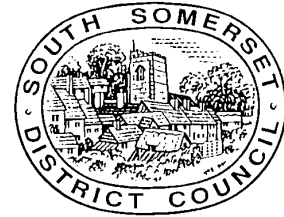


South Somerset District Council

Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 27th March 2019

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 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 Tuesday 19 March 2019.

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).

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 27 March 2019

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 27 February 2019.

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 Paul, Graham Middleton 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 24 April 2019** at a venue to be confirmed (likely to be the Edgar Hall, Somerton).

5. Public question time

6. Chairman's announcements

7. Reports from members

Items for Discussion

- 8. Neighbourhood Policing** (Page 6)
- 9. Area North Committee Forward Plan** (Pages 7 - 8)
- 10. Planning Appeals** (Pages 9 - 15)
- 11. Schedule of Planning Applications to be Determined By Committee** (Pages 16 - 17)
- 12. Planning Application 18/01481/OUT - Land East of Stoodham, South Petherton**
(Pages 18 - 30)
- 13. Planning Application 19/00259/HOU - 15 Piece Lane, Shepton Beauchamp** (Pages 31 - 34)

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

Neighbourhood Policing

Contact Details: www.avonandsomerset.police.uk

Rob Jameson, Neighbourhood Police Team Sergeant for South Somerset (Avon and Somerset Constabulary) or another representative, will attend the meeting to provide a verbal update on local issues, crime trends and initiatives.

Background Papers: *None*

Agenda Item 9

Area North Committee – Forward Plan

Director: Netta Meadows, Strategy and Support Services
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
Jun '19	Appointments to Outside Bodies	New municipal year – appointment of members to working groups and outside bodies.	Case Services Officer (Support Services)
Jun '19	Revised Scheme of Delegation – Development Control, Nomination of Substitutes for Chairman and Vice Chairman for 2019-20	New municipal year – appointment of two members to act as substitutes.	Case Services Officer (Support Services)
Jun / Jul '19	Area Chapter Update	Regular update and progress report regarding the Area Chapter (North) of the Council Plan	Specialists, Strategy & Commissioning
Jul/Aug '19	Area Priorities and Area Chapters (Council Plan)	To consider the strategic priorities for consideration in the wider Council Plan	Specialists, Strategy & Commissioning
TBC	Somerton Conservation Area	Report regarding the Somerton Conservation Area Appraisal and designation of extensions to the Conservation Area.	TBC
TBC	Buildings at Risk (Confidential)	Routine update report.	TBC

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

None

Appeals Dismissed

17/04870/OUT – Land OS 6730, Henley, Langport.
Outline application for alterations to existing accesses and erection of 2 No. dwellings.

Appeals Allowed

None

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



Appeal Decision

Site visit made on 8 January 2019

by **I Bowen BA(Hons) BTP(Dist) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 March 2019

Appeal Ref: APP/R3325/W/18/3211834

Land OS 6730, Henley, Langport, Somerset (GR: 342677/132297)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Bryan Bartlett against the decision of South Somerset District Council.
 - The application Ref 17/04870/OUT, dated 16 December 2017, was refused by notice dated 27 April 2018.
 - The development proposed is described as outline application for alterations to existing accesses and erection of 2 No. dwellings.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. For clarity, I have used the description of the proposed development as specified on the appeal form as this most accurately reflects the proposal. Similarly, I have also adopted the site address from the Council's refusal notice.
3. The application was made in outline with all matters reserved except for access. However, the appellant submitted a drawing indicating a possible area for car parking and cycle parking/bin store. It also shows the removal of hedgerows along Nythe Road together with the reinstatement of traditional railings. Whilst the plan is, in these respects, indicative, I have taken it into account as a guide to how the site might be developed.
4. A revision to the National Planning Policy Framework (the revised Framework) was published in February 2019. I have had regard to the revised Framework in determining this appeal. No changes have been introduced which are directly relevant to the subject matter of this appeal and I am therefore satisfied that that no party has been prejudiced as a result of my doing so.

Main Issues

5. The main issues are:
 - whether the appeal site would be a suitable location for housing having regard to local planning policies on the location of housing and availability of services;

- the effect of the proposed development on the character and appearance of the area, including the setting of the Grade II listed Windsor Farm; and
- the effect of the proposed development on the living conditions of future occupiers with respect to odour and noise; and whether any harm arising would be likely to affect the operation of the adjoining agricultural business.

Reasons

Location of development

6. The appeal site lies on the western edge of Henley beyond a loose collection of dwellings and farm buildings which comprise this linear settlement. Whilst not therefore isolated for the purposes of Paragraph 79 of the revised Framework, the site nonetheless occupies a position in the open countryside on the edge of the village.
7. Policy SS1 of the South Somerset Local Plan (2006 – 2028) (2015) (the SSLP) sets out a hierarchy for steering housing development to the most sustainable locations prioritising primary market towns, local market towns and named Rural Centres. Henley lies outside all of those areas and as such is considered, under this policy, to be a Rural Settlement in the countryside. In line with this policy, SSLP Policy SS2 strictly controls development in such settlements with exceptions being limited to the provision of affordable housing and other types of development, which are not applicable to this appeal, in settlements which have at least 2 key services.
8. The appellant has cited local housing needs evidence indicating a requirement for up to 5 affordable dwellings in the Parish of High Ham. I see no reason to dispute that this reflects the up to date local housing needs position, and I am aware that elected member and other third party representations have been received supporting the application on the basis of a demand for accommodation for young people in particular. The revised Framework and Planning Practice Guidance also highlight the need for rural affordable housing. However, whilst the appellant describes the appeal development as being for discounted open market housing, there is no mechanism before me to ensure that the dwellings would be reserved as such in the event of the appeal being allowed. I therefore attach little weight to the benefits of the scheme in providing affordable housing in this case.
9. Turning to accessibility, whilst there are day-to-day facilities available in the village of High Ham, these are located some distance away, steeply uphill, along a busy rural road which lacks footways or lighting. There are very few facilities in Henley, these being restricted to a chapel and recreational wood. Given the nature of the road network and the distances involved, it is unlikely therefore that residents would walk or cycle to and from services, especially in poor weather or during the hours of darkness.
10. I appreciate that some facilities such as schools can expect to draw on a broad catchment including rural settlements and that paragraph 78 of the revised Framework advises that where there are small groups of settlements, development in one village may support services in a village nearby. However, I have been provided with no detailed evidence on a particular need for school rolls to be supported through development in this area. Furthermore, the additional two dwellings would provide very modest benefits in supporting

other services in High Ham and beyond. Given the likelihood that future occupiers of the dwellings would be largely reliant on the private car to access services and facilities, I find that the proposed development would in this respect be contrary to the aims of the Development Plan and, specifically, the requirements of SSLP Policy SS2.

11. Consequently, I conclude overall on this main issue that the proposed development would not be a suitable location for housing and would conflict, or not accord with, SSLP Policies SS1 and SS2. These policies seek to achieve sustainable development by focusing development in sustainable locations well served by facilities; and strictly controlling development in the countryside except in limited circumstances, none of which apply in this case. As such the proposed development would also not accord with SSLP Policy SD1 which, in line with Section 2 of the revised Framework, seeks to secure sustainable development and approve planning applications which accord with the development plan.

Character and appearance

12. Windsor Farm is a substantial detached Grade II listed building which stands apart at the edge of the village at the junction of Henley Road and Nythe Road broadly opposite the appeal site. I have not been provided with detailed information of its listing other than from the occupier of the building, but at its core is a 15th Century stone-built former farmhouse with thatched roof and other historic architectural details and attached outbuildings.
13. Although the building has seemingly ceased to be a farmhouse, its historic and solitary siting on the undeveloped edge of the village, facing towards the appeal site and other open fields, remains. This setting is important in framing the significance of the building as a heritage asset.
14. In this respect I saw that the building forms a particular visual focus when travelling southwards from some distance away towards Henley along Nythe Road in particular. Whilst the application was in outline with matters of siting, scale, layout, appearance and landscaping reserved for subsequent consideration, I consider it likely that the proposed houses would present a visual distraction to the setting of the listed building when viewing from this perspective. The combination of new dwellings, potential loss of hedgerow, parking, and likely domestic paraphernalia associated with garden areas would, however sensitively designed, be likely to diminish the sense of isolation of Windsor Farm and the way it is experienced in its rural context.
15. Given the scale of the proposal in respect of the setting of the listed building, I consider that the harm would, in the terminology of the revised Framework, be "less than substantial". Nevertheless, being mindful of the statutory duty in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, great weight should be given to its conservation. Any harm to, or loss of, its significance as a designated heritage asset should require clear and convincing justification.
16. As I have found that the proposed development would cause less than substantial harm, this should be weighed against any public benefits. The provision of two additional dwellings would only make a limited contribution to local housing supply in the area. The appellant's Design and Access Statement also refers to highway safety benefits as a result of the proposed removal of

- hedgerows. However, I have seen no firm evidence to show the extent of any pre-existing problems in this regard and I therefore attach limited weight to any such public benefits.
17. Overall, the public benefits would not therefore outweigh the great weight that I am required to attach to the conservation of the setting of Windsor Farm.
 18. My attention has been drawn to other examples of development which the Council has allowed within the setting of listed building, at Henley Farm to the east of the appeal site and Beer Farm some 2 miles to west. On the basis of the evidence provided, it is clear that both those developments involved the re-use/conversion or replacement of existing buildings. I do not therefore regard them as comparable to the proposal before me. Whilst the revised Framework indicates that the setting of a heritage asset may change as its surroundings evolve, I have nonetheless considered the merits of the appeal proposal on the basis of the particular circumstances of this case.
 19. In terms of the effect of the proposal on the character and appearance of the area more generally, the appeal site is formed of a fairly small field immediately adjoining Balls Farm to the east. It occupies a prominent location at the edge of the linear built-up form of the village at the junction of Henley Lane and Nythe Road. Apart from the listed Windsor Farm opposite, this location is characterised by open countryside with sweeping views of fields enclosed by hedgerows as Hythe Road descends steeply down from the south to meet the level moorlands. Given the site's prominence, its development would, to my mind, represent a harmful intrusion into the open countryside.
 20. I recognise that historically the roadside boundaries were demarcated by metal railings and I saw the remains of these on my site visit. Nevertheless, it does not follow that their repair and reinstatement would now be appropriate and although the appellant characterises the proposed removal of hedgerow as much needed maintenance, it would in my judgement have a deleterious effect on the character and appearance of the area.
 21. Drawing this main issue to a conclusion, I find that the proposed development would fail to preserve the setting of the listed building and would cause less than substantial harm to its significance as a heritage asset. In the absence of any public benefits to outweigh his harm, it would conflict with SSLP Policy EQ3 which seeks to safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets. For the same reasons, it would conflict with Section 16 of the revised Framework.
 22. Furthermore, the location of the appeal site on the edge of the village and removal of hedgerows would represent an unacceptable intrusion into the countryside contrary to SSLP Policy EQ2 which requires development proposals to conserve and enhance the landscape character of the area and reinforce local distinctiveness.

Living conditions and disruption to adjoining agricultural business

23. The appeal site immediately adjoins a large agricultural barn which I was able to inspect on my site visit. This building is currently used, albeit mainly in the winter months, for housing between 50 – 70 cattle. It is also used for the storage of hay. Given the very close proximity to the appeal site, concerns have been raised in relation to the potential for harm in terms of noise, dust

and odour to future occupiers of the dwellings. Equally, the risk of startling livestock and causing injury to farm workers has been raised, as well as the prospect of future complaints from occupiers of the new dwellings. This could lead to pressures for the curtailment of the farm business, thereby threatening its viability.

24. Whilst not necessarily representative, when I visited the site I saw that the barn and adjoining farmyard and other buildings were in active use with significant numbers of cattle and frequent farm vehicle movements taking place.
25. On the basis of the planning application, the proposed dwellings would be likely to be sited away from the immediate boundary with the barn given the position of the proposed access. Recognising that the cattle are already exposed to the noise of passing traffic on Henley Lane, it seems unlikely to me that there is a material risk of direct disturbance to the livestock. However, given the proximity of the proposed dwellings and in the absence of any technical evidence having been provided, I cannot be certain that a scheme could be devised such that no unacceptable harm would arise for future occupiers in terms of noise and odour. In turn, there would be an unacceptable risk that any such harm could lead to future pressure for the curtailment of livestock farming activities on the adjoining site which could affect the operation of that business.
26. Consequently, the proposed development would conflict with SSLP Policy EQ2 which seeks to protect the residential amenity of neighbouring properties. For the same reasons, the proposed development would not accord with the revised Framework which requires planning decisions to promote health and well-being with a high standard of amenity for existing and future occupiers.
27. The appellant has provided examples in Henley, at land to the east of Orchard Home and at The Hall, where new residential uses have been permitted in close proximity to working farms. However, I do not have full details as to the basis on which those developments were permitted and I note the permissions were granted in 2008 and 2012 respectively, during which time circumstances may have changed considerably. Moreover, whilst the Council may not have raised concerns in relation to residential amenity at the time, the limited evidence on the extent to which the farming activities were or are comparable to those at Balls Farm does not conclusively demonstrate that they are a direct parallel to the appeal before me. I have therefore considered this appeal on its merits and the examples of previous developments in this regard has not been determinative in my decision.

Other matters

28. The appellant contends that the Council is currently unable to demonstrate a 5-year housing land supply as required by Paragraph 73 of the Framework. However, Paragraph 11 d) and footnote 6 of the Framework clarify that the presumption in favour of sustainable development is not engaged where the application of its policies that protect designated heritage assets provides a clear reason for refusing the development proposed. I have found in this case that such harm would arise and the 'tilted balance' is therefore not engaged.

Conclusion

29. In conclusion, the proposed dwellings would not be in an accessible location where new residential development is promoted in the SSLP in the interests of sustainable development. The proposal would also give rise to less than substantial harm to the setting of a Grade II listed building which would not be outweighed by public benefits and would be harmful to the character and appearance of the wider area. In the absence of substantive evidence confirming otherwise, there would also be an unacceptable risk that future occupiers would be exposed to unacceptable noise and/or odour which could, in turn, indirectly affect the adjoining farming business. I am mindful of the benefits and comments raised in support of the proposal. However, these matters would not outweigh the harm I have identified.
30. For the reasons given, and having regard to all other matters raised, the appeal should be dismissed.

Ian Bowen

INSPECTOR

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	SOUTH PETHERTON	18/01481/OUT	Outline application for 6 dwellings.	Land East of Stoodham, South Petherton.	Mrs A Yerbury
13	SOUTH PETHERTON	19/00259/HOU	Conversion of existing garage with lean to extension to the rear of the property to create a new kitchen, diner and utility room.	15 Piece Lane, Shepton Beauchamp.	Mr & Mrs G Cox

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

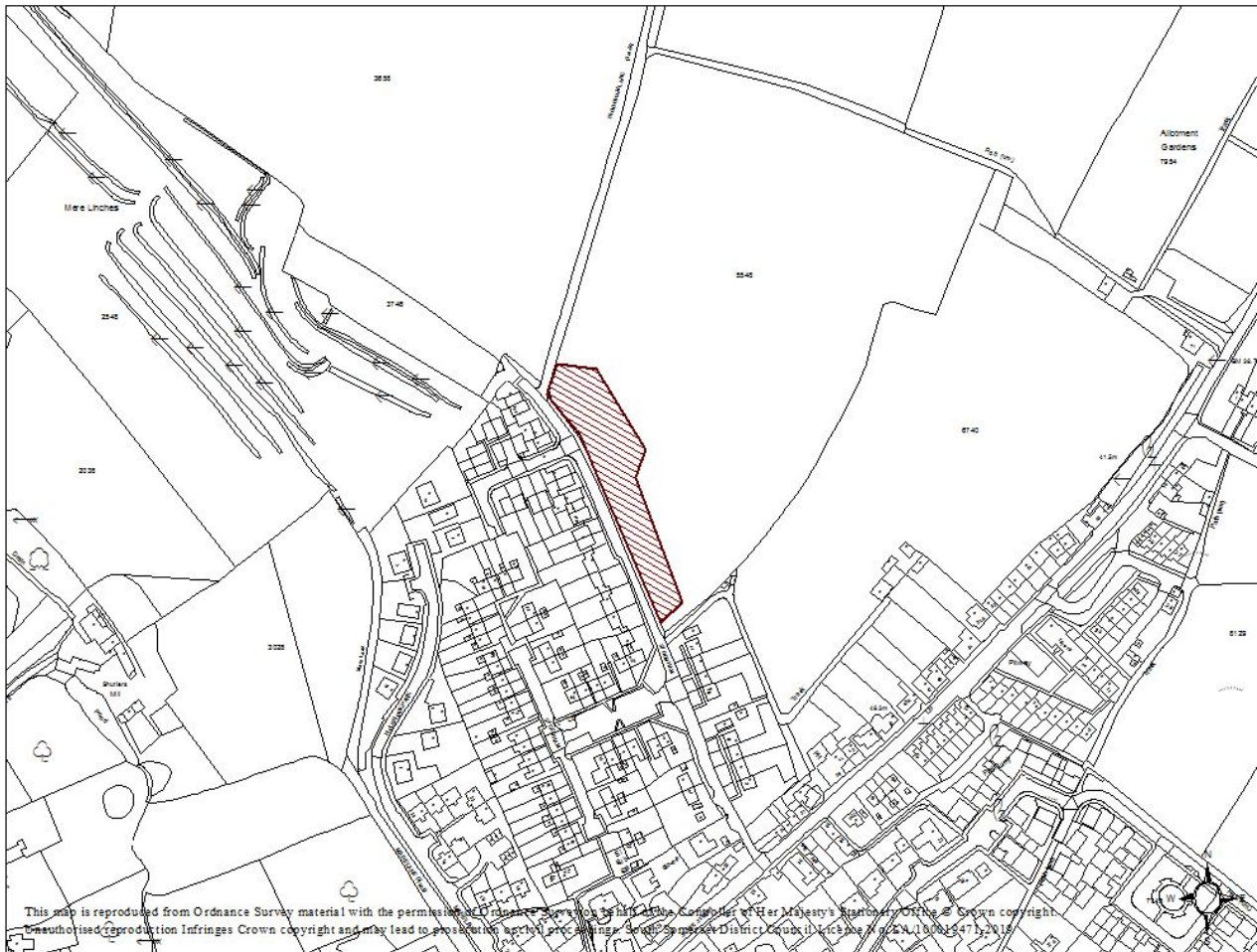
Officer Report On Planning Application: 18/01481/OUT

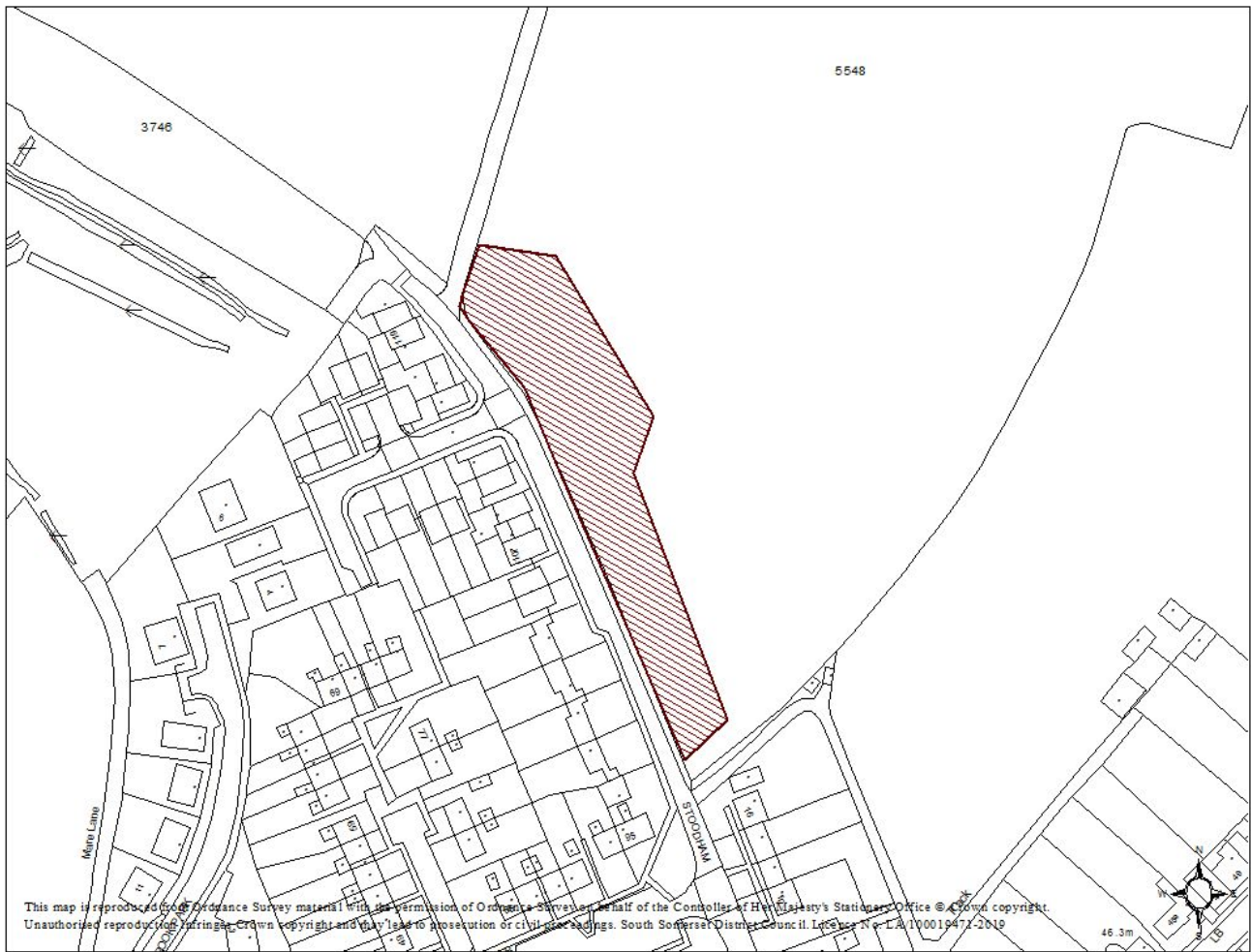
Proposal :	Outline application for the erection of 6 dwellings
Site Address:	Land East Of Stoodham, South Petherton
Parish:	South Petherton
SOUTH PETHERTON Ward (SSDC Members)	Cllr Adan Dance Cllr Crispin Raikes
Recommending Case Officer:	Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk.
Target date :	5th July 2018
Applicant :	Mrs Anne Yerbury
Agent: (no agent if blank)	Michael Williams, Clive Miller Planning Ltd, Sanderley Studio, Kennel Lane, Langport TA10 9SB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is referred to committee by the Ward Member with the agreement of the Area Chair to enable discussion of the highways issues.

SITE DESCRIPTION AND PROPOSAL





This is an outline application for residential development comprising of 6 dwellings. The outline application is to agree the principle of development. All detailed matters (access, layout, scale, appearance and landscaping) are reserved for later approval through a 'reserved matters' application.

The site is located on open agricultural land to the eastern side of 'Stoodham' which is a no through unclassified road. There are existing modern dwellings opposite the site on the western side of Stoodham. There is a public right of way which runs along Stoodham and then turns away from the road at the northern end of the proposed site.

The site is slightly elevated above the road and there is a hedgerow along the road frontage.

The application is supported by the following documents:

- Access statement
- Ecology report
- Supporting statement
- Topographical survey and indicative plans

HISTORY

Relevant planning permissions in the immediate vicinity:

- 15/01136/FUL Erection of two dwelling houses at 85 Stoodham- Permitted with conditions
- 12/04081/FUL Erection of an attached dwelling house at 85 Stoodham- Permitted with conditions
- 09/04467/FUL Erection of two flats adjacent to 85 Stoodham- Permitted with conditions.
- 05/00046/FUL Demolition of 10 houses, erection of 19 new homes and play area- Permitted with conditions.

POLICY

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

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

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

Relevant Development Plan Documents:

South Somerset Local Plan (2006-2028):

- SS1 - Settlement Strategy - identifies Broadway as a Rural Settlement
- SS2- Development in rural settlements
- SS4 - District Wide Housing Provision
- SS5 - Delivering New Housing Growth
- SD1 - Sustainable Development
- HG3 - Provision of affordable housing
- TA5 - Transport Impact of New development
- TA6 - Parking Standards
- EQ2 - General development
- EQ3 - Historic Environment
- EQ4 - Biodiversity

National Planning Policy Framework (2018)

- Chapter 4. Decision-making
- Chapter 5. Delivering a sufficient supply of homes
- Chapter 9. Promoting sustainable transport
- Chapter 12. Achieving well-designed places
- Chapter 13. Protecting Green Belt land
- Chapter 15. Conserving and enhancing the natural environment

ENVIRONMENTAL IMPACT ASSESSMENT

None required

CONSULTATIONS

South Petherton Parish Council:

Object on the basis of access/highways usage. Access for the number of houses not suitable, safety of access and junction onto Silver Street is not acceptable. Also the amount of vehicles using the highways

added to the current parking issues along Stoodham & Silver Street will not be safe or tenable.

SSC Highways:

Traffic Impact

Trip Generation

The only vehicular access point to the site is via the Stoodham / Silver Street junction. The Access Statement has produced a trip rate, based on observed traffic counts at the junction, which suggest a two-way trip rate of 0.5. Based on this trip rate, the proposed six residential units will generate three two-way trips in the AM peak. This increase of three two-way vehicular trips in the AM peak hour is considered modest.

Access

The only vehicular access point to the site is via the Stoodham / Silver Street junction. The Highway Authority has concerns with the visibility and width of Stoodham.

The Access Statement submitted by the applicant has shown existing visibility splays of 2.4m x 10.5m in both directions. At the Stoodham / Silver Street junction, the width of Stoodham varies between 3.7m-4.0m and the width of Silver Street is 4.8m-4.9m.

A review of the most recent five years of Personal Injury Collisions at the junction and within Stoodham and Silver Street has shown that there have been no recorded collisions.

The applicant has stated that they would be willing to discuss and negotiate the potential implementation of improvements at the junction. The applicant has put forward a scheme of white-lining/hatching on Silver Street and the re-location of the Give-Way line, which would improve visibility at the junction from 2.4m x 10.5m to 2.4m x 18.5m. It is considered that this proposal would have adverse safety impacts and the junction should remain as per the existing arrangement.

It is noted that the Access Statement has not included an assessment of the interaction of vehicles travelling in opposite directions or the conflict between vehicles and pedestrians on the section of Stoodham that is on the immediate approach to the junction, however, as there are no recorded collisions at the junction it is considered that the proposed addition of 6 residential units is unlikely to cause a severe impact.

The proposed widening of the highway on the north of Stoodham to 5.5m is considered appropriate for the proposed development, as is the proposed footway that will front the eastern side of the site and provide pedestrian access to the local footway network.

Parking

The indicative car parking provision for the proposed development consists of two car parking spaces each for three of the dwellings and four car parking spaces for each of the remaining three dwellings. This averages a total of three car parking spaces per unit.

The number of bedrooms per dwelling has not been disclosed in this outline application. The site is located in Zone B of the Somerset Parking Strategy. The SCC Parking Strategy recommends an optimum level of parking based on the number of bedrooms per residential unit. As this information has not been submitted yet, if a reserved matters application is submitted then the applicant would need to provide car parking that is in-line with these standards.

Conclusions

The Highway Authority does not object to the proposed development of six residential units. The Highway Authority has raised their concerns within this response regarding the visibility and the narrow geometry at Stoodham / Silver Street Junction, yet it is observed that there have been no collisions within the most recent years.

The Access Statement has demonstrated that the six residential units are likely to generate a total of three two-way trips in the AM Peak which is considered modest.

The Highway Authority recommends that no more than the currently proposed six residential units are proposed at the site.

Should the Local Planning Authority grant planning consent then I would recommend that the following conditions are imposed:

1. The applicant will be required to secure an appropriate legal agreement/ licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.
2. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
3. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.
4. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to an approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
5. There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.
6. No work shall commence on the development site until the developer has submitted and had approved by the Local Planning Authority details of the access and associated footway links. No part of the development hereby permitted shall be occupied until the approved access has been constructed.

Wessex Water:

No objections. General commend=s made relating to connection to Wessex water infrastructure.

SSDC Ecologist:

I'm satisfied with the ecology report conclusions and recommendations. I suggest the recommendations relating to protected species should be made a requirement by condition(s).

SCC Rights of Way:-

No objections subject to suggested informatives relating to safety during construction.

REPRESENTATIONS

Following consultation there were representations from 22 objectors, 1 supporter and 2 making general comments.

The following comments are made:

Highways:

- Concerns over highway safety- substandard junction with Silver St- narrow access and poor visibility due to parked cars on Silver St, vehicles regularly have to reverse onto Silver Street due to other vehicles exiting Stoodham, cars often do not travel slowly on Silver St, Stoodham will continue to be used by agricultural vehicles to access the adjacent field.
- traffic congestion,
- no pavements at entrance to Stoodham,
- children play in the road.
- Concerns over lack of parking locally and congestion
- Plans should include a footway along the site frontage.
- Public footpath must not be affected/impeded.
- Difficult access for emergency vehicles and construction vehicles

Residential amenity:

- Loss of privacy

Other comments:

- Adverse impact on landscape and views
- Adverse impact on wildlife
- Negative impact on property values
- Lack of general facilities and infrastructure in the village- shop and GP not adequate to serve additional residents
- Increased rainfall runoff and flooding
- Wessex Water infrastructure cannot cope
- Will set a precedent for the rest of the field to be built on

CONSIDERATIONS

Five Year Land Supply

The Council currently cannot demonstrate a 5 year land supply. Accordingly, Paragraph 11 of the National Planning Policy Framework is engaged. For decision making, this states that: "where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".

The above paragraph describes what is often referred to as the 'tilted balance' which is currently engaged for decision making in South Somerset. It partially shifts the focus from the relevant development plan policies to the other material considerations and impacts of the development. It should be noted that the degree of weight given to relevant development plan policies in this context is a matter for the judgement of the decision maker.

Principle of development/sustainable development

The Local Plan identifies South Petherton as a Rural Centre and as such has been identified as a sustainable location for growth. Policy SS5 sets a strategic housing target of 229 dwellings that has been proposed over the plan period (2006-2028). It has already been established on other planning applications that South Petherton is already over this target figure as dwelling completions and commitments (sites with permission or under construction) currently total approximately 309. The grant of this permission would take the figure to 315. This is 37.5 % above the Local Plan target.

In considering the increase comprised within this application, it should be noted that the housing figure of 229 dwellings is a target, not a maximum and under Policy SS5, a permissive approach will be taken for housing proposals, in advance of a Site Allocations Development Plan Document and that the increase would not place South Petherton within a higher tier in the settlement strategy (policy SS1). Notwithstanding this, it is nevertheless accepted that the increase to 37% over the target is significant and this has been confirmed by an appeal inspector in Martock (reference 14/04723/FUL) The inspector commented:

"Given the above I conclude that the overprovision of housing that would occur, whether at 40% or 32%, would go well beyond the broad level of housing envisaged for Bower Hinton/Martock. As such it would constitute a substantial failure to accord with the settlement strategy for South Somerset set out in LP Policies SS1, SS4 and SS5 and would harmfully undermine that strategy" (para 14).

In the above case, the Inspector went on to consider the planning balance of the other relevant material considerations. Of significance these included the general sustainability of the site. In this regard it was considered that the site was a significant distance from the centre of Martock and not in a sustainable location, thus conflicting with the aims of the settlement strategy (Policy SS1) which aims to strive for self- containment and contrary to Policy EQ2- General Development.

South Petherton Neighbourhood Plan (2018)

The South Petherton Neighbourhood Plan was adopted in 2018. There are several relevant policies within the neighbourhood plan, NE1- South Petherton Village Development Area, NE2- Proposals on the Edge of the Village Development Area.

Policy NE2 requires (amongst other requirements) that development is well related to the development boundary, of a scale in line with the requirements of the Parish Design Guide, represent a direct response to local need, do not harm landscape character and do not result in cumulative environmental impacts. Having regard to the assessment in this report, it is considered that there is general compliance with the above policy.

Policy H3 of the neighbourhood plan states that developers will be encouraged to provide dwelling sizes in accordance with the following:

- i) 5-10% single floor 1 or 2 bedroom dwellings;
- ii) 25-35% two floor 1 or 2 bedroom dwellings;
- iii) 45-55% 3 bedroom dwellings;
- iv) 10-15% 4+ bedroom dwellings.

This site will provide relatively modest sized dwellings, however given that it is an outline application it is not feasible to ascertain the precise breakdown of sizes at this stage.

Having regard to the above, it is considered that there is general compliance with neighbourhood plan policies.

In conclusion, the Inspector stated:

"To set against the benefits of the proposal I place substantial weight on the conflict with the Council's settlement strategy and the unsustainable location of the site. And it is this ultimately that I find decisive" (para 54).

In this instance it is considered that the housing numbers alone are not sufficient to justify a reason for refusal as in contrast to the above case, the other material considerations do not weigh sufficiently against the application. It is further noted that there are no objections from infrastructure providers to the application. These other considerations are set out in the report below.

Landscape Character/ Visual amenity

Policy EQ2 is the key policy consideration in considering the acceptability of the proposal. Policy EQ2 states:

"Development will be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district.

Development proposals, extensions and alterations to existing buildings, structures and places will be considered against:

- Sustainable construction principles;
- Creation of quality places;
- Conserving and enhancing the landscape character of the area;
- Reinforcing local distinctiveness and respect local context;
- Creating safe environments addressing crime prevention and community safety;
- Having regard to South Somerset District Council's published Development Management advice and guidance; and
- Making efficient use of land whilst having regard to:
 - Housing demand and need;
 - Infrastructure and service availability;
 - Accessibility;
 - Local area character;
 - Site specific considerations

Innovative designs delivering low energy usage and/or wastage will be encouraged. Development must not risk the integrity of internationally, nationally or locally designated wildlife and landscape sites. Development proposals should protect the residential amenity of neighbouring properties and new dwellings should provide acceptable residential amenity space in accordance with Policy HW1.

It is considered that the grain of the final scheme should be loosened by substituting some of the proposed units with smaller dwellings. It is noted that the scheme would increase the visual presence of the site over the existing situation from many vantage points, although arguably the view from the road could be considered to be an enhancement".

The application would develop the edge of a field that is identified in the South Petherton peripheral landscape study which was undertaken in 2008. This study reviewed the settlement's immediate surrounds with the objective of identifying land that has a capacity for development, looking both at the

character of the town's peripheral landscape, and the visual profile and relationship of open land adjacent the town's edge. This study identified this specific field to have a low capacity to accommodate built development.

The landscape impact of the proposal is considered to be relatively finely balanced. The applicant has submitted a landscape assessment which identifies the key views towards the site including close range and distant views. The appraisal concludes that there would be a slight- moderate visual impact. It notes that the impact is mitigated by the presence of existing adjacent modern housing development which obscures some of the views. The appraisal also notes that there would be no views of the site from the historic core of the village.

Amended indicative plans have been submitted which illustrate the three northernmost dwellings as being chalet bungalows in order to reduce the landscape and residential amenity impact. It is also noted that there would be scope to reduce the height of the 3 two storey plots slightly. This will ensure that the development is visually subservient to the existing dwellings on the opposite side of the road. The hedge to the site frontage would be lost and this will have some negative visual impact, however overall it is considered that with appropriate scale and appearance, the landscape impact is not sufficiently great to warrant refusal of planning permission.

Having regard to the above it is considered that the proposal would accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

Highway Safety

Objections have been raised by various nearby occupiers over the impact on highway safety in terms of the impact on the use of the existing road junction of Stoodham and Silver Street. There have been a significant number of concerns raised by local residents on this issue and these are included in the relevant section of the report above.

The Highway Authority (the HA) have been consulted and have not objected to the proposal. Despite the concerns over the junction, they have commented that the impact of development would not be sufficiently severe to warrant refusal.

In reaching this conclusion, the HA comment that the trip generation of 6 dwellings would be modest. Additionally this is considered against the context that Stoodham already served over 70 dwellings. The percentage increase resulting from the proposed development would therefore be low. The HA further note that at the junction of Stoodham and Silver St there have been no personal collisions recorded. On the basis of the above, the HA whilst noting that they have some concerns over the junction, do not raise an objection.

The applicant has proposed to widen a section of Stoodham along the site frontage. The HA comment that this widening and the provision of a footway along the front of the site would be acceptable. A condition is considered appropriate to secure the implementation of this detail.

Objections have been received from neighbours regarding parking. These concerns are noted, however the HA note that this detail could be acceptably addressed at reserved matters stage through the provision of an acceptable level of off street parking for the dwellings.

Having regard to the above, it is considered that the proposal would comply with Policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

Residential Amenity

Objections have been raised in relation to the loss of privacy for existing dwellings. The indicative plans

illustrate acceptable facing distances between windows in the front elevations of existing dwellings and the proposed dwellings. Plots 4-6 would be slightly closer, at a minimum distance of 15.5 metres, however these

Drainage/sewerage infrastructure

An outline drainage strategy has been submitted with the application. The Local Lead Flood Authority have been consulted and do not object subject to a condition to agree a detailed drainage scheme. It is considered reasonable to secure this concurrently with the reserved matters to ensure that the drainage can work within the constraints of the submitted site layout. Subject to this condition it is considered that the proposal would be acceptable in relation to drainage.

Wessex Water has been consulted and do not object to the proposal but have made general comments in relation to connection to their infrastructure which is administered by other non planning legislation.

Ecology

A phase 1 ecology survey was submitted with the application. This concluded that the site could be used for bat foraging, there was limited potential for dormice within the hedge and that there was some potential within the site for slowworms. The report includes recommendations for the methodology of grass cutting, timing and methodology for the removal of the hedge to ensure that impact on protected species is minimised.

The Councils ecologist does not object to the proposal subject to necessary conditions as specified in the ecology report. Subject to conditions it is considered that the proposal would comply with Policy EQ4 of the South Somerset Local Plan (2006-2028).

Rights of way

The County Council Rights of Way Department do not object but have recommended an informative relating to the protection of users of the nearby footpath.

Developer Obligations

Paragraph 204 of the NPPF makes clear that planning contributions should only be sought in order to make development acceptable in planning terms and be directly related to the impacts of that development.

The government guidance makes it clear that planning obligations should only be required on developments of over 10 units or where the floor area of the development exceeds 1000 square metres. In this instance, given the constrained dimensions of the site, it is highly unlikely that a reserved matters scheme could achieve even close to 1000 square metres and additionally the applicant has not proposed any affordable housing or financial contributions. The application is determined on this basis and whilst it is extremely unlikely that a reserved matters application could achieve 1000 square metres of floor space, it is considered appropriate and reasonable to limit the reserved matters scheme to below this threshold via a planning condition.

Conclusion

It is considered that provision of 6 dwellinghouses would be acceptable in principle within this sustainable location. Subject to conditions, the traffic impacts of the development would not be severe.

RECOMMENDATION

Approve with conditions.

01. The proposal, by reason of its size, design, materials and location, represents a development that would respect the character of the area, causes no demonstrable harm to residential amenity and does not foster growth in the need to travel in accordance with the aims and objectives of Policies EQ2, TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the relevant guidance within the National Planning Policy Framework (2018).

SUBJECT TO THE FOLLOWING:

01. Details of the appearance, landscaping, layout and scale (hereinafter called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

03. Other than as required by conditions the development hereby permitted shall be carried out in accordance with the following approved plans: 6445-02D only.

Reason: In the interests of clarity.

04. Unless otherwise agreed in writing by the Local Planning Authority, the construction and site clearance of the development hereby approved shall be undertaken in full accordance with the advice and recommendations contained within section 04 of the Preliminary Ecological Appraisal dated April 2018.

Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

05. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason: In the interests of highway safety and general amenity to accord with Policy TA6 and EQ2 of the South Somerset Local Plan (2006-2028).

06. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety and general amenity to accord with Policy TA5 of the South Somerset Local Plan (2006-2028).

07. Prior to the occupation of any of the dwellings hereby approved, the road widening/off-site highway works shown generally in accordance with Drawing Number 6445-02D shall have been completed in accordance with a design and specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and general amenity to accord with Policy TA6 and EQ2 of the South Somerset Local Plan (2006-2028).

08. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and the existing highway.

Reason: In the interests of highway safety and general amenity to accord with Policy TA5 of the South Somerset Local Plan (2006-2028).

09. There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of each vehicular access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and general amenity to accord with Policy TA5 of the South Somerset Local Plan (2006-2028).

10. Prior to the occupation of any of the dwellings hereby approved, a 1.8m wide footway shall be constructed over the entire frontage of the site in accordance with a specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and general amenity to accord with Policy TA5 of the South Somerset Local Plan (2006-2028).

11. Prior to first occupation of the dwellings hereby permitted, electric charging points (of a minimum 16amps) for electric vehicles shall be provided for each dwelling adjacent to their designated parking spaces or garages in accordance with details to be approved in writing by the Local Planning Authority. Once installed such parking points shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

Informatives:

01. Reserved Matters application:
The applicant is advised that the scale of the dwellings should accord with the general comments in this report to ensure an acceptable landscape and general impact on residential amenity.
 02. Highway works:
The applicant will be required to secure an appropriate legal agreement/licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.
 03. Wessex Water:
The applicant is advised that the technical and administrative requirements relating to connecting to existing sewerage infrastructure are set out below:

Code of Practice for the Self-Laying of Water:
Mains and Services - England and Wales
Edition 3.1 - May 2017

Sewers for Adoption:
6th or 7th edition - Water UK/WRc plc
 04. The applicant is advised that there is a public footpath (CH 7/2) adjacent to the proposed site. If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:
 - A PROW being made less convenient for continued public use.
 - New furniture being needed along a PROW.
 - Changes to the surface of a PROW being needed.
 - Changes to the existing drainage arrangements associated with the PROW.
 - If the work involved in carrying out this proposed development would:
 - make a PROW less convenient for continued public use; or
 - create a hazard to users of a PROW,then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset County Council's Rights of Way pages to apply for a temporary closure: <http://www.somerset.gov.uk/environment-and-planning/rights-of-way/apply-for-a-temporary-closure-of-a-right-of-way/>
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Agenda Item 13

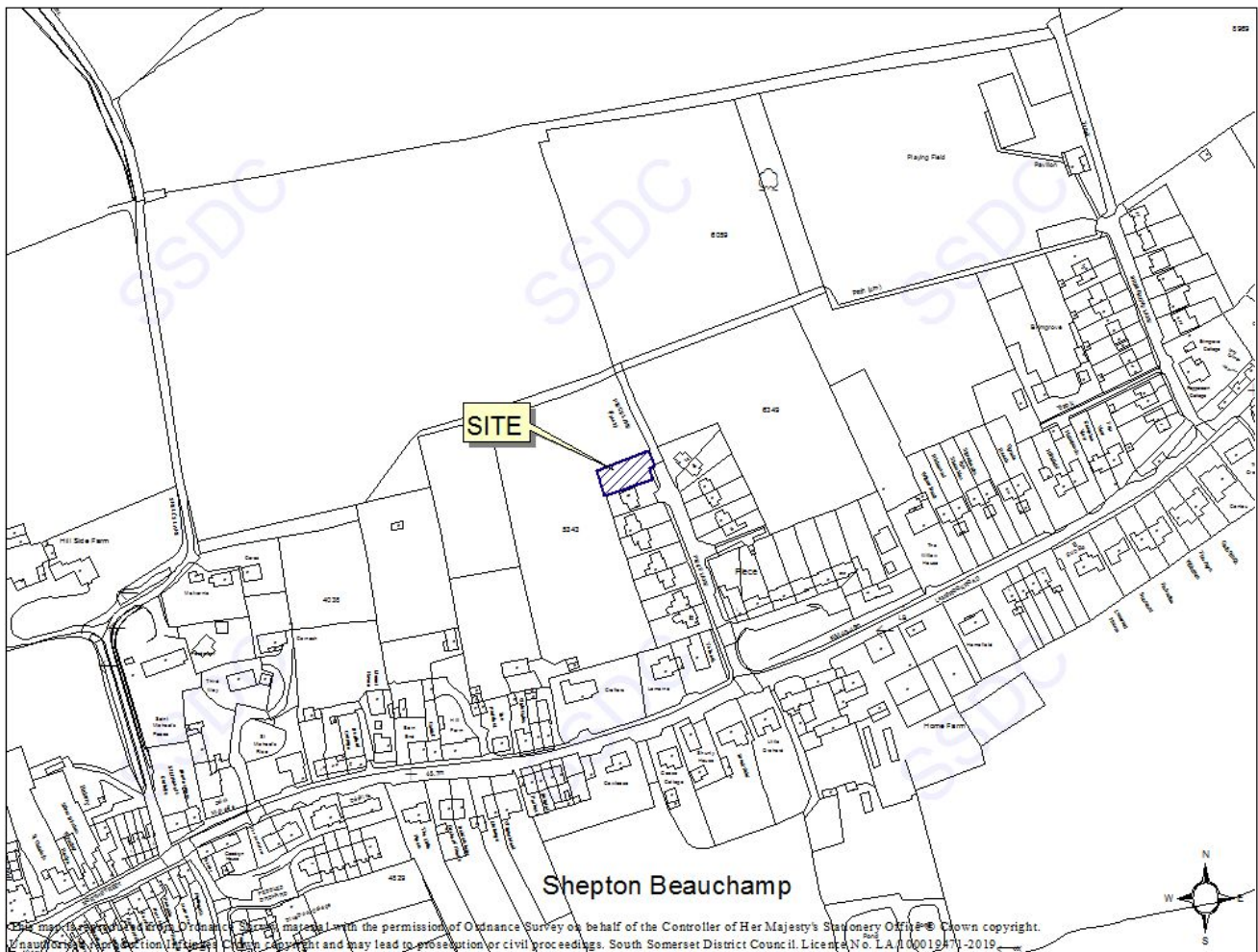
Officer Report On Planning Application: 19/00259/HOU

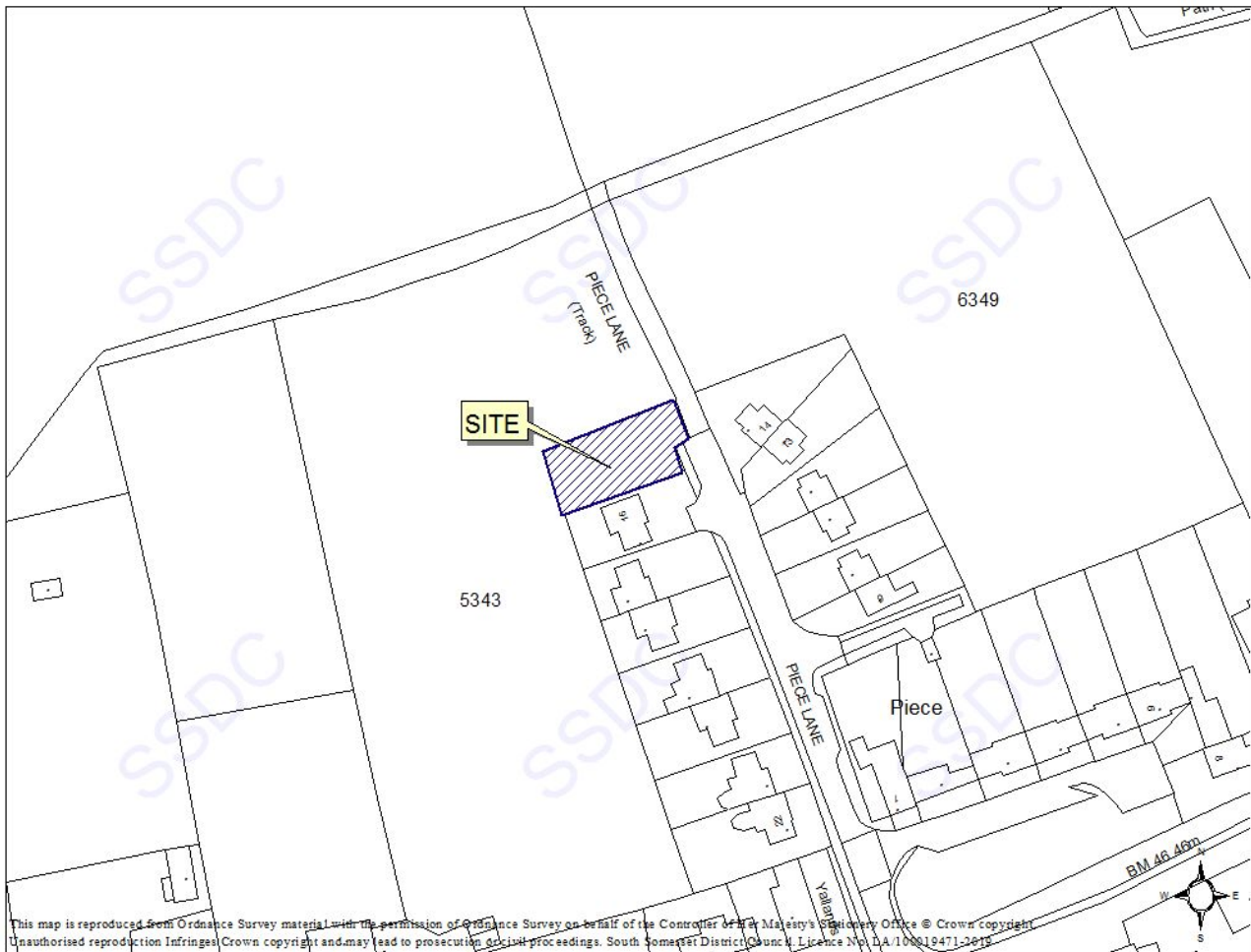
Proposal :	Conversion of existing garage with single storey lean to extension to the rear of the property to create a new kitchen, diner and utility room.
Site Address:	15 Piece Lane, Shepton Beauchamp, Ilminster.
Parish:	Shepton Beauchamp
SOUTH PETHERTON Ward (SSDC Members)	Cllr A Dance Cllr C Raikes
Recommending Case Officer:	Charles Cooksley Tel: 01935 462462 Email: planningcaseteam@southsomerset.gov.uk
Target date :	25th March 2019
Applicant :	Mr & Mrs G Cox
Agent: (no agent if blank)	Paul Day, Honeysuckle Cottage, Church Street, Kingsbury Episcopi, Martock TA12 6AU
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee as the applicant works at South Somerset District Council.

SITE DESCRIPTION AND PROPOSAL:





The site is located at the end of Piece Lane in Shepton Beauchamp. The site is within a residential setting but is bordered by agricultural land along the rear and side boundary. The property is a detached, two-storey dwelling constructed of reconstructed stone with concrete interlocking roof tiles and upvc windows and doors. This application seeks permission for the conversion of existing garage with single storey lean-to extension to the rear of the property to create a new kitchen, diner and utility room.

HISTORY

03/00518/FUL Erection of first floor extension over existing garage – Permitted with conditions - 03.04.03

POLICY:

South Somerset Local Plan 2006-28:

Policy SD1- Sustainable Development

Policy EQ2 - Design and General Development

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

National Planning Policy Framework:

Chapter 8 - Promoting healthy and safe communities

Chapter 11 - Making effective use of land

Chapter 12 - Achieving well-designed places

CONSULTATIONS

Town/Parish Council: Shepton Beauchamp - Verbal update at committee as no comments received at present.

Somerset County Council Highways Authority: Standing advice applies.

Highways Consultant: "It would appear that there is sufficient on-site parking provision within the site to off-set the loss of the garage."

REPRESENTATIONS

Neighbour Comments:

One neighbour notified and site notice displayed - no representations received.

CONSIDERATIONS

Design/Layout/Materials

The plans outline that the extension will be completed in matching materials. Furthermore, the extension is subservient and not a dramatic departure from the existing rear elevation ensuring that there will be no harm to the established character of the dwelling. Additionally all alterations/ development are isolated to the rear of the dwelling, and therefore not openly visible from Piece Lane lessening any potential impact upon the street scene and the surrounding visual setting. Subject to compliance with relevant policies and material considerations, the principle of development is accepted in accordance with Policy EQ2 of South Somerset Local Plan (2006-2028)

Residential Amenity

It is not considered that the window layout and general bulk of the extension is such that it would give rise to undue overlooking/loss of privacy or an overbearing relationship with neighbouring properties. Therefore the development will not be capable of demonstrable harm to the amenity of neighbouring residents in accordance with Policy EQ2 of South Somerset Local Plan (2006-2028)

Highways

The proposal will involve the conversion of the garage into a kitchen/dining and utility room. Even with the loss of parking space, it is determined that the site is able to satisfy the optimum parking strategy for this property size and area. Therefore by reason of the nature of the proposal there is not a negative impact upon parking or highway safety and therefore acceptable in accordance with Policy TA5 & TA6 of South Somerset Local Plan (2006-2028)

CIL

This Authority does not collect CIL from householder development.

Summary

No objection is recorded. The proposed development is considered to be acceptable and recommended for approval.

RECOMMENDATION

Approve for the following reason:

01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of Policies SD1, EQ2, TA5 & TA6 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework (2018).

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 date stamped as received on 28th January 2019 and reference:

Drawing No.: 6851 - 01 - Drawing Title: Proposed Site Plan, Location Plan and Survey Drawings
- Scales: 1:50, 1:100, 1:500 and 1:1250

Drawing No.: 6851 - 02 - Drawing Title: Proposed Floor Plans, Sections, Elevations and Roof Plan
- Scales: 1:50 and 1:100

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

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