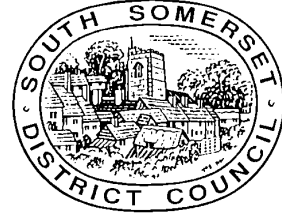


South Somerset District Council

Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 25th July 2018

2.00 pm

**Council Chamber, Council Offices,
Brympton Way, Yeovil BA20 2HT**

(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 **2.30pm**.

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462596 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 16 July 2018.

Alex Parmley, *Chief Executive Officer*

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



Information for the Public

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

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 25 July 2018

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the meetings held on 17 May 2018 and 27 June 2018.

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 22 August 2018** at the **Edgar Hall, Somerton**.

5. Public question time

6. Chairman's announcements

7. Reports from members

Items for Discussion

- 8. Performance of the Environmental Services Team - Area North** (Pages 6 - 11)
- 9. Area North Committee Forward Plan** (Pages 12 - 13)
- 10. Planning Appeals** (Pages 14 - 18)
- 11. Schedule of Planning Applications to be Determined By Committee** (Pages 19 - 20)
- 12. Planning Application 18/00143/OUT - Land Rear of Manor House, Church Street, Martock** (Pages 21 - 29)
- 13. Planning Application 17/04121/FUL - Mill Lane Farm, Mill Lane, Somerton** (Pages 30 - 35)

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

Performance of the Environmental Services Team – Area North

Director: Clare Pestell - Commercial Services and Income Generation
Lead Officer: Chris Cooper – Environmental Services Manager
Contact Details: chris.cooper@southsomerset.gov.uk or (01935) 462840

Purpose of the Report

To update and inform the Area North Committee on the performance of the Environmental Services team in the Area for the period November 2017 to July 2018.

Recommendation

Members are invited to comment on the report.

The major focus of the service so far for this period, are listed below.

- Routine annual work schedule for cleansing and grounds maintenance
- South West in Bloom
- Service transformation
- Christmas tree shredding
- Development of the MOT facility in the vehicle workshops
- Annual budget outcomes

Operational Works

As always the main focus of the service has been to deliver the annual work schedules, as if these are delivered according to the plan, a successful service outcome is inevitable, resulting in low levels of complaints and good numbers of compliments, and once again we are pleased to inform members that this was delivered to plan.

We have now completed the 'spring rush' of work which has been the main focus of the teams. This has proven to be difficult this year due to weather conditions, where a wet start followed by high temperatures resulted in the teams having to delay some operations – such as mowing and weed spraying – instead focusing on completing key aspects of the service such as rural road litter picking and litter picking on our main roads and the verges of the A303, however we have a plan that we are delivering to meet these work demands.

Recently we have been investigating how to safely clean the central reservation areas of the A303 and have been looking into the cost implications of the traffic management system needed to fulfil this work. Our enquiries have resulted in two very different approaches being suggested by specialist companies, along with considerable variances in the associated costs. This caused some concern among the team and subsequently we have met with the Highways Agency regarding the cleansing of this section of the road. We are working with them to identify a work method that we can follow with confidence and could become 'standard practice' for other authorities carrying out similar duties. We expect to hear from the agency with their suggestions very soon.

During our recent litter picking operation of the A303 verges, we analysed the types of waste discarded and the volumes that we collect; we found that we gather approximately 10 black bin bags of waste per mile and the litter (measured by volume) consists of:

Plastic – 40%
Paper 30%
Cans 10%
Odd bits (pipes, Styrofoam, clothes, etc.) 15%
Car parts 5%

In addition to these cleaning operations, we have also worked to reduce the amount of litter deposited on A303 through the positioning of wheeled bins in the major lay-bys and this has proven to show a notable reduction in the amounts of litter deposited. The issue that we have faced regarding this initiative has been the damage caused to the bins by careless drivers who have driven over or reversed into them rendering them inoperable. To overcome this we are purchasing wheeled bin sized 'litter bins' that we will install in the layby's with wheeled bins inside them, making the area appear more attractive and providing protection for the wheeled bin. We aim to install two or three of these in each lay-by, by the end March 2020.

The work undertaken to clean the A303 was shared on social media and posts relating to the clean-up operation reached over 18,500 people and video content was viewed in excess of 7,500 times. BBC Somerset also ran their own piece on the clean-up which was broadcast on radio, alongside a video on their social media pages which was also viewed over 7,000 times. The video detailing the work of the A303 clean-up operation can be viewed online at <https://youtu.be/zQtLxNwkuCE>

We are also investigating the opportunities to provide the opportunity for people to have access to 'town centre recycling' and again over a period of four days waste collection, we analysed the waste that is being deposited in the litter bins in a town centre environment and found that the litter is made up of:

Cups	Glass	Tins	Plastic	Cardboard
6	2.25	5.75	7.25	5

(The figures represent volumes of waste measured in 'wheelie bins full'.)

We will repeat the analysis of this waste again during the summer months to identify if there are differing trends of materials throughout the year.

We are now investigating recycling companies who may have systems that will enable us to capture this recyclate without contamination from other waste sources. We have looked into the seemingly simple solution of litter bins with a recycling section attached to it. However this would not fit in alongside our cleansing systems and experience of other users shows that the recyclable materials collected tend to be contaminated by other waste streams, making for a visible recycling initiative that actually offers very low return at a comparatively high cost. As a result we are considering other recycling options.

We are also leading on a management approach to minimise the use of single use plastics across the district council and updates on progress in this area of the service will be made if requested.

As part of our processes to continually improve the service, we have reviewed what areas of work the team has focussed on over the last few years, and our findings are that we have:

- Increased our capacity to accommodate requests to empty additional litter and dog waste bins
- Improved the level of road sweeping on our major roads across the district by introducing a night shift sweeping round
- Managed to maintain service standards relating to highway weed control following changes to the County Highways' maintenance schedules.

We believe that we have been successful in improving these areas of service and the performance in these aspects of our work is sustainable. The next area of focus that we are looking to improve is the litter cleaning of all of the small rural roads across the district and we are hoping to coordinate our efforts with voluntary groups to clear litter from the public rights of way.

The works will be managed through a series of 'zones' and members will be updated on progress in their areas.

In the last report we informed members that the service had reduced its staff sickness levels from 14 days per employee to 9.4 days and we were aiming to reduce this further to a target of 8 days per person. I am delighted to update you on this as we have recorded figures of 6 days per employee, most of which have been due to long term sickness absences.

The team continues to work with the Key4life charity whose purpose is to help young offenders gain work experience that in turn reduces the likelihood that they will continue in the cycle of offend – prosecution – internment, as they have few other options available to them. The development of these young men through the scheme and work placements can truly be life changing. We are currently preparing to take five work experience placements in the near future.

The service continues to work with a number of Parishes across the district through the 'parish ranger scheme', offering a higher level of service and a solution to all of those little jobs which are so difficult to address. Should any parishes interested in this solution to local issues, we will be delighted to talk with them in more detail regarding this scheme and how we might be able to work together in the future. My thanks to all of those involved at the Parish Councils who make this scheme such a success.

In addition to these improvements, the analysis of compliments, complaints and enquiries across all of the service that made Streetscene showed that we received 1517 enquiries / requests for work, 70 complaints and 76 compliments, we are pleased with these figures as we believe that they show that the performance and behaviour of the teams is very good.

This year we once again offered our 'Christmas Tree Shredding Service' which proved to be a great success with trees being recycled from 47 towns and parishes across the district. In Area North we collected from:

- Ash
- Chilthorne Domer
- Curry Mallett & Beercrocombe
- Curry Rivel
- Ilton
- Kingsbury Episcopi
- Langport
- Long Sutton
- Martock
- Norton sub Hamdon
- Shepton Beauchamp
- Somerton

As a result of this, the tree chippings were re-used and a notable lack of 'dumped' Christmas trees in lay byes and hedges was seen. We received very little in the way of unwelcome items being left with the trees, nor did we experience much fly tipping in the areas designated for recycling, which was very welcome.

As always, we continue to focus on managing the number of flytips found in the district, the chart below shows the numbers of fly tips collected from Area North since the last report.

AREA NORTH:	Nov 17	Dec17	Jan 18	Feb 18	Mar 18	April 18	May 18	Total
Aller	1						1	2
Ash			1				3	4
Barrington								0
Beercrocombe								0
Bower Hinton							1	1
Chilthorne Domer					1	1	1	3
Compton Dundon		1	1			1		3
Curry Mallet		1	1		1	2		5
Curry Rivel	3	2		2	1	1		9
Drayton			1	1	1			3
Fivehead		2	1	3				6
Hambridge & Westport			2	2	2			6
High Ham			3	3	1			7
Huish Episcopi			1				1	2
Iilton	1	1	2	1	1	2	1	9
Isle Abbotts								0
Isle Brewers								0
Kingsbury Episcopi						1		1
Langport		1		1	1	1		4
Long Load								0
Long Sutton					1	1		2
Lopen			1	1		2		4
Martock	4	1	2	4	1	2	2	16
Montacute	3	1			1			5
Muchelney		1					1	2
Norton Sub Hamdon								0
Pitney								0
Puckington	1				1			2
Seavington					1	3		4
Shepton Beauchamp					1			1
Somerton	1		1	1	2	3	2	10
South Petherton	2	2	2	3	2	5	5	21
Stocklinch						1		1
Stoke Sub Hamdon		1	2	1				4
Tintinhull	3		1	2	2	1	2	11
TOTAL AREA NORTH	19	14	22	25	21	27	20	148

As always, we continue to focus on managing the number of flytips found in the district, the chart below shows the numbers of fly tips collected from Area North over the period since the last report. The figures indicate a healthy reduction in occurrences when compared to the same period last year when we cleared 160 flytips across the area.

Across the district as a whole we have found a similar pattern with 940 flytips reported this financial year compared to 1108 during the previous year.

We are continuing to monitor this situation and follow our approach of clearing away the items promptly so we do not allow the fly tips that have been made, to attract more items.

As part of the Councils transformation program, Streetscene has been rebranded as Environmental Services and now contains the Waste & Recycling Service and management of the Yeovil Crematorium and Cemetery, should members wish for updates on these aspects of the service in the future, I will be best placed to provide this information.

In line with these changes, we are working with Somerset Waste Partnership in procuring a new collection contractor (and hence delivery of the 'Recycle More' initiative) since the Somerset Waste Board agreed to end its current kerbside waste and recycling collections contract in March 2020. Should members wish to know more detail on this matter, I would be happy to meet with them and offer an in-depth update on the work that is being done to achieve this goal.

The Yeovil Crematorium refurbishment is also progressing well with the principle design work agreed and the project management team embedded and meeting regularly to ensure that the developments are on target and on budget. The team working at the crematorium are dedicated to providing a high level of service and are very positive about this refurbishment and the projected outcome for the facility.

As part of this program of improvements, the cremators themselves will be replaced with modern, improved models which will be both more efficient and more environmentally friendly. We will however carry out some essential maintenance of one of the existing cremators to ensure its continued reliability through the replacement process to ensure that service to the public is uninterrupted. As part of the crematorium upgrade we will also be renewing the memorial garden and developing an overflow car parking area, so members can have confidence that the whole of the site facility will be brought to the highest standard.

I would like to add our thanks to Tom Pullin the Operations manager at the Crematorium who is retiring after 42 years of service and our thanks for all of his work and dedication go to him with heartfelt wishes that he has a happy and healthy retirement.

As noted in previous reports, the service has developed an MOT station at the depot and has now started as a functioning facility MOT'ing fleet vehicles. We are available to offer MOT's for commercial and private vehicles and aim to market this once we have operated on our own vehicles and addressed any teething problems. Great credit goes to all of those involved in developing this new business opportunity as they have done this alongside the day to day management of the council's commercial vehicle fleet, which carries the highest level of legal compliance as shown through the OCRS score.

The service is also reviewing its existing IT systems and work flows to enable better use of digitalisation and a reduction in our current paperwork processes whilst seeking to improve our existing IT systems to more modern programs which will enable us to work more effectively and efficiently.

The team has also carried out the recruitment of our agency staff provider and we are happy that we have secured a reliable, ethical and cost effective solution to our seasonal staffing needs.

Finally, I am pleased to inform members that the services all ended the last financial year with positive outcomes.

What's coming next?

- Summer delivery of the annual work programmes
- Establishment of the MOT station as a commercial enterprise
- Key4life work placements

Financial Implications

All of the matters highlighted in the report have been achieved within service budgets.

Implications for Council Priorities

- Continue to deliver schemes with local communities that enhance the appearance of their local areas
- Continue to support communities to minimise floodwater risks.
- Maintain street cleaning high performance across the district.

Background Papers

Progress report to Area Committees on the Performance of the Streetscene service.

Agenda Item 9

Area North Committee – Forward Plan

Lead Officer: Helen Rutter, Communities Lead
Officer: Becky Sanders, Case Services Officer (Support Services)
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 one of the officers named above.

Background Papers: None

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; at democracy@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
Sept '18	Highways Update	Routine update report from SCC Highways.	SCC Highways.
<i>Sept '18</i>	<i>Somerton Conservation Area</i>	<i>Report regarding the Somerton Conservation Area Appraisal and designation of extensions to the Conservation Area.</i>	<i>TBC</i>
<i>Sept '18</i>	<i>Buildings at Risk (Confidential)</i>	<i>Routine update report.</i>	<i>TBC</i>

Agenda Item 10

Planning Appeals

Director: Martin Woods, Service Delivery
Service Manager: Simon Fox, Lead Specialist (Planning)
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

Purpose of the Report

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

Public Interest

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the Committee.

Recommendation

That members comment upon and note the report.

Appeals Lodged

17/03020/FUL – Land at Little Upton Bridge Farm, Langport Road, Long Sutton.
Erection of 4 No. detached dwelling houses with associated external works.

Appeals Dismissed

None

Appeals Allowed

17/03388/FUL – Stancrest, Currywoods Way, Curry Rivel.
Proposed new single storey dwelling on land associated with Stancrest including works to existing access.

The Inspector's decision letter, is shown on the following pages.



Appeal Decision

Site visit made on 22 May 2018

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

an Inspector appointed by the Secretary of State

Decision date: 13 June 2018

Appeal Ref: APP/R3325/W/18/3195312

Stancrest, Currywoods Way, Curry Rivel, Langport, Somerset TA10 0NT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr D Davis against the decision of South Somerset District Council.
 - The application Ref 17/03388/FUL, dated 16 August 2017, was refused by notice dated 15 December 2017.
 - The development proposed is a new single storey dwelling on land associated with Stancrest including works to an existing access.
-

Decision

1. The appeal is allowed and planning permission is granted for a new single storey dwelling on land associated with Stancrest including works to an existing access at Stancrest, Currywoods Way, Curry Rivel, Langport, Somerset TA10 0NT in accordance with the terms of the application, Ref 17/03388/FUL, dated 16 August 2017, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are the effect of the development on (i) the character and appearance of the area; and (ii) living conditions of existing and future residents with particular regard to the standard of accommodation proposed for the new dwelling, and noise and disturbance to the occupiers of Stancrest from traffic accessing the site.

Reasons

Character and appearance

3. The site is in a location where there is a varied pattern of development. There is frontage development to Currywoods Way but the dwellings are of differing designs and occupy varied positions relative to their boundaries and the highway. Immediately adjoining the site is the cul-de-sac development of St. Andrew's Close, which similarly contains a variety of dwellings.
4. The site is small and triangular in shape. This means that the dwelling would be sited tight to its boundaries with 11 St. Andrew's Close and Currywoods Way. However, it would not fill the majority of the plot as it would allow space about the dwelling, including provision for a garden and parking, and there would still be open space between the dwelling and St. Andrew's Close when viewed from Currywoods Way.

5. Whilst there has been some suggestion in the representations that other recent developments have respected the building line, there is no strong pattern of development here and there is no substantive evidence before me demonstrating that harm would arise from the siting close to the road. In this regard, I saw that nearby Rose Cottage is close to the road, as is the garage for South View which, like the proposed dwelling, is positioned side on to the road. Therefore, the siting of the proposed dwelling need not be governed by the positions of existing dwellings.
6. For these reasons, the proposed dwelling would not cause harm to the character and appearance of the area. It would, therefore, accord with Policy EQ2 of the South Somerset Local Plan (2006-2028) (LP) which, amongst other things, seeks to create quality places that reinforce local distinctiveness and respect local context, and the National Planning Policy Framework (the Framework), which shares these aims.

Living conditions

7. I note that the rear garden would be triangular in shape, but there are examples of similar gardens in the locality and the proposed garden does not appear to me to be disproportionately small to the size of the one bedroomed property. I have not been directed to any particular policies that seek to regulate the sizes of dwellings or their gardens. The additional planting proposed to make the space private may enclose the area, slightly reducing the available space and limiting the outlook, but there is no substantive evidence before me to indicate that this would be harmful to the living conditions of future occupiers.
8. The proposed access arrangements would result in vehicles manoeuvring in close proximity to the windows of Stancrest. I note that the Council suggest that any resulting disturbance would not be a sufficient reason to refuse permission by itself. Indeed, as it would only serve one additional dwelling with a maximum of two parking spaces, the level of disturbance, even in hours of darkness, would not cause a significant effect such that it would harm the living conditions of the occupiers of Stancrest.
9. Whilst the dwelling would be close to the boundary with No. 11 St. Andrew's Close, the position of windows would mean that the rear of No.11 was not overlooked and the proposed height would not harm the outlook from this neighbouring dwelling. In this regard, I note that the Council concluded that the dwelling would not cause harm to the living conditions of neighbouring properties and with regard to the above, I have no reason to disagree.
10. To conclude on this issue, the proposal would not harm the living conditions of existing or future residents. It would not conflict with Policy EQ2 of the LP which seeks to secure high quality development and safe environments, nor the planning principles outlined in the Framework.

Other matters

11. Outside the site, Currywoods Way is narrow and it would not be possible to park here without causing obstruction to the highway. There would, however, be sufficient visibility and vehicles could enter and leave the site, as they can from the existing driveway. There would be space to manoeuvre within the site and, if necessary unload passengers before parking in the designated

spaces. I note that the 'layby' at the existing access would be removed, but it would be replaced with another wide access where vehicles could momentarily stop clear of the carriageway.

12. Whilst there could be an increase in on-street parking pressure, including on St. Andrew's Close, there is no substantive evidence before me that the surrounding streets could not accommodate this. I note that Currywoods Way is busy, serving commercial premises and a large number of dwellings, has no footways and has restricted visibility at its junction with the A378. However, the increase in traffic arising from the proposal would be small in terms of the overall traffic already using the road and junction. With regard to these factors and that there is no objection from the Local Highway Authority or the Council's Highway Consultant, no harm to highway safety would arise.
13. Whilst noting concerns about sewerage infrastructure and a loss of hedgerow, there is no substantive evidence before me that the proposal would lead to or exacerbate any existing capacity issues or cause harm to wildlife. Similarly, I have no substantive evidence that an additional one-bedroom dwelling would cause capacity problems at the school or healthcare facilities.
14. In carrying out the development, the developer would have to ensure that they complied with any regulations that may require suitable disabled access and that they did not cause damage to neighbouring property. I note that some concerns have been expressed around the Council's notification procedure and the Parish Council meeting, but these matters have little to do with the planning merits of this case.
15. Although it did not form a reason for refusal, the Council has indicated that the setting of the grade II listed Stanchester House would be affected. However, given the site's location amongst other development and the character of the boundary to the listed building on the opposite side of Currywoods Way, I do not concur with this view.

Conditions

16. A condition is required to seek approval of the external materials in the interests of the character and appearance of the area. Conditions are required to secure the laying out and future protection of the parking and turning areas and visibility splays, together with a scheme to prevent surface water discharge to the highway, in the interests of highway safety. Given the size of the site and its proximity to boundaries, permitted development (PD) rights for future extensions and new openings should be removed to protect living conditions and a plans condition is required in the interests of certainty.
17. I have made some revisions to the Council's suggested conditions to ensure compliance with the Framework and I have amalgamated the suggested conditions removing PD rights in the interests of clarity. There has been no reason put to me that external materials should be approved prior to the commencement of development, so I have amended the suggested timing. Whilst noting the Council's request, it is not my role to draw the appellant's attention to any other obligations that they may have.

Conclusion

18. My findings on the main issues indicate that the proposal complies with the development plan, including LP Policy SD1 that gives support to proposals that

comply with the development plan and the Framework considered as a whole. For the reasons given above I conclude that the appeal should be allowed.

M Bale

INSPECTOR

Schedule

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: F1423/001b, F1423_100c and F1423_101.
- 3) No wall construction shall take place until samples of all external facing and roofing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details prior to the occupation of the dwelling and shall thereafter be retained as such.
- 4) The area allocated for parking and turning on the approved plan, shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted and the existing property referred to as 'Stancrest'.
- 5) There shall be no obstruction to visibility greater than 900mm above the adjoining road level in advance of the visibility splays indicated on drawing 'F1423_101'. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.
- 6) The proposed access and turning space indicated on drawing 'F1423_101', shall be properly consolidated and surfaced in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. Such approved details shall be carried out prior to the occupation of the dwelling hereby approved and shall thereafter be retained as such.
- 7) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, in accordance with details that shall first have been submitted to and approved by the Local Planning Authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use and shall thereafter be maintained as such.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling, and no windows/dormer windows or other openings (including doors) other than those expressly authorised by this permission shall be constructed.

Agenda Item 11

Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods, Service Delivery
Service Manager: Simon Fox, Lead Officer (Development Management)
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 2.30pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 2.25pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
12	MARTOCK	18/00143/OUT	The erection of a single dwellinghouse (Outline application with all matters reserved)	Land Rear of Manor House, Church Street, Martock	Mr J Williams
13	WESSEX	17/04121/FUL	Alterations to include demolition of 2 No. buildings and the erection of 1 No. dwelling (live/work unit).	Mill Lane Farm, Mill Lane, Somerton	Mr Pattermore

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 12

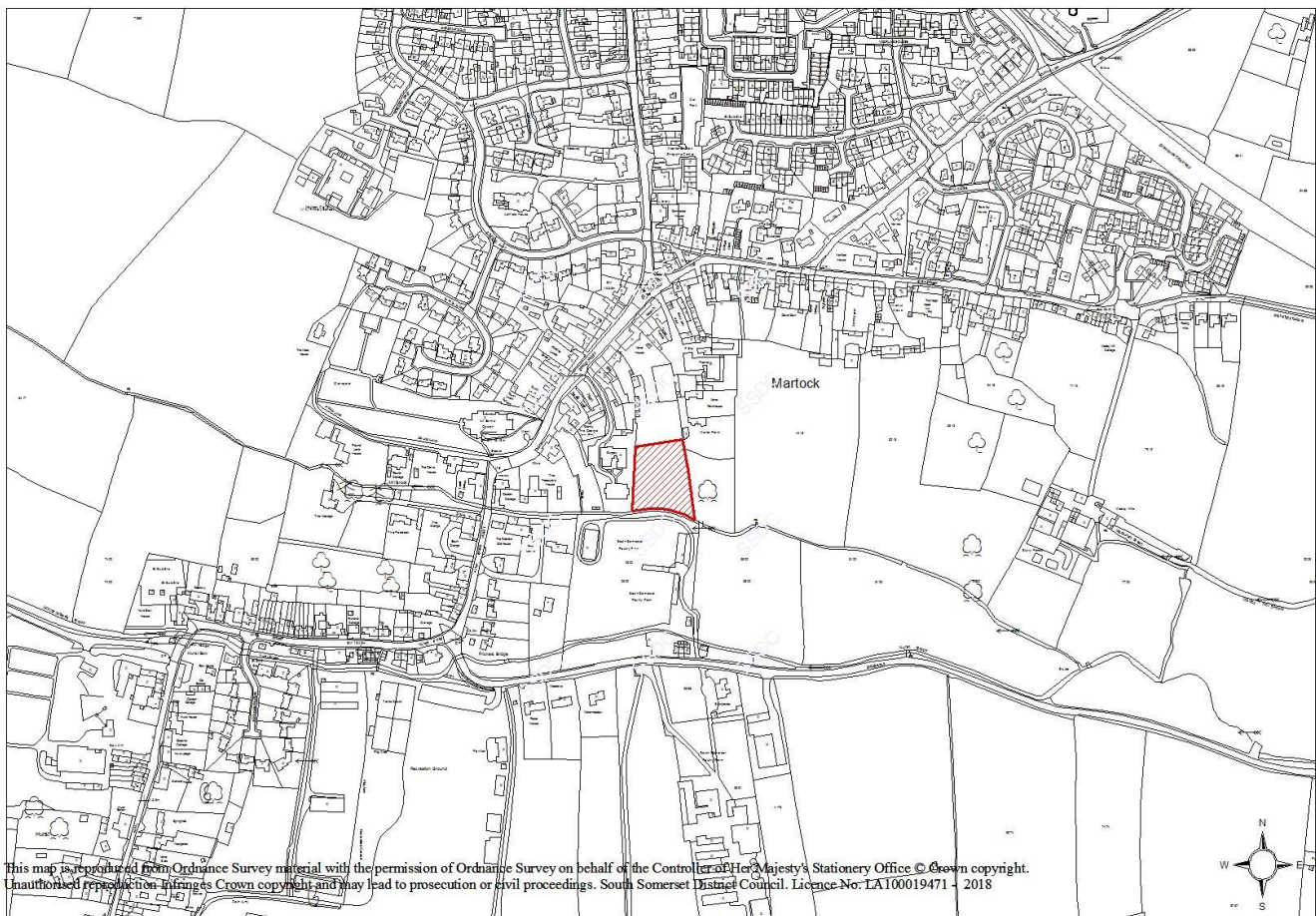
Officer Report On Planning Application: 18/00143/OUT

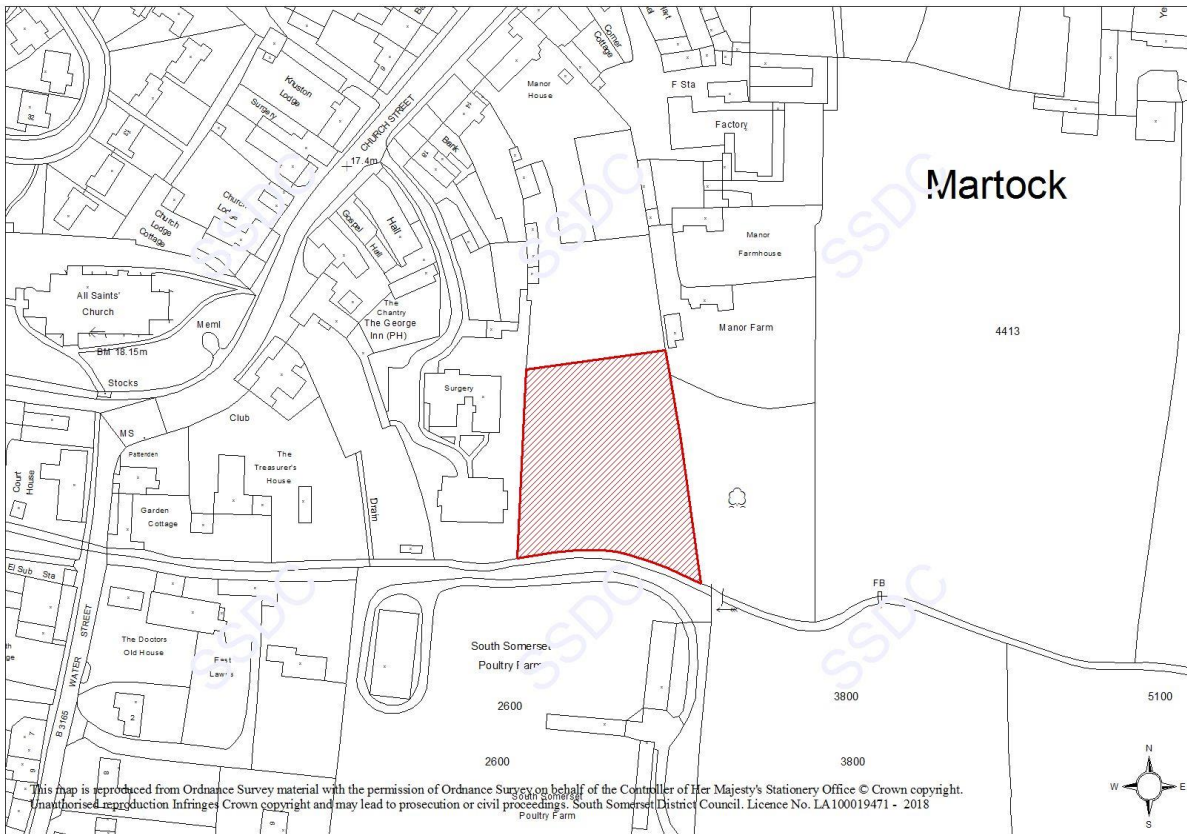
Proposal :	The erection of a single dwellinghouse (Outline application with all matters reserved)
Site Address:	Land Rear Of Manor House, Church Street, Martock.
Parish:	Martock
MARTOCK Ward (SSDC Members)	Cllr N Bloomfield Cllr G Middleton
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	12th March 2018 31 st July 2018
Applicant :	Mr John Williams
Agent: (no agent if blank)	Mr Steven Briggs, Barnwell, Barn Street, Crewkerne TA18 8BP
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

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

SITE DESCRIPTION AND PROPOSAL





The site is located outside the defined development area and the conservation area immediately south-east of the centre of the village. The land is to the rear of the development along the south side of Church Street, forming part of the land associated with the Manor House. It comprises a long driveway taking access directly onto Church Street, leading to an open piece of garden land. The driveway passes the Manor House at its entrance, then a converted stone cottage building - former stables for the Manor House.

The driveway then also passes a new dwellinghouse on former garden land of the Manor House - approved in 2015 (15/01533/FUL) - the site of which forms the northern boundary of the application site.

Outline permission is sought for the erection of a single dwellinghouse.

HISTORY

16/03590/S73 - Application to vary condition 1 (approved plans) of planning approval 16/01498/FUL to allow the substitution of plans (minor material amendments) - permitted with conditions

16/01498/FUL - Erection of new detached dwelling and garage - permitted with conditions

15/01533/FUL - Conversion of existing stable building to a dwelling, construction of a new detached dwelling and replacement garage and construction of new garage for Manor House - Permitted with conditions

15/01534/LBC - Conversion of existing stable building to a dwelling, construction of a new detached dwelling and replacement garage and construction of new garage for Manor House - permitted with conditions

07/02955/FUL - Demolition of an existing lean-to store and timber garage and the erection of a 5 car garage - permitted with conditions

07/02957/LBC - Demolition of an existing lean-to store and timber garage and the erection of a 5 car garage - 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
SS4	District Wide Housing Provision
SS5	Delivering New Housing Growth
EQ1	Addressing Climate Change in South Somerset
EQ2	General Development
EQ3	Historic Environment
EQ4	Biodiversity

National Planning Policy Framework (March 2012)

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: *After consideration it was proposed and agreed to recommend refusal of this application on the following planning grounds:*

- 1. That the development will have an adverse effect on local bio-diversity, particularly the pond and mill stream, in contravention of Policy EQ4.*
- 2. That the size of the proposed building, its layout and siting, both in itself and in relation to adjoining buildings, spaces and views, is inappropriate and unsympathetic to the appearance and character of the local environment.*
- 3. That the development adversely effects the setting of a listed Manor House in contravention of Policy EQ3.*
- 4. The site access proposals are not in accordance with acceptable standards and would lead to potential safety hazards.*

Highways Authority: Standing advice applies. However, email pre-application advice was offered to the applicant noting that the increase in use of the access is not likely to have a detrimental impact on the highway.

SSDC Highway Consultant: The email from the Highways Officer in response to pre-application enquiry is noted, and would appear to support the proposal. No objection is raised, subject to on-site parking and turning being secured by condition.

SSDC Landscape Officer: *The proposal site lays alongside the conservation area boundary, to bring a sensitivity to this site. It is bounded by development on two sides, yet adjacent farmland to the south on the opposite side of the Hurst Brook, which forms the plot's southern boundary. I recollect from an earlier visit to the site that whilst it lays at the edge of the settlement, it is well contained visually, courtesy of a surround of predominantly juvenile broadleaf plantings, and has a credible relationship with built form, for the principle of development to be acceptable in landscape terms where:*

- *a single dwelling only is sought;*
- *the dwelling is located to the north side of the plot, to better relate to the existing housing pattern, and to maximise open space to the south;*
- *the existing tree cover will be retained and suitably managed to perpetuate the woody feature, and;*
- *the scale of the proposal is restrained.*

The proposal before us satisfies those objectives in most part, sufficient for an outline consent. Management prescriptions are offered which advises a mix of coppicing and restocking to ensure longevity of the woody belt, and with some limitation on the species utilised for restocking, to ensure coherence - primarily stick with hazel; field maple; privet and hawthorn within the tree belt (there is no restriction on garden shrub species on the inner face of the belt, consistent with a residential setting) - then this approach is satisfactory. I am however, not entirely persuaded by the sketch of the potential house design, which is over-elaborate and a little over-scaled. Providing any potential approval is not tied to the sketch, then I have no further landscape issues to raise.

SSDC Conservation Officer: *I agree with the comments of [the Landscape Officer] with regard to the wider setting of the conservation area and the setting of the listed buildings.*

I note that means of access is reserved and I have a great deal of concern with regard to the setting of the listed buildings and the conservation area if any alterations to the access are proposed beyond the strict curtilage of this new dwelling.

SSDC Tree Officer: *The young trees shown to be retained, surround the proposed dwelling and ought to provide effective screening of built-form, well into the future. The trees are not located within the Conservation Area, so if consent is to be granted; it would seem prudent to ensure that they are well looked after during the construction phase. No objection.*

SSDC Ecologist: *No objection is raised. Comprehensive consideration was given to the submitted ecological assessment. The only possible shortfall identified was in the matter of the possible presence of Great Crested Newts, and further survey work was requested for that purpose. In response to the further survey work the following comment has been received:*

I'm satisfied that adequate survey has now been undertaken for great crested newt. The results indicate either absence, or presence at only very low levels below the limits of detection. Either way, I don't consider there's justification for any further consideration or measures for great crested newt.

Parrett Internal Drainage Board: *No objection, subject to condition.*

County Archaeologist: *The site lies on the edge of the Martock Area of High Archaeological Potential, within an area thought to have once formed part of the medieval village. It is therefore possible that heritage assets associated with the earlier development of the village may be affected by this proposal.*

For this reason I recommend that the applicant be required to provide archaeological monitoring of the development and a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of ...conditions attached to any permission granted.

REPRESENTATIONS

Six letters of objection have been received, making the following main points:

- the proposal raises highway safety concerns, including safety along the extended driveway
- there would be harm to residential amenity from additional traffic passing existing dwellings
- trees are at risk or have been removed on the site
- there would be ecological harm to the site, particularly the possibility of harm to newts in the pond on site, and the wider ecology of the village
- there will be noise, dust and other disruptions from construction works and traffic
- the setting of listed buildings would be harmed
- the proposal is within the curtilage of a listed building and listed building consent should be sought
- previous applications in this part of the village have been refused or justified for important social functions
- there is risk of flooding
- the development is harmful to the landscape setting
- the development is of an unacceptable scale
- there is an overlap of this site (red line area) with the approved development to the north
- the proposal is backland or tandem development
- an outline application is not appropriate

CONSIDERATIONS

Principle of Development

Martock is identified as a Rural Centre in the Local Plan, a settlement 'with a local service role where provision for development will be made that meets local housing need, extends local services and supports economic activity appropriate to the scale of the settlement' (Policy SS1 of the Local Plan).

The application is for a single dwelling on a site adjacent to, and accessed via, the development area of a Rural Centre. Policy SS5 of the Local Plan allows a 'permissive approach' to be taken in respect of new development under these circumstances:

Prior to the adoption of the Site Allocations Development Plan Document, a permissive approach will be taken when considering housing proposals in Yeovil (via the SUEs), and 'directions of growth' at the Market Towns. The overall scale of growth (set out below) and the wider policy framework will be key considerations in taking this approach, with the emphasis upon maintaining the established settlement hierarchy and ensuring sustainable levels of growth for all settlements. The same key considerations should also apply when considering housing proposals adjacent to the development area at Crewkerne, Wincanton and the Rural Centres.

The Council remains unable to demonstrate an adequate 5-year supply of housing land, as required by the NPPF; and the current provision of new housing within the settlement is below the aspirational figure of 230 dwellings for the plan policy period.

Subject to assessment of the various impacts and material considerations, the principle of development of a single dwelling is accepted.

Visual and Landscape Impact

The Council's Landscape Officer has set out a clear assessment of the setting and the impact of the proposal on that setting. It is not considered that there is any landscape or visual harm resulting from a single dwelling on this sizeable site that would indicate a refusal of the application.

Impact on Conservation Area and Listed Buildings

The site is outside of the conservation area. However, as pointed out by the Landscape Officer (a view endorsed by the Conservation Officer) the site is well contained visually - which can be reinforced by appropriate planting - and has a credible relationship with built form in the vicinity. It is not considered that the erection of a single dwellinghouse in this position would have a harmful impact on the setting of the conservation area at this point.

The listed buildings in the vicinity are largely focussed on Church Street, which is well away from the site. The nearest listed building is in fact Manor Farm House, which is 65m away. It is noted that the new dwellinghouse recently approved is closer to these (and the conservation area) and no objection was sustained in this respect as regards that planning application (15/01533/FUL). It is not considered that there is any demonstrable harm to the setting of any listed building resulting from this proposal.

Impact on Residential Amenity

The site is well removed from the nearest possible dwellinghouse (the new dwelling immediately to the north) to avoid any harmful overlooking or overbearing. However, there is the consideration of the traffic generated by the proposal, and the impact of that on dwellings existing along the driveway - these would include the new dwellinghouse to the north; the converted stable building (Manor Cottage); and the Manor House itself. Given that the additional traffic generation relates only to a single dwellinghouse, it is not considered that an unreasonable amount of additional disturbance would result to the degree that would sustain a refusal on amenity grounds. This particularly applies to the two dwellings already subject to passing traffic from other dwellinghouses (the Manor House and the Manor Cottage). The degree of additional traffic is not considered to justify a refusal on amenity grounds.

Ecology

The ecology of the site has been comprehensively considered by the Council's Ecologist, who has assessed the submitted survey reports dealing with biodiversity and protected species. He is satisfied that no harm to the ecology of the site or setting would result that would indicate refusal of this proposal.

Highway Safety and Parking

The proposal results in a single dwellinghouse making use of an existing access. As pointed out by the Highway Officer in his pre-application advice to the applicant, the number of additional traffic movements is insignificant, and will not have a harmful impact on highway safety.

Adequate on-site parking can be secured. The exact details of the position, layout and surfacing of parking, as well as the retention thereof, can be finalised at the reserved matters stage, with additional conditions as necessary.

Flood Risk

Although there are parts of the overall site (then southern end) within Flood Zone 2, the site of the proposed dwellinghouse is within Flood Zone 1. The Drainage Board has been consulted and raises no objection to the proposal. There is no flood risk concern that would prevent the approval of a dwellinghouse on the site.

Parish Council Comments

These comments have been carefully considered and largely dealt with above.

- Biodiversity: This has been assessed in detail, as set out above.
- Size/Layout/Siting: The submitted plans are indicative, with all matters reserved for later determination. The Landscape Officer has also commented on the detailed appearance of the plans. However, these are matters that can be assessed in detail at the reserved matters stage. It is considered that a suitable scale and design of dwellinghouse can be accommodated on this sizeable piece of land without harm to the setting.
- Setting of listed building(s) - this is dealt with above
- Access: The access exists and already serves three dwellinghouses. It is therefore considered perfectly safe, and the addition of a further household is not considered likely to change this in any meaningful way.

Neighbour Comments

The concerns raised in neighbour letters of representation have been carefully considered. Most of the points raised have been covered above. However the following need specific comment:

- in respect of both highway safety and residential amenity, it is not accepted that the addition of one dwellinghouse to the current means of access would produce so harmful an impact as to warrant refusal; all the concerns relating to safety can be addressed in the final design and conditions imposed on the scheme
- the Tree Officer has visited the site and assessed the value and health of the existing vegetation; the site is not within the conservation area and there are no applicable tree preservation orders, so removal of trees by the owner is not controlled; at the design stage, it is accepted that vegetation and planting will be important, and these can be secured by way of condition
- the ecological considerations relating to the site and biodiversity have been comprehensively assessed by the Ecologist; there are no grounds for refusal of the application arising from this assessment;
- the site is not within the curtilage of any listed building; given the position of the site, there are not considered to be any demonstrable harms to the setting of listed buildings; even if a development proposal falls within a listed building curtilage, listed building consent is not relevant - such consent only applies to **works to listed buildings**
- an objector refers to previous applications being refused; these involve different sites with unique circumstances; planning proposals are required to be assessed on their individual merits, and decisions elsewhere can be given little weight in determining current applications.
- as set out above, there is no risk of flooding to this development, or to flood storage areas, that would indicated a refusal of the application;
- issues of detailed design, layout and scale of the development are for consideration at the second ('reserved matters') stage; the submitted layout scheme is only for purposes of indication whether some form of development would be feasible
- ownership of land, and relationship to the demarcated sites of previous applications is not relevant to consideration of this application, which should be considered on its own merits
- there is no policy objection to 'backland' or 'tandem' development as such; each development should be assessed on its merits and against the policies in the Development Plan
- and outline application is considered acceptable under these circumstances given the location of the site, its size, and the workability of the development of a single dwellinghouse (which is the principle being established).

Conclusion

The proposal represents the benefit of the development of a further unit of accommodation, against the

backdrop of a serious shortfall in the supply of housing land in the District. Albeit only one dwelling, the scheme would see the site coming forward in line with the economic role of sustainable development and the Government's aim of boosting significantly the supply of housing.

The locality is sensitive, being closely related to the historical settlement, its conservation area, and the many listed buildings along the main through-route of the village. However, for the many reasons set out above, it is considered that this sensitivity can be adequately respected, and the principle of siting a single dwellinghouse on the site can be accepted, without undue harm to residential amenity, highway safety, heritage assets and the general environment and landscape.

Notwithstanding the objections raised by the Parish Council and Local residents, therefore, the proposal is recommended for approval.

RECOMMENDATION

Grant permission.

01. The proposal represents the benefit of an appropriately-located additional unit of residential accommodation which, by reason of its siting, respects the character and appearance of the area and causes no demonstrable harm to residential amenity, highway safety, flood risk, biodiversity or designated heritage assets, in accordance with the aims of the NPPF and Policies SD1, SS1, SS4, SS5, EQ1, EQ2, EQ3, EQ4 of the South Somerset Local Plan.

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 appearance, landscaping, layout and scale 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. All reserved matters referred to in Condition 2 above shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design, layout, plot boundaries, internal ground floor levels, materials, and landscaping.

Reason: To ensure that the development of the site is dealt with in a comprehensive manner to protect the character and appearance of the local setting and to secure a high quality development in accordance with the NPPF and policies SD1, EQ2 and EQ3 of the South Somerset Local Plan, 2006.

04. No development hereby permitted shall be commenced unless details of a scheme for the management of surface water have been submitted to and approved in writing by the Local Planning Authority. Once approved, the scheme shall be fully implemented prior to occupation of the development and thereafter retained and maintained.

Reason: In the interests of sustainable development and appropriate management of surface water in accordance with the aims of the NPPF.

05. The access to the site shall be from Church Street as shown on the submitted plans reference LP1 and BZ1, as agreed by email on 24 May 2018.

Reason: In the interests of clarity and to safeguard the character and appearance of the area.

06. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: In the interests of safeguarding any archaeological remains on the site and to accord with the aims of the NPPF and Policy EQ3 of the South Somerset Local Plan.

07. Prior to commencement of this planning permission, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures, including protective fencing and signage; shall be installed and made ready for inspection. The locations and suitability of the tree protection measures shall be inspected by a representative of the Council (to arrange, please call 01935 462670) and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing/signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

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.

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

Agenda Item 13

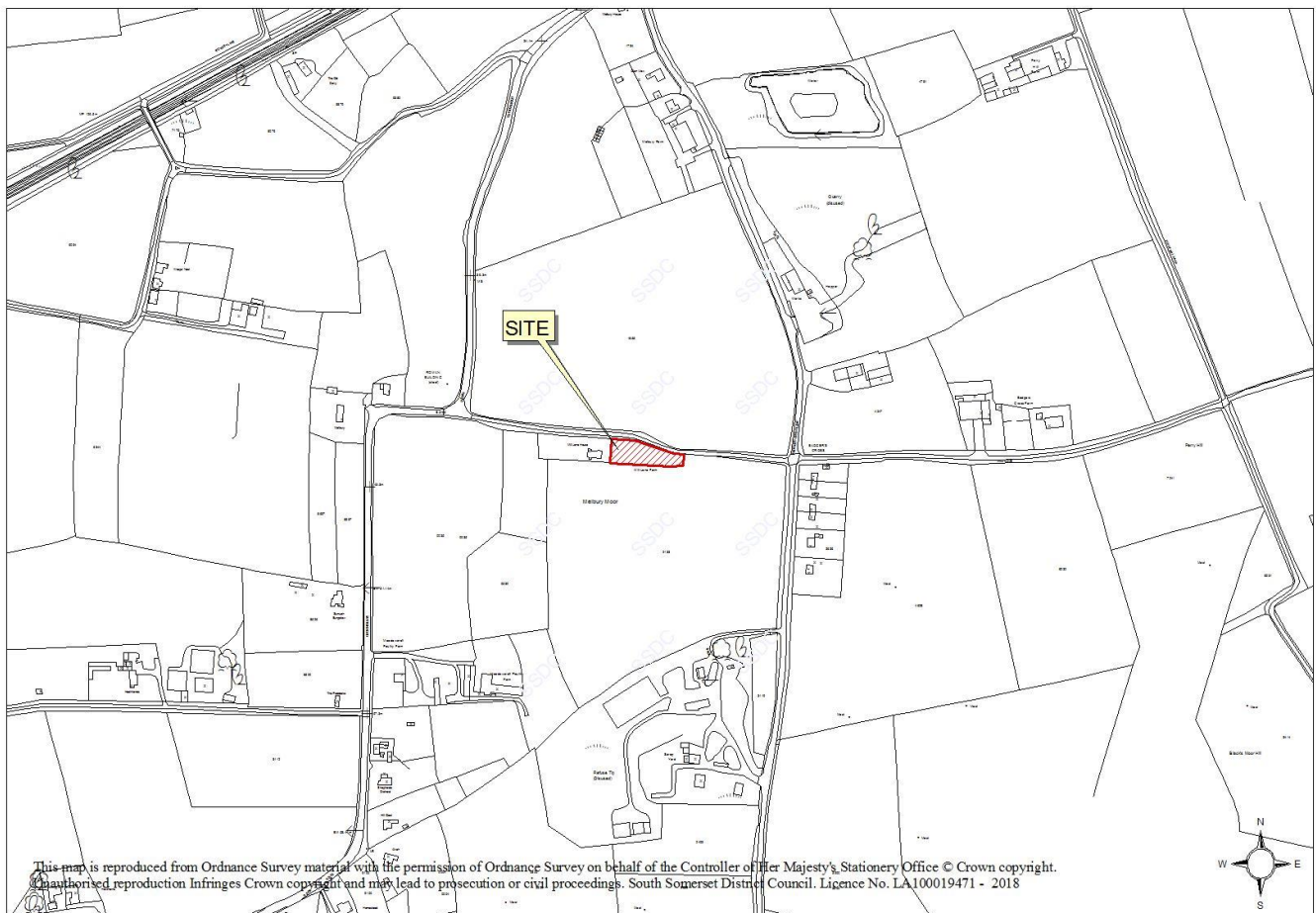
Officer Report On Planning Application: 17/04121/FUL

Proposal :	Alterations to include demolition of 2 No. buildings and the erection of 1 No. dwelling (live/work unit).
Site Address:	Mill Lane Farm, Mill Lane, Somerton.
Parish:	Somerton
WESSEX Ward (SSDC Members)	Cllr S Page Cllr D Ruddle
Recommending Case Officer:	Andrew Gunn Tel: (01935) 462192 Email: andrew.gun@southsomerset.gov.uk
Target date :	8th December 2017 31st January 2018
Applicant :	Mr Pattermore
Agent: (no agent if blank)	Tamsyn Froom Orme Architecture, 2 Farm Road, Street BA16 0BY
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

Chair agreed with one of the ward members to refer to committee to discuss the location and sustainability of the proposal.

SITE DESCRIPTION AND PROPOSAL





The site is located in open countryside to the south of Somerton, on the south side of Mill Lane. It is sited midway between the Sutton Road and Badgers Cross Lane. The site is a disused farmyard immediately to the east of 'Mill Lane House', formerly a tied agricultural worker's dwelling associated with the farmyard. The site accommodates various structures, including a large metal-framed barn and various smaller barns in a variety of materials.

Application is sought for the demolition of two barns and the erection of a new dwellinghouse to be associated with retained barns on the site to form a live-work unit.

HISTORY

04/02130/OUT - Use of land for residential development (Maximum of 5 detached dwellings) - 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
EP7	New Build live / Work Units
TA5	Transport Impact of New Development
TA6	Parking Standards
EQ2	General Development
EQ4	Biodiversity
EQ5	Green Infrastructure

National Planning Policy Framework (March 2012)

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

Somerton Town Council: The application is supported.

Highways Authority: Standing advice applies.

SSDC Highway Consultant: *The traffic impact of the development scheme on the local highway network is unlikely to be significant, particularly given the extant use of the buildings. The proposed means of access appears reasonable subject to the provision of improvements to the visibility splays as proposed, although if vehicle speeds on Mill Lane are above 33mph, then an increased westerly splay (to the centreline of the road) would be required - it appears that a splay of 59m (commensurate with speeds of 37mph) could be achieved in this direction. The first 6m of the access needs to be properly consolidated and surfaced (not loose stone/gravel) with appropriate surface water drainage measures proposed, and the parking provision needs to accord with the Somerset Parking Strategy optimum standards.*

SSDC Landscape Architect: *this proposal seeks to demolish part of a group of farm buildings, and replace the main steel frame structure with a substantially-scaled dwelling.*

The application site lays outside the settlement of Somerton, and is un-related to the loose aggregation of South Hill's residential areas, to thus be in a countryside location. There are occasional holdings sporadically threaded along the adjacent lanes, but primarily the site lays within an agricultural landscape, characterised by a mix of mid-scale arable and pasture fields, and is relatively open other than where punctuated by tree lines and field corner plantations. These elements contribute to the general rural setting within which the application site resides.

With this application, the proposed house is of substantial scale, whose scale and design appears to project a commercial character rather than a site of agricultural origins. Whilst semi-derelict built-form is currently present on this site, there is a marked difference between these basic structures that are no longer generating active use, and a substantial 2-storey dwelling in a non-residential environment,

which also will introduce the incongruous characteristics of night-light; domestic vehicular activity and parking space; and the appearance of domestic paraphernalia within the red-line curtilage of the application, where again there is an erosion of the rural landscape due to garden use. Whilst a clear reduction of built form on site and a more restrained scale of development might be feasible in this location, I do not see the level of enhancement that policy EQ2 seeks to be able to offer landscape support.

SSDC Ecologist:

A verbal update will be given with regard to any comments received in regard to the ecology report.

SSDC EPU Officer: *The application site is within 250 metres of a suspected landfill site. The applicant/developers attention is drawn to the fact that there is the potential for production and migration of landfill gas. You are reminded that the responsibility for safe development rests with the owner and/or developer. Accordingly, the applicant/developer is advised to seek independent expert advice regarding the possibility of the presence, or future presence, of gas and whether any precautionary measures are necessary.*

REPRESENTATIONS

None received.

CONSIDERATIONS

The site is greenfield (agricultural) land, in open countryside. The application is for a newbuild dwellinghouse, with associated existing buildings alongside changing use to become workshop space for use by occupants of the house.

The Applicant's Case

The application is made against the background presumption against development of greenfield land in open countryside. The NPPF, at Paragraph 55, advises that *Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.*

The applicant has made the application on the basis that, if the largest barn on the site were in convertible condition, it could be converted to a dwellinghouse under Class Q of Part 3 of the Schedule to the GPDO, which provides an exception to the presumption against development. With 161 sq m of additional space provided by outbuildings, the overall result would be a 'live-work' unit.

Possible Conversion: Class Q of the GPDO

The large barn on the site is in poor condition, and is not in any event suitable for conversion. It is completely open on two sides, with the third side only partially enclosed. No structural survey or supporting information has been provided. It is quite apparent that significant new works would be required to 'convert' this building to a dwellinghouse, and such works are more than likely to constitute a re-build. In the absence of an approved scheme of conversion under Class Q, it is not accepted that there is any reasonable 'fall-back' position that would indicate that a dwellinghouse may be erected on this land.

Live-Work Unit

The Local Plan notes that: *A live/work property is one designed from the outset for dual residential and business use. It may be newly built or converted to create a professional workspace where one or more people can run a business. In planning terms, it has a unique status ('sui generis') as a property 'of its own type' incorporating residential and commercial use*

As a first comment, what is proposed here is something slightly different. A large new dwellinghouse is to be built. Separate from that, and a few metres away, are two conjoined barns which the applicant has designated 'Workshop/Storage'.

The Local Plan text continues: *National guidance is supportive of new working practices such as live/work units, however new build live/work units are not supported as evidence from consented units in South Somerset demonstrates that live/work practices do not work in reality and result in residential development by default in locations where permission would not normally be granted. Monitoring of the Council's planning records identifies that between 1997 and 2010 there have been 36 applications for live/work units in the district, and 18 were approved. The 18 approvals were expected to deliver 36 live/work units, however to date only 1 unit has been delivered and is operating as a true live/work unit*

Given the detached nature of the two buildings, relative proportions of floorspace (331 sq m dwellinghouse, separate from 161 sq m workspace) this concern is underlined. The application would appear to be for a large new dwellinghouse with large outbuildings labelled as the work element. Requiring occupants of the large dwellinghouse to be employed in the adjacent work element (which would be a required condition of approval) would be unworkable in the long run, and is therefore not considered to be supportable.

Policy EP7 of the Local Plan is clear: *New build live/work units will not be allowed in locations where residential development would not normally be permitted. The proposal, which is for a large, detached newbuild dwellinghouse, is not considered to comply with this policy.*

Visual and Landscape Impact

This is greenfield land. Continued use of the site for agricultural purposes is accepted, but there is no compelling justification for replacing the massing of agricultural buildings with domestic dwellings and the assorted accompanying paraphernalia. The Landscape Officer has set out a clear discussion of the harm inherent in the impact of this proposed large new dwellinghouse. It is not considered that it would respect the established rural character and appearance of the setting. It would thereby fail to promote South Somerset's local distinctiveness and preserves or enhance the character and appearance of the district.

Impact on Residential Amenity

The nearest dwellinghouse is to the west, more than 40m away. It is not considered that there would be any harmful impact on residential amenity.

Highway Safety

The proposed dwellinghouse and workshop are not considered likely to result in an unacceptable or harmful increase in traffic generation. As advised by the Highway Consultant, it is considered that reasonable visibility can be achieved. Adequate parking can be achieved. There are not considered to be any severe impacts on highway safety resulting from the proposal.

Ecology

A Bat and Protected Species Survey and Bat Emergence and Activity Survey was undertaken in May and June 2018. A subsequent report has been submitted which confirms the existence of bats and nesting birds in Barn 3 which is to be converted/renovated. No evidence was found in the other barns. Recommendations include the need to apply for a licence from Natural England before any works commence and ecological supervision for the removal of bats. In addition, bat roosting and bird nesting provision will need to be incorporated into the scheme.

Conclusion

The proposal represents a new dwellinghouse in open countryside on greenfield land for which no justification has been made. As such, it is a new live-work unit (when combined with the workshop/storage space) that is contrary to the sustainability aims of the NPPF and the Local plan, specifically policy EP7. The resulting development is of a scale and character that would fail to respect the established character and appearance of the local landscape and setting. For these reasons, the proposal is recommended for refusal.

RECOMMENDATION

Refuse.

01. The proposed development is considered to represent unsustainable development, contrary to the aims and core principles of the NPPF, for the following reasons:
 1. The proposal represents a newbuild development on greenfield land in open countryside for which no special justification has been demonstrated, which, by reason of its design and siting fails to respect the established character and appearance of the landscape and setting. In these respects the proposal is contrary to the aims of the NPPF and Policies SD1 and EQ2 of the South Somerset Local Plan.
 2. The proposal represents a new dwellinghouse in a location remote from services and facilities, which would therefore foster growth in the need to travel, contrary to the aims of the NPPF and Policy SD1 of the South Somerset Local Plan.
 3. The proposal represents a newbuild live-work unit where residential development would not normally be permitted, and in this respect is contrary to the aims of the NPPF and Policies SD1 and EP7 of the South Somerset Local Plan.

Informatives:

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

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