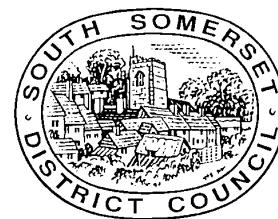


South Somerset District Council

Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 24th September 2014

1.30 pm

**The Village Hall
New Road
Norton Sub Hamdon
TA14 6SF**

(Disabled access is available at this meeting venue)



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

The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than 3.30pm.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Becky Sanders, Democratic Services Officer 01935 462596**, website: www.southsomerset.gov.uk

This Agenda was issued on Tuesday 16 September 2014.

Ian Clarke, Assistant Director (Legal & Corporate Services)

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



INVESTORS IN PEOPLE

Area North Committee Membership

Shane Pledger
Paul Thompson
Pauline Clarke
Graham Middleton
Roy Mills

Terry Mounter
David Norris
Patrick Palmer
Jo Roundell Greene
Sylvia Seal

Sue Steele
Barry Walker
Derek Yeomans

South Somerset District Council – Council Plan

Our focuses are: (all equal)

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

Scrutiny procedure rules

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

Consideration of planning applications

Consideration of planning applications for this month's meeting will commence no earlier than 3.30pm, following a break for refreshments, in the order shown on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

A representative from the Area Highways Office will normally attend Area North Committee quarterly in February, May, August and November – they will be usually be available from 15 minutes before the meeting to answer questions and take comments from members of the Committee. Alternatively, they can be contacted through Somerset Highways control centre on 0845 345 9155.

Members questions on reports prior to the meeting

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

Information for the Public

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

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

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

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

Meetings of the Area North Committee are held monthly, usually at 2.00pm (unless specified otherwise), on the fourth Wednesday of the month (except December) in village halls throughout Area North (unless specified otherwise).

Agendas and minutes of area committees are published on the council’s website www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

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

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

Public participation at committees

This is a summary of the protocol adopted by the council and set out in Part 5 of the council’s Constitution.

Public question time

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

Planning applications

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the public question time session.

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

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

The order of speaking on planning items will be:

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

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

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

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

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

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

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

Area North Committee

Wednesday 24 September 2014

Agenda

Confidential Item

1. **Exclusion of Press and Public** (Pages 1 - 2)
2. **Building at Risk (Confidential)** (Pages 3 - 14)

Preliminary Items

3. **Minutes**

To approve as a correct record the minutes of the previous meeting held on 27 August 2014.

4. **Apologies for Absence**

5. **Declarations of Interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2112 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

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

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

Planning Applications Referred to the Regulation Committee

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

Councillors Terry Mounter, Shane Pledger, Sylvia Seal and Paul Thompson.

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

6. Date of Next Meeting

Councillors are requested to note that the next Area North Committee meeting is scheduled to be held at 2.00pm on **Wednesday 22 October 2014**. Venue to be confirmed.

7. Public Question Time

8. Chairman's Announcements

9. Reports from Members

Items for Discussion

- 10. County Highway Authority - Verbal Update** (Page 15)
- 11. Local Housing Needs in Area North** (Pages 16 - 20)
- 12. Arts & Entertainment - Service Update** (Pages 21 - 29)
- 13. Section 106 Obligations** (Pages 30 - 55)
- 14. Somerset Levels and Moors Local Action Group - Appointment of a Member to the Executive Board (Executive Decision)** (Pages 56 - 57)
- 15. Area North Committee Forward Plan** (Pages 58 - 60)
- 16. Planning Appeals** (Pages 61 - 66)
- 17. Schedule of Planning Applications to be Determined By Committee** (Pages 67 - 68)
- 18. Planning Application 14/03195/FUL - Pond Farm, Old A303, Seavington St Michael** (Pages 69 - 81)
- 19. Planning application 14/03029/OUT - Land north of Hill Farmhouse, Shepton Beauchamp** (Pages 82 - 88)

20. **Planning Application 14/03258/FUL - Land Rear Of 25 Hayes End, South Petherton** (Pages 89 - 96)
21. **Planning Application 14/02647/OUT - Land Adjacent To Barcroft Lane, South Petherton** (Pages 97 - 103)
22. **Planning Application 14/03375/FUL - Land Adjacent Cainsmead, North Street, South Petherton** (Pages 104 - 112)
23. **Planning Application 14/02953/FUL - Land At Long Furlong Lane, Long Sutton** (Pages 113 - 119)
24. **Planning Application 14/03405/FUL - Land At The Manor Cross Lane Long Sutton** (Pages 120 - 127)

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

This does not apply to decisions taken on planning applications.

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Agenda Item 1

Exclusion of the Press and Public

The Committee is asked to agree that the following item (agenda item 2) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraphs 1, 3 & 6:

“Information relating to any individual”,

“Information relating to the financial or business affairs of any particular person (including the authority holding that information).”

“Information which reveals that the authority proposes-

(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment”.

It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

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Agenda Item 2

By virtue of paragraph(s) 1, 3, 6 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 1, 3, 6 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Agenda Item 10

County Highway Authority – Verbal Update

Lead Officer: Neil McWilliams, Assistant Highway Service Manager, SCC
Contact Details: countyroads-southsom@somerset.gov.uk or 0845 345 9155

Purpose of the Report

The Assistant Highway Service Manager will attend the meeting to provide a brief verbal update regarding:

- grants received from central government in response to the winter flooding (and subsequent damage to the highway network).
- Progress of the raising the Drayton road into Muchelney.
- Statement on management of Bow Street
- Closure of the B3168 at Ilminster (also known as Beacon Hill)
- Update on allocation of flood action plan funding

Recommendation

That members note the update.

Agenda Item 11

Local Housing Needs in Area North

Strategic Director: Vega Sturgess, Operations and Customer Focus
Assistant Director: Steve Joel, Health and Wellbeing
Service Manager: Kirsty Larkins, Housing and Welfare Manager
Lead Officer: Kirsty Larkins, Housing and Welfare Manager
Contact Details: Kirsty.larkins@southsomerset.gov.uk or (01935) 462744

Purpose of the Report

The purpose of this report is to give Councillors an update on housing need in Area North.

Public Interest

The report gives an overview of numbers on the Housing Register (Homefinder Somerset) in Somerset and the demand for housing in Area North.

Recommendations

1. Members discuss matters of interest to the local area arising from the report and presentation;
2. Members identify further or future information to be considered by the Area North Committee or other forum.

Background

Homefinder Somerset (HFS) was launched in December 2008 in partnership with the other four Somerset Authorities. Since the introduction of HFS housing needs data is more readily available and the scheme is made the allocation of social housing transparent.

Increased provision of affordable, good quality, homes in South Somerset remains a high priority. This has been evidenced by the countywide Sustainable Community Strategy 2008-2026, and by South Somerset District Council's "Our Plan- Your Future" 2012-2015.

Housing Need across Somerset

Information from the Somerset Housing Register

Table 1, on the next page, sets out the numbers of applicants on the Homefinder Somerset register as at 1st September 2014 within each Local Authority area by band.

Table 1

Local Authority	Emergency	Gold	Silver	Bronze	Grand Total
Mendip District Council	5	211	626	721	1563
Sedgemoor District Council	2	335	1078	2194	3610
South Somerset District Council	2	320	738	1391	2452
Taunton Deane Borough Council	2	385	662	1949	2998
West Somerset Council		101	231	550	882
Grand Total	11	1352	3335	6805	11505

Over the last year numbers of active applications on the housing register have decreased across the County. The decrease is largely due to each Local Authority carrying out the rolling reviews of applications on a regular basis. The review involves applicants confirming they still wish to remain on the register and updating their details.

Housing Need in Area North

Table 2 below summarises the figures for households on the Homefinder Somerset Register expressing their first choice of location for Area North as at 1st September 2014

Parish First Choice	Bronze	Silver	Gold	Grand Total
Ash	1	1	1	3
Barrington			2	2
Chilthorne Domer	1		1	2
Compton Dundon	3		1	4
Curry Mallet	1		1	2
Curry Rivel	11	6	2	19
Fivehead	1		1	2
High Ham			1	1
Huish Episcopi	5	2		7
Ilton	6			6
Kingsbury Episcopi	3	2		5
Langport	32	17	6	55
Long Sutton	2	1		3
Martock	34	13	5	52
Montacute	4		1	5
Muchelney	1			1
Norton-Sub-Hamdon	11	4	4	19
Pitney		1		1
Puckington	1			1

Seavington St Mary	1			1
Shepton Beauchamp	2	2	2	6
Somerton	43	23	3	69
South Petherton	26	13	3	42
Stoke-Sub-Hamdon	20	7	4	31
Grand Total	209	92	38	339

Table 3 below shows the number of households and their bedroom requirements by band in Area North as at 1st September 2014. Members should note that this may include applicants not currently resident in Area North.

Bedroom size	Bronze	Silver	Gold	Grand Total
1	130	35	12	177
2	60	35	22	117
3	15	16	3	34
4	4	5	1	10
5		1		1
Grand Total	209	92	38	339

Demand for one and two bedroom properties remains high and a large number of social housing tenants are still in the process of trying to downsize due to the “bedroom tax”.

Affordable Housing In Area North

Table 4 below summaries the expected HCA and SSDC Programme for 2013/14

Location	Housing Association	Scheme Name	Social Rent	Affordable Rent	Shared ownership	Total	Anticipated completion
Langport and Huish	Hastoe	Fern Green, Langport (Huish Episcopi)	0	14	4	18	Nov-14
South Petherton	Aster	St Michael's Gardens	7	4	6	17	Nov-14
Somerton	Knightstone	St Cleers Orchard	0	0	1	1	May-14
Norton-Sub-Hamdon	Yarlington	Minchington Close	0	8	2	10	Sept-14
Curry Rivel	Yarlington	Westfield	0	0	4	4	Dec-14

Financial Implications

None

Council Plan Implications

Focus Three: Homes

Minimise impact to our residents of the major changes to housing and council tax benefits proposed by Government

Minimise homelessness by providing advice, support and housing options

With Partners, enable additional new homes to meet the needs of the district, including mixed housing schemes to buy or rent that are affordable.

Carbon Emissions and Climate Change Implications

None from this report




Equality and Diversity Implications

None from this report.

Background Papers: *District Executive Report Oct 2013 - Revised Homefinder Somerset Policy*

Appendix A - Homefinder Banding

Depending on their circumstances applicants are placed into one of 4 bands, they are gold for high need, silver for medium need and bronze for low need. In a few cases applicants will be placed into an emergency band.

Gold Band – High need 	Silver Band – Medium Need 	Bronze Band – Low Need 
Tenants of Homefinder Somerset partner landlords who live within the Homefinder Somerset area and under occupy their home	Where the applicant lacks 1 bedroom in their current home.	Where an applicant is adequately housed.
Homeless households who are owed a main homeless duty by a Homefinder Somerset partner authority.	Applicants who can demonstrate a need to move for employment reasons or to give or receive support where significant harm would result if this was not provided.	Where applicants own their own property but whose home is not suitable for their needs but they have sufficient equity to address their housing needs.
Applicants who lack 2 or more bedrooms or have been confirmed as overcrowded by a Local Authority officer.	Where there is a medium medical/welfare need.	Applicants with a low medical/welfare need.
Current supported housing residents or care leaving applicants who are assessed as ready to move on to independent living.	Applicant who is pregnant or has children under the age of 10 living in a first floor flat or above and have no access to a lift.	Applicants with low disrepair needs living in private sector rented property.
High disrepair for people living in the private sector.	Medium disrepair for people living in the private sector.	Applicants living in short term supported housing or are care leavers prior to being ready to move at which stage they will move up to the gold band.
High medical need.	Applicants with dependent children and are lodging with friends or family or in accommodation with shared living facilities.	Applicants with no dependent children and are lodging with friends or family or in accommodation with shared living facilities.
Applicants awarded a 'medium' medical priority, combined with 'medium' disrepair award from the silver band.	Other homeless (where Homefinder Somerset partners do not owe an applicant a full homeless duty).	Applicants are assessed as having adequate financial resources to address their housing needs.
Victim of harassment or violence at their current property within the Homefinder Somerset area.	Applicants of split families who not by choice are living separately.	Applicant has no housing need.
Applicant awarded 4 or more silver band housing needs with the exception of applicants found to be intentionally homeless.		Applicant has deliberately worsened their circumstances or made use of the under occupation band before, or has accepted an offer that doesn't meet their needs previously.
Social housing tenants whose homes are subject to major works for rebuilding/renovation or re-designation.		
Where the Local Authority receives written support from a Homefinder Somerset landlord that an applicant has no legal right to succession and the landlord will pursue possession.		

Agenda Item 12

Arts & Entertainment – Service Update

Strategic Director: Vega Sturgess, Operations and Customer Focus
Assistant Director: Steve Joel, Health and Well-Being
Service Manager: Adam Burgan, Arts & Entertainment Manager
Lead Officer: Adam Burgan, Arts & Entertainment Manager
Contact Details: adam.burgan@southsomerset.gov.uk or 01935 845911

Purpose of the Report

This report provides an update on the work of the Arts & Entertainment Service in Area North.

Public Interest

The Arts & Entertainment Service at South Somerset District Council (SSDC) works to provide access to high quality cultural events across South Somerset. Through Arts Development the Service supports and encourages various arts agencies and organisations to deliver arts activity across South Somerset. The Service operates The Octagon Theatre – Somerset’s premier theatre for arts and entertainment. This report details arts activities taking place in Area North which is supported and initiated by the Service and the development of The Octagon Theatre which attracts audiences from across South Somerset and beyond.

Recommendation

That the Area North Committee notes the report and identifies:-

- Suggestions to improve service delivery;
- Potential projects it wishes to see incorporated into the 2014-15 service planning process.

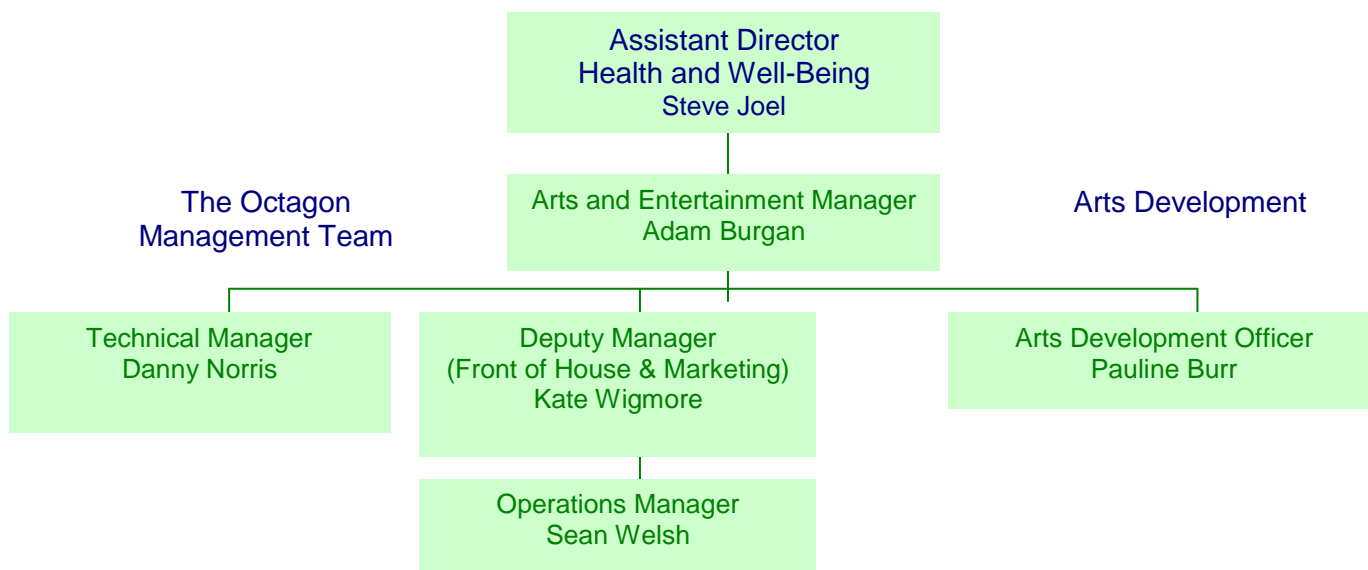
Background

The Arts & Entertainment Service aims to provide access to high quality cultural events across South Somerset. Using the Octagon Theatre as a hub of creativity we work with our partners to engage the residents of South Somerset in arts activities and encourage visitors to the region. We aim to deliver a programme which inspires, educates and ultimately enriches the lives of those taking part making South Somerset an ever improving place to live and work.

Report

The Arts & Entertainment Service consists of the Octagon Theatre and Arts Development and is part of Health and Well-Being under Assistant Director, Steve Joel. We aim to offer a cohesive approach to developing and promoting the arts in South Somerset with the Octagon as a ‘cultural hub’ for the District.

Arts & Entertainment Structure



The Arts Development Service

The Arts Development Service works in partnership with a number of arts delivery agencies to bring a range of arts activities to the district. In previous years we worked as a consortium with the County Council and the other four districts, supporting the arts organisations through core funding via a shared service level agreement. This came to an end in 2011; while the other authorities give reduced funding to the organisations on a project by project basis, SSDC's on-going financial support ensures that this district maintains a good level of service for our communities. Our core funding helps the organisations to attract funding through grants, sponsorship and payment for services and give a high level of return for the authority's investment.

These organisations include:

Take Art!

The Take Art Live programme brings on average 22 shows to village halls across the district, with audiences maintaining a good average of 75% capacity. In Area North this includes performances in Tintinhull, Curry Mallet, Chilthorne Domer, Kingsdon, Langport, and South Petherton

Spring Forward For the second year Spring Forward happened at the Octagon Theatre with around 200 young people performing from around 22 youth dance groups and schools from around Somerset.

Somerset Youth Dance Company SYDC uses the Octagon studio as a weekly rehearsal space for classes, training and working with choreographers.

Big Dance – Urban Jam & Main Event around 300 young dancers took over the theatre for a day of free activities, these included dance workshops, music workshops, graffiti workshops and mini performances. The evening 'Main Event' showcased professional companies and local crews on stage together.

Early Years Using the arts the Take Art programme aims to develop the creative potential of all small children in Somerset. They offer training and creative activities for Early Years workers, parents and children under five.

Word Play is a participatory arts project using theatre and the spoken word. It encourages people with mental health problems or with learning disabilities to have a voice and aims to be a catalyst for social change.

Seed Fund Take Art Theatre was successful with their application to the Somerset County Council Creative Industries Development Fund for the second year of their Seed Fund for local artists. During the first round, four of the ten awards were given to South Somerset based artists.

Networking & Support is on-going across all the Take Art Services of Dance, Theatre, Live, Music and Start.

Take Art hosts and maintains the Dance & Theatre website, www.danceandtheatresomerset.net which is currently receiving about 650-750 hits per month and has about 120 profiles registered.

Actiontrack:

Much of Actiontrack's work in South Somerset has focused on the smaller towns and villages and has an on-going relationship with the National Trust, being a preferred delivery organisation for their schools projects, particularly with the National Portrait collection at Montacute House. They are a delivery agency for the Somerset Music Education service and also work with young people on the edge of mainstream education. **My Tunes**, a Youth Music Project that ran from November 2012 to January 2014, Actiontrack worked with Take Art to offer a range of music provision for Pupil Referral Units across Somerset – those that took part in South Somerset were Horizons, Yeovil, the Yeovil PRU Centre, the Link Education Centre and Steps Centre, Chard.

Somerset Art Works:

The SAW Open Studios event took place between 15th to 30th September 2013, attracting visitors into the county and generating sales for small, independent businesses and additional custom for local services. There were 35 venues in South Somerset; based on feedback from the artists, it is anticipated that there were almost 23,000 visits generating about £40,000 of direct sales.

In addition to the Art Weeks event, Somerset Art Works supports local artists and invites national and international artists into the county with their on-going programme of events and projects. This year this has included:

The Great Crane Art Project

Somerset Art Works (SAW) and The Great Crane Project have been working in partnership since 2010. SAW has engaged a number of professional artists to develop a programme of community engagement projects, inspired by cranes, to offer creative opportunities to local schools, groups and individuals and to help raise awareness of this fascinating conservation project.

In 2013 Somerset Art Works appointed artist Melanie Tomlinson to work with Ash Primary School and their European partner schools. Melanie is an acclaimed metal worker, illustrator and experienced participatory project artist. To widen the reach of the project Melanie worked with Somerset Film to develop interactive online resources for schools. The work was subsequently shown in the Levels Basket Centre (formerly the River Parrett Visitor Centre) as part of the Somerset Art Weeks event, with additional schools workshops at Shakspeare Glass and Arts in Langport. The RSPB uses the images created as part of this project on their Great Crane Project website.

Make the Most (2013)

Working with partners Craftspace and the National Trust, Barrington Court was transformed in September 2013 by five internationally-renowned makers. Using locally sourced willow, paper, wood, leather and stone, the new works acknowledged the contribution of the local

raw material suppliers and local manufacturers to the local economy and ecology of the county.

Using materials from Musgrove Willows in Bridgwater, artist Laura Ellen Bacon was commissioned to create a large-scale willow work for the 'Old Kitchen' and Irish artist Maeve Clancy's collaborated with the Two Rivers Paper Company, Watchet, to create large-scale cut paper installations telling the history of Barrington Court and its gardens.

Sculptor Thomas Appleton produced a work in stone supplied by Harveys Stone Quarry, Gary Allson paired with supplier Yandles of Martock and textile artist Laura Youngson Coll used leather from Burfield and Co (gloves) Ltd in creating a piece of work inspired by Barrington's head gardener.

In addition, the 'Treasures of Somerset' programme featured a selection of six local makers in order to highlight the vitality and wealth of craft practitioners whose work is not always seen locally. The six local artists being featured were Mike Dodd - ceramics, Tom Kealy - furniture, James Horrobin - blacksmith, Patrick Reyntiens – stained glass, Caroline Lytton – fine metalwork and Jacy Wall - textiles.

Hunky Punks Project at All Saints Church Langport

The grotesque rooftop carvings of All Saints Church have inspired a community project and the spawning of a whole new generation of Hunky Punks in the form of peculiar creatures made by the young people of Langport out of fabrics and recycled materials.

Led by professional artists Sarah Dicks, Julie Roberts and Penny Dyer, the young people from Huish Episcopi Academy, Langport and Huish Youth Group, Curry Mallet Primary School and Huish Episcopi Primary School participated in a series of workshops and their creations were displayed as part of Langport Festival 01-08 June 2013 and as part of Somerset Art Weeks.

Somerset Film

Somerset Film provides support for local community groups and professional and amateur individuals in all aspects of digital media. Their project work is a mix of cross county initiatives, working with organisations such as Social Services and the Youth Offending Team, to more targeted and locally delivered programmes. In the last year this has included:

- On-going development of somerset.tv – an online TV channel, where the local community can upload and view film content from anything to camera phones to camcorders. www.somerset.tv
- Skills training for young film makers , 16-19 years with BFI Film Academy training
- Support for communities in transition with digital technology through Awards for All supported Talking Communities programme
- Working with the Youth Offending Teams in Somerset and Oxford generating materials for national Youth Justice Board training materials
- Growing international creative skills exchanges with the developing world through establishing partnership with Ilminster based Purple Field Productions
- Ignite Somerset – Somerset Film is an Arts Council England National Portfolio Organisation. Through the ACE funded Ignite Somerset programme they enable artists, makers, performers and audiences in Somerset to harness new opportunities afforded through digital technology. It has already supported ten artists, including writers, poets, visual and digital artists. A further seventy young people from South Petherton Infants School have participated in one of the Ignite supported initiatives.
- Curry Rivel –pre-production and filming has already started on a short film documenting the history of Curry Rivel as seen through the eyes of current residents. Filming of the Wassail on twelfth night directly involved fourteen people and indirectly

many more. Film production will continue over the coming year and the work will be a significant feature of the village's first heritage day.

- Offering on-going training in the use of digital media to artists, in partnership with Somerset Art Works and supporting artists to grow audiences and engage with communities through creating digital platforms.

In addition to the work of these arts organisations, the Arts Development Officer continues to support voluntary and professional groups and individuals in South Somerset, in developing their own projects at a grass roots level. Help was given in re-establishing the Petherton Folk Festival, in developing a new cultural festival in Langport, on-going support for the Hamdon Film Festival and the Hamdon Ha! Ha! - a series of comedy nights in Norton sub Hamdon and the inaugural Hamdon Ha! Ha! mini-festival which will bring acts from the Edinburgh Fringe to the Hamdons.

In Langport the service supported the Writers' Group with the production of their first anthology, a visual artist to set up weekly drawing classes that regularly attract about 30 people to each session and backed an application to the Arts Council from a dance tutor to set up her studio in Westover.

In 2013 the service provided advice and support for the first Curry Mallet history festival. This was a precursor to an event coming up in 2015 to celebrate the 800th anniversary of the signing of the Magna Carta, of particular significance as Curry Mallet's Lord of the Manor, William Mallet, was one of the 25 rebel barons who travelled to Runnymede and brought about the sealing of the Magna Carta on 15th June 1215.

To celebrate the royal jubilee and the Olympics, our support and funding helped young people in Martock and Langport decorate the streets of their towns with brightly coloured flags and pennants, made to their own designs. In Martock, children from the local primary school worked with artist, Andy Hawthorne and in Langport, Richard Godden worked with the youth club. The flags are retained by the towns and continue to be used for local celebrations and festivals.

Creative High Streets Seminar

Following the Mary Portas report on revitalising town centres, the Arts Council England helped to fund local initiatives that addressed the issue. In partnership with ACE, Taunton Deane Borough Council and Somerset Towns Forum, SSDC Arts Development helped to coordinate a county wide seminar on Creative High Streets, which gave attendees the opportunity to see examples of good practice from other parts of the country and enjoy an inspiring presentation from a leading authority on cultural planning.

The Octagon Gallery

We continue to offer a varied programme of exhibitions in the Octagon Gallery from both the amateur and professional sectors. In addition to the ever popular Yeovil Arts Group and Yeovil Camera Club, we have welcomed Yeovil College; the A303 artists and Society of Graphic Fine Art. We have diversified the programme to include sculpture, printmaking, illustration and textiles in addition to the more traditional painting and drawing exhibitions.

To complement last year's pantomime, we commissioned a local community artist to work with schools on large scale pictures of scenes from the story of Snow White.

The Octagon Theatre

Background

The Octagon Theatre is the council's flagship venue for high quality professional theatre, music, dance, comedy, entertainment, visual arts and literary events. The theatre is the keystone of our cultural provision across the district and provides:

- One of the largest theatres in Somerset with 626 seats.
- 240 events per annum (25% local organisations / 75% professional performance companies).
- Octagon Academy – The Octagon's participatory programme.
- CRE8ive Writing – The Octagon's literary section.
- The Johnson Studio – The Octagon's rehearsal studio that is also available for hire, functions and seminars.
- The Foyer Club – The Octagon's team of volunteers who greet our customers at performances and show them to their seats.
- The Footlights Club – The Octagon's special service to support regular attendees of the theatre.

The theatre was completely refurbished in 2003, and has excellent facilities, not only for staging performances but also in providing a bar, café bar and restaurant as well as a rehearsal studio.

It has an annual turnover of £1.9m and has the lowest net revenue subsidy of any theatre in the South West of England. Subsidised by South Somerset District Council by £353,870 that equates to £2 per year, per person or 8p per household per week. While no recent economic impact assessments have been done for the Octagon Shropshire Council recently published a report by an independent body who estimate that Theatre Severn in Shrewsbury (638 seats) contributed £5million to the local economy over an 18month period.

Between fifty to seventy percent of the population of South Somerset use the theatre throughout the course of the year and satisfaction levels are consistently high (80-90%) and has been rated as the top SSDC service (86%) used by residents in the 2005 BMG Research survey used to underpin the development of the corporate plan.

The mailing list contains 20,000 households and 35,000 Preview brochures are distributed to drive ticket sales three times a year. Customers come predominantly from Somerset and Dorset. Ticket sales are supported by effective marketing through a well-maintained website, posters, flyers, press and ad-hoc promotions through local radio.

The service is delivered by an extremely capable, specialist and dedicated staff team with just 9.8 FTE.

Report

The Octagon Theatre has enjoyed another successful and busy year selling over 100,000 tickets for the first time in its history and welcoming approximate 180,000 people throughout the year. Here are some of the key points:

- Continued development of programme. 2013 Highlights included Paul Carrack, Richard Alston Dance Company, The Grand State Opera of Belarus, James and the Giant Peach, Sean Lock, An Evening with the Stars of Strictly Come Dancing, Al

Murray, Grimethorpe Colliery Band, Seth Lakeman, Ken Dodd, Barbara Dickson, Adam Hills, Blake, Mary Berry, Pam Ayres, Alan Davies, Sandi Toksvig, Paul Merton, Reginald D Hunter and Show of Hands. The season also saw the return of our big talent competition – Let Me Entertain You with BBC Somerset’s Emma Britton joining the judging panel. 2014 events to date include Lee Evans, Ed Byrne, the National Dance Company of Wales, Jason Manford, Brian Conely, Lee Mead, Lesley Garret, Sir Willard White, Des O’Connor, X Factor Winner – Joe McElderry, Suggs, Joe Brown and Joan Armatrading

- The Octagon Theatre is proud to be at the ‘heart’ of the community in South Somerset. Many local groups and societies stage performances and events at the theatre including Yeovil College, Yeovil Amateur Operatic Society, University College Yeovil (Graduation), Helen Laxton School of Dance, Razzamatazz, The Dance Factory, Stage4Kidz (based in Chard), Castaways Theatre Group, Yeovil Amateur Pantomime Society, Yeovil Youth Theatre, Girl Guides Somerset Divisions, Yeovil Floral Society, Salvation Army, Yeovil Town Band and many more.
- In September we presented the first Yeovil Literary Festival in partnership with Waterstones and Yeovil Community Arts Association. Our first festival welcomed an impressive line-up including Sir Tony Robinson, Dame Jenni Murray, Rula Lenska, Michael Morpurgo, Tom Fort, Wendy Cope and attracted national press coverage including the ‘Top Pick’ within The Independent and ‘I’ newspapers. Our next festival is being planned for November and will welcome Yeovil Library as a new partner in the festival and double the number of events from the first festival. Events include David Mitchell, Shirley Williams, Polly Toynbee, Jonathan Dimbleby, Michael Portillo, platforms for new writers (including local authors), Juliet Stevenson and Samuel West.
- 2013 was also an award winning year with Adam Burgan winning ‘Theatre Manager of the Year’ at the National Encore Awards. The Award is nominated and voted for by industry professionals. Adam is the youngest recipient and only person to have won the award twice. For the third year in a row the Theatre was awarded an ‘Our Street’ Award from Lufton College to recognise the excellent service for students with learning difficulties.
- Our autumn season of shows includes performances from Bournemouth Symphony Orchestra, Jasper Carrott, Ruby Wax, Richard Alston Dance Company, Show of Hands and the play ‘Not About Heroes’ to commemorate the beginning of WWI .

Year	2010/11	2011/12	2012/13	2013/14
Number of Performances	239	244	235	242
Total Box Office Income (Gross)	£1,223,074	£1,362,419	£1,335,182	£1,549,590
Secondary Spend	£344,452	£364,735	£410,600	£477,181
Total Number of Tickets sold	85,358	93,519	90,149	101,634
Capacity	57%	65%	65%	68%

- 2013/14 saw a number of staffing changes with Kate Wigmore going on Maternity Leave and the appointment of a Marketing Intern – Hannah Lury. Sally Fulcher has moved to the Arts & Entertainment Service with the new role of Development and Admin Support Officer. Rob Sinnick retired from his role as Technical Manager following 33 years of service and his Deputy, Danny Norris, was appointed to the role.

- Staff have been focussing on increasing profitability of the café bar by reviewing suppliers, developing the menu, the installation of a new electronic till system and development of a permanent secondary café bar server area.
- Snow White and the Seven Dwarfs – our most successful pantomime ever! The production of Snow White and the Seven Dwarfs sold more tickets than any other pantomime in our history and received rave reviews. Over 24,000 people saw the pantomime with Box Office income up 37% on the previous year and additional schools performances added to cope with demand for tickets. The production played to 95% capacity across the 41 performances. For Christmas 2014 we are presenting Jack and the Beanstalk and we have added an additional week of performances.
- We secured our first funding from Arts Council England with a grant of £77K for a two year dance development project in partnership with Take Art. The project will support the professional programme at The Octagon, support workshops and community engagement events, support professional artists to create work in South Somerset and support audience development. £1K grant from Yeovil Town Council to Summer School.
- Continued developing our relationship with local media and with a weekly column with the Western Gazette and regular appearance on BBC Somerset.
- We have continued to develop our Social Networking sites – over 4,000 Facebook users and 2,500 followers on Twitter. YouTube – 17,500 views of our videos.
- The Octagon Academy was launched in 2010. We now have 16 weekly classes for all ages and abilities. Over 200 people aged from 15 months to 73 are taking part classes at the Octagon in singing, dancing and drama every week. The Octagon Choir now has around 80 members.
- Increasing daytime use of The Octagon with weekly hirers including Somerset Cancer Care Café, African Drumming Workshops, University of the 3rd Age, Castaways Theatre Group, Somerset Siders (retired Tesco employees) and Yeovil vineyard Church.

Financial Implications

No new financial implications stem from this report.

Council Plan Implications

The Arts & Entertainment Service is primarily linked to THEME 3: IMPROVE THE HOUSING, HEALTH AND WELL-BEING OF OUR CITIZENS

“We consider that decent, affordable housing is vital to the overall health of our citizens. We want to ensure that all of the community have access to sport, leisure and arts and heritage opportunities”

Specific priorities associated to the service are 3.31 Increase engagement in the Arts.

Carbon Emissions and Climate Change Implications

The Arts & Entertainment Service contributes to SSDC targets of Reducing Carbon Emissions by adopting a culture where this is considered in everyday decision-making. The service has appointed a Carbon Champion who encourages staff to save energy, recycle,

and adopt more environmentally friendly ways of delivering our service. Audiences at the Octagon Theatre are benefiting from improved comfort cooling following a major upgrade of facilities that has seen Moducel's FAN WALL Technology™ units replace the air handling system. The new technology is also making significant energy cost savings for the Service.

Equality and Diversity Implications

The Arts & Entertainment Service strives to make the service and those offered by its partners accessible to everyone. We ensure that all our partners hold an Equality and Diversity Policy and that equality is one of the core principles of the organisation. Our programme of performances and projects aims to offer a diverse range of events which inspire, educate, enlighten and entertain whilst bringing the community together.

Background Papers: None

Agenda Item 13

Section 106 Obligations

Strategic Director: Rina Singh, Place & Performance
Assistant Director: Martin Woods, Economy
Service Manager: David Norris, Development Manager
Lead Officer: Neil Waddleton, Section 106 Monitoring Officer
Contact Details: neil.waddleton@southsomerset.gov.uk or 01935 462603

Purpose of the Report

To provide information on signed Section 106 agreements relating to development within Area North. Agreements containing financial contributions will be presented within the monitoring report (Appendix A), however if any further detail is required on any other agreement it was agreed that this would be undertaken directly with the officer.

Public Interest

Section 106 Obligations are a key aspect of most major planning development approvals granted by the Authority however they are also necessary to provide additional control in relation to smaller schemes. The items captured within Section 106 Obligations usually deal with the additional infrastructure costs that will be incurred within the area of the Authority arising from the completion of a development. Depending on the scale of the proposed development the sums of money associated with a Section 106 Obligations can be considerable.

This may take the form of changes to highways, contributions toward increased schools provision, creation/maintenance of open spaces, recreational areas and so on. The costs arising from these are often significant and require negotiation and settlement between officer and the developer, through the use of nationally agreed formulae.

There is a variety of ways in which these requirements can be delivered. Normally the developer makes a payment to allow the relevant authority to provide the requirement e.g. Schools or Play areas. Alternatively, the developer may be charged with completing the work directly for example a new highway junction.

By their very nature Section 106 Obligations require specified actions/payments to take place within a pre-defined timescale or event (known as 'triggers') and it is essential that the Section 106 officer has a system and processes in place that ensures the agreements are effectively managed.

Members will appreciate that the level of contribution that was secured from each development was dependent upon several factors, particularly the 'formula' that was being used for calculating the Sports, Arts and Leisure, Education and Highway contributions at the time of each application. It is also important to emphasise that it is very difficult to make meaningful comparisons between obligations that were sought on different developments, as each scheme has to be considered on its own merits.

Recommendation

That members note and comment on the report and verbal update, and endorse the actions taken in respect of the monitoring and managing of Section 106 Planning Obligations.

Background

A Section 106 Officer was appointed on 1 April 2010. This post sits within the planning team with the specific responsibility for ensuring that all requirements of S106 obligations, including the collection and spending of financial contributions are monitored and managed.

Additional Information

An Audit review of the 106 processes was carried out in early 2013. The outcome of this review was very positive and we received a “substantial assurance” for the areas tested.

In addition a separate audit review was commissioned by the Audit Committee to review the process for the Discharge of Planning Obligation (DPO). The audit concluded that internal controls are in place and operating effectively and risks against the achievement objectives are well managed. “Substantial Assurance” was also given in respect of process audited.

Members may wish to note that the main projects delivered/under way or priorities as a result of appropriate collected S106 monies since the last report submitted before them are:

- The new AGP at Huish Academy
- Curry Rivel – Community Health & Leisure department are currently working with the Parish Council on improvements to the local sports pitches, play area and youth facilities at the Westfield Recreation Ground.
- Ilton – Discussions have begun on delivery of new facilities in conjunction with the Parish Council.

Financial Implications

No direct financial implications from this report however members will be aware that ineffective management of planning obligations does have the potential to require the district council to refund contributions to developers.

Corporate Priority Implications

The effective management of planning obligations will be beneficial in achieving all of the Councils Corporate Priorities

Carbon Emissions and Climate Change Implications

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby contributing to a reduction in carbon emissions and helping to adapt to climate change.

Equality and Diversity Implications

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby ensuring access to facilities, homes and services for all members of our community.

Background Papers: None

Area North Section 106 Monitoring Report – 24 September 2014

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: BURROW HILL</p> <p>11/03319/OUT Parish Kingsbury Episcopi</p> <p>Land At Cox's Farm Silver Street Kingsbury Episcopi Martock Somerset TA12 6AX</p> <p>Outline application for residential development, (GR 343344 / 121198)</p> <p>Agreement Date: 26/03/2013</p>	<p>Sports and Leisure:</p> <p>Equipped Play Contribution: £9,596 (£6,118 capital & £3,478 revenue as a commuted sum) to enhance play facilities at the Kingsbury Episcopi Recreation Ground.</p> <p>Changing Room Contribution: £6,194 (£5,740 capital & £454 revenue as a commuted sum) to enhance changing facilities at the Kingsbury Episcopi Recreation Ground.</p> <p>Strategic Community Facilities Contribution: £11,246 to be spent as follows: £2,589 for a new indoor swimming pool in the Langport/Huish Episcopi are or an 8 lane swimming pool located centrally within the District. £4,244 improvements/enhancements at the existing sports hall at the Huish Episcopi Academy School or centrally located 8 court sports hall within the District. £1,659 for the development of a centrally located district wide indoor tennis centre. £563 provision of an AGP at the Huish Episcopi Academy School. £2,191 for enhancement/expansion of the Octagon Theatre in Yeovil.</p>	<p>Contributions payable on or before first occupation of first dwelling.</p>		<p>Sports and Leisure:</p> <p>£27,036</p>	<p>Status:</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CURRY RIVEL</p> <p>13/04224/OUT Parish Curry Rivel</p> <p>Land off Heale Lane Curry Rivel Langport Somerset</p> <p>Outline application for residential development of 6 dwellings (GR 338314/125060)</p> <p>Agreement Date: 05/02/2014</p>	<p>Sports and Leisure:</p> <p>Changing Room Contribution: £5'222.76 (£4'833.89 capital & £388.87 revenue as a commuted sum) towards changing facilities at the Westfield Recreation Ground, Curry Rivel.</p> <p>Community Hall Contribution: £9'253.13 towards enhancement of community hall facilities in Curry Rivel.</p> <p>Equipped Play Contribution: £8'142.56 (£5'161.31 capital & £2'981.25 revenue as a commuted sum) towards play provision at the Westfield Recreation Ground, Curry Rivel.</p> <p>Youth Facilities Contribution: £1'388.13 (£1'013.44 capital & £374.69 revenue as a commuted sum) towards youth facilities at the Westfield Recreation Ground, Curry Rivel.</p> <p>Strategic Facilities Contributions: £1098.47 towards swimming pool provision in the Langport/Huish Episcopi area or Yeovil. £1'422.13 towards indoor tennis provision located in or near Yeovil. £482.43 AGP provision at Huish Academy School. £1'878.26 towards enhancements /improvements of the Octagon Theatre, Yeovil. £2'286.20 towards enhancing the Huish Episcopi Sports Centre or new provision in Yeovil.</p>	<p>Equipped Play & Youth Facilities Contribution payable on or before 25% of the dwellings occupied.</p> <p>Playing Pitch, Changing Room and Community Hall Contributions payable on or before 50% of the dwellings occupied.</p> <p>Strategic Facilities Contributions payable before on or before 75% of dwellings occupied.</p>		<p>Sports and Leisure:</p> <p>£31,174.07</p>	<p>Status: Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CURRY RIVEL</p> <p>09/00023/FUL Parish Curry Rivel</p> <p>Land Rear Of Westfield House, Westfield Road Curry Rivel, Langport Somerset TA10 0HX</p> <p>The demolition of 9 dwellings and the replacement with 20 dwellings with associated access, parking and landscaping. (GR 338356/124790) Agreement Date: 09/11/2009</p>	<p>Sports and Leisure: Equipped Play Contribution: £21,715 comprised of £10,321.38 for the acquisition and installation of play equipment and £5,866.63 for long term maintenance on the Recreation Ground, Westfield, Curry Rivel. £4,053.95 for Youth Facilities in Curry Rivel with a further £1,473.04 commuted sum for the long term maintenance.</p> <p>Open Space Contribution: £13,452 towards costs of improvement/enhancement of any recreational area or open space in Curry Rivel.</p> <p>Sports & Leisure Contribution: £30,071 towards costs of improvements/ enhancements of any sporting leisure or cultural facilities within or serving District of South Somerset.</p> <p>Affordable Housing: Units Agreed: 20</p>		<p>Sports and Leisure:</p> <p>£52,209</p>		<p>Status: Development Completed</p>	<p>CHL working with Parish Council regarding improvement s/enhanceme nts of pitches, play area & youth facilities at the Westfield Recreation Ground.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: ISLEMOOR</p> <p>08/05090/FUL Parish Ilton</p> <p>Land And Garages At Copse Lane Ilton Ilminster Somerset</p> <p>Demolition of existing buildings and the construction of 40 dwellings (GR335071/117656)</p> <p>Agreement Date: 09/11//2009</p>	<p>Sports and Leisure: Off-Site Recreation Contribution: £30,900 for improvement/refurbishment of the neighbouring Ilton Recreation Ground.</p> <p>Strategic Community Facilities Contribution: £69,781 to be used toward one or both of the following: a) the development of a new sports field to serve the community of Ilton. b) the development of sports, leisure and recreation facilities including provision of synthetic pitches in Langport or Yeovil.</p> <p>Play Equipment Contribution: £32,359 comprised of £22,251 for the acquisitions and installation of play equipment along with £8,065 commuted sum for the long term maintenance of the equipment for the Ilton Recreation Ground. £7,411 for Youth Facilities and £2,697 for long term maintenance in Ilton.</p> <p>Affordable Housing: Units Agreed: 40</p>		<p>Sports and Leisure:</p> <p>Off-Site Recreation Contribution £30,900.00</p> <p>Strategic Community Facilities £34,842.00</p> <p>Play Equipment Contribution £32,359.00</p>		<p>Status: Development Completed</p>	<p>CHL & Parish Council working together to deliver identified projects for Ilton.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: ISLEMOOR</p> <p>11/02783/FUL Parish Curry Mallet</p> <p>Lyddons Farm Barns Higher Street Curry Mallet Taunton Somerset TA3 6SY</p> <p>The conversion of barns into six residential dwellings, erection of ancillary car port, bin shed and bicycle store (GR 332399/121850)</p> <p>Agreement Date: 4/4/2012</p>	<p>Sports and Leisure:</p> <p>Equipped Play Contribution: Total sum of £7,667 comprised of £4,177 to be used as a contribution towards the costs & expenses of providing a new play area in Curry Mallet together with a commuted sum of £2,374 to provide for the long term maintenance of those facilities.</p> <p>Youth facilities contribution: Total sum of £1,118 comprised of £820 to be used as a contribution towards the costs and expenses of providing new youth facilities in Curry Mallet together with £298 as a commuted payment to provide long term maintenance of those facilities.</p> <p>Strategic Communities Facilities Contribution: Total sum of £7,677 to be used as a contribution towards the following projects</p> <ul style="list-style-type: none"> a) £1,496 towards expanding and enhancing the Octagon Theatre b) £384 towards the development of a new 3G artificial grass pitch in Langport/Huish Episcopi. c) £1,767 towards the development of a new indoor swimming pool in Langport/Huish Episcopi area or towards the development of a centrally based 8 lane district wide competition pool in Yeovil. D) £1,330 towards the provision of a new indoor tennis centre in Yeovil e) £2,897 towards the enhancement of the sports hall at Huish Episcopi Academy School or towards the development of a centrally based sports hall in Yeovil. 	<p>Contributions to be paid on or before the occupation of the 3rd dwelling</p>				<p>Financial Contributions Secured.</p> <p>Project yet to be identified for local contributions.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: LANGPORT AND HUISH</p> <p>10/03541/FUL Parish Huish Episcopi</p> <p>Land North Of Newtown Park Newtown Park Huish Episcopi Langport Somerset TA10 9TQ</p> <p>Erection of 51No. dwellings and formation of emergency access to Swallow Hill.(GR 342413/127676)</p> <p>Agreement Date: 25/9/2012</p>	<p>Sports and Leisure:</p> <p>Equipped Play Space Contribution: £61,688 comprised of £39,329 for the installation of equipment and £22,359 as a commuted sum to provide long term maintenance of the facility. Contribution to be spent at the play area, Old Kelways, Langport.</p> <p>Youth Facilities Contribution: £10,532 comprised of £7,722 capital and £2,810 as a commuted sum for the maintenance of the facility .Contributions to be spent at the Memorial Playing fields in Langport. Playing Pitch Contribution: £70,643 towards the provision, improvement or enhancement of playing pitches (including synthetic turf pitches) and changing rooms at Huish Episcopi Academy. Sports Hall Contribution: £29,694 towards the provision of additional capacity in the sports hall in the sports hall at Huish Episcopi Academy.</p> <p>Strategic Facilities Contributions: £29,724 comprised of Swimming Pool contribution (£18,114) towards provision of a new district wide facility & Indoor Tennis contribution (£11,610) towards the provision of indoor tennis facilities in the District. POS Commuted Sum to be calculated at time of transfer.</p> <p>Affordable Housing: Units Agreed: 18</p>	<p>Contributions to be paid prior to the occupation of any open market dwelling.</p>		<p>Sports and Leisure:</p> <p>£202,281.00</p>	<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: LANGPORT AND HUISH</p> <p>11/02448/FUL Parish Huish Episcopi</p> <p>Bartletts Elm Field Road Huish Episcopi Langport Somerset TA10 9SP</p> <p>Erection of 52 residential units with associated works, car parking and access ways. (GR 342856/127524) Agreement Date: 13/3/2012</p>	<p>Sports and Leisure: The sum of £3561.51 per Dwelling as a contribution towards the provision and maintenance of Sports, Arts and Leisure Facilities.</p> <p>Sports, Arts & Leisure Facilities mean: Multi Use Games Area at the Memorial Playing Fields, Langport. Indoor swimming pool in the Langport/Huish Episcopi Area or Yeovil Enhancement of pitches & changing rooms at the Memorial Playing Fields, Langport or Huish Episcopi Academy School. Enhancement of the sports hall at Huish Episcopi Academy School or a centrally based 8 court district wide competition sports hall in Yeovil.</p>	<p>Not to cause or permit occupation of more than (the above triggers) until a payment equal to the contribution multiplied by 10 has been paid.</p>		<p>Sports and Leisure:</p> <p>£185,198.52</p>	<p>Status: Underway</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: LANGPORT AND HUISH</p> <p>09/02237/FUL Parish Langport</p> <p>Land At Eastover Langport Somerset</p> <p>Demolition of 8 PRC dwellings and the erection of 17 dwellings with 32 car parking spaces and associated highway works (GR: 342490/127040)</p> <p>Agreement Date: 22/12/2009</p>	<p>Sports and Leisure: Off-Site Recreation Contribution: £20,044 allocated as follows, £5,206.85 for enhancement/improvements at the Langport Cricket Club. £2,648.63 as a commuted sum payment for the long term maintenance. £12,188.52 for costs and expenses incurred towards the improvements to the Langport & Huish Memorial Recreation Ground.</p> <p>Strategic Community Facilities Contribution: £11,265 towards one or more of following a) Sports Halls & Swimming Pools within the District b) Octagon Theatre, Yeovil c) Sports pitches within the Langport area.</p> <p>Equipped Play Contribution: £11,843 comprised of £7,550 for the acquisition and installation of equipment and £4,293 for the long term maintenance at the Langport & Huish Memorial Recreation Ground.</p> <p>Youth Facilities Contribution: £4,379 comprised of £3,210 for Youth facilities in Langport and £1,169 to provide long term maintenance of those facilities.</p> <p>Affordable Housing: Units Agreed: 17</p>		<p>Sports and Leisure:</p> <p>£36,266.00</p>		<p>Status: Development Completed</p> <p>Contribution towards a new scoreboard & hut at Langport & Huish Cricket Club. Grant offer made for enhancing play area.</p> <p>MUGA Opened April 13</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: MARTOCK</p> <p>12/04897/OUT Parish Martock</p> <p>Ex Showroom/ Garage and Land read of Long Orchard Water Street Martock Somerset TA12 6JW</p> <p>Mixed use development comprising 35 dwellings and site access arrangements (full details) and a youth centre and pavilion with associated parking (outline details, access, layout and scale) (GR: 345972/118927)</p> <p>Agreement Date: 20/05/2014</p>	<p>Sports and Leisure:</p> <p>Off-Site Open Space Contribution: £25,650. Towards maintenance and on-going costs as additional wear and tear and Martock Recreation Ground.</p> <p>Equipped Play Contribution: £44,784.10 (£28,387.20 capital & £16,396.90 revenue as a commuted sum) To be spent at the Martock Recreation Ground.</p> <p>Changing Room Contribution: £29,880.68 (£27,387.20 capital & £2,224.84 revenue as a commuted sum) towards the provision of changing room provision in the local area.</p> <p>Playing Pitch Contribution: £23,341.07 (£13,621.48 capital & £9,719.59 revenues as a commuted sum) towards enhancing and improvements of playing pitch provision at the Martock Recreation Ground.</p> <p>Youth Facilities Contribution: £7,634.72 (£5,573.94 capital & £2,060.78 revenue as a commuted sum) towards enhancement of youth facilities at Martock Recreation Ground or in local area.</p> <p>Community Hall Contribution: £17,846.41</p> <p>Strategic Facilities Contribution: £6,284.59 towards provision of a new indoor swimming pool in Langport/Huish Episcopi or Yeovil. £8,136.35 towards indoor tennis facilities in or near Yeovil. £2,760.07 towards AGP at Huish Episcopi Academy. £10,746 for the enhancement/expansion of Octagon Theatre in Yeovil. £13,079.91 of enhancing existing sports hall at Huish Episcopi Academy or new facility in Yeovil.</p>	<p>Equipped Play & Youth Facilities Contribution payable on or before occupation of 25% of the dwellings.</p> <p>Playing Pitch, Changing Room, Community Hall and Off-Site Open Space Contribution payable on or before occupation of 50% of the dwellings</p> <p>Strategic Facilities Contribution payable on or before occupation of 75% of the dwellings.</p>		<p>Sports and Leisure:</p> <p>£190,143.9</p> <p>Miscellaneous Gains:</p> <p>Travel Plan</p>	<p>Status: Not Commenced.</p>	

	Affordable Housing: Units Agreed: 12					
	Miscellaneous Gains: Travel Plan					

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: MARTOCK</p> <p>09/01861/FUL Parish Martock</p> <p>Yandles Garage North Street Martock Somerset TA12 6ER</p> <p>Demolition of existing garage/workshop and adjacent dwelling and the erection of 20 dwellings, associated parking, landscaping, highways and associated works (GR 346256/119981)</p> <p>Agreement Date: 28/09/2009</p>	<p>Sports and Leisure:</p> <p>Off Site Recreation Contribution: £29,335 to be made up of £22,977 towards expenses incurred or to be incurred in connection with improvements/enhancements at Martock Recreation Ground and £6,358 to provide long term maintenance of those facilities.</p> <p>Play Equipment and Youth Facilities Contribution: £25,089 to be made up of £16,754 for acquisition & installation of play equipment at the Martock Recreation Ground with £8,335 commuted sum for the long term maintenance of the equipment.</p> <p>Strategic Community Facilities Contribution: £21,816 for development of strategic sports, arts and leisure facilities within the District of South Somerset.</p>	<p>Contributions to be paid on or before date on which and Dwelling is first brought into occupation.</p>		<p>Sports and Leisure:</p> <p>£72,240.00</p>	<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: MARTOCK</p> <p>13/02474/OUT</p> <p>Parish Martock</p> <p>Land South of Coat Road Martock Somerset</p> <p>Outline application for the development of up to 95 dwellings with associated access and landscaping at land south of Coat Road, Martock (access determined with all other detailed matters reserved) (GR:345958/1198750)</p> <p>Agreement Date: 22/07/2014</p>	<p>Sports and Leisure:</p> <p>Changing Room Contribution: £82,963.77 (£76,536.60 capital & £6,157.17 revenue for commuted sum) to be spent local to the site.</p> <p>Community Hall Contribution: £49,389.32 towards the provision of a new local community and youth centre.</p> <p>Playing Pitch Contribution: £64,595.60 (£37,696.98 capital & £26,898 revenue for commuted sum) towards enhancements and improvements at the recreation ground in Martock.</p> <p>Youth Facilities Contribution: £21,978.74 (£16,046.18 capital & £5,932.56 revenue for commuted sum) towards enhancements/improvements at the Bracey Road Ground in Martock.</p> <p>Strategic Facilities Contributions: £17,392.38 for the provision of a new indoor swimming pool in Langport/Huish Episcopi. £22,517.06 towards an indoor tennis centre located in or near to Yeovil. £7,638.40 towards AGP at Huish Episcopi Academy School. £29,739.19 towards enhancements/expansion of the Octagon Theatre, Yeovil. £36,198.20 of the existing sports hall at Huish Episcopi Academy School. Play Area and Commuted sum agreed</p>	<p>Youth Contribution payable upon 25% of dwellings occupied.</p> <p>Changing Room, Playing Pitch & Community Hall Contributions payable upon 50% of dwellings occupied.</p> <p>Equipped Play to be available for public by occupation of 50% of dwellings.</p> <p>Strategic Facilities Contribution payable upon 75% of dwellings occupied.</p> <p>Education - 50% of contribution payable on 25% occupations and</p>		<p>Sports and Leisure:</p> <p>£332,412.66</p>	<p>Status: Not Commenced.</p>	

	<p>Education: Pre-school and Primary Education Contributions agreed. See schedule for agreed formulae and calculation.</p> <p>Affordable Housing: Units Agreed: 33</p>	<p>remainder payable on 50th occupation.</p>				
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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>09/00937/FUL Parish South Petherton</p> <p>South Petherton Hospital Hospital Lane, South Petherton, Somerset TA13 5AR</p> <p>Demolition of existing hospital buildings and erection of a new stroke/rehabilitation/co mmunity hospital and ancillary accommodation with car parking, service yard, access drive and improvements and associated works. (GR 343974/117374)</p> <p>Agreement Date: 10/2/2009</p>			<p>Miscellaneous Gains:</p> <p>£75,000.00</p>		<p>Status: Underway</p>	<p>Public Rights of Way Contribution: £75,000</p> <p>Schedule of Highway works as detailed within Agreement.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>05/00046/FUL</p> <p>Parish South Petherton</p> <p>Land At Stoodham South Petherton Somerset</p> <p>Demolition of 10 no. Airey houses, a block of garages and erection of 19 new homes and play area (RSL) (GR 343431/117445)</p> <p>Agreement Date: 24/07/2006</p>	<p>Sports and Leisure:</p> <p>Developer to pay contribution to Parish Council for the purpose of play facilities at the recreation ground at Lightgate Lane, South Petherton</p>				<p>Status: Development Completed</p>	<p>Payment secured.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>07/01252/FUL Parish South Petherton</p> <p>Land At West End Close West End View South Petherton Somerset</p> <p>Demolition of Nos. 2-16 (even only) West End Close and garage blocks in West End View and the erection of 19 dwellings and associated additional car parking (GR 342775/116846)</p> <p>Agreement Date: 11/8/2009</p>	<p>Sports and Leisure:</p> <p>Equipped Play Contribution: £13,643 comprises of £7,504.49 on the acquisition and installation of play equipment on the exiting play area at West End View, South Petherton and £6,138.51 for the long term maintenance of the equipment.</p> <p>Strategic Facilities Contribution: £8,020 to be used towards facilities within the Yeovil area. Youth Facilities Contribution: £1,800 for renovation/improvement of any building/facility for young people in South Petherton</p> <p>Affordable Housing: Units Agreed: 12</p>				<p>Status: Development Completed</p> <p>Youth Contribution (£1,800) - Capital grant offer made and accepted by South Petherton PC.</p> <p>Project on hold due to ground conditions. Ball court partially open. Grant which Inc. SSDC capital funding - £103,965</p> <p>Equipped Play Contribution: (£13,643) spent at West End Play Area</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>12/04885/FUL</p> <p>Parish South Petherton</p> <p>Land At Hayes End South Petherton Somerset TA13 5AG</p> <p>The erection of 22 No. dwellings with associated access, parking and landscaping. (GR 343715/116356)</p> <p>Agreement Date: 8/10/2013</p>	<p>Sports and Leisure:</p> <p>Equipped Play Contribution: £29,856 (£18,925 capital & £10,931 revenue as commuted sum) towards play provision at Lightgate Lane Recreation Ground, South Petherton.</p> <p>Changing Room Contribution: £19,150 (£17,724 capital & £1,426 revenue as commuted sum) towards changing provision at Lightgate Lane Recreation Ground, South Petherton.</p> <p>Playing Pitch Contribution: £14,959 (£8,730 capital & £6,229 revenue as commuted sum) towards pitch provision at Lightgate Lane Recreation Ground or other ground in South Petherton.</p> <p>Strategic Facilities Contribution:</p> <p>£4,028 towards new indoor pool at Langport/Huish Episcopi or Yeovil.</p> <p>£5,214 towards an indoor tennis provision located in or near Yeovil.</p> <p>£1,769 towards AGP at Huish Episcopi Academy.</p> <p>£6,887 towards improvements / enhancements of the Octagon Theatre in Yeovil.</p> <p>£8,383 towards enhancing existing sports hall at Huish Episcopi Sports Centre or the development of a new hall in Yeovil.</p> <p>Affordable Housing: Units Agreed: 8</p>	<p>£30,758 payable on or before occupation of the 2nd open market dwelling.</p> <p>£34,109 payable on or before occupation of the 4th open market dwelling.</p> <p>£26,281 payable on or before the occupation of the 6th open market dwelling.</p>		<p>Sports and Leisure:</p> <p>£90,246</p>	<p>Status: Not Commenced.</p>	<p>Conditions being discharged.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>07/03984/FUL Parish South Petherton</p> <p>Land Adjoining St Michaels Gardens Lightgate Lane South Petherton Somerset</p> <p>The erection of 55 dwellings and associated works (GR 343777/117157)</p> <p>Agreement Date: 14/3/2008</p>	<p>Sports and Leisure:</p> <p>Strategic Community Facilities Contribution: £39,484 towards swimming pool and sports hall provision with South Somerset. Open Space Contribution: £6,669 for the future maintenance of the public open space. Play and Youth Contribution: £107,217 for the provision of Play and Youth facilities within South Somerset.</p> <p>Highways: Bus Pass Contribution: On first occupation of each of the residential units to provide voucher which may be used to claim a Bus Pass from the County Council within 12 months of the first occupation of the residential unit. The sum of £400 to be paid on request to the County Council for each bus pass issued.</p> <p>Education: Education Contribution: £124,248 for the enhancement of capacity at Stanchester School, Stoke-sub-Hamdon.</p> <p>Affordable Housing: Units Agreed: 19</p>	<p>Upon transfer of the Public Open Space to the Council the commuted sum for maintenance will be paid.</p>	<p>Sports and Leisure:</p> <p>£160667.44</p>		<p>Status: Underway</p> <p>Swimming Pool & Sports hall elements of contribution - CHL working with Huish Leisure to identify priorities.</p> <p>Youth & Equipped Play Contributions - Capital grant offer made and accepted by South Petherton PC.</p> <p>Project on hold due to ground conditions. Ball court partially open.</p> <p>Grant which inc SSDC capital funding - £103,965 (total funding for project)</p>	<p>Check with Open Spaces regarding transfer of POS and collection of commuted sum & County Council re Education payment & Highways update.</p> <p>Still no approved Landscaping Scheme in place (Nov 11) R Archer chasing Developer.</p> <p>Commutated Sums / Revenue Contributions</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments / End Date
<p>Ward: SOUTH PETHERTON</p> <p>08/03775/FUL Parish South Petherton</p> <p>Flamberts Prigg Lane South Petherton Somerset TA13 5BX</p> <p>Demolition of existing dwelling and garage and the erection of 6 No. dwellings and the conversion of an existing barn into 3 No. dwellings all with associated garages/carports (GR 343348/116953)</p> <p>Agreement Date: 2/12/2009</p>	<p>Sports and Leisure:</p> <p>Open Space & Recreational Contribution: £29,115.89</p> <p>Play Space & Youth Facilities Contribution: £15,078.83</p>		<p>Sports and Leisure:</p> <p>£44,914.72</p>		<p>Status: Development Completed</p> <p>Youth & Equipped Play Contributions - Capital grant offer made and accepted by South Petherton PC.</p> <p>Project on hold due to ground conditions. Ball court partially open. Grant which inc SSDC capital funding - £103,965 £11,064 - CHL working with Huish Leisure to progress project for new AGP & community use of sports pitches.</p> <p>Sports & Pitches (capital) £14,994 - Project yet to be identified</p>	<p>Payment Secured.</p> <p>Commuted Sums/Revenue Contributions to be progressed.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments / End Date
<p>Ward: ST MICHAELS</p> <p>13/03622/FUL Parish Stoke Sub Hamdon</p> <p>Land adj East Stoke House Montacute Road East Stoke Stoke Sub Hamdon Somerset</p> <p>Erection of 18 dwellings and associated works including a new vehicular access, parking, open space and landscaping (GR: 348780/117513)</p> <p>Agreement Date: 18/7/2014</p>	<p>Sports and Leisure:</p> <p>Equipped Play Contribution £24,427.69 (£15,483.93 capital & £8,943.76 revenue for the commuted sum) for enhancement of equipped play provision at Stonehill, Stoke Sub Hamdon or Montacute Recreation Ground.</p> <p>Changing Room Contribution: £15,668.29 (£14,501.67 capital & £1,166.62 revenue for the commuted sum) for new or enhancements to changing room facilities in Stoke Sub Hamdon or Montacute.</p> <p>Playing Pitch Contribution: £12,239.17 (£7,142.59 capital & £5,096.58 revenue for the commuted sum) for enhancements / improvements to community pitches in Stoke Sub Hamdon or Montacute.</p> <p>Youth Facilities Contribution: £4,164.39 (£3,040.33 capital & £1,124.06 revenue for the commuted sum) for the enhancements / improvements of youth facilities at Stoke Sub Hamdon Recreation Ground.</p> <p>Community Hall Contribution: £27,759.38 towards the provision of a new or enhanced community hall provision in Montacute.</p> <p>Strategic Facilities Contribution: £6,656.44 - new swimming pool in Yeovil £4,266.39 - indoor tennis centre located in or near Yeovil £1,447.28 - AGP in Yeovil £5,634.79 enhancement/expansion of the Octagon Theatre in Yeovil £6,858.61 enhancement of sports hall in Yeovil or at Stanchester AcademySchool.</p> <p>Affordable Housing: Units Agreed: 6</p>	<p>Equipped Play & Youth Facilities Contributions payable upon occupation of 25% of the dwellings.</p> <p>Playing Pitch, Changing Room & Community Hall Contributions payable upon occupation of 50% of the dwellings. Strategic Facilities Contribution payable upon occupation of the 75% of the dwellings.</p>		<p>Sports and Leisure:</p> <p>£109,122.43</p>	<p>Status: Not Commenced.</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments / End Date
<p>Ward: TURN HILL</p> <p>07/03534/FUL Parish Huish Episcopi</p> <p>Land At Old Kelways Somerton Road Langport Somerset TA10 9HB</p> <p>Erection of 52 no. dwellings, B1 employment floor space and extension to hotel (GR 342728 / 127727)</p> <p>Agreement Date: 16/09/2008</p>	<p>Sports and Leisure:</p> <p>Off-Site Contribution: £149,253.33 comprised of the following:</p> <p>a) Muga Contribution: £8,151.68 towards provision of floodlit multiuse games in Langport.</p> <p>b) Playing Pitch Contribution: £104,037.30 towards the provision of playing pitches in Langport.</p> <p>c) Sports Hall Contribution: £24,288.36 towards the provision of additional badminton courts in Langport.</p> <p>d) Swimming Pool Contribution: £12,776.09 towards the provision of additional swimming lanes or pools in Langport.</p> <p>Open Space Contribution: £44,000 commuted sum payment for the maintenance of the children's play area, open space and landscaped area.</p> <p>Highways: Highways Contribution: £55,000 comprised of:</p> <p>a) Safe Routes to School Contribution: £25,000</p> <p>b) The A372/B3175 Junction and/or Zebra Crossing Contribution: £30,000</p> <p>Travel Plan: Package of measures to be adopted by owner and/or developers in the management of the site with a view to reducing trips in the motor vehicle to and from the site and promoting use of environmentally friendly transport.</p> <p>Affordable Housing: Units Agreed: 18</p>		<p>Sports and Leisure:</p> <p>£149,253.33</p> <p>Highways:</p> <p>£55,000.00</p>	<p>Sports and Leisure:</p> <p>£44,000.00</p>	<p>Status: Underway</p> <p>CHL working with Huish Leisure to identify priorities and progress a project for new AGP and community use of grass pitches.</p> <p>Muga opened April 13</p>	<p>Check with open spaces regarding transfer of POS</p> <p>Invoice to be sent for commuted sum.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments / End Date
<p>Ward: TURN HILL</p> <p>13/01232/FUL Parish Huish Episcopi</p> <p>Land At Old Kelways Somerton Road Langport Somerset TA10 9HB</p> <p>Erection of 9 dwellings (Plots 53-61) in lieu of approved Employment Units B and C (Revised Scheme) (GR:342562/127643)</p> <p>Agreement Date: 10/4/2013</p>	<p>Sports and Leisure:</p> <p>Equipped Play Contribution: £12,213.84 (£7,741.96 capital & £4,471.88 revenue as a commuted sum) towards enhancements/improvements at the play area at Old Kelways, Langport.</p> <p>Playing Pitch Contribution: £14,677.37 towards the provision of playing pitch including AGP and changing room facilities at Huish Episcopi Academy.</p> <p>Sports Hall Contribution: £3,429.30 towards additional capacity at Huish Episcopi Academy.</p> <p>Swimming Pool Contribution: £1,647.70 towards new indoor facility at Langport/Huish Episcopi or towards a District wide swimming facility. Indoor Tennis Contribution: £2,133.20 towards provision of indoor tennis in the District.</p> <p>Education: Education Contribution: £18,469</p> <p>Affordable Housing: Units Agreed: 3</p>	<p>All contributions payable upon occupation of 3 open market dwellings.</p>		<p>Sports and Leisure:</p> <p>£34,101.41</p> <p>Education:</p> <p>£18,469 .00</p>	<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments / End Date
<p>Ward: WESSEX</p> <p>10/03245/OUT Parish Somerton</p> <p>Town Farm Sutton Road Somerton Somerset TA11 6QL</p> <p>Demolition of agricultural buildings, formation of new access and erection of 14 dwellings with garage/parking (GR: 348503/128396)</p> <p>Agreement Date: 10/8/2011</p>	<p>Sports and Leisure:</p> <p>Equipped Play Contribution: £19,192 comprised of £12,236 for improvements of the Etsome Terrace play area, in particular for toddler play equipment. £6,956 commuted sum for long term maintenance.</p> <p>Changing Room Contribution: £24,907 comprised of £22,235 improvements to changing rooms at Gasson's Lane Recreation Ground, Somerton. £2,572 commuted sum payment for long term maintenance.</p> <p>Strategic Community Contribution: £22,491 towards one or more of the following projects:</p> <ol style="list-style-type: none"> 1) Development of a new indoor swimming pool in the Langport Area. 2) Development of a centrally based 8 court District wide competition sports hall halls in Yeovil. 3) Enhancement or expansion of the Octagon Theatre, Yeovil. 4) Development of a new STP in Langport area or sand based Stp in Yeovil. 5) Provision of a new indoor tennis centre in Yeovil, likely to be located within Yeovil Sports Zone. <p>Youth Facilities Contribution: £6,554 comprised of £4,805 towards provision of a youth shelter and floodlighting the existing skate park at Gassons's Lane, Somerton. £1749 commuted sum for long term maintenance.</p>	<p>Contributions payable to the Council index linked on or before the date of first occupation.</p>		<p>Sports and Leisure:</p> <p>£73,144.00</p>	<p>Status: Not Commenced</p>	<p>REM Application received.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments / End Date
<p>Ward: WESSEX</p> <p>10/03704/FUL Parish Somerton Land at Northfield Farm Northfield Somerton Somerset</p> <p>The erection of 133 dwellings and associated garages, highway works and landscaping (GR: 348022/128828)</p> <p>Agreement Date: 24/4/2013</p>	<p>Sports and Leisure:</p> <p>LEAP Open Space & Commuted Sum</p> <p>Pitch & Changing Room Contribution: £351'489 (£288'934 capital & £62'555 revenue as a commuted sum) towards enhancements/improvements towards pitches and changing facilities at Gassons Lane Recreation Ground, Somerton.</p> <p>Youth Facilities Contribution: £29'725 (£21'794 capital & £7'931 revenue as a commuted sum) towards the provision of a youth shelter and floodlighting of existing youth facilities at Gassons Lane Recreation Ground, Somerton.</p> <p>Strategic Community Facilities Contribution: £210'422 to spent on one or more of the following projects: * New swimming pool in the Langport/Huish Episcopi Area or new 8 lane swimming pool centrally located within the District. * Centrally located eight court District wide competition sports hall. * Indoor tennis provision as part of the Council's proposed Yeovil Sports Zone. * Provision of AGP in Langport Area or STP based in Yeovil.</p> <p>Affordable Housing: Units Agreed: 47</p>	<p>Contributions payable on or before 30 residential units are occupied.</p>	<p>Sports and Leisure:</p>	<p>Sports and Leisure:</p>	<p>Status: Not Commenced</p>	

Agenda Item 14

Somerset Levels and Moors Local Action Group – Appointment of a Member to the Executive Board (Executive Decision)

Strategic Director: Mark Williams, Chief Executive
Assistant Director: Ian Clarke, Legal and Corporate Services
Service Manager: Angela Cox, Democratic Services Manager
Lead Officer: Becky Sanders, Democratic Services Officer
Contact Details: becky.sanders@southsomerset.gov.uk or 01935 462596

Purpose of the Report

To seek an appointment from SSDC to the Somerset Levels & Moors Local Action for Rural Communities (LARC) Programme Executive Board.

Public Interest

LEADER is an investment programme funded by the European Union and DEFRA to assist with local economic development. Individual programmes are agreed by DEFRA and operate through a Local Action Group (LAG) made up of a range of organisations and individuals covering local business and community interests.

South Somerset District Council appoints a councillor to the Executive Board of the Local Action Group for the Levels and Moors, and this decision is made by the Area North Committee. The EB makes decisions on the investments made by the programme and monitors the results of previous grants. The EB members are expected to promote the programme and support community engagement.

Recommendation

The Committee is asked to appoint one member to serve on the Somerset Levels & Moors Local Action Group Executive Board for the remainder of the municipal year 2014-15.

Background

Councillor Paul Thompson was appointed in June 2014 for a term of one year. At the meeting of Area North Committee in August 2014 he requested that, due to other commitments, a replacement appointment is made.

LEADER is an investment programme funded by the European Union and DEFRA to assist with local economic development. Individual programmes are agreed by DEFRA and operate through a Local Action Group (LAG) made up of a range of organisations and individuals covering local business and community interests.

The Levels and Moors scheme is currently in a transition year as the last programme has ended (December 2013). Funding from 2015 is based upon a competitive process managed by DEFRA, using a locally prepared Local Development Strategy (LDS). If successful the Executive Board's role will be to implement the LDS.

As a slight change from the previous programme, all of the parishes in Area North included within the scope of the Local Action Group area, making this is of significant interest to the Area Committee.

Nominations and appointment process

Councillors may wish to note that Councillor Terry Mounter at the August meeting of Area North Committee expressed an interest in this appointment.

Any further nominations may be made at the start of this item. Councillors will be asked to vote for one candidate.

Financial Implications

None from this report. SSDC does not contribute financially to the programme other than officer time to support the work of the executive group for example in the assessment of applications to the programme. This is estimated at around 6 days per year.

Council Plan Implications

The opportunity to contribute to the success of the Levels and Moors Local Development Strategy can support a number of actions within the Council Plan 2012 – 15.

Focus One – Jobs

- Provide targeted support for start-ups and small businesses and those with the aspiration to expand.
- Enhance the vitality of town centres....
- Work with partners, to contribute to tackling youth unemployment.

Focus Two – Environment

- Deliver campaigns and projects that help ... cut energy use and adapt to climate change.

Focus Four – Health and Communities

- ...help communities to develop transport schemes and local solutions to reduce rural isolation and inequalities to meet existing needs of those communities.
- Maintain and enhance the South Somerset network of leisure and cultural facilities, optimising opportunities for external funding to promote healthy living.

Carbon Emissions and Climate Change Implications

None from this report – however a proposed activity of the Levels & Moors Local Development Strategy is support community-owned renewable energy schemes for the benefit of the local economy and environment.

Equality and Diversity Implications

Applications to the Levels and Moors programme are assessed for equality and diversity implications. The programme has supported a range of projects including those which targeted younger and older people and those facing rural exclusion / isolation.

Background Papers: *Minute 29, Area North Committee - 25 June 2014.*
Minute 53, Area North Committee – 27 August 2014

Agenda Item 15

Area North Committee – Forward Plan

Strategic Director: Rina Singh, Place and Performance
Assistant Directors: Helen Rutter & Kim Close, Communities
Service Manager: Charlotte Jones, Area Development (North)
Lead Officer: Becky Sanders, Committee Administrator
Contact Details: becky.sanders@southsomerset.gov.uk or (01935) 462596

Purpose of the Report

This report informs Members of the Area North Committee Forward Plan.

Public Interest

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 North Committee agenda, where members of the committee may endorse or request amendments.

Recommendation

Members are asked to note and comment upon the Area North Committee Forward Plan as attached at Appendix A, and identify priorities for further reports to be added to the Area North Committee Forward Plan.

Area North Committee Forward Plan

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 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 and SCC corporate aims and objectives.

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

Background Papers: None

Appendix A – Area North Committee Forward Plan

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact the Agenda Co-ordinator; Becky Sanders, becky.sanders@southsomerset.gov.uk

Items marked in italics are not yet confirmed, due to the attendance of additional representatives. Key: SCC = Somerset County Council

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
As required	Somerset Levels and Moors 20 Year Flood Action Plan	A progress report on the Somerset 20 Year Flood Action Plan, and Flood Recovery Plan	Charlotte Jones, Area Development Manager (North)
22 Oct '14	South Somerset Association for Voluntary & Community Action (SSVCA)	Presentation to provide an update on SSVCA, including Voluntary Sector Support, Furnicare, Community Transport and Flood Recovery work.	Sam Best, Chief Executive Officer (SSVCA)
22 Oct '14	Flooding, land drainage and civil contingencies	General report providing an annual update.	Roger Meecham, Engineer and Pam Harvey, Civil Contingencies & Business Continuity Manager
22 Oct '14	Community Offices	Update report	Lisa Davis, Community Office Support Manager
26 Nov '14	<i>Langport and Huish Episcopi Conservation Area</i>	<i>To approve proposed changes to the Conservation Area boundary (following consultation).</i>	<i>Adron Duckworth, Conservation Manager</i>
26 Nov '14	Flood Action Plan – business recovery	A progress report on supporting local business recovery, including support from Government and other public funding. This report will also look ahead to proposed further investment to support the visitor economy.	Charlotte Jones, Area Development Manager (North)

26 Nov '14	Market Towns App	To receive a demonstration of the new Market Towns app.	Kerri Bruce, Town Apps Project Intern
26 Nov '14	<i>Highways Update</i>	<i>Half yearly report - update on SCC Highways Services.</i>	<i>Neil McWilliams, Assistant Highway Service Manager (SCC)</i>
26 Nov '14	<i>Streetscene Update</i>	<i>Half yearly update on the performance of SSDC Streetscene Services</i>	<i>Chris Cooper, Streetscene Manager</i>
17 Dec '14	Area Development Plan	A progress report on support for local projects including a financial statement on the Area North Capital Programme and community grants	Charlotte Jones, Area Development Manager (North)
TBC	<i>Community Youth Project</i>	<i>A presentation from the Community Youth Project, whose members include Martock, Somerton, Tintinhull, the Hamdons, and Kingsbury Episcopi.</i>	<i>Teresa Oulds, Neighbourhood Development Officer (North)</i>

Agenda Item 16

Planning Appeals

Strategic Director: Rina Singh, Place & Performance
Assistant Director: Martin Woods, Economy
Service Manager: David Norris, Development Manager
Lead Officer: As above
Contact Details: david.norris@southsomerset.gov.uk or (01935) 462382

Purpose of the Report

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

Public Interest

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.

Recommendation

That members comment upon and note the report.

Appeals Lodged

None

Appeals Dismissed

None

Appeals Allowed

13/04141/OUT – 'Homestead, Ham Lane, Compton Dundon, Somerset, TA11 6PQ
Outline application for a single dwelling with associated access.

The Inspector's decision letter is attached.



Appeal Decision

Site visit made on 14 August 2014

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 September 2014

Appeal Ref: APP/R3325/A/14/2220579

'Homestead', Ham Lane, Compton Dundon, Somerton TA11 6PQ

- 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 Stephen Attwell against the decision of South Somerset District Council.
 - The application, Ref. 13/04141/OUT, dated 14 October 2014, was refused by notice dated 19 December 2013.
 - The development proposed is an outline application for a single dwelling with associated access.
-

Decision

1. The appeal is allowed and outline planning permission is granted for a single dwelling with associated access at 'Homestead', Ham Lane, Compton Dundon, Somerton in accordance with the terms of the application, Ref. 13/04141/OUT, dated 19 December 2013, subject to the conditions in the attached schedule.

Procedural Matter

2. Approval is sought in full for the access, with details of appearance, landscaping, layout and scale reserved for subsequent approval.

Main Issues

3. The main issues are (i) whether the proposed development is in a sustainable location; (ii) the effect of the development on highway safety, and (iii) whether future occupiers of the dwelling would have acceptable living conditions as regards noise and disturbance.

Reasons

Sustainability of the Location

4. Saved Policy ST3 of the South Somerset Local Plan 2006 strictly controls development outside the defined development areas of towns, rural centres and villages and the Council argues that the relatively recent announcement that it has a five year supply of housing land means that the policy should apply in this case. It is argued that the proposed dwelling would be unsustainably located outside of the defined development area, where it is remote from adequate services, employment, educational and other facilities and public transport.
-

5. However, whilst I accept that paragraph 49 of the National Planning Policy Framework 2012 ('the Framework') relating to policies being out of date without a five year supply is no longer directly relevant, I nonetheless consider that in the light of other policy in the Framework I should give only limited weight to Policy ST3. This is because paragraph 55 of the Framework states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.
6. In the case of the appeal proposal, as Compton Dundon has a defined development boundary in the adopted Local Plan, the Council has already recognised that it has sustainability credentials. In these circumstances I consider that the application of the Framework's policy outweighs locating new housing only within that boundary, which would reflect the now overly restrictive approach of the increasingly out of date Policy ST3. Furthermore, the appeal scheme is for a dwelling within an established linear residential context to the west of the village centre and does not extend development beyond this into the open countryside.
7. For the appellant it has been explained that Compton Dundon has a village hall which provides a wide range of community facilities and also accommodates a post office with morning opening hours. There is also a church, a pub and an educational establishment, and I consider that all these facilities and the hourly bus service are in fact within a reasonable walking distance on a relatively safe route rather than 'remote' as the Council claims. I do not necessarily expect any future occupier to be a non car owner, but in line with national trends consider that this expectation would also apply to the majority of new residents in the village, whether within or outside the Local Plan boundary. I have also noted the appellant's point that four new houses have been approved outside the development limit within the last few months, including two much further away from the village hall / post office on the appeal site.
8. Overall on this issue, I consider that the proposed development would be in a sufficiently sustainable location for the approval of a dwelling, which in an area where meeting the 5 year supply figure has not been without some problems, is a benefit in itself, as well as providing the potential to assist in maintaining the vitality and retention of existing services and facilities. There would therefore be no harmful conflict with Local Plan Policy ST5 and the proposal would accord with the policies of the Framework.

Effect on Highway Safety

9. The Council has referred to a shortfall in visibility to the west because the required visibility splay cannot be achieved due to separate land ownership. However from my observations on my visit I saw that from the site's access it is nonetheless possible to see vehicles travelling from Peak Lane around the corner and eastwards on the opposite side of Ham Lane.
10. On the submitted plan at scale 1:500 this is about 45m and having regard to this and my agreement with the appellant's argument that the bend in the road and other highway constraints at this corner appear to moderate vehicle speeds, I am satisfied that the proposed access would not have an adverse effect on highway safety. There would therefore be no conflict with Local Plan policy ST5 or with paragraph 32 of the Framework.

Living Conditions for Future Occupiers

11. The proximity of a B2 Use Class motor vehicle repair workshop to the proposed dwelling is a third reason for refusal. The Environmental Health memorandum that lead to the refusal reason refers to the potential of complaints from occupiers of the dwelling preventing the expansion of the business.
12. However this is a small scale use carried out within the confines of a building, and as pointed out for the appellant the business is already subject to restrictions to limit any potential nuisance. There would additionally be the opportunity at reserved matters to take the proximity of the B2 use into account in the design and siting of the proposed building. In my view Local Plan Policy EP1 has been inappropriately applied to the proposal and there would be no unacceptably adverse effect on living conditions to preclude the principle of development.

Conclusion

13. For the reasons stated above and having had regard to all other matters raised, including by local residents, the appeal is allowed subject to the conditions. In addition to the standard reserved matters conditions I shall impose a condition requiring development to proceed in accordance with the approved plans in the interests of accuracy and proper planning.
14. A condition relating to implementation of the access visibility splays is needed for highway safety. Finally because of the lack of illustrative material at this outline stage, I agree with the Council's suggestion that a condition requiring the co-ordination of reserved matters is required, again in the interests of accuracy and proper planning.

Martin Andrews

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later;
- 2) Approval of the details of the appearance of the building, the landscaping of the site, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced;
- 3) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;
- 4) All reserved matters shall be initially submitted in the form of one application showing a comprehensive and coherent scheme with respect to design, layout, plot boundaries, internal ground floor levels, materials and landscaping;
- 5) The development hereby permitted shall be carried out in accordance with the following approved Drawings: OS based Location Plan with site edged red; Plan at scale 1:500 with heading 'Grounds of Appeal - Visibility Splays';
- 6) At the proposed access there shall be no obstruction to visibility greater than 300mm above the adjoining road level within the visibility splays shown on the submitted plan. Such visibility splays shall be constructed prior to the commencement of the construction of the dwelling and shall thereafter be retained at all times.

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Agenda Item 17

Schedule of Planning Applications to be Determined by Committee

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

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 3.30pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.20pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
18	SOUTH PETHERTON	14/03195/FUL	The conversion, extension and rebuild of redundant farm buildings to form 3 residential units, new hay barn to form one residential dwelling and conversion of open barn to create garaging/workshop (Revised Application) (Part retrospective)	Pond Farm, Old A303, Seavington St Michael	Mr Mark Simmins
19	SOUTH PETHERTON	14/03029/OUT	The replacement of existing stable with a single dwelling and the formation of associated access and driveway	Land North of Hill Farm House, Lambrook Road, Shepton Beauchamp	Mr & Mrs Edward Wakely
20	SOUTH PETHERTON	14/03258/FUL	The erection of 4 No. dwellings with associated access, garages, parking and landscaping	Land Rear of 25 Hayes End, South Petherton	Colony Property Ltd.

21	SOUTH PETHERTON	14/02647/OUT	Demolition of garage and workshop and the erection of 1 No. dwellinghouse and garage (Outline)	Land Adjacent To Barcroft Lane, South Petherton.	Mr & Mrs N Screen
22	SOUTH PETHERTON	14/03375/FUL	Erection of 2 No. detached dwellinghouses, garages and parking with associated access and landscaping	Land Adjacent Cainsmead, North Street, South Petherton.	Mr & Mrs P Russell & Mr E Cox
23	TURN HILL	14/02953/FUL	Proposed erection of new dwelling with detached single storey double carport and creation of vehicular and pedestrian access	Land At Long Furlong Lane, Long Sutton.	Mr & Mrs T Cox
24	TURN HILL	14/03405/FUL	Erection of a gatehouse dwelling	Land At The Manor Cross Lane Long Sutton	Mr Shane Pledger

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

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 18

Officer Report On Planning Application: 14/03195/FUL

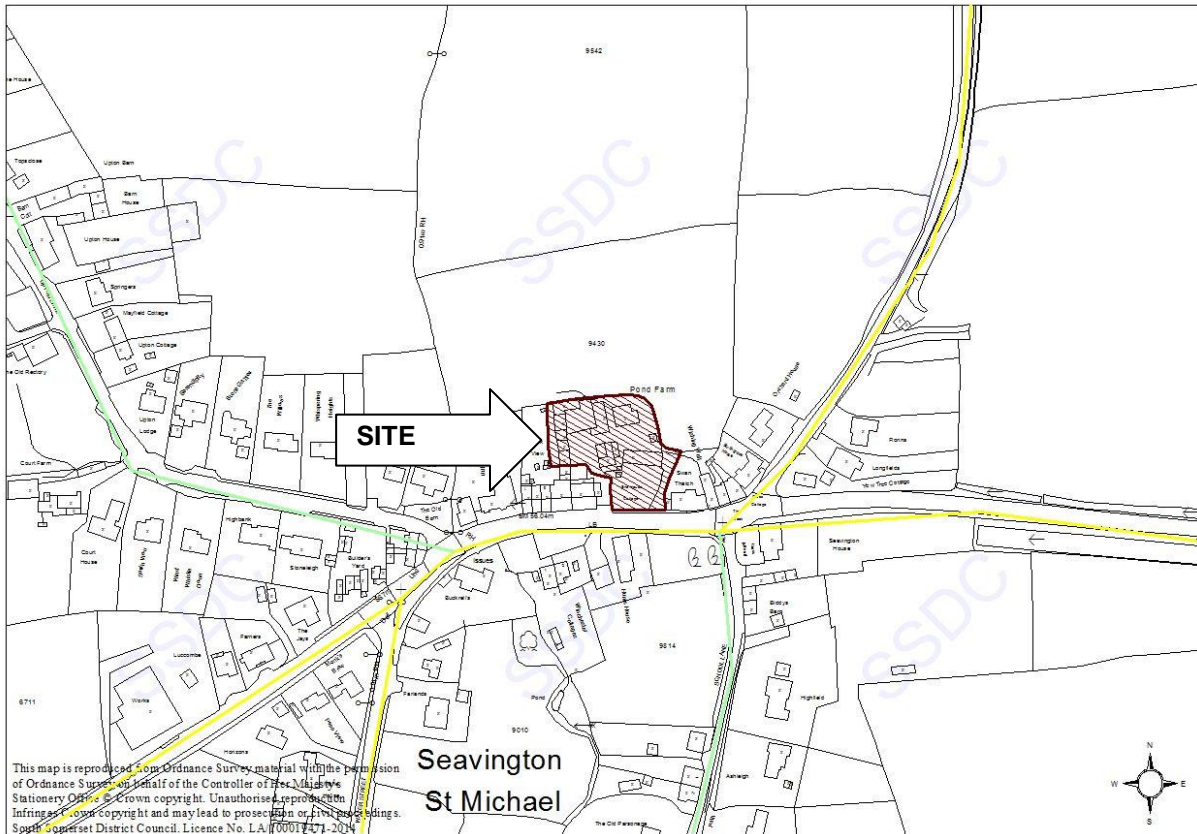
Proposal :	The conversion, extension and rebuild of redundant farm buildings to form 3 residential units, new hay barn to form one residential dwelling and conversion of open barn to create garaging/workshop (Revised Application) (Part retrospective). (GR 340950/115254)
Site Address:	Pond Farm, Old A303, Seavington St Michael.
Parish:	Seavington St Michael
SOUTH PETHERTON Ward (SSDC Members)	Cllr Paul Thompson Cllr Barry Walker
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	18th September 2014
Applicant :	Mr Mark Simmins
Agent: (no agent if blank)	Mr Jason Jackson, Jackson Architects Ltd, Tithe House, Thurlbear, Taunton, Somerset TA3 5BW
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASONS FOR REFERRAL TO COMMITTEE

The application is for a residential development scheme that includes the provision of a new dwelling outside defined settlement limits and is therefore referred to Area North Committee, in accordance with the Council's adopted scheme of delegation, as it represents a departure from the saved policies of the local plan. It should also be noted that objections to the proposal have been received from a local resident and the access arrangements do not fully accord with the County Council Highway Authority's Standing Advice.

SITE DESCRIPTION AND PROPOSAL





The site is a former farm yard to the north of the Old A303, in the centre of Seavington St Michael and comprises a large mainly open fronted barn constructed from natural stone, which has now partially collapsed, a concrete block building, a couple of dilapidated open agricultural buildings and a portal frame, Dutch barn. The main stone built barn, backs onto and is attached to Pond Farm, a grade II listed building, and as such is considered to be listed too. The site lies to the rear of a terrace of listed cottages and the property to the east, Swan Thatch, is also listed.

The site lies partly within the local defined development area and partly outside of it and consists of land to the rear of Pond Farm and land to the east, which runs southwards to the public highway. A new vehicular access has been provided in the last few years, following the grant of planning permission 07/03402/FUL, which was for the conversion of the large stone barn (hereby referred to as Barn 1 and Barn 2), into two dwellings and the provision of a new vehicular access to serve the site. An existing concrete block building was to be retained for use as a B1 industrial unit associated with one of the approved dwellings. The stone building at the centre of the site (hereby referred to as the Stables) was not included within the scheme but was expected to come forward for development at some stage.

A more recent proposal is made to replace the previously approved scheme. It included the partial rebuilding and conversion of Barns 1 and 2 for residential purposes, the demolition of the B1 industrial building and further extension of Barn 2, the rebuilding and conversion of the stables for residential use, the erection of a new dwelling in the form of a Dutch barn and the conversion of The Byre to provide garaging for the new dwelling. This application (14/01335/FUL) was considered at Area North Committee on 28th May 2014 and was refused as it was considered that the design, detailing and appearance of the 'Dutch Barn' proposal would fail to respect the character and appearance of the locality and the setting of the adjacent listed buildings.

This application is made as a revision to the recently refused scheme and seeks to address the reason for refusal. The scheme has been revised to replace the contemporary 'Dutch Barn' style new build dwelling with a more traditionally designed property (The Hay Barn), which is intended to give the appearance of a more traditional barn-type dwelling. In all other respects, the scheme is identical to that submitted under 14/01335/FUL.

HISTORY

14/03196/LBC: The conversion, extension and rebuild of redundant farm buildings to form 3 residential units, new hay barn to form one residential dwelling and conversion of open barn to create garaging/workshop (revised application) - Pending consideration.

14/01336/LBC: The conversion, extension and rebuild of redundant farm buildings to form 3 residential units, new Dutch barn to form one residential dwelling and conversion of open barn to create garaging/workshop - Pending consideration (awaiting outcome of on-going appeal against refusal of 14/01335/FUL).

14/01335/FUL: The conversion, extension and rebuild of redundant farm buildings to form 3 residential units, new Dutch barn to form one residential dwelling and conversion of open barn to create garaging/workshop - Refused for the following reason: *The proposal by reason of the design, detailing and appearance of the dwelling referred to as 'The Dutch Barn', would fail to respect the character and appearance of the locality and the setting of the listed buildings. As such is the proposal is contrary to saved policies ST5, ST6 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.*

07/03402/FUL: Conversion of redundant farm buildings (Unit A) into 2 no. residential units with associated B1 workshop - Permitted with conditions (Refused but subsequently allowed at appeal).

07/03404/LBC: Conversion of redundant farm buildings (Unit A) into 2 no. residential units with associated B1 workshop (unit B) - Permitted with conditions.

POLICY

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

Relevant Development Plan Documents

South Somerset Local Plan 2006:

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EC3 - Landscape Character

EC8 - Protected Species

EH3 - Listed Buildings

EH5 - Development Proposals Affecting the Setting of Listed Buildings

EP9 - Control of other Potentially Polluting Uses

Policy-related Material Considerations

National Planning Policy Framework (March 2012):

Core Planning Principles - Paragraph 17

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design
Chapter 10 - Climate Change and Flooding
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment

CONSULTATIONS

Parish Council: The Parish Council have no objections to the development of this site but would like the following to be taken into account when the District Council are making their considerations.

- Any development of the Hay Barn should not have any detrimental effect on the overspill flood alleviation scheme which runs down the eastern side of this area. Concerns have been raised as the footprint of this proposed new build extends further to the east than that of the 'Dutch Barn' in the previous application.
- It would appear that the existing drive way will only serve the new Hay Barn (or Dutch Barn should this be granted on appeal). Consequently all traffic for Barns 1 and 2 and The Stables will be using the proposed new driveway. This will have a severe impact on the residents of End House Cottage, particularly as the drive way seems to be very narrow when passing close to the old entrance, which will remain as it provides access to both End Cottage and the adjoining property.
- Highways should give consideration to the removal of the existing traffic bollard on the C5021 between Swan Thatch and the new entrance as it is felt that large vehicles will have difficulty entering and leaving the site.
- Concerns have been expressed regarding the felling of a Walnut Tree at the rear of the site. Perhaps consideration could be given to a replacement being planted.
- Have County Highways given due consideration to the increased traffic that will be using this entrance. The Parish Council realise that the road is now only designated as a C road (C5021) but this site, plus the 13 new houses proposed at the Lift West Site will mean a significant increase in traffic movement onto the road. There are already 4 unsigned junctions (David's Lane, School Lane, Upton Lane and Water Street) the Volunteer Inn and Village Car parks feeding on to this road all with limited visibility. Recent SID readings prove that vehicles still speed along this road. The Parish Council would like to see some form of traffic calming introduced as has been discussed on several occasions.

Since making these comments, the Parish Council have responded directly to the applicant, following provision of details of previous usage of the original access. The Parish Council advise that although they are in favour of the development, they are obliged to consider the views of all residents and consequently made their observations on the basis of the concerns raised by the adjoining resident and taking into account of information available to them at the time. Despite this additional comment, the Parish Council have confirmed that they do not wish to amend their previous comments.

County Highway Authority: To be considered further.

County Archaeology: No objections on archaeological grounds.

SSDC Conservation Officer: I understand that this application is identical to that I commented on previously except that the barn conversion is now a new build. I have no objections subject to conditions controlling external details.

REPRESENTATIONS

The application has been advertised by press and site notice for the requisite period. The occupier of the property immediately to the south and west of the proposed development, End House Cottage, has written two letters of objection. A letter has also been received from the occupier of Swan Thatch, the property to the east of the proposal, in support of scheme. The main points of concern are listed below:

- The number of vehicles using the new drive will cause disturbance to the occupiers of End House Cottage. This level of disturbance will include the headlights of vehicles accessing the site shining into End House Cottage, in winter months. The planning officer's comments on the previous report to Area North Committee did not take into account the increased volume of traffic that the new proposal would incur.
- The applicant's claims in respect to the previous usage of the site are not supported. It is not considered that the proposed usage would generate less traffic than previously experienced.
- The previous approval was conditional on the old drive being permanently blocked at the top to prevent usage by the new development. If the proposed new driveway is approved, this cannot be done.
- The new drive is not of sufficient width for two vehicles to pass, which could prove catastrophic in the event of an emergency.
- Large vehicles and emergency vehicles will be unable to turn in the yard, needing to reverse back out onto the old A303, a classified C road.
- The existing stone wall beside the old drive way is understood to be architecturally important. More of this will have to be removed.
- Would it be guaranteed that refuse collection vehicles would pull off the road and onto the new drive rather than blocking the road beside the bollards/crossing. Would they then be able to turn and exit in a forward gear?
- It is considered that Unit B (The Dairy) is listed by association and should not be demolished.
- The previous approval of a business unit was considered to be of economic benefit, which was supported by the Seavington Parish Plan and Economic Development Officer. Has this recommendation been over-ruled?
- The design of the new 'Hay Barn' is rather large and possibly overlaps the development boundary.
- When the owners of End House Cottage sold part of the application site to the applicants, they were assured that no development would take place and it would remain as garden. The extra development of the site (i.e. The Hay Barn) requires the new drive to be constructed across this section of land (as submitted). Keeping to the original drive, which passes the Dutch Barn would be more acceptable.

The letter received from the occupiers of Swan Thatch states that they have no objections to the proposals and fully support the new application, particularly for the amended 'Traditional Hay Barn'

CONSIDERATIONS

Principle of Development

The application relates to the conversion, partial rebuild and extension of a set of redundant barns to provide three units of residential accommodation, the provision of a new build dwelling on the footprint of an existing redundant Dutch barn and the conversion of another single storey, open fronted barn for garaging and storage.

The site is located on the north edge of the village defined development area, with the building referred to as Barn 2, and the Dutch barn, being outside of defined development limits. The rest of the site is within defined development limits. Local and national planning policy considerations have changed substantially since the previous scheme was approved, particularly in respect to the approach taken when considering development outside of development limits and the conversion of existing redundant farm buildings.

This application is submitted as a revision to previously refused scheme 14/01335/FUL. This application was refused on the basis that the design, detailing and appearance of the 'Dutch Barn' proposal would fail to respect the character and appearance of the locality and the setting of the adjacent listed buildings. This previously proposed 'Dutch Barn' style new build dwelling is now replaced by a less contemporary style dwelling, which is intended to be more traditionally designed to have the appearance of a converted hay barn. All other aspects of the scheme, which were considered at the previous Area North Committee and were considered to be generally acceptable in principle, are unaltered. As such, the previously assessed elements are considered to still be acceptable, with the applicant required to address the sole reason for refusal, which they hope to do with the revised design of the new build dwelling. Despite this, there have been other issues raised again by the neighbouring occupier (End House Cottage), as such these matters will be addressed again within the report.

As discussed previously, the site comprises a group of large barns within a redundant farm yard, which is considered to be previously used land. It lies towards the centre of Seavington St Michael, which is defined as a 'Village' by saved policy ST2 and is therefore a generally sustainable location, where development is acceptable in principle. Therefore development of land adjoining the development area may be able to be supported where it responds to local circumstances, such as affordable housing requirements or in the case of open market housing, where it can be demonstrated that it will enhance or maintain the vitality of the rural community. In this particular case, the site is previously used land and as a result of the condition of the existing structures and the related heritage assets, it is considered that a well-designed high quality residential development would be likely to bring about an improvement in the built environment. Furthermore, it is felt that a residential development would assist in maintaining the vitality of the village and its services such as the Volunteer Inn public house and the Village Stoke and Café. As well as being located in close proximity to these services, there are also public transport links to the surrounding Towns and Rural Centres.

It is noted that the originally approved scheme also allowed for the conversion of a concrete block building for use as a B1 business unit, an element of the scheme which is no longer included, with the intention to replace this building with an extension to enlarge Barn 2. There are no policy grounds for requiring a business element within the scheme, as need to consider commercial uses for redundant buildings outside defined development limits is no longer relevant. As referred to above, development at the edge of defined development limits, within more sustainable locations can be supported, where circumstances allow.

After careful consideration, the proposed development is deemed to accord with the objectives of sustainable development, as set out within the emerging local plan and the NPPF and to be, in principle acceptable, subject to the following considerations.

Scale, Appearance and Historic Context

Barns 1 and 2 are attached to Pond Farm, one of the grade II listed building to the south and as such are considered to be listed. Likewise, the other buildings within the site, including The Stable and The Byre are considered to be listed by association as curtilage structures.

At the time of the previous application being considered, Barns 1 and 2 were considered to be generally structurally sound and capable of conversion, however the roof of Barn 1 collapsed prior to the appeal decision against initial refusal. Despite this, the conversion and rebuild was approved by the Planning Inspector and the site is in much the same condition now. The need to be able to convert the buildings without major reconstruction is not strictly relevant as this part of the site is within the development area and its rebuilding is considered appropriate in order to maintain the historic context of the site and the within the village context and to maintain the historic interests of the heritage asset. The north and west elevations are solid ham stone walls, which are still present and sound, and the east and south elevations are open fronted, with the intention to infill with stone and timber cladding. The roof of Barn 1 will be rebuilt to the same height as before. It is also intended to retain the existing ridge height of Barn 2.

It is proposed to extend Barn 2 to the West and then southwards at single storey level to enclose the yard and replace the existing concrete building, which has no architectural or historic merits. This extension is considered to be acceptable as it will improve the appearance of the site and create a more traditional courtyard setting. There are more openings proposed within the building than previously approved, however the design of the proposal is considered to be acceptable and appropriately respect to the traditional form of the buildings, without having any adverse impact on its setting or character or that of the main listed building.

The Stable conversion was not included within the previous scheme and there has been an intention to demolish the building in the past, however the Council's Conservation Officer has been resistant to this, as the building does have some historical merit, despite its poor state at present. As such, the proposed conversion and rebuilding is considered acceptable in principle, particularly as it will enhance the heritage asset in providing a use for this pleasant building. The proposed extension is also considered appropriate as it replicates a former feature of the building, which is evidenced by historic images provided in support of the application.

The other building within the site for conversion is the Byre, which will provide garaging and storage for the proposed new build element. It is proposed to retain the fine red brick wall at the back of the building, which is of historic importance as a good quality curtilage structure. It is proposed to rebuild the roof and lean to element to the north. As well as retaining a historic feature that is of prominence within the site and visible from public view, the building will also effectively enclose the sub-divided site to the north.

The above aspects remain the same as previously applied for, with the revision relating to the new build dwelling proposed on the footprint of the existing redundant Dutch barn. Following refusal of a contemporary 'Dutch Barn' style building, the applicant has applied for a two-storey dwelling, designed to have the appearance of a more traditional agricultural building. It is proposed to be constructed from natural stone, similar to the existing traditional buildings on site. No further objections have been received in relation to the revised design, although the Parish Council have questioned whether the increased width of the proposed dwelling will have any detrimental impact on the overspill flood alleviation scheme in place to the east of the site. In response to this it is noted that the existing culvert and ditch are still shown as being in place and there is no reason to assume that the ability of these arrangements to function should be compromised. It would of course be necessary for care to be taken to ensure that the current drainage arrangements are not damaged during construction, however a standard drainage condition, as previously proposed should ensure that details of drainage arrangements are agreed and protected in perpetuity.

In respect to design, the new proposed dwelling is wider than the previously proposed 'Dutch Barn', however it is shallower and more traditionally proportioned. Overall, the scale, mass and

proportions of this proposed dwelling are considered to be acceptable. It is also noted that, the presence of The Byre conversion and proposed planting along the east boundary of the site will reduce the visual impact beyond the site itself.

The Council's Conservation Officer has considered all elements of the scheme and has raised no objections, subject to the conditioning of the details for the finish of the development.

Overall, the scheme is considered to be sensitively designed to respect the historic layout of the traditional farmyard and the setting of the heritage assets. It is further considered to enhance this dilapidated site as well as the appearance of the wider area.

Highway Safety

The site is accessed directly off the Old A303, which is a classified 'C' Road. New access was approved in relation to the previously approved scheme and has subsequently been fully installed. Objections were previously received in relation to the potential impact on highway safety, on the basis that it would be dangerous due to limited visibility and that the access will be close to an existing pedestrian crossing with bollards, potentially increasing risk to pedestrians and preventing vehicles using the access properly. At the time, the Highway Authority considered the access arrangements to be acceptable, as did the Planning Inspector, despite failing to include the necessary levels of visibility to fully accord with the usual highway safety requirements. This was based on the new arrangements providing a vastly improved access to the site, as all previous domestic and agricultural movements would have used the very substandard access alongside End House Cottage.

Objections have been received in relation to this new proposal for similar reasons as before, which the previous levels of usage of the original substandard access, a particular point of contention. Concerns are raised that increased usage of the access will be harmful to highway safety and that the drive within the site is of insufficient width to allow vehicles to pass, potentially leading to vehicles backing up within the site or at the site entrance.

It is noted that a comment has been received advising that the previously approved scheme included a stipulation that the original access was to be blocked off to the rest of the site, allowing only the existing access to End House Cottage and 3 Pond Farm. This proposal doesn't specifically include measures to permanently prevent access from the development site along the original access, however this access is to remain in the ownership of 3 Pond Farm. A gate is proposed which will allow the occupiers of 3 Pond Farm to continue using the original access, as originally approved, however this will act to prevent other users. Furthermore, for other occupiers of the development to use this access would require them to drive across private land for which they would have no right of access. It is considered that the proposed arrangements for the existing occupiers of End House Cottage and 3 Pond Farm are acceptable and will not encourage additional usage beyond what was originally approved.

In considering the highway safety issues, the County Council Highway Authority previously referred to their Standing Advice, however they have now submitted a comment advising that the scheme will be given further consideration. As no further comments have been received and the previous comment was to consider Standing Advice, the highway safety matters are again considered against this guidance. Most of the requirements can be achieved, with a properly consolidated surface being proposed over the first 10m of the access, sufficient parking spaces to accord with the County Parking Strategy and appropriate turning facilities being provided within the site.

There are two areas where the Highway Standing Advice is not fully met. These are in relation to the levels of visibility from the existing access and the width of the drive within the site.

Firstly considering visibility, it is noted that the Standing Advice requires a visibility Splay of 43m in each direction. This is achieved to the west but unable to be achieved to the east. Despite this reduction in the usual highway visibility requirements, it should be noted that the current arrangements were considered acceptable previously due to the improvement provided as a result of the laying out of a new access, thus removing the need to use the other poor access, which served the yard previously. The improved access arrangements to the site as a whole were considered to be acceptable and in this case it is not considered that the additional usage would be significantly greater than approved to warrant refusal. It is also noted that the proposed development includes the removal of the industrial element, which in turn will reduce the type of vehicle movements that may be associated with a business use, such as larger vehicles making commercial deliveries, etc.

In regard to the width of the access, this again is similar to that previously approved. While the majority of the access and drive does not meet the recommended width of 5m, there are areas close to the access and within the courtyard complex, where two vehicles can comfortably pass. Furthermore, the open frontage will allow drivers to have a clear view of the access and drive, allowing them to view other drivers and stop appropriately to allow passing. For these reasons and on the basis that the usage is not considered to be significantly different to the previously approved scheme, it is considered that the lack of full accordance with Standing Advice will not have a detrimental impact on highway safety.

These issues were considered at the previous Area North Committee meeting and having been debated was not raised as an objection to the previous scheme. As such, it is considered that the proposal is acceptable and will not have a detrimental impact on highway safety.

Residential Amenity

The proposed barn conversions are arranged so that openings look onto the open courtyard or private enclosed amenity space. The design and orientation of the buildings means that there will not be any overlooking of existing gardens or neighbouring properties. Where there is the risk of overlooking, this is sufficiently mitigated by the presence of boundary treatments, such as the west boundary demarcating the curtilage to the rear of Barns 1 and 2. While the openings will not overlook the rear of the nearby properties to the west, they do face towards the rear gardens of these properties. It was previously confirmed that a 1.8m fence is proposed to protect the amenity of both neighbours and future occupiers of the proposed dwellings. A condition is suggested to require these boundary treatments to be provided prior to occupation of any of the dwellings and also for them to be maintained in the same form in the future.

The occupier of End House Cottage has objected on the grounds that the drive into the courtyard will pass close to the rear of the property, causing unacceptable disturbance, especially during winter months when headlights will be in use. While this proximity is acknowledged, it is noted that the existing drive serving 3 Pond Farm and the existing agricultural site already passes right up to the side of End House Cottage. The new drive is set further back than the access along the side. There is a dispute about the previous level of usage of the original access, however it is clear that there was the potential for a significant number of vehicle movements due to other operations taking place within the former farmyard, which included agricultural use, such as hay storage and keeping of sheep, business purposes e.g. for storage of tools for a thatching business and car parking. Despite the disagreement of the historic vehicle movements, it is not considered that the proposed arrangements would lead to levels of disturbance that would unacceptable harm residential amenity.

While no objections have been received regarding the proposed Hay Barn dwelling, it is noted that there are no openings in the east elevation, reducing any prospect of any views towards neighbouring properties. The other openings are similarly designed to prevent any

unacceptable harm to the residential amenity of any other local residents and the future occupiers of the remainder of the proposed development scheme.

Overall, it is not considered that any elements of the development scheme will cause unacceptable harm to the residential amenities of other local residents.

Other Issues

A Bat survey has been supplied with the application, which didn't identify the use of existing buildings by bats and or birds. The Council's Ecologist previously considered the survey and did not feel that the proposal will lead to any significant risk to ecology on site. As such no objections are raised, although a condition is recommended for biodiversity enhancements to be provided on site, such as the provision of bat and bird boxes.

Conclusion

Overall the proposed barn conversion scheme and associated works, including provision of a new access and alterations to the roadside boundary wall are acceptable and are considered to have no adverse impact on the traditional character or setting of the barns and no adverse effect on the character of the listed buildings, their setting or any features of special architectural or historic interest. In particular, it is considered that the revised design for the proposed new build dwelling, referred to as 'The hay Barn', satisfactorily addresses the previous reason for refusal. It is also considered that there will be no significant harm caused to the residential amenity of the occupiers of neighbouring properties or to highway safety.

RECOMMENDATION

Grant permission with conditions

01. The proposed redevelopment of this site is considered to be an acceptable re-use of previously used land that will respect and relate to the immediate setting and would contribute to the council's housing supply. Furthermore, the site is considered to be reasonably capable of accommodating the proposed development, without demonstrable harm to the character and appearance of the traditional buildings, the setting of the nearby and attached listed buildings, visual or residential amenity, ecology and highway safety. As such the proposed development is considered to accord with the aims and objectives of saved policies ST3, ST5, ST6, EC3, EC5, EC8, EH3 and EH5 of the South Somerset Local Plan and the provisions of chapters 4, 6, 7, 10, 11 and 12 and the core planning principles of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: '011 Rev D' and '056', received 16th July 2014 and '050 Rev A', received 24th July 2014.

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

03. No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority;
- a. details of materials (including the provision of samples where appropriate) to be used for the external walls, roofs and new boundary walls;
 - b. sample panels of stonework shall be provided on site for inspection;
 - c. full written details, including elevational drawings, to indicate the areas of existing natural stone walls to be repointed. Such details shall include the method of removal of existing pointing and details of mortar mix. In this regard mechanical tools shall not be used;
 - d. details of the design, materials, external finish and recessing for (including the provision of samples where appropriate) to be used for all new doors, windows (including roof lights), boarding and openings. Unless otherwise agreed in writing, the roof lights shall be top hung and flush with the roof covering;
 - e. details of the design of all roof eaves, verges and abutments, including detail drawings at a scale of 1:5;
 - f. details of all new cast metal guttering, down pipes, other rainwater goods, and external plumbing;
 - g. details of position and colour finish of meter cupboards and gas boxes.

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

Reason: In the interests of visual amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

04. The specifications, including position and material finish, of all boundary treatments and means of sub-division of the site, shall be carried out in accordance with details as indicated on approved plan '056' and as indicated within the submitted application form. The approved boundary treatments shall be installed prior to the first occupation of any of the dwellings hereby approved and once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 12 and the core planning principles of the National Planning Policy Framework.

05. The finished floor levels and ridge heights of the dwellings hereby permitted shall be carried out in accordance with the details submitted on approved plans '011 Rev D', '050 Rev A' and '056'. Such approved details, shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 12 and the core planning principles of the National Planning Policy Framework.

06. Details of measures for the enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity, in accordance with saved policy EC8 of the South Somerset Local Plan and the provisions of chapter 11 of the National Planning Policy Framework.

07. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping (planting), which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

08. The areas allocated for parking and turning on approved plan '056', shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

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

09. The proposed access over at least the first 10.0m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

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

10. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. This shall include details measures to prevent discharge of surface water onto the highway or elsewhere beyond the site. Following its installation such approved scheme shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, highway safety and to protect the local water environment, in accordance with saved policies ST5, ST6 and EP9 of the South

Somerset Local Plan 2006 and the provisions of chapters 4, 10 and the core planning principles of the National Planning Policy Framework.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the buildings, or other external alteration made without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 12 and the core planning principles of the National Planning Policy Framework.

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

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 12 and the core planning principles of the National Planning Policy Framework.

Agenda Item 19

Officer Report On Planning Application: 14/03029/OUT

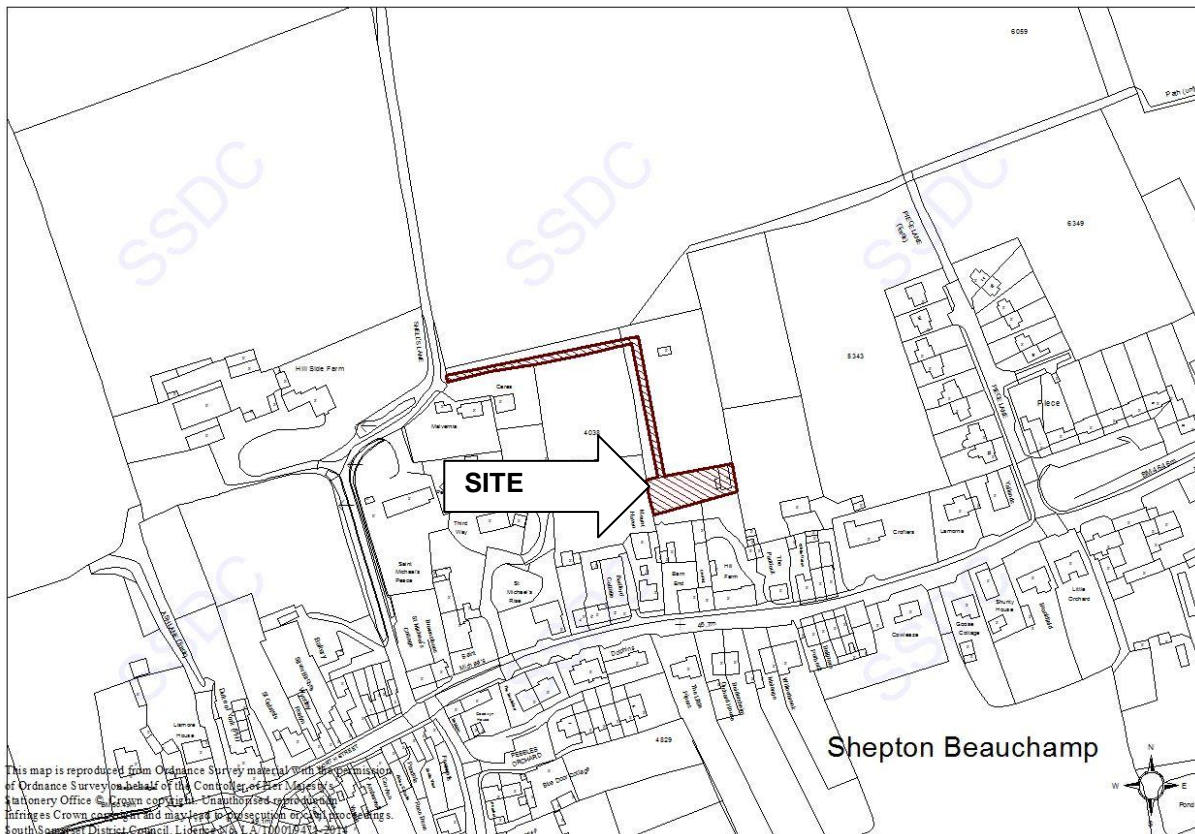
Proposal :	The replacement of existing stable with a single dwelling and the formation of associated access and driveway (GR 340469/117371)
Site Address:	Land North Of Hill Farm House, Lambrook Road, Shepton Beauchamp.
Parish:	Shepton Beauchamp
SOUTH PETHERTON Ward (SSDC MemberS)	Cllr Paul Thompson Cllr Barry Walker
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	4th September 2014
Applicant :	Mr & Mrs Edward Wakely
Agent: (no agent if blank)	The Town And Country Planning Practice Ltd, Home Orchard, Littleton, Somerton, Somerset TA11 6NR
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is referred to Committee at the request of the Ward Member to allow for a full discussion of the relevant planning issues.

SITE DESCRIPTION AND PROPOSAL





The site is located on agricultural land to the rear of the built form of development fronting onto the north side of Lambrook Road (North Street). To the south of the site is the yard of Hill Farm House; the site is surrounded on the remaining sides by agricultural land. The site is currently occupied by a small stable building constructed in block and render.

Outline permission is sought for the erection of a dwellinghouse to replace the stable building, with access to be taken from the northern end of the site, across agricultural land and over an existing footpath.

HISTORY

870165 - OUTLINE: The erection of a house and garage - refused; subsequent appeal dismissed.

POLICY

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

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

The policies of most relevance to the proposal are:

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

ST2 - Villages
ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
EC3 - Landscape Character
EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological interest.

National Planning Policy Framework (March 2012):

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
9. Meeting the challenge of climate change, flooding and coastal change
10. Conserving and enhancing the natural environment
11. Conserving and enhancing the historic environment

Planning Practice Guidance - Department of Communities and Local Government, 2014.

Policy-related Material Considerations

South Somerset Sustainable Community Strategy

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

Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: The application is supported, subject to compliance with:

- drainage being adequate
- access meeting the Highways Authority's requirements
- preferred material to be natural hamstone

Highways Authority: No objection is raised: Standing Advice referred to.

SSDC Landscape Officer: *I note this proposal intends to supplant a modest stable with a residential dwelling, which will also require some formalisation of an access lane to allow for residential traffic.*

Shepton Beauchamp is primarily a linear settlement. Whilst some sporadic development has gone on to the north of the main village street, this is predominantly served off the local lane network. The proposal before us intends a dwelling in a location that is served by a lengthy grass track, thereby introducing a residential element into the fields beyond the village edge, which is contrary to local character. The site itself is similarly unrelated to the village core, with open paddocks to 3 sides, for its siting to similarly be viewed as at variance with local settlement character. Whilst a stable building is present on site, this form of construction is quite usual in relation to village fringes - a dwelling would be larger scale; introduce night light; and the activity associated with residential use, as well as the domestic paraphernalia typically associated with residential use. Neither is there any environmental enhancement in supplanting an agricultural use with residential form and its associated access arrangements

and additional hardstandings. Consequently I view the proposal as failing to meet LP policies ST3 and ST5 para 4.

SSDC ROW Officer: Any change to the line of the footpath would require a diversion order. Any change to the surface of the footpath would require the agreement of SCC. (ROW).

Please add the SCC standard informative to the decision.

I have no objection.

As the applicant owns the field there are no issues with driving on a public footpath without lawful authority.

SSDC Environmental Protection Unit: No observations.

SSDC Ecologist: No comments received.

County Archaeologist: No objections.

County Rights of Way: No comment received.

Environment Agency: No comment received.

REPRESENTATIONS

Five letters have been received. Three support the proposal raising the following points:

- the proposal generally supported, provided dwelling is 'in keeping with the local area';
- the village needs new homes, infill land is ideal;
- access and off-road parking are good;
- the site is not visually prominent from the main road;
- water runoff will be limited.

Two letters raise issues objecting to the proposal:

- the proposal would set a precedent for more backland development across the north of Shepton Beauchamp, adding to the size of the settlement contrary to the stated aims of the Parish Plan;
- a flood risk to neighbouring properties will be created by the new access.

CONSIDERATIONS

Principle of Development – Sustainability

The site is outside of the defined development area. Saved Policy ST3 of the 2006 Local Plan seeks to control development outside of the defined development area. However, given the advanced position of the emerging Local Plan (2011 - 2028), and the clear advice relating to sustainability set out in the NPPF, it is considered that Policy SS2 of the emerging plan carries reasonable weight.

Shepton Beauchamp is a sizeable settlement with a range of the facilities referred to under Policy SS2 of the Emerging Local Plan. Additional residents could contribute positively to the viability of local facilities, and generally enhance sustainability. Given the advice within the NPPF, and the position taken in the Emerging Local Plan, it is not considered that development on this site can be regarded as being unsustainable.

Five-Year Land Supply

At the time of consideration of this application, the LPA is of the view that a 5-year supply of land, plus a buffer of 20%, can be demonstrated for the provision of housing within the District. Creation of an additional dwellinghouse in this position, therefore, would not be accorded particular weight for contributing to the supply of housing land.

Visual and Landscape Impact

The Council's Landscape Officer has clearly set out the landscape concerns associated with this proposal (above).

The site is agricultural land, situated beyond the built edge of this linear settlement. Similar open land exists along the rear of properties fronting onto North Street, and the pattern is carried through to properties fronting onto Peace Lane, which takes access from North Street. The proposed scheme requires the creation of a long track across open fields, introducing a domestic residential character into this agricultural backland setting of the village. Such development is out of character with the village pattern of development, and would represent an unwelcome extension of built form and domestic land use away from the village edge. This compromises the setting of the village, and the characteristic landscape pattern and setting within which the village sits. The precedent that such a development would raise for further development is obvious, given the length of the access track, and the amount of similar land located to the rear of houses in the village.

The proposal is considered harmful in that it would encroach into sensitive land at the edge of the village, eroding the countryside character. It would thereby fail to respect the appearance of the locality, and the form, character and setting of the settlement, contrary to saved Policies ST3, ST5, ST6 and EC3 of the Local Plan, and the aims of the NPPF.

Highway Safety

The Highways Authority has not raised any objection to the proposal. Standing Advice is referred to. The submitted plans are not clear, but there is clearly an existing splay to the north of the access which falls within highway land. The lane is narrow, and not capable of carrying traffic at great speeds. There is reasonable visibility to both north and south, given the positioning of the access near the outside of a curve. Although the full 43m splays would not appear to be capable of achievement, it is not considered that the continued use of this single agricultural access point for one dwellinghouse would raise a highway safety concern that would warrant a refusal of the application.

Footpath

The Council ROW Officer has given clear guidance that use of this land, over the footpath, for a private access would be acceptable. Any permission would need to include advice on the issue of surface treatment, etc.

Impact on Residential Amenity

The proposed position of the dwellinghouse, subject to appropriate design of the building, would not raise any concern about overlooking, overbearing or other amenity impacts on residents of neighbouring properties.

Comments of Parish Council

Drainage is an issue which can be dealt with at the reserved matters stage - it is not considered that it would represent a reason for refusal of an outline application.

The proposal does not strictly accord with the Highways Authority's standing advice (see comments above).

Details of materials are for later consideration under the reserved matters application.

Neighbour Representations

The issues submitted have been carefully considered and are largely covered in the body of the report. Drainage is considered to be capable of resolution at a later stage, and is not therefore considered a reason for refusal of the application.

EIA Regulations

Not relevant.

Conclusion

The proposal represents an unwelcome intrusion into the countryside edge of the village, and would be harmful to its established character and setting, contrary to clear policies within the Local Plan and guidance in the NPPF. Although no significant highway safety, amenity or other harm has been identified, it is not considered that the creation of a dwellinghouse on this site would represent any benefit that would outweigh the harm to the setting. The proposal is recommended for refusal.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Refuse.

REASON:

01. The proposal represents an unwelcome intrusion into the countryside edge of the village, which would be harmful to its established character, appearance and setting. The introduction of domestic residential development, including a lengthy track across open agricultural land and a public footpath, would erode the countryside and landscape character. In these respects, the proposal fails to respect the appearance of the locality, and the form, character and setting of the settlement and landscape, contrary to the aims and objectives of the NPPF and saved Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan, 2006.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;

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

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.

Agenda Item 20

Officer Report On Planning Application: 14/03258/FUL

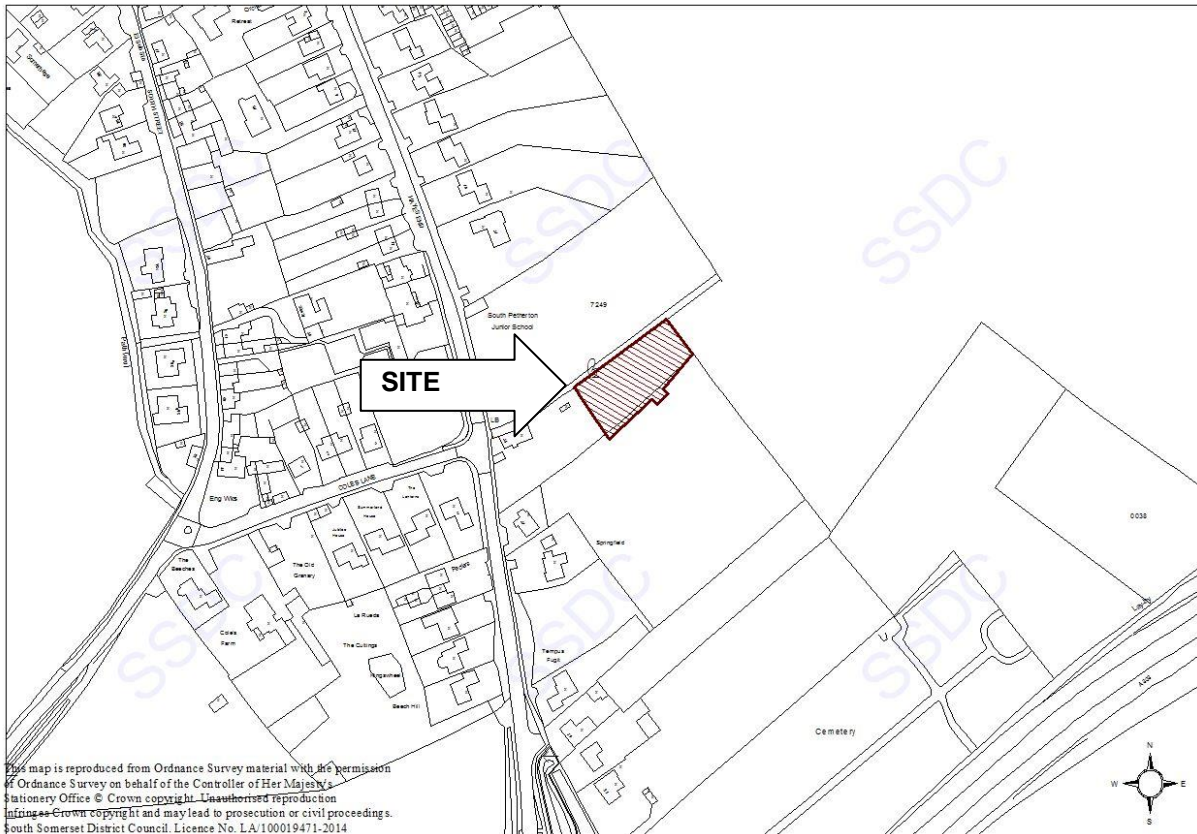
Proposal :	The erection of 4 No. dwellings with associated access, garages, parking and landscaping. (GR 343734/116450)
Site Address:	Land Rear Of 25 Hayes End, South Petherton.
Parish:	South Petherton
SOUTH PETHERTON Ward (SSDC Members)	Cllr Paul Thompson Cllr Barry Walker
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date :	15th September 2014
Applicant :	Colony Property Ltd.
Agent: (no agent if blank)	Mr Matt Frost, Boon Brown, Motivo, Alvington, Yeovil, Somerset BA20 2FG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application for residential development is recommended for approval as a departure from saved policy ST3 of the South Somerset Local Plan which seeks to constrain development within Development Areas. However, the adopted local plan is increasingly out-of-date and policy ST3 is not consistent with the NPPF, as it is overly restrictive particularly in light of Paragraphs 54 and 55 of the NPPF, which aim to facilitate appropriate and sustainable housing to meet local need. Accordingly the application is referred to committee to enable the justification for the development to be considered.

SITE DESCRIPTION AND PROPOSAL





The application site is a rectangular shaped piece of land located immediately to the west of the Chapel Fields development in South Petherton. The site forms the rear garden to No. 25 Hayes End and is bounded by Chapel Fields to the south-east, the school playing field to the north-west and agricultural land to the north-east. A public footpath runs along the northern boundary (between the application site and the school field). The site is adjacent to the allocated housing site Chapel Fields (HG/SOPE/1) that is currently being developed with 29 houses (06/02867/OUT and 10/01427/REM) and also has consent for a further 22 houses to the south (12/04885/FUL).

The application proposes the erection of four detached houses (3 x 3 bed and 1 x 5 bed) with associated access, garages, parking and landscaping. The site would be accessed via the existing Chapel Fields access and is effectively a continuation of the Chapel Fields development with similarly designed dwellings placed around a cul-de-sac.

The site sits outside but adjacent to the South Petherton development area. The Ecological Survey has identified a badger sett on the site.

HISTORY

11/03651/OUT - Application for a new outline planning permission for the erection of a dwelling, to replace extant permission 08/04336/OUT, to extend the time limit for implementation. Approved 23/11/2011.

08/04336/OUT - Outline permission granted for 1 dwelling to the south of No. 25 Hayes End. Approved 18/11/2008.

History for adjoining land:

14/00798/DPO - Application to modify Section 106 agreement dated 14th September 2011 to layout and transfer part of site for public open space in accordance with schedule 2 relating to planning applications 06/02867/OUT and 10/01427/REM. Agreed, in principle, subject to modification of s106 agreement.

13/03108/s73A - Application to vary condition No. 07 of planning permission 10/01427/REM to enable alternative house style to be used on plot 4. Permitted 18/9/2013.

13/00628/NMA - Application for a non material amendment to planning permission 12/02391/S73A to amend the position of boundary fence to plot 25. Permitted 8/3/2013.

12/04885/FUL - Erection of 22 dwellings. Approved 11 October 2013.

12/02391/s73A - Variation of Condition 7 of planning permission 10/01427/REM to amend internal layout and elevations for Plot 4, 11, 12 and 13. Approved 28 November 2012.

12/00475/s73 - Variation of Condition 7 of planning permission 10/01427/REM to amend highway junction and materials. Approved 23 May 2012.

10/01437/FUL - Construction of a surface water drainage attenuation pond and soakaway to serve residential development for housing allocation. Approved 30/7/2010.

10/01427/REM - The erection of 29 dwellings (Reserved Matters 06/02867/OUT). Approved 5/8/2010.

08/00726/REM - The erection of 31 houses (reserved matters 06/02867/OUT). Approved 23/9/2008.

06/02867/OUT - Residential development of land. 18/4/2007.

POLICY

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

For the purposes of determining current applications the Local Planning Authority considers that the relevant development plan primarily comprises the saved policies of the adopted South Somerset Local Plan (2006). However, the emerging Local Plan which will replace the adopted Local Plan is in an advanced stage of adoption. The proposed 'Submission South Somerset Local Plan (2006 - 2028)' was submitted to the Planning Inspectorate for Independent Examination in January 2013. A series of Examination Hearing Sessions were held during May and June 2013, which resulted in the Inspector issuing a Preliminary Findings Letter to the Council outlining some issues of concern. The Examination resumed in June 2014 following additional work being undertaken by the Council to address the Inspector's concerns. It is anticipated that the emerging Local Plan will be ready for adoption early in 2015. Having regard to the advanced stage in the adoption of the emerging Local Plan, emerging policies can be afforded some weight in determining the application.

Relevant Development Plan Documents:

Government Guidance:

National Planning Policy Framework

Chapter 6: Delivering a wide choice of high quality homes

Chapter 7: Requiring Good Design

Chapter 11: Conserving and enhancing the natural environment

South Somerset Local Plan (2006) Saved policies:

ST1 - Rural Centres

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

ST10 - Planning Obligations

EC3 - Landscape Character

EC8 - Protected Species

HG7 - Affordable Housing

Submission South Somerset Local Plan (2006 - 2028)

Policies

SS1 - Settlement Strategy

SS5 - Delivering New Housing Growth (subject to consultation on further modification)

SD1 - Sustainable Development

CONSULTATIONS

South Petherton Parish Council: Recommend approval.

County Highways: Comments awaited.

Highways Agency: No objections.

Ecologist (SSDC): Satisfied with the ecological survey report suggests the imposition of an informative regarding the badger outlier sett.

Strategic Housing: Consider that the site should provide an element of affordable housing.

Leisure Policy Co-ordinator: As the proposal is only for 4 dwellings will not be seeking any leisure contributions as it falls below relevant thresholds.

REPRESENTATIONS

One letter of representation has been received making the following comments:

- Object to the removal of the hedge along the boundary with 22 Chapel Fields
- Concerned about bin collection point and suggest each house should place refuse/recycling outside of each individual property.
- Request hours of construction condition
- Request condition to restrict parking of contractor's vehicles/machinery and storage of materials to development site.
- Ask for reassurance that the road will be cleaned daily by the contractors as it is at present.

CONSIDERATIONS

This application is before the Committee as it is a departure from the local plan. The key planning considerations are; the principle of residential development in the proposed location; access and highway safety; impact on residential amenity and visual amenity.

Principle of development:

Whilst the site lies outside of the defined development area, it should be noted that the policy framework provided by the extant Local Plan (1991 - 2011) is increasingly out-of-date, with certain policies not in accordance with the National Planning Policy Framework. The proposal is contrary to Policy ST3; however Policy ST3 is not consistent with the NPPF, as it is overly restrictive particularly in light of Paragraphs 54 and 55 of the NPPF, which aim to facilitate appropriate and sustainable housing to meet local need. The adjacent Chapel Fields site was considered to be a sustainable location for some development in the 2006 plan; South Petherton is a large village containing a variety of shops, services, facilities, and employment opportunities. Given that the site is immediately adjacent to the existing built form, and development area, of South Petherton the site is considered to be a sustainable location for residential development, and the principle is therefore considered to be acceptable.

Highway Safety:

The site will be accessed via the existing Chapel Fields development. This road and the site entrance onto Hayes End were thoroughly assessed under the application for development of the main site and found to be acceptable. The proposal would not significantly increase traffic movements and as such the Highways Agency has no objection to the proposal.

The proposal includes a cul-de-sac for turning along with the required number of parking spaces for each dwelling.

Visual Amenity:

The proposed design of the properties reflects that of the adjacent housing scheme and materials will also be to match the existing development. The site is well screened by mature hedgerows on the exterior boundaries and as such, it is not felt that the proposal will have any adverse impact upon visual amenity. It is noted that the hedgerow between the site and Chapel Fields is going to be removed; however, this is a cherry laurel hedge that has been allowed to grow to a very large size so that it now takes up a significant proportion of the site. Whilst the loss of any hedge is regretted, the hedge provides limited public amenity benefit and it is not considered that it's loss could be resisted (the landowner is free to remove the hedge at any time). It is however possible to impose a condition to require that appropriate replacement boundary treatments are put in place.

Residential amenity:

The proposed dwellings that will sit alongside the existing dwellings in Chapel Fields and will follow a similar building line. The proposed dwellings will be adjacent to the driveways and garages of the existing dwellings. The proposed dwellings will be situated to the north of the existing houses and as such it is not considered that they will cause loss of light or unacceptable shadowing of the existing houses.

The only side windows at first floor level facing the existing houses are to be obscurely glazed and as such it is not considered that there will be unacceptable loss of privacy to the neighbouring properties.

In terms of the proposed bin collection area, this has been provided in order to meet the requirements of the refuse collection authority as the cu-de-sac arrangement is not of sufficient size to allow for the turning of large refuse vehicles. It is considered that a small collection of bins in one area of the site for the limited time needed for bin collection is not unacceptable and would not result in such significant loss of amenity as to justify refusal of this application. It is understood that the applicants are more than willing to delete the collection area if an agreement can be made with the relevant waste collection authority.

Ecology/protected species:

The Ecology Survey found that there was a badger sett along the southern boundary and evidence suggests that this is an outlier to the main sett within the larger development. The Design and Access statement advises that it is proposed to close the outlier sett and their Ecologist advises that 'under current Best Practice guidelines issued by Natural England and in the knowledge of the local badger ecology and sett status, no artificial sett would have to be provided to compensate for the closure of the outlier sett on the site'. The Council's Ecologist agrees with this assessment; it should be noted that a licence will have to be obtained from Natural England to close the sett.

Contributions/Affordable Housing:

The Housing Strategy Manager has suggested that this site should be considered as part of an extension to the larger adjacent site and therefore the proposal should be subject to requirements for affordable housing. However, this site is considered to be a standalone proposition for the erection of 4 dwellings which is under the relevant thresholds for contributions or affordable housing. The site was never envisaged as being part of the plans for the larger site and is in entirely separate land ownership. As such, it is not considered that it would be reasonable to require affordable housing on this site.

The Leisure Policy Co-ordinator advises that they will not be seeking contributions as the site falls below their threshold.

Conclusion:

The site is considered to be within a sustainable location and appropriate for housing development. It is considered that the impact on the landscape, residential amenity and highway safety will be acceptable. The impact on local ecology is considered to be acceptable.

Therefore, notwithstanding the various concerns raised, the proposed development is considered to be in accordance with policies ST1, ST3, ST5, ST6, EC3 and EC8 of the South Somerset Local Plan and the aims and provisions of the NPPF. As such the application is recommended for approval.

RECOMMENDATION

Approve with conditions

01. The proposed dwelling represents an appropriate and sustainable form of development which will contribute to the council's housing supply without demonstrable harm to visual or residential amenity or being prejudicial to highway safety and therefore accords with the aims and objectives of the National Planning Policy Framework and saved policies ST1, ST3, ST5, ST6, EC3 and EC8 of the South Somerset Local Plan 2006.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.'s 3388/001, 3388/002, 3388/003, 3388/004, 3388/005, 3388/006, 3388/007, 3388/008, 3388/009, 3388/010, 3388/011 and 3308/012 received 21 July 2014.

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

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

- a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b. details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- c. particulars of all boundary treatments and hard surfacing materials. Such details shall include the use of porous materials to the parking and turning areas;
- d. details of meter cupboards and gas boxes;

Reason: In the interest of visual amenity to accord with Policy ST6 of the South Somerset Local Plan.

04. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity in accordance with Policies ST5 and ST6 of the South Somerset Local Plan.

05. Prior to the development hereby approved being first brought into use the first floor windows within the south (side) elevations of Plots 1 and 4 shall be fitted with obscure glass and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interest of residential amenity to accord with Policy ST6 of the South Somerset Local Plan.

06. Demolition or construction works or deliveries to the site shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

Informatives:

01. Prior to commencement of groundworks, a badger sett will require closure under licence from Natural England. It is recommended that an ecological consultant is commissioned at the earliest opportunity to assist with the licence application and in order to minimise the risk of delays to the development.
-

Agenda Item 21

Officer Report On Planning Application: 14/02647/OUT

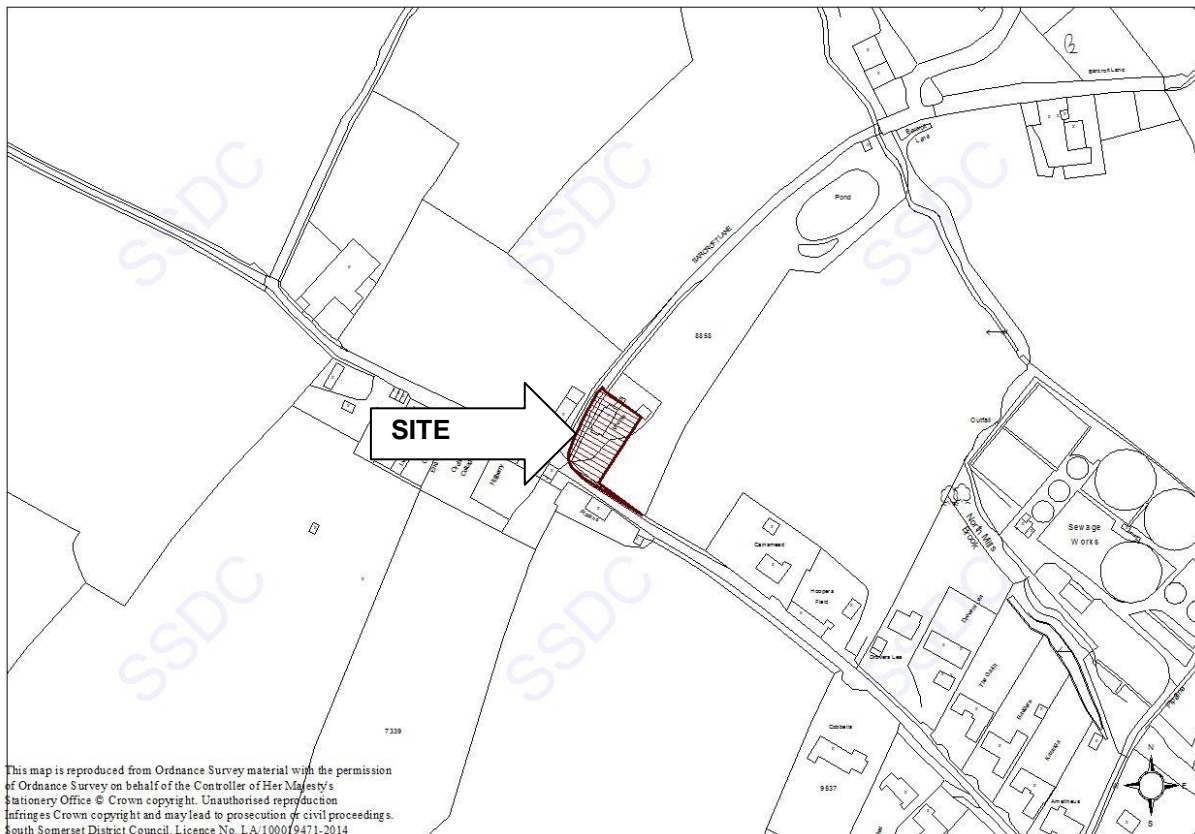
Proposal :	Demolition of garage and workshop and the erection of 1 No. dwellinghouse and garage (Outline). (GR 342836/117554)
Site Address:	Land Adjacent To Barcroft Lane, South Petherton.
Parish:	South Petherton
SOUTH PETHERTON Ward (SSDC Members)	Cllr P A Thompson Cllr B R Walker
Recommending Case Officer:	Louisa Brown Tel: (01935) 462344 Email: louisa.brown@southsomerset.gov.uk
Target date :	29th July 2014
Applicant :	Mr & Mrs N Screen
Agent: (no agent if blank)	Paul Dance, Foxgloves, 11 North Street, Stoke Sub Hamdon, Somerset TA14 6QR
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application for residential development is recommended for approval as a departure from saved policy ST3 of the South Somerset Local Plan which seeks to constrain development within Development Areas. However, the adopted local plan is increasingly out-of-date and policy ST3 is not consistent with the NPPF, as it is overly restrictive particularly in light of Paragraphs 54 and 55 of the NPPF, which aim to facilitate appropriate and sustainable housing to meet local need. Accordingly the application is referred to committee to enable the justification for the development to be considered, and in light of objections raised locally.

SITE DESCRIPTION AND PROPOSAL





This is an application seeking outline consent for the demolition of garage and workshop and the erection of 1 no. dwellinghouse and garage. The site is located on the northern side of Droeway on the edge of South Petherton. The site is made up of a rendered single storey workshop and garage with an additional detached metal storage shed. There is access to the site at the entrance to Barcroft Lane, it is proposed to block up this entrance and create a new access fronting the site onto Droeway.

The area is characterised by a partially built up area along a country lane. There are residential properties to the southeast and southwest. The properties in the area vary in age and style and overall dimensions. As you head towards the centre of South Petherton to the southeast the residential development becomes denser as you enter the designated Development Area. To the north and northwest of the site is open countryside.

HISTORY

07/01294/FUL: erection of a tractor/trailer shed (retrospective) - withdrawn
 96/00383/FUL: the construction of a wildlife pond - approved 27/03/96
 880071: the continued use of land as an agricultural forge - approved 26/02/88
 831221: Use of land adjoining agricultural forge for the repair of agricultural/horticultural machinery and household items - refused 16/09/83
 821256: the use of barn as an agricultural forge - approved 16/02/83
 781115: formation of vehicular access at junction of Barcroft Lane and Droeway - approved 20/07/78

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be

made in accordance with relevant development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the Local Planning Authority considers that the relevant development plan primarily comprises the saved policies of the adopted South Somerset Local Plan (2006). However, the emerging Local Plan which will replace the adopted Local Plan is in an advanced stage of adoption. The proposed 'Submission South Somerset Local Plan (2006 - 2028)' was submitted to the Planning Inspectorate for Independent Examination in January 2013. A series of Examination Hearing Sessions were held during May and June 2013, which resulted in the Inspector issuing a Preliminary Findings Letter to the Council outlining some issues of concern. The Examination resumed in June 2014 following additional work being undertaken by the Council to address the Inspector's concerns. It is anticipated that the emerging Local Plan will be ready for adoption early in 2015. Having regard to the advanced stage in the adoption of the emerging Local Plan, emerging policies can be afforded some weight in determining the application

Relevant Development Plan Documents:

Government Guidance:

National Planning Policy Framework

Chapter 6: Delivering a wide choice of high quality homes

Chapter 7: Requiring Good Design

Chapter 11: Conserving and enhancing the natural environment

South Somerset Local Plan (Adopted April 2006):

Saved Policy ST1 – Rural Centres

Saved Policy ST3 - Development Area

Saved Policy ST5 - General Principles of Development

Saved Policy ST6 - The Quality of Development

Saved policy EC3 - Landscape Character

ENVIRONMENTAL IMPACT ASSESSMENT

None required

CONSULTATIONS

South Petherton Parish Council: Recommend approval

Highways: Standing Advice

Environmental Protection unit: No observations

REPRESENTATIONS

Four neighbours were notified and a site notice displayed. Two letters of objection have been received the issues raised were;

- Workshop should have originally been demolished, but condition ignored
- Will all landowners be able to carry out further property development
- Prevention of encroachment into and development of agricultural land is supposedly a priority under the councils own policies.
- There is little evidence that policies are maintained with parity
- The site is not part of the applicants residential curtilage

- The erection of a dwellinghouse would be an improvement of the site if limited to single storey - anything higher would dominate the area visually and the height should be conditioned.
- The curtilage should be extended to include other sheds and the orchard so that the sheds can be removed as part of this permission.
- The field surrounding the site will have no access to it, access should be through the curtilage of the proposed dwellinghouse, but the application does not show this.
- The access is for the highway authority to assess but the visibility splays should be strictly enforced as the access is onto a narrow road.
- Allowing this application may lead to other application in the area being allowed.

CONSIDERATIONS

This application will go before the Area West Committee as it is a departure from the local plan. The key considerations of this application to be assessed are the principle of residential development in the proposed location, the access and highway safety, impact on residential amenity and visual amenity.

Principle of development:

The site lies outside of the defined development area, it should be noted that the policy framework provided by the extant Local Plan (1991 - 2011) is increasingly out-of-date, with certain policies not in accordance with the National Planning Policy Framework. The proposal is contrary to Policy ST3, however Policy ST3 is not consistent with the NPPF, as it is overly restrictive particularly in light of Paragraphs 54 and 55 of the NPPF, which aim to facilitate appropriate and sustainable housing to meet local need. A recent appeal decision made (ref: APP/R3325/A/14/2217950) makes reference to the use of policy SS2 of the emerging local plan, the Inspector stated;

"The council point out that Policy SS2 has not been questioned by the Local Plan Inspector's preliminary findings and was not debated at the reopened examination in June 2014. I therefore conclude that emerging policy SS2 can be given substantial weight. The council's also concedes that the proposed development cannot '....be dismissed out of hand....' as 'unsustainable' because it is outside the present settlement boundary....Such development could also be appropriate even were a five year housing land supply now to be in place, as weight should still be given to the contribution it would make to the provision and choice of housing in South Somerset....I conclude that the proposed development must therefore be considered against paragraph 14 of the Framework, i.e. permission should only be refused if significant and demonstrable adverse impacts outweigh a presumption in favour."

The comments above must be taken into consideration when assessing this application. South Petherton is considered a suitable location for 'modest' development within the limits of the emerging policy SS2. It is considered that the above statement along with the underlining golden thread of the NPPF for promoting sustainable development makes the proposal acceptable in principle.

With the presumption in favour of the site being developed then all other key considerations should be addressed, which will follow within this report.

Objections have been raised with regard to how our policies are dealt with and non-compliance with previous consents at the site. However as explained above Local Plan policies are changing in accordance with advice from central government. In any case each application should be assessed on their individual merits, regardless of previous history on the site and in

line with the relevant appropriate policies.

In addition to the concerns raised the agent has confirmed through email dated 22 August 2014 that the shed on site, shown within the blue line, will be removed from site within 3 months of the occupation of any dwelling agreed.

Highway Safety:

The site benefits from an existing access which is located at the entrance to Barcroft Lane. It is proposed to block up this access and relocate it to the frontage of the site onto Droveaway in order to achieve better visibility to the south east and northwest. Droveaway is a narrow lane that may benefit from a speed limit of 30mph based on it being a partially built up area. The highway authority has advised that their Standing Advice is applied.

On assessing the site it was evident that the approach to the site was on a narrow lane that was in need of some repairs and due to these factors it would be considered that speeds above 20mph would not be safely achieved. Based on a road with a speed limit of 20 mph the necessary visibility splays in each direction 2.4 metres back from the carriageway edge would be 25 metres. The plans clearly indicate that at least 33 metres can be achieved.

It is considered that on balance the site can accommodate the necessary visibility splays to exit from the site safely and that the proposed new access is an improvement on the one currently in existence for the workshop. The plans also clearly show that there would be enough room within the site for off road parking and turning to exit the site in a forward gear.

Neighbour concern has been raised over the lack of access to the orchard adjoining the site. The plans clearly indicate that there will be access from the parking and turning area to the orchard and the agent has confirmed this in an email dated the 22 August 2014. However only access to the site is to be agreed as part of this application and the additional access will be for reserved matters.

Visual Amenity:

The overall appearance and layout of the site is for reserved matters. In respect of this application we can only assess the principle of a dwelling on the site and the new access.

The Landscape Officer has verbally been consulted and confirmed that on balance he has no objection to the loss of hedgerow to create the new access and visibility splays based on the general character of the lane. There is also no objection to the overall height of a new dwellinghouse at this stage and the possibility of a two-storey dwelling is not considered to be unacceptable in this location, but will however be dependent upon the overall design at reserved matters which could possibly affect the overall height.

Subject to a satisfactory detailed design at the reserved matters stage, the proposal is considered to have no adverse impact on visual amenity in compliance with saved policies ST5 and ST6 of the South Somerset Local Plan.

Residential amenity:

The site has no immediate residential properties to the north, east and west. To the south is the lane and residential dwellinghouses. Concern has been raised over the possible height of the proposed dwelling and request made that a condition is imposed to limit it to a one-storey dwellinghouse.

Whilst the site is on an elevated position from the adjoining lanes there are no close adjoining residential properties and the overall character of Droveaway is mixed with single storey and two-storey dwellinghouse and as such it is considered unreasonable to restrict the height at this stage. The design of the dwelling, including height, would be assessed at the reserved matters stage.

Subject to a satisfactory detailed design at the reserved matters stage, the proposal is considered to have no adverse impact on residential amenity in compliance with saved policies ST5 and ST6 of the South Somerset Local Plan.

Conclusion:

It is considered that the proposed outline consent for a detached dwellinghouse with access to be agreed at this stage is acceptable by reason of location and access and does not adversely affect visual amenity, residential amenity or highway safety.

RECOMMENDATION

Approve with conditions

01. South Petherton by reason of its size and provision of services and facilities is considered a sustainable location in principle for appropriate development. The erection of a dwelling on this site, close to the settlement limit would respect the character of the locality with no demonstrable harm to residential amenity, visual amenity or highway safety. As such the proposal complies with relevant policies EC3, ST1, ST6 and ST5 of the South Somerset Local Plan (Adopted April 2006) and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

03. Approval of the details of the appearance of the building(s), the landscaping of the site, Layout and Scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

04. The development hereby permitted shall be carried out in accordance with the following approved plan:

Drawing no. 14/1416/01

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

05. Before the dwelling hereby permitted is first occupied, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan.

06. The entrance gates shall be hung to open inwards only and set back 5 metres from the carriageway edge as shown on the approved drawing no. 14/1416/01 and thereafter shall be maintained in that condition at all times.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan.

07. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the proposed access and extending 33 metres to the East and West as shown on the approved plan, drawing no. 14/1416/01. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan.

09. The dwelling hereby permitted shall not be occupied until the existing access has been stopped up and its use permanently abandoned in a manner to be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan (2006).

10. The gradient of the access shall not be steeper than 1 in 10. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan (2006).

11. The metal shed located to the north of the red site line, within the blue ownership line, shall be removed within 3 months following the occupation of the new dwelling.

Reason: in the interest of amenity of future occupiers and in the interest of visual amenity and to accord with saved policy ST6 of the South Somerset Local Plan (2006).

Agenda Item 22

Officer Report On Planning Application: 14/03375/FUL

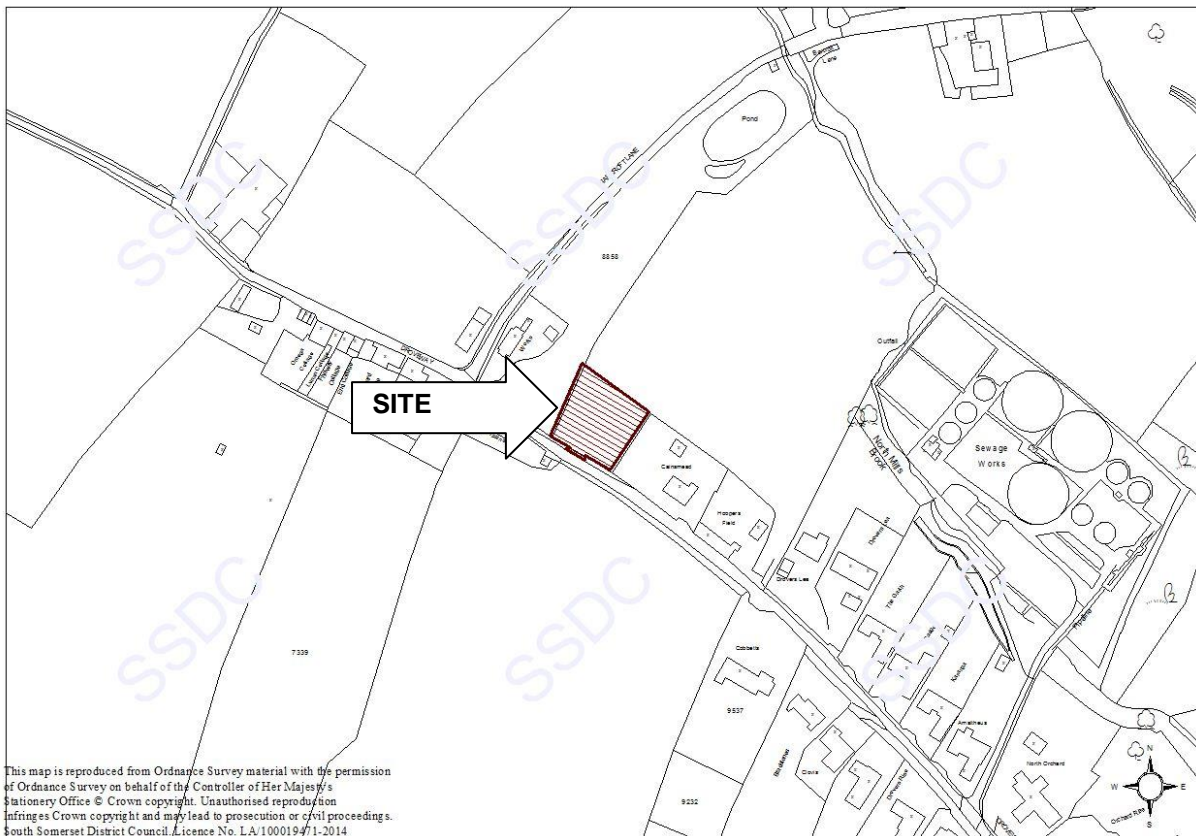
Proposal :	Erection of 2 No. detached dwellinghouses, garages and parking with associated access and landscaping (GR 342879/117503)
Site Address:	Land Adjacent Cainsmead, North Street, South Petherton.
Parish:	South Petherton
SOUTH PETHERTON Ward (SSDC Members)	Cllr Paul Thompson Cllr Barry Walker
Recommending Case Officer:	Diana Watts Tel: (01935) 462483 Email: diana.watts@southsomerset.gov.uk
Target date :	19th September 2014
Applicant :	Mr & Mrs P Russell & Mr E Cox
Agent: (no agent if blank)	Mr Matt Frost, Motivo, Alvington. Yeovil, Somerset BA20 2FG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application for residential development is recommended for approval as a departure from saved policy ST3 of the South Somerset Local Plan, which seeks to constrain development within Development Areas. However, the adopted Local Plan is increasingly out-of-date and policy ST3 is not consistent with the NPPF, as it is overly restrictive particularly in light of paragraphs 54 and 55 of the NPPF, which aim to facilitate appropriate and sustainable housing to meet local need. Accordingly the application is referred to committee to enable the justification for the development to be considered, and in light of concerns raised locally.

SITE DESCRIPTION AND PROPOSAL





This is a full application seeking planning permission for the erection of 2 detached houses and garages. The site is located on the northern side of Droveaway on the edge of South Petherton. The site is 0.1 ha and forms part of a larger field. It is bounded by hedgerows on three sides and lies approximately 90m from the Development Area.

The area is characterised by a partially built up country lane. There are residential properties to the south-east and the north-west. The properties in the area vary in age, style and scale. Cainsmead itself is a rendered bungalow on a large plot but as you head towards the centre of South Petherton to the southeast, the residential development becomes more dense and traditional. Immediately to the north, south-west and northwest of the site, there is open countryside and beyond this, further to the north-west, there is a cluster of traditional stone houses positioned close to the road.

The proposed houses would have 3 bedrooms and a detached double garage each, located to the rear of the site. A new vehicular access is proposed in the centre of the site onto the Droveaway to serve both houses. The roadside hedgerow would be removed in order to provide visibility and a new native species hedgerow would be planted behind the visibility splays. The hedgerows to the east and west side boundaries would be retained and protected during construction, and a new native hedgerow planted on the rear boundary. The houses would be faced in natural hamstone to the front and one side elevation, with buff coloured brick elsewhere. Double Roman clay tiles would be used on the roof on plot 2 and natural slate tiles on plot 1. Windows would be timber and painted.

The following supporting information has been submitted:

Planning Statement,
 Tree Report,
 Ecological Assessment and
 Transportation and Highways Appraisal

HISTORY

None

POLICY

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

For the purposes of determining current applications the Local Planning Authority considers that the relevant development plan primarily comprises the saved policies of the adopted South Somerset Local Plan (2006). However, the emerging Local Plan which will replace the adopted Local Plan is in an advanced stage of adoption. The proposed 'Submission South Somerset Local Plan (2006 - 2028)' was submitted to the Planning Inspectorate for Independent Examination in January 2013. A series of Examination Hearing Sessions were held during May and June 2013, which resulted in the Inspector issuing a Preliminary Findings Letter to the Council outlining some issues of concern. The Examination resumed in June 2014 following additional work being undertaken by the Council to address the Inspector's concerns. It is anticipated that the emerging Local Plan will be ready for adoption early in 2015. Having regard to the advanced stage in the adoption of the emerging Local Plan, emerging policies can be afforded some weight in determining the application

Relevant Development Plan Documents:

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

Policy ST1 - Rural Centres
Policy ST3 - Development Area
Policy ST5 - General Principles of Development
Policy ST6 - The Quality of Development
Policy EC1 - Protecting the best and most versatile agricultural land
Policy EC3 - Landscape Character
Policy EC8 - Protected Species

Policy related material considerations

National Planning Policy Framework
Chapter 6: Delivering a wide choice of high quality homes
Chapter 7: Requiring Good Design
Chapter 11: Conserving and enhancing the natural environment

ENVIRONMENTAL IMPACT ASSESSMENT

None required

CONSULTATIONS

South Petherton Parish Council: Recommend approval

Highways: Standing Advice

Ecologist: No comments or recommendations to make

Arboriculturist: The trees and hedgerows within and adjoining this site have modest arboricultural and ecological values, worthy of a degree of care.

I consider the potential impact of the proposal to be acceptable, although I would be grateful if you would consider imposing a landscaping scheme of new tree & hedgerow planting, as well as some simple protection measures to avoid accidental damage by construction-related activities. Tree protection condition suggested.

Landscape Architect: The site lays within the scope of the peripheral landscape study of South Petherton, which was undertaken during June 2008. This study reviewed the settlement's immediate surrounds with the objective of identifying land that has a capacity for development, looking both at the character of the town's peripheral landscape, and the visual profile and relationship of open land adjacent the town's edge. For the detailed evaluation I would refer you to;

<http://www.southsomerset.gov.uk/planning-and-building-control/planning-policy/evidence-base/district-wide-documents/peripheral-landscape-studies/>

The outcome of the study is represented by 'figure 5 - landscape capacity', which is a graphic summary of the preceding evaluation. Fig 5 indicates that the field within which this site lays that is subject of this application, is evaluated as having a moderate capacity to accommodate built development. Whilst this is an evaluation that might indicate some scope for development, it is not the favoured location for growth within the town from a landscape perspective. However, it is acknowledged that the site is at the field's edge within its western corner, and other linear development already characterises the lane along that same field edge. The need to remove the existing roadside hedge is of some concern, though it is acknowledged that a series of interventions for residential access also characterise the lane both to southeast and northwest. Consequently, I do not envisage significant landscape impact, and thus raise no grounds for objection. If minded to approve, please condition a planting proposal for a new roadside, and rear garden, hedgerows, to define and contain the plots.

REPRESENTATIONS

Four nearby neighbours were notified and a site notice displayed. One letter of representation has been received making the following general observations:

- This application follows the adjacent application by Hillberry; can we guess the next one? How about the paddock opposite?
- Council policy states agricultural land is a finite resource; question how this is interpreted

CONSIDERATIONS

This application is to be considered by the Area West Committee as it is a departure from the Local Plan. The key considerations of this application are the principle of residential development in the proposed location, highway safety, impact on residential amenity and visual amenity.

Principle of development

The site lies outside the defined development area and it should be noted that the policy framework provided by the extant Local Plan (1991 - 2011) is increasingly out-of-date, with certain policies not in accordance with the National Planning Policy Framework. The proposal is contrary to policy ST3, however policy ST3 is not consistent with the NPPF, as it is overly restrictive, particularly in light of paragraphs 54 and 55, which aim to facilitate appropriate and

sustainable housing to meet local need and enhance/maintain the vitality of local communities. A recent appeal decision made (ref: APP/R3325/A/14/2217950) makes reference to the use of policy SS2 of the emerging local plan, the Inspector stated;

"The council point out that policy SS2 has not been questioned by the Local Plan Inspector's preliminary findings and was not debated at the reopened examination in June 2014. I therefore conclude that emerging policy SS2 can be given substantial weight. The council's also concedes that the proposed development cannot '....be dismissed out of hand...' as 'unsustainable' because it is outside the present settlement boundary...Such development could also be appropriate even were a five year housing land supply now to be in place, as weight should still be given to the contribution it would make to the provision and choice of housing in South Somerset.....I conclude that the proposed development must therefore be considered against paragraph 14 of the Framework, i.e. permission should only be refused if significant and demonstrable adverse impacts outweigh a presumption in favour."

The comments above must be taken into consideration when assessing this application. South Petherton is considered a suitable location for 'modest' development within the limits of the emerging policy SS2. The site is located on the edge of an existing settlement, which contains a wide range of facilities, including numerous shops, a school, a church, recreational facilities, pubs, doctors surgery and hospital. The centre of the village is within walking distance (approx. 680m).The proposed location is therefore, considered to be a sustainable location for new residential development in line with the definition contained within the NPPF. It is considered that the above statement, together with the underlining golden thread of the NPPF for promoting sustainable development, make the proposal acceptable in principle.

Comments from a local resident have been made with regard to precedent and loss of agricultural land. It is appreciated that further applications might be made in the area on the basis that this is considered to be a sustainable location (Members will note that an application 14/02647/OUT to the north-west is also being considered) but each case must be assessed on its individual merits and particular attention should be paid to assessing the impact on the rural landscape and character of the area. As far as the loss of agricultural land is concerned, this land is grade 2 agricultural land. The NPPF states that the LPA needs to take into account the economic and other benefits of the best and most versatile agricultural land and where significant development is necessary poorer quality shall be used in preference to higher quality. This is a relatively small part of a large field which can still be used for agriculture and it is not considered that this development is 'significant' as detailed in the NPPF. Therefore this proposal is not considered to conflict with policy EC1 and the NPPF.

Highway Safety

A Parking Strategy has been adopted and Standing Advice published in 2013. In addition, the National Planning Policy Framework, introduced in 2012, states that development should only be refused where the impact of the development on highway safety would be severe.

The Parking Strategy requires 2.5 spaces per dwelling and there is ample space for 4 vehicles per house on the site. The parking provision is therefore considered acceptable and meets the adopted Parking Strategy.

The Highway Authority has referred the Local Planning Authority to the published Standing Advice. This gives advice on the standards, such as the dimensions required for turning, parking space and visibility. The driveway, parking and turning areas are considered acceptable in terms of their dimensions and layout to enable vehicles to exit the site in a forward gear.

The application proposes to create a new vehicular access onto the lane which is an unclassified road. It would involve the removal of the roadside hedge to provide visibility.

Droeway is a narrow lane (approx. 3m wide in front of the site) with no footway or street lighting in the vicinity of the site, terminating about 240m to the west of the site, where it is considered that speeds above 20mph would not be safely achieved. Based on a speed limit of 20 mph, the necessary visibility splays in each direction (2.4 metres back from the carriageway edge in the centre of the access) would be 25 metres. The plans indicate that this can be achieved (2.0m back). The Manual for Streets document states that a 2.0m distance can be used in some lightly trafficked, slow speed areas and the proposal is therefore considered to be acceptable in terms of highway safety in this location.

Visual Amenity

Droeway is a rural lane characterised by hedgerows both sides of the road in the vicinity of the site. Some linear development already characterises the lane along the same field edge and a number of houses exist beyond the site to the north-west. As highlighted by the Landscape Architect, the need to remove the existing roadside hedge is of some concern, although it is acknowledged that a series of interventions for residential access also characterise the lane both to south-east and north-west and that the proposal includes a replacement native hedgerow set back from the roadside. In addition, the site levels are such that they fall away from the road, helping to reduce the impact of the new houses. Consequently, it is considered that the proposal would not have a significant landscape impact, subject to a landscaping condition to ensure that the plot is appropriately screened and contained.

The proposed houses have a traditional form with steep pitched roofs, subservient rear 'extensions' and detailing drawn from the local vernacular. The proportions are relatively modest with the main building being 6.4 deep, 4.5m high to eaves and 7.4m to ridge, in keeping with cottage scale buildings. The proposed materials, including the use of natural hamstone, clay and natural slate roof tiles and timber openings are considered acceptable.

Residential amenity

The only immediate neighbouring property to the site is Cainsmead to the south-east. Significant space would be retained to the side of this bungalow and the plans have been amended to remove the first floor windows proposed on the side elevation of the nearest plot, plot 2. With the intervening hedgerow retained, it is considered that there would be no loss of privacy or light to Cainsmead. The next nearest property is Pippins, a house on the opposite side of the road, located to the north-west of the site. It looks out onto land adjacent to the application site and it is not considered to be adversely affected by the proposal. It is also felt to be far enough away not to affect the privacy of the proposed houses. No objections have been received from either neighbour.

Conclusion

It is considered that the proposal would be a modest continuation of the existing linear settlement pattern in a sustainable location, which would safeguard the character of the area, residential amenity and highway safety.

RECOMMENDATION

Approve with conditions

01. South Petherton, due its size and provision of services and facilities is considered a sustainable location for appropriate development. The proposed erection of two houses on this site, close to the settlement boundary would respect the character of the locality with no demonstrable harm to residential amenity, visual amenity or highway safety. As such, the proposal complies with relevant policies EC3, ST1, ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006) and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos. 3401/001A, 3401/002B, 3401/003B, 3401/004, 3401/005A, 3401/006, 3401/007 and N6027-01 received 8 September 2014 and 25 July 2014.

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

03. The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan 2006.

04. Before the dwellings hereby permitted are first occupied, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel for the first 5m) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in that condition thereafter.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan 2006.

05. The entrance gates shall be timber and installed in accordance with drawing no. 3401/001A unless otherwise agreed in writing by the Local Planning Authority and thereafter shall be maintained in that condition at all times.

Reason: In the interests of visual amenity and highway safety, in accordance with policies ST5 and ST6 of the South Somerset Local Plan 2006.

06. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.0 metres back from the carriageway edge on the centre line of the proposed access and extending 25 metres to the East and West as shown on the approved plan, drawing no.3401/001/A. 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 ST5 of the South Somerset Local Plan 2006.

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

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan 2006.

08. The development hereby approved shall not be commenced unless details of site vegetative clearance, ground-works, heavy machinery entering site or the on-site storage of materials and a scheme of tree & hedgerow protection measures have been submitted to and agreed in writing by the Local Planning Authority and it shall include the following details:

The installation & specification details of rigidly-braced HERAS panel protection fencing; and a requirement for a pre-commencement site meeting to be held between the appointed building/groundwork contractors, and the Council's Tree Officer (Phillip Poulton - 01935 462670), in order to ensure compliance with the agreed tree protection measures.

Upon approval by the Local Planning Authority, the measures specified within the agreed scheme of tree and hedgerow protection shall be implemented in their entirety for the duration of the construction of the development, inclusive of landscaping operations.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with policy ST6 of the South Somerset Local Plan 2006 and those statutory duties defined within the Town & Country Planning Act, 1990.

09. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of the boundary hedgerows to be retained, together with measures for their protection during the course of the development, additional planting to enhance the boundary planting and details of any changes proposed in existing ground levels. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The landscaping scheme shall include details of the height at which the hedgerows would be retained/maintained and details of the new hedgerows of native species on the front and rear boundaries of the site as indicated on drawing no. 3401/001A.

Reason: To safeguard the character and appearance of the area in accordance with policy ST6 of the South Somerset Local Plan 2006.

10. No development hereby approved shall be carried out unless the following details have been submitted to and approved in writing by the Local Planning Authority:

- a. details of the natural stone, brick, watertabling, slate and clay tiles, (including the provision of samples where appropriate) to be used for the external walls, roofs and chimneys;
- b. a sample panel of stonework, to be prepared for inspection on site, to show the final appearance and finish of the stone external walls comprised in the development;
- c. details of the design of the windows to show the frame profile/proportions and that they would be balanced together with details of their colour/finish together with the colour/finish of the doors, and
- d. details of all lintels, window cills, eaves/fascia board detailing, porch boarding, guttering, downpipes and other rainwater goods, including their material, colour and finish.

Once approved, such details shall be fully implemented unless otherwise agreed in writing by the Local Planning Authority, and thereafter retained and maintained.

Reason: To safeguard the character and appearance of the area in accordance with policy ST6 of the South Somerset Local Plan 2006.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be formed at first floor level on the side elevations of the houses hereby approved, without the prior express grant of planning permission.

Reason: To safeguard the amenities of the area in accordance with policy ST6 of the South Somerset Local Plan 2006.

Agenda Item 23

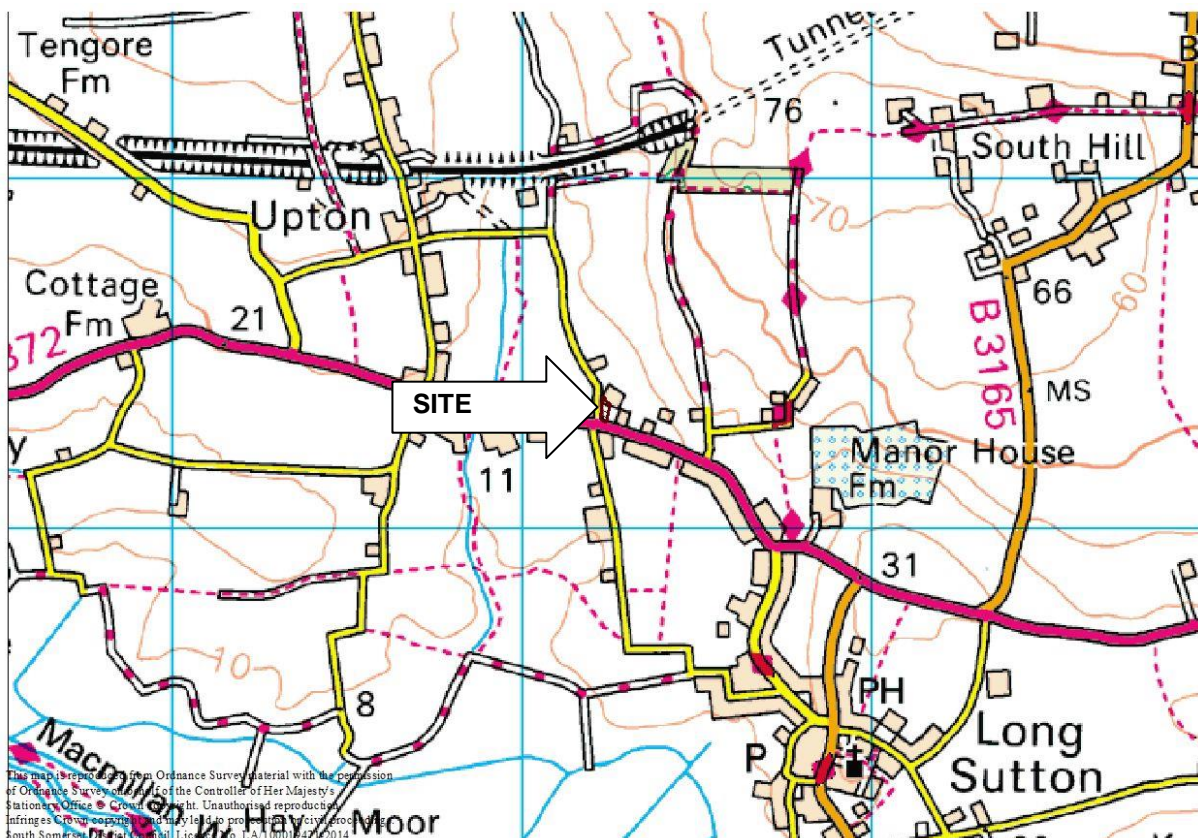
Officer Report On Planning Application: 14/02953/FUL

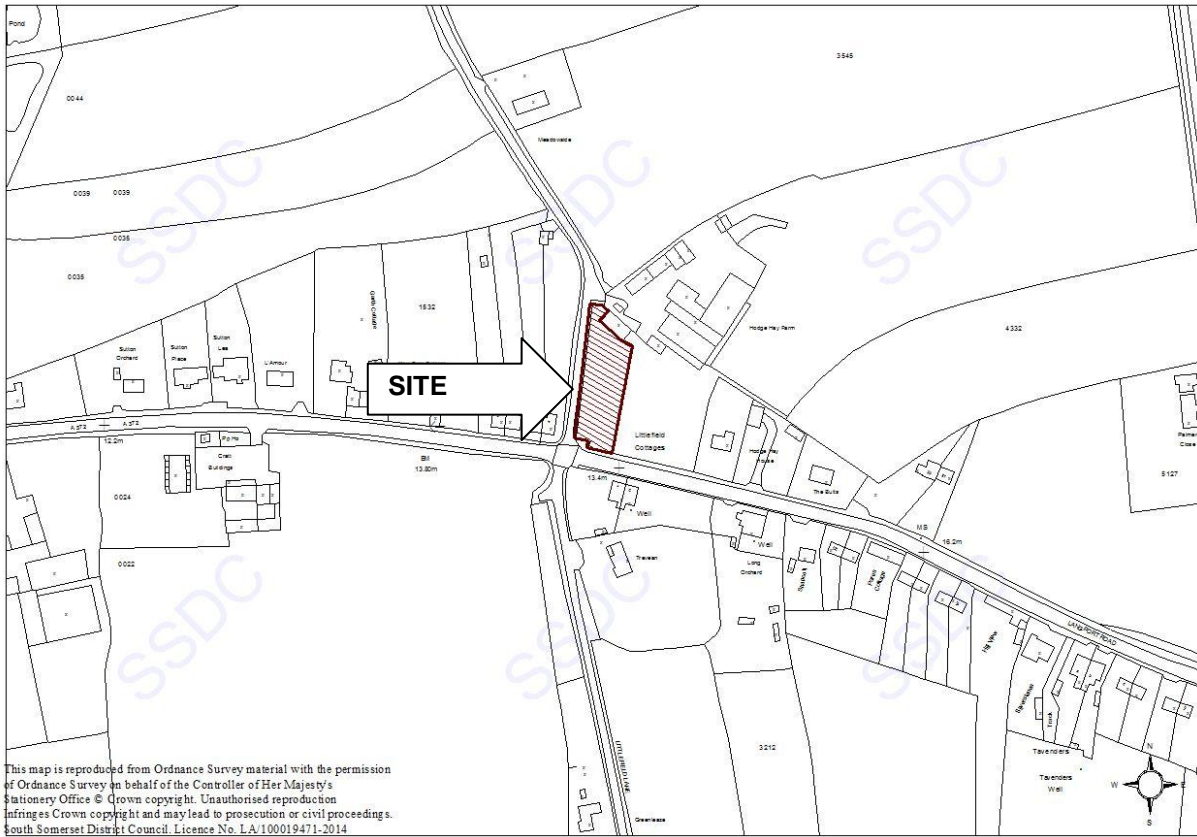
Proposal :	Proposed erection of new dwelling with detached single storey double carport and creation of vehicular and pedestrian access. (GR 346239/126287)
Site Address:	Land At Long Furlong Lane, Long Sutton.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr Shane Pledger
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	5th September 2014
Applicant :	Mr & Mrs T Cox
Agent: (no agent if blank)	Mr Joe Edwards, Lake View, The Maltings, Charlton Estate, Shepton Mallet, Somerset BA4 5QE
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The report was referred to the Ward Member, as the recommendation is at variance with the views of the Parish Council and local residents. The WM requested that the matter be referred to Committee for a full discussion. As the WM is the Area Chair, the report is referred to the Deputy Chair.

SITE DESCRIPTION AND PROPOSAL





The site is located on the north side of the A372 Langport Road, to the west of the village, and on the eastern corner of Long Furlong Lane.

It is located approximately 650m to the west of the edge of the Long Sutton defined development area, and it as the western end of existing linear development extending westward from the village (mostly on the south side of the A372). There is a mix of dwelling types along the A372, of varying sizes, designs and finishes.

The site is within a large open area of agricultural land measuring a total of about 3500 sq m., between Long Furlong Lane and the next dwellinghouse, Hodge Hay House. The site itself is an area of 1100 sq m, fronting onto Long Furlong Lane. Across the lane is open land/garden area of the cottages fronting onto the A372. To the north of the site is a farmyard; agricultural land separates the site to the east to the rear and the nearest dwellinghouse.

Permission is sought for the erection of a new dwellinghouse with detached double carport, and the creation of access onto Long Furlong Lane.

HISTORY

No relevant recent history.

POLICY

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

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

The policies of most relevance to the proposal are:

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

ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
ST10 - Planning Obligations
EC3 - Landscape Character
EC5 - Nationally Important Sites - Sites of Special Scientific Interest
EP1 - Pollution and Noise

National Planning Policy Framework (March 2012):

Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 11 - Conserving and Enhancing the Natural Environment

Planning Practice Guidance - Department of Communities and Local Government, 2014.

Policy-related Material Considerations

South Somerset Sustainable Community Strategy

Somerset County Council Parking Strategy, March 2012 and September 2013.
Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: Supports the application.

Highways Authority: No objection is raised: Standing Advice is referred to. In respect of the poor visibility at the junction of Long Furlong Lane with the A372, the following comment was received: *This was issued as Standing Advice as there is technically no impact; a single residential unit generates a minimal level of trips and would not result in any detrimental or severe (NPPF) impact to the junction regardless of whether visibility is not to the required standard. It would not be appropriate to refuse an application for a single dwelling on the existing surrounding highway network.*

SSDC Area Engineer:

SSDC Landscape Officer: *The recently published PPG (Natural Environment) has re-iterated the necessary role of landscape character assessment in planning for change due to development without sacrifice of local character and distinctiveness. An understanding of landscape character is also utilised to help determine a view on what may - or may not - be acceptable in terms of development form in any particular landscape, and it is this capacity of landscape character assessment to inform appropriate development that is pertinent to this application.*

The site lays outside the core of Long Sutton village, but lays amongst a number of roadside plots that extend along the Langport Road. This stretch of road is characterised by primarily

single-plot depth residential plots, interspersed by small paddocks and larger fields, within a wider countryside context. The application site lays within a paddock that is clearly rural in character, as expressed by its pasture cover and native hedge surround, and this pasture is one of the intervening open spaces that characterises this stretch of road, and assists in breaking up the potential for ribbon development. Consequently there is no landscape case for development here, for the proposal to place a residential plot on farmland is seen as both an erosion of the countryside, and an adverse impact upon local landscape character. Additionally, there is no intrinsic environmental enhancement in supplanting farmland with a domestic use, to fail to meet LP policy ST3. This provides a clear basis for a landscape objection, policies ST5 para 4, and ST3.

SSDC Environmental Protection Unit: *I would recommend refusal of this application.*

It is the close proximity of the proposed dwelling and its curtilage to the working farm which raise concerns about the quality of life and amenity which could be enjoyed by the occupants.

It is my opinion that any occupants of the propose dwelling would be potentially affected by noise, odour, dust arising from a farming business in such close proximity.

These adverse impacts would have most impact on the use and enjoyment of the external private area to the dwelling but will also have a significant potential to cause loss of amenity to the dwelling itself.

These conflicts cannot be overcome without major constraint upon the existing farming business

Should a permission be granted it is recommended that it be subject to an agricultural tie.

Natural England: No objection.

REPRESENTATIONS

Two letters of support have been received, making the following points:

- the dwelling will enable the applicant to be on site in the interests of his farming business
- living next door to the farm has not been inconvenient in any way (comment of an existing neighbour next to the farmyard)

CONSIDERATIONS

Principle of Development

The site is outside of the defined development area, and on a sizeable parcel of agricultural land adjacent to a farmyard.

Whilst the proposed development is not strictly an isolated new dwelling as it sits within an existing linear form of development, it is still subject to the same degree of protection as the open countryside and therefore considered to be unsustainable by virtue of its distance from local services. As well as being outside of the village defined development area, the site is located more than 1.2km from both the primary school and village shop. While there is a continuous footway from the site along the north side of the A372 to Shute Lane, there is a need to cross the main road to access the village, with no safe means of crossing. Both of these factors reinforce the likely reliance on use of the motor vehicle. For this reason, the proposed development of the site is not considered to meet the aims of sustainable

development identified within the NPPF.

There is, therefore, a principle objection to the proposal on sustainability grounds.

Justification of a Dwelling

From the submission details, it would appear that the proposal is for a dwelling for the owner/operator of the adjacent farming business, on the basis that it would be convenient to be near his place of work. However, the application has not been justified by any business plan or agricultural appraisal, which would be required to establish both a functional need for such a dwelling as well as the financial viability of the enterprise. In this unsustainable rural location, it is not considered that any justification has been offered that would overcome the sustainability concerns raised by the application.

Precedent: Previous Approval to the East of this Site

The applicant makes reference to an application recently approved on a site to the east of the current application site. That application (14/00273/FUL) was approved for the following reason:

The proposed dwelling will have an acceptable impact upon the surrounding landscape, the setting of the listed building, highway safety and neighbour amenity. Furthermore, in the absence of the required housing land supply it is considered that this is an acceptable infill plot that is within reasonable distance of the village facilities that can be accessed by a pavement.

Since that approval, it has been possible for the Council to demonstrate a 5-year supply of housing land, plus a 20% buffer. The benefit of adding to the housing supply is therefore no longer a consideration.

That application also related to an 'infill' type of plot, a site of about 1000 sq m, bounded on either side by domestic gardens. The proposed dwellinghouse would be within about 10-15m of adjoining dwellings, and within the same building line. This current site, by comparison, is a large open piece of agricultural land, making an important visual contribution to the countryside character of the setting, and is set away from built form, other than farm buildings.

It is not considered that the previous approval would indicate a precedent for the approval of this current application.

Visual and Landscape Impact

The Landscape Officer has clearly set out an objection to the proposal on the grounds of its impact on this rural setting. The proposal would supplant open agricultural land or paddocks with domestic development, and there would be a loss of this sizeable gap in the built form along this section of the A372.

An issue not specifically referred to by the Landscape Officer is the likely impact on Long Furlong Lane itself. It is a narrow, rural lane, lined by mature hedges. The proposal would require significant harm to the hedging, and widening of the visual impact of the lane, by the requirement to provide visibility splays for the new access. The splay to the south would have an impact on a considerable length of the existing hedge, as shown on the submission site plan.

The proposal is considered to be contrary to the established local pattern and character of development, and harmful the local setting and landscape, contrary to Policies ST3, ST5 and

EC3 of the Local Plan.

Design of House

The proposal is for a traditional-style farmhouse, to be constructed in natural stone, with tiled roof. Given the variety of dwellings in the area, it is not considered that this design raises any particular concerns that would indicate refusal, aside from the sheer impact of so substantial a dwelling in this position on open land, within 10m of the A372.

Highway Safety

The Highways Authority has not commented on the application or objected, maintaining that 'Standing Advice' applies. This is not the case, as the road at this point has a 60 mph speed limit - which is not catered for in the standing advice. The Highways Authority was also questioned on the intersection with the A372, which appeared to the case officer to be sub-standard. The Highways Officer's comments are noted above.

Examining the application, it would appear that speeds this close to the intersection, certainly in a northerly direction, would not require anything above the 30 mph visibility splay of 43m. The applicant's drawing shows that this can be achieved in both directions, albeit at the cost of significant amounts of hedging.

It is not considered, on the basis of the above observations, that the proposal would represent a highway safety hazard to the degree that a refusal of the application would be warranted.

Ecology

The site falls within the consultation zone of the Wet Moor Site of Special Scientific Interest. No harm to the SSSI has been identified - no objection is raised by English Nature.

Impact on Residential Amenity

The proposed dwelling is to be located in close proximity to a working farmyard and large agricultural buildings. The EPU Officer has raised a clear objection on this basis. Future occupants would enjoy a poor standard of amenity resulting from noise, odour and other nuisances, contrary to the aims of both the Local Plan and the NPPF.

The EPU Officer suggests that this might be acceptable in the case of a worker employed in agriculture on the site. The applicant has been approached on the issue, but is not prepared to consider an agricultural tie for a dwellinghouse in this position.

No concerns are raised in regard to amenity impacts on surrounding development. The nearest dwellinghouse is across Long Furlong Lane; the elevation facing that way only has one upper storey window (bedroom) which is proposed to be obscure glazed. On the east side, the nearest house is too distant to create any overlooking issue.

EIA Regulations

Not relevant.

Conclusion

The proposal represents an unjustified development in an unsustainable countryside setting that would foster growth in the need to travel. The significant visual harm to the setting and

local landscape, in the loss of this important gap in the built form along the A372, is not considered to be outweighed by any advantage in relation to the provision of this single house for open market occupation. The proposal is contrary to the aims of the NPPF and saved Policies ST3, ST5 and EC3 of the Local Plan, and is recommended for refusal.

S.106 AGREEMENT

Should consideration be given to approval of the dwelling as housing for the adjacent farmer, it would be appropriate to seek to tie the dwelling to the farm (a suggestion explicitly rejected by the applicant). This could be done primarily by way of an occupancy condition. However, it might also be appropriate to seek a non-fragmentation agreement to ensure that occupants of the house have a primary ongoing relationship with the adjacent farm to avoid future noise and other nuisance issues arising.

RECOMMENDATION

Refuse.

REASONS:

01. The proposal fails to respect the form, character and setting of the locality and of the landscape at this point, and the relationship of built development to that character. The resulting development would foster ribbon development; it would result in the loss of an open space with visual and environmental value; and it would harm the rural character of Long Furlong Lane. In these respects, the proposal is contrary to the aims of the NPPF and saved Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan, 2006.
02. The proposal represents an unjustified development in an unsustainable countryside location that would foster growth in the need to travel by private motor vehicle, and that would not maintain the existing environment, contrary to the aims and objectives of the NPPF, and saved Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan, 2006.
03. The proposed dwelling, by reason of its location adjacent to a working farmyard, would offer an unacceptable standard of amenity for future occupants, in respect of noise and odour generated by the farmyard, contrary to the aims and objectives of the NPPF and saved Policy EP1 of the South Somerset Local Plan, 2006.

Informatives:

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

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.

Agenda Item 24

Officer Report On Planning Application: 14/03405/FUL

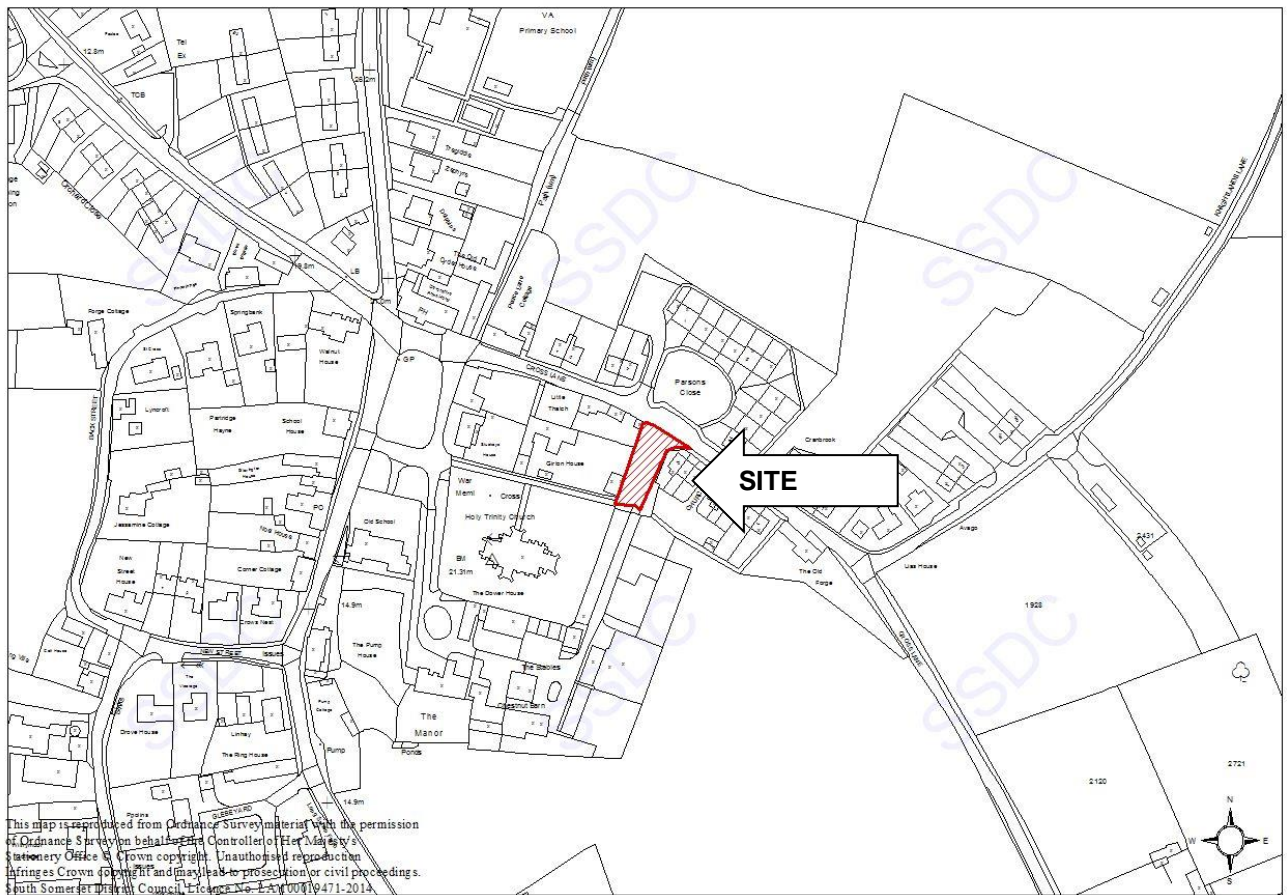
Proposal :	Erection of a gatehouse dwelling (GR: 347012/125350)
Site Address:	Land At The Manor Cross Lane Long Sutton
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr S Pledger
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	23rd September 2014
Applicant :	Mr Shane Pledger
Agent: (no agent if blank)	Mr Richard Rowntree Lake View Charlton Estate Shepton Mallet Somerset, BA4 5QE
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASONS FOR REFERRAL TO AREA NORTH COMMITTEE:

The applicant for this application is Shane Pledger, a South Somerset District Council Councillor, as such under the adopted Scheme of Delegation (part f, paragraph 151) this application cannot be determined under delegated powers and must be referred to the Committee for resolution.

SITE DESCRIPTION AND PROPOSAL





This application is seeking full planning permission to erect a two-storey dwellinghouse.

The application site occupies a central location within Long Sutton close to the village shop, pub and primary school and is within the defined development area and conservation area. The site is surrounded predominantly by residential development with a grade II listed property immediately to the west (Little Thatch) and close to the grade I listed Holy Trinity Church, which is to the southwest of the site. Access to the site is off Cross Lane and via a shared drive which leads to the existing development at Manor Farm to the south. A public right of way passes along this drive immediately to the east and south of the application site.

HISTORY

08/00577/FUL: Alterations to existing access drive and walls and erection of a detached dwelling. Refused for the following reasons:

- “The erection of a dwelling in very close proximity to a range of substantial, mature trees that are in the ownership of a third party will have a significant impact upon the amenity of future occupiers of the dwellings in terms of loss of light and the over-bearing impact together with the potential for the creation of a damp and uninviting rear garden and the ongoing fear of damage being caused by the trees. It is therefore considered that the relationship between the proposed dwelling and the trees is unacceptable and will create a sub-standard living environment for the future occupiers of the dwellings. The proposal is therefore contrary to Policy ST6 of the South Somerset Local Plan.”*

An appeal was lodged against this decision and was dismissed on the basis that the

amenities of future occupiers of the proposed dwelling would be unacceptable by virtue of the restricted levels of light, particularly to the sitting room windows, due to trees growing within the neighbour's garden to the west. The Inspector also noted that the relationship between the proposed dwelling and the neighbouring trees would be uncomfortable and very likely to result in requests for pruning (creating an unnatural flat-sided canopy) or feeling of the trees. She considered that the retention of the trees was important in creating a good streetscene and preserving the high quality of development that is inherent to the character and appearance of this part of the Conservation Area and the setting of the listed buildings.

08/00579/LBC: Demolition and replacement of boundary walls. Permitted.

07/05048/FUL: Erection of one dwellinghouse and alterations to existing wall and access drive. Withdrawn.

07/05050/LBC: Demolition and replacement of boundary walls. Withdrawn.

07/02947/FUL: Erection of one dwellinghouse and alterations to existing walls and access drive. Withdrawn.

07/02950/LBC: Demolition of existing boundary walls. Withdrawn.

POLICY

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

The development plan comprises the South Somerset Local Plan and the policies of most relevance to the proposal are:

ST5 - General Principles of Development

ST6 - The Quality of Development

EH1 – Conservation Areas

EH5 - Development Proposals Affecting the Setting of Listed Buildings

National Planning Policy Framework:

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

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

Part 11 - Conserving and enhancing the natural environment

Part 11 - Conserving and enhancing the historic environment

CONSULTATIONS

Long Sutton Parish Council: No issue with the principle of development at this location, the council had concerns as to the design, namely the bay windows. It was felt that this was not a feature of this part of the parish. The Council voted to object on the basis of the design, namely the bay windows.

Should the plans be amended removing the bay windows to be replaced with mullion style windows then the Council would be minded to support this application.

As an informative a member of the council expressed concern regarding the large tree adjacent to the plot and the need for care during works so as to try and protect the tree.

County Highways: Referred to their standing advice which sets out the following

requirements:

- Visibility splays of 43m in either direction measured 2.4m back from the edge of the carriageway;
- Entrance gates to open inwards and set back a minimum of 5 metres from the carriageway edge;
- A minimum level of on-site parking of 2.5 parking spaces plus space for turning.

Conservation: Only verbal comments have been received to date stating that they have no objection subject to conditions to control detailed materials and design.

Arborist: No objection.

Initial comments - The Walnut has a radial Root Protection Area requirement of 5.76 metres. It is set back from the boundary wall by 3 metres. Although the foot-print of the build is within this area, the presence of the wall appears likely to have asymmetrically influenced the development of the roots. The crown of the Walnut overhangs the site by 4 metres. I would recommend that the crown is sympathetically re-shaped by an appropriately experienced arborist to provide clearance for the required scaffolding. I believe that a service strip clearance is to be maintained between the proposed house and the boundary wall, which will allow future cutting back.

The x 2 Cypress trees adjoining the boundary are approximately 5 metres in height. I have advised the Applicant that future occupiers of the dwelling are likely to resent this obstruction to daylight, possibly leading to a formal complaint to the Council under Part 8 (High Hedges) of the Anti-Social Behaviour Act 2005.

Whilst the Cypress trees are a consideration, it is a neighbour issue that I don't believe ought to constrain the proposal. However, a modest scheme of tree and shrub planting would seem appropriate if a consent were granted.

Further comments - I have advised both the Applicant and the neighbouring owner of the adjoining Cypress trees, about the requirements of the High Hedges legislation (Part 8 of the Anti-Social Behaviour Act 2003).

I have also advised the Applicant about how to sympathetically prune back the crown of the Walnut away from the scaffolding required to construct the gable-end of the proposal.

In my opinion, it should be feasible to conduct a reasonably sympathetic siding-up of the crown. If a consent is to be granted, I would be grateful if you would consider imposing a condition to agree specifications for the tree pruning.

REPRESENTATIONS

Written representations have been received from one local resident stating that the comments in the Design and Access Statement in relation to the bus services for the village are inaccurate. They state that over the last 25 years there has never been a sensible bus service in Long Sutton and recently, apart from the Nippy Bus, there has been none at all.

CONSIDERATIONS

This application follows a number of previous unsuccessful applications for a dwelling on this site the most recent of which was in 2008, which was refused.

Principle:

The application site is located within Long Sutton's development area as defined by the South Somerset Local Plan, as such new residential development in this location is considered to be acceptable in principle.

Impact on visual amenity, the setting of the conservation area and adjacent listed building:

Although the site may not appear at first glance to be a natural infill site, the modest scale and lodge like design of the proposed dwelling is considered to respond well to the context of the locality and as such it should sit comfortably on this site without appearing unduly cramped. The Parish Council raised an objection to the bay windows proposed on the east and north elevations of the dwelling however the application has been amended, substituting the bays with more simple mullion type windows, fully addressing this issue.

Within the neighbour's garden to the west are a mature Walnut tree and some cypress trees which the Planning Inspector within their report identified as making an important contribution to the setting of the conservation area and the adjacent listed building (Little Thatch). The Inspector was concerned at the scale and nature of the works that would be required to these trees, particularly the Walnut which overhangs the site, to enable this development and would likely result in an odd shape to the Walnut to the detriment of the conservation area and listed building.

Whilst the scale of the works to the Walnut tree are likely to be very similar for this revised application, the Council's tree officer is satisfied that the works could be achieved in a sympathetic manner and has recommended a condition to ensure the details of these works are agreed prior to the commencement of any works.

On this basis there is no reason why the development and the associated trees works could not be carried out in such a manner that would not preserve the character and setting of the conservation area and the adjacent listed building.

Residential amenity:

Given the relatively modest height of this two-storey dwelling and its position set away from the neighbouring properties to either side and position of the first floor windows the proposed development raises no substantive neighbour amenity concerns.

The previous issues raised in respect of restricted levels of light for the main living accommodation have been broadly overcome under this current scheme. Whilst nothing appears to have altered in terms of the impact of the neighbour's trees overhanging this site, the design of the proposed dwelling is such that the main living room is served by an additional bay window to the east side and it is noted that the kitchen diner is also served by double aspect windows. Therefore whilst the neighbour's trees are still likely to restrict light to this new property due to dual aspect design and internal layout of the main living accommodation such light issues are not in this instance considered to be so severe as to be unacceptable. In all other respects the level of amenity afforded the future occupiers of this property are considered to be acceptable.

Highway safety:

Access to the proposed development will be via an existing shared drive and access. Visibility for this access leading on to the public highway to the north is considered to be

acceptable and the level of parking (3 spaces) complying with the parking requirements set out within the Somerset County Parking Strategy. On this basis the proposal is considered to broadly comply with the highway authority's standing advice and to raise no significant highway safety concerns.

It is noted that public rights of way pass along the east and south boundaries of the site, however, there is no reason why the development should cause an obstruction or adversely affect the amenity of users of these rights of way.

Conclusion:

For the reasons set out above, this revised scheme is considered to have addressed the previous refusal reasons and the matters raised by the Planning Inspector. The proposed development is considered to preserve the character and setting of the conservation area and adjacent listed building, to raise no substantive residential amenity concerns or to be prejudicial to highway safety and as such is recommended for approval.

RECOMMENDATION

Grant permission for the following reason:

The proposed dwelling represents a sustainable form of development that makes efficient use of land whilst respecting the character and setting of the conservation area and adjacent listed buildings, without demonstrable harm to residential amenity or being prejudicial to highway safety. The development therefore accords with the aims and objectives of the National Planning Policy Framework and saved Policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered F1198-100C and F1192-101C.

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

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

- a) particulars of the materials (including the provision of samples where appropriate) to be used for all external walls, roofs and chimneys;
- b) full details of all new walls and boundary walls, including the materials, coursing, bonding, mortar profile, colour and texture, to be provided in the form of a sample panel to be made available on site;
- c) details of the recess, materials and external finish for all external doors, windows and openings;
- d) details of all roof eaves, verges and abutments, including detailed section drawings, and all new guttering, down pipes and other rainwater goods, and external plumbing;

- e) details of all gates, fences and the surface material for the parking and turning area.

Reason: To safeguard the character and setting of the adjacent listed building and surrounding conservation area to accord with Policies EH1 and EH5 of the South Somerset Local Plan.

- 04. The development hereby permitted shall not be commenced unless details of the internal ground floor levels of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policies ST5 and ST6 of the South Somerset Local Plan.

- 05. Prior to implementation of this consent, a specification of tree pruning, relating to the Walnut tree adjoining the Western gable-end of the proposed dwelling, shall be submitted to and agreed in writing by the local planning authority.

The approved tree pruning specification shall be implemented in-entirety, in accordance with British Standard 3998: 2010 – Tree Works; prior to the construction of the development.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance Policy ST6 of the South Somerset Local Plan 2006 and those statutory duties as defined within the Town & Country Planning Act, 1990 (as amended)[1].

- 06. The area allocated for parking on the submitted plan, drawing number F1198-100C, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interest of highway safety to accord with Policy ST5 of the South Somerset Local Plan.

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

Reason: In the interest of residential amenity to accord with Policy ST6 of the South Somerset Local Plan.

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

Reason: To safeguard the character and setting of the adjacent listed building and surrounding conservation area to accord with Policies EH1 and EH5 of the South Somerset Local Plan.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garages shall be erected other than those expressly authorised by this permission.

Reason: To safeguard the character and setting of the adjacent listed building and surrounding conservation area to accord with Policies EH1 and EH5 of the South Somerset Local Plan.
