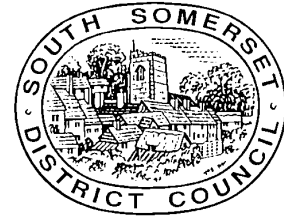


**South Somerset District Council**

*Notice of Meeting*



# Area North Committee

*Making a difference where it counts*

**Wednesday 26th July 2017**

**2.00 pm**

**Long Sutton Village Hall,  
Martock Road,  
Long Sutton TA10 9NT**

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



The following members are requested to attend this meeting:

Clare Aparicio Paul  
Neil Bloomfield  
Adam Dance  
Graham Middleton  
Tiffany Osborne

Stephen Page  
Crispin Raikes  
Jo Roundell Greene  
Dean Ruddle  
Sylvia Seal

Sue Steele  
Gerard Tucker  
Derek Yeomans

Consideration of planning applications will commence no earlier than **2.35pm**.

For further information on the items to be discussed, please contact the Democratic Services Officer on 01935 462596 or [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

This Agenda was issued on Monday 17 July 2017.

**Ian Clarke, Director (Support Services)**

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



INVESTORS IN PEOPLE

## **Information for the Public**

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

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

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

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

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

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

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

## **Public participation at committees**

### **Public question time**

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

### **Planning applications**

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

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

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

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

The order of speaking on planning items will be:

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

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

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

## **Recording and photography at council meetings**

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

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

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

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

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# Area North Committee

## Wednesday 26 July 2017

### Agenda

#### *Preliminary Items*

**1. Minutes**

To approve as a correct record the minutes of the previous meeting held on 28 June 2017.

**2. Apologies for absence**

**3. Declarations of Interest**

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

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

#### **Planning Applications Referred to the Regulation Committee**

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

Councillors Clare Aparicio Paul, Neil Bloomfield and Sylvia Seal.

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

**4. Date of next meeting**

Councillors are requested to note that the next Area North Committee meeting is scheduled to be held at 2.00pm on **Wednesday 23 August 2017** at a venue to be confirmed.

**5. Public question time**

**6. Chairman's announcements**

## **7. Reports from members**

### *Items for Discussion*

- 8. Presentation - South Somerset Carnival Park Project** (Page 6)
- 9. Area North Development Plan** (Pages 7 - 19)
- 10. Area North Committee Forward Plan** (Pages 20 - 21)
- 11. Planning Appeals** (Page 22)
- 12. Schedule of Planning Applications to be Determined By Committee** (Pages 23 - 24)
- 13. Planning Application 16/05531/FUL - Fountain House, Hillside Farm Road, High Ham.** (Pages 25 - 30)
- 14. Planning Application 16/05532/LBC - Fountain House, Hillside Farm Road, High Ham.** (Pages 31 - 36)
- 15. Planning Application 17/01866/FUL - Hill View Farm Cottage, Hill View, Low Ham Road, Low Ham.** (Pages 37 - 43)
- 16. Planning Application 17/01207/FUL - Land OS 0017 Part, Isle Brewers.** (Pages 44 - 49)
- 17. Planning Application 17/00917/COU - King William Inn, Langport Road, Curry Rivel.** (Pages 50 - 57)
- 18. Planning Application 17/00918/OUT - King William Inn, Langport Road, Curry Rivel.** (Pages 58 - 65)
- 19. Planning Application 16/03108/FUL - New Witcombe Farm, Westover Lane, Ash.** (Pages 66 - 70)
- 20. Planning Application 16/03105/FUL - Land OS 1209, Thornhill Drove, Ash.** (Pages 71 - 76)

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

**This does not apply to decisions taken on planning applications.**

# Agenda Item 8

## **Presentation - South Somerset Carnival Park Project**

A member of the South Somerset Carnival Park Committee will be attending the meeting to provide a short presentation about the South Somerset Carnival Park project.

### **Recommendation**

Members are asked to note the presentation.

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# Agenda Item 9

## **Area North Development Plan**

*Assistant Director:* Helen Rutter Communities  
*Service Manager:* Sara Kelly, Area Development Lead North  
*Lead Officer:* Sara Kelly, Area Development Lead North  
*Contact Details:* sara.kelly@southsomerset.gov.uk or (01935) 462249

## **Purpose of the Report**

To approve the Area North Development Plan (ADP) for 2017/18.

## **Public Interest**

The plan sets out the work being planned and undertaken locally by the Council to invest in communities across this Area based on needs analysis, Councillor and community concerns and priorities.

## **Recommendation**

That Councillors approve the Area North Development Plan 2017/18.

## **Background**

The Area North Committee revises local priorities on an annual basis within the framework of the overall Council Plan. Through the ADP and other means, it seeks to make progress on these priorities by allocating resources and working with partners and other services within SSDC to achieve results. Area budgets enable the Committee to pump prime the work and projects it wishes to implement or support. The use of resources is also reviewed annually. Progress against the ADP is monitored monthly by staff and reported to Committee at 6 months and then at the year end.

The new Council Action Plan was approved in April 2017. The annual action plan for 2016/21 is attached at Appendix 1.

The ADP captures the main projects and programmes that the Area Development Team (ADT) will work on over the year. This is in addition to the normal, day-to-day responsive work with Councillors to address problems and issues that arise throughout the year.

## **Area North Priorities**

The draft ADP is Appendix 2 to this report. It consists of core work such as the enquiry service and direct support to communities, existing projects that have been rolled forward for completion and new work strands developed in response to your priorities.

A range of projects and initiatives are underway to progress the 4 main priority themes which are:

1. Jobs and the economy
2. Affordable housing
3. Self Help and community facilities
4. Community led planning and development

In addition the Committee and ADT are continuously looking at ways to maintain effective links with parishes and community groups, improve the cost effectiveness of the ADT and increase income to offset costs.

New projects, support needs and grant applications that come forward throughout the year will be added to the service action plan as they materialise.

## **Financial Implications**

The Team consists of a part time Area Development Lead (0.7 FTE), two part time Neighbourhood Development Officers (1.1 FTE), a part time PA/project support officer (0.5 FTE) and a two person Community Support Team (1.4 FTE) who provide a front office service in Langport along with administrative and project support. We also have another part time Neighbourhood development officer (0.5 FTE) currently on secondment to the transformation team.

## **Corporate Priority Implications**

The priorities have been developed taking into account the current Council Action Plan see Appendix 1. The key aspects relevant to our work programme are:

- work with partners to achieve economies, resilience and influence
- work with businesses and use our assets to grow our economy
- capitalise on our high quality culture, leisure and tourism opportunities to bring people to South Somerset
- continue to address the impact of flooding
- support communities to develop local, parish and neighbourhood plans
- support communities so that they can identify their needs and develop local solutions
- target support to areas of need
- help keep our communities safe

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

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

## **Equality and Diversity Implications**

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

**Background Papers:** none



## ***'Tackling the Challenges': Council Plan on a Page 2016-21***

**Our Vision for South Somerset:** a place where businesses flourish, communities are safe, vibrant and healthy; where residents enjoy good housing and cultural, leisure and sporting activities.

### **Our Aims:**

South Somerset District Council will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district. We will:

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

### **Our Values:**

- Putting the customer and community first when developing plans and services
- Supporting people and communities, enabling them to help themselves.
- Being open, transparent and with greater accessibility to those that need to use Council services.
- Working with partners to improve services, efficiencies, resilience and influence.
- Embracing innovation and improved technology to improve customer service and access.
- Empowering a confident, flexible workforce.

## **Our Focus – Making a Difference Where it Counts**

### **High quality cost effective services**

In order to protect front line services we will:

- Transform customer services through technology.
- Actively manage assets and resources to ensure the best financial or community return.
- Seek business opportunities for the council.
- Work with partners to achieve economies, resilience and influence.

### **Economy**

To promote a strong economy with thriving urban and rural businesses we will:

- Work with businesses and use our assets to grow our economy.
- Advise and support initiatives that ensure worker skills meet the employers needs.
- Lobby for and support infra structure improvements to enable growth.
- Capitalise on our high quality culture, leisure and tourism opportunities to bring people to South Somerset.

### **Environment**

To keep South Somerset clean, green and attractive we will:

- Increase recycling.
- Maintain Country Parks and open spaces to promote good mental and physical health.
- Keep streets and neighbour hoods clean and attractive.
- Continue to address the impact of flooding.
- Promote a high quality built environment in line with Local Plan.
- Support communities to develop local, parish and neighbourhood plans.

### **Homes**

To work with partners to enable the provision of housing that meets the future and existing needs of residents and employers we will:

- Minimise homelessness and rough sleeping.
- Work with the private rented sector to improve the standard and availability of rented accommodation.
- Tackle fuel poverty.
- Enable people to live independently for as long as they are able.

### **Health and Communities**

To build healthy, self-reliant, active communities we will:

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



*Place and Performance*

# **Draft Area North Development Plan 2017-18**

Our Portfolio Holder – Cllr Derek Yeomans

Our Manager – Sara Kelly

Page 10



## Introduction to the Area Development Service - *North*

In a rural area such as Area North in South Somerset, economies of scale can be harder to achieve for public services. South Somerset District Council aims to address this challenge through its well-established Area Working system, the Council's 'enable-partner-deliver' ethos, and its ambition *"to strive to deliver an improving quality of life for all"*.

The Area Development Service works closely with Councillors and local communities to help make South Somerset a good place to live, work and visit. We work in four locally based teams - North, East, South and West.

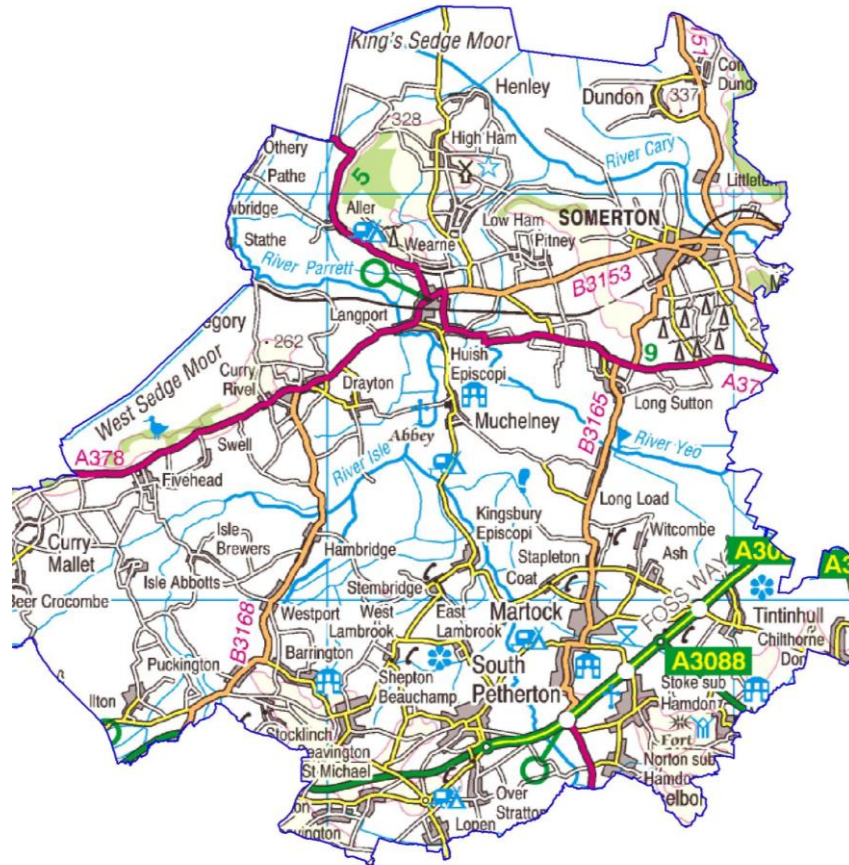
The purpose of the service is to work with and support the development of the skills, ambitions and knowledge to be found in local communities. People using our service include community groups, local town and parish councillors, individuals and businesses.

- We help to design and secure investment into projects, services or community facilities which are run locally and aim to improve local social, economic or environmental well-being under the general direction of the priorities set by district councillors. This may be by Full Council, the Area Committee or ward councillor.
- We manage the Council's successful Community Grants programme and give guidance on alternative sources of funding.
- We provide practical help to help get projects off the ground for example with the hire of meetings rooms, loans of equipment for displays and presentation or help with the design and printing of surveys and publicity for events.
- We help to resolve current issues or local concerns from the neighbourhood or community, and we can help with contacting other services working in the area who may be able to help.
- We manage the council's community office service operating in the area. There is one community office in Area North, based inside the Langport Information Centre.
- We work closely with partners across the area to help residents get the help and information they need, at a time and place to suit them. This includes support to the four locally managed Local Information Centres in South Petherton, Martock, Somerton and Langport, together with helping to improve public access to and availability of help with on-line services.



Maps of Area North – larger versions are available

Area North – Ward and Parish boundaries



- Parishes
- Area North Wards
- BURROW HILL
- CURRY RIVEL
- HAMDON
- ISLEDOOR
- LANGPORT AND HUISH
- MARTOCK
- SOUTH PETHERTON
- ST MICHAELS
- TURN HILL
- WESSEX

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## Area North Priorities 2017-18

The four Area North priorities provide the framework for work supported or directly managed by the Area North Development team, underpinned by the Area Committee's influence and use of delegated budgets.

- 1. Jobs and the Economy** – we will aim to add value to the economy in Area North through promoting local economic development and the availability of local employment, promoting the availability of Superfast Broadband and enhancing the offer to visitors to extend stay and spend.
- 2. Affordable Housing** – we will promote the delivery of affordable homes in Area North, including support to test and develop new models.
- 3. Self-Help and Community Facilities** – we will promote greater levels of self-help to promote the sustainability of local services and facilities for all ages. This will specifically include support to locally led projects as set out in the service action plan. We will continue to promote our general enquiries service to help residents; councillors; businesses and groups find the help and information they need to make a difference in their local communities
- 4. Community led planning and development** – Support Towns and Parishes to carry out quality community research to prioritise and achieve planned projects or influence growth. This could include community plans, neighbourhood plans, housing needs surveys etc.

<b>Service Standards for 2016/17 (our core work)</b>	
1.	<p><b>Community Grants</b></p> <p>SSDC is committed to supporting community development projects, for which we offer a range of grants. The standards that we expect to fulfil are:</p> <ul style="list-style-type: none"> <li>• Grant application pack to be sent out within 48 hours of request</li> <li>• Acknowledgement letter to be sent out within 3 days of receipt of application form</li> <li>• Award letter and conditions to be sent out within 5 days of Scrutiny call in period</li> </ul>
2.	<p><b>Front Office</b></p> <p>The Council has staff available in the Area Community office providing advice and guidance on all Council services, in particular;</p> <ul style="list-style-type: none"> <li>• Verification and processing of housing benefit applications, including fast track applications</li> <li>• Planning applications and decision notices are available to view, as are minutes of Area Committee meetings</li> <li>• Reporting of local issues including waste enquiries</li> </ul>
3.	<p><b>Community Development and Regeneration</b></p> <p>SSDC's Area Development Team aims to;</p> <ul style="list-style-type: none"> <li>• Answer all community development and regeneration queries and questions received within the timescales set by corporate service standards</li> <li>• Offer advice and support to any community group in Area North wishing to produce a Parish Plan or Neighbourhood Plan</li> <li>• Encourage participation and give at least 6 weeks' notice of workshops, meetings or consultations which will always be held in accessible venues</li> <li>• Offer funding advice to local associations and voluntary groups and signpost to other possible funding providers</li> <li>• Coordinate and arrange meetings and workshops in response to demand from ANC, Parishes and community organisations which bring together key partners and community representatives to jointly tackle issues relating to the well-being of residents in the Area</li> <li>• Actively market the Area as a place to live and work</li> <li>• Keep our web pages up to date and relevant</li> </ul>

**Service Action plan: Top level actions – more detail is within individual work programmes / project plans**

**Priority Area 1: Jobs and the economy**

Action /Project description	Who	Milestone/ outcome	When
Continue to build SSDC engagement with Town & Parish Councils, including guidance on community plans and local investment	All	6 monthly meetings with clerks/chairs as required	Ongoing
Support local community engagement with SSDC and partnerships between agencies to meet local needs (including community safety) and encourage innovation	All	6 monthly meetings with key partners	Ongoing
Action /Project description	Who	Milestone/ outcome	When
Support our 4 Local Information Centres (Somerton, Martock, Langport, South Petherton) with service level agreements	MO	Release all grant payments by Oct 2016	Ongoing
<b>Support for small businesses</b>			
<ul style="list-style-type: none"> <li>Production of short run publication promoting local businesses and facilities to visitors and residents.</li> </ul>	PB	Publications issued	March 2018
<ul style="list-style-type: none"> <li>Business networking events</li> </ul>	PB	Minimum of 2 events per year	Autumn 2017 and Spring 2018
<ul style="list-style-type: none"> <li>Training workshops</li> </ul>	PB	Digital workshop about social networking opportunities Signposting to existing training opportunities.  Marketing and promotion workshop for businesses	March 2018

Tourism/attracting visitors to the area			
<ul style="list-style-type: none"> <li>• Supporting initiatives to improve local facilities and services including:                             <ul style="list-style-type: none"> <li>○ Support for Langport River Group to improve infrastructure for access onto the river</li> <li>○ Support initiatives to encourage cycling and walking. Consider links with existing and emerging initiatives that support cycling and other low impact opportunities in Area North.</li> <li>○ Review and improve promotion of the River Parrett Trail (focussing on the SSDC section) Identify local solutions to raising awareness of the Trail and promoting the range of businesses along the course of the river, ensuring connections and links to partner organisations are used to best advantage.</li> </ul> </li> </ul>	PB	<p>Attendance at meetings</p> <p>Report to Area North committee regarding the Langport to Muchelney cycleway</p>	<p>Ongoing</p> <p>March 2018</p>
Support to LEADER (Levels and Moors)			
<ul style="list-style-type: none"> <li>• Promote LEADER funding to potential applicants</li> <li>• Support good applications</li> <li>• Represent SSDC on the Levels and Moors Executive</li> </ul>	<p>PB</p> <p>PB</p>	<p>Applications submitted</p> <p>Attendance at meetings</p>	<p>Ongoing</p> <p>Ongoing</p>



### Priority Area 2. Affordable Housing

Action /Project description	Who	Milestone/ outcome	When
Support progress to secure completion of affordable housing scheme in Compton Dundon	SK	Build complete	March 2018
Continue to offer support with local housing needs surveys (HNS) as requested	ALL	Assist High Ham Parish Council with production and analysis of survey  Respond to need from other parishes as requested	Autumn 2017  Ongoing

### Priority Area 3. Self help and community facilities

Action /Project description	Who	Milestone/ outcome	When
Support community-led play days and youth work.	ALL	Minimum of 6 play days supported in 2017	Summer 2017
Support Kingsbury Episcopi church rooms management committee	CS	Work completed and grant released	December 2017
Support delivery of Curry Rivel community facilities investment programme at Westfield and SSDC play areas.	SK	New equipment installed	December 2017
Support development of community facilities at Huish Leisure Centre	MO	Attendance at meetings as required. Possible grant application	Ongoing
Support Stoke Sub Hamdon Recreation Trust to implement five year plan.	MO	6 monthly updates received. Attend meetings as required	Ongoing
Support delivery of Ilton community facilities investment programme onto new land at Copse Lane.	CS	Master planning exercise complete and work underway	March 2018

## Appendix 2

Support Curry Mallet Parish Council and Village Hall to implement improved local play facilities	MO	New play equipment installed & S106 spent	March 2018
Support Martock Parish Council to deliver actions identified in the Martock 'Our Place' programme	MO	SLA signed. Reviewed annually 2016-19	Ongoing
Support South Petherton Parish Council to deliver community facilities investment programme at Lightgate Lane to include master planning exercise	SK	Masterplan produced and first actions commenced	March 2018
Support Tintinhull Parish Council to progress new village hall project	CS	Build complete and grant payment released	December 2017
Support Somerton Recreation Trust to continue master planning for changing and sports facilities	SK	Project fully scoped and approved by Trust. Masterplan complete	December 2017
Support and coordination of ABP abattoir liaison group	CS	Quarterly meetings arranged and attended	Ongoing
Support review of community facilities in Ash and ongoing actions that arise from the outcome of the recent survey.	CS	Ongoing support as required. Possible grant application	Ongoing
Continued support to Kingsbury Episcopi Village Hall/Shop including release of final phase grant payment	MO	Final phase of grant payment released	July 2017
Support Long Sutton village hall committee with production of 3-5 year business plan and associated actions arising from it	SK	Business plan produced and presented to Parish Council	December 2017
Finalise payment of community grant to Aller Village Hall for new hearing loop	CS	Payment released	August 2017
Support potential new community group looking to undertake community purchase of the King William Inn, Curry Rivel	SK	Either the set-up of a formally constituted group or the decision not to proceed	September 2017
Support ongoing improvement to village hall provision in Curry Rivel	SK	3 year plan/feasibility study produced Potential grant application to Area North	March 2018
Support SSH Parish Council with purchase of Methodist chapel and programme of improvements	MO	Purchase complete Project plan produced Funding secured for improvements	March 2018

## Appendix 2

Finalise grant payment towards Ilton defibrillator	CS	Payment released	September 2017
Support Langport Town Council with feasibility study of Town Hall	PB	Feasibility study produced Project plan costed and underway	March 2018
Finalise grant payment to Langport and Huish senior citizens club	CS	Payment released	August 2017
Support Long Load village hall management committee to finalise works and release grant payment (£5k)	MO	Revised works fully scoped and costed Work underway	December 2018
Support Blake Hall Management committee/Parish council with improvements to Blake Hall to incorporate public toilets	SK	Lease agreed Funding secured Toilet operational	Autumn 2017 January 2018 2018
Support south Petherton community Partnership as required	SK	Attendance at meetings	Ongoing
Support as required to new school project in Somerton	SK	TBC as project progresses	Ongoing

### Priority Area 4. Community led Planning and Development

Action /Project description	Who	Milestone/ outcome	When
Support South Petherton Parish Council to refresh the Parish Plan / create Neighbourhood Plan	SK	NP presented to ANC	October 2017
Support Martock Parish Council to create Neighbourhood Plan	SK	NP presented to ANC	January 2018

# Agenda Item 10

## **Area North Committee – Forward Plan**

*Assistant Director:* Helen Rutter, Communities  
*Service Manager:* Sara Kelly, Area Development Lead (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, 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

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## 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](mailto: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
Aug/Sept '17	Community Offices Report	Annual update report.	Lisa Davis, Community Office Support Manager
27 Sept '17	Arts & Entertainment Service Update Report	Annual Update Report	Adam Burgan, Arts & Entertainments Manager
27 Sept '17	Capital Grant Request	To consider a grant application for capital funding.	Chereen Scott, Neighbourhood Development Officer.
27 Sept '17	Environmental Health	Service update report.	Alasdair Bell, Environmental Health Manager
25 Oct '17	Support for Businesses and Local Economy		Pauline Burr, Neighbourhood Development Officer (North)
25 Oct '17	Section 106 Monitoring Report	Annual monitoring report.	Neil Waddleton, Section Monitoring and Compliance Officer
<i>TBC</i>	<i>Endorsement of Community Led Plans</i>	<i>South Petherton Parish Plan and Neighbourhood Plan</i>	<i>Sara Kelly, Area Development Lead (North)</i>

# Agenda Item 11

## **Planning Appeals**

*Director: Martin Woods, Service Delivery*  
*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 note the report.

## **Appeals Lodged**

None

## **Appeals Dismissed**

None

## **Appeals Allowed**

None

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# Agenda Item 12

## Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods, Service Delivery  
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 2.35pm.**

Members of the public who wish to speak about a particular planning item are recommended to arrive for 2.30pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
13	TURN HILL	16/05531/FUL	Two storey rear extension with link tower and other alterations etc.	Fountain House, High Ham.	Mr & Mrs Sharp
14	TURN HILL	16/05532/LBC	Two storey rear extension with link tower and other alterations etc.	Fountain House, High Ham.	Mr & Mrs Sharp
15	TURN HILL	17/01866/FUL	Continued use as a dwelling.	Hill View Farm Cottage, Low Ham.	Miss S Skeet
16	ISLEMOOR	17/01207/FUL	Barn conversion to form a dwelling.	Land OS 0017 Part, Isle Brewers.	Mr O Brownsey
17	CURRY RIVEL	17/00917/COU	Change of use to dwelling etc.	King William Inn, Curry Rivel.	A McDougall
18	CURRY RIVEL	17/00918/OUT	Erection of one dwelling etc.	King William Inn, Curry Rivel.	A McDougall
19	MARTOCK	16/03108/FUL	Use of land for 3 caravans for agricultural workers accommodation.	New Witcombe Farm, Ash.	Witcombe Farm Partners

20	MARTOCK	16/03105/FUL	Use of land for 3 caravans for agricultural workers accommodation.	New Witcombe Farm, Ash.	Witcombe Farm Partners
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Further information about planning applications is shown on the following page and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda has been prepared.

### **Referral to the Regulation Committee**

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

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

### **Human Rights Act Statement**

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



# Agenda Item 13

## Officer Report On Planning Application: 16/05531/FUL

<b>Proposal :</b>	Two storey rear extension with link tower and internal and external alterations
<b>Site Address:</b>	Fountain House, Hillside Farm Road, High Ham.
<b>Parish:</b>	High Ham
<b>TURN HILL Ward (SSDC Member)</b>	Cllr Gerard Tucker
<b>Recommending Case Officer:</b>	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
<b>Target date :</b>	17th March 2017
<b>Applicant :</b>	Mr & Mrs Sharp
<b>Agent: (no agent if blank)</b>	Collier Reading, Collier Reading Architects, Coach House Studio, 34A Chamberlain Street, Wells BA5 2PJ
<b>Application Type :</b>	Other Householder - not a Change of Use

### REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee at the request of the Ward Member to enable a full discussion of the views of the Parish Council and neighbouring residents.

### SITE DESCRIPTION AND PROPOSAL





development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 Sustainable Development  
EQ2 General Development  
EQ3 Historic Environment  
EQ4 Biodiversity

### **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
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

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

### **Policy-related Material Considerations**

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

### **CONSULTATIONS**

**Parish Council:** *The Parish Council unanimously were unable to support the application in its current form. It was noted that many improvements had been made since the last application which had improved matters somewhat in addressing several problems. The plans now show, instead of a tower, extra windows on one side of the extension. It was felt that significant concern still remained regarding the loss of neighbours privacy due to the extra balcony and the amount of additional glass. It was felt that the neighbours concerns should be acknowledged.*

**Highways Authority:** Standing advice applies.

**SSDC Conservation Officer:** No comments or objections. Subject to appropriate conditions.

**SSDC Ecologist:** A bat survey was required, and the application was pended for some months to enable this to be done. After considering the outcome of the survey, which indicated that no evidence of bats was found, no objection is raised.

### **REPRESENTATIONS**

Two letters have been received, objecting to the proposals. The following main points are made:

- whilst some changes and improvements have been made since the previous (withdrawn) application, the scale and impact of the proposal causes concern
- the proposal ignores the topography
- the two-storey extension will have a significant and intrusive impact on neighbours
- the proposal causes harmful overlooking, particularly to the windows of Orchard Bank (nearby house)
- it is not accepted that the proposal is for use as a family home - a neighbour have been given to understand that the development is intended for use as a letting business; such a use is opposed
- former proposals for the erection of a tree house (this proposal was withdrawn) are mentioned and objected to
- the proposals are seen in principle as an improvement to the dwelling as it exists at the moment

## **CONSIDERATIONS**

The proposal seeks to erect a two-storey rear extension, as well as make various minor changes to the original building. It is a simple householder extension to an existing house. However, the building is listed. The main issues, therefore, are the visual impact and the impact of the proposal on the listed building; and the impact on residential amenity.

### **Visual Impact**

The visual impact is limited to the rear of the property, away from public views from the highway. Although the houses is visible from gardens of houses to the north, the scale remains domestic and the building is well back from the site boundaries. It is not considered that there is any visual impact to the setting that causes harm to warrant a refusal of the proposal.

### **Impact on Listed Building**

The application is subject to a parallel listed building consent application (16/05532/LBC), and has been assessed by the Conservation Manager. The design is the result of a long interactive process between the Conservation team and the applicant. The new build section is clearly of modern design and appearance, differentiating the new work from the historical fabric, and is considered to respect the historical character and appearance of the original building. There is not considered to be any harm to the listed building that would indicate refusal of the development proposal.

### **Impact on Residential Amenity**

There are houses within a similar building line to north and south of the property. The occupants of the house to the south ('Farthings') have raised no objection on amenity grounds, other than concerns over possible future use of the premises.

The house to the north, 'Fountain Lodge' is set down from the site and is partially screened by an existing outbuilding. The proposals are not considered to cause unacceptable harmful impacts on the amenity of this house.

The only objection to the proposals on amenity grounds has been raised by the owners of Orchard Bank, to the north-west of the site. The distance separating the closest part of the extension from Orchard Bank is in excess of 24m, well within acceptable general standards to avoid harmful window-to-window overlooking. However, examining the position of actual windows, there is only one large bedroom window in the development with an unimpeded view from the proposal - the window with sliding doors and a 'Juliette' balcony. This window faces north-east, with any views towards Orchard Bank at an oblique angle in excess of 45 degrees; the distance separating this window from the bungalow exceeds

28m. The other window to this bedroom looks internally into the conservatory, and has restricted views out of the house. Whilst the change in levels between the two dwellings is noted, the layout and orientation of Orchard Bank offers protected amenity space, and the boundary treatments offer a degree of screening, with scope for further screening should neighbouring owners wish it. There is therefore not considered to be a case which demonstrates a harmful loss of privacy that would represent harm to residential amenity.

It is not considered that there is a level of amenity harm represented by these proposals that would warrant a refusal of the application.

### **Issues Raised by Parish Council**

The issues raised have largely been dealt with above. The amount of 'glass' in the elevations is, in fact, lower than on the scheme originally considered and withdrawn by the applicant. The issue of overlooking and neighbouring privacy is dealt with above.

### **Issues Raised by Neighbours**

The concerns of neighbouring residents have been carefully considered and largely dealt with above. The issue of possible future use of the property is not under consideration with this application, and is not a material consideration. Similarly, as there is no proposal being considered for the erection of a tree house in the garden, this is not an issue which can be given any weight. Whilst the concerns raised are noted, it is not considered that any matter has been raised that would indicate a refusal of the application.

### **Conclusion**

The proposal is for an extension and improvement of the dwellinghouse that is of a reasonable scale, and a design which respects the setting and character of the building. There are not considered to be harmful impacts on visual or residential amenity that would justify a refusal. The proposal is recommended for approval.

## **RECOMMENDATION**

Grant permission.

01. The proposal, by reason of its scale, design and materials, respects the character and appearance of the setting and of the listed building, and causes no demonstrable harm to residential amenity or ecology, in accordance with the aims of the NPPF and Policies SD1, EQ2, EQ3 and EQ4 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: the drawings ref. S5221 numbers 100F, 101N and 102R.

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

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 building, or other external alteration made without the prior express grant of planning permission.

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

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to this building without the prior express grant of planning permission.

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

**Informatives:**

01. This permission is not a grant of Listed Building Consent, and all works should be carried out only in accordance with any conditions attached to a grant of Listed Building Consent to undertake the works to the listed building.



# Agenda Item 14

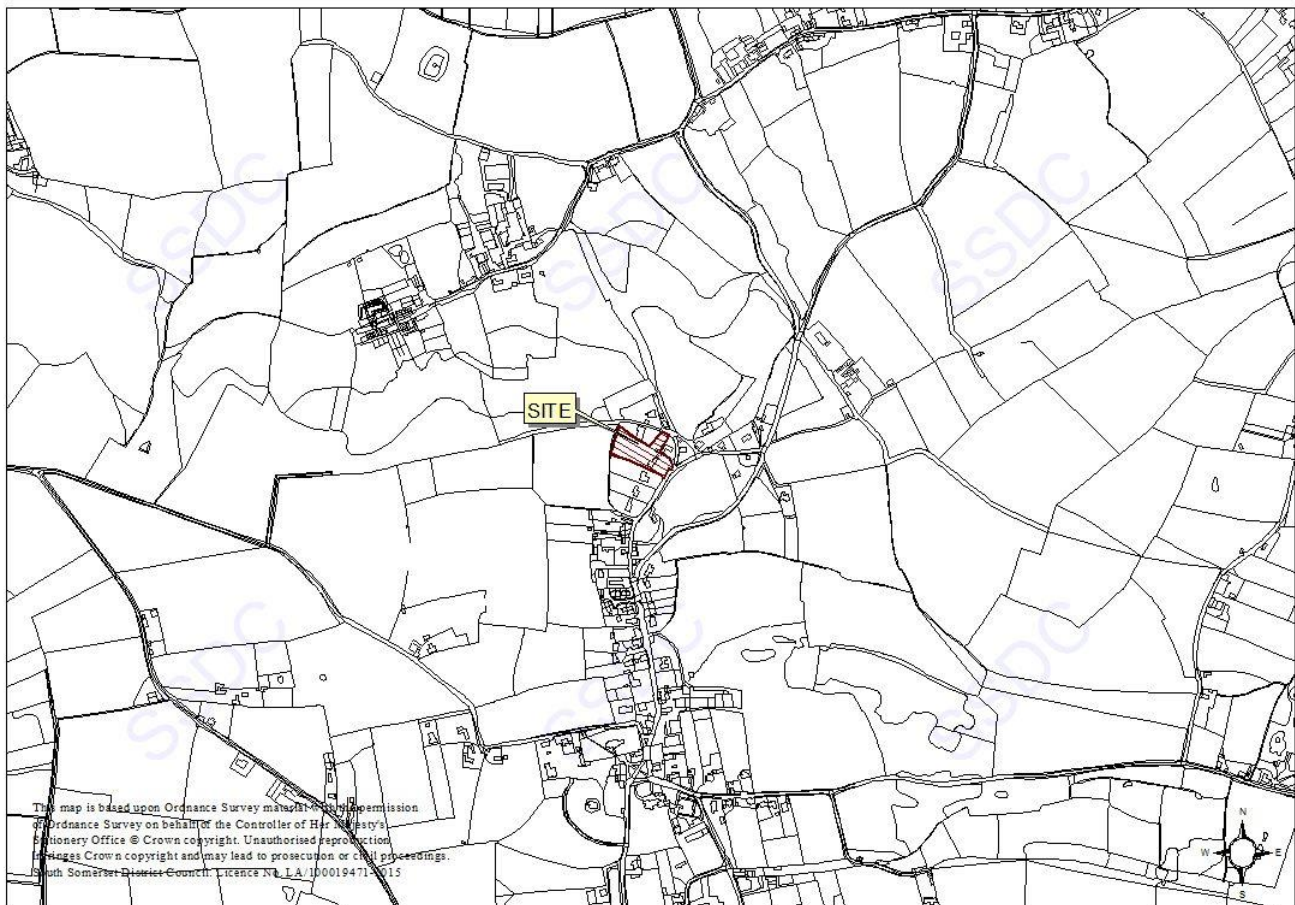
## Officer Report On Planning Application: 16/05532/LBC

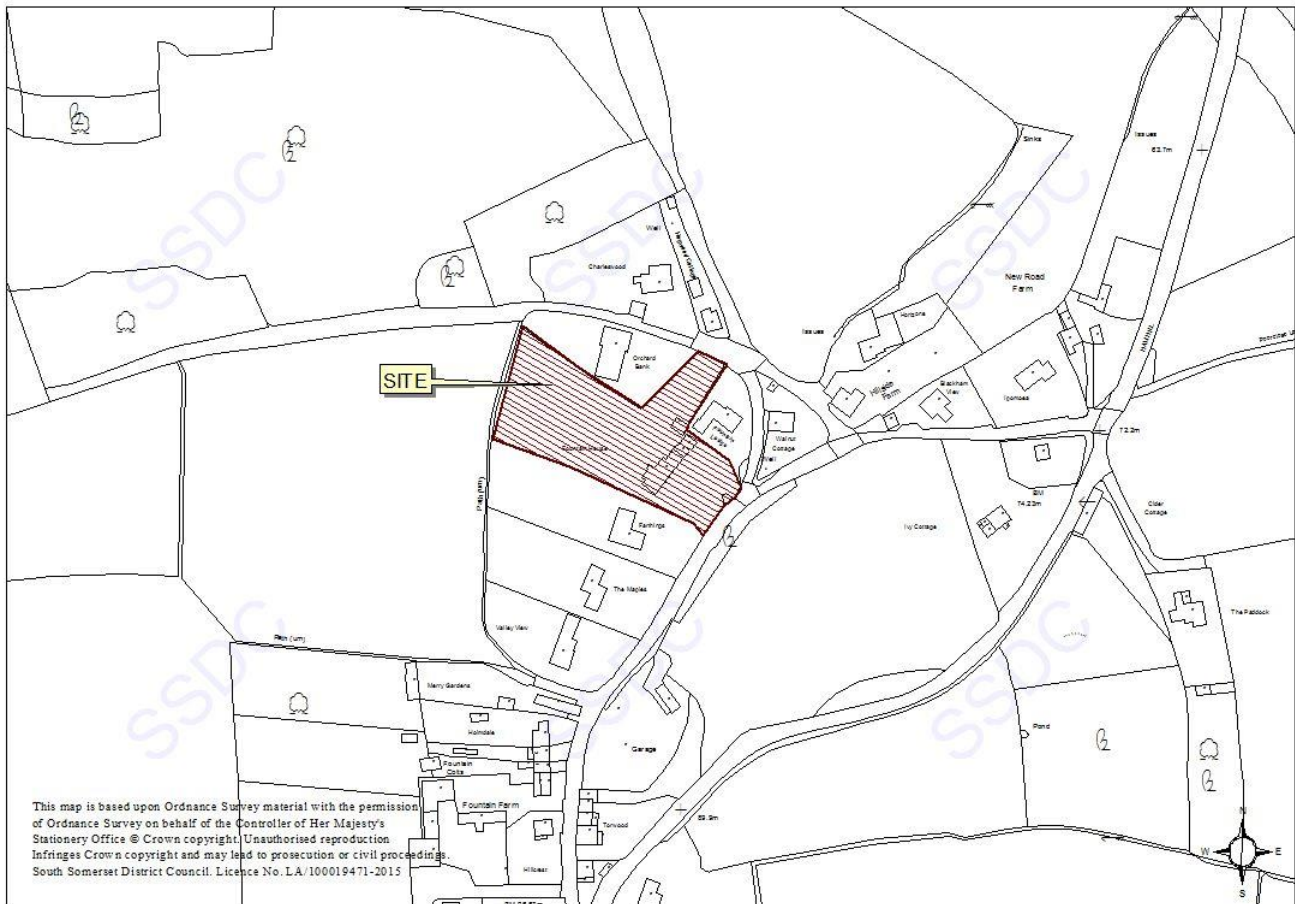
<b>Proposal :</b>	Two storey rear extension with link tower and internal and external alterations
<b>Site Address:</b>	Fountain House, Hillside Farm Road, High Ham.
<b>Parish:</b>	High Ham
<b>TURN HILL Ward (SSDC Member)</b>	Cllr Gerard Tucker
<b>Recommending Case Officer:</b>	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
<b>Target date :</b>	17th March 2017
<b>Applicant :</b>	Mr & Mrs Sharp
<b>Agent: (no agent if blank)</b>	Collier Reading, Collier Reading Architects, Coach House Studio, 34A Chamberlain Street, Wells BA5 2PJ
<b>Application Type :</b>	Other LBC Alteration

### REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee at the request of the Ward Member to enable a full discussion of the views of the Parish Council.

### SITE DESCRIPTION AND PROPOSAL





The site is located at the northern end of the village on the west side of Hillside Farm Road. Fountain House is a Grade 2 listed house with 16th C origins. Within a similar building line to north-east and south-west are neighbouring detached houses. On its west side the house has a large garden, to the north of which is a further detached dwellinghouse.

Consent is sought for the erection of a two-storey rear extension with link tower and various internal and external minor alterations.

## HISTORY

- 16/03445/FUL - Erection of a two storey rear extension with link tower and internal and external alterations - withdrawn
- 16/03446/LBC - The erection of a two storey rear extension with link tower and internal and external alterations - withdrawn

## POLICY

Section 16 of the Listed Building and Conservation Areas Act places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

NPPF: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage



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

Relevant Development Plan Documents:

South Somerset Local Plan (2006 - 2028)  
EQ3 - Historic Environment

## CONSULTATIONS

**SSDC Conservation Officer:** No comments or objections. Subject to appropriate conditions.

**Parish Council:** In response to parallel full planning application: *The Parish Council unanimously were unable to support the application in its current form. It was noted that many improvements had been made since the last application which had improved matters somewhat in addressing several problems. The plans now show, instead of a tower, extra windows on one side of the extension. It was felt that significant concern still remained regarding the loss of neighbours privacy due to the extra balcony and the amount of additional glass. It was felt that the neighbours' concerns should be acknowledged.*

## REPRESENTATIONS

None received.

## CONSIDERATIONS

Works to listed buildings are required to respect their special architectural and historical character and appearance. The house dates back partially to the 16th C, and has been extensively changed and remodelled over the years. Works proposed under this application include:

- new windows and fenestration details
- new oak porch
- various alterations to enable extension of the building
- significant new modern extension

Parts of the building are in poor condition, and work is needed to secure the asset into the future. Most of the works to the existing fabric are to areas of the building which has been reworked over numerous years. The works and the extension have been considered in detail over many months in discussions between the Conservation team and the applicant. A previous application was withdrawn to deal with various criticisms of design and detail, which have now been addressed. The Conservation Manager supports the application.

It is considered that the proposals respect the character and appearance of the heritage asset, and they are accordingly recommended for approval.

## RECOMMENDATION

Grant consent.

01. The proposal, by reason of its scale, design and materials, respects the character and appearance of listed building, in accordance with the aims and objectives of The NPPF and Policy EQ3 of the South Somerset Local Plan.

**SUBJECT TO THE FOLLOWING:**

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

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

02. The works hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. S5221 numbers 100F, 101N and 102R.

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

03. No work shall be carried out on site to any external walls or roofs unless particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Such particulars will include the detailed finish (rough sawn, hand tooled, etc.) Slate hooks shall not be used.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

04. No external rendering shall be carried out on site unless details of the external render to be used have been provided to and approved in writing by the Local Planning Authority. Details shall include the finish, materials and colour of the render. The work shall be carried out in accordance with the agreed details, and any sample panel shall remain available for inspection throughout the duration of the work.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

05. No repointing shall be undertaken on site unless full details, including elevational drawings, to indicate the areas to be repointed; details of the method of removal of existing pointing (in this regard mechanical tools shall not be used); details of the mortar mix, and a sample panel of new pointing that shall be carried out in the agreed mortar; have been submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

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

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

07. The windows comprised in the development hereby permitted shall be recessed in accordance with details to be submitted to and approved in writing with the Local Planning Authority before any work on the development hereby permitted is commenced.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

08. No work shall be carried out on site unless design details of all roof eaves, verges and abutments, including detail drawings at a scale of 1:5, and details of all new cast metal guttering, down pipes, other rainwater goods, and external plumbing have been submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

09. The area(s) of rebuilding shall be restricted to that defined on the approved plan(s) and shall not be enlarged without the prior express grant of Listed Building Consent. In the event that completion strictly in accordance with such approved plans shall become impracticable for whatever reason, work shall thereupon cease and only be re-commenced if and when consent has been obtained in regard to an amended scheme of works which renders completion of the scheme practicable.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

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

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

11. No work shall be carried out on site unless details of the method of the blocking of all doorways and windows shown on the approved plans have been submitted to and approved in writing by the Local Planning Authority. This will include materials and finish: pointing and coursing; any doors and architraves to be left in situ; and any reveal; Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

12. No work shall be carried out on site unless details of the lintels to all new openings, including those in any new build, and the treatment to the surrounds of the window and doorway openings have been submitted to and approved in writing by the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

13. No work shall be carried out on site unless details of all new services to all bathrooms, kitchens etc, including details of routes of foul water and any ventilation or extraction have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

14. No work shall be carried out on site unless details of all new and replacement plasters, renders, wall and floor finishes, ceilings etc, including any making good of any existing surfaces, have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

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

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

16. No work shall be carried out on site unless a door schedule has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include a survey of all existing doors, an estimate of age and significance, which doors to be retained in situ and doors to be re-sited and to what location. Any alterations to the doors must be specified.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the NPPF and policy EQ3 of the South Somerset Local Plan.

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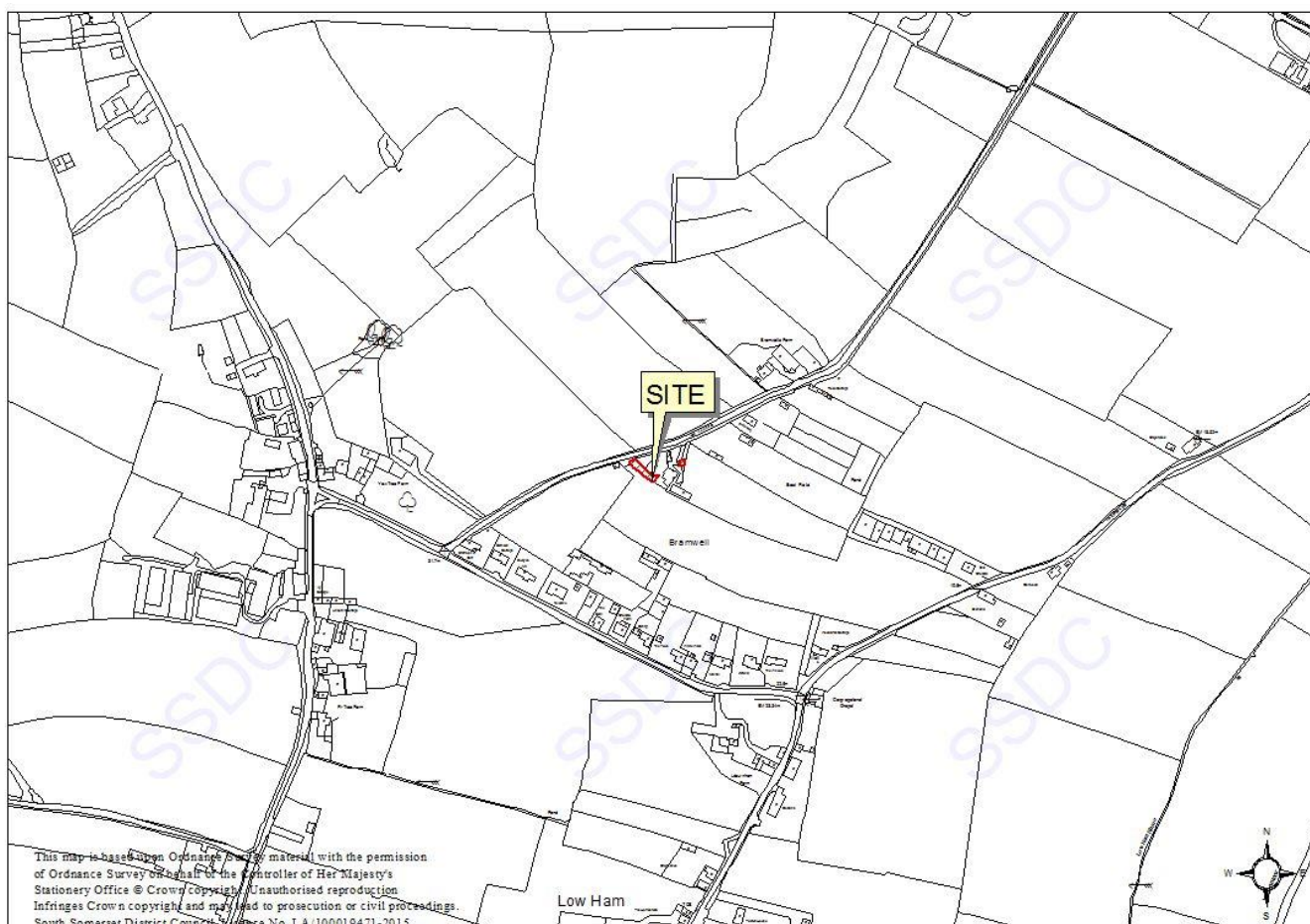
# Agenda Item 15

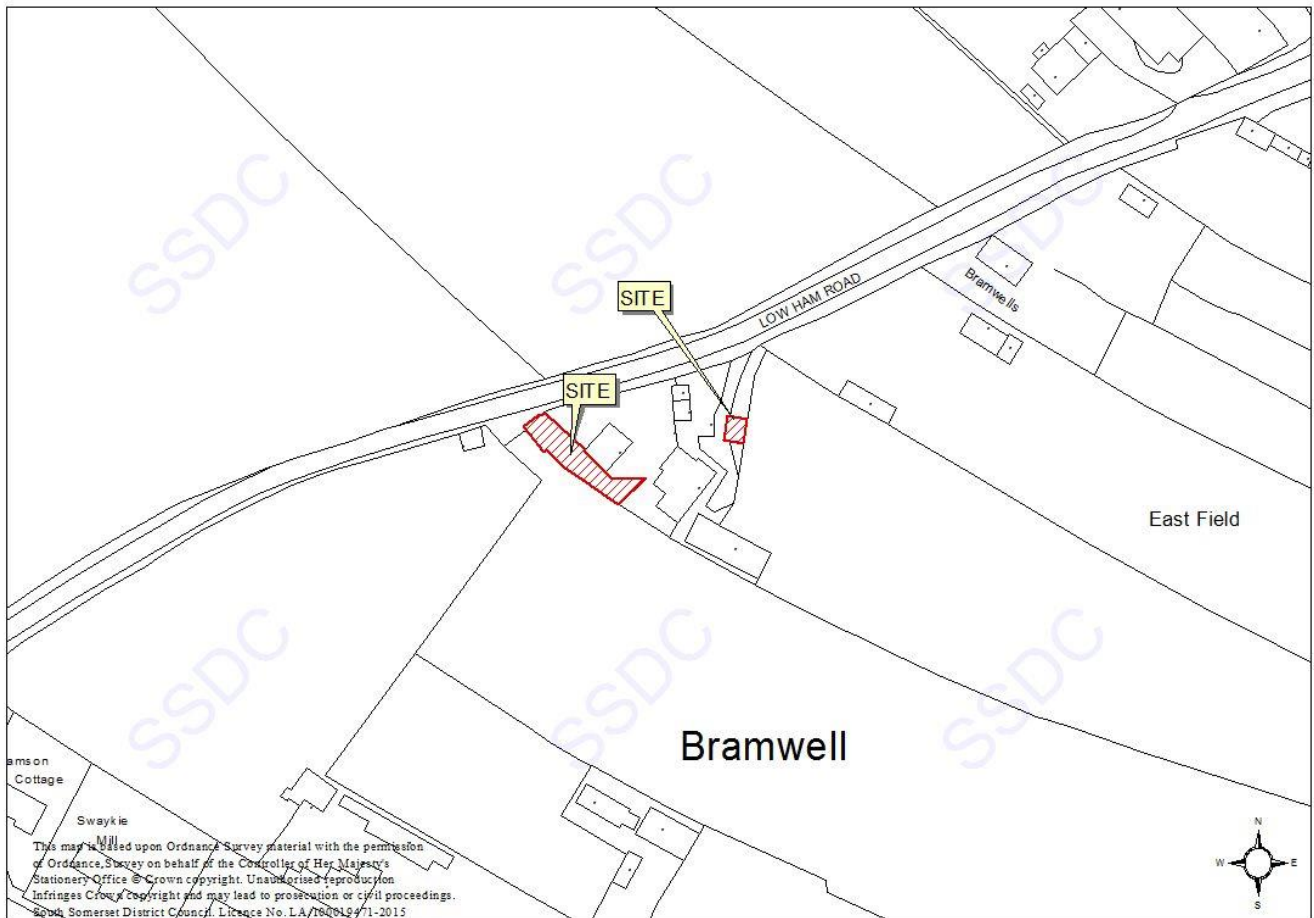
## Officer Report On Planning Application: 17/01866/FUL

<b>Proposal :</b>	Continued use of Hillview Farm Cottage as a dwelling
<b>Site Address:</b>	Hill View Farm Cottage, Hill View, Low Ham Road, Low Ham.
<b>Parish:</b>	High Ham
<b>TURN HILL Ward (SSDC Member)</b>	Cllr Gerard Tucker
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	19th June 2017
<b>Applicant :</b>	Miss Sarah Skeet
<b>Agent: (no agent if blank)</b>	Clive Miller, Sanderley Studio, Kennel Lane, Langport TA10 9SB
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Chair to enable the issues raised to be fully debated by Members.





## PROPOSAL AND HISTORY

This application is made for planning permission for the continued use of an existing building (Hill View Farm Cottage) as a dwelling.

The site comprises one building (Hill View Farm Cottage) and adjoins a dwelling known as Hill View Farmhouse, both being used as separate dwellings. The latter was constructed following the grant of planning permission for the replacement of the former. This original consent in 1967 required the former building (now known as Hill View Farm Cottage) to be demolished. Further consent was then granted for the extension of Hill View Farm Cottage, before a final permission was granted for the erection of Hill View Farmhouse, without explicitly requiring the removal of the older Hill View Farm Cottage (see planning history).

Following occupation of the newer farmhouse, the original dwelling was not removed, however ceased to be occupied. The cottage, which is the subject of this application remained unoccupied until 2014, when the property was renovated and occupied as a separate dwelling by the applicant, Miss Sarah Skeet. Following the occupation of the cottage as a separate dwelling, the Local Planning Authority issued a planning enforcement notice requiring the cessation of occupation of this building as a separate dwelling, taking the view that use as a dwellinghouse in its own right had been abandoned, and that it continued thereafter to be used as an ancillary outbuilding for domestic use in relation to the main house only. This notice came into effect on 30th November 2016 and required compliance within 6 months, however it is now subject to an appeal that is due to be considered by Public Inquiry.

More recently an application for a certificate of lawful development was made, seeking to demonstrate

that the building had been used as an independent building, however this refused. An appeal has also been submitted in respect to that refusal and will be considered alongside the enforcement appeal at the upcoming Public Inquiry.

This application seeks planning permission for the change of use of the existing building to formalise the current situation, where it is being occupied as an independent dwelling. Details of proposed parking spaces are included within the submitted plans. It is expected that should the application be approved, the appeals against the enforcement notice and refusal of the certificate of lawfulness will fall away. Should the application be refused, it is likely to be added to the ongoing appeal for determination alongside these other matters.

## **RELEVANT BACKGROUND**

### **78837**

Permission was granted in 1967, application number 78837, for the demolition of the existing dwelling and the erection of a bungalow and private garage on land adjoining Low Ham Road at Bramwells, Low Ham, and formation of access there to. This permission relates to the replacement of the cottage known as Hill View Cottage, with condition 07 of this permission stating that the existing dwelling (Hill View Cottage) should be demolished and the materials removed from the land within six months of the occupation of the new dwelling - This permission was never implemented.

### **78837/A**

Application 78837/A granted permission in 1967 for the erection of an extension to Bramwells (hereby referred to as Hill View Cottage), Low Ham, Langport, to provide a kitchen, bathroom, and additional bedroom. This effectively allowed the restoration of Hill View Cottage to bring it up to a habitable state. The informative on the decision notice stated that permission No.78837 will be of nil effect because condition 7. on that approval reads "The existing dwelling shall be demolished and the materials removed from the land within six months of the occupation of the new dwelling". Again this permission was not implemented.

### **78837/B**

Application 78837/B, granted permission in 1968, for the erection of a house and private garage on land at Bramwells, Low Ham, and the formation of a vehicular access. The plan submitted shows the new dwelling within the same boundaries - planning unit - as the existing cottage (Hill View Cottage). This consent did not explicitly require the removal of Hill View Farm, however it this property did cease to be occupied following the implementation of this permission, and the erection of the approved dwelling, known as Hill View Farmhouse

### **16/01183/FUL**

Conversion of former milking parlour to a dwelling - permitted with conditions. Relating to a disused agricultural building to the south of the application site.

### **16/05153/COL**

Application for a lawful development certificate for the existing use of the building as an independent dwelling - Refused.

### **17/01163/S73**

Application to vary condition 02, 05 and 07 (approved plans) of 16/01183/FUL for the addition of a garden room - Permitted with conditions.

## CONSULTATIONS

**Parish Council:** This application met with a unanimous vote of support. This being made on the basis that the application was not for physical changes but purely regarding the principle of whether it could be occupied as a cottage by any person.

**SCC Highway Authority:** Standing Advice applies.

**SSDC Highway Consultant:** It would appear that access to the dwelling would derive from an existing entrance to the east of the building that serves other dwellings. A single parking space would be allocated to the dwelling close to the entrance. I consider the proposal is acceptable in highways terms. If not secured previously, I recommend the first 6m of the access is properly consolidated and surfaced (not loose stone or gravel). If the access falls towards the public highway, appropriate surface water drainage measures should also be installed. It would appear possible to provide an additional car parking space within the red line area to ensure that on-site car parking provision accords with the optimum standards set out in the Somerset Parking Strategy.

## REPRESENTATIONS

4 letters of objection have been received from local residents and 1 letter of support has been submitted.

The objections are made on the following grounds:

- Low Ham is a small hamlet unsuitable for this type of development, especially in this case, so far from the road and so close to other houses.
- This retrospective planning application should not be approved, as the council has made its decisions regarding this building, and there is no reason that this should change. Low Ham remains an unsustainable location for development.
- The submitted statement exaggerates the number of houses in Low Ham and highlights the points within Local Plan policy EQ2, which this development without permission has seemingly contravened.
- The main house (Hill View Farmhouse) is empty and should be occupied by the applicant.
- The refurbishment of the building may have caused harm to any resident wildlife.

The letter of support raises the following points:

- The restoration is sympathetic and preserves the original character of the cottage.
- The continued use as a dwelling provides an essential, small and affordable dwelling that has allowed the applicant to move back to the area to raise her son in the local community.
- The property has been part of Low Ham for over a century and it is disproportionate to be questioning its use.

## CONSIDERATIONS

### Principle of Development

The proposal involves the continued use of an existing building as an independent residential dwelling. In terms of principle, the site is located in a rural location, distant from key services, where residential development is normally strictly controlled by local and national planning policies. Notwithstanding the comments made within the applicant's statement, it is fundamentally disagreed that Low Ham is a sustainable location by virtue of access to essential local services or contribution to nearby settlements.



As such, this is a location where residential development is considered to be unacceptable unless there is appropriate justification. Paragraph 55 of the National Planning Policy Framework (NPPF) states that *"Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances."* These circumstances include:

- *Where the development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting.*

The South Somerset Local Plan (2006-2028) does not include a specific barn conversion policy, therefore it is appropriate to assess this policy in respect to the advice contained within the NPPF (paragraph 55). In this case, the history of the building has been briefly outlined in the earlier 'proposal and history' section, with the Local Planning Authority thus far contending that since being unoccupied in the 1970's, the building was abandoned as an independent dwellinghouse, and continued to be used as an ancillary outbuilding in domestic use connected to the occupation of the then main dwellinghouse, Hill View Farmhouse. This use continued up until renovation works were carried out by the applicant, preceding its occupation as a dwelling. As such, it is argued that the building was not disused or redundant, and would have, and still could, continue to serve a useful purpose as an ancillary domestic outbuilding, whether that is as ancillary accommodation, for storage purposes, or as a workshop, etc. In this case, it is questionable whether this building complies with the aims and objectives of paragraph 55 of the NPPF, as the proposal is not strictly for the re-use of a redundant or disused building.

### **Scale and Appearance**

The building has already been refurbished so no further alterations are proposed as part of this application. It is argued that the building was in a more dilapidated state prior to the works taking place so it is suggested that the improvements to the property should be considered retrospectively as an enhancement that may satisfy paragraph 55 of the NPPF. While this is noted, it is not considered to be sufficiently acceptable to outweigh concerns in respect to the inappropriateness of the development. It has previously been questioned whether the development does constitute reuse of a redundant and disused building in the first place. Notwithstanding this consideration, the works were carried out without the benefit of formal planning permission. Taking the Local Planning Authority's view up to now that the building is in fact an ancillary domestic outbuilding, works to maintain, alter and improve it would not have required planning permission, in which case the improvement works would not have been reliant on the grant of planning permission. As such, it is not considered that the improvement works carried out already, provide adequate justification for the provision of additional residential development in this unsuitable location, notwithstanding the current shortage of housing within the district.

Overall, despite the view that the proposal does not comprise development that can be considered under paragraph 55, the scheme does not bring forward the necessary enhancement to the local setting that would outweigh the harm associated with new residential development remote from key local services.

### **Residential Amenity**

Local Plan policy EQ2 states, among other things, that *"development proposals should protect the residential amenity of neighbouring properties."* Likewise, the Core Planning Principles of the NPPF (paragraph 17) states that *"planning should always seek to secure high quality design and a good standard of amenity to all existing and future occupants of land and buildings."*

The building is sited perpendicular to and forward of Hill View Farmhouse, with the front windows looking towards the front garden of the adjoining property, although not directly into the property itself. This is not considered to cause unacceptable harm to residential amenity as this does not constitute private amenity space, and this area is highly visible from public views. Similarly, the other windows in the building look out onto open countryside.

There is one area of concern however, relating to the area of garden that has been sub-divided from the wider Hill View Farmhouse land to provide amenity space for the proposed dwelling. This runs alongside the adjoining dwelling, where large ground floor windows in the south west elevation of Hill View Farmhouse completely overlook the entire garden area. These windows, which are directly on the site boundary will afford no private amenity space for the occupiers of the application building, with views of the conservatory also available. Due to the position of the windows in question, it is also noted that the occupiers of Hill View Farm Cottage would have similar harmful views directly into the adjacent house when using the garden. This relationship therefore results in serious harm to the residential amenity of the occupiers of both properties, should planning permission be granted. It is noted that the two dwellings would be within the same family ownership, if not actually under the same personal ownership. Despite the suggestions of the applicant, that "in the historic tradition of the family", it is highly unlikely ever to be sold, it is not possible to control this. It is noted that Hill View Farmhouse has recently been tenanted, which already introduces an uncomfortable relationship between non-family members, by way of the identified mutual overlooking.

For the above reasons, the continued use of the building as an independent dwellinghouse is considered to be unacceptable and contrary to the aims and objectives of Local Plan policy EQ2, and to conflict with the Core Planning Principles at paragraph 17 of the National Planning Policy Framework.

### **Highway Safety**

The County Highway Authority have noted that standing advice should be taken into account, which usually includes the provision of appropriate visibility splays, provision of properly consolidated access, provision of adequate levels of parking space within the site and the ability to ensure that surface water is adequately controlled to avoid discharge onto the highway. In this case, it is proposed to provide parking within an adjoining area of land within the applicant's ownership, for which there is existing parking for Hill View Farmhouse, and a recently approved barn conversion. As part of this latter consent, a space was identified for the building in question. Following advice from the Council's Highway Consultant that there is a need to provide two spaces to comply with Highway Parking Standards, the scheme was amended to provide an additional space, which is now considered acceptable. Otherwise there is good visibility in each direction at the site access and hard surfacing is required as part of the barn conversion consent. Due to the topography of the site, the access slopes gently away from the public highway, therefore there are no concerns about surface water runoff discharging onto the highway.

Overall, it is considered that the proposed development generally accords with Standing Advice and is acceptable from a highway safety point of view.

### **Ecology**

It has been suggested that the works may have damaged local ecology, however as these works have already been carried out, there are no ecology constraints to consider at this stage.

### **Other Issues**

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). The appropriate Form 0 will need to be completed and returned by the applicant, prior to the grant of any planning permission.

### **Conclusion**

Overall, the proposal comprises unacceptable residential development in a location that is remote from

key local services. The proposal is not considered to comply with the reuse of redundant and disused buildings criteria of paragraph 55 of the NPPF, which is one of the few identified special circumstances which offers some justification to outweigh the otherwise strict planning policy considerations relating to the provision of new residential development in the open countryside. Furthermore, the separation of the application building, and its associated garden area, from the original house and land will have an unacceptable impact due to mutual overlooking between the garden and windows of the building and the adjoining main property Hill View Farmhouse. As such, it is considered appropriate to recommend refusal on these grounds.

## **RECOMMENDATION**

Refuse planning permission

### **For the following reasons:**

01. The continued use of this ancillary domestic outbuilding as an independent dwellinghouse constitutes new residential development in open countryside remote from local services, for which an overriding essential need has not been justified. The proposal fails to provide an enhancement to the immediate setting, as required by paragraph 55 of the NPPF, and therefore constitutes unsustainable development that is contrary to policies SD1, SS1, SS2 and EQ2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
  02. The use of this ancillary domestic outbuilding as an independent dwellinghouse is unacceptable due to the presence of existing windows in the east elevation of the adjoining main dwellinghouse, Hill View Farmhouse, which directly overlook the entire garden, and private amenity space, associated with the building hereby referred to as Hill View Farm Cottage. This will result in mutual overlooking between the two properties thereby failing to maintain a good standard of amenity for the occupiers of both dwellings, should planning permission be granted. As such, the proposed development will result in unacceptable harm to residential amenity, contrary to policy EQ2 of the South Somerset Local Plan (2006-2028) and the core planning principles of the National Planning Policy Framework.
-

# Agenda Item 16

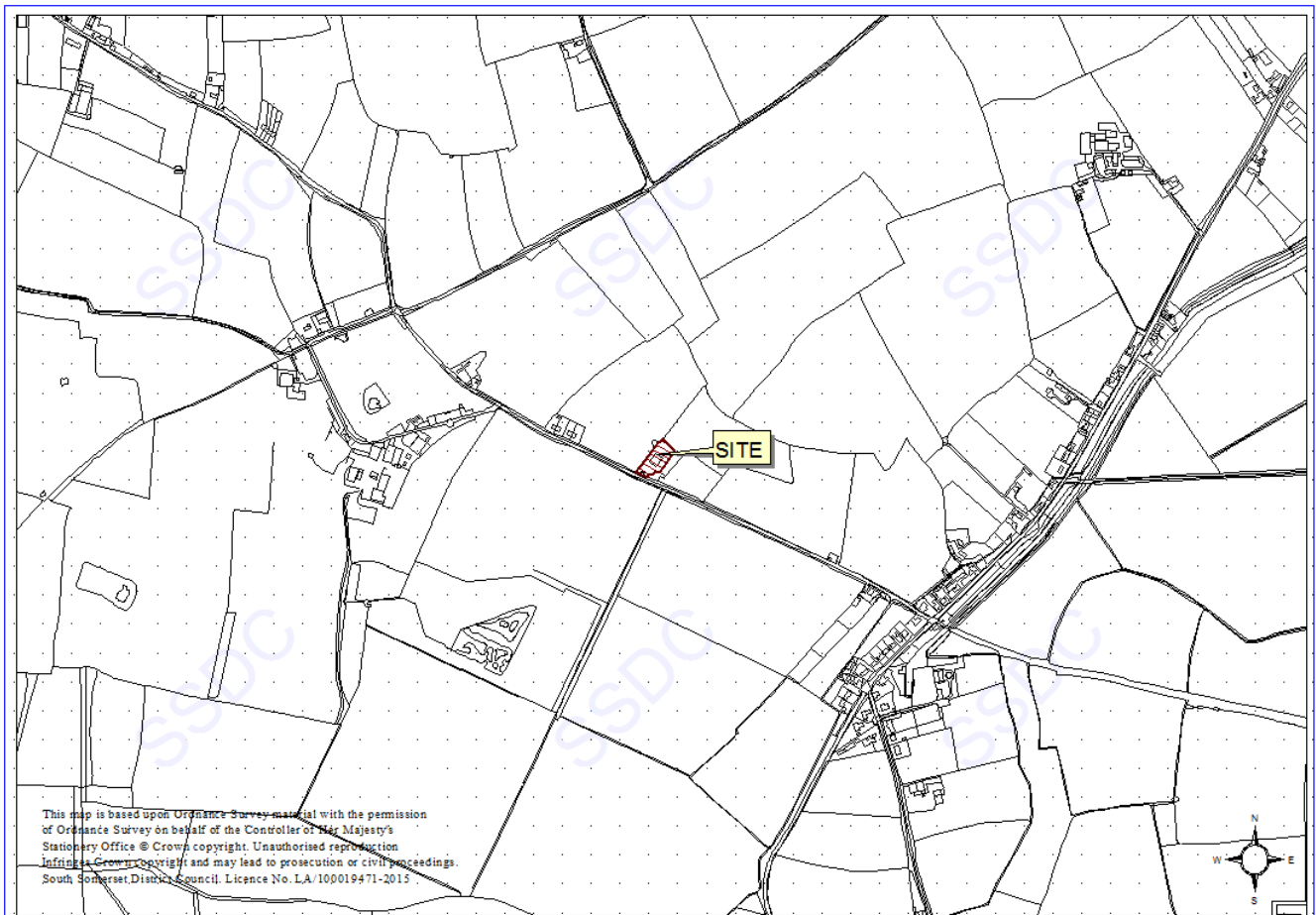
## Officer Report On Planning Application: 17/01207/FUL

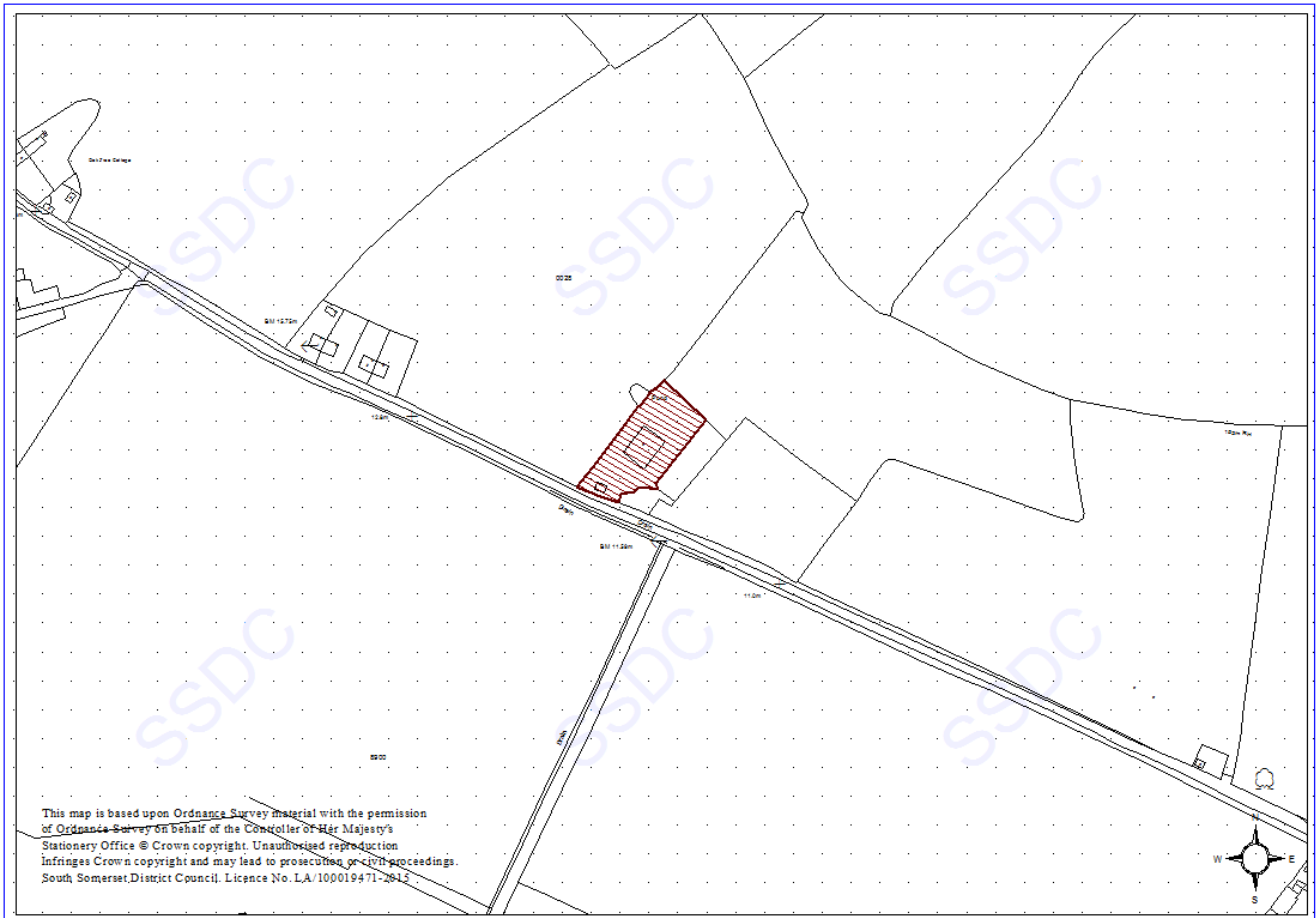
<b>Proposal :</b>	Barn conversion to form a dwelling.
<b>Site Address:</b>	Land OS 0017 Part, Isle Brewers, Taunton.
<b>Parish:</b>	Isle Brewers
<b>ISLEMOOR Ward (SSDC Member)</b>	Cllr Sue Steele
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	25th May 2017
<b>Applicant :</b>	Mr Owen Brownsey
<b>Agent: (no agent if blank)</b>	Mrs Lydia Dunne, Sanderley Studio, Kennel Lane, Langport TA10 9SB
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Chair to enable the issues raised to be fully debated by Members.

### SITE DESCRIPTION AND PROPOSAL





The application relates to a redundant agricultural building located on the north east side of Isle Brewers Lane, to the west of Westport. It sits within open countryside between Westport and Isle Brewers, which is sparsely developed and remote from key local services. The building itself is a steel framed building with concrete block wall up to a height of 2.5m above ground, and metal cladding for the remainder of the building. It is located within an enclosed yard with concrete hardstanding and a smaller building sits adjacent to the road.

This application is made for planning permission to convert the building into a dwellinghouse, as well as demolish the smaller building and replace it with a three bay carport. The proposal includes the replacement of the existing walls and roof with blue engineering brickwork plinths, timber and metal cladding, large aluminium glazed windows and sliding shutters. The design also includes large scale recessed glazing and balconies. There will also be some regrading and levelling of land around the building. It is proposed to carry out a scheme of tree planting with the aim of screening the building and wider site.

## HISTORY

05/01413/COU: Change of use of redundant agricultural barn to b1 and b8 commercial use - Refused. Subsequent appeal dismissed.

922676: Erection of an agricultural livestock building - Permitted with conditions.

## **POLICY**

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 - Sustainable Development  
SS1 - Settlement Strategy  
SS2 - Development in Rural Settlements  
TA5 - Transport Impact of New Development  
TA6 - Parking Standards  
EQ2 - General Development  
EQ4 - Biodiversity

### **National Planning Policy Framework**

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 11 - Conserving and Enhancing the Natural Environment

### **National Planning Practice Guidance**

Conserving and Enhancing the Historic Environment  
Design  
Natural Environment  
Rural Housing

### **Policy-related Material Considerations**

Somerset County Council Parking Strategy (September 2013)  
Somerset County Council Highways Development Control - Standing Advice (June 2015)

## **CONSULTATIONS**

**Parish Council:** Isle Brewers has no objections to these proposals whatsoever, in fact we welcome them.

**County Highway Authority:** The application is to convert a former barn into a dwelling in Isle Brewers.

The average dwelling generates 6-8 vehicle movements per day which would not represent a significant impact on the existing highway or place the highway over capacity.

It is noted that the former use of the barn is likely to have been an agricultural use and as such there is already a use by agricultural vehicles. It is noted that the application accesses onto Isle Brewers Road which is de-restricted and classified. However, it can be considered a lightly trafficked rural road and due to the width of the road it is likely that vehicle speeds are approximately 40mph. Taking this into consideration and paragraph 16.2 of the Design & Access Statement, visibility splays of 2.4x120metres would be required.

The applicant must ensure that there is sufficient space within the site to allow vehicles to turn around and enter the highway in a forward gear. Drawing number DSGN0078\_P\_P01 shows vehicle tracking and that a vehicle can enter the highway in a forward gear.

The applicant must ensure that the access is fully consolidated, i.e. no loose stone or gravel to prevent loose material from being deposited onto the highway which could lead to a potential highway safety concern.

Should the applicant wish to use gates, then these would have to be set back a minimum of 6 metres from the edge of the carriageway to allow vehicles to wait off the highway while gates are opened. The gates should be designed to open inwards.

The applicant must ensure that under no circumstance should water be discharged onto the Highway.

The Highway Authority therefore does not object subject to the imposition of suggested conditions.

**SSDC Landscape Architect:** This is a bulky structure, and likely to be far more evident as residential, given its rural context; singularity; the amount of glaze being introduced, and night-light. As such, I do not view its 'conversion' as an enhancement, nor does it reflect local character, as sought by our LP policy EQ2. Whilst I note an outline landscape proposal to accompany the application that potentially could bring some level of enhancement to the site, I do not see it as compensating the adverse impact of conversion. Consequently I am not supportive of the proposal as it stands.

## REPRESENTATIONS

None

## CONSIDERATIONS

### Principle of Development

The proposal involves the conversion of a redundant building for use as single residential dwelling. In terms of principle, the site is located in a rural location, distant from key services, where residential development is normally strictly controlled by local and national planning policies. Paragraph 55 of the National Planning Policy Framework (NPPF) states that "*Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances.*" These circumstances include:

- *Where the development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting.*

This application is made on the basis of making use of an existing building, which is substantially unused and redundant, and no longer suitable for agricultural use. There is general policy support for the conversion of existing buildings, which is to be considered in this proposal. The South Somerset Local Plan (2006-2028) does not include a specific barn conversion policy, therefore it is appropriate to assess this policy in respect to the advice contained within the NPPF (paragraph 55). The building was originally built for the purposes of agriculture however after becoming vacant, the applicant has sought alternative uses. It is noted that an application was made to change its use to business use (B1 and B2) in 2005, however this was refused by the Local Planning Authority, and subsequently dismissed at appeal, with the Inspector finding that the site was unsuitable for business purposes due to increased traffic generation and on design grounds.

The proposal now before us comprises that change of use of this building to residential use, however despite the applicant describing this as a 'conversion', it would appear that very little but the steel frame would be preserved. The plans indicate near complete, if not complete removal of all existing concrete blockwork, as well as wall and roof cladding. This being the case, the proposal goes well beyond conversion, comprising rebuild of all external surfaces, which does not comply with local or national policies for reuse of redundant and disused buildings, which is one of the few exceptions for residential development in open countryside locations such as this. The applicant has argued that in his conclusions, the Inspector dealing with the appeal against refusal 05/01413/COU, determined that the building was "of permanent and substantial construction and would be capable of conversion without major reconstruction." That may have been the case for the proposal in question at the time, as this maintained the same form but simply re-clad in a similar fashion as existing, albeit full height cladding over the existing concrete block, which was to be retained. The proposal now being considered involves major reconstruction and significant levels of new build to form a building that has little bearing on the existing structure, other than being of the same height and footprint due to the retention of the existing frame. Following the recent '*Hibbit*' High Court judgement, and subsequent appeal decision nationally, the level of rebuild would preclude conversion under permitted development rights, which are often more permissive than a conversion under paragraph 55 of the NPPF. For this reason, it is considered that the proposal does not fulfil the requirements of paragraph 55.

### **Scale, Design and Appearance**

Notwithstanding the concerns raised in respect to the level of work required to the building, and whether that in itself complies with national guidance in respect to the reuse of redundant and disused buildings, the Council's Landscape Architect has objected design grounds.

While the building is in a dilapidated state, and a rather large structure, it is a simple functional agricultural structure, commonly found in open countryside and in itself sits comfortably within the site, having limited overall impact on its surroundings. The proposed alterations will introduce a design and appearance that is fundamentally more residential. The materials, which include large-scale glazing, blue brickwork plinth, timber and metal cladding, will be more obviously residential in style, also being of an appearance that fails to reflect local character, as required by Local Plan policy EQ2. The change from the existing, more subtle, functional building will be further exaggerated by its bulky structure. Furthermore, the domestic occupation of this site will introduce an intensification of use, along with provision of parked cars, residential curtilage, associated domestic paraphernalia and night-lighting, at odds with the low intensity agricultural use that could take place in this open countryside location.

While it is noted that the proposal does include additional planting within the site and to the boundaries, this is not considered to be outweigh the harm to the local rural context resulting from the proposed development, and associated of domestic use of the site. Therefore, even were the proposal considered to be an appropriate conversion, the identified harm would mean that the scheme failed to provide the enhancement to the immediate setting required under paragraph 55 of the NPPF. There have been issues in more recent years with the site being left in a poor state by previous tenants, however they have moved on and the site is again under the control of the applicant. It is not uncommon to see disused buildings within the countryside. While there are some that are able to be successfully converted, it is not the case that every building is suitable, or must be used. In the cases where an agricultural building has reached the end of its natural life, and is unsuitable for other use, the option is always available for the building to simply be removed and the land restored to agricultural use.

### **Highway Safety**

The application involves a reduction in the width of the access, provision of a new gate set back from the carriageway, and the formalisation of visibility splays. The Highway Authority have considered the proposal and raised no objections on the basis that it would be unlikely that use for residential purposes would lead to any significant increase in vehicular movements, or other harm to highway safety. Should



the application be granted planning permission, number of conditions are suggested in relation to visibility, surfacing of the access, retention of parking and turning space, drainage and position of gates. Overall, there are no highway safety concerns.

### **Residential Amenity**

The building is located in an isolated location, with no immediate neighbours that would be impacted on by the proposed development. As such it is considered to be acceptable from a residential amenity point of view.

### **Other Issues**

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). The appropriate Form 0 has been completed and returned by the applicant.

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district. In May 2016 the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less. It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore the Local Planning Authority are not seeking an affordable housing obligation from this development.

### **Conclusion**

Overall, the proposal comprises unacceptable residential development in a location that is remote from key local services. The proposal is not considered to comply with the reuse of redundant and disused buildings criteria of paragraph 55 of the NPPF, which is one of the few identified special circumstances which offers some justification to outweigh the otherwise strict planning policy considerations relating to the provision of new residential development in the open countryside. Furthermore, the proposed design and materials, together with introduction of domestic features associated with the proposed residential use of the site is considered to detrimentally impact on the character and rural context of the area.

### **RECOMMENDATION**

Refuse

#### **For the following reason:**

01. The proposed development constitutes new residential development in open countryside remote from local services, for which an overriding essential need has not been justified. Furthermore, the proposed works to this simple, functional rural building would, by reason of the proposed design and finish, result in an alien and incongruous form of development at odds with the rural character and appearance of the locality. The proposal fails to provide an enhancement to the immediate setting, as required by paragraph 55 of the NPPF.

The proposed development therefore constitutes unsustainable development that is contrary to policies SD1, SS1, SS2 and EQ2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.

# Agenda Item 17

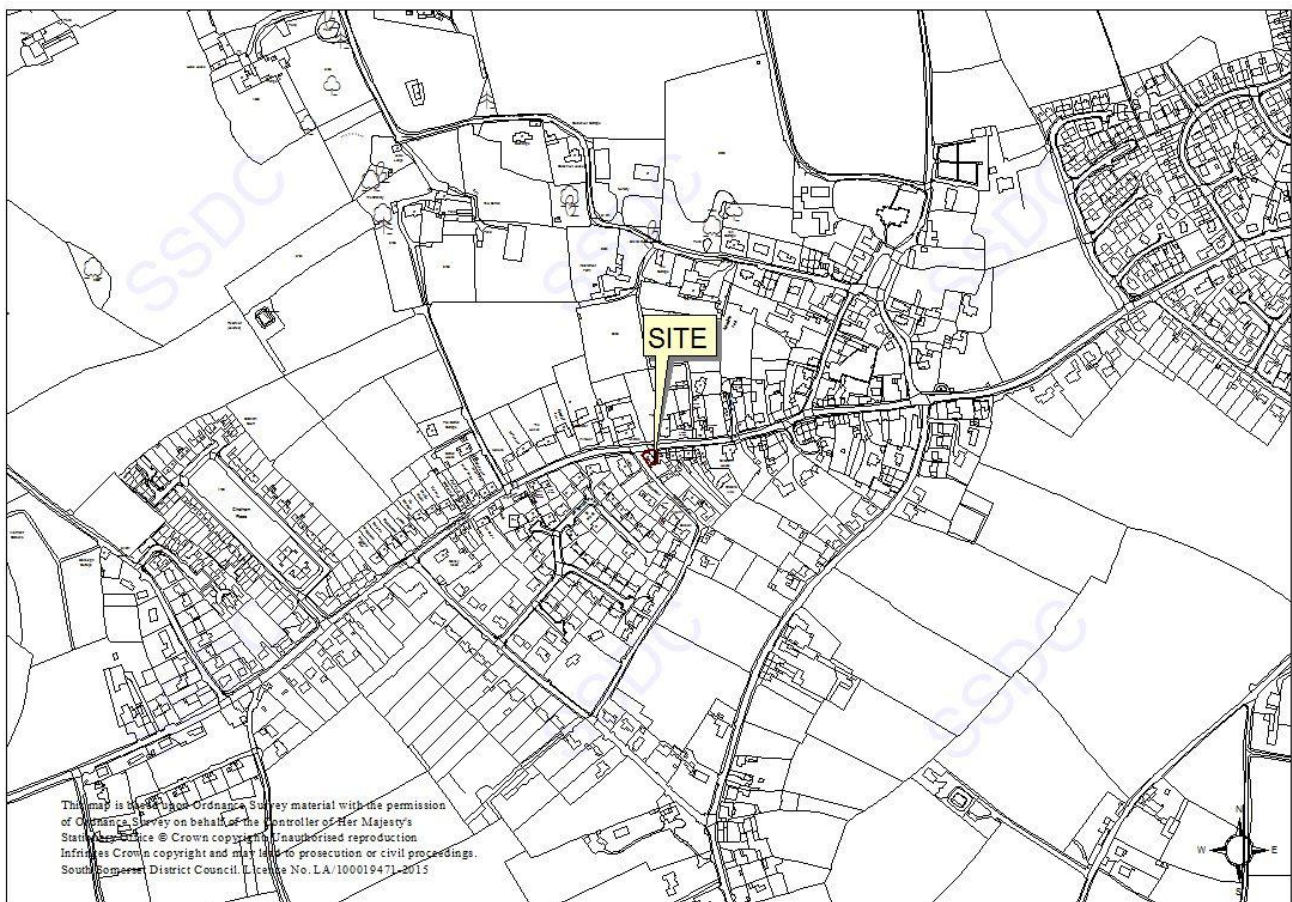
## Officer Report On Planning Application: 17/00917/COU

<b>Proposal :</b>	Change of use of public house (Use Class A4) to 1 No. dwelling with associated parking.
<b>Site Address:</b>	King William Inn, Langport Road, Curry Rivel.
<b>Parish:</b>	Curry Rivel
<b>CURRY RIVEL Ward (SSDC Member)</b>	Cllr Tiffany Osborne
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	4th May 2017
<b>Applicant :</b>	Alison McDougall
<b>Agent: (no agent if blank)</b>	Mrs Lydia Dunne, Sanderley Studio, Kennel Lane, Langport TA10 9SB
<b>Application Type :</b>	Other Change Of Use

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Chair to enable the issues raised to be fully debated by Members.

### SITE DESCRIPTION AND PROPOSAL





The application relates to the King William Inn, a small public house located on the corner of High Street, Curry Rivel, and King William Lane. The building comprises a public house on the ground floor and living accommodation on the first floor. There is a tarmacked parking area on the opposite side of King William Lane, with residential development on three sides.

This application is made for the change of use of the public house to residential use, effectively allowing the whole premises to be occupied as a single dwellinghouse. A concurrent applicant has also been made for outline planning permission to erect a single dwelling on the car park opposite, which would also include parking provision for the dwelling proposed as part of this change of use, should permission be granted.

## HISTORY

- 17/00918/OUT: Outline application for the erection of one detached dwelling with associated parking - Pending consideration.
- 05/01921/OUT: Erection of dwelling with double garage on car park site of King William IV public house - Refused.
- 05/01925/FUL: Subdivision of public house into two dwellings with car parking spaces opposite (on car park site) - Refused.
- 04/01231/FUL: Conversion of public house to two cottages and erection of a pair of semi-detached houses with parking on car park opposite - Refused.

## **POLICY**

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS2 - Development in Rural Settlements

SS5 - Delivering New Housing Growth

EP15 - Protection and Provision of Local Shops, Community Facilities and Services

HG5 - Achieving a Mix of Market Housing

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

EQ3 - Historic Environment

### **National Planning Policy Framework**

Core Planning Principles - Paragraph 17

Chapter 1 - Building a Strong Competitive Economy

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 8 - Promoting Healthy Communities

Chapter 12 - Conserving and Enhancing the Historic Environment

### **National Planning Practice Guidance**

Conserving and Enhancing the Historic Environment

Design

Rural Housing

### **Policy-related Material Considerations**

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2015)

## **CONSULTATIONS**

**Parish Council:** The Parish Council recommends refusal of the above planning application because it is considered that a single Public House is not sufficient for the size of the village, bearing in mind future development proposed, and there is a need for two Public Houses.

**County Highway Authority:** Standing Advice applies.

**SSDC Highway Consultant:** Refer to the comments made in response to the associated planning application 17/00918/OUT, which apply equally. These are as follows:

*This proposal should be considered in tandem with the change of use of the public inn to a residential*

*dwelling. The volume of traffic entering/exiting the site is likely to reduce as a result of the development, given the extant use as the pub car park. However, the details of the proposed access need careful consideration. The footway to the north of the site should be extended across the entire site frontage with the access taking the form of a footway crossing rather than a kerbed junction. The southerly visibility splay appears to cross third party land - I think this could be avoided if a 2.0m X-distance is used in this direction and/or a topo survey is commissioned which may demonstrate that the use of a 2.4 X-distance can be used. The level of parking should accord with the SPS optimum standards - if the proposed dwellings are 2-bed units then strictly speaking five car spaces are required in addition to that required for the converted pub. I suggest amended plans are submitted to address the above comments.*

Amended plans have since been received in relation to application 17/00918/OUT, showing both improved access in line with the Highway Consultant's comments but also the reduction of the outline proposal from two to one dwelling. The latest comments following these revisions are:

*The revised layout is acceptable in highways terms. The details appear satisfactory, provided the parking and turning areas are properly consolidated and surfaced (not loose stone/gravel) and that suitable drainage measures are provided across the access to the rear of the footway, as shown, to ensure surface water does not discharge onto the highway. The extension of the footway across the site frontage (and its dedication/adoption to/by SCC) is likely to require a legal agreement with the highway authority. A S184 Road Opening Notice will be required from SCC.*

**SSDC Economic Development:** (Opinion received in respect to pre-application discussions)

The King William IV is not the only public house in Curry Rivel. Whilst the loss of such a community facility would be regrettable (as it is likely to be supported by a fair number of local people and passing trade) it would not be a total loss of this type of amenity to the village. It might also be argued that the loss of one public house in a village may safeguard or even improve the trade in the other.

- The pub is only marginally viable and displaying a downward financial trajectory.
- In my opinion the marketing can be considered robust.

I would find it difficult to make a compelling economic argument for continuation of existing use.

## **REPRESENTATIONS**

Two letters of objection have been received from local residents in respect to the application for change of use of the public house. The following main points are raised:

- The King William is the only pub of its type in the village. The other, The Fire House, is a popular restaurant with bar, and is often overcrowded and does not serve the purpose of a public house with space for people to meet in comfortably surroundings.
- The current publican is unwelcoming, has not advertised, or encouraged clientele to visit. A reduction in drinking hours and not being open for reasonable opening hours on long weekends also puts off many potential visitors.
- This application is the first step for applying for housing on the pub car park, which will lead to additional parking problems, and other highway safety concerns.
- The pub has been successful previously, and with the right management may be so again. This is shown by the success of The Fire House.
- There is no need for more housing in Curry Rivel.



## CONSIDERATIONS

### Principle of Development

The application seeks to change the use of the public house to allow the entire building to be a single dwellinghouse. Curry Rivel is designated as a Rural Settlement within the South Somerset Local Plan (2006-2028), and as such is a location where development is considered to be generally acceptable, within the current policy context, being a larger rural settlement with access to a broad range of key local services. As such the principle of development is acceptable subject to according with other Development Plan policies and proposals, and the aims of the NPPF. In considering the change of use of local services (including public houses), policy EP15 of the South Somerset Local Plan is relevant.

Policy EP15 states "*Proposals that would result in a significant or total loss of site and/or premises currently or last used for a local shop, post office, public house, community or cultural facility or other service that contributes towards the sustainability of a local settlement will not be permitted except where the applicant demonstrates that:*

- *alternative provision of equivalent or better quality, that is accessible to that local community is available within the settlement or will be provided and made available prior to commencement of redevelopment; or*
- *there is no reasonable prospect of retention of the existing use as it is unviable as demonstrated by a viability assessment, and all reasonable efforts to secure suitable alternative business or community re-use or social enterprise have been made for a maximum of 18 months or a period agreed by the Local Planning Authority prior to application submission."*

In this case, the applicant has sought to demonstrate that the loss of the public house facility will not result in a significant loss of a premises last used for a public house that contributes towards the sustainability of the settlement. This is due to the presence of several other facilities locally, both public houses and other facilities which offer a similar service. In addition, the application is supported by a planning statement, business appraisal and financial information to demonstrate that the public house is not sufficiently viable to continue operating, and that it has been robustly marketed in accordance with the requirements of policy EP15. It is also argued that the size of the pub, limited facilities, such as a very small kitchen and store room, and inability to accommodate sufficient numbers of diners to offer greater variety in business model, means that there is limited prospect of becoming any more viable in the future.

Despite the concerns raised by the Parish Council, and contributors, the proposal has been discussed with the Council's Economic Development, both as part of this application, and in pre-application discussions. The difficulties with the continuing use as a public house are acknowledged, as is the minimal profit being generated. In response to pre-application discussions in 2014, the Council's Economic Development Manager considered that the loss of the pub, while regrettable, would not represent the total loss of this amenity type in the village. While there have been other pub closures since, this has also coincided with the refurbishment and re-opening of The Old Forge Inn, now known as the Fire House, which is a successful pub and restaurant at the centre of the village.

Notwithstanding whether this would be viewed as a total or significant loss of such facilities, it must also be noted that the property has been on the market well in excess of the 18 months required by policy EP15. It has been marketed since March 2011, with continuous marketing since. There has been no serious interest, with one offer below the asking price. Having considered the robust marketing, the lack of significant interest, and the continuing marginal viability, with no likelihood of improving, it is considered that it has been appropriately demonstrated that the existing use is unviable and all reasonable efforts to secure suitable alternative business or community re-use have been made.

Another issue to consider in the assessment of this application, is that the public house recently been

listed as an 'Asset of Community Value' (ACV), following a successful nomination. The application was made in the latter stages of this application and registered on 9th June 2017. The initial 6 week period to appeal against the listing, and for interested parties to express a written intention to bid expires, therefore expires on 21st July 2017. Should no expression of interest be received, a protected period of 18 months, in which no further moratorium may be triggered, will commence. Despite the presence of this ACV status, this does not actually provide a policy basis to refuse planning permission. The main purpose of this legislation is to require an application for planning permission for any change of use of a building already on the list, and providing the opportunity for community groups to gain the requisite finding to make a bid. It should be noted however that the applicant is not obliged to sell to an interested party, or sell at a discounted rate, although of failure to do so would raise questions when considering the robustness of the marketing exercise, when considering an application for planning permission.

There is very little advice on the appropriate weight to be given to ACV listing, with various publications and advice suggesting that *"it is open to the Local Planning Authority to decide whether listing as an asset of community value is a material consideration if an application for change of use is submitted, considering all the circumstances of the case."* As mentioned above, the main reason for objecting in the case of a listed asset would be if a suitable bid has been made, and rejected, prior to the application being made, in which case the ability to comply with policy requirements to seek alternative use, such as that within policy EP15, may be questioned. In this particular case, the bid has come in very late, with the public house already having been marketed in excess of 6 years, with no suitable interest. As such, it is considered unreasonable to give the pub's status significant weight in the planning balance, so as to recommend refusal.

### **Other Issues**

Other issues to consider are the potential impact on highway safety and residential amenity.

Firstly in regard to highway safety, parking provision is identified within the existing car park, in conjunction with the concurrent application for outline permission to provide a single dwellinghouse on the public house car park. The plans submitted in respect to that application (17/00918/OUT) include improvements to the existing car park access, including the extension of the pedestrian pavement to the north, across the site frontage, and provision of pedestrian visibility, and provision of 8 parking spaces (4 for each proposed dwelling) and turning space. The proposed alterations to the access are considered to be more pertinent to the outline planning permission, and would be conditioned accordingly, should that permission be granted. In this case, it is not felt that the alterations are essential should only this permission be granted. Use of the existing car park for only parking related to the occupation of the King William Inn as a dwellinghouse, would generate less vehicle movements than would potentially be expected from use as a public house car park so should this planning permission be granted, it is considered necessary only to condition that parking space shall be provided, and kept clear of obstruction, in line with the submitted plans for the overall development of the car park site. Should the outline planning permission also be approved, then the full improvements and more formal parking provision would be expected to be provided at that stage.

As there are no changes proposed to the external appearance of the property and that the partial residential use of the site will be extended, there are no concerns in respect to the visual impact of the proposal or impact on residential amenity.

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). The appropriate Form 0 has been completed and returned by the applicant.

### **Conclusion**

Overall, the proposed change of use to a single dwellinghouse is considered to be appropriate in this

location and it has been satisfactorily demonstrated that there is no reasonable prospect of retention of the existing use as it is only marginally viable, with little prospect of improvement. Additionally, appropriate efforts have been made to secure suitable alternative business or community re-use, through a lengthy and robust marketing exercise.

## **RECOMMENDATION**

Grant permission with conditions

01. The proposed change of use to a single dwellinghouse is considered to be appropriate in this location. It has also been satisfactorily demonstrated that there is no reasonable prospect of retention of the existing use and that appropriate efforts have been made to secure suitable alternative business or community re-use. The proposal also has no detrimental impact on visual amenity of the local area, residential amenity or highway safety. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, SS1, SS2, TA5, TA6, EP15, EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 1, 4, 7, 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 be carried out in complete accordance with the following approved plan: '535 (00) 01', received 9th March 2017.

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

03. Prior to the change of use hereby permitted first taking place, a parking area shall be provided to accord with the layout of parking spaces, as indicated on submitted plan '535 (0) 01 A', received 16th May 2017. This area allocated for parking shall thereafter be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

### **Informatives:**

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



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

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

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# Agenda Item 18

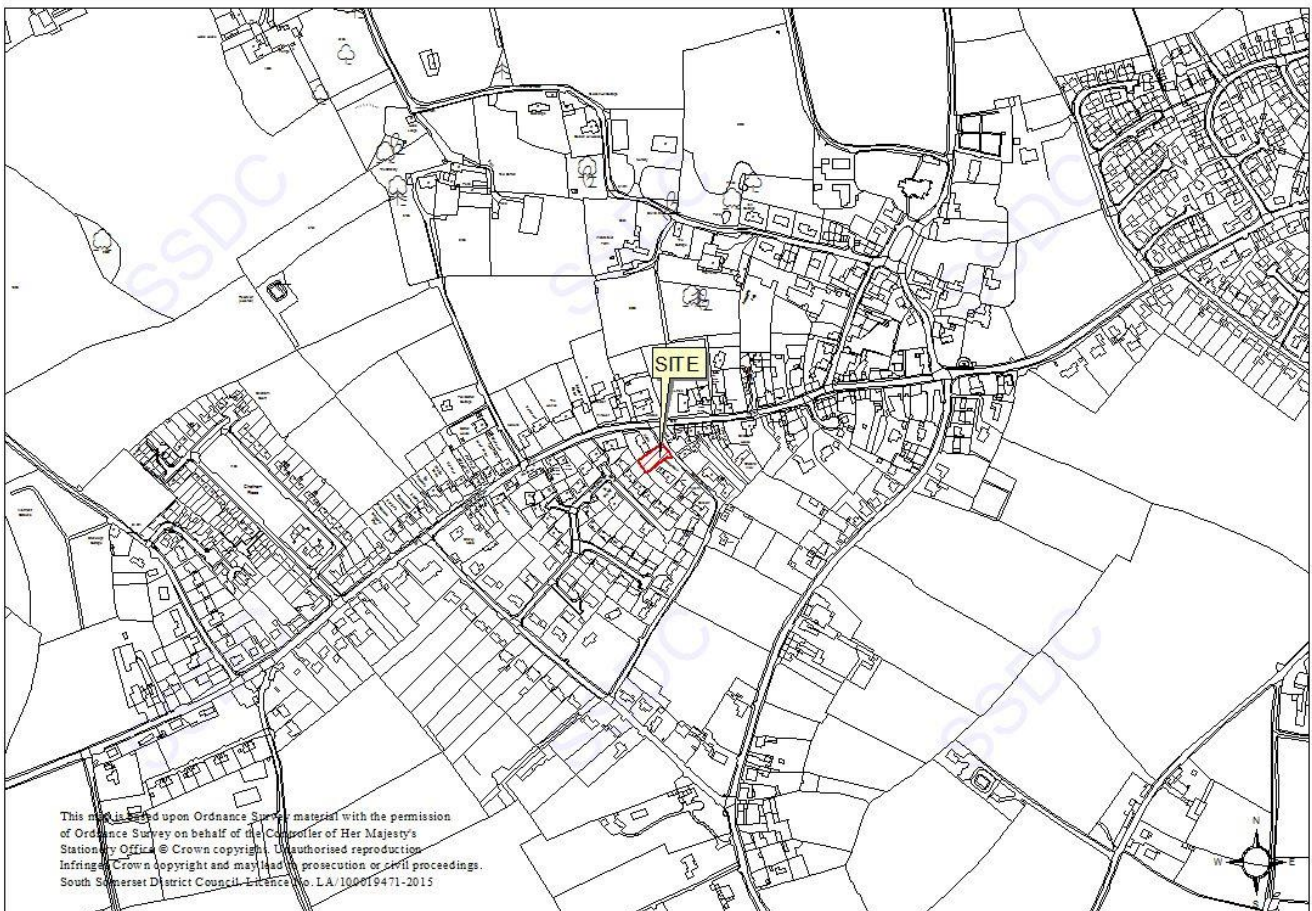
## Officer Report On Planning Application: 17/00918/OUT

<b>Proposal :</b>	Outline application for the erection of one detached dwelling with associated parking
<b>Site Address:</b>	King William Inn, Langport Road, Curry Rivel.
<b>Parish:</b>	Curry Rivel
<b>CURRY RIVEL Ward (SSDC Member)</b>	Cllr Tiffany Osborne
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	25th April 2017
<b>Applicant :</b>	Alison McDougall
<b>Agent: (no agent if blank)</b>	Mrs Lydia Dunne, Clive Miller & Associates Ltd, Sanderley Studio, Kennel Lane, Langport TA10 9SB
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Chair to enable the issues raised to be fully debated by Members.

### SITE DESCRIPTION AND PROPOSAL





The application relates to the car park associated with the King William Inn, a small public house located on the corner of High Street, Curry Rivel, and King William Lane. The car park itself is a tarmacked area with timber fencing on three sides and a blockwork store building located on the road frontage. The site is surrounded by residential development, with housing directly to the north, south and west.

This application is made for outline permission for the erection of a single detached dwelling and includes improvements to the access and parking provision. A concurrent applicant has also been made for the change of use of the public house to residential use. This outline application includes parking provision for the dwelling proposed by the change of use of the public house, should permission be granted. Approval is being sought for access and layout, with scale, appearance and landscaping to be addressed at reserved matters stage.

NOTE: The application was submitted as outline permission for a pair of semi-detached houses, however has been amended during the course of the application to be for a single dwellinghouse only.

## HISTORY

17/00917/COU: Change of use of public house (Use Class A4) to 1 No. dwelling with associated parking - Pending consideration.

05/01921/OUT: Erection of dwelling with double garage on car park site of King William IV public house - Refused.

05/01925/FUL: Subdivision of public house into two dwellings with car parking spaces opposite (on car park site) - Refused.

04/01231/FUL: Conversion of public house to two cottages and erection of a pair of semi-detached houses with parking on car park opposite - Refused.

## **POLICY**

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS2 - Development in Rural Settlements

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

EP15 - Protection and Provision of Local Shops, Community Facilities and Services

HG4 - Affordable Housing Provision

HG5 - Achieving a Mix of Market Housing

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

EQ3 - Historic Environment

### **National Planning Policy Framework**

Core Planning Principles - Paragraph 17

Chapter 1 - Building a Strong Competitive Economy

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 8 - Promoting Healthy Communities

Chapter 12 - Conserving and Enhancing the Historic Environment

### **National Planning Practice Guidance**

Conserving and Enhancing the Historic Environment

Design

Rural Housing

Planning Obligations

### **Policy-related Material Considerations**

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2015)

## CONSULTATIONS

**Parish Council:** *The Parish Council recommends refusal of the outline planning application because it was felt that the confidential matters made it difficult to make a real assessment about viability. A viable Public House needs car parking.*

Following receipt of amended plans, the following additional comments were received:

*The Parish Council object to the planning application because of its link with the King William Pub. The parking area would unsustainable and could not be managed under current regulations or in practice.*

*A community Right to Bid for the purchase of the pub has been submitted and if the planning application was successful, it could affect the popularity and use of a popular pub.*

**SCC Highway Authority:** Standing advice applies.

**SSDC Highway Consultant:** Refer to the comments made in response to the associated planning application 17/00918/OUT, which apply equally. These are as follows:

*This proposal should be considered in tandem with the change of use of the public inn to a residential dwelling. The volume of traffic entering/exiting the site is likely to reduce as a result of the development, given the extant use as the pub car park. However, the details of the proposed access need careful consideration. The footway to the north of the site should be extended across the entire site frontage with the access taking the form of a footway crossing rather than a kerbed junction. The southerly visibility splay appears to cross third party land - I think this could be avoided if a 2.0m X-distance is used in this direction and/or a topo survey is commissioned which may demonstrate that the use of a 2.4 X-distance can be used. The level of parking should accord with the SPS optimum standards - if the proposed dwellings are 2-bed units then strictly speaking five car spaces are required in addition to that required for the converted pub. I suggest amended plans are submitted to address the above comments.*

Amended plans have since been received in relation to application 17/00918/OUT, showing both improved access in line with the Highway Consultant's comments but also the reduction of the outline proposal from two to one dwelling. The latest comments following these revisions are:

*The revised layout is acceptable in highways terms. The details appear satisfactory, provided the parking and turning areas are properly consolidated and surfaced (not loose stone/gravel) and that suitable drainage measures are provided across the access to the rear of the footway, as shown, to ensure surface water does not discharge onto the highway. The extension of the footway across the site frontage (and its dedication/adoption to/by SCC) is likely to require a legal agreement with the highway authority. A S184 Road Opening Notice will be required from SCC.*

## REPRESENTATIONS

Two letters of objection have been received from local residents in respect to the application for change of use of the public house. The following main points are raised:

- The proposal comprises overdevelopment and is not in keeping with the current houses in the vicinity. A detached bungalow or house would be more in keeping with existing properties.
- Further housing will result in increased parking on High Street, loss of use for neighbour overflow parking, and exacerbate existing poor visibility from the site onto King William Lane.
- The pub has been poorly run and the community have not been encouraged to frequent the establishment.



- The car park should be utilised for off road parking or garden, should the pub become a dwelling.
- There are concerns over the impact of the proposal on the residential amenity of neighbouring properties.
- The amendments do not make any difference, the pub would be viable, if run properly.

## **CONSIDERATIONS**

### **Principle of Development**

The application seeks outline planning permission for the erection of a detached dwellinghouse on the site of the King William pub car park. Curry Rivel is designated as a Rural Settlement within the South Somerset Local Plan (2006-2028), and as such is a location where development is considered to be generally acceptable, within the current policy context, being a larger rural settlement with access to a broad range of key local services. As such the principle of development is acceptable subject to according with other Development Plan policies and proposals, and the aims of the NPPF. As well as consideration of matters such as local character, residential amenity, highway safety, etc, particular consideration has to be given to the impact the loss of this car park would have on the King William Inn.

Previous applications for the redevelopment of this site (2004 and 2005) have failed on the basis that the loss of the car park would adversely impact on the viability of the pub. This is again a key consideration in respect to the principle of loss of the car park in association with the pub. Concurrent application 17/00917/COU is made for the change of use of the pub, and the outcome of that application is vital in determining whether this application is acceptable or not on these grounds. Should planning permission be granted for the change of use of the pub, the loss of the car park will no longer have any bearing on the viability of the pub, as it will no longer exist as such.

In considering the change of use of local services (including public houses), policy EP15 of the South Somerset Local Plan is relevant. Application 17/00917/COU has been considered against this policy requirement and as a result has been recommended for approval on the basis that it has been satisfactorily demonstrated that there is no reasonable prospect of retention of the pub use and that appropriate efforts have been made to secure suitable alternative business or community re-use, through a lengthy and robust marketing exercise, thereby complying with policy EP15. Details of this assessment are covered in more detail in the report for the change of use application, however on the basis that this application is recommended for approval, it is therefore considered that the loss of the car park in association with the pub would be acceptable.

### **Scale and Appearance**

Outline planning permission has been sought for the provision of one detached dwelling, with access and layout to be considered at this stage. The site is located within an area of existing residential development, which is mainly characterised by detached dwellings, of which there is a mix of bungalows and houses.

While originally submitted as a proposal for a pair of semi-detached houses, the scheme has been amended to be for a single dwellinghouse, following concerns about impact on local character, residential amenity and highway safety.

In considering the layout at this stage, the proposal is considered be acceptable, now having a footprint and siting that corresponds well with the prevailing character of surrounding development. Details of scale, appearance and landscaping are to remain for consideration at reserved matters stage, however there are no concerns that an appropriately designed scheme could not be achieved.

## **Residential Amenity**

The site is located close to existing residential development, with careful consideration required to ensure that there isn't any adverse impact on the residential amenity of neighbouring properties and occupiers through overlooking, overshadowing or general overbearing impact. In particular, the property to the west is relatively close to the application site, being approximately 13m from the site boundary. Careful consideration will therefore have to be given to design to avoid unacceptable overlooking in particular. Despite this concern, it is noted that there are similar relationships with other properties along King William Lane, and those behind them on Stoneyhurst Drive. An appropriate design could be achieved to avoid unacceptable relationships, particularly in respect to overlooking. This could be by providing a bungalow, or a lower profile two storey dwelling, with cat slide roof to the rear, as is present on the property to the south.

## **Highway Safety**

The current access to the site is substandard, with limited visibility as a result of the site levels above the highway, and the presence of a building on the site frontage. In response to the application, the Highway Authority has chosen not to comment formally, advising that Standing Advice applies. The Council's Highway Consultant has responded in detail, noting that the proposed use for residential purposes was likely to see a reduction in vehicular movements. Advice has been offered in terms of the design of the access, which has been amended to provide an extended pedestrian footpath up to the site, linking it to the adjoining network of pavements, and improved visibility by removing the existing frontage building and formalising pedestrian visibility splays.

Overall, bearing in mind the reduction in vehicle movements likely to be expected as a result of the change of use of the site to residential, and the access improvements proposed, the scheme is considered to be acceptable from a highway safety point of view. It is noted that the scheme includes 8 parking spaces, 4 each for the dwelling proposed by this permission, and that proposed by the change of use of the pub. Each dwelling only has an optimum requirement for three parking spaces, in which case additional space should be justified, however noting the difficulties with on street parking in the local area, the opportunity to ensure that there is a little over the optimum is welcomed on this occasion.

## **Planning Obligations**

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). In this case, the requirement will come into force following the grant of reserved matters, or in respect to any subsequent full planning permission.

## **Conclusion**

The proposed residential development of the site, comprising the provision of two detached dwellings, is considered to be acceptable in this location, and could be carried out, subject to detail, with respect to the character of the area, and without causing demonstrable harm to residential amenity and highway safety, and without increasing flood risk locally.

## **RECOMMENDATION**

Grant approval with conditions

01. The proposed residential development of the site is considered to be acceptable in this location, and could be carried out, subject to detail, with respect to the character of the area, and without causing demonstrable harm to residential amenity or highway safety, in accordance with policies SD1, SS2, SS5, TA5, TA6, EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the

provisions of chapters 4, 6, 7, 12 and the core planning principles of the National Planning Policy Framework.

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

02. Application for approval of the scale, appearance and landscaping of the development, referred to in this permission as 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. The development hereby permitted shall be carried out in accordance with the following submitted plan: '535 (00) 01 A', received 16th May 2017.

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

04. A detailed scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. This 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 policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 7 of the National Planning Policy Framework.

05. The area allocated for parking, on approved plan '535 (00) 01 A', received 16th May 2017, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles, in connection with the development hereby permitted and in connection with the residential use of the King William Inn. Such approved parking areas shall be provided before the development hereby permitted is first occupied, and maintained thereafter.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

06. The access hereby approved shall be completed in accordance with details, as indicated on approved plan '535 (00) 01 A', received 16th May 2017. The access shall be fully constructed in accordance with these approved details, before the dwelling hereby permitted is first occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.



07. Before the dwelling hereby permitted is first occupied, the approved access and associated shared driveway shall be properly consolidated and surfaced (not loose stone or gravel), in accordance with details, as indicated on approved plan '535 (00) 01 A', received 16th May 2017. The access shall be constructed in accordance with the approved details and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

08. A surface water drainage scheme shall be provided in accordance with details, as indicated on approved plan '535 (00) 01 A', received 16th May 2017, so as to prevent the disposal of surface water onto the adjoining highway. Such approved drainage details shall be completed and become fully operational before the dwelling hereby permitted is first occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

09. Any entrance gates shall be hung to open inwards and set back a minimum distance of 5m from the highway at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

#### **Informatives:**

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

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

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# Agenda Item 19

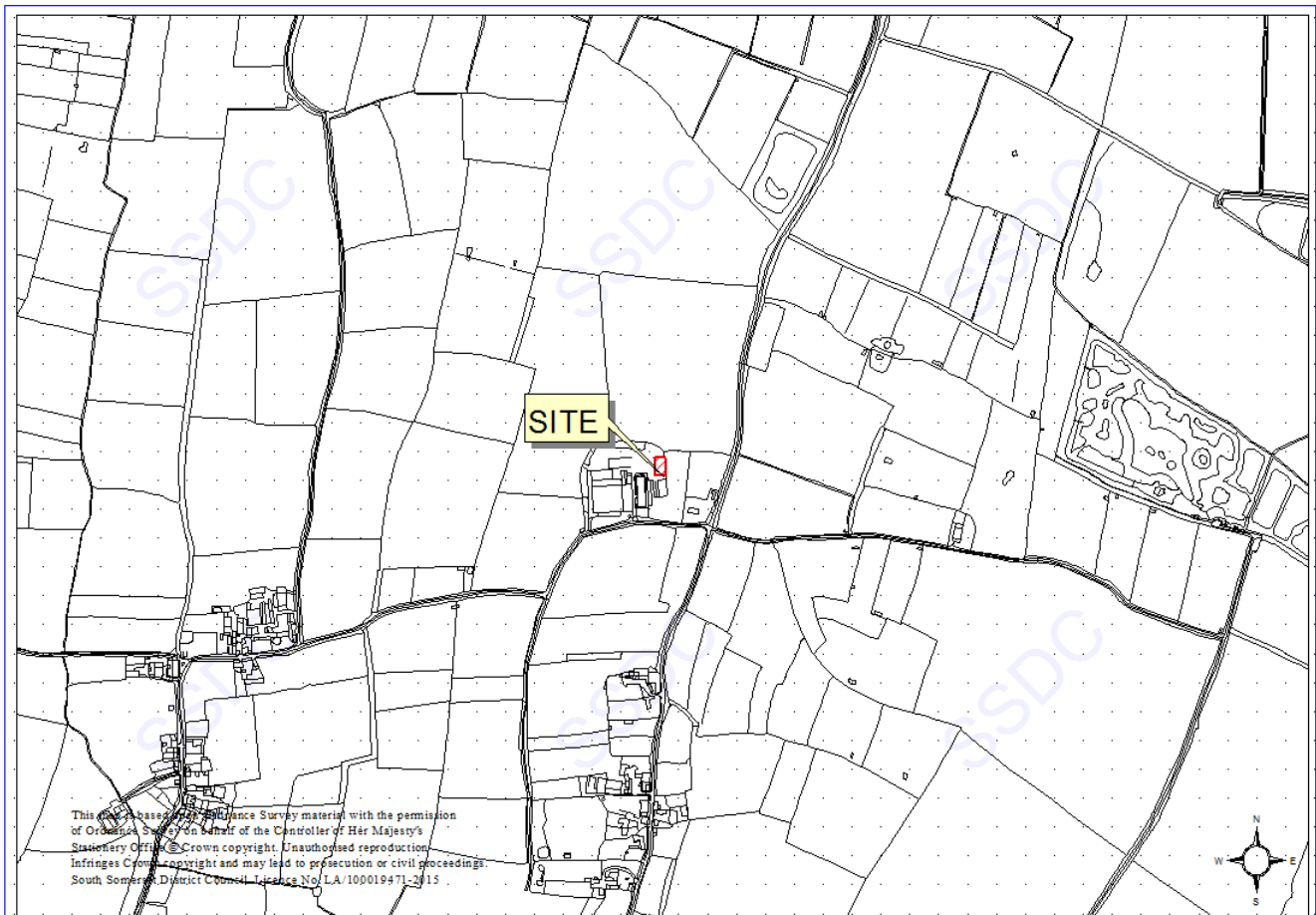
## Officer Report On Planning Application: 16/03108/FUL

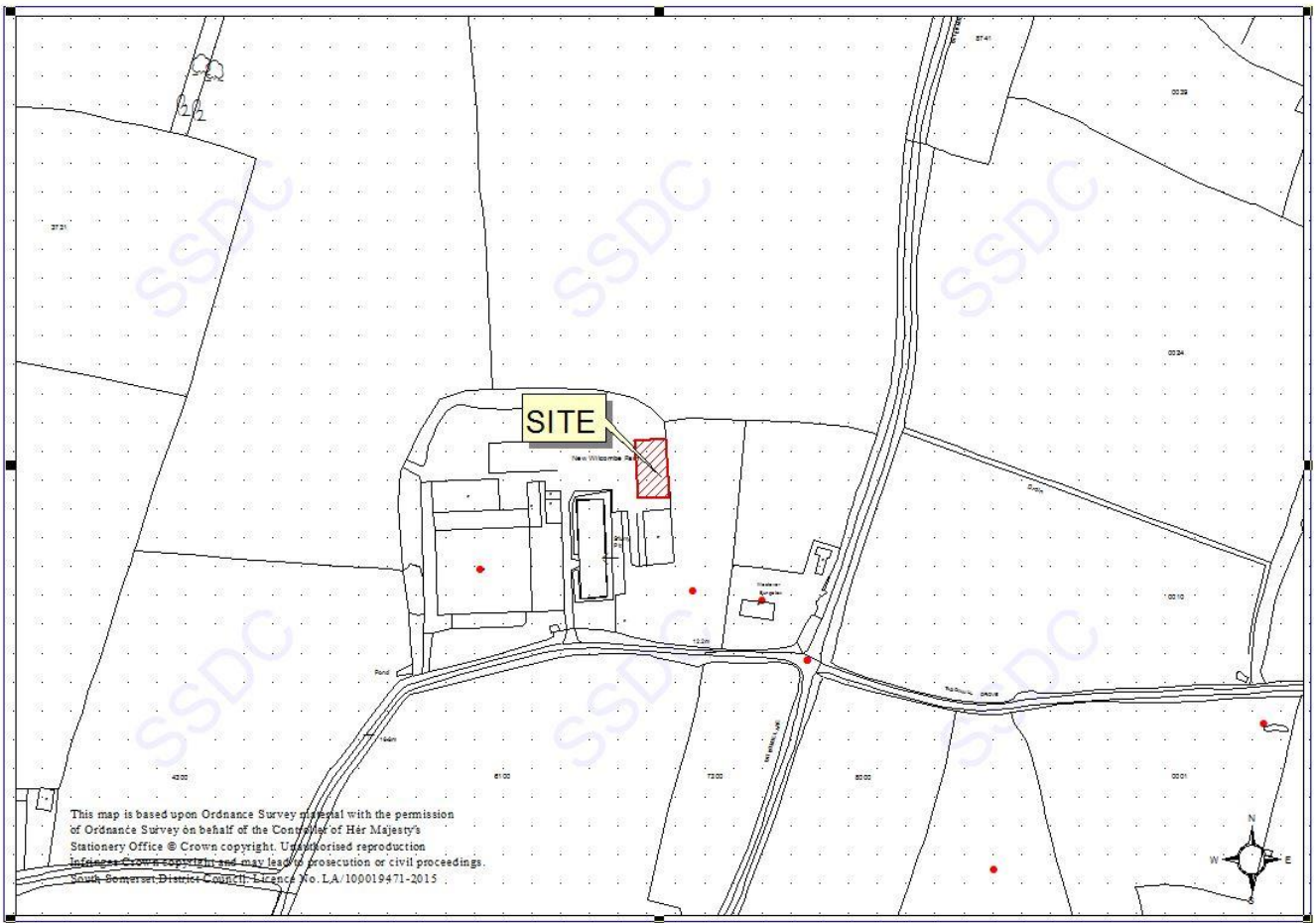
<b>Proposal :</b>	Use of land as a site for 3 caravans for agricultural workers accommodation.
<b>Site Address:</b>	New Witcombe Farm, Westover Lane, Ash.
<b>Parish:</b>	Ash
<b>MARTOCK Ward (SSDC Member)</b>	Cllr Graham Middleton Cllr Neil Bloomfield
<b>Recommending Case Officer:</b>	Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
<b>Target date :</b>	13th September 2016
<b>Applicant :</b>	Witcombe Farm Partners
<b>Agent: (no agent if blank)</b>	Paul Dance, Foxgloves, 11 North Street, Stoke Sub Hamdon, Somerset TA14 6QR
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the ward members request to enable the issues raised locally to be debated.

### SITE DESCRIPTION AND PROPOSAL





Witcombe Farm is a very large modern dairy/beef enterprise (c.2,100 cattle in total). The historic farm house and traditional buildings lie to the south in the hamlet of Witcombe. A subsequent farm complex together with an agricultural worker's bungalow (Westover Bungalow) was developed to the north of Witcombe at New Witcombe Farm, and more recently, a very large modern dairy unit has been erected to the east of that.

This application seeks permission for the retention of a mobile home together with the siting to 2 other (3 in total), adjacent to existing agricultural buildings, to accommodate farm workers. Originally 1 unit was proposed however after negotiations on an associated site (16/03105/FUL) reduced that site from 5 to 3 mobile homes this application was amended to maintain the overall request for 6 mobile homes for agricultural workers.

It is intended to provide temporary 'bunkhouse' style accommodation pending the provision of more permanent accommodation at the dairy unit. In total there are currently 14 staff living on site.

It is advised that 12 staff are needed to staff the 4 shifts that the farm operates, with a further member of staff being on site 24 hours a day to attend to the cow's health and wellbeing. Additionally the farm's residential vet lives on site at Westover Bungalow, an agriculturally tied property.

The mobile homes are sited at New Witcombe Farm to the west of dairy unit and are within the consultation distance for the gas pipeline. The application is supported by an agricultural appraisal.

## **HISTORY**

There is an extensive history relating to the site's development for agriculture in connection with the original dairy/cattle rearing activities

15/02867/S73A – permission granted for the modern dairy unit to the east.

There is an associated application (16/03105/FUL) for a further 3 agricultural workers mobile homes to the east near the new dairy unit

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S.54A 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 policies of most relevance to the proposal are:

SD1 – Sustainable development  
HG9 – Agricultural workers  
EQ2 – General Development  
TA5 – Transport Impact of New Development

### **National Planning Policy Framework**

Part 3 – Supporting a prosperous rural economy  
Part 6 – Delivering a wide choice of high quality homes  
Part 7 – Requiring good design  
Part 11 – Conserving and enhancing the natural environment

## **CONSULTATIONS**

**Ash Parish Council** – object on the grounds of visual impact.

**Highways Officer** – no objection.

**Landscape Architect** – no objection.

**Environmental Protection Unit** – no objection subject to occupation by farm workers only.

**National Grid** – no objection

**Health & Safety Executive** – no objection.

## **REPRESENTATIONS**

None

## CONSIDERATIONS

### Principle

It is considered reasonable to accept that this very large scale dairy enterprise will generate new issues that may test the boundaries of the normal application of the Council's policy HG9 regarding new agricultural worker's dwellings in the countryside. This sets out a number of tests (functional and financial) that have evolved in response to more traditional family scale farming where the bulk of the work is carried out by the farmer living in the farm house, with, occasionally on larger farms, an additional farm worker dwelling – as evidenced by the development of Witcombe Farm/New Witcombe Farm and Westover Bungalow.

The creation of the new 1000 cow dairy unit with associated heifer and beef rearing, has completely changed the labour requirements of the enterprise. The supporting agricultural appraisal puts the labour requirement at 29 standard man days (SMDs), however, with efficiencies of scale, the farm operates at 23 SMDs. This functional requirement is not disputed.

It is noted that this is a long established dairy enterprise that has recently and heavily invested in a very large modern dairy unit. It is not considered that there are any reasonable grounds to seek to challenge the financial footing of this business.

Having accepted the labour requirement and agreed that this is a financially sound business it is necessary to consider the justification to live on site and the availability of alternative accommodation locally. On the latter point it is accepted that there is no suitable local accommodation - the farm house is occupied by the applicant and the existing bungalow by the resident farm vet and his family. On the former point it is considered reasonable that a dairy unit of this size generate the need for staff to live on site, within 'sight and sound' of the animals.

The question is considered to be how many staff need to be on site?

The Council's normal approach, where the functional and financial tests are met, is to impose an occupancy restriction limiting occupation to agricultural workers (or retired agricultural workers) and their resident dependents. It is perfectly possible for such a dwelling to subsequently be occupied, on a house share basis, by a number of individuals, who, if employed in agriculture at the farm, would not be in breach of the occupancy condition.

The applicant's seek a similar approach here. For a number of reasons to do with the nature of the work, the availability of workers and the terms and conditions upon which suitable candidates can be attracted, the applicant would like to be able to offer accommodation as part of the employment offer. This would not be in the form of a dwelling, but rather as bunkhouse accommodation similar to a shared house or house in multiple occupation as might be found in town.

Ultimately it is the intention to provide this in the office/ancillary space in the main dairy building, however, in the interim a temporary (3 year) permission is sought to provide basic accommodation in the proposed mobile homes. No accommodation is sought for any resident dependents or retired workers. The accommodation would be solely for current, single, employees.

It is considered that this proposal, and the associated application 16/03105/FUL for an additional 3 mobile homes to the east, is a reasonable proposition, commensurate with the scale and nature of activities at Witcombe dairy and an approach that can be supported in principle by policy HG9. Furthermore conditions could reasonably be imposed to ensure that the Council retains an appropriate degree of control over the accommodation in terms of timescale and occupancy.

## **Siting**

It is considered that the siting next to existing buildings mitigates any adverse visual impact. It is not considered that the siting is contrary to policies HG9 or EQ2.

Whilst it might next to a working farm building, this is not unusual for agricultural workers accommodation and as the EPU officer notes is acceptable in this context. There are not therefore considered to be any objections on residential amenity grounds under policy EQ2 subject to the suggested occupancy condition.

## **Access**

The mobile homes share their access with the existing farm buildings. It is not considered that resident's movements added to the existing traffic levels would in any way be detrimental to highways safety, as such the proposal complies with policy TA5. No concerns are raised by the highway authority.

## **RECOMMENDATION**

That planning permission be granted subject to the following conditions.

### **Justification**

Notwithstanding local concerns the proposed mobiles, which would meet a genuine agricultural need, are appropriately sited without detriment to visual or residential amenity or highways safety. As such the proposal complies with policies EQ2, HG9 and TA5 of the South Somerset Local Plan 2006-2028.

### **Conditions**

01. The siting of 3 mobile homes hereby permitted shall be for a temporary period expiring on 31 August 2020. The occupation of the mobile homes shall cease and they shall be removed from site on or before this date. Thereafter the use of the site shall revert to agriculture in accordance with details to be submitted to and agreed in writing by the local planning authority.

Reason: In view of the case submitted with the application and to ensure that the appropriate degree of control is retained over the site.

02. The occupation of the 3 mobile homes shall be limited to those employed full time in agriculture at New Witcombe Farm.

Reason: In view of the justification provided for this residential use in the open countryside and to prevent unsustainable development in accordance with policies SD1 and HG9 of the South Somerset Local Plan 2006-2028.

03. The mobile homes shall be sited in accordance with the amended drawings received 10 March 2017.

Reason: To clarify the scheme hereby approved as it has been amended.

# Agenda Item 20

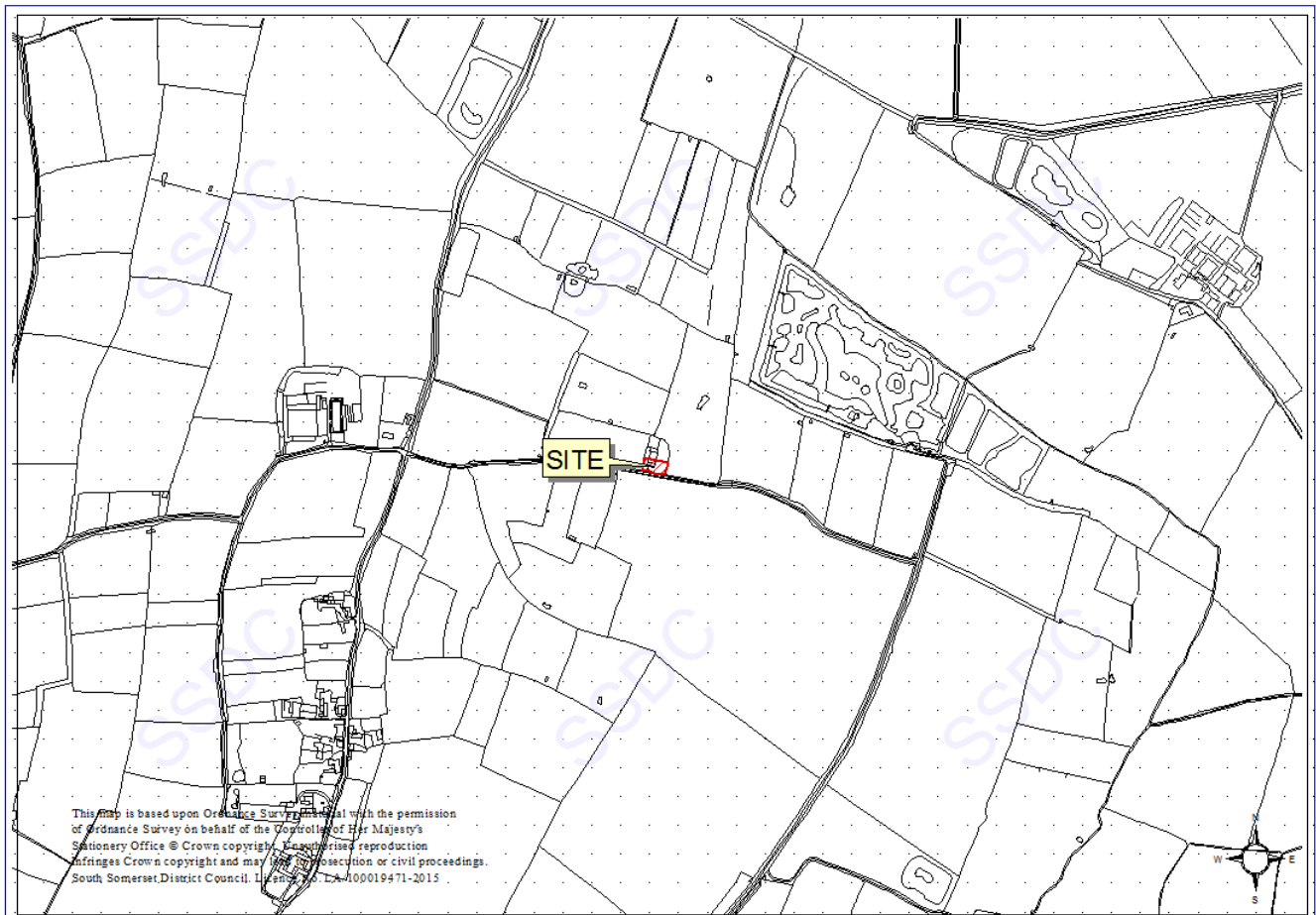
## Officer Report On Planning Application: 16/03105/FUL

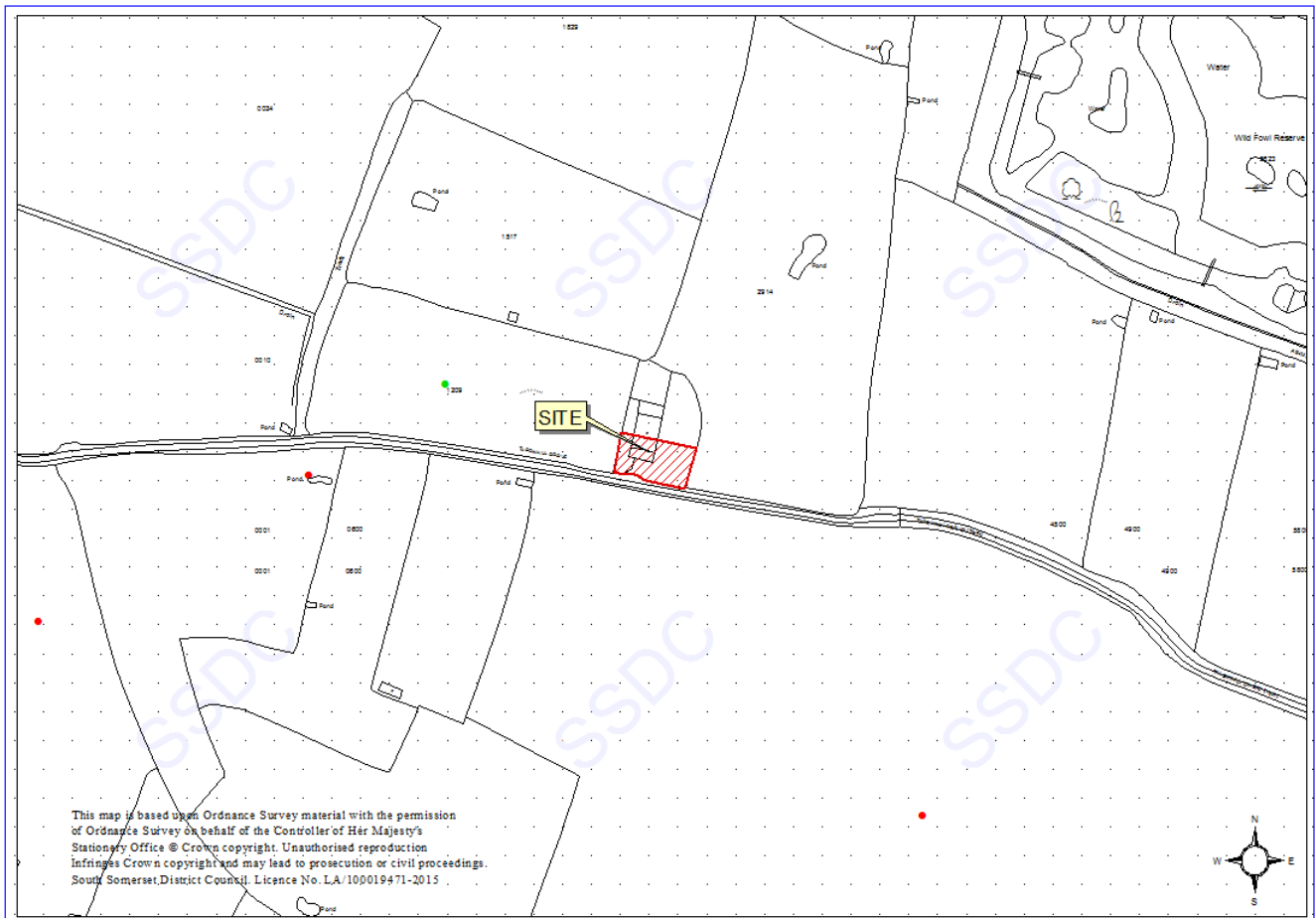
<b>Proposal :</b>	Use of land as a site for 3 caravans for agricultural workers accommodation.
<b>Site Address:</b>	Land Os 1209, Thornhill Drove, Ash.
<b>Parish:</b>	Ash
<b>MARTOCK Ward (SSDC Member)</b>	Cllr Graham Middleton Cllr Neil Bloomfield
<b>Recommending Case Officer:</b>	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
<b>Target date :</b>	13th September 2016
<b>Applicant :</b>	Witcombe Farm Partners
<b>Agent: (no agent if blank)</b>	Paul Dance, Foxgloves, 11 North Street, Stoke Sub Hamdon, Somerset TA14 6QR
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the ward members request to enable the issues raised locally to be debated.

### SITE DESCRIPTION AND PROPOSAL





Witcombe Farm is a very large modern dairy/beef enterprise (c.2,100 cattle in total). The historic farm house and traditional buildings lie to the south in the hamlet of Witcombe. A subsequent farm complex together with an agricultural worker's bungalow (Westover Bungalow) was developed to the north of Witcombe at New Witcombe Farm, and more recently, a very large modern dairy unit has been erected to the east of that.

This application seeks permission for the retention of 3 mobile homes, adjacent to an existing agricultural storage building, to accommodate farm workers, originally 5 units were proposed however this was reduced following concerns about the number of units. The two units removed from this application have been added to the associated application (16/03108/FUL, originally for 1 mobile home, now for 3, thereby maintaining the overall request for 6 mobile homes for agricultural workers.

It is intended to provide temporary 'bunkhouse' style accommodation pending the provision of more permanent accommodation at the dairy unit. In total there are currently 14 staff living on site.

It is advised that 12 staff are needed to staff the 4 shifts that the farm operates, with a further member of staff being on site 24 hours a day to attend to the cow's health and wellbeing. Additionally the farms residential vet lives on site at Westover Bungalow.

The mobile homes are sited to the west of dairy unit at the entrance to the site from Thornhill Drove and are within the consultation distance for the gas pipeline. The application is supported by an agricultural appraisal.



## HISTORY

None relevant to this site.

There is an associated application (16/03108/FUL for a further agricultural worked mobile home to the west at New Witcombe Farm

15/02867/S73A – permission granted for the modern dairy unit to the east.

## POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S.54A 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 policies of most relevance to the proposal are:

SD1 – Sustainable development  
HG9 – Agricultural workers  
EQ2 – General Development  
TA5 – Transport Impact of New Development

### **National Planning Policy Framework**

Part 3 – Supporting a prosperous rural economy  
Part 6 – Delivering a wide choice of high quality homes  
Part 7 – Requiring good design  
Part 11 – Conserving and enhancing the natural environment

## CONSULTATIONS

**Ash Parish Council** – initially objected on the grounds of visual impact and proximity to the gas pipe line. These objections are maintained to the reduced scheme.

**Highways Officer** – no objection.

**Landscape Architect** – initially concerned about creating a new residential site in open farm land and suggested the units be moved to the dairy site or to a site with existing residential development.

**Environmental Protection Unit** – no objection subject to occupation by farm workers only.

**Rights of Way Officer** – no objection

**National Grid** – no objection

**Health & Safety Executive** – originally advised against granting permission. This objection was maintained when the 5 caravans were rearranged on site to move the 2 units in the northern part of the site, corresponding to the 'inner consultation zone' out of that zone. The objection was subsequently withdrawn when they were removed from the application.

## REPRESENTATIONS

2 objections received to initial proposal for 5 units:-

- Unsuitable rural location next to working farm building;
- Poor access
- Remote location will not encourage people to integrate;
- If staff are working 24 hours a day there is no need to live on site;
- Flood and pollution risk;
- Retrospective nature of application;
- HSE objection.

No further comments received in relation to amended plans.

## CONSIDERATIONS

### Principle

It is considered reasonable to accept that this very large scale dairy enterprise will generate new issues that may test the boundaries of the normal application of the Council's policy HG9 regarding new agricultural worker's dwellings in the countryside. This sets out a number tests (functional and financial) that have evolved in response to more traditional family scale farming where the bulk of the work is carried out by the farmer living in the farm house, with, occasionally on larger farms, an additional farm worker dwelling – as evidenced by the development of Witcombe Farm/New Witcombe Farm and Westover Bungalow.

The creation of the new 1000 cow dairy unit with associated heifer and beef rearing, has completely changed the labour requirements of the enterprise. The supporting agricultural appraisal puts the labour requirement at 29 standard man days (SMDs), however, with efficiencies of scale, the farm operates at 23 SMDs. This functional requirement is not disputed.

It is noted that this is a long established dairy enterprise that has recently and heavily invested in a very large modern dairy unit. It is not considered that there are any reasonable grounds to seek to challenge the financial footing of this business.

Having accepted the labour requirement and agreed that this is a financially sound business it is necessary to consider the justification to live on site and the availability of alternative accommodation locally. On the latter point it is accepted that there is no suitable local accommodation - the farm house is occupied by the applicant and the existing bungalow by the resident farm vet and his family. On the former point it is considered reasonable that a dairy unit of this size generate the need for staff to live on site, within 'sight and sound' of the animals.

The question is considered to be how many staff need to be on site?

The Council's normal approach, where the functional and financial tests are met, is to impose an occupancy restriction limiting occupation to agricultural workers (or retired agricultural workers) and their resident dependents. It is perfectly possible for such a dwelling to subsequently be occupied, on a house share basis, by a number of individuals, who, if employed in agriculture at the farm, would not be in breach of the occupancy condition.

The applicant's seek a similar approach here. For a number of reasons to do with the nature of the work, the availability of workers and the terms and conditions upon which suitable candidates can be attracted, the applicant would like to be able to offer accommodation as part of the employment offer. This would not be in the form of a dwelling, but rather as bunkhouse accommodation, similar to a shared house or house in multiple occupation as might be found in town.

Ultimately it is the intention to provide this in the office/ancillary space in the main dairy building, however, in the interim a temporary (3 year) permission is sought to provide basic accommodation in the proposed mobile homes. No accommodation is sought for any resident dependents or retired workers. The accommodation would be solely for current, single, employees.

It is considered that this proposal, and the associated application 16/03108/FUL for an additional 3 mobile homes to the west, is a reasonable proposition, commensurate with the scale and nature of activities at Witcombe dairy and an approach that can be supported in principle by policy HG9. Furthermore conditions couple reasonably be imposed to ensure that the Council retains an appropriate degree of control over the accommodation in terms of timescale and occupancy.

### **Siting**

Whilst the landscape architect's concerns are acknowledged, it is to be noted that the proposed mobile homes are sited adjacent to an existing buildings and that any visual impact is limited by this and further mitigated by the hedging along the drove. It is not considered that the site in contrary to policies HG9 or EQ2.

Whilst it might next to a working farm building, this is not unusual for agricultural workers accommodation and as the EPU officer notes in acceptable in this context. There are not therefore considered to be any objections on residential amenity grounds under policy EQ2 subject to the suggested occupancy condition.

Whilst the HSE originally objected to the siting the removal of 2 of the units from the application, thereby reducing the number of units and avoiding siting them in the inner consultation zone, has resulted in the objection being withdrawn. It would not be justifiable to pursue and amenity objection under policy EQ2 in these circumstances.

The concern about resident's not integrating is noted, however this is nearly always the case with agricultural worker's dwellings with inevitably are in the rural area, often at some distance from established settlements.

### **Access**

The mobile homes share their access with the main dairy building. It is not considered that resident's movements added to the existing traffic levels would in any way be detrimental to highways safety, as such the proposal complies with policy TA5. No concerns are raised by the highway authority.

### **Other Issues**

The site as amended is not in a higher flood zone and there is no reason to expect the septic tank that served the mobile homes to give rise to problems in normal operation.

## **RECOMMENDATION**

That planning permission be granted subject to the following conditions.

### **Justification**

Notwithstanding local concerns the proposed mobiles, which would meet a genuine agricultural need, are appropriately sited without detriment to visual or residential amenity or highways safety. As such the proposal complies with policies EQ2, HG9 and TA5 of the South Somerset Local Plan 2006-2028.

### **Conditions**

01. The siting of 3 mobile homes hereby permitted shall be for a temporary period expiring on 31 August 2020. The occupation of the mobile homes shall cease and they shall be removed from site on or before this date. Thereafter the use of the site shall revert to agriculture in accordance with details to be submitted to and agreed in writing by the local planning authority.

Reason: In view of the case submitted with the application and to ensure that the appropriate degree of control is retained over the site.

02. The occupation of the 3 mobile homes shall be limited to those employed full time in agriculture at New Witcombe Farm.

Reason: In view the justification provided for this residential use in the open countryside and to prevent unsustainable development in accordance with policies SD1 and HG9 of the South Somerset Local Plan 2006-2028.

03. The mobile homes shall be sited in accordance with drawings 16/103/03 B and 16/103/04 B received 21 November 2016.

Reason: To clarify the scheme hereby approved as it has been amended.

### **Informative**

01. You are reminded that approval is only granted for the retention of 3 mobile homes. In view of the comments of the Health and Safety Executive you are urged in the strongest terms possible to remove the other caravans from site immediately to avoid enforcement action.