
Area North Committee

Wednesday 24th July 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:

Neil Bloomfield
Malcolm Cavill
Louise Clarke
Adam Dance

Mike Hewitson
Tim Kerley
Tiffany Osborne
Clare Paul

Crispin Raikes
Dean Ruddle
Mike Stanton
Gerard Tucker

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 15 July 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

<http://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

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 24 July 2019

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 26 June 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 Neil Bloomfield, Adam Dance and Crispin Raikes.

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 28 August 2019** in the **Council Chamber, Council Offices, Brympton Way, Yeovil.**

5. Public question time

6. Chairman's announcements

7. Reports from members

Items for Discussion

- 8. Grant to Long Sutton Village Hall (Executive Decision)** (Pages 6 - 9)
- 9. Area North Committee - Appointment of Member to the Somerset Levels and Moors Local Action Group Executive Board for 2019/20 (Executive Decision)** (Pages 10 - 11)
- 10. Enforcement Update at Southernaways Cottage, Water Street, Seavington St Mary** (Pages 12 - 13)
- 11. Area North Committee Forward Plan** (Pages 14 - 15)
- 12. Planning Appeals** (Page 16)
- 13. Schedule of Planning Applications to be Determined By Committee** (Pages 17 - 18)
- 14. Planning Application 18/01803/FUL - Land OS 1449 Gore Lane, Pitney** (Pages 19 - 29)
- 15. Planning Application 18/02320/OUT - Land at Upton Lane, Seavington** (Pages 30 - 43)
- 16. Planning Application 18/03115/FUL - Long Sutton Farmhouse, Martock Road, Long Sutton** (Pages 44 - 49)
- 17. Planning Application 19/00544/OUT - Land Adjoining 28 Eastfield, Martock** (Pages 50 - 58)

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

Grant to Long Sutton Village Hall (Executive Decision)

Director: Martin Woods, Director of Service Delivery
Manager / Lead Specialist: Tim Cook, Locality Manager
Lead Officer: Adrian Moore, Locality Officer
Contact Details: adrian.moore@southsomerset.gov.uk or 01935 462409

Purpose of the Report

Councillors are asked to consider the awarding of a grant of £4,347 towards the costs of improved security doors and a new Closed Circuit Television System (CCTV) for The Village Hall at Long Sutton.

Public Interest

Awarding grants is a key way that SSDC supports and helps to deliver community projects sponsored by Parishes and voluntary community organisations in the towns and villages across the district.

The Long Sutton Village Hall Committee has applied to the Area North community grants programme for financial assistance with the costs of replacement doors and new CCTV System at The Village Hall, Martock Rd, Long Sutton, Langport TA10 9NT. The application has been assessed by the Locality Officer who is submitting this report to enable the Area North Committee to make an informed decision about the application.

Recommendation

It is recommended that Councillors award a grant of £4,347 to Long Sutton Village Hall, the grant to be allocated from the Area North Capital Programme and subject to SSDC standard conditions for community grants (Appendix A)

Application Details

Name of applicant:	Long Sutton Village Hall and Recreation Ground
Project:	Replacement doors and new CCTV System
Total project cost:	£8,847
Amount requested from SSDC:	£4,347
Application assessed by:	Adrian Moore

Community Grants Assessment Score

The table below shows the grant scoring for this application. Applications must meet the minimum score of 22 to be considered for SSDC funding under Community Grants policies.

Category	Actual score	Maximum score possible
A Eligibility	Y	Y/N
B Equalities Impact	6	7
C Need for project	4	5
D Capacity of organisation	13	15
E Financial need	5	7
F Innovation	2	3
Grand total	30	37

Background

Long Sutton Village Hall Committee is a sub-committee of Long Sutton Parish Council charged with the day-to-day running and administration of Long Sutton Village Hall and Recreation Ground (LSVH), a registered charity. Long Sutton Parish Council are the Trustees of the LSVH charity.

Over the past 18 months LSVH has suffered a spate of vandalism culminating in two break-ins and a robbery affecting the Hall and the Pavilion. There is ongoing unsocial behaviour within the vicinity and a continued threat of further break-ins. Outside lighting has been upgraded to provide a further deterrent and an internal security system has now been installed at a cost in excess of £4,000, funded by LSVH themselves.

The current door is only locked by a strong magnetic lock and it is intended to upgrade the two doors at the front of the building to provide additional security. On Police guidance the committee were also advised to install a CCTV system as a further deterrent.

The Committee have obtained independent quotations for each of the two projects, the doors and the CCTV.

Parish information

Parish*	Long Sutton
Parish Population	833
No. of dwellings	387

*Taken from the 2011 census profile

The project

To continue to provide a safe recreational and community facility for the benefit of all residents of the Long Sutton Parish by upgrading the two doors and therefore improving the security at the front of the building and to install a CCTV system to act as a deterrent.

Local support / evidence of need

The hall occupies a large site in the village and it has a 200 car capacity car-park which is used daily by up to 80 'school-run' cars dropping children off at the neighbouring Long Sutton Primary School.

The village hall is used for many events including WI, Yoga, Short mat bowls, Tea-dancing, Pilates, Sewing group, Long Sutton Cricket Club which fields 6 teams each weekend from Juniors to Seniors. The Hall is also used for SSDC meetings and is an identified hall for emergency use within the SSDC Civil Contingencies plan. It was used for this reason in recent years to shelter the refugees discovered hidden in a lorry on the A303.

In the Long Sutton Parish Plan the Village Hall and the Recreation Ground feature prominently where the Parishioners considered the Church, Shop, Primary School and Village Hall to be at the heart of the community.

Project costs

Project costs	Cost £
<i>Replacement Doors</i>	3,600
<i>CCTV System</i>	5,247
Total	8,847

As a registered charity LSVH are able to reclaim the VAT.

Funding plan

Funding source	Secured or pending`	%	Amount £
Parish Council	Yes	11.3	1,000
Own funds	Yes	39.6	3,500
Other funding	Pending	0	0
SSDC Community Grant	Pending	49.1	4,347
Total		100	8,847

Other funding has been applied for and therefor if secured will lessen the requirement for the SSDC community grant contribution. However, LSVH have recently sought funding from elsewhere to support the resurfacing of the play area and so are limited to who they can seek further funds. They have also installed a new alarmed security system within the hall and made upgrades to the outside lighting. These recent works have solely come out of their own funds.

Conclusion and Recommendation

It is recommended that a grant of £4,347 is awarded.

Financial implications

The balance in the Area North Capital programme is £166,337. If the recommended grant of £4,347 is awarded, £161,990 will remain.

Grants are awarded subject to all other funding being secured before the commencement of the project and are on a % basis of the full project costs. Payment of the grant cannot exceed the grant award and is proportionally reduced if full project costs are under budget.

Council Plan Implications

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

- Support communities so that they can identify their needs and develop local solutions
- Help people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities

Carbon Emissions and Climate Change Implications

None from this project

Equality and Diversity Implications

The project aims to provide for people across all age and interest groups in the local community.

Background Papers

None

Appendix A

Standard conditions applying to all SSDC Community Grants

The applicant agrees to: -

- Notify SSDC if there is a material change to the information provided in the application.
- Start the project within six months of the grant offer and notify SSDC of any changes to the project or start date as soon as possible.
- Confirm that all other funding sources have been secured before starting the project, if these were not already in place at the time of the application.
Acknowledge SSDC assistance towards the project in any relevant publicity about the project (e.g. leaflets, posters, websites, and promotional materials) and on any permanent acknowledgement (e.g. plaques, signs etc.).
- Work in conjunction with SSDC officers to monitor and share the success of the project and the benefits to the community resulting from SSDC's contribution to the project.
- Provide a project update and/or supply before and after photos if requested.
- Supply receipted invoices or receipts which provide evidence of the **full** cost of the project so that the grant can be released.

Standard conditions applying to buildings, facilities and equipment

- Establish and maintain a “sinking fund” to support future replacement of the building / facility / equipment as grant funding is only awarded on a one-off basis.
- Use the SSDC Building Control Service when buildings regulations are required.
- Incorporate disabled access and provide an access statement where relevant.

Special conditions

Agenda Item 9

Area North Committee – Appointment of Member to the Somerset Levels and Moors Local Action Group Executive Board for 2019/20 (Executive Decision)

Director: Netta Meadows, Strategy & Commissioning
Specialist: Angela Cox, Specialist (Democratic Services)
Lead Officer: Becky Sanders, Case Services Officer (Support Services)
Contact Details: becky.sanders@southsomerset.gov.uk or 01935 462596

Purpose of the Report

As the Council has entered a new municipal year, the Committee were asked to review its appointments to outside organisations and working groups within Area North, having regard to the policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies (adopted by District Executive on 1st May 2014).

Recommendation

That Area North Committee appoint 1 member to represent them on the Somerset Levels and Moors Local Action Group Executive Board for 2019/20.

Report

At its meeting on 26 June, the Area North Committee agreed to defer the appointment to the Somerset Levels and Moors Local Action Group Executive Board as more than one Councillor expressed an interest in the representation and both Councillors were not present at the meeting.

The Roles and Responsibilities of Councillors appointed to Outside Bodies was adopted by District Executive on 1st May 2014 at this link:

<http://modgov.southsomerset.gov.uk/CeListDocuments.aspx?Committeeld=136&MeetingId=1349&DF=01%2f05%2f2014&Ver=2>

Organisation	Number of Council Reps. (& Rep last year).	Aims & Objectives	Frequency of Meetings	Existing status of representative
Somerset Levels and Moors Local Action Group Executive Board	1 (Gerard Tucker)	To support the delivery of a local economic development programme for the Somerset Levels and Moors. More info at: http://levelsandmoors.somersetleader.org.uk/	About 6 – 8 per year	Full Member

Members are asked to appoint 1 member to the Somerset Levels and Moors Local Action Group Executive Board for 2019/20, having regard to the adopted policy.

Financial Implications

None for Area North Committee. Mileage claimed by councillors (across the district) attending meetings of outside bodies to which they are appointed is approximately £1,000 per annum and is within the existing budget for councillors travelling expenses held by Support Services.

Council Plan Implications

There are several of the Council's Corporate Aims which encourage partnership working with local groups.

Carbon Emissions and Climate Change Implications

None

Equality and Diversity Implications

Full consideration to equalities was given in producing the Policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies.

Background Papers

- Minute 184 (Agenda item 10), District Executive, 1 May 2014
 - Minute 13, Area North Committee, 23 May 2018
 - Minute 8, Area North Committee, 26 May 2019
-

Agenda Item 10

Enforcement Update at Southernaways Cottage, Water Street, Seavington St Mary

Director: Martin Woods, Service Delivery
Manager/Lead Specialist: Simon Fox, Lead Specialist (Planning)
Lead Officer: Stanley Norris, Case Officer, Service Delivery
Contact Details: Stanley.norris@southsomerset.gov.uk or (01935) 462089

Purpose of the Report

To inform Members of the next steps/intentions of the applicant following from the refusal of application 19/00952/HOU at Area North Committee on Wednesday 26th June 2019.

Public Interest

Both the initial retrospective and the later revised retrospective application (lowering the ridge of the garden store by 400mm) attracted a number of objections from local residents and the Parish Council.

Background

Application reference 19/00952/HOU (Erection of a garden room and garden store (revised retrospective application) was discussed at Area North Committee on the 26th June 2019. The Case Officer presented the proposal before the Members and recommended the proposed development for approval with conditions. The Members resolved to overturn the officer's recommendation and the application therefore refused for the following reason:

'The garden store hereby proposed in terms of its size, setting materials and design is considered to cause harm to the character of the area and the heritage asset, contrary to policies EQ2 and EQ3 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2019.'

Discussions surrounding enforcement took place following the overturned decision and it was agreed that a report would be produced for Area North's July Committee outlining the intentions of the applicant/agent following the refusal.

Following committee it was confirmed in writing by both the agent and applicant that the decision to refuse the application is to be appealed, rather than submit a revised application for the re-siting the garden store, which was encouraged by Members. The timeframe for the applicant to do this is 12 weeks from the date of the decision notice (27th June 2019).

Recommendation

That Members consider waiting for the outcome of the appeal decision for planning application 19/00952/HOU at Southernaways Cottage, Seavington St Mary and request a report to committee to update them once the decision has been issued. Members may then deliberate on and resolve what enforcement action should be taken if the appeal is dismissed by the Inspectorate or if the appeal is not made.

Financial Implications

At the current time, the financial implications largely fall on the applicant/landowner.

Background Papers

18/00302/OPERA (Enforcement) (Confidential)

19/00145/HOU (Retrospective)

19/00952/HOU (Revised Retrospective)

Agenda Item 11

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 to identify priorities for any further reports.

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.

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
Aug '19	Strategic Priorities and the Council Plan	To consider the strategic priorities for consideration in the wider Council Plan.	Specialists, Strategy & Commissioning
Nov '19	Area Chapter in the Council Plan	To consider the Area Chapter for the Council Plan.	Specialists, Strategy & Commissioning
<i>TBC</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>TBC</i>	<i>Community Grants</i>	<i>To consider any requests for funding.</i>	<i>TBC</i>

Agenda Item 12

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

None

Appeals Allowed

None

Agenda Item 13

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 2.15pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
14	TURN HILL	18/01803/FUL	The change of use of land to 2 No. Gypsy / Traveller pitches comprising 2 No. mobile homes, 2 No. touring caravans, and associated works	Land OS 1449 Gore Lane, Pitney	Mr D Smith
15	SOUTH PETHERTON	18/02320/OUT	Outline application for the erection of 8 dwellings	Land at Upton Lane, Seavington	J and A Hallett
16	TURN HILL	18/03115/FUL	Erection of a garden shed	Long Sutton Farmhouse, Martock Road, Long Sutton	Mark Lewis-Williams
17	MARTOCK	19/00544/OUT	Outline planning application for the erection of a pair of semi-detached houses with gardens and parking	Land Adjoining 28 Eastfield, Martock	South Somerset District Council

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 14

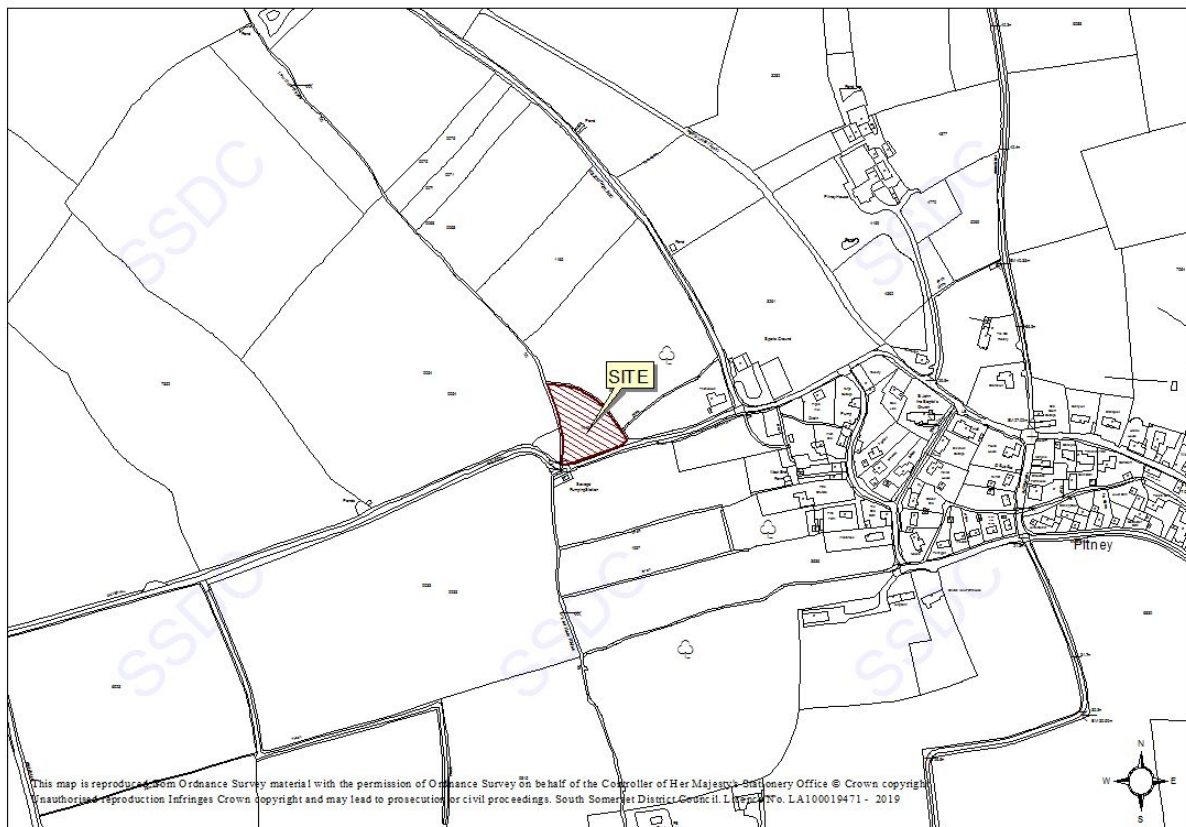
Officer Report on Planning Application: 18/01803/FUL

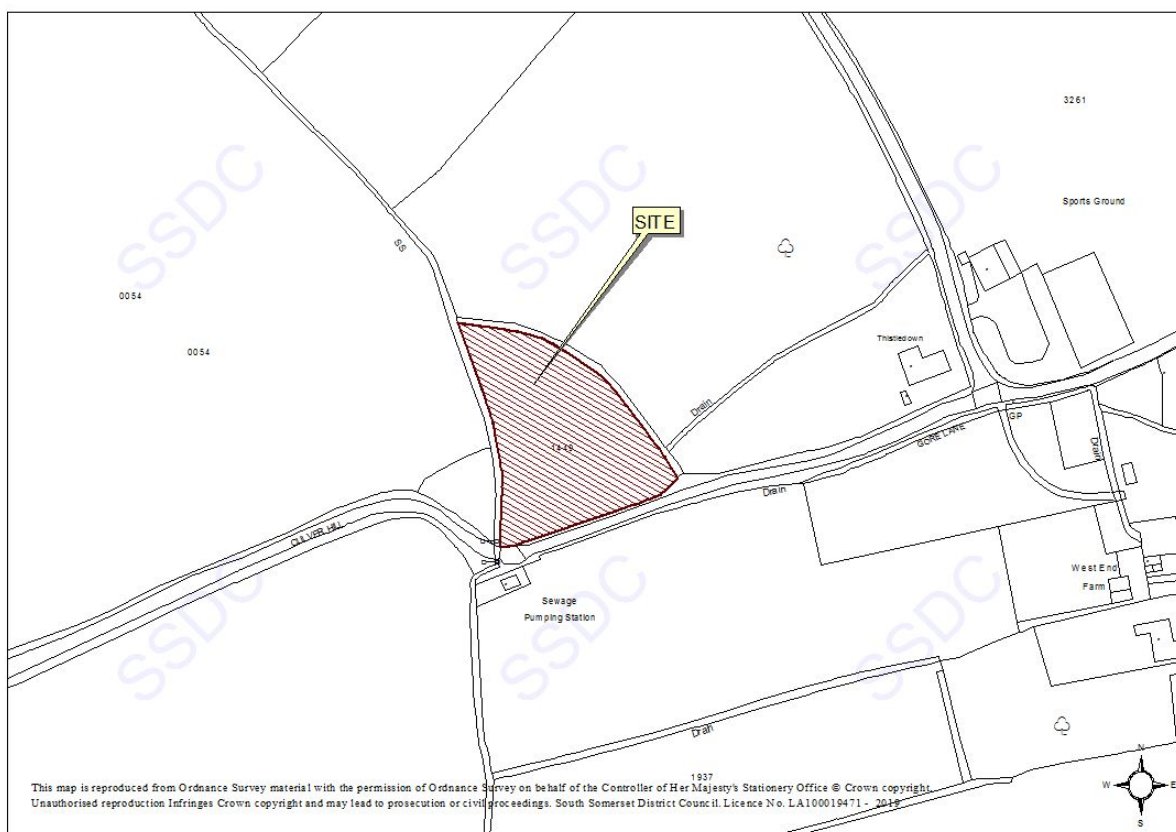
Proposal:	The change of use of land to 2 No. Gypsy / Traveller pitches comprising 2 No. mobile homes, 2 No. touring caravans, and associated works
Site Address:	Land OS 1449 Gore Lane, Pitney
Parish:	Pitney
TURN HILL Ward (SSDC Member)	Councillor Gerard Tucker
Recommending Case Officer:	Andrew Gunn
Target date :	10th August 2018
Applicant :	Mr D Smith
Agent: (no agent if blank)	Dr. Simon Ruston, Ruston Planning Limited The Old Office 1 Great Ostry Shepton Mallet Somerset BA4 5TT
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to Area North Committee at the request of the Ward Member and in agreement with the Chair in order for a full discussion of the key planning issues to be undertaken.

SITE DESCRIPTION





The site is located on the western edge of the village of Pitney, on the northern side of Gore Lane. The site is currently a flat grassed field bounded by mature hedgerows. There is a gravelled pull-in/lay by area off Gore Lane, in front of the existing gated agricultural access at the south-east corner of the site. This layby area also serves a separate gated entrance to an adjoining residential property. Aside from this neighbouring property, and a sewage pumping station on the opposite side of Gore Lane, the site adjoins a number of other fields. Ditches run along both the western and eastern boundaries.

PROPOSAL

This application seeks consent for the change of use of land to 2 gypsy/traveller pitches. Both of the pitches will comprise 2 mobile homes, 2 touring caravans, a day room and a parking area. These will be located along the western side of the site. A new tarmacked vehicular access will be created in the south eastern corner of the site. Both pitches will contain a mix of stone and grass surfacing. A play area will be located in the northern section of the site. The 2 pitches and play area will be divided via wooden fencing. The existing roadside hedgerow will be replaced with a new native species hedge and set slightly back to provide the necessary highway visibility splay. Additional hedgerow will be planted along the whole of the eastern boundary to supplement/enhance the existing hedgerow.

Since submission of the application, it has been confirmed that the applicant will install a package treatment plant to deal with the disposal of foul waste.

The following statement has been submitted on behalf of the applicant's Mr Dale Smith and Ms Charlotte Isaacs, by Maggie Smith-Bendell, a Romani Gypsy Liaison Officer, who has outlined their personal circumstances. The applicant is Mrs Smith-Bendell's nephew and his partner. Usually these statements are submitted on a confidential basis but in this case, it has been agreed that it can go on the public file. It has been made available to view on the website.

Dale and Charlotte were lucky enough to secure a pitch on the Glastonbury - Wick Lane Gypsy

Site, when they first got together. Unfortunately, the owner of that pitch gave them notice to vacate it because the owner needed the pitch for his daughter which made this young couple with two small children homeless - and nowhere to put their static caravan.

We relocated them to my brothers private site at Ashwell Lane, Glastonbury but it could only be a short stay-owing to the current planning permission on that site.

My brother located a piece of land on Station Road, Ashcott, which was up for sale. They met with the owner of said land and she agreed to sell half the land to them---they paid one thousand pounds deposit and gave Dale and Charlotte permission to move on the land because they were homeless. The owner had the contract of sale drawn up but after weeks of pleading with her, she refused to sign it, unknowing to us, this lady was a drug addict, hence the need of the cash deposit, the police became involved for the safety of Dales two small children. Then one day their static caravan and all their belongings plus their pet dog was burnt down.

The local community made a collection and bought them a second hand static caravan to live in. Things went from bad to worse with the land owner - police was constantly on site. In the end I moved Dale and Charlotte on to my site for their safety, where they stayed until the council gave them a flat at High Ham.

The land at Pitney came on the market and Dale and his dad purchased it - hence this planning application. This is a very quiet and private little family unit with two young children attending the local school. Dale and Charlotte are not compatible to live in bricks and mortar. With Dale at work, Charlotte spends a great deal of the time away from the flat.

Dale leads a very nomadic life style - he is a qualified brickie. He travels to most parts of the country working for Gypsy /Travellers by bricking in mobile homes and laying patio's on private sites. This is a young self-supporting couple. Dale and Charlotte have integrated with both High Ham and Pitney residents and both are well regarded in that area.

The site will be well managed and kept clean and tidy at all times. The site will have all services such as mains Water, electricity and a Sewage Treatment Plant.

HISTORY

No previous planning history on this site.

POLICY

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

Relevant Development Plan Documents

South Somerset Local Plan (Adopted 2015)

SD1 - Sustainable Development

SS2 - Development in Rural Settlements.

HG7 - Gypsies, Travellers and Travelling Showpeople

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

EQ4 - Biodiversity.

Planning Policy for Traveller Sites (Government Policy published August 2015)

Other relevant materials planning considerations
National Planning Policy Framework
Chapter 5 - Delivering a sufficient supply of homes
Chapter 15 - Conserving and Enhancing the Natural Environment.

Pitney Village Design Statement

CONSULTATIONS

Pitney Parish Council:

The Parish Council considered the application at a recent meeting. There was considerable public interest in the application with approximately 60 additional parishioners in attendance and the councillors.

CONSIDERATIONS

National Guidance

No exceptional circumstances have been shown and therefore the land should remain greenbelt as per policy E16 from the DLGC national policy. This application contradicts the Planning Policy for Traveller sites policy which refers to the following.

Green Belt Concern: Policy E16 'Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

Local Factors

Contrary to the planning documents locals were able to produce a photograph at the meeting of the adjacent land in winter in which it was clear that the land flooded. There is an evidenced flood risk which has not been addressed. A local farmer who has knowledge of the field for the past 60 years noted that 'there have always been problems with machines getting stuck in that area due to so much wet'. Water run-off from the hardstanding etc. does not appear to have been considered.

The DLGC Planning Policy for Traveller Sites refers to floodplain concern in policy B13g as follows; 'do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans'

It was felt that the waste disposal system for the site was inadequate referring only to 'foul water will be dealt with by way of septic tank' More details of the capacity and adequacy need to be known now and not later.

The Parish Council cannot support the use of the site and the number of vehicle movements that will be necessitated by living on this site with traffic accessing a poor entrance close to a road z bend. Additionally it is only a short distance from the playing field and play area and there is the safety of children using the playground to consider and it is not thought to be safe from the highways point of view. As you may be aware there was a fatality some years ago in the Mendip area where a traveller's child was killed running across a road to open a gate.

The visibility at this site is not good due to the bends in the road on the approach to the site and also the access road to Pitney is not suitable for the traffic which may be generated.

It was additionally felt to be over-development due to the size of the associated works which were quite large, although the main concern was that it was not suitable for development at all.

The site being at the bottom of the hill is viewed from several footpaths and properties and would have an adverse visual impact on the area and would spoil the enjoyment of the footpaths that are regularly used. The screening is inadequate particularly in winter when tree cover will not work as well and the lighting of the site will be highly visible in the entire area. The light pollution created would cause an adverse impact for others living in the vicinity.

The site is wholly unsustainable and unsuitable due to the remoteness of the area and lack of school, doctors, general convenience store, cashpoint etc.

There is already a large registered encampment in Pitney with five caravan sites allowed currently. This puts the density of traveller's pitches to settled households in Pitney at 1/35, almost 30 times the national average. If the present application were allowed that density would be increased to 1/26.

IMPORTANT ADDITIONAL INFORMATION

Wessex Water would need to be consulted on the application due to the local difficulties at the pumping station and water system for the village. Over the last 2 years there have been several failures and Wessex water are repairing it more often than not. The current strain on the system does not need adding to.

CONCLUSION

The Parish Council unanimously voted to object to the application on the grounds of flooding, that it is greenbelt development, inappropriate density of traveller sites in the community, inadequate waste disposal, over development and adverse impact to the area. In addition some questions were raised to the District Councillor and I believe he will be contacting you for information on some policies and details.

Highway Authority:

The proposed access is to be realigned to be perpendicular to the highway and when consulting drawing number 18067/02, it would appear that the visibility that can be achieved from the access would be 2.4 x 88 metres to the east and 2.4 x 52 metres to the west. From my onsite observations vehicle speeds were approximately 30mph along Gore Lane. Gore Lane can be considered a lightly trafficked rural road and as such Manual for Streets can be considered the appropriate guidance. The existing access must be closed off and its use abandoned within 1 month of the new access first being brought into use.

Taking into consideration the observed vehicle speeds, the Highway Authority would not raise an objection to the visibility from the proposed access.

There would appear to be sufficient space within the site to allow for vehicles to park and turn around and thus allow vehicles to enter the highway in a forward gear. To prevent vehicles from overhanging onto the carriageway any entrance gates must be located a minimum of 12 metres from the edge of the carriageway and designed to open inwards.

The applicant must remember that it is an offence under the Highways Act (1980) for water and detritus to be discharged onto the highway. The applicant must also not assume that connection can be made to any existing highway drains or gullies.

Taking the above into account, the Highway Authority does not wish to raise an objection to the planning application, however, I would recommend that the following conditions are imposed:

Officer comment: The Highway Officer recommends 6 conditions in regard to visibility splays, closure of the existing access, drainage, consolidation of the vehicular access, location of any entrance gates and keeping the parking areas clear of obstruction. An advisory note also to be added in regard to securing the necessary licence from the Highway Authority in respect of the access works.

Wessex Water:

No objection.

Ecologist:

No objection.

County Archaeologist:

No objection on archaeological grounds.

REPRESENTATIONS

103 letters/emails have been received raising objections to the scheme with a couple making observations. The full responses are available to view on the Council's website with a summary of the main points outlined below:

- No need for any additional gypsy/traveller pitches in the village
- Accept there may be a need for pitches but Pitney currently has 5 pitches and well above average pitches per village population
- No need for a play area as there is a good play area close by
- Lack of suitable infrastructure to cope with the development.
- Foul drains cannot cope with regular callouts to/visits by Wessex Water
- Village only has a limited number of facilities and travel by car would be needed to access key services.
- Not a sustainable location
- The site regularly floods/waterlogged and is not suitable for habitable development
- Septic tank not appropriate - risk of pollution.
- Concern about the proximity of the dangerous S bend close to the access.
- The lane is already busy and increased traffic from the development could cause highway safety issues.
- Narrow access roads
- harmful to local landscape character
- harmful visual impact
- loss of existing roadside hedgerow.
- loss and harmful impact on green belt land.
- development would be out of character with traditional blue lias stone properties in the village
- Would set a harmful precedent for further development
- Day rooms would be permanent buildings
- Harmful impact on residential amenity
- Light and noise pollution

CONSIDERATIONS

Need for gypsy/traveller pitches.

Based upon the Gypsy and Traveller Needs Assessment Update 2013, the Council has an identified need for at least 23 residential pitches up to 2028. This figure is incorporated into the adopted South Somerset Local Plan under Policy HG7. To date, 26 pitches have been approved. On this basis, without allocating any sites for gypsy and traveller use, the Council has met the target for residential pitches. However, these figures, as with all housing numbers, are targets and not maximum figures. Moreover, the assessment is a snapshot in time and figures are calculated based on the information and knowledge collected at the time.

Moreover, from the case officer's experience of Planning Inspector's assessments of need in regard to gypsy/traveller sites, the fact that pitches are being sought, with personal circumstances outlined, demonstrates that there is an existing need for those pitches. Therefore, it is not considered reasonable to refuse this current proposal on the basis that more than 23 pitches have been provided in the district to date.

Gypsy status

On the basis of the information submitted to support the application, particularly the statement received from by Maggie Smith-Bendell, a Romani Gypsy Liaison Officer, who has outlined their personal circumstances, the Council is satisfied that the applicant meets the definition of a gypsy. Moreover, that a need for a site for the applicant's has been demonstrated. An assessment of the suitability of the proposed site therefore has to be undertaken.

Existing pitches in Pitney

Concern has been raised that there is already sufficient provision in Pitney and that approval of this scheme would give rise to a disproportionate level of gypsy/traveller pitches. The Parish Council have referred to 5 existing pitches in their response to the application. Whilst the number of current pitches is noted, the current application is for 1 family on a contained site. Government policy for assessing the suitability of sites in rural areas and the countryside, outlined in Planning Policy for Traveller Sites, states that the '...scale of such sites does not dominate the nearest settled community'. It is not considered that the proposal would result in an excessive number of pitches or that the village would be dominated by the creation of these additional pitches.

Alternative Sites

There are 2 main existing public gypsy and traveller sites in the district - Ilton and Tintinhull, plus a smaller site in Pitney. However, at the current time, there are no spare pitches available. In addition, there are no allocated gypsy or traveller caravan sites in the district. It is therefore clear that there are no available public alternative sites for the applicant to occupy.

If members do not agree that a permanent permission be granted in this case, in circumstances where the Council is not able to demonstrate an up-to-date 5 year supply of deliverable sites, this position should be a significant material consideration in any planning decision considering gypsy sites for the grant of temporary planning permission.

Highways/parking

The Highway Authority have assessed the proposal taking into account the approach roads, vehicle speeds, parking and new access arrangements. The Highway Authority do not object to the application on highway grounds subject to a number of conditions. The existing roadside hedge would be removed and a new hedge planted and set back from the road to provide the necessary visibility splay to the west. A condition will require the closing up of the existing access.

Concern has been raised about the proximity of the site access to an S bend to the west of the site. The new access will provide a visibility splay measuring 2.4 metres (distance set back from road) x 52 metres (length of road until the S bend). The Highway Authority are satisfied that given the observed vehicle speeds along Gore Lane, this level of visibility to the S Bend is acceptable.

There is sufficient room within the site for both the parking of a touring caravan on each pitch plus car parking spaces.

Foul drainage

Concern has been raised by the Parish Council and local residents about the current issues in the village with the foul water infrastructure. It is understood that this has been subject to failure on a number of occasions and Wessex Water are called out fairly regularly to address the issue. Accordingly, concern has been raised that the system can't cope with additional demands placed upon it. For this development however, there will be no connection to the existing sewer infrastructure. The applicant will install a package treatment plant. This is preferable to a septic tank and, preferred by the Environment Agency, as it can significantly reduce the level of pollutants in the waste water, and subject to the consent to discharge from the EA, be discharged directly to a watercourse. A number of residents had raised concerns

about the use of a septic tank, however, a package treatment plant will be installed to serve this development.

Wessex Water have assessed this development and have not raised an objection. They do acknowledge that the area is prone to sewer flooding caused by high levels of groundwater during prolonged wet weather periods. Technical advice is given as to the type of separate systems of drainage which should be used. A condition shall be attached to any consent to agree the details of the package treatment plant.

Surface water

Concern has been raised that the site has flooded and there is a lack of information in regard to the treatment of water run-off from the buildings and hardstanding. The site is located in Flood Zone 1, thus a low probability of flooding from sea or river. It is not considered that given the nature of the development and the limited amount of hardstanding and built form, that the proposal would increase flood risk off site. There are also ditches on both the eastern and western boundaries of the site.

Having checked the Government's surface water flooding maps, these show that the front part of the site is at very low risk, the centre and rear of the site at low risk with medium risk along a small section of the eastern boundary adjacent to the ditch.

The applicant will use sustainable drainage techniques to manage and control water run off, including permeable surfacing and the installation of water butts on each of the mobile homes and day rooms to capture rainfall. There will also be a very limited amount of hardstanding on site, most will be either grass or stone which will allow natural drainage. No development is proposed along the eastern boundary. As proposed at other similar situations, residual flood risks can be controlled by setting the floor level of the caravans 300 to 600mm above ground level. This is considered to be acceptable and would satisfactorily address the low surface water risk. Moreover, it is not considered that this increase in height would make them adversely visually dominant warranting refusal.

Landscape impact.

Concern has been raised that this development would be located on greenbelt land and harmful to the local landscape and character of the village. There is no formal designated green belt land in South Somerset. It is accepted that it is located on a green field on the edge of the village. However, it is not in an isolated location and in close proximity to the village, certainly much closer to an established settlement than a number of gypsy and traveller sites.

A number of residents have raised concerns about lighting at the site. A condition can be imposed on any consent to seek agreement from the Local Planning Authority in respect of any external lighting. It is not expected that any internal lighting would be different from traditional housing that would give rise to adverse levels of lighting warranting refusal.

Whilst the development would clearly have a landscape impact, given the nature of the development proposed, current and proposed new landscaping / screening of the site, and that it is at the lower end of the village, it is not accepted that this development would give rise to an adverse landscape impact that would warrant refusal.

SECTION 106 PLANNING OBLIGATION

Not applicable to this application.

RECOMMENDATION

Grant permission.

01. The proposed development would meet a need for gypsy/traveller pitches, would not

adversely harm residential amenity or the local landscape and would provide an acceptable means of vehicular access and provide sufficient parking. The scheme would accord with policies SD1, SS2, HG7, TA5, TA6, EQ2 and EQ4 of the SSLP, Planning Policy for Traveller Sites and the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites.

Reason: To ensure that only gypsies and/or travellers reside on the site.

03. When the site ceases to be occupied by gypsies/travellers, the use hereby permitted shall cease and all caravans, buildings, structures, fences, materials, vehicles and equipment brought on to the land, or works undertaken to it in connection with the use, shall be removed and the site restored to its condition before the development took place.

Reason: To protect the amenities of the area once the use has ceased to accord with Policy EQ2 of the South Somerset Local Plan.

04. There shall be no more than two pitches on the site. On each pitch no more than two caravans shall be stationed at any time, of which only one caravan shall be a static caravan.

Reason: The application has only been assessed on the basis of 2 pitches.

05. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

Reason: In the interests of highway safety and to prevent commercial vehicle storage to accord with Policies EQ2 and TA5 of the South Somerset Local Plan.

06. No commercial activities shall take place on the site including the storage of materials.

Reason: To protect the amenities of the area to accord with Policy EQ2 of the South Somerset Local Plan.

07. No buildings or structures shall be constructed on the site other than those allowed by this permission.

Reason: To protect the amenities of the area to accord with Policy EQ2 of the South Somerset Local Plan.

08. No external lighting shall be installed within the site other than that agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the area to accord with Policy EQ2 of the South Somerset Local Plan.

09. At the proposed access there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown on the submitted

plan Drawing Number 18067/02. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

10. 2. The existing access shall be closed to all traffic and its use permanently abandoned within 1 month of the new access hereby permitted being first brought into use.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan,

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

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

12. The driveway between the edge of carriageway and the entrance gate(s) shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

13. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 12 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

14. The area allocated for parking and turning on the submitted plan, Drawing number 18067/02, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

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

Location plan received 5th June 2018, Proposed dayroom plans and elevations - 18067/03 and site layout - 18067/02.

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

16. Before the development hereby permitted is first occupied, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought

into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure that the development is properly drained to accord with the NPPF.

Informatives:

01. The applicant will be required to enter into a suitable legal agreement or license with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.

Agenda Item 15

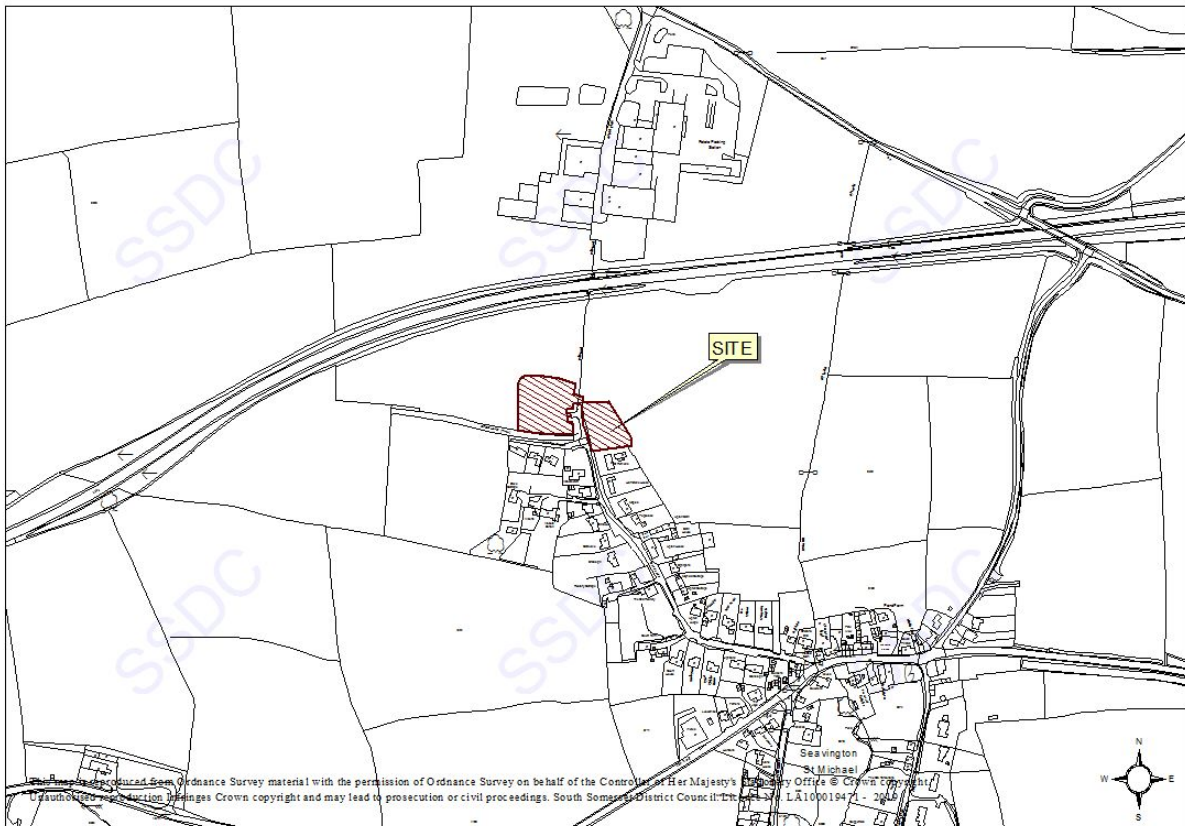
Officer Report on Planning Application: 18/02320/OUT

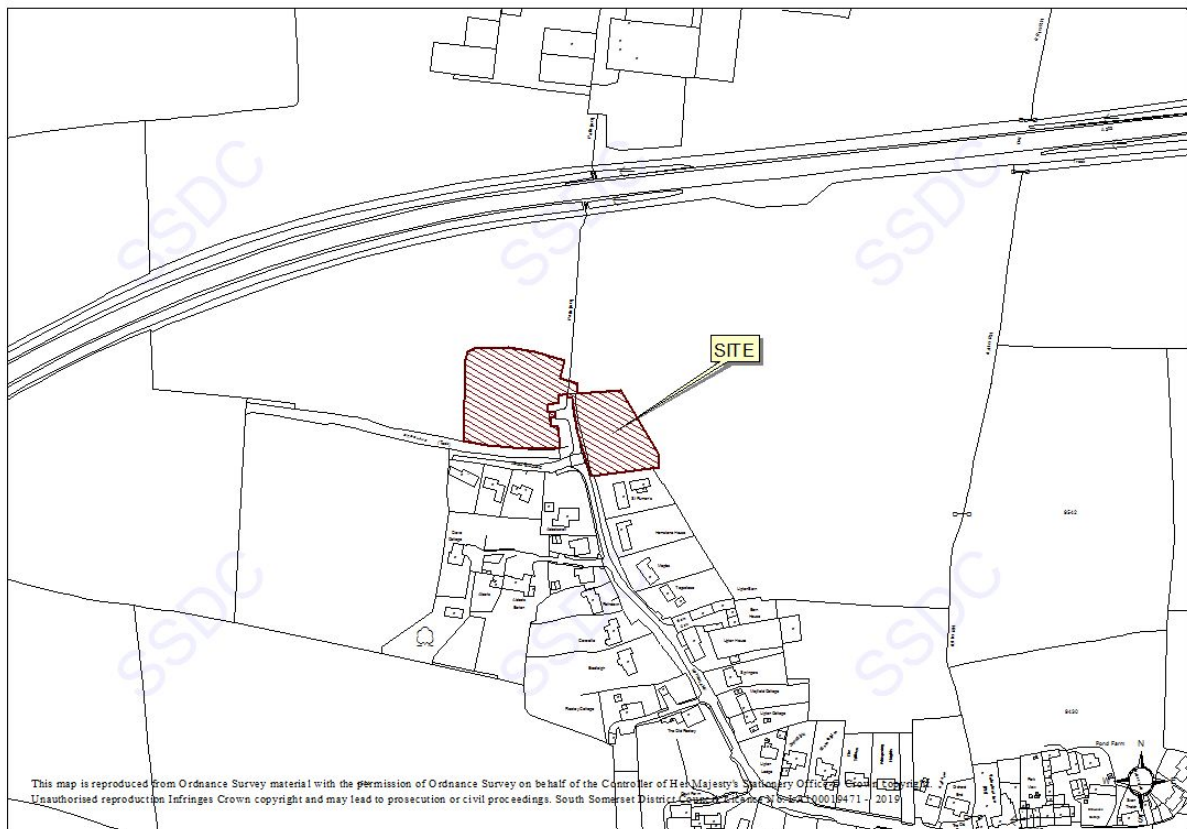
Proposal:	Outline application for the erection of 8 dwellings
Site Address:	Land at Upton Lane, Seavington
Parish:	Seavington St Mary
SOUTH PETHERTON Ward (SSDC Member)	Councillor Adam Dance and Councillor Crispin Raikes
Recommending Case Officer:	Mike Hicks
Target date:	26th September 2018
Applicant:	J and A Hallett
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 due to concerns over highway safety matters.

SITE DESCRIPTION AND PROPOSAL





This is an outline application for residential development comprising of 8 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 comprises 0.68 hectares is located on open agricultural land located to the northern end of Upton Lane,

The application is supported by the following documents:

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

HISTORY

None relevant to the site.

Adjoining site:

19/01164/FUL- Erection of one dwelling- Under consideration.

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):

SD1- Sustainable development
SS1 - Settlement Strategy - identifies Broadway as a Rural Settlement
SS2- Development in rural settlements
SS4 - District Wide Housing Provision
SS5 - Delivering New Housing Growth
TA1- Low Carbon Travel
TA5 - Transport Impact of New development
TA6 - Parking Standards
EQ2 - General development
EQ4 - Biodiversity
EQ7- Pollution Control

National Planning Policy Framework (2019)

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

ENVIRONMENTAL IMPACT ASSESSMENT

None required

CONSULTATIONS

Parish Council:

First response:

The grouped Parish Council of Seavington St Mary and Seavington St Michael has major concerns regarding the above application and would like to make the following observations

1. The sites for the 8 houses are in Seavington St Mary, not Seavington St Michael as stated in the reports provided
2. The traffic count [as detailed in the Access Statement paragraph 5.6] carried out during the hours of 8.00am - 9.00am is not a true reflection of the traffic using this lane. Many residents in Upton Lane have retired and are therefore not using the road at this time of the day
3. The Parish Council meeting held on 18th September 2018 was attended by a number of residents of Upton Lane, many of whom have now lodged their concerns with the Planning Authority. At the meeting it was unanimously agreed that the junction of Upton Lane with the C5021 [New Road, old A303 to give it the alternative names often used] is not an easy junction for entering and exiting vehicles to use. The fact that there have been no accidents over the past few years is only due to the care and attention taken by local residents. In a previous South Somerset Local Plan [adopted in 2006] the area under consideration was listed as a possible site for development. The inspector's conclusion to this application was as follows:-

"Seavington St Michael is a very small village with a very limited range of facilities. Because of the limited range and scale of facilities in the village residents would have to rely on other towns and villages for many of their daily needs. This is an isolated community some way from the nearest town. Bus services are poor. In these circumstances residents would be very

much dependent upon the car for their journeys. I have no doubt that this is not a sustainable location for development beyond minor infilling, conversions or redevelopment within the defined Development Area boundary.

"These sites lie at the northern end of Upton Lane, part of larger fields between the village and the A303. Development here would be prominent and would be seen to extend the village out beyond its current, clearly defined edge into the open country side. I found that the visibility at the junction of Upton Lane with the main road is very poor and this alone should discourage further development off this lane"

Since this report a shop has been built in Seavington St Mary, but for some residents the use of a car to access this is still necessary. Bus services have not improved and are probably worse and not likely to be increased in the near future. It is very unlikely that works could be carried out to improve visibility at the junction of Upton Lane with the C5021.

There is a known flooding problem at the top of Upton Lane and drains further along the lane cannot cope with heavy rainfall. At the recent development at Falcon Close surface water run-off has caused a major delay and will no longer join into the system at the bottom of Upton Lane.

There are other sites with possible development potential within the existing parish housing boundaries.

In light of the above, and the grave concerns expressed by many residents in Upton Lane, the grouped Parish Council of Seavington St Mary and Seavington St Michael are unable to support this Outline Planning Application.

Second response:

Seavington Parish Council is puzzled by the fact that County Highways have not made any comments regarding concerns raised regarding the junction of Upton Lane with the C5021. In fact it seems that this major concern has been totally ignored even though it was raised by a number of individual contributors.

Can we please ask that County Highways is asked to make a response to the concerns raised.

SSC Highways:

First response:

Traffic Impact

The Highway Authority has concerns regarding the narrowness of parts of the local highway network. A 20m section of Upton Lane is approximately 3.9m wide and therefore is unsuitable for two vehicles to pass.

The Access Statement submitted by the applicant has predicted the proposed development of eight residential units will generate five two-way vehicle trips in the AM and PM peaks respectively. In order to predict the trip generation, the trip rates have been derived from the TRICs database. The trip rates used are appropriate for the proposed site.

The Access Statement has also included a manual Traffic Turning Count Survey.

The results of the survey have shown that Upton Lane is lightly traffic. As such, it is considered that the predicted additional five vehicle movements on Upton Lane are not likely to cause a severe impact to the operation of the highway.

Car Parking

The Access Statement has noted that the provision of car parking is in-line with the Somerset Parking Strategy. A review of the Site Layout (Drawing No. 18.23.02) has illustrated this provision.

Cycle Parking

The applicant has not provided any details regarding the provision of cycle parking.

Vehicle Access

The Access Statement has stated that the proposed access highway, internal roads and turning head will be designed in-line with SCC standards.

The Applicant has demonstrated that the turning head is appropriate for use by a refuse vehicle in Drawing No.SPA_02 contained in the Access Statement.

However the applicant has not demonstrated that visibility splays of 2.4m x 43m are achievable from the access junction.

Pedestrian Access

A Public Right of Way (PRoW) is located to the north of the site and the proposed extended highway shown on the Site Layout (Drawing No. 18.23.02) appears to show access to the PRoW will be provided.

Conclusion

With the above in mind, the Highway Authority does not object to the principle of the proposed development. The Highway Authority recommends that the following conditions be imposed if planning permission is granted:

General 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.

Section 171 Licence

The applicant will be required to secure a licence from the Highway Authority for works on or adjacent to the highway necessary as part of this development, and they are advised to contact Somerset County Council at least four weeks before starting such works.

Visibility

There shall be no obstruction to visibility greater than 300 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/occupied/brought into use and shall thereafter be maintained at all times;

Estate Roads

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.

Parking & Turning

The Development hereby permitted shall not be commenced until the parking spaces for the dwellings and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the

parking and turning of vehicles in connection with the development hereby permitted.

Turning

The dwellings hereby permitted shall not be occupied until a properly consolidated and surfaced turning space for vehicles has been constructed within the site in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority. Such turning space shall be kept clear of obstruction at all times and not used other than for the turning of vehicles in connection with the development hereby permitted.

Measures Only Travel Plan

The new development shall not be commenced until a Measures Only Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the new development shall be occupied prior to implementation of those parts identified in the Approved Measures Only Travel Plan as capable of being implemented prior to occupation. Those parts of the Approved Travel Plan that are identified therein as capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Second response:

Further to your request for observations on the Junction of Upton Lane and New Road and the rationale behind my colleague's formal observations made in respect of Planning Application 18/02320/OUT, I have the following comments to make:

The Highway Authority make reference to the restricted width of Upton Lane but conclude that the vehicular trips generated by the proposed development, do not represent a significant increase in use over the existing levels.

The proposed 8 dwellings are unlikely to generate a significant increase in vehicular movements (5 two way movements in the AM and PM peak respectively) along Upton Lane and also at the Junction of Upton Lane/New Road. Whilst visibility is restricted, there is unlikely to be a significant increase in traffic movements at the junction as a direct result of granting consent of this scheme and therefore it would be unreasonable to recommend refusal on this basis.

Environmental Health:

I have reviewed the application and I have no additional comments to make from an Environmental Health point of view. Based on the predicted level of noise as set out in the noise report, and taking into account standards contained within the World Health Organisation's Community Guidelines for Noise, I do not consider that noise conditions requiring mitigation above and beyond that which would be typically required under Building Regulations (in terms of glazing, ventilation and insulation) will be required.

Wessex Water:

No objections. General comments made relating to connection to Wessex Water infrastructure.

SDDC Ecologist:

I'm satisfied with the ecology survey. It doesn't identify any particularly significant issues. The recommendations (bird nesting) could be endorsed through a condition or informative.

SCC Rights of Way:

I can confirm that there is a public right of way (PROW) recorded on the Definitive Map that runs through the site at the present time (public footpath CH 21/18). I have attached a plan for your information.

We have no objections to the proposal, but the following should be noted:

1. Specific Comments:

SURFACING AUTHORISATION REQUIRED

The surfacing of the PROW CH 21/18 will require authorisation from SCC Rights of Way Group. Associated infrastructure may also be required. I have attached a form that should be completed and returned to Les Braunton (Rights of Way Officer - email: LBraunton@somerset.gov.uk).

2. General Comments

Any proposed works must not encroach on to the width of the PROW.

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.

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:

- o A PROW being made less convenient for continued public use.
- o New furniture being needed along a PROW.
- o Changes to the surface of a PROW being needed.
- o Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would:

- o make a PROW less convenient for continued public use; or
- o 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 Councils 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>

REPRESENTATIONS

Following consultation there were representations from 23 objectors and 1 household making general representations.

The following comments are made:

Highways -

- Concerns over increased traffic flow, road (Upton Lane) not suitable for amount of traffic - too narrow for two cars to pass.
- Concern over substandard junction of Upton Lane and New Road.

- Increase in parking on Upton Lane.
- People will have to walk to access amenities - no pavement

Other matters:

- Noise caused by A303 will be worse than calculated for new dwellings and could make it worse for existing dwellings
- Enlarging the village and destroying the rural setting
- Concerns over increase in surface water runoff.
- No justification for proposed development
- Approval will lead to further applications/development
- Sewage and Water system already at capacity - will worsen with new development
- Lack of local amenities (shops, schools etc.)
- Development does not comply with local plan policy - SS2

CONSIDERATIONS

Principle

Paragraph 11 of the NPPF explains that decision should apply a presumption in favour of sustainable development, and that for decision-taking that means:

- *approving development proposals that accord with an up-to-date development plan without delay; or*
- *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:*
- *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*
- *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 NPPF goes on to clarify that the policies which are most important for determining the application are out-of-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. In August 2018, a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land. Therefore, the policies which are most important for determining this housing application must be considered out-of-date, and the application should be approved unless points i and ii apply.

Having regard to the above, the Local Plan is still in force, however with reduced weight. It is up to the decision maker to apply the tilted balance and to determine the degree of weight afforded to relevant policies against the merits of the proposal and the aims of the NPPF. These considerations are set out below:

Sustainability of the settlement:

Seavington St Michael is classified as a 'rural settlement' in the local Plan and as such Policy SS2 applies. This states:

"Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing.

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general.

Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation.

Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at Paragraph 5.41".

Policy SS2 sets a relatively restrictive approach to development in rural settlements in that the principle of housing is not automatically accepted as it is predicated upon the compliance of the proposal with the above requirements. However, SS2 is given reduced weight in determination of this proposal due to the lack of 5 year housing land supply.

It is considered that there would be partial compliance with SS2. Local housing need is not robustly evidenced within the application and the dwellings would not provide affordable housing, however it is accepted that there is a general housing need across the district. Also of relevance is whether, Seavington St Michael meets basic 'sustainability criteria' in terms of the provision of basic local facilities. Policy SS2 requires two facilities such as a public house and shop for a settlement to be considered appropriate (amongst other criteria) for housing development. Within Seavington St Michael there is a shop, village hall and public house and as such the criteria within Policy SS2 would be exceeded. In general planning terms when assessed against the requirements of the NPPF, the location is considered sufficiently sustainable for housing to be supported in principle.

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".

The acceptability of the landscape impact of the proposal is considered to be relatively finely balanced. The site is not naturally contained by existing landscape features or boundaries and this detracts from the sites suitability to some degree. However, the dwellings would need to be set down below existing surrounding levels to achieve an acceptable access point and to assist

in assimilating the development into the wider landscape. The applicant has submitted an indicative section indicating finished levels and dwelling heights. The sections indicate bungalows at the northern end of the site. This along with the setting down of site levels would reduce the visual impact of the edge of the development. Having regard to the above it is considered that a condition is reasonable that would ensure any dwellings within upper part of the site are single storey only.

Overall, whilst there would be a visual impact from the development, it is considered that with careful design the impacts can be mitigated to an acceptable degree. It is considered necessary and reasonable to include a condition which would require any dwellings located within the northern part of the site to be single storey only.

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 particular the impact on the increase in vehicles on the safe functioning of the junction of Upton Lane and New Road. Concerns have been expressed over the lack of visibility for cars exiting Upton Lane looking to the west on New Lane.

The Highway Authority (the HA) have been consulted and have not objected to the proposal, including the impact on the above junction. They have further commented that the existing level of use of the junction is such that the increase would be relatively modest and that it would not be sufficiently severe to warrant refusal.

Conditions have been recommended by the Highway Authority in relation to the internal estate road, visibility, parking, turning and a travel plan. It is not considered reasonable to condition the inclusion of a travel plan condition given that the Local Plan only requires a travel plan for developments over 10 dwellings. The condition relating to visibility is not considered necessary at outline stage as access will be a reserved matter consideration. A condition is recommended to ensure the provision of electric charging points to accord with Policy TA1 of the Local Plan.

Having regard to the above, it is considered that the proposal would comply with Policies TA1, TA5 and TA6 of the South Somerset Local Plan (2006-2028).

Residential Amenity:

The proposed site is located a sufficient distance from nearby occupiers to ensure that there would be no harm in relation to overlooking, overshadowing or sense of enclosure. The site is relatively close to the A303. A noise survey has been submitted which concludes that the noise levels at the site are well within the relevant guidelines for acceptable noise levels. The Councils Environmental Health Officer has assessed the noise survey and commented that no objections are raised to the proposed development. As such it is considered that the proposal would comply with Policies EQ2 and EQ7 of the South Somerset Local Plan (2006-2028).

Drainage/sewerage infrastructure:

Concerns have been raised over surface water flooding. The building control process would cover all drainage matters. It is considered that there are insufficient concerns with the proposed site to refuse permission or require a drainage condition to be imposed on the decision given that these matters are dealt with by building control legislation.

Ecology:

A phase 1 ecology survey was submitted with the application. The Councils ecologist has

reviewed the survey and concluded that no objections are raised to the proposed development. An informative is included within the decision in relation to nesting birds. No conditions are required to ensure compliance with Policy EQ4 of the South Somerset Local Plan (2006-2028).

Rights of way:

The County Council Rights of Way Department do not object. The details of the reserved matters application would have to be fully considered in relation to the impact on the footpath at which point the Rights of Way Department would be consulted again.

Developer Obligations:

Paragraph 56 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.

Of relevance to this proposal, planning guidance within the Planning Practice Guidance (PPG) makes it clear that tariff style contributions should only be sought on developments that exceed 1000 square meters. In this instance given that no contributions are offered by the applicant, it is considered reasonable to include a condition to restrict the floor area of the reserved matters application to a maximum of 1000 square metres so that the trigger point is not exceeded.

In relation to affordable housing, paragraph 67 of the NPPF makes it clear that such provision should only be required on developments of 10 or more dwellings and as such affordable housing provision is not required for this site.

Conclusion:

It is considered that provision of 8 dwellinghouses would be acceptable in principle within this sustainable location. The proposal would have an acceptable impact on local landscape character. 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 SD1, EQ2, EQ4, EQ7, TA1, TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the relevant guidance within the National Planning Policy Framework (2019).

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: 18.23.01; 18/23/02 only.

Reason: In the interests of clarity.

04. 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).

05. The development hereby permitted shall not be occupied until the parking spaces for the dwellings and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety to accord with Policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

06. The development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). 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 and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of highway safety to comply with Policy TA5 of the South Somerset Local Plan (2006-2028|).

07. The dwellinghouse(s) to be erected within the plots annotated as 'P5 C' and P6 B' illustrated on the approved plan, drawing No. 18.23.02 shall be of single-storey construction only with no accommodation in the roof space.

Reason: In the interests of preserving the setting of the adjacent Listed Building to accord with Policy EQ3 of the South Somerset Local Plan (2006-2028).

08. 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 of the South Somerset Local Plan (2006-2028).

09. The reserved matters submission shall be for residential development not exceeding a total gross internal floor area of 1,000 square metres

Reason: To ensure an appropriate levels of planning obligations in accordance with the relevant sections of the NPPG and the National Planning Policy Framework.

Informatives:

01. Nesting birds:

The applicant is advised of their obligations under the relevant wildlife protection legislation. If any site clearance works take place between March and August (inclusive) then a walkover of the site will be required to ensure skylarks are not nesting on the ground.

If bramble removal is required and cannot be completed between September and February, then an ecologist will should inspect the scrub patches to ensure nesting birds are not present.

02. General 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.

Section 171 Licence

The applicant will be required to secure a licence from the Highway Authority for works on or adjacent to the highway necessary as part of this development, and they are advised to contact Somerset County Council at least four weeks before starting such works.

03. The applicant is advised that consent is required from Wessex Water to connect to the public foul sewer and water mains. The applicant is further advised that Wessex Water will not permit the build over of public water mains. For further information please contact development.west@wessexwater.co.uk

04. The surfacing of the PROW CH 21/18 will require authorisation from SCC Rights of Way Group. Associated infrastructure may also be required. I have attached a form that should be completed and returned to Les Braunton (Rights of Way Officer - email: LBraunton@somerset.gov.uk).

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:
 - i. make a PROW less convenient for continued public use; or
 - ii. 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>

Agenda Item 16

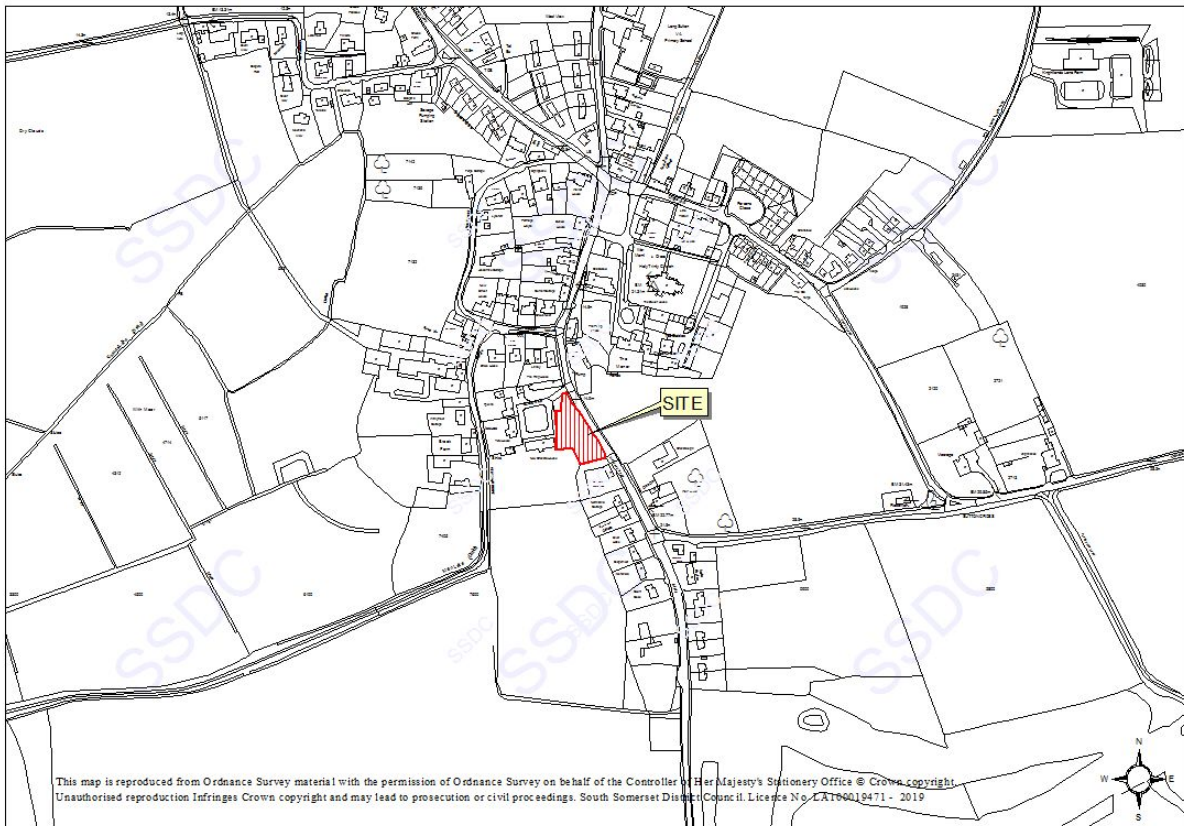
Officer Report on Planning Application: 18/03115/FUL

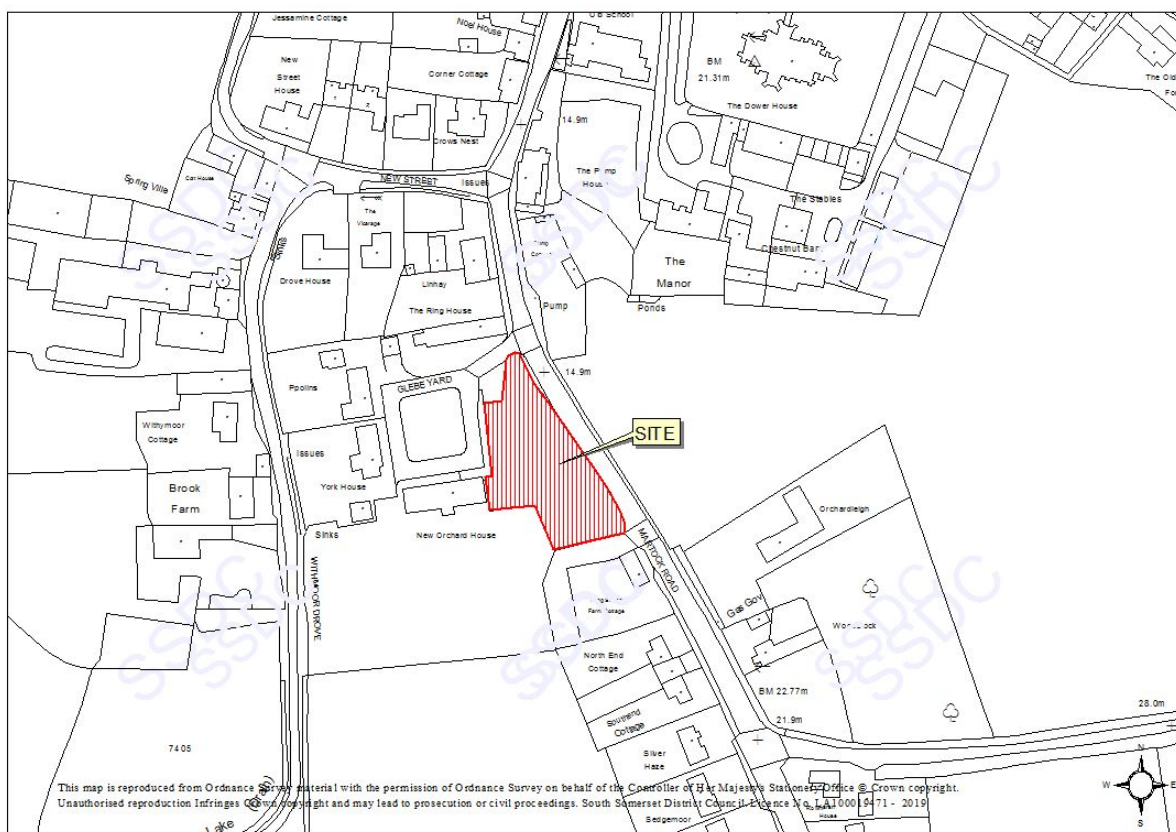
Proposal:	Erection of a garden shed.
Site Address:	Long Sutton Farmhouse, Martock Road, Long Sutton
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Councillor Gerard Tucker
Recommending Case Officer:	Planning Case Team
Target date :	29th April 2019
Applicant :	Mark Lewis-Williams
Agent: (no agent if blank)	
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

At the request of the Ward Member and with the agreement of the Area Chairman, this application is referred to Area Committee for full debate.

SITE DESCRIPTION AND PROPOSAL





Long Sutton Farmhouse is a Grade II listed building set in the Conservation Area of Long Sutton.

This application seeks permission for the erection of a garden shed measuring approximately 8m x 5m x 2.5m to eaves and 4.48m in height overall. It is to be constructed of untreated timber under a zinc plate corrugated sheet roof. The applicant has confirmed that the use will be private and domestic, for the purposes ancillary to Long Sutton Farmhouse.

Policy:

South Somerset Local Plan 2006-28:

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

NPPF:

- Chapter 12 - Achieving Well Designed Places
- Chapter 16 - Conserving and Enhancing the Historic Environment

Planning Practice Guidance.

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

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

Town/Parish Council: Long Sutton Parish Council - Long Sutton Parish Council object to the application to build a garden shed in the garden of Long Sutton Farmhouse on the following grounds:

Mass: The shed is the size of a small industrial unit as opposed to a garden shed aimed at domestic use. Why does it need to be so high (4.8m)? It will not, contrary to the Conservation Officer's comments, be mostly hidden from view by a wall but will be an overwhelmingly large blot on the landscape.

CGI Roof: The proposed corrugated iron roof will be both unsightly and noisy when rain falls. It should be replaced with a more appropriate roofing material such as slate or tile if permission is granted.

Access: The access to the proposed site is through a hole recently created in an old wall; we assume that the wall is listed by its association with the Grade 2 listed house whose south boundary it forms. This not appropriate and any consent that the planning authority may give for a shed should be conditional on the repair of the wall by the current owner being completed first.

Use: If the shed is to be used as a workshop for the owner's joinery business, then appropriate permission should be sought for such use. The council are against such use which would be better suited in an industrial unit.

20ft ISO Container: If the applicant intends to keep the 20ft container in situ then appropriate permission should be applied for.

Other Consultees:

Highways Authority: Standing advice applies

Highways Consultant: No highways issues, no objections.

Conservation Officer - "My comments are based on the application documents, the Somerset Historic Environment records and Google Street view. I have not visited the site. The application is to erect a 40 m² untreated timber garden shed with corrugated pitched roof and black stained timber shutters in the SW corner of the garden Long Sutton Farmhouse. The house is of Grade II listed and located in the Conservation Area. The proposed position is at a distance from the listed building at the far end of the garden and mostly hidden from the road by a high lias boundary wall. Materials and style are appropriate for a rural setting. I have no objections to this application on architectural built heritage grounds".

Neighbour Comments: A site notice was displayed and 4 neighbours were notified. 11 letters of objection were received. Concerns included:

- i. Size and scale will dominate area as it is on raised land
- ii. Shed will be a workshop for a joinery business
- iii. No legal vehicular access. Track owned by Church Commissioners
- iv. Section of listed wall has been demolished to get shipping container on site
- v. The opening shutters will look directly into amenity space of New Orchard House leading to loss of privacy
- vi. Ongoing enforcement investigation into the siting and use of the shipping container for business use
- vii. Does not preserve character of Conservation Area
- viii. Proposal requires listed building consent
- ix. The proposed corrugated metal roof will give an industrial appearance

- x. Shed will be visually prominent from highway and New Orchard House
- xi. Location of shed will create a dominant, unneighbourly and overbearing structure.
- xii. Inappropriate roof materials

Considerations:

Design/Layout/Materials & Impact on Heritage Assets:

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 states:
"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Similarly, Section 72 states:

"In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

It is noted that the Parish Council does not support the application and a neighbour has stated that it will be visually prominent. At 8m x 5m the shed could be considered large but it sits within a generous plot, is easily accommodated and partially screened to the front by the stone boundary wall. It is also noted that the shed incorporates a canopy section over an area which is open sided reducing the secure, covered area to approximately just over half the footprint of the structure. This allows for views through and contributes to mitigation for the overall size of the shed. Another of their concerns raised by Parish Council and neighbours is the use of corrugated sheet for the roof. The Conservation Officer has been consulted and has stated that materials and style are appropriate for a rural setting and raised no objections to the proposal. The views of the Conservation Officer are considered to hold great weight. As such, it is considered that the materials are acceptable. The shed sits in a similar position to the existing unauthorised container. A condition will be imposed to ensure the removal of the container which is considered to significantly improve the visual amenity. Therefore it is considered that the proposal is acceptable to the setting of the listed building and the surrounding Conservation Area.

Residential Amenity: It is noted that the proposed location of the shed is on higher ground than the neighbouring property to the west (New Orchard House). During the course of the application, the applicant confirmed that he would be happy to remove he shutters from the rear (west) elevation to avoid potential for overlooking. A condition will be imposed to ensure no openings in the west facing elevation or roof slope. Whilst at an overall height of 4.48m, the eaves height sits at approximately 2.5m and the proposed shed is sited approximately 1.5m away from the boundary. As such, it is not considered that the window layout and general bulk of the shed is such that it would give rise to undue overlooking / loss of privacy or an overbearing relationship with neighbouring properties. Therefore it is considered that the development does not have an unacceptable impact upon amenity of neighbouring properties.

Use: Concern has been raised by neighbours and the Parish Council that the existing container and the proposed shed would be used as a joinery business. The container has been investigated by the Planning Authority and no evidence of a business use has been found. The applicant states that the shed will be used for domestic and private purposes, ancillary to Long Sutton Farmhouse and has agreed to a condition to limit the use to that. Due to the sensitive nature of the site and in the context that the shed has not been assessed on the basis of residential use, it is considered appropriate to impose a condition to restrict the conversion of the shed to habitable accommodation without prior permission. Finally, in the interests of amenity and preserving the setting of a listed building, a condition will also be

imposed for the removal of the shipping container.

Access: A listed stone boundary wall has been partially demolished. This is subject to an ongoing enforcement investigation and will be treated separately.

Highways: The proposal has no significant impact on highway safety.

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, siting, materials and design, has no adverse impact on, and causes no harm to, the character of the surrounding Conservation Area, causes no harm to the setting of the historic listed building and causes no demonstrable harm to residential and visual amenity in accordance with Policies SD1, EQ2 and EQ3 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2019.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans and documents reference:

Sheet 1 of 1 - Site Plan / Location Plan / Floor Plan and Elevations
Site Outline
Design and Access Statement

and 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.

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) the shed hereby permitted shall not be used other than for the domestic and private needs of the occupier, ancillary to the use of Long Sutton Farmhouse.

04. Reason: In the interests of residential amenity and accord with Local Plan Policy EQ2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) the garage/store hereby approved shall not be converted into habitable accommodation without the prior consent of the Local Planning Authority.

Reason: In the interests of residential amenity and to comply with Policy EQ2 of the South Somerset Local Plan 2006 -28 and the provisions of the National Planning Policy Framework 2019.

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order) and notwithstanding the approved plans, there shall be no windows, or other openings (including doors) formed in the west facing rear elevation and west facing roof slope of the shed hereby permitted, or other external alteration made without the prior express grant of planning permission.

Reason: In the interests of residential amenity and to comply with Policy EQ2 of the South Somerset Local Plan 2006 -28 and the provisions of the National Planning Policy Framework 2019.

06. Within one month of the substantial completion of the shed or within three months of the date of the decision notice, whichever is soonest, the shipping container should be permanently removed from the land.

Reason: To safeguard the setting of the listed building in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-28.

07. The external timber on the shed hereby approved shall be left to weather naturally and shall only be treated with products with a clear finish unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the setting of the listed building in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-28.

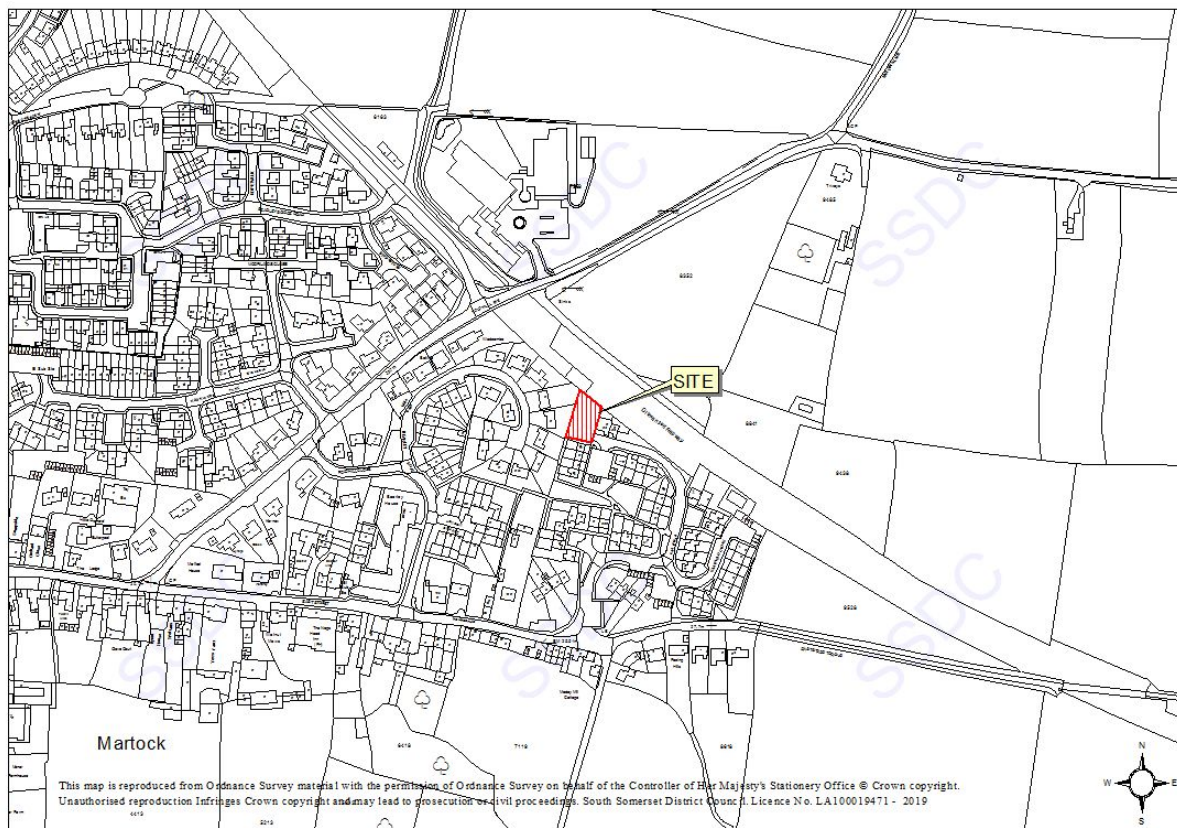
Agenda Item 17

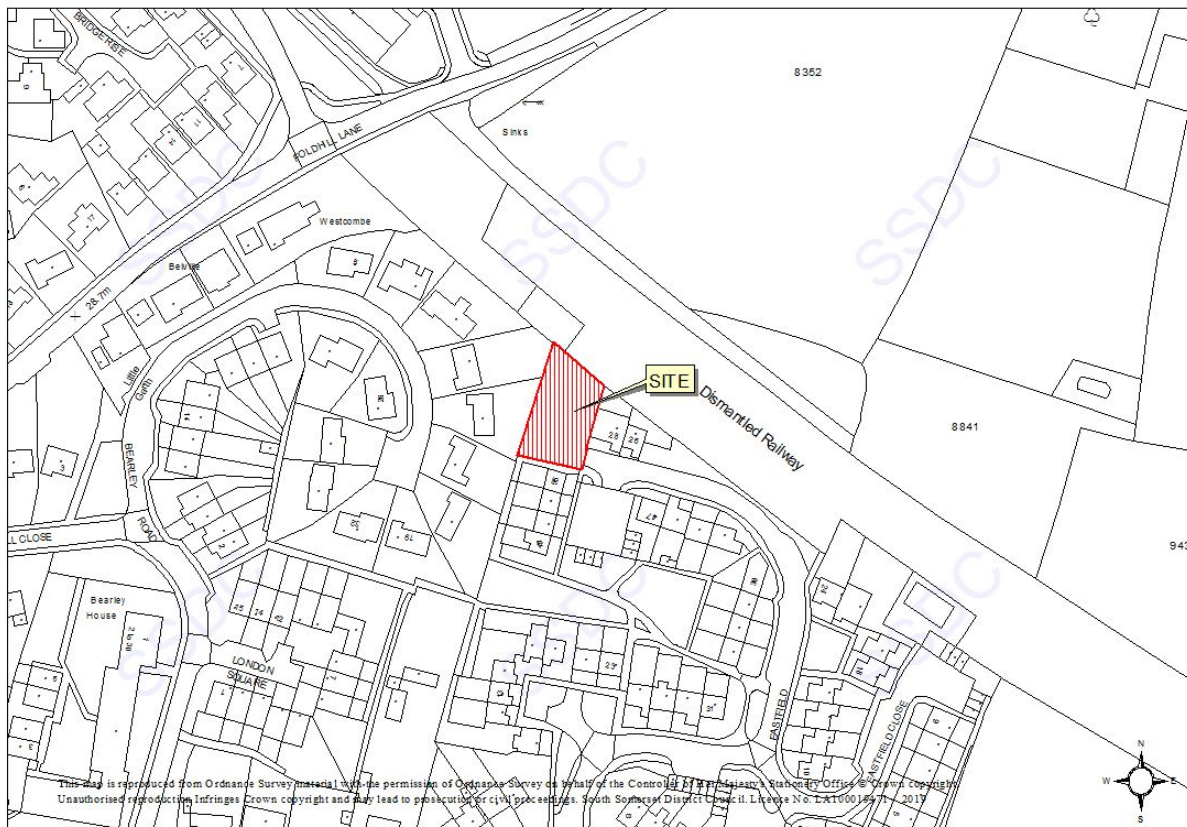
Officer Report on Planning Application: 19/00544/OUT

Proposal :	Outline planning application for the erection of a pair of semi-detached houses with gardens and parking
Site Address:	Land adjoining 28 Eastfield, Martock
Parish:	Martock
MARTOCK Ward (SSDC Member)	Cllr L Clarke Cllr N Bloomfield
Recommending Case Officer:	Stephen Baimbridge
Target date :	11th April 2019
Applicant :	SSDC
Agent: (no agent if blank)	Property Services Team SSDC Council Offices Brympton Way Yeovil BA20 2HT
Application Type :	Minor Dwellings 1-9 site less than 1ha

The application is referred to the Area North Committee as South Somerset District Council are the applicant.

SITE DESCRIPTION AND PROPOSAL





The application site is located on Eastfield, in Martock, with the disused railway line to the north, residential properties of Eastfield to the east and south, and residential properties of Bearley to the west.

The application seeks for outline planning consent for the erection of a pair of semi-detached houses with gardens and parking. All matters are reserved except for the access.

HISTORY

None relevant

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 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 (adopted March 2015).

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

- Policy SD1 - Sustainable Development
- Policy SS1 - Settlement Strategy
- Policy SS2 - Development in Rural Settlements
- Policy SS4 - District Wide Housing Provision
- Policy SS5 - Delivering New Housing Growth
- Policy SS6 - Infrastructure Delivery
- Policy HG3 - Provision of Affordable Housing
- Policy HG4 - Provision of Affordable Housing - Sites of 1-5 Dwellings
- Policy EQ2 - General Development
- Policy EQ3 - Historic Environment

Policy TA5 - Transport Impact of New Development
Policy TA6 - Parking Standards

National Planning Policy Framework - March 2019

Planning Practice Guidance (PPG)

Other

Somerset County Council Parking Strategy (September 2013)

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

CONSULTATIONS

MARTOCK PARISH COUNCIL: No objections.

HIGHWAYS AUTHORITY (SOMERSET CC): Standing Advice applies.

SSDC HIGHWAYS CONSULTANT: No significant highways issues with this scheme. Ideally the driveway would be 6m wide rather than 5.5m but it should still be possible to turn in and out of the proposed parking spaces. If a 6m width can be provided I recommend the plans are altered accordingly. It would be useful to show the provision of a garden shed for each unit that could act as cycle parking/storage. A S.184 license will be required from SCC for the dropping of the kerb. The parking and turning area must be properly consolidated and surfaced (not loose stone or gravel) and measures must be implemented to ensure surface water does not discharge onto the public highway.

SOUTH WEST HERITAGE TRUST: As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

ENVIRONMENTAL PROTECTION UNIT: 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. The Council's Environmental Health service will make available to you, free of charge, any information or data that it has in relation to the land to which the application applies.

REPRESENTATIONS

Five letters of contribution have been received, consisting of one letter of support, one letter of general observations, and three of objection. The letters can be found in full on the Council's website. The matters raised will be summarised into key themes:

- The site is a logical place to build
- The construction of additional houses for affordable rent is encouraged locally
- The vegetation on the western boundary is a degraded ancient hedgerow and a wildlife corridor. The hedge and the scrubland on the railway which should be protected.
- Previously informed the land was to be used as a community project
- Lack of parking
- Inconvenience of the construction and
- The proposed houses are not on the local plan

- Increased noise from the residents living there
- Loss of light
- Adversely affect property value
- Harm to biodiversity and ecology
- The turning bay will be lost
- Loss of parking
- Over-development of over populated area.
- Insufficient infrastructure, i.e. doctors surgery, the school, additional traffic flow
- Overlooking
- Are plans available?

CONSIDERATIONS

Principle of Development

Paragraph 11 of the NPPF explains that decision should apply a presumption in favour of sustainable development, and that for decision-taking that means:

- *approving development proposals that accord with an up-to-date development plan without delay; or*
- *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:*
 - 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*
 - 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.*

Footnote 7, page 6, of the NPPF states that the policies which are most important for determining the application are out-of-date if "...for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites..."

The Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land. Therefore, the policies which are most important for determining this housing application must be considered out-of-date, and the application should be approved unless points i and ii apply.

According to the Supreme Court judgement, *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*, "[i]f the policies for the supply of housing are not to be considered as being up to date, they retain their statutory force, but the focus shifts to other material considerations. That is the point at which the wider view of the development plan policies has to be taken.

The plot is an in-fill site located within a residential area of Martock - a Local Market Town suitable for housing growth. The application states that permission is sought for a pair of residential dwellings but it should be noted that scale is a reserved matter. Nevertheless, the physical size of the site limits the quantum of growth that would be acceptable and the applicant has been informed that no more than two dwellings would be acceptable at reserved matters stage. As such, notwithstanding objections received about further growth in Martock, the inability of infrastructure to cope, and the non-allocation of this specific site in the Local Plan, the principle of residential development on this site is considered acceptable.

Visual Amenity

Appearance is a reserved matter so cannot be judged at this stage. However, there is no reason to believe that residential development on this site would be demonstrably harmful, in

accordance with policy EQ2.

Residential Amenity

As appearance and scale are reserved matters, neither the positions of windows nor the bulk of the dwellings can be judged. Conversely, there is no reason to believe that appropriately designed residential development could not be provided on this site. Therefore, notwithstanding objections pertaining to noise, overlooking, and loss of light

Highway Safety

The County Highway Authority states that its Standing Advice applies. The indicative plans show that six parking spaces can be achieved, which would allow for two dwellings of up to 4+ bedrooms each.

The Highway Consultant stated that there were no significant highways issues with this scheme. He considered that, ideally the driveway would be 6m wide rather than 5.5m but it was not absolutely necessary. It was also suggested that a garden shed for each unit be shown on the plans as cycle parking/storage. These matters were addressed through amended plans which widened the driveway and provided the outbuildings.

The loss of informal parking on the turning area is not considered to be demonstrably harmful to highways safety or the provision of parking locally.

A condition will be imposed to ensure that the access be properly consolidated and surfaced (not loose stone or gravel). It will not be conditioned that the parking spaces be consolidated as part of this application as the spaces could be subject to change through the reserved matters application. To ensure that the surface water from the hard surfacing does not drain onto the highway, drainage measures will be conditioned.

Therefore, notwithstanding the objections received, it is not considered that the proposal would prejudice highways safety, and it is considered to accord with policies TA5 and TA6 of the Local Plan.

Ecology

An Ecological Appraisal has been submitted which found little evidence that the proposal would result in demonstrable harm to any protected species. Recommendations were made by the Ecologist which are proposed to be conditioned.

Contributions

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district. Policy SS6 seeks contributions towards local infrastructure, such as sports, arts and leisure facilities.

In May 2016 the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less. For affordable housing, the NPPF (2019) and the Planning Practice Guidance make clear that affordable housing should only be sought for all major residential development -i.e. schemes of ten dwellings or more, and/or sites of 0.5 hectares or more.

It is considered that whilst policies HG3, HG4, and SS6 are valid, the most recent legal ruling, and national policies, must be given significant weight and therefore it is not possible to seek an affordable housing or local infrastructure obligation from this development.

The development will be liable to pay the Community Infrastructure Levy (CIL) at reserved matters stage.

Conclusion

The proposal would provide one pair of semi-detached dwellings in a sustainable location without causing demonstrable harm to the visual amenity, residential amenity, highway safety or ecology. As such, the proposal is in accordance with policies SD1, SS1, SS4, SS5, TA5, TA6, and EQ2 of the South Somerset Local Plan 2006-2028 and the aims and objectives of the NPPF.

RECOMMENDATION

Permission be granted subject to conditions

01. The proposal would provide housing in a sustainable location without causing demonstrable harm to the visual amenity, residential amenity, highway safety or ecology. As such, the proposal is in accordance with policies SD1, SS1, SS4, SS5, TA5, TA6, and EQ2 of the South Somerset Local Plan 2006-2028 and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. Application for approval of the scale, layout, appearance, and landscaping of the development, referred to in this permission as the reserved matters, shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

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

Drawing no. 1387-01A

Drawing no. 1387-20B

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

04. No dwelling hereby approved shall be occupied until the proposed access has been fully constructed with a consolidated surface (not loose stone or gravel) and in accordance with the details shown on the approved plan.

Reason: In the interests of highways safety and in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

05. Prior to commencement, details of an appropriate surface water drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority. Prior to first occupation, the drainage scheme shall be fully provided in accordance with the details agreed and shall be retained and maintained thereafter.

Reason: In the interests of proper surface water drainage, in accordance with policy EQ1 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

06. There shall be no external lighting installed at the site without the prior written consent of the Local Planning Authority. Prior to the erection, installation, fixing, placement and/or operation of any external lighting on the site (including on any of the buildings themselves), details of such external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the equipment and supporting structures, positions, sizes, heights, type, luminance/light intensity, direction and cowling of all external lights to the buildings and any other parts of the application site edged red (as indicated on the approved Site Location Plan) and the hours at which such lighting is to be operated.

The external lighting shall thereafter be carried out in accordance with the approved details (unless the Local Planning Authority gives prior written approval to any subsequent variations), and shall thereafter be retained in that form.

Reason: All bats are afforded protection under the Habitats Regulations 2017 by which populations are to be maintained at Favourable Conservations Status as defined under Article 1 of the Habitats Directive 1992. Lacking evidence to the contrary it must be assumed the boundary hedgerows and trees forms part of the habitat available to maintain local bat populations. Bat species are adversely affected by the introduction of artificial lighting on commuting routes, which in effect can cause severance between roosts and foraging areas. A dark boundary area will also help maintain other light sensitive species on site and contribute towards conserving biodiversity.

07. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority by the ecologist

Reason: In the interests of nesting wild birds and in accordance with policy EQ4 of the Local Plan and the provisions of the NPPF.

08. The area of scrub shall only be removed under the supervision of an experienced ecologist to ensure no badger setts have been excavated or are at risk of disturbance from site operations. Written confirmation will be provided to confirm that no badgers will be harmed and/or that there are appropriate measures in place to protect any possible badger interest on site. Should a badger sett be found and at risk of disturbance, suitable mitigation may include the creation of artificial setts elsewhere prior exclusion of badgers (under licence from Natural England) before sett destruction.

Reason: To ensure that important biodiversity is conserved and in accordance with Local Plan Policy EQ4, plus National Planning Policy Framework paragraphs 170 and 175. This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

09. During construction of the development hereby permitted:
- open pipework greater than 150 mm outside diameter shall be blanked off at the end of each working day; and
 - for any trenches uncovered overnight, the creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations, or by using planks placed into them at the end of each working day.

Reason: To ensure that important biodiversity is conserved and in accordance with Local Plan Policy EQ4, plus National Planning Policy Framework paragraphs 170 and 175. This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

10. Grassland on site shall be maintained at a short sward until works on site are completed. This will keep the suitability of habitat for reptiles low and reduce risk of reptiles moving onto the site. Evidence of this in the form of photos will be sent to the local planning authority.

Reason: Reptile species are afforded protection from intentional and reckless killing or injury under the Wildlife and Countryside Act 1981 (as amended). Outside the period from April to October these species are likely to be in torpor or hibernation when disturbance is likely to pose a risk to survival.

11. The area of scrub will be removed under the supervision of an experienced ecologist to assure no activities harming reptiles are undertaken. Written confirmation will be provided to confirm that no reptiles will be harmed and/or that there are appropriate measures in place to protect any possible reptile interest on site.

Reason: Reptile species are afforded protection from intentional and reckless killing or injury under the Wildlife and Countryside Act 1981 (as amended). Outside the period from April to October these species are likely to be in torpor or hibernation when disturbance is likely to pose a risk to survival.

12. A fingertip search by a licenced ecologist be undertaken of the area of scrub being removed. Should any evidence of nesting dormice be found, works would have to stop and a European protected species licence applied for. Removal of the scrub shall only commence following the grant of the licence and with the agreement of a licenced ecologist.

Reason: Dormice are afforded protection under the Conservation of Habitats and Species Regulations 2017 which includes making it illegal to cause kill or injure dormice and destroy, damage or disturb resting places and from intentional or reckless disturbance to individual dormice under the Wildlife and Countryside Act 1981 (as amended). To ensure the development contributes to the Government's target of no net biodiversity loss and to provide gain where possible as set out in the National Planning Policy Framework; Local Policy; and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

13. Prior to occupation of the housing hereby permitted -
- Any new fencing shall have accessible hedgehog holes created, measuring 13cm x 13cm, to allow the movement of hedgerows into and out of the site;
 - Two integrated bee bricks (<https://www.nhbs.com/bee-brick> or similar) shall be built into the external wall space of the new housing. The bricks will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes; and
 - A bird box, such as a Schwegler brick nest box, shall be installed on one of the proposed properties.

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; South Somerset District Council Local Plan - Policy EQ4 Biodiversity; and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006. To ensure the success of mitigation measures are sustained for the duration of the development and that there is no net biodiversity loss in the long term as per Government and local

minerals planning policy. Furthermore, the recently updated National Planning Policy Framework states in section 15, paragraph 170, that "Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

Informatives:

01. There will be an expectation that the reserved matters scheme include the following:

- The hedgerow on site should be reinforced with a variety of native species, evidence of how this will be achieved should be submitted in writing to the local planning authority.
- All new shrubs should be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native.
- Where the landscaping scheme allows, all new trees planted on site should be from local native stock, such as field maple, ash, hornbeam, dogwood, spindle and beech.