** sets out this year's progress and overview of the area Chapter focus priorities for 20/21. You will note that clear outcomes, milestones, key activities and resources have been added to the delivery plan to enable recording and monitoring of projects.

Funding Requests

10. Project Lead Officers are requesting the following Area resources to help assist delivery of elements or completion of projects in this year's chapter:

Chapter priority	Project	Funding	Suggested budget
Continue to support key businesses including work with the Chamber of Commerce and other partners	Develop a Food and Drink Directory. Please see Appendix B	£2,000	Discretionary / Project budget

Community Grant Awards

Project	Budget	Awarded
Bayford Kitchen Improvements	Revenue	£620
Bayford Defibrillator	Revenue	£1,000
Drinking Water for Gainsborough play area	Revenue	£684

11. There are currently another 2 applications waiting for more information or to be assessed, plus provisional allocation for Local Information Centres in Wincanton, Castle Cary and Bruton leaving a current revenue balance of £4,396 if all approved.

Financial Implications

12. A balance of £19,290 will remain in the discretionary/project budget if £2,000 is endorsed for the Food and Drink directory.

Corporate Priority Implications

13. The priorities have been developed taking into account the SSDC Corporate plan and Area Chapter priorities.



Carbon Emissions and Climate Change Implications

14. This is considered on an individual project and programme basis as appropriate. The overall priority is to seek to create more balanced communities where people can live, work and get access to the services and facilities they need on a daily basis. Area working (Area+) helps to improve access to facilities, activities and services, reducing the need to travel.
15. All Community Grants applications are now assessed and scored against the environmental impact of projects.

Equality and Diversity Implications

16. This is considered on an individual project and programme basis as appropriate. All Area Plans will have an Equality Impact Assessment.

Area East Chapter 2020-2021

Area + Team

	Project description	Lead Officer	Lead Service	Outcomes	Key activities/ Milestones	Qtr 1 Overview
Economy	Engage the large attractions and support the LICs to develop an overall destination offer for South Somerset and market through the TICs and Visit Somerset.	Katy Menday /Becky Cotterill	Leisure and Recreation	The high quality tourism offer is well promoted and attracts more visitors to support the local economy. Attractions are able to re-open safely as the visitor economy restarts.	New service website is designed and launched by the end of 2020, including comprehensive attractions and accommodation listings and a what's on guide. Re-opening guidance shared with tourism businesses.	Tourism businesses supported through lock down with extra tourism newsletters with up to date industry news including grants and Public Health guidance. New service website commissioned and underway as a high quality platform for tourism in the area. Free Visit Somerset bronze memberships available to businesses / attractions. LIC staff and volunteers invited to training session that had to be moved to a digital platform due to Covid19.
	Work towards providing employment land and business units of appropriate sizes readily available for uptake by business and residents.	Joe Walsh	Economy	To provide businesses with the right business units, should they wish to start, grow or relocate to the area.	Approved Planning Applications	7 Light Industrial Units Approved in Lovington, Castle Cary.
	Continue to support key businesses including work with the Chamber of Commerce and other partners.	Joe Walsh	Economy	Stronger connections with local businesses within the area. Ability to disseminate information to key networks quicker – vital during the Covid 19 period. Intelligence around business requirements / needs.	Attendance at events. SSDC being embedded into the business community. To continue to build the reputation that South Somerset is a great place to do business.	Continued engagement through Regeneration Plans. Covid 19 Grant information distributed to business networks - and grants distributed to relevant organisations.
	Engage Town Councils to develop programme of investment through the Market Town Investment Group	Joe Walsh	Economy	Regeneration projects in Market Towns through an existing capital fund.	To be listed when funding is spent.	Meetings postponed due to Covid 19 however a newsletter was produced and distributed to all towns involved within the MTIG which incorporated updates from all of the towns as well as a specific focus on how they have 'coped' during Covid 19. Additionally, we have requested that each town provide a list of possible projects by September – to act as an EOI stage. Can be distributed to Members upon request.
Environment	Support Volunteers and nature conservation efforts at Moldrams Ground (Near Penselwood)	Rachael Whaites	Leisure and Recreation	Moldrams Ground retains its populations of protected species and becomes part of a network of natural sites. Local volunteers are	Annual species surveys undertaken. Volunteer events arranged.	Most activity except basic maintained cancelled due to Covid. Some amphibian surveys completed.
	Campaign to address increase in fly-tipping in the area.	Vicki Dawson/Chris Cooper/Tim Cook	Environmental Health/Environment Services/Locality	Educate and raise awareness	Promote through social media and the website	Flytipping has been steadily decreasing over the last few years. There was a slight increase during April due to tips being shut but this has since levelled out and is now in comparison with last year. There were 130 recorded flytips within Area East during 19/20.

Enviroi	Support community led initiatives that combat climate change.	Tim Cook	Locality	Engagement with Environment Strategy Delivery of projects which help to protect the environment	Promote Community grant process through the Environment Champions, social media channels etc Adapt Community grant form/process to incorporate and score against climate change initiatives	Form/process updated. Promotion through press release and new SSDC Environment news letter. Survey sent and completed by Environment Champions on how we can best help parishes.
Housing	Promote Neighbourhood Planning as a tool to deliver appropriate local housing.	Anna-Marie Lenz	Strategy & Commissioning	Support Parish to achieve local led housing	Neighbourhood Plans 'Made'	Queen Camel Examiner's Report received; if proceeds to a referendum, this cannot take place before May 2021 due to Government Covid-19 Legislation
	Promote Local Housing Needs Surveys as a way of delivering appropriate housing in rural parishes. Provide practical help when requested.	Anna-Marie Lenz / Kirsty Larkins	Strategy & Commissioning / Case Services	Support Parish consultation to assist local led housing options	Liaise with Parishes Compile and collate results where applicable	Nothing new to report on this item
Healthy, Self-reliant Communities	Support a range of improvements to community facilities. - Programme of live schemes to be set out in Appendix A.	Tim Cook	Locality	See Appendix A	See Appendix A	See Appendix A
	Continue to support the South Somerset community accessible transport scheme	David Crisfield	Strategy & Commissioning	Report on options to address gaps with high level costs including recommendations on how to: • Improve transport access to essential services such as health-care, education, employment and recreation • Improved transport access to opportunities for social interaction • Improved ease of travel across the district.	1. Audit Current Provision 2. Assess Need 3. Review learning and identify gaps and issues 4. Agree which gaps are a strategic priority to fill 5. Outline options for addressing strategy priorities	Due to Covid19 and the redeployment of key staff to other priorities work on this project has been temporarily suspended.
	Tackle social isolation by maintaining the network of volunteer led health walks through promotion, training and support.	Julia Booth	Locality	Encourage health, fitness and social activity	An annual training event Collection of data of attendees on walks	Health Walks some starting after lockdown, Government Guidelines being followed.
	Deliver a programme of Play days in towns/villages in Area East.	Julia Booth/Terena Isaacs	Locality	Encouragement of free and activity play with families within local communities	Delivery of 8 play days during the summer holidays	Summer play days have been cancelled this summer due to Covid -19. This year we are delivering 2000 free Activity boxes and Activity booklet to encourage fun and safe activities at home.
Appendix A - Delivery Plan						
	Advice and support to group, facilitate project management and transfer of S106 funding to Wincanton New Barns play area	Rob Parr	Locality	Successful transfer of S106 funding Delivery of new play area	Provide advice and support to group in relation to all aspects of project delivery Support with applications for funding and transfer of S106 funding	Transfer of the land is being progressed and we are waiting for the developers solicitors to progress with conveyancing.

S106 funded project support	Advice and support to group and facilitate transfer of S106 funding and possible community grant to deliver the project to Kingsdon Village Hall project	Rob Parr	Locality	Successful transfer of S106 funding Delivery of new Village Hall project	Provide advice and support to group in relation to all aspects of project delivery Support with applications for funding and transfer of S106 funding	A planning application is being determined that if approved would provide a site for a new village hall. We are waiting on this decision.
	Advice and support to group, facilitate project management and transfer of S106 funding to Milborne Port Springfield Rec play area	Rob Parr	Locality	Successful transfer of S106 funding Delivery of new Play Area	Provide advice and support to group in relation to all aspects of project delivery Support with applications for funding and transfer of S106 funding	A site survey has been carried out that will enable design work to start. A project group site meeting was held on 13th July to look at the opportunities and constraints of the site and a sketch design will be produced by end August for public consultation.
	Advice and support to group, facilitate project management and transfer of S106 funding to Donald Pither Pavilion project	Rob Parr	Locality	Successful transfer of S106 funding Delivery of new Pavilion	Provide advice and support to group in relation to all aspects of project delivery Support with applications for funding and transfer of S106 funding	Awaiting progress update from parish council
	Advice and support to group, facilitate project management and transfer of S106 funding to Milborne Port playing pitch and pavilion Springfield Rec	Rob Parr	Locality	Successful transfer of S106 funding Delivery of new playing pitch and Pavilion	Provide advice and support to group in relation to all aspects of project delivery Support with applications for funding and transfer of S106 funding	S106 funding award for playing pitch improvements has been issued but works delayed due to unfavourable weather/ground conditions. Works planned for late summer/autumn 2020
	Advice and support to Parish Councils and transfer of S106 funding to Community hall provision within Castle Cary and Ansford	Terena Isaacs	Locality	Successful transfer of S106 funding Delivery of new Community facility	Provide advice and support to group in relation to all aspects of project delivery Support with applications for funding and transfer of S106 funding	Awaiting further update from hall committee
	Advice and support to Parish Councils and transfer of S106 funding to equipped play provision within Castle Cary and Ansford	Rob Parr	Locality	Successful transfer of S106 funding Delivery of new Play provision	Provide advice and support to group in relation to all aspects of project delivery Support with applications for funding and transfer of S106 funding	Awaiting progress update from parish council
	Advice and support to group, facilitate project management and transfer of S106 funding to Sparkford Cricket Club New Pavilion project	Rob Parr	Locality	Successful transfer of S106 funding Delivery of new Pavilion	Provide advice and support to group in relation to all aspects of project delivery Support with applications for funding and transfer of S106 funding	S106 funding for new Pavilion designs completed and planning permission secured. Club are fund raising for new pavilion.
Project support	Advice and support to group, project manage delivery of permissive path and transfer of capital funding at Wincanton Common Road footpath	Rob Parr	Locality	Delivery of permissive footpath	Provide advice and support to group in relation to all aspects of project delivery	On hold
	Wayside farm development - play area and open space	Rob Parr	Locality	Delivery of play area and open space	Transfer of land from developer	In process of land being conveyed from developer

Food and Drink directory

In April this year the Council facilitated the creation of a Food and Drink directory to promote businesses / organisations that were operating during the Covid 19 lockdown period. The directory was successful with over 100 businesses being included and fulfilled 3 key short term aspirations:

1. To serve our local communities by providing local alternatives to acquiring essential items
2. To support local businesses during a difficult period
3. To alleviate pressures from supermarkets and to minimise the risk of not being able to social distance when shopping

We are aware of the strengths that the food and drink sector provides to the South Somerset economy, not just in the case of employment but in contributing to our visitor economy through providing local attractions with local food and drink and by creating a unique selling point for the area.

Upon producing the Food and Drink directory the Economic Development Team agreed to lead a further piece of work to seek additional benefits including:

- A strengthened food and drink sector within South Somerset
- The creation of new supply chain opportunities for local producers
- A reduction in food miles, leading to environmental benefits
- A reduction in the use of supermarket visits, leading to a reduction in travel and environmental benefits
- Some research states that local food is of a better quality and holds higher nutritional values which will lead to health benefits for local residents

We are requesting £2,000 of funding from each Area to continue this piece of work to a greater extent. It should be noted that we hope each Area will contribute to establish better value for money and a combined offer for South Somerset however for this reason we do require approval from each Area. Activity is likely to include:

- Re-visiting the directory and using a proportion of the funding to enhance it, promote it further and develop a more robust communication strategy
- To target certain sectors to seek additional businesses to include within the directory – these will be based on recommendations from the tourism team so it aligns with enhancing our visitor economy
- To establish a web presence and to make the directory more interactive (for example an online map)

Supporting the food and drink sector features in the Council's Economic Development Strategy as an 'Elected Member Priority' as well as being a key element of the Economy Covid 19 Recovery Strategy. In terms of an Area Priority, this will contribute



South Somerset District Council

to the Economy Priority of “to [continue](#) to support key businesses including work with the Chamber of Commerce and other partners”.

Joe Walsh, Specialist Economic Development will attend committee to answer any questions you may have.

Disposal of Churchfields Office, Wincanton

Executive Portfolio Holder: Councillor Tony Lock, Protecting Core Services
Strategic Director: Clare Pestell, Commercial Services and Income Generation
Service Manager: Robert Orrett, Commercial Property, Land and Development Manager
Contact Details: Robert.orratt@southsomerset.gov.uk or 01935 462075

Purpose of the Report

1. To inform members on the disposal of this surplus operational property asset.

Public Interest

2. The efficiency of the council's operations and use of operational assets impacts on the effective use of the revenues available to the council and the delivery of services to South Somerset.
3. Securing re-use of this substantial property in Wincanton is environmentally sound and will also contribute to the quality of the town and its economic base.
4. The capital receipt is to be ring-fenced within the budget for the Wincanton regeneration project.

Recommendations

5. That The Committee note:
 - a. District Executive decision on the recommendation for sale of Churchfields offices, Wincanton.
 - b. That the proceeds of the sale are ring fenced for the Wincanton Regeneration Project.

Background

6. A report was provided to District Executive on 1 March 2018 "SSDC Review of Operational Office Accommodation – Progress Report".
7. The report set out principles for developing a revised Area Presence which were endorsed by District Executive and have been progressed.
8. District Executive approved the recommendation for disposal of and/or redevelopment of its current Area Offices over the next 2 years in accordance with relevant governance and policies.

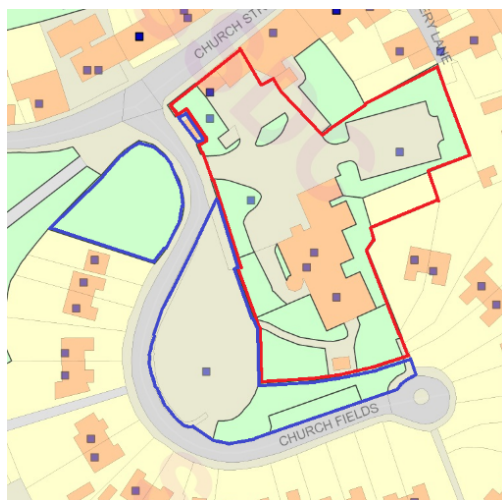


South Somerset District Council

9. The Churchfields Office, Wincanton is one of the Area Offices within the scope of that decision. Work has been progressed to create the replacement arrangements and to end the operational use of the property. This having been achieved, a project to secure disposal has been implemented.
10. Offers have been received from interested parties that have been reported to District Executive. The commercial interests of this council, and also of the interested parties needs to be protected. Accordingly, information on the level of offers or the identity of the preferred bidder are not released in this public report. The amount realised can be released following completion of the sale.

Realisation Strategy

11. One of the reasons for the recommendations made in March 2018 was that the council had significantly more office accommodation than it required. It was recognised in the report that the Area Offices were not suitable for our operational needs as an agile style of working is introduced alongside the wider Transformation Programme.
12. The Commercial Strategy (approved by District Executive in August 2017) includes the overarching principle for existing assets that unless they either contribute positively to a policy objective, and represent value for money compared to other ways in which the same benefit could be achieved, or provide an adequate financial return on investment, they should be considered for disposal.
13. The Churchfields Office was identified as not meeting the criteria for retention. Officers have therefore progressed work to evaluate options for realisation and prepare for that. The operational asset which is intended for disposal comprises the area edged red on the plan below. The areas edged blue are the other ownerships of the council in the immediate vicinity comprising public car parking, public conveniences and landscape.



14. Consideration was given to three realisation options:



- a. Direct development
- b. Joint venture development
- c. Sale

15. The likely future use for the property is residential. That may require planning consent but permitted development rights exist nationally for change of use from offices to residential.

- a. Direct development was not considered prudent. The council property team does not include specialist capacity to operate as developer on a conversion. Embarking on such a project would dramatically divert resource away from the established objectives. While there is prospect of developer's profit, that is reflective of the risks involved. It is considered preferable to leave development specialists with experienced teams to take that on.
- b. Joint venture has the potential to blend capabilities with the advantage of ownership. The relatively small scale of the project, and the inherently higher risks and uncertainties with conversion and refurbishment led to the conclusion that the effective outcome would be better if the developer is unfettered by a JV contract, and that the costs of setting one up would not be justified in this case either in quantum or prospect for successful conclusion.
- c. Sale – this was considered the best option. It allows interested parties flexibility around their vision for future use, does not exclude the possibility of buyers for purposes that differ from residential conversion, and allows the buyer to operate flexibly and under their individual judgement. Offers might be unconditional or subject to planning but either way this option should provide the council with a relatively early disposal, capital receipt and ending of the facility management costs.

16. In preparation for the disposal, discussions were held with the two tenants of parts of the building to give them time to consider future options and relocate. One has already moved from the building and the other will do so shortly.

17. A selection process was operated to appoint marketing agents in the expectation of a private treaty sale process. The agents all provided their views on marketing strategy.

18. Marketing of the property commenced in April 2020. There was uncertainty as to market response as this was just after COVID-19 lockdown commenced. However, there was a reasonable level of interest and a satisfactory number of viewings. The interest was brought to a conclusion with best offers sought from interested parties.

Financial Implications

19. The potential capital receipt from the sale of this asset is to be ring-fenced for the Wincanton regeneration project.



South Somerset District Council

20. There are expected to be continuing net revenue savings. The net annual expenditure over the last five years has averaged above £20,000.

Council Plan Implications

21. This report links to the following Council Plan objectives:

- Protecting Core Services
- Take a more commercial approach to become self-sufficient financially
- Supporting the Regeneration Wincanton

Carbon Emissions and Climate Change Implications

22. Reduced operational estate footprint and carbon emissions. Re-use of physical assets with any aspects subject to Building Regulations meeting current standards.

Equality and Diversity Implications

23. This report does not involve any equality or diversity implications.

Privacy Impact Assessment

24. There is no personal information included in this report.

Background Papers

- SSDC Review of Operational Office Accommodation – March 2017
 - SSDC Commercial Strategy 2017
 - Churchfields Offices, Disposal - Inclusion of public car park – report to Area East Committee, February 2020
 - Churchfields disposals officer report to District Executive on September 3rd 2020
-

Area East Forward Plan

Lead Specialist: Tim Cook, Locality Team Manager, Service Delivery
Lead Officer: Michelle Mainwaring, Case Officer (Strategy & Commissioning)
Contact Details: Michelle.mainwaring@southsomerset.gov.uk or (01935) 462319

Purpose of the Report

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

Recommendations

Members are asked to:

- a. Comment upon and note the proposed Area East Forward Plan as attached;
- b. 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; Michelle Mainwaring.

Background Papers

None.

Appendix A

Area East Committee Forward Plan

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
Monthly	Area East – Covid-19 Community response	To discuss the current situation regarding the response to the Covid-19 pandemic and to raise issues or concerns	Tim Cook / Steve Barnes
TBC	Retail Support Initiative Grant Scheme Overview	Review of the Retail Support Initiative Grant Scheme	Pam Williams
	Update on SSDC Transformation Programme	Report to be submitted to the October District Executive Meeting. Members welcome to join.	Toffer Beattie

Planning Appeals

Director:	Netta Meadows (Service Delivery)
Lead Specialist:	Barry James, Interim Planning Lead Specialist
Contact Details:	Barry.James@southsomerset.gov.uk

Purpose of the Report

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

Recommendations

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

19/02363/HOU - The Ridings Middle Ridge Lane Corton Denham Yeovil DT9 4LP
Demolition of existing part side and part rear extension, demolition of existing garage, erection of new two storey side extension and single storey rear and side extensions,

18/01602/FUL - Former BMI Site Cumnock Road Ansford Castle Cary Somerset BA7 7HR

Demolition of existing buildings, conversion of and alterations to listed buildings to form 11 No. dwellings, the erection of 70 No. dwellings (total 81 No. dwellings) and associated works, including access and off-site highway works, parking, landscaping, open space, footpath links and drainage infrastructure.

19/02947/FUL - Symphony Farm Quarr Gillingham Dorset SP8 5PB

The demolition of existing stables and barns and the erection of 5 No. detached dwellings.

Appeals Allowed

18/03298/OUT - Land Rear Of Public House Broadway Road Charlton Adam Somerton Somerset

Outline application for residential development of up to 24 No. dwellings, access via the existing Fox and Hounds Public House access, provision of orchard, public open space and associated infrastructure.

Appeals Dismissed

Background Papers

Decision Notices attached.

Appeal Decision

Site visit made on 27 May 2020

by Rory Cridland LLB(Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 09 July 2020

Appeal Ref: APP/R3325/W/20/3245545

Land South of the Fox and Hounds Public House, Broadway, Charlton Adam

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs Simon Small, Emma James & Sarah Stanley against the decision of South Somerset District Council.
 - The application Ref 18/03298/OUT, dated 4 October 2018, was refused by notice dated 12 November 2019.
 - The development proposed is described as "residential development of up to 24 no. dwellings, access via the existing Fox and Hounds public house access, provision of orchard, public open space and associated infrastructure".
-

Decision

1. The appeal is allowed and planning permission is granted for residential development of up to 24 no. dwellings with access at Land South of the Fox and Hounds Public House, Broadway, Charlton Adam in accordance with the terms of the application, Ref 18/03298/OUT, dated 4 October 2018, subject to the conditions set out in the attached Schedule.

Preliminary Matters

2. The application was submitted in outline, with matters relating to appearance, landscaping, layout and scale reserved. I have dealt with the appeal on that basis, treating all plans as illustrative, except where they deal with matters of access.
3. The description of development set out in the application form includes matters that are reserved for future consideration along with other superfluous wording. As such, the description used in paragraph 1 above has been amended accordingly.

Application for costs

4. An application for costs was made by Mr & Mrs Simon Small, Emma James & Sarah Stanley against South Somerset District Council. This application is the subject of a separate Decision.

Main Issues

5. The main issues are:
 - (i) the effect of the proposed development on the character and appearance of the surrounding area;

- (ii) the effect of the proposed development on highway safety, with particular regard to pedestrian access; and
- (iii) whether the proposal makes adequate provision for foul drainage.

Reasons

Character and appearance

6. The appeal site is located in Charlton Adam, a rural Somerset village which has a mixture of both traditional and more modern properties, many of which front the road in a linear settlement pattern. The appeal site itself is located at the eastern side of the village and consists of an agricultural field to the rear of the Fox and Hounds public house. Unlike the historic core, the linear arrangement of dwellings along this part of the village has been eroded by more modern examples of backland development including along neighbouring Neville Close and Withy Hays Road.
7. The proposal would involve the erection of up to 24 dwellings (35% of which would be affordable). The Council is concerned that this number of dwellings would result in a layout at odds with the more linear pattern of the village. Similar concerns are raised by a number of other interested parties including The Charlton's Parish Council, local residents and the Campaign for the Protection of Rural England (Somerset) (CPRE).
8. However, even though the development would extend back, beyond the public house, introducing a considerable amount of built form to this open agricultural field and changing the appearance of the site considerably, it would have little impact on the overall character of the village. Indeed, there is little evidence of a strong linear character along this eastern approach, which only becomes pronounced beyond the Fox and Hounds public house.
9. Furthermore, although the site is visible from the road and a number of nearby properties, it is generally well contained within the wider landscape. It appears more related to the village than the surrounding countryside and unlike the fields further along Broadway, it makes only a limited contribution to the rural setting of Charlton Adam.
10. Similarly, when travelling west from the A37, the rural countryside setting is clearly apparent. However, as you reach the cluster of houses known as Broadway, residential development becomes more noticeable and Charlton Adam becomes visible in the distance, including the dwellings along Neville Close and Withy Hays Road. Views from this location would alter little; development would still be visible, albeit a little closer, but it would not materially alter the existing landscape. Any impact on the linear character of the village from this location would also be negligible. I am not therefore persuaded that the proposed development would materially alter the existing character of this part of the village or Charlton Adam more widely.
11. Concerns have also been raised that the proposal would close the historic gap between the nearby settlement of Broadway and Charlton Adam. However, I have seen nothing which would indicate that the appeal site forms part of a strategic gap intended to prevent the coalescence of these settlements. Likewise, there is no suggestion that the appeal site has been afforded any specific protection in the LP.

12. Accordingly, I find the proposal would be commensurate with the scale and character of Charlton Adam, would respect local context and preserve the character and appearance of the district. As such, I find no conflict with LP Policies SS2 or EQ2 which seek to guard against such harm.

Highway safety

13. The proposed access would involve upgrading the existing access off Broadway alongside The Fox and Hounds Public House. The Council has raised concerns with the provision of pedestrian access through the public house beer garden. However, this falls outside the site and is not intended to provide pedestrian access from the appeal site to Broadway.
14. Instead, drawing number A096493_SK03 Rev D shows pedestrian access onto Broadway via the upgraded access. While I note this does not include a footway providing access into the village, both Broadway and the village itself have few footways and a number of pinch points. Indeed, this is the case in many rural villages and acts as a warning to drivers to moderate their speed and remain alert for pedestrians.
15. While I note the views expressed by local residents that this stretch of road is already dangerous for pedestrians, in the present case the highway authority has acknowledge that Broadway does not have a high traffic flow. Having assessed the evidence, it has not raised any objection to either the amount of traffic likely to be generated or on pedestrian safety grounds. No robust evidence has been provided as part of this appeal which would lead me to conclude otherwise.
16. Consequently, I find that the proposed development would make adequate provision for pedestrian access. As such, I find it would accord with LP Policy TA5 which amongst other things requires new development to secure inclusive, safe and convenient access that addresses the needs of all users.

Drainage

17. LP Policy EQ7 restricts development that, on its own or cumulatively, would result in harm to water quality, amenity, health or safety other than in a limited number of circumstances. This includes where the potential adverse effects would be mitigated to an acceptable level by other environmental controls or by measures included in the proposals. Furthermore, LP Policy EQ7 makes clear that this may be achieved through the imposition of conditions.
18. The Council is concerned that the proposed development does not make sufficient provision to prevent the discharge of raw sewage into the drainage ditch running along the eastern boundary. These concerns are echoed by the Parish Council as well as a number of local residents.
19. However, while I note that Wessex Water has a consented overflow which discharges into the eastern ditch, the area is currently subject to an infiltration reduction plan and operational management action plan which is intended to alleviate the existing drainage problems in the area. Furthermore, Wessex Water has confirmed that the proposed development would not exacerbate the existing problems in respect of foul water drainage and that there is sufficient capacity within the receiving network to accommodate the proposed flows.

20. In view of the above, I see no reason that, subject to the submission of full details, the proposal should not make adequate provision for foul water drainage. Consequently, I find no conflict with LP Policy EQ7.

Other Matters

21. In reaching my decision, I have noted the concerns of local residents made both during the application stage and as part of this appeal. A number of these have been considered when reaching my conclusions on the main issues. Those which relate to need and developer profit are not material planning matters and do not alter my reasoning above.
22. My attention has been drawn to the Charlton's Community Plan. However, even though I do not have full details, the Parish Council has confirmed that it is not a Neighbourhood Plan and, as such, it does not form part of the LP. I have therefore afforded it limited weight.

Planning Obligations

23. The appellant has provided an executed section 106 unilateral undertaking ("the UU") which provides for 35% of the dwellings to be affordable. This is in response to identified needs and is supported by LP Policies SS6 and HG3 which, amongst other things, aim to secure affordable housing to be delivered on sites of 6 dwellings or more.
24. The UU also provides for contributions towards education provision. This is also supported by LP Policy SS6 which seeks to secure the provision of, or contributions to, education to accommodate the additional needs generated by new housing development.
25. In view of the above, I consider the obligations set out in the UU in respect of affordable housing and education provision meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and those set out in paragraph 56 of the National Planning policy Framework ("the Framework"). As such, I have taken them into account in reaching my decision.
26. However, while I note the inclusion of an obligation requiring the submission and approval of a Travel Plan, I do not consider this is necessary as no detailed explanation has been provided.

Planning Conditions

27. I have had regard to the various planning conditions suggested. In addition to the standard conditions in relation to commencement and reserved matters, I consider a condition specifying the number of dwellings is necessary in order to provide certainty.
28. For similar reasons, and in the interests of highway safety, I consider it necessary to attach a condition requiring the access to be provided in accordance with the approved plans. However, the approved plans already provide information on visibility splays and as such I do not consider a separate condition in respect of these is necessary.
29. Furthermore, I consider a condition in relation to the disposal of surface and foul water is necessary to ensure the site is suitably drained. However, I do not consider it necessary to include the level of detail suggested by the Council and have amended the condition accordingly. Likewise, I do not consider it

necessary for there to be a separate condition in relation to discharge of water onto the public highway.

30. I consider a condition requiring the submission of a Construction Environment Management Plan to be necessary in the interests of highway safety and to ensure that the development is carried out in a manner that is sensitive to the local environment.
31. Furthermore, while I consider a scheme to protect and improve biodiversity is necessary, I am not persuaded that the Council's five suggested conditions are all necessary to secure this. A condition requiring the submission, approval and implementation of a Written Scheme of Investigation is necessary in view of the site's close proximity to an area of high archaeological potential.
32. However, I do not consider the Council's proposed conditions in relation to tree protection measures, a Landscape and Ecological Management Plan, the service road, parking and turning areas, footpaths (including an additional footpath link from Broadway Road), drives, charging points, street lighting, entrance gates and areas of hard standing, are necessary as these matters can be adequately dealt with as part of the reserved matters.
33. Furthermore, the Framework¹ advises that conditions should only restrict national permitted development rights where there is a clear justification for doing so. I am not satisfied that the Council's suggested condition removing many householder rights is necessary as no detailed explanation for it is given.
34. A number of the above conditions need to be discharged before work commences on site as they relate to matters which need to be resolved on a fully coordinated basis.

Conclusion

35. I have found above that the proposal would not be harmful to the character and appearance of Charlton Adam and would not be detrimental to pedestrian safety. Likewise, I have found that the proposal makes adequate provision for foul drainage.
36. In the absence of any identified harm, I consider the current proposal complies with the development plan as a whole. Accordingly, for the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be allowed

Rory Cridland

INSPECTOR

¹ Paragraph 53.

SCHEDULE

Conditions

- 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters.
- 4) The development hereby permitted shall be restricted to no more than 24 dwellings.
- 5) The development hereby permitted shall be carried out in accordance with the following approved plans:
Drawing number A096493_SK03 Rev D
- 6) No development shall take place until details of a surface and foul water drainage scheme together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the local planning authority.
- 7) No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) construction vehicle routes to and from the site;
 - viii) a scheme for recycling/disposing of waste resulting from construction works;
 - ix) delivery and construction working hours;
 - x) proposed phasing/timescales of construction; and
 - xi) proposed monitoring and timing of submission of monitoring reports.The approved CEMP shall be adhered to at all times during all phases of development.
- 8) No development shall take place other than in accordance with a Written Scheme of Investigation that shall have first been submitted to and approved in writing by the local planning authority.

- 9) Prior to occupation of any part of the development hereby permitted, a scheme of biodiversity improvements and protection, shall be submitted to and approved in writing by the local planning authority. The biodiversity improvements shall be carried out in accordance with the approved scheme and thereafter maintained in accordance with the programme agreed.

END OF SCHEDULE



Costs Decision

Site visit made on 27 May 2020

by Rory Cridland LLB(Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 09 July 2020

Costs application in relation to Appeal Ref: APP/R3325/W/20/3245545 Land South of the Fox and Hounds Public House, Broadway, Charlton Adam

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr & Mrs Simon Small & Emma James & Sarah Stanley for a full award of costs against South Somerset District Council.
 - The appeal was against the refusal of planning permission for residential development of up to 24 no. dwellings with access via the existing Fox and Hounds public house.
-

Decision

1. The application for an award of costs is partially allowed in the terms set out below.

Preliminary Matters

2. The Council has not submitted a response to the costs application. The Planning Practice Guidance ("the PPG") states that where a party has made a written application for costs, clearly setting out the basis for the claim in advance, their case will be strengthened if the opposing party is unable to, or does not offer evidence to counter the case. I have taken this into account in my reasoning below.

Reasons

3. The PPG advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary expense in the appeal process. Furthermore, it makes clear that local planning authorities are at risk of an award of costs if they, amongst other things, (i) fail to produce evidence to substantiate each reason for refusal on appeal, or (ii) refuse planning permission on a planning ground capable of being dealt with by condition.
4. The application essentially relies on the fact that members went against the recommendation of their officers, failed to substantiate their reasons for refusal and refused planning permission on a planning ground capable of being dealt with by condition.
5. Three reasons for refusal (RFR) were provided by the Council and all were maintained as part of this appeal; drainage (RFR 1), character and appearance (RFR 2) and highway safety (RFR 3). My decision makes clear that I do not agree with the Council on any of these matters. However, the concerns raised by the Council in relation to RFR 2 are matters of planning judgement, and the Council is, in my view, entitled to reach its own conclusions. The case advanced, while unsuccessful, was nevertheless cogent and I am not persuaded that the Council has acted unreasonably in maintaining it.

6. However, the plans clearly show that pedestrian access was to be provided onto Broadway and not via the public house beer garden. No concerns were raised by the local highway authority and the Council's officers concluded that the proposed access was acceptable. While the Council is not required to follow the advice of its professional officers, if a different decision is reached by members, the Council has to demonstrate, on planning grounds, why a proposal is unacceptable and provide clear evidence to substantiate that reasoning.
7. In the present case, no robust evidence has been put forward by the Council to challenge the conclusions of its officers. Likewise, there is no evidence which would indicate that there was a material risk to pedestrian safety either at the proposed access, along Broadway or in the village more widely. As a result, I consider the Council has failed to substantiate this reason for refusal and, in doing so, has acted unreasonably.
8. Turning then to drainage, Wessex Water advised that the proposed development would not exacerbate the existing problems in respect of drainage and that there is sufficient capacity within the receiving network to accommodate the proposed flows. In the present case, no clear evidence has been provided by the Council which would indicate that the conclusions reached by Wessex Water were incorrect. While I acknowledge the Council may have some residual concerns in view of the area's existing drainage problem, no clear explanation has been provided as to why these could not be adequately dealt with by means of a condition.
9. Accordingly, while I find no unreasonable behaviour on the part of the Council regarding RFR 2, on the evidence submitted, its reasons in respect of RFR 1 and RFR 3 should not have been maintained. As such, I find the Council has acted unreasonably in this respect and that this has resulted in the applicant having incurred unnecessary expense in responding to these matters.
10. I therefore conclude that a partial award of costs, to cover the expense incurred by the appellant in contesting the Council's reasons for refusal in respect of RFR1 and RFR 3 is justified.

Costs Order

11. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that South Somerset District Council shall pay to Mr & Mrs Simon Small & Emma James & Sarah Stanley, the costs of the appeal proceedings described in the heading of this decision, limited to those costs incurred in contesting RFR 1 (drainage) and RFR 3 (highway safety).
12. The applicant is now invited to submit to the Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Rory Cridland

INSPECTOR



The Planning Inspectorate

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Mr Simon Fox
South Somerset District Council
The Council Offices
Brympton Way
Yeovil
Somerset
BA20 2HT

Your Ref: 18/03298/OUT
Our Ref: APP/R3325/W/20/3245545

09 July 2020

Dear Mr Fox,

Town and Country Planning Act 1990
Appeal by Mr & Mrs Simon Small, Emma James and Sarah Stanley
Site Address: Land Rear Of Public House, Broadway Road, Charlton Adam,
Somerton, Somerset, TA11 7AU

I enclose a copy of our Inspector's decision on the above appeal(s), together with a copy of the decision on an application for an award of costs.

If you wish to learn more about how an appeal decision or related cost decision may be challenged, or to give feedback or raise complaint about the way we handled the appeal(s), you may wish to visit our "Feedback & Complaints" webpage at <https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure>.

If you do not have internet access you may write to the Customer Quality Unit at the address above. Alternatively, if you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

The Planning Inspectorate is not the administering body for High Court challenges and cannot change or revoke the outcome of an appeal decision. If you feel there are grounds for challenging the decision you may consider obtaining legal advice as only the High Court can quash the decision. If you would like more information on the strictly enforced deadlines and grounds for challenge, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

Guidance on Awards of costs, including how the amount of costs can be settled, can be located following the Planning Practice Guidance.

<http://planningguidance.communities.gov.uk/blog/guidance/appeals/how-to-make-an-application-for-an-award-of-costs/>

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our

service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

https://www.surveymonkey.co.uk/r/Planning_inspectorate_customer_survey

Thank you in advance for taking the time to provide us with valuable feedback.

Yours sincerely,

Jasmine Rogers

Jasmine Rogers

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>

Schedule of Planning Applications to be determined by Committee

Director: Netta Meadows (Service Delivery)
Lead Specialist: Barry James, Interim Planning Lead Specialist
Contact Details: Barry.James@southsomerset.gov.uk

Purpose of the Report

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

Recommendations

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 9.00am.

The meeting will be viewable online by selecting the committee at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Any member of the public wishing to address the virtual meeting regarding a Planning Application need to email democracy@southsomerset.gov.uk by 9.00am on Tuesday 8th September 2020.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
13	NORTHSTONE, IVELCHESTER & ST MICHAEL'S	20/01567/HOU	The erection of a single storey extension to dwelling	Welham Barn Wellham Farm Lane Charlton Mackrell Somerton TA11 7AJ	Mr J King
14	CAMELOT	20/01269/HOU	The erection of a double garage and formation of new access	Braggcroft Rimpton Road Marston Magna Yeovil Somerset BA22 8DH	Robert Bunton
15	MILBORNE PORT	20/00962/FUL	Change of use of agricultural land to garden.	Meadow House Lower Kingsbury Milborne Port	Mr and Mrs J Austin-Crowe

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.

Agenda Item 13

Officer Report On Planning Application: 20/01567/HOU

Proposal :	The erection of a single storey extension to dwelling
Site Address:	Welham Barn Wellham Farm Lane Charlton Mackrell
Parish:	The Charltons Parish Council
NORTHSTONE, IVELCHESTER & ST MICHAEL'S Ward (SSDC Member)	Cllr A Capozzoli Cllr C Hull Cllr P Rowsell
Recommending Case Officer:	Tel: 01935 462198 Email: Planningtechnicaladmin@southsomerset.gov.uk
Target date :	3rd August 2020
Applicant :	Mr J King
Agent: (no agent if blank)	Mr Daniel Witcombe Putt Cottage Drayton Farm Lane SOUTH PETHERTON TA13 5LR
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to Ward Member for determination under the Council's scheme of delegation procedures as observations have been received that are contrary to the officer recommendation.

SITE DESCRIPTION AND PROPOSAL





Site Context/Description: Welham Barn is a two storey detached dwellinghouse constructed of blue lias stone with a tiled roof, the building is a former agricultural barn which was converted into a residential dwelling in the late 1980s, during which a single storey extension was added to the original two storey barn. Welham Barn is situated among a group of six barn conversions located in the open countryside approximately 1.65 kilometres west of the village of Charlton Mackrell, remote from any established settlements or development areas. The site does not fall within an Area of Special Designation and there are no Listed Buildings in the immediate vicinity, however the building has been recognised as a Non-Designated Heritage Asset owing to the age and character of the structure.

The application seeks consent for the erection of a single storey extension to the south of the existing dwellinghouse.

Neighbours/consultees correct: Yes

History

882552 - The conversion of two barns into two dwellings. Application permitted with conditions 13/03/1989

Policy

South Somerset Local Plan 2006-2028:

Policy SD1 - Sustainable Development
 Policy EQ2 - Design And General Development
 Policy EQ3 - Historic Environment
 Policy TA5 - Transport Impact On New Development
 Policy TA6 - Parking Standards

NPPF 2019:

Chapter 2 - Achieving sustainable development
 Chapter 11 - Making effective use of land
 Chapter 12 - Achieving well-designed places
 Chapter 16 - Conserving and enhancing the historic environment

Additional Guidance

National Design Guide - 1st October 2019

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

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

Town/Parish Council

The Charltons Parish Council:

The PC considered the above application at its meeting on 21st July 2020. Neighbours were consulted and no objections had been received. Councillors were pleased to note that the Applicant has followed recommended planning procedures and sought pre-application advice. Mr Millar, Planning Officer stated 'it would likely be looked upon favourably, given the proposed extension is of modest size and would use matching materials'.

The PC agrees with Mr Millar, having received assurance from Mr King that the proposed extension would be built in the traditional manner with materials to match the 200 year old building, as stated in the Design and Access Statement.

The extension cannot be seen by neighbours and would improve the heat efficiency of the dwelling, being in a particularly cold area of the house that is in need of renovation.

Councillors agreed that the proposed work would be an improvement to Welham Barn.

PARISH COUNCIL RESOLUTION

The PC agreed unanimously to recommend that the application be APPROVED.

Other Consultees

Highways Authority: Standing Advice Applies

Highways Consultant: No highways issues - no objection

SSDC Conservation Officer: I have been asked for a view on this scheme. The building is not listed or in a conservation area but it does have heritage merit. I would consider this as an undesignated heritage assets as described in Chapter 16 of the National Planning Policy Framework due to the age and character of the structure

The building is a former agricultural barn which was converted into a residential dwelling in the late 1980s, during which a single storey extension was added to the original two storey barn. This extension was supported because it was sympathetic to the host barn and retained its privacy.

The new proposal is now to add a further extension that runs across part of the front elevation of the barn. The policies are as follows:

The National Planning Policy Framework Chapter 16 'Conserving and enhancing the historic environment' requires us to assess the impact that development will have on a heritage asset.

Paragraph 189 states:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 192 states:

In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of

new development making a positive contribution to local character and distinctiveness.

Paragraph 193 states:

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.

In particular Paragraph 197 states:

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

Local Plan Policy EQ3 reflects the NPPF guidance. Heritage assets must be conserved and where appropriate enhanced for their historic significance and important contribution to local distinctiveness, character and sense of place. In addition Policy EQ2 requires all new development proposals to be designed to achieve a high quality which promotes the District's local distinctiveness and preserves or enhances the character and appearance of the District.

In this case it is considered that the proposed protection will cause 'less than substantial' harm to the undesignated heritage asset. This is in the medium to high range of this category, but must be balanced against the lack of formal designation. On balance I must formally object to the proposals. The loss of the integrity of the original barn is unacceptable and will fundamentally change the character.

I would urge the applicant to commission a statement of heritage significance so that we can engage in pre-application negotiation and find a less harmful way to extend the building.

Neighbour Comments

Five neighbours notified - One objection received from a neighbour. The full representation may be viewed online but is summarised as follows-

- Parking arrangements are not wholly on land belonging to Welham Barn and the 2.4m x 4.8m parking space encroaches onto land belonging to Long Barn
- In order to reach the proposed parking space a vehicle would have to travel across land belonging to Long Barn
- This has been brought to the attention of the applicants but they do not wish to change the plans
- If the parking space was removed from the proposal there would be no objection

Case Officer response to objection: The neighbour comments are noted however concerns regarding land ownership and rights of access are a civil matter and not a planning consideration, the objection therefore does not have bearing on the application.

Key Considerations

Principle of Development

The principle of any extensions or alterations to a converted barn must be considered very carefully, in particular it is imperative to ensure the retention of barn's original agricultural character and that any development is not to the detriment of the setting, that is not to say that all alterations relating to barn conversions are unsuitable but that any developments of this nature must be assessed very closely. The remaining issues relate to the visual impact on the character of the existing building and on the residential amenity of neighbouring dwellings, in addition to the potential impact to the highway, these matters are discussed below.

Design/Layout/Materials

It is important to recognise that the grant of consent for living accommodation on the site was in the form of a barn conversion, it is therefore vital to ensure that the building's appearance as a barn is retained when considering any alterations or extensions so that no detrimental impact on the character

of the building or its setting is allowed to occur.

It is considered that the existing layout and appearance of the dwelling clearly reflects its former function as an agricultural barn and that the erection of an extension that fails to respect the established layout and appearance of the building would detract from this.

The proposed extension would be attached to the southwest corner of the original barn and the southern face of the single storey wing extension which was erected as part of the original conversion of the barn. It is considered that the extension would protrude from the dwelling in a manner disruptive to the simple and linear form of the original building, imposing a more domestic appearance on the former barn. The siting of the extension is thus considered unsympathetic to the agricultural character of the site.

During the course of the application, the applicant was advised that any extension to the south of the dwelling would not be appropriate due to the limited ground area available. It was suggested to the applicant that a perpendicular extension to the north side of the building would be more appropriate by virtue of replicating the L-shaped layout which is characteristic of historic agricultural buildings. Such an adjustment to the siting was declined by the applicant.

The design and materials of the extension are considered inappropriate to the character of the original building. The application proposes the use of white render to the south elevation wall in addition to a glass reinforced plastic (GRP) flat roof with a lantern rooflight. Such a design would be evidently modern in appearance and is wholly uncharacteristic of a historic agricultural building.

Furthermore, the original conversion of the barn included the installation of a substantial amount of high quality glazing to the south elevation, such treatment is conventional practise for conversions of old agricultural buildings. The proposal would conceal a significant proportion of this glazing which would be replaced by a white rendered wall with two windows of a more domestic appearance. It is considered that this would be detrimental to the well-designed fenestration of the existing building, thus resulting in additional harm to the appearance of the dwelling.

It is noted that the extension would be partially screened from the view of the surrounding dwellings by virtue of its sequestered position between the host dwelling and the north elevation of the adjoining neighbour. Nonetheless, each neighbouring dwelling in the vicinity shares the context of a former agricultural building. As such, it is considered that in failing to respect the agricultural character of the original dwelling, the proposal would therefore be harmful to the visual amenity of the surrounding dwellings which are of the same historic character.

It is observed in paragraph 197 of the NPPF that *The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.* The SSDC Conservation Officer has been consulted on the application and the original building has been recognised as a non-designated heritage asset following from the consultation. As the extension is considered detrimental to the quality and character of the existing dwelling the harm to the historic environment must also be taken into account.

Overall it is considered that the scale, siting, materials and design of the proposed extension would be unsympathetic to the established character and appearance of the existing dwelling and would be harmful to the visual amenity of the surrounding dwellings. As such the development does not accord with Policies EQ2 and EQ3 of South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

Residential Amenity

It is not considered that the proposed extension would give rise to an undue level of overlooking or overshadowing to neighbours, nor have an overbearing relationship with the surrounding dwellings and so would not be considered to have a demonstrable harmful impact on the residential amenity of the neighbours.

Highways

There are no highways issues associated with this application.

Summary

Representations have been received that are contrary to the Planning Officers recommendation. The

proposed extension is considered harmful to the agricultural character and visual amenity of the application site and surrounding dwellings and is therefore being referred to the Ward Member under the scheme of delegation for determination.

Recommendation

Refuse for the following reason:

01. The proposal, by reason of its scale, siting, materials and design would have an adverse impact on the character and quality of the dwelling and would be harmful to the visual amenity of neighbouring dwellings. As such, the proposal is contrary to policy EQ2 and EQ3 of the South Somerset Local Plan 2006-2028 and the core planning principles of the National Planning Policy Framework 2019

Agenda Item 14

Officer Report On Planning Application: 20/01269/HOU

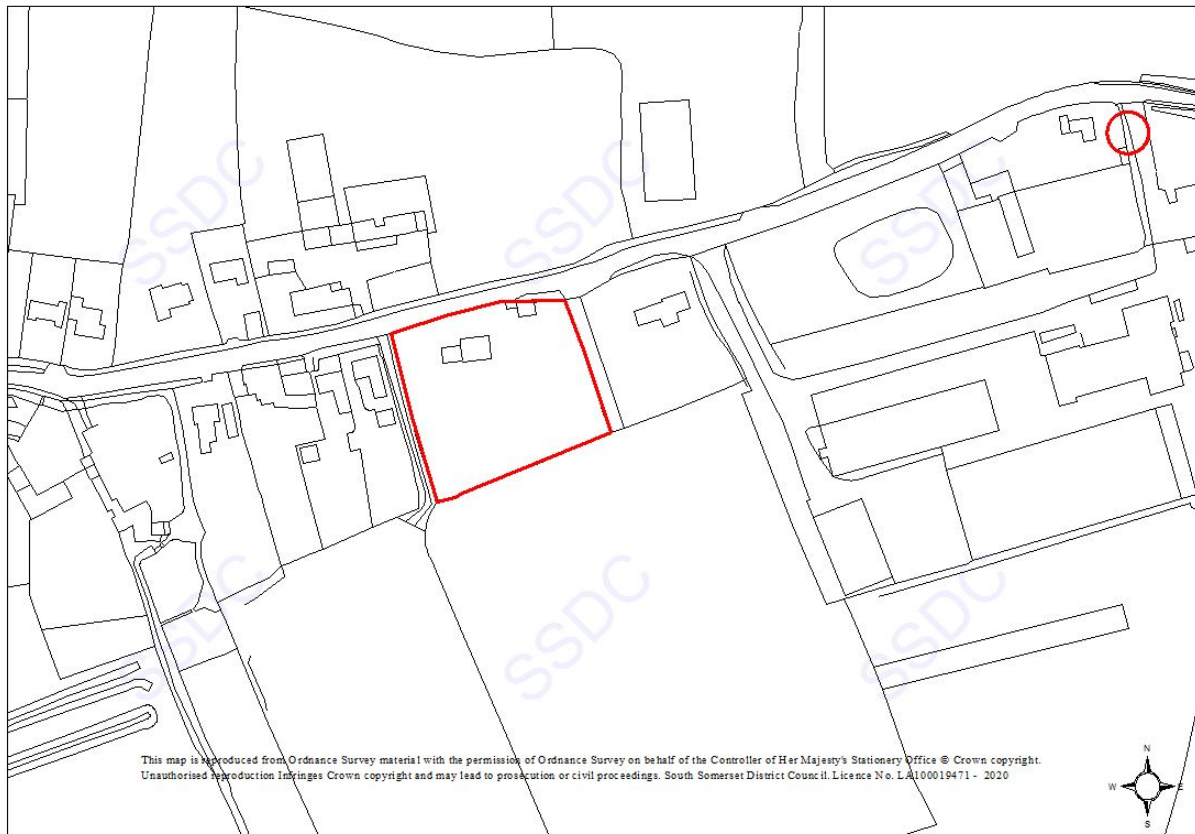
Proposal :	The erection of a double garage and formation of new access.
Site Address:	Briggcroft Rimpleton Road Marston Magna
Parish:	Marston Magna
CAMELOT Ward (SSDC Member)	Cllr M Lewis
Recommending Case Officer:	Tel: 01935 462198 Email: Planningtechnicaladmin@southsomerset.gov.uk
Target date :	2nd July 2020
Applicant :	Robert Bunton
Agent: (no agent if blank)	Bell Associates Fountain Cottage Wyke Road Gillingham Dorset SP8 4NH
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to Ward Member for determination under the Council's scheme of delegation procedures as observations have been received that are contrary to the officer recommendation.

SITE DESCRIPTION AND PROPOSAL





Site Context/Description: Braggcroft is a two-storey detached dwellinghouse constructed of natural stone beneath a slate tile roof. The dwelling is among the last residential properties situated on Rimpton Road to the east of Marston Magna. This is a rural setting backing onto open countryside however Perrys Recycling facility is situated approximately 120 metres from the dwelling.

The site falls within the Designated Marston Magna Conservation Area and lies adjacent to the Listed Building Curtilage of Garston Farm, the Grade II Listed Building itself is situated approximately 30m to the North West of Braggcroft on the opposite side of the highway. A Public Right of Way adjoins the site to the west but is separated from the curtilage by a row of mature trees and tall hedges.

The application seeks consent for the erection of a detached double garage as well as the creation of a new access to the west of the site along with additional hardstanding to provide a driveway and turning area.

Neighbours/consultees correct: Yes

History

20/01268/FUL - Change of use of land to equestrian and the erection of a stable building with hay store and tack room/machinery storage.- Application permitted with conditions 16/07/2020

19/03520/HOU - Erection of single storey rear extension and first floor side extension, the formation of 2 No. front-facing dormer windows and 1 No. rear dormer window to the rear and the installation of 1 No. rooflight to rear of dwellinghouse. - Application permitted with conditions 24/03/20

Policy

South Somerset Local Plan 2006-2028:

Policy SD1 - Sustainable Development

Policy EQ2 - Design And General Development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy EQ5 - Green Infrastructure

NPPF 2019:

Chapter 2 - Achieving sustainable development
Chapter 11 - Making effective use of land
Chapter 12 - Achieving well-designed places
Chapter 16 - Conserving and enhancing the historic environment

Planning Practice Guidance:

Design: Processes and Tools 1st October 2019

Additional Guidance

National Design Guide - 1st October 2019

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

Town/Parish Council

Marston Magna Parish Council: *'There is much disquiet felt by the Councilors and residents about how the whole site is evolving since it was bought by the current owners. This is reinforced by the arrival of various buildings and polytunnel, their many animals which are kept in the paddock and the several Land Rover Defender type vehicles in various stages of repair in view of the road. Braggcroft is in a Conservation Area and the Councilors are uneasy about the motives behind the latest applications which if granted, could even lead to breaking the accommodation into two separate dwellings.*

Bearing those thoughts in mind and that it is in a Conservation area, the Parish Council are opposed to building a new driveway to the west end of the property and the erection of the double garage/workshop, which in any way, is too close to this ancient footpath. It would result in the destruction of an attractive beech hedge as well as some of the vegetation that screens the adjacent public footpath. The Parish Council feel that if a new garage is required there is a perfectly good entrance to the property at the east end. It would also avoid another entrance/exit into the road.' (28th May)

'The Parish Council have examined the latest revisions and correspondence which contains some contradictions about whether or not the applicant will retain the existing hedge to the west of the proposed driveway. Your introduction states "The amendment also eliminates the removal of the hedge to the front boundary of the dwelling from the proposal" and this is backed up by the use of a photograph but the revised drawing clearly states the hedge will be moved back to improve the sight lines. The Tree Officer might well cast doubts on this as that there are major risks to the survival of such a mature hedge.

The drawing, as in the application, does not show where the existing entrance is, particularly in relationship to the proposed new entrance, has no dimensions and does not show the existing brick garage and outbuildings. It does not include the details asked for by the SSDC Traffic Consultant in the document dated the 28th May 2020. We consider this to be essential and ask that the Planning Officer requests this additional information before a decision is reached.

We note as well in the correspondence that the applicant wishes to use the proposed garage to house vintage vehicles and motorcycles, so the Planning Officer might request a change of use application of the property if restoration is done on a commercial basis.

The Parish Council are still not convinced an additional entrance is necessary and that there is sufficient room to build a new building to the east end of the property and using the existing entrance. It is disappointing the Planning Officer deems a visit unnecessary as it is an important decision in a Conservation Area.

These additional comments reflect the general concerns of the Parish Council and residents in the area.' (22nd June)

Case Officer Response To Parish

The representations from the Parish Council are noted and it should be observed that amendments to the original plans were submitted by the agent to relocate the proposed access, garage and driveway further away from the nearby trees and public right of way and to retain the hedge currently sited to

the front of the dwelling. The Tree Protection concerns shall be discussed further as part of this report. Additionally it is noted that additional details relating to highway safety have been submitted by the agent and this shall also be discussed at the relevant juncture in the report. The agent has confirmed by email that the proposed garage will be used for storage only and shall be used for no commercial purposes, however should the works be approved this will be secured by condition so that any use of the building for commercial purposes in the future will require the benefit of a change of use. The comments regarding the necessity of an additional entrance are noted, however the applicant retains the right to apply for a new access and garage and as such this application can only be assessed on its own merits. It is also noted that the case officer visited the site (taking a large number of photographs) during the consideration of a previous application in March of this year. As such, the officer already has a firm understanding of the site and its constraints and did not consider an additional site visit after so short a period to be necessary in the case of this decision.

Other Consultees

Highways Authority: Standing Advice Applies

Highways Consultant: *'It would appear that the property already benefits from an existing access and garage so I am unsure as to purpose of the scheme; however, no highways objection would be raised provided the proposed new access and on-site layout is designed to full standard. Will the existing garage and access be removed as the proposed easterly visibility splay may conflict with the existing garage - it is difficult to tell given the plans submitted? Confirmation should be sought as to the extent of the proposed visibility splays on the plan as they do not appear to be annotated (they should be a minimum of 2.4m x 43m). There should be no obstruction greater than 600mm within the splays which again needs to be annotated on the plans. While the frontage of the site to the west appears to form part of the public highway, the track down the west side of the site does not appear to be coloured on the highway plan. Therefore, confirmation needs to be sought that the applicant has the necessary control/ownership to that the hedgerow along the eastern side of the track for the first 2.4m can be lowered to 600mm. and that the westerly splay can be provided in its entirety - I suggest the agent purchases the highway plan from SCC to confirm the above. Some dimensions on the plan would be useful in terms of the width of the proposed access and for the car parking spaces to be shown as dashed lines (4.8m x 2.4m per space) including within the garage. The first 5m of the access must be properly consolidated and surfaced (not loose stone or gravel) and drainage measures will be required to prevent surface water from discharging onto the highway, again to be annotated on this plan. All the required details are set out on the SSDC website under Highways Access & Parking Guidance. I look forward to receiving amended plans addressing all the above matters.'*

Following the submission of additional details the highways consultant advised that the matters previously mentioned had been addressed but also commented that *'In the event that planning permission is granted I recommend the imposition of suitably worded conditions securing the points of detail in respect of visibility splays, new access location, its width and surfacing, drainage, parking/turning, etc.'*

SSDC Conservation Officer: The Conservation Officer was initially opposed to the proposal however following the submission of amended plans which included the retention of the existing boundary hedge to the front of the dwelling the officer confirmed verbally that he was satisfied with the scheme.

SSDC Tree Officer: *'I have noted the answers provided to Sections 7 & 15 of the submitted application forms. I have also noted that specific concerns have been expressed by local residents and the Parish Council regarding adjoining trees and hedges. It appears that there is already an existing Highways access and outbuilding serving the property. From the plans below, I understand the out-buildings, driveway and adjoining trees are all to be removed.*

The garage proposal also requires the removal of a section of roadside hedge and possibly a further roadside tree. Of particular note - a Listed Building (Garston Farmhouse) is located upon the opposite side of Rimpton Road. I have serious concerns that the setting of a Listed Building may be adversely affected.

No measures have been proposed to minimise or mitigate the visual impact nor has the layout-design of either proposal benefitted from arboricultural input in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction. The foot-print of the garage and new driveway appears to have been squeezed-in tightly to the West between the dwelling and the adjoining boundary hedges and trees. The garage requires the removal of a further section of hedge

adjoining the Public Footpath. Such positioning of the garage, new drive and stable block could all be significantly damaging to adjoining tree and hedge root systems.

To summarise, I am obliged to object to the proposals on the basis that I believe they are contrary to the Council's objectives to preserve the quality and character of the Conservation Area and its existing landscape features (trees and hedgerows) in accordance with the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

Rights of Way: Thank you for consulting us on the above application. I have not visited the site. I can confirm that there is a public right of way (PROW) recorded on the Definitive Map that abuts the site at the present time (public footpath Y 15/11). I have attached a plan for your information. We have no objections to the proposal, subject to the following: (PLEASE SEE INFORMATIVES.

Neighbour Comments

Six neighbours notified and a site notice displayed- Four responses were received regarding the proposal, two in objection, one representation and one in support. These may all be viewed in full on the council's public website but are summarised as follows...

Objection

- o There is no need for a new access to the highway as there is already one existing*
- o Concern that the proposal will encourage further development*
- o Support the objections of the Parish Council*

Representation

- o The objections of the Parish Council have been documented.*
- o Wish to comment that in a previous application for a summerhouse in the garden of Millstone House, it was stipulated that any construction should not undermine the integrity of the roots of two large beech trees in the conservation area and near to the public footpath to the west of Braggcroft*

Support

- o Support the removal of the hedge and consider this will improve line of sight for vehicles users*
- o Support erection of the garage providing trees roots are not compromised*
- o However pedestrians and dogs would be at risk as the proposed driveway is very near to a public footpath*
- o Concern that the sloping drive may add to ground water run off into Rimpton Road, a permeable drive material/suitable drainage should be used to mitigate this*

Officer Response to Representations Received

Whilst it is noted that the applicant already has an existing access the applicant retains the right to apply for permission for an additional access and that the only justification for refusing the application on the grounds of the additional access would be if it were deemed that this would have a demonstrable harmful impact on visual and/or residential amenity, the local historic environment, or highway safety.

It is noted that a neighbour raised concern that the proposed development would encourage future development however each application can only be considered on its own merits and this proposal has to be judged accordingly with this principle.

One neighbour (whilst supporting the proposal) suggested that measures should be taken to prevent additional ground water run off into the highway, this is to be included as a condition in the event of the proposal being approved.

The matters raised in relation to trees and highway safety shall address separately in this report.

Key Considerations

Principle of Development

It is noted that there is an existing access, drive and garage already within the site, however it is considered that the creation of a second garage along with access and hardstanding is acceptable providing there are no concerns in relation to Visual and Residential Amenity in addition to Highway Safety, the Historic Environment and the protection of Trees within a Conservation Area, these matters shall be discussed accordingly.

It is noted that but for the included creation of a new access onto a classified road the installing of an additional hard surface to the front of the dwelling could be carried out by the applicant under Permitted Development rights under the condition that the hard surface was made of porous materials or that provision was made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Design/Layout/Materials and Impact on Historic Environment

It is considered that the proposed garage is an acceptable addition to the dwelling in terms of its scale and height. In addition, it is considered appropriate that the garage will be positioned to the side of the dwelling and will sit further back from the rear wall of the main dwellinghouse and that this will sufficiently reduce the visual impact on the dwelling. The tiled roof and timber finish to the garage is considered sympathetic to the rural character of the area.

It is not considered that the development will have a demonstrable harmful impact on the designated Marston Magna Conservation Area by virtue of its design, scale and position. It is also considered that retaining the existing hedge to the north-west corner of the site will further mitigate the impact on the Conservation Area.

The Conservation Officer has also confirmed that the development will not be to the detriment of the historic environment.

Overall, it is considered that the development respects the established character and appearance of the dwellinghouse, and will not have a demonstrable harmful impact on the historic environment. As such, the proposal is acceptable and in accordance with Policy EQ2 and EQ3 of South Somerset Local Plan (2006-2028)

Residential Amenity

It is not considered that the proposed garage will give rise to an undue level of overlooking or overshadowing or have an overbearing relationship with surrounding dwellings. As such, it is considered that the development will not have a demonstrable harmful impact on the residential amenity of neighbours.

Highways

The highways consultant noted the existing access and garage and questioned the purpose of the proposed works, however confirmed that there would be no objection on highways grounds provided the proposed new access and on-site layout is designed to full standard.

Upon receipt of additional plans which provided clarity on visibility splays and the parking/turning areas the consultant was able to confirm that all highways matters had been covered but recommended the inclusion of 'suitably worded conditions securing the points of detail in respect of visibility splays, new access location, its width and surfacing, drainage, parking/turning'. As such, it is considered that the development is in accordance with Policies TA5 and TA6 of South Somerset Local Plan (2006-2028)

Impact on Trees and Hedges in the Conservation Area

The SSDC Tree Officer's response from June 1st 2020 confirms his objection to the proposal due to the removal of the front facing hedge and the lack of measures in place to minimise or mitigate the visual impact as well as the siting of the drive and garage so near to the boundary which would be significantly damaging to adjoining tree and hedge root systems.

Subsequent to the officer's comments the agent submitted amended plans which rearranged the layout of the proposed access, garage and driveway further away from the nearby trees and retained the hedge to the front of the dwelling. The Tree Officer was invited to make further observations following these changes however no additional comments have been received. It is considered by the case officer that the amended position of the garage and drive is sufficient to mitigate the potential damage to the nearby trees.

Public Rights of Way

The County Council Public Rights of Way team have no objection to the proposal but have recommended a standard informative to ensure no damage or restriction is caused to the right of way adjoining the site whilst development is carried out. It is therefore considered that there are no concerns relating to the right of way.

Flood Risk

It is noted that the site falls within Flood Zones 2 and 3, however the documents submitted with the application confirm that the floor level of the proposed garage will be set to match the main dwelling. Furthermore, the approved plans specify that for a minimum of 5 metres from the highway the surface water shall run off from the hard surface of the proposed driveway to a soakaway within the curtilage of the dwellinghouse. The Environment Agency were consulted on the proposal however no comments have been received. As such, it is considered that the development will not introduce any significant flood risk to the locality or the highway.

Summary

Representations have been received from neighbours and the parish council that are contrary to the Planning Officers recommendation. The proposed development is considered acceptable to the dwelling and the local area and so is being referred to the Ward Member under the scheme of delegation for determination.

Recommendation

Approve for the following reason:

01. The proposal, by reason of its size, siting, materials and design, is acceptable to the dwelling and neighbours and causes no demonstrable harm to the quality and character of the Marston Magna Conservation Area, neither is there a risk to highway safety, the adjoining public right of way or the nearby trees, in accordance with Policies SD1, EQ2, EQ3, EQ4, EQ5, TA5 & TA6 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2019.

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 referenced:

Drawing No.

- o 1480/1/2/A, received 1st July 2020
- o 1480/1/3, received 24th April 2020
- o 1480/1/4, received 13th July 2020
- o 1480/1/5 (Proposed Garage Roof Plan), received 24th April 2020
- o 1480/1/5 (Site Survey), received 1st July 2020

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

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

Reason: To ensure the proposed development is completed in accordance with Policy EQ2 of South Somerset Local Plan and the and the provisions of the National Planning Policy Framework 2019.

04. Prior to the first use of the development hereby approved, the access, driveway and turning area to be provided, as shown in drawings No. 1480/1/2A and 1480/1/5, shall be properly consolidated (not loose stone or gravel), surfaced and drained to ensure no surface water discharge onto the highway

Reason - In the interest of Highway Safety and adequate onsite parking provision, in accordance with Policies TA5 and TA6 of South Somerset Local Plan (2006-2028)

05. Prior to the first use of the development hereby approved, the turning area to be provided shall be constructed to a minimum width of 5 metres except for at the entrance to the garage which shall be constructed to a minimum width of 6 metres as shown in drawing No. 1480/1/2A.

Reason - In the interest of Highway Safety and adequate onsite parking provision, in accordance with Policies TA5 and TA6 of South Somerset Local Plan (2006-2028)

06. Prior to the first use of the development hereby approved, the new access to be created shall be located in the exact position of shown in Drawings No. 1480/1/2A and 1480/1/5

Reason - In the interest of Highway Safety and adequate onsite parking provision, in accordance with Policies TA5 and TA6 of South Somerset Local Plan (2006-2028)

07. There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of a line drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending 43 metres to the east and west as shown on the approved plan, Drawing no. 1480/1/5. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of South Somerset Local Plan 2006-28.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) the extension hereby permitted shall only be used incidental to the enjoyment of the dwellinghouse.

Reason: In the interests of residential amenity and highway safety in accordance with Policies EQ2 and TA5 of the South Somerset Local Plan (2006-2028)

09. The existing boundary hedgerow growing along the roadside frontage of the site to west of the proposed access, shall be retained and maintained and shall not be removed, either in whole or in part, and shall be maintained at a height no lower than 2.5 metres in height (as measured from the ground level on which it is growing). The hedgerow shall be maintained and retained in this fashion for a period of ten years from the completion of the development hereby permitted. Should any of the hedgerow planting become damaged or diseased during this ten year period the plant(s) shall be replaced in the next planting season with others of a similar species, unless the local planning authority gives written consent to any variation.

Reason: In the interests of visual amenity, having regard to Policy EQ2 and EQ3 of the South Somerset Local Plan and relevant guidance within the NPPF.

Agenda Item 15

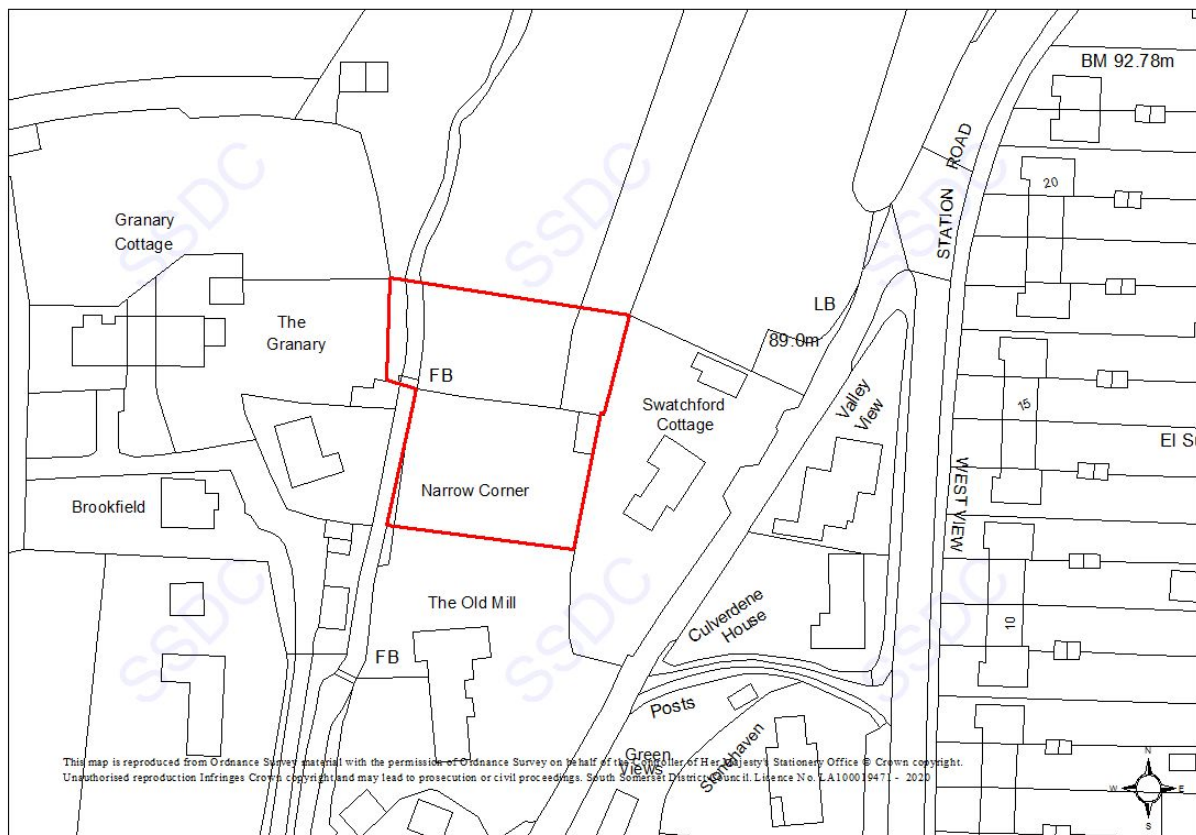
Officer Report On Planning Application: 20/00962/FUL

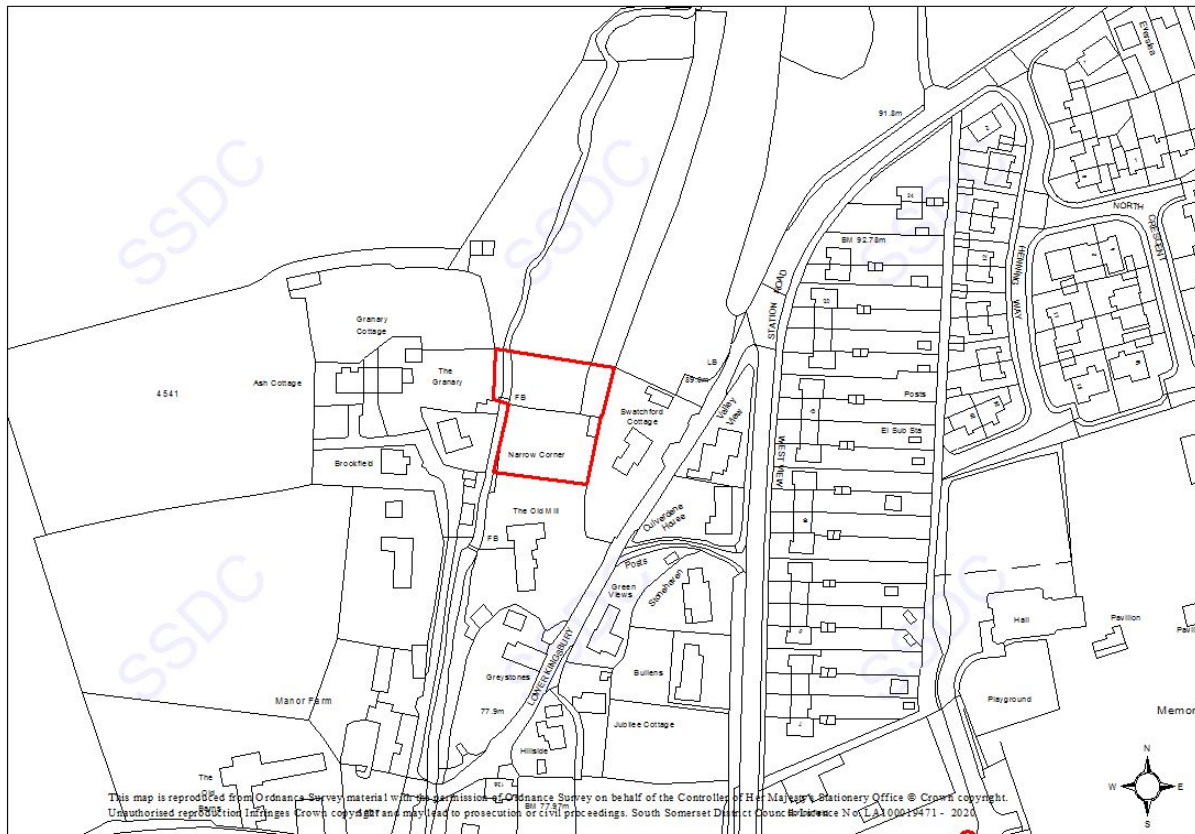
Proposal :	Change of use of agricultural land to garden; the erection of a garden store; amendments to dwelling design (roof height, fenestration and internal layout of east wing); deletion of approved access driveway (17/02438/REM) and the formation of a replacement access and driveway
Site Address:	Meadow House Lower Kingsbury Milborne Port
Parish:	Milborne Port
MILBORNE PORT Ward (SSDC Member)	Cllr S Dyke
Recommending Case Officer:	Trudy Gallagher Tel: 01935 462462 Email: trudy.gallagher@southsomerset.gov.uk
Target date :	27th May 2020
Applicant :	Mr and Mrs J Austin-Crowe
Agent: (no agent if blank)	Mrs Helen Lazenby Sanderley Studio Kennel Lane Langport TA10 9SB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is referred to the Chair following contrary views from the ward member, Parish Council and local residents.

SITE DESCRIPTION AND PROPOSAL





SITE DESCRIPTION AND PROPOSAL

Planning permission has previously been granted for the construction of a single dwelling in this location on the northern fringes of Milborne Port. Construction is currently ongoing.

The applicants are seeking to amend the previous approval in the following ways;

- o An amended roof design and floor plan (relating to the approved garage area).
- o The erection of a garden store.
- o The change of use of agricultural land to provide a larger residential amenity area; and
- o The provision of a new access and driveway from Lower Kingsbury, to the north of the previous application site, in lieu of the originally approved access from the south.

In seeking to justify their proposals, the applicants have argued that building works proposed are modest in nature with no material impact on local residential amenity or the overall design of the scheme and that the extended residential curtilage will have minimal landscape impact as it would align with existing garden boundaries on surrounding plots and represent a natural "rounding off". The application is supported by a detailed landscaping plan which seeks to mitigate the visual impact of the new access driveway and to naturalise the revised curtilage boundary. The scheme includes new native hedgerows along the road-side boundary and along the entire length of the northern boundary; substantial new tree planting in the north east corner of the site; and meadow grass, bulb and woodland planting elsewhere.

It should be noted that the red line boundary has been significantly reduced during the course of the application to ensure that the majority of the landscaping area proposed to the north remains in an agricultural use and would not be subject to any residential paraphernalia. The scale of the garden room has been slightly reduced and some of the proposed orchard trees have been repositioned away from Hilltop View following concerns raised during the consultation period.

HISTORY

17/02438/REM - Reserved matters (including details of access, appearance, landscaping, layout and scale) in respect of 17/01514/OUT. Approved.

17/01636/OUT - Outline application for the erection of a four bedroom dwelling and garage (resubmission of 14/01514/OUT). Approved.

14/01514/OUT - Outline application for the erection of a detached 4 bedroom house and double garage, Approved.

13/01931/OUT - Outline application for the erection of a detached 4 bedroom house and double garage, Refused 9.07.2013. Access was an issue.

10/00042/OUT - The erection of a detached dwelling with double garage and construction of rear access. (Revised application) - Refused

09/01932/OUT - The erection of a detached dwelling with double garage and construction of rear access - Withdrawn

POLICY

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

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

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ1 - Addressing Climate Change in South Somerset Page 2

EQ2 - General Development

EQ4 - Biodiversity

EQ5 - Green Infrastructure

National Planning Policy Framework (March 2012):

7. Requiring good design

Somerset County Council Parking Strategy, September 2012.

County Highways Standing Advice 2013

CONSULTATIONS

Milborne Port Parish Council:

Object. Whilst they welcome the applicant's attempts to address concerns previously stated, the Council remains concerned regarding the following elements of the proposal;

- o Unacceptable incursion into agricultural land to facilitate the access and extended curtilage.
- o That the revised access provides the potential to develop further housing to the north of the site.
- o The impact of the use of the new access on the amenity of occupants of Hilltop View.
- o The design and siting of the garden store is unsympathetic. Should be moved to the area shown for parking.
- o The proposed tree planting would block light to the occupiers of Hilltop View.
- o Notwithstanding the County Highways view the access is less safe than that previously approved.
- o Drainage concerns relating to the capacity of the Gascoigne River.

There are also other comments made in respect of the enforcement of the previously approved Construction and Environmental Management Plan insofar as it relates to ongoing construction but these are not relevant to the consideration of the current application.

County Highway Authority: Refer to standing advice.

SSDC Highway Consultant : Refer to SCC Standing Advice.

SSDC Environmental Protection Officer : No comments received.

Lead Local Flood Authority: No comments as the application is minor.

Tree Officer: Recognises that the revised access arrangements will avoid the need for complex arboricultural supervision and specialist engineering measures. However the location of the proposed parking, within the Root Protection Area of protected trees is unacceptable. Recommends some alterations to the submitted landscaping scheme.

REPRESENTATIONS

Letters objecting to the scheme as originally submitted were received from four neighbouring households as well as one letter of support. All of the objections reference the loss of agricultural land through the construction of the new access and curtilage extension and the consequent negative impact on the character of the area. All of the objectors cite the revised access as being "unnecessary" and two correspondents specifically argue that the new access is less safe. Two of the objectors also express concern that the new access could facilitate further development to the north of the site. One household expresses dissatisfaction with the design of the garden store and suggests that it should be relocated elsewhere in the plot.

Following the submission of amended plans two correspondents have further commented that the changes to the plans are minimal and maintain their objection.

One correspondent writes in support of the application arguing that the new access is preferable as it has less impact on trees and historical character than the earlier scheme.

CONSIDERATIONS

Principle of Development and Landscape Impact

The principle of a dwelling in this location has been established by the previous grant of planning permission so is not in itself an issue. The principle of creating an alternative access and extended curtilage into land outside of the settlement boundary are effectively the main issues to be considered. If these are considered acceptable then the design and location of the garden store can be considered on its merits in the context of a new curtilage to the dwelling.

Whilst there is a presumption against development outside of the settlement boundary one must assess whether the harm is significant in respect of matters of acknowledged importance and whether there are benefits which may outweigh any identified harm. On the face of it, a new access outside of the settlement boundary in a case where an approved alternative exists, would suggest harm. However in this instance the submission includes a very detailed landscaping and management plan which would significantly mitigate the visual impact. Similarly, the curtilage extension would be softened by the proposed hedgerow. The topography means that the curtilage extension would not be highly visible in any case. There is no doubt that the submitted landscaping scheme - which has been amended in response to the Tree Officer's comments - is of high quality, would provide biodiversity benefits and would provide a strong green boundary to the new plot and arguably strengthen the delineation between the built settlement and open country. There is also a logic to the applicant's argue that it represents a logical "rounding off" of the settlement boundary. It is not considered therefore that one could reasonably refuse the application solely on the grounds that the development extends into the open countryside.

Some neighbours have argued that the scheme should be resisted on the basis that the dwelling under construction already has an approved access and the alternative is unnecessary. Whilst one may sympathise with this view it is the duty of the Local Planning Authority to deal with any submitted application on its merits.

Scale and Appearance

The built elements of the proposal comprise a garden store and alterations and amendments to the previously approved garage section of the new dwelling. The latter actually reduces the scale of the new-build and will create a pleasanter elevation through the removal of the up-and-over garage door. These changes are to be welcomed.

The new garden store has been reduced in size from that originally proposed and sits close to the eastern boundary of the new curtilage. There are no windows overlooking adjoining properties and the materials and simple design are appropriate for this location. There is therefore no justification to relocate it or delete it from the scheme.

Highway Safety

The Highway Authority have raised no objections to the revised access.

Residential Amenity

The element of the scheme which is most likely to materially affect existing residential amenity is the revised access. However the new access is some distance away from the nearest residential property (Hilltop View) and the traffic generated will be modest. Indeed one could argue that the previously approved access, being closer to a number of properties, had the potential to cause more disturbance.

Impact on Trees

The applicant has submitted amended plans on the advice of the Tree Officer to relocate the parking area which was originally sited within the Root Protection Area of important trees. The applicant has also amended the landscaping scheme to avoid shading the adjacent property and to improve the boundary treatment. In overall terms the revised scheme has less impact on existing trees and provides the visual and biodiversity benefits of significant additional planting.

Planning Obligations

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). This application will be subject to CIL at the appropriate rate.

No other obligations are requested as the indicative numbers and site size (under 10 units and less than 0.5ha) is under the national threshold.

Conclusion

The principle of a dwelling on this site has been established by the previous approvals. The amendments to the design of the dwelling itself are modest and welcome and the addition of an outbuilding is non-contentious. More contentious are the revised access arrangement and curtilage extension because they occupy land outside of the settlement limit (there is no highway safety issue). However a combination of the topography and the proposed landscaping scheme will significantly reduce the visual impact of the development and on this basis it would be very difficult to refuse the application.

The development is considered to be acceptable in principle, contributing towards identified local and district-wide housing need, without significantly and demonstrably harming the character of the surrounding area, residential amenity, highway safety, or employment land provision. The proposal is considered to accord with policies SD1, SS1, TA5, TA6, EQ1, EQ2, EQ4, and EQ5 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

RECOMMENDATION

Approval with conditions for the following reason:

01. The proposal, by reason of its location, represents appropriate infill within the defined

development area and does not foster growth in the need to travel and is therefore sustainable and can achieve an acceptable highways access and on site highway arrangements in accordance with the aims of objectives of policy SD1, SS1, TA5, TA6, EQ1, EQ2, EQ4 AND EQ5. EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan 2006- 2028.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: Garden Room Plans 6987-01b, Proposed Dwelling Plans and Elevations 6987 - 03 and Proposed Landscaping 20.03.44. LAN_01b.

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

02. The finished ground floor levels of the dwelling altered under this planning application must be at least 79.000 AOD as agreed under the previous discharge of condition application (19/01586/DOC).

Reason: To ensure the finished floor levels are of a suitable height to comply with the recommendations of the Flood Risk Assessment previously submitted, in accordance with policies EQ1, EQ2 and EQ7 of the Local Plan and the provisions of the NPPF.

03. Development must continue to proceed in strict accordance with the particulars agreed under 19/01586/DOC for conditions 2 and 3 of 17/02438/REM, concerning the design and installation of the retaining structures and below-ground services required within the designated Root Protection Areas, as well as the agreed Arboricultural Method Statement and Tree Protection Plan.

Reason: To preserve existing landscape features (trees) in accordance with the Council's policies as stated within policy EQ2, EQ4 and EQ5 of the Local Plan and the provisions of the NPPF.

04. Notwithstanding the proposed garden room, development must proceed in strict accordance with the materials, sample panel, rainwater goods, eaves and fascia details and treatments, window and door particulars received on 22nd February 2018 under the previous reserved matters application (17/02438/REM).

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

05. All planting comprised in the approved landscaping scheme (plan reference 20/03/44/LAN_01b) shall be carried out in the timescales detailed on the plan, unless the Local Planning Authority agrees to any variation in writing. If any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location.

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