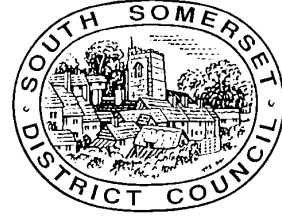


South Somerset District Council

Notice of Meeting



Area South Committee

Making a difference where it counts

Wednesday 7th March 2018

4.00 pm

(please note change of start time)

**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:

Cathy Bakewell
John Clark
Gye Dibben
John Field
Nigel Gage
Peter Gubbins
Kaysar Hussain

Andy Kendall
Sarah Lindsay
Mike Lock
Tony Lock
Sam McAllister
Graham Oakes
Wes Read

David Recardo
Gina Seaton
Peter Seib
Alan Smith
Rob Stickland

There are no planning applications to be considered this month.

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462011 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 26 February 2018.

Alex Parmley, *Chief Executive Officer*

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



Information for the Public

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

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

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

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

Meetings of the Area South Committee are held monthly, usually at 2.00pm, on the first Wednesday of the month at the Council Offices, Brympton Way, Yeovil (unless specified otherwise).

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

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

Public participation at committees

Public question time

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

Planning applications

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

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

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

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

The order of speaking on planning items will be:

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

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

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

Recording and photography at council meetings

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

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

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

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

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Area South Committee

Wednesday 7 March 2018

Agenda

Preliminary Items

- 1. Minutes of previous meeting**
- 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 District Council's Regulation Committee

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

Councillors Peter Gubbins, Graham Oakes, David Recardo and Gina Seaton.

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. Public question time**
- 5. Chairman's announcements**
- 6. Reports from representatives on outside organisations**

This is an opportunity for Members who represent the Council on outside organisations to report items of interest to the Committee.

Items for discussion

7. **Yeovil Chamber of Trade** (Page 6)
8. **Yeovil Car Parking Review (Executive Decision)** (Pages 7 - 8)
9. **Hardington Mandeville Parish Council Grant Request (Executive Decision)** (Pages 9 - 11)
10. **West Coker Commeration Hall Grant Request (Executive Decision)** (Pages 12 - 14)
11. **Yeovil4Family Grant Request (Executive Decision)** (Pages 15 - 17)
12. **Area South Forward Plan** (Pages 18 - 19)
13. **Appeals** (Pages 20 - 31)

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 7

Yeovil Chamber of Trade

Communities Lead Helen Rutter, Communities Lead
Lead Officer: David Woan, President Chamber of Trade
Contact Details: president@yeovilchamber.org (07900491211)

David Woan, President Chamber of Trade will be attending Area South Committee to give members a presentation regarding the work and links with Yeovil Town and the Chamber of Trade.

Agenda Item 8

Yeovil Car Parking Review (Executive Decision)

Strategic Director: Alex Parmley, Chief Executive Officer
Communitieslead Helen Rutter, Communities Lead
Service Manager: Natalie Fortt, Area Development Lead – North & South
Lead Officer: Natalie Fortt, Area Development Lead – North & South
Contact Details: Natalie.fortt@southsomerset.gov.uk or 01935 462956

Purpose of the Report

To request that the Area South Committee allocate funds from the Transport Schemes budget as a contribution towards the Yeovil Car Parking Review. This review will assist with the delivery of Yeovil Refresh.

Public Interest

A key aspect of the improvements required to Yeovil town centre is to ascertain the optimum location and arrangements to provide good quality and convenient car parking. The Yeovil Car Parking Review is a key strand of work within the Yeovil Refresh that can proceed in early 2018.

Recommendation

That members support the request to ring fence £10,000 from the Area South Transport Schemes budget towards the Yeovil Car Parking Review.

Background

The Yeovil Refresh recommends that South Somerset District Council (SSDC) undertake a rationalised Car Parking Strategy and concludes that such a rationalisation “is essential to establish an optimal car park solution for Yeovil and in turn underpins a number of other projects. It should be progressed immediately.”

SSDC officers agree that a review that sets out a planned approach to rationalise and improve the efficiency and accessibility of Yeovil’s existing dispersed town centre car parks would be appropriate. The review should also identify where existing car parks can be released for development, where car parks can be enhanced to improve their attractiveness for the user, and where directional signage and legibility can encourage and deliver an improved experience for visitors to the town.

Car Park Review

In light of the recommendations within the Refresh document, SSDC’s Transport Officer has commenced work to draft a comprehensive brief for the Car Parking Review and the Area Development Lead has identified £10,000 of unallocated funding within the Area South Transport Schemes budget that is eligible to be used as a contribution towards the cost of the review. However, due to the necessary tender process timescales and likely time required to carry out the work, the review will not be completed within the current financial year. If the Transport Schemes funding remains unallocated it will not be available in 2018/19. Therefore, the Area Development Lead recommends to the Committee that the £10,000 of available funding is allocated to the Car Parking Review and that the Area Development Lead submits a carry forward request to that effect at the end of the current financial year.

Financial Implications

There is currently £11,450 of unallocated funds within the Area South Transport Schemes budget, if the allocation of £10,000 is agreed; it will leave £1,450 unallocated for the 2017/18 financial year.

Council Plan Implications

The development of Yeovil town centre assists the council in meeting several of its corporate objectives including:

- Lobbying for and support infrastructure improvements to enable growth.
- Capitalise on our high quality culture, leisure and tourism opportunities to bring people to South Somerset.
- Progress key infrastructure projects that unlock development
- Progress options to improve access/regeneration of Yeovil Town Centre.

Carbon Emissions & Climate Change Implications

None directly from this report.

Equality and Diversity Implications

None directly from this report.

Background Papers

None

Agenda Item 9

Hardington Mandeville Parish Council Grant Request (Executive Decision)

Communities Lead: Helen Rutter, Communities
Service Manager: Natalie Fortt, Area Development Lead (North & South)
Lead Officer: James Divall, Neighbourhood Development Officer
Contact Details: james.divall@southsomerset.gov.uk or (01935) 462261

Purpose of the Report

For members to consider the request for a community grant from Hardington Mandeville Parish Council towards a new accessible parking bay.

Public Interest

Community grants are available in each area to voluntary and charitable organisations, not-for-profit groups, Parish or Town councils and other organisations that benefit the wider community. Applications are encouraged that meet a clearly identified local need.

Recommendation

That members consider this application for up to £1,925 from the community grants budget.

Background

Hardington Mandeville is a rural village 4 miles south west of Yeovil. The 2011 census states the population as being 585. The village is in the centre of farming country and there are a number of working farms in the parish.

Project

The project is to turn a wet, muddy lay bay section besides the highway next to St. Mary's Church into parking bays for people with mobility concerns. At present the area is not officially adopted by Somerset County Council and is used for its location at the rear of the church due to an accessible footpath supporting people with disabilities and mobility concerns. There are other parking facilities at the front of the church which supports car parking for both the church and the village hall but this area is not suitable for people with disabilities and mobility concerns (as highlighted in a recent access review from Access for All) due to its stepped entrance and narrow path.

The new bay will enable up to 3 cars to park next to the church and easy access the rear path to the church. The building is not only used for worship but also for social groups such as bell ringing, choirs, wedding, funerals, events and community meetings.

Somerset County Council have agreed to support on completion of the project under their maintenance responsibilities (accepted in their 171 licensing process) providing long term sustainability for the project investment.

Ward Member Comments

Ward Members are supportive of this project. The ward member commented that this extra parking bay will deliver a safe and easy access to both much used Village Community venues.

Assessment Scoring

Below is the summary table from the grant assessment form. It is recommended that funding is only awarded to projects scoring 22 points or more.

Category	Score	Maximum score
A Eligibility	Y	
B Equalities Impact	6	7
C Evidence of Need	2	5
D Capacity of Organisation	10	15
E Financial need	3	7
F Innovation	2	3
<i>Grand Total</i>	23	37

Funding Breakdown

Funding Sources	% Funding of the Total Cost	Amount of Funding (£)	Status
Parish Council	25	1000	Secured
Anonyms donor (grant)	7.5	300	Secured
Church & local fundraising	17.5	650	Pending
SSDC Area South Grants	50	1925	This application
Total Project Cost	100%	3,950	

Financial Implications

The uncommitted 2017/18 grants budget stands at £10,230. If members agree this award of £1,925, it will leave £8,305 remaining in the budget.

Grant Conditions

The grant would be subject to all the standard grant conditions.

The grant offer would be made based on the information provided in the application form and would represent up to 50% of the total project costs (the final payment may be reduced if the costs of the total project are less than originally anticipated, however payment will not exceed the grant amount approved at committee).

Corporate Priority Implications

Health and Communities

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

- Help people to live well by enabling quality cultural, leisure, play, sport and healthy lifestyles facilities and activities.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None.

Equality and Diversity Implications

The project is all about providing more accessible and safe parking for vulnerable people living in and visiting the parish.

The project will establish a new parking area for people with accessibility concerns to be able park, and access local community facilities such as the church and the community hall.

The project has had an access audit from Access for all and they are very supportive of the project.

Background Papers: None

Agenda Item 10

West Coker Commemoration Hall Grant Request (Executive Decision)

Communities Lead: Helen Rutter, Communities
Service Manager: Natalie Fortt, Area Development Lead (North & South)
Lead Officer: James Divall, Neighbourhood Development Officer
Contact Details: james.divall@southsomerset.gov.uk or (01935) 462261

Purpose of the Report

For members to consider the request for a community grant from West Coker Commemoration Hall for new accessible facilities within their community building.

Public Interest

Community grants are available in each area to voluntary and charitable organisations, not-for-profit groups, Parish or Town councils and other organisations that benefit the wider community. Applications are encouraged that meet a clearly identified local need.

Recommendation

That members consider this application for up to £2,370 from the community grants budget.

Background

Community buildings play a crucial role in local communities as a focal point for community activity and a base for local groups. They also play a valuable role in building the capacity of local communities, encouraging active citizenship and developing social cohesion. Community buildings help to make communities stronger and healthier. Community facilities also allow better access to services, this is particularly important in a large geographic district like South Somerset that has poor transport links in some areas and low car ownership.

Project

West Coker Commemoration Hall has established a refurbishment plan to enhance the user environment of the facility and provide more sustainable and efficient running costs for the other facilities. Recent projects have included a new boiler, new kitchen facilities and a digital inclusion project that has supported training and learning but also Wi-Fi accessibility in the hall.

After a recent access review on the 16th March 2016 the management committee added accessibility and DDA compliance to the plan installing hearing loops as well as a project to develop a new accessible entrance and improved accessible toilet facilities for users.

The committee has obtained 3 quotes and has District Councillor support and the project has been supported by an 'Access for All' access review.

Ward Member Comments:

Ward Member is supportive of the project.

Assessment Scoring

Below is the summary table from the grant assessment form. It is recommended that funding is only awarded to projects scoring 22 points or more.

Category	Score	Maximum score
A Eligibility	Y	
B Equalities Impact	6	7
C Evidence of Need	4	5
D Capacity of Organisation	12	15
E Financial need	4	7
F Innovation	2	3
<i>Grand Total</i>	28	37

Funding Breakdown

Funding Sources	% Funding of the Total Project Cost	Amount of Funding (£)	Status
West Coker Parish Council	11	500	Secured
West Coker Village Fund	11	500	Secured
West Coker Carols in the Square	6	300	Secured
West Coker Commemoration Hall	22	1070	Secured
SSDC (Area South)	50	2370	This application
Total Project Cost	100%	4,740	

Financial Implications

If the Hardington Parish Council grant (previous agenda item) is approved the uncommitted 2017/18 grants budget would be £8,305. If members agree this award of £2,370, it will leave £5,935 remaining in the budget.

Grant Conditions

The grant would be subject to all the standard grant conditions.

The grant offer would be made based on the information provided in the application form and would represent up to 50% of the total project costs (the final payment may be reduced if the costs of the total project are less than originally anticipated, however payment will not exceed the grant amount approved at committee).

Corporate Priority 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.

Environment

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

- Support communities to develop local, parish and neighbourhood plans.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None.

Equality and Diversity Implications

This project is all about improving equality and accessibility across the community and enabling everyone to be able to access and use the community facilities in West Coker.

The hall has received an access audit highlighting improvements needed – which in turn has formed the action plan needs for the hall.

Although the access to the building still needs to be completed the toilet facilities will make a big difference in meetings users' needs in the hall.

Background Papers: None

Agenda Item 11

Yeovil4Family Grant Request (Executive Decision)

Communities Lead: Helen Rutter, Communities
Service Manager: Natalie Fortt, Area Development Lead (North & South)
Lead Officer: James Divall, Neighbourhood Development Officer
Contact Details: james.divall@southsomerset.gov.uk or (01935) 462261

Purpose of the Report

For members to consider the request for a community grant from Yeovil4Family for the provision of on-going important family support programs across Yeovil.

Public Interest

Community grants are available in each area to voluntary and charitable organisations, not-for-profit groups, Parish or Town councils and other organisations that benefit the wider community. Applications are encouraged that meet a clearly identified local need.

Recommendation

That members consider this application for up to £5,000 from the community grants budget.

Background

Yeovil4Family is a Charitable Incorporated Company (CIO) working under the umbrella of Yeovil Community Church. Yeovil4Family is a family support project set up in response to the fact that some families in our community are in need of additional support.

Yeovil4Family is hosted by Yeovil Community Church and works in partnership with the local council and key agencies. Their role is to provide link workers and volunteer mentors, (if appropriate) to work alongside isolated families and individuals in South Somerset. This work has seen Yeovil4Family play a key part in the local council's response to the national government initiative to positively impact families with complex needs in Britain (the DCLG Troubled Families Agenda). Yeovil4Family works with all types of families and individuals regardless of faith, gender, race, disability, marital status, social class, age or sexual preference.

Project

In the last 12 months Yeovil4Family have run a successful pilot programme with vulnerable adults in partnership with SSDC which has now been commissioned.

Yeovil4Family is negotiating long term funding starting from September 2018 but there is a funding gap between the end April and September 2018. This grant and the contributions from other grants listed below will enable these essential services to continue.

Officer Comments:

Alice Knight (Welfare & Careline Manager):

Yeovil4Family are invaluable. Over the past 2 years we have commissioned them to do floating support for single people at risk of homelessness and also families needing support for up to a year. Their unique model of Link Worker and trained volunteer mentor offers long term, valuable support which is not available through any other provider in South Somerset.

In particular we have seen results in terms of sustaining tenancies/preventing homelessness, improved life skills, employment, training, volunteering, education and budgeting skills. They have more recently developed specific expertise around helping people struggling with Universal Credit claims.

With family support they are one of the few organisations who visit people in their homes and work across agencies rather than in silos. They have helped improve education attendance; parents address drug and alcohol issues, climb out of debt problems and manage their lives on a day to day basis or order they can participate in their local community.

I would say they have become one of the essential support agencies available in South Somerset.

On another note they support volunteering both through their mentor programme (currently have 18 trained mentors) and volunteering opportunities for young people within the wider Gateway community.

Assessment Scoring

Below is the summary table from the grant assessment form. It is recommended that funding is only awarded to projects scoring 22 points or more.

Category	Score	Maximum score
A Eligibility	Y	
B Equalities Impact	6	7
C Evidence of Need	4	5
D Capacity of Organisation	11	15
E Financial need	3	7
F Innovation	2	3
<i>Grand Total</i>	26	37

Funding Breakdown

Funding Sources	% Funding of the Total Cost	Amount of Funding (£)	Status
Parish Council	0	0	No Application
Own Funds (Yeovil4Family)	6	1,860	Secured
Yarlington Housing Association	40	11500	Secured
SSDC (Area South)	17	5000	This application
<i>Funding GAP</i>	<i>27</i>	<i>7500</i>	
Total Project Cost	100%	28,860	

Financial Implications

If the Hardington Parish Council and West Coker Commemoration grants (previous agenda items) are approved the uncommitted 2017/18 grants budget would be £5,935. If members agree this award of £5,000, it will leave £935 remaining in the budget.

Grant Conditions

The grant would be subject to all the standard grant conditions.

The grant offer would be made based on the information provided in the application form and would represent up to 50% of the total project costs (the final payment may be reduced if the costs of the total project are less than originally anticipated, however payment will not exceed the grant amount approved at committee).

Corporate Priority Implications

High quality cost effective services

In order to protect front line services we will:

- Work with partners to achieve economies, resilience and influence.

Homes

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

- Enable people to live independently for as long as they are able.

Health and Communities

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

- Support communities so that they can identify their needs and develop local solutions.
- Target support to areas of need.
- Work with partners to tackle health issues such as diabetes and hypertension.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

Providing local access to a range of activities and services reducing the need to travel which therefore reduces carbon emissions.

Equality and Diversity Implications

Case studies support and evidence how the project has and will continue to support a range of families and individuals with high needs (*mentally, physically, financially and socially*). There is a proven track record and clear evidence (including Cost Benefit Analysis) of how it supports both family and individual need with national and local policies and efficient working & budgeting.

Large scale training systems have been incorporated for volunteers and paid staff.

Background Papers: None

Agenda Item 12

Area South Committee Forward Plan

Communities Lead: Helen Rutter, Communities Lead
Service Manager: Natalie Fortt, Area Development Lead - South
Agenda Co-ordinator: Jo Boucher, Case Services Officer – Support Services
Contact Details: jo.boucher@southsomerset.gov.uk or (01935) 462011

Purpose of the Report

This report informs Members of the agreed Area South Forward Plan.

Recommendations

Members are asked to:-

1. Comment upon and note the proposed Area South Forward Plan as attached at Appendix A.
2. Identify priorities for further reports to be added to the Area South Forward Plan, developed by the SSDC lead officers

Area South Committee Forward Plan

The forward plan sets out items and issues to be discussed by the Area Committee over the coming months.

The forward plan will be reviewed and updated each month, by the joint lead officers from SSDC, in consultation with the Area Committee Chairman. It is included each month with the Area Committee agenda, where members of the Area Committee may endorse or request amendments.

Members of the public, councillors, service managers, and partners may request an item is placed within the forward plan for a future meeting, by contacting the Democratic Services Officer.

Background Papers

None

Appendix A

Notes

- (1) Items marked in *italics* are not yet confirmed, due to the attendance of additional representatives.
- (2) For further details on these items, or to suggest / request an agenda item for the Area South Committee, please contact the Democratic Services Officer; Jo Boucher.

Meeting Date	Agenda Item	Background/ Purpose	Lead Officer
4th April 2018	Area South Development Update Report	Update on the work carried out by the Area South Development Team and progress on activities and projects contained within the ADP	Natalie Fortt, Area South Development Lead
	Area South Development Plan 2017/2018	Area South Development Plan 2017/18 and financial outturn.	Helen Rutter, Assistant Director (Communities)/Natalie Fortt, Area Development Lead - South
	Historic Buildings at Risk	Confidential report on the Historic Buildings at risk within Area South.	Rob Archer, Conservation Manager & Andrew Tucker Conservation Officer
2nd May 2018	Somerset Highways – maintenance programme	A six monthly update report on the current and expected highways maintenance programme in Area South	Mike Fear, Assistant Highway Service Manager, South Somerset Highways
	Strategic Key Sites within Area South	Section 106 update report on the Strategic Key Sites within Area South	Neil Waddleton, Section 106 Officer
6th June 2018	Appointment of Working Groups & Outside Bodies	Annual Report	Jo Boucher, Committee Administrator
	Scheme of Delegation	Annual Report	Jo Boucher, Committee Administrator
	Community Safety- Yeovil One Team	Community Safety Update Report	Natalie Fortt, Area Development Lead - South
TBC	One Public Estate Programme	Update report	Nena Beric, Project Manager

Agenda Item 13

Planning Appeals (For information)

Director: Martin Woods, Service Delivery
Lead Officer: Martin Woods, Service Delivery
Contact Details: martin.woods@southsomerset.gov.uk or (01935) 462071

Purpose of the Report

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

Recommendation

That the report be noted.

Background

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.

Appeals Received

Ward: Yeovil Central

Proposal: The replacement of 11 windows and 1 door to first and second floor flats.

Appellant: Mr Hasson Sabeh

Site: 125 – 129 Middle Street Yeovil Somerset BA20 1NA

Ward: Brympton

Proposal: The erection of a boundary fence (Retrospective)

Appellant: Miss Nina Ward

Site: 247 Larkhill Road Yeovil BA21 3LL

Appeals Allowed

Ward: Coker

Proposal: Removal of existing garage and erection of a detached dwellinghouse.

Appellant: Mr & Mrs B Delves

Site: Coker Firs 141 West Coker Road Yeovil BA20 2HH

Appeals Dismissed

Ward: Yeovil Without

Proposal: The erection of 3 No. new dwellings, formation of new vehicular access and parking.

Appellant: Mr & Mrs Doble

Site: Land Adjacent Oak Tree Cottage Marsh Lane Yeovil Somerset BA21 3BZ

Financial Implications

None

Implications for Corporate Priorities

None

Other Implications

None

Background Papers: Planning application files



Appeal Decision

Site visit made on 4 December 2017

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 February 2018

Appeal Ref: APP/R3325/W/17/3180420

Coker Firs, 141 West Coker Road, Yeovil BA20 2HH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Barry Delves against the decision of South Somerset District Council.
 - The application Ref 17/01396/FUL, dated 23 March 2017, was refused by notice dated 15 June 2017.
 - The development proposed is removal of existing garage and construction of a detached single dwellinghouse.
-

Decision

1. The appeal is allowed and planning permission is granted for removal of existing garage and construction of a detached single dwellinghouse at Coker Firs, 141 West Coker Road, Yeovil BA20 2HH in accordance with the terms of the application, Ref 17/01396/FUL, dated 23 March 2017, subject to the conditions set out in the attached schedule.

Application for costs

2. An application for costs was made by Mr and Mrs Barry Delves against South Somerset District Council. This application is the subject of a separate decision.

Procedural Matter

3. After viewing the appeal site with the main parties I carried out unaccompanied visits to Nos 2, 2a and 4 Nash Lane to make an assessment of the proposal from the gardens of those properties.

Main Issues

4. The main issues in this case are:
 - a) the effect of the proposal on the character and appearance of the area; and
 - b) the effect on the living conditions of the occupiers of Nos 2 and 2a Nash Lane, with particular reference to outlook, privacy, daylight and sunlight.

Reasons

Character and appearance

5. The appeal site is located approximately 100 m to the east of the Bunford Hollow Roundabout. It was formerly part of the residential curtilage of Coker Firs, but I note that this property has been sold separately and renamed as The Oaks.

6. This stretch of West Coker Road on its south side, between Nash Lane and Placket Lane, is characterised by large detached houses in spacious plots set back from the road behind a wooded frontage. Those mature trees forward of No 141 are protected by a Tree Preservation Order. A number of dwellings are glimpsed through their driveway entrances but the built form is very much secondary to the sylvan setting.
7. The proposal would replace an existing double garage. The residential plot created as a result of severing this parcel of land would be narrower than others to the east but this would not be noticeable to the casual observer and I do not consider that it would be read as being out of character. The new house would be set back from West Coker Road in line with No 141 and it would be positioned off the side boundaries. The development would therefore sit comfortably within its plot without appearing unduly cramped. The existing treed frontage would continue to screen the site from the majority of public views and the street scene would be largely unaffected.
8. Accordingly, I conclude that the proposal would not cause material harm to the character or appearance of the area. It would comply with Policy EQ2 of the South Somerset Local Plan (2006-2028) (LP) insofar as it seeks high quality design which respects local area context and character.

Living conditions

9. The garage on the appeal site is elevated above bungalows in Nash lane and its windows afford views over the gardens to these properties. The proximity of the building to the boundary and the presence of overlooking windows have a particular impact upon 2a Nash Lane.
10. The proposed development would wrap around the footprint of the garage, the area formerly occupied by this building becoming part of the garden for the new property. Although taller than the garage, the dwelling would be positioned further from the boundary and forward on the plot. The net effect would be to pull the built form away from the patio area belonging to No 2a.
11. The windows in the rear elevation of No 2a already look out onto fencing at a higher level and coniferous planting along parts of the boundary. These features would provide screening for the development. That is not to say the dwelling would be completely hidden from view. It would still be visible from surrounding gardens. However, visibility is not an indicator of harm. Given my observations, I am not persuaded that the development would be overbearing or that it would lead to a material reduction in daylight or sunlight for the neighbours. Any adverse impacts would be minor and they would be offset by the improvements to privacy and outlook arising from the removal of the existing garage.
12. The new dwelling would not have any windows in the side gable elevation facing toward No 2a. First floor openings in the rear wall are marked on the plans as being obscurely glazed and this could be secured using a planning condition. As such, there would be no material loss of privacy for adjoining residents.
13. I therefore conclude that the appeal scheme would not have an unacceptable adverse impact on the living conditions of the occupiers of bungalows in Nash Lane. There would be no conflict with the requirement of LP Policy EQ2 that proposals should protect the residential amenity of neighbouring properties.

Other Matters

14. Planning permission was granted for a dwelling on the site in 2010¹. This permission lapsed prior to implementation. The latest proposal is on a slightly different footprint but is of similar design, albeit it has a wider side wing to accommodate an integral garage and larger bedroom above. The Council argues that the previous proposal was assessed under different policies but LP Policy EQ2 and its predecessor, Policy ST6 of the former local plan, are substantively similar in requiring development to respect its context. Whilst I acknowledge the lack of a fallback position, the planning history lends support to the principle of a dwelling on this site.
15. Concerns have been raised in relation to surface water drainage. There is no firm evidence to demonstrate that a sustainable drainage scheme would not operate effectively on the site. Even if soakaways were problematic, attenuation methods could be used in conjunction with a mains solution. A surface water drainage scheme can be secured by condition to mitigate the risk of flooding.
16. The proposed development would share an existing vehicular access onto West Coker Road. The Highway Authority is satisfied that this arrangement would provide a safe means of access to the development and I have seen nothing to persuade me to the contrary. The access is wide enough for two vehicles to pass within the entrance and visibility for exiting vehicles is satisfactory.
17. I note the concerns regarding the impact on television reception and subsidence arising from building works. No technical evidence is provided to support these objections but they would be civil matters in any event.
18. Although the appellant owns a parcel of land to the rear of No 141 this does not form part of the appeal scheme. Any future development proposals for that site must be considered in the context of a fresh planning application.
19. All other matters referred to in the representations have been taken into account, but no other matter is of such strength or significance as to outweigh the considerations that led me to my conclusions.

Conditions

20. The Council has suggested various conditions in the event that I am minded to allow the appeal. I have considered each against the six tests set out in paragraph 206 of the National Planning Policy Framework and advice contained within the Planning Practice Guidance (PPG). Where necessary I have adjusted the wording to improve precision and enforceability.
21. In addition to the standard commencement condition, it is necessary to attach a condition to define the plans with which the scheme shall accord. This will provide certainty regarding the scope of the permission. In the interests of protecting the character and appearance of the area a condition is required to secure details of external materials and other aspects of the design.
22. For the same reason, and to protect privacy and outlook for adjoining residents, a condition is necessary to secure the implementation of a scheme of tree and shrub planting. A separate condition is required to ensure that existing trees are protected during the construction phase.

¹ Council Ref. 10/04538/FUL

23. To prevent overlooking of neighbouring properties, a condition is needed to secure the obscured glazing shown on the approved plans. To ensure that privacy is not infringed by future alterations it is necessary to remove permitted development rights for new windows and openings in the side and rear elevations of the dwelling. Having regard to the relationship of the site to adjoining properties it is also reasonable to remove permitted development rights for extensions and outbuildings, in order that the effect on neighbours can be considered by the Council.
24. Although the Council argues that permitted development rights for hard surfacing should be removed to prevent flooding, the same objective can be achieved via a condition requiring the submission of a scheme of surface water drainage and the implementation and retention of measures approved under this scheme.
25. The plans show parking and turning for two vehicles in accordance with the Council's standards. A condition is required to secure provision of these areas, in the interests of highway safety.
26. The site lies near an area known to contain a Romano-British settlement from which various artefacts have already been recovered. An archaeological watching brief is therefore needed to ensure that any discoveries during the course of the development are recorded.
27. The removal of the existing garage would offset the impact of the new dwelling. A condition is therefore required to secure this part of the scheme and enable the Council to control finished site levels.

Conclusion

28. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Robert Parker

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3944/SD01 Rev A.
- 3) No development shall commence until a foul and surface water drainage scheme, incorporating Sustainable Drainage (SuDS) principles and rainwater harvesting, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first occupation of the dwelling and permanently retained and maintained thereafter (including any areas of porous surfacing where these are integral to the surface water drainage scheme).
- 4) No development shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been first submitted to and approved by the local planning authority in writing.
- 5) No development shall be carried out above ground floor slab level unless details of the following (including samples where requested) have been submitted to and approved in writing by the local planning authority:
 - a) materials for all external walls and roofs;
 - b) materials, colour and finish for all external windows and doors;
 - c) depth of window and door reveals;
 - d) eaves and verge treatment;
 - e) rainwater goods; and
 - f) all boundary treatments.

Development shall be carried out in accordance with the approved details and retained as such thereafter.

- 6) Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures shall be submitted to and approved in writing by the local planning authority. The scheme shall be prepared by a suitably experienced and qualified arboricultural consultant in accordance with British Standard 5837: 2012 'Trees in relation to design, demolition and construction' and it shall include details relating to specially engineered hard-surfacing and the installation/routing of any required below-ground utility services. The approved tree protection requirements shall be implemented in full prior to any of the aforementioned activities taking place and they shall remain in place for the duration of the construction of the development.

- 7) The dwelling hereby approved shall not be occupied unless there has been submitted to and approved in writing by the local planning authority, a scheme of tree and shrub planting. The scheme shall specify the use of UK-provenance planting stock, the planting locations, numbers of individual species, sizes at the time of planting, details of root-types/volumes, e.g. whether "cell-grown" or "container-grown" and the approximate date of planting. The installation details regarding ground preparation, staking, tying, strimmer-guarding and mulching shall also be included within the scheme.
- All plantings and installations comprised in the approved details shall be carried out within the first planting season following the occupation or completion of the development, whichever is sooner; and if any trees or shrubs which within a period of five years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the local planning authority gives written consent to any variation.
- 8) The dwelling hereby approved shall not be occupied until the driveway turning area has been laid out in accordance with the details shown on the approved plans and surfaced in a material to be first agreed in writing with the local planning authority. This area shall be kept clear of obstruction at all times and shall not be used other than for access, parking and turning in connection with the development hereby permitted.
- 9) The dwelling hereby approved shall not be occupied until the existing garage has been removed and the site and the levels restored in accordance with details to be first submitted to and approved in writing by the local planning authority.
- 10) The dwelling hereby approved shall not be occupied until the first floor windows serving the bathroom and bedroom 3 in the rear (south) elevation have been fitted with obscured glass and in the case of the bedroom 3 window shall be fixed shut and in the case of the bathroom window installed as per the approved plan so the top half of the window is a top hung opening. The windows shall be permanently retained and maintained in this fashion thereafter.
- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings shall be formed in the side and rear elevations of the building, without the prior grant of planning permission.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling or garages/outbuildings erected on the site without the prior grant of planning permission.

---- END ----



Appeal Decision

Site visit made on 11 January 2018

by Thomas Bristow BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th February 2018

Appeal Ref: APP/R3325/W/17/3182434

Land North of 129 Marsh Lane, Yeovil, Somerset BA21 3BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Doble against the decision of South Somerset District Council.
 - The application Ref 17/00474/FUL, dated 2 November 2016, was refused by notice dated 17 March 2017.
 - The development proposed is described on the application form as the 'erection of 3No dwellings, consisting of 1No two bedroom dwelling & 2No three bedroom dwellings'.
-

Decision

1. The appeal is dismissed.

Preliminary matters

2. I have noted the planning history here, appeal Ref APP/R3325/A/11/2155079 in particular (dated 6 September 2011, the '2011 appeal'). However the size of the site, the number and design of dwellings proposed, and the planning policy context have changed significantly since 2011.
3. Moreover each proposal must be determined on its particular merits in accordance with the development plan unless material considerations indicate otherwise. The development plan includes policies of the South Somerset Local Plan 2006-2028 (adopted 5 March 2015, the 'LP'). I have taken account of other relevant material considerations including the National Planning Policy Framework ('NPPF').
4. I understand that a hedgerow at the appeal site may have, at some point previously, been removed outwith the provisions of the Hedgerows Regulations 1997. However South Somerset District Council ('SSDC') explain within their officer report associated with the application that this matter was 'closed down' in 2012. SSDC do not pursue any argument in this respect at appeal.

Policy context

5. Amongst other provisions, LP policy EQ2 'General development' sets out that development should conserve and enhance landscape character and reinforce local distinctiveness. The NPPF similarly establishes that planning should recognise the intrinsic character and beauty of the countryside, that it is appropriate to seek to reinforce local distinctiveness and to protect valued landscapes (paragraphs 17, 60 and 109). These aims of the NPPF are not void where protective landscape designations are absent (as is the case here).

6. SSDC explain that at present their future housing land supply of deliverable sites amounts to approximately 4 years and 4 months. This is short of the five years required by NPPF paragraph 47 ('5YLS'). With regard to paragraph 49 of the NPPF, relevant policies for the supply of housing must therefore be considered out of date. However this does not apply to LP policy EQ2, as it does not relate primarily to the supply of housing (albeit that it may have some indirect effect in this respect).
7. In the absence of a 5YLS, however, paragraph 14 of the NPPF nevertheless establishes that planning permission should be refused only where any adverse impacts of proposed development would significantly and demonstrably outweigh its benefits. I have approached the appeal on this basis.

Main issue

8. Against the context above, I consider the main issue to be the effect of the development proposed on the character and appearance of the area.

Reasons

9. The appeal site is an irregular, untended, and essentially open parcel of land to the north of No 129 Marsh Lane. It has a frontage to Marsh Lane of approximately 54 metres (compared to a frontage of approximately 30 metres in the 2011 appeal). Aside from a northern sliver of land related to securing access visibility, it has a depth relative to Marsh Lane of between approximately 12 to 16 metres (compared to a depth of approximately 8.5 metres in the 2011 appeal).
10. From certain vantage points, the three dwellings proposed would be visible in conjunction with existing properties along Marsh Lane. However the short ribbon of properties along Marsh Lane northwards of Combe Street Lane itself projects into the rural environs of Yeovil. Visually, properties fronting Combe Street Lane represent the limit of the main consolidated built form of the town in this direction.
11. Aside from No 129, the immediate surroundings of the appeal site are essentially rural in character. Other than access to, and gardens associated with, two dwellings on the opposite side of Marsh Lane, land nearby is predominantly a patchwork of agricultural fields demarcated by established hedgerows and trees, with only occasional buildings present.¹ As the appeal site has a significantly longer site frontage than depth, the dwellings proposed would primarily be seen in conjunction with the rural surroundings of the appeal site rather than in connection with other dwellings.
12. I observed that the appeal site is, moreover, relatively prominent within the landscape. Broadly the topography rises from the area around Yeovil Marsh towards Combe Street Lane. This results in a distinctive and largely open rural setting to the town, which is readily apparent from an arc of vantage points towards the north-east and north-west of the appeal site. This area is described in the Council's Peripheral Landscape Study of Yeovil (published in 2008, the

¹ As noted by the inspector in relation to the 2011 appeal, the boundary of the plots of properties on the opposite side of Marsh Lane to the appeal site is demarcated by mature beech hedging. This remains present, and, combined with the generous set-back of Nos 130 and 132 from Marsh Lane, means that residential development to the east of the appeal site is not readily apparent.

'PLS') as the Yeovil North escarpment. In its present state the appeal site is consistent with its rural surroundings, and the development proposed would be visible both from nearby and certain more distant vantage points.

13. On account of its openness, the appeal site moreover enables expansive views of the landscape broadly towards the north which, as identified above, forms a significant part of the rural setting of Yeovil. Whilst the PLS is not part of the development plan, in a similar vein to my reasoning above it likewise identifies that the landscape towards the north of Yeovil here is a valuable element of the town's setting. I also note that many nearby residents place considerable importance on local landscape character. In this context the dwellings proposed would be clearly detrimental to character and appearance, not only by reducing the natural qualities of the appeal site but also by obscuring certain expansive views that are currently present.
14. Notwithstanding that the dwellings proposed would primarily be seen in connection with the surrounding landscape, in overall scale, height, and building line they would be broadly consistent with others along Marsh Lane. Their intended set-back from Marsh Lane behind a verge, low wall and footpath would mean that they would be arranged in a manner which largely reflects that of other properties nearby (an arrangement differing from that proposed via the 2011 appeal).
15. Whilst I acknowledge that there is some variety in the plot size of properties along Marsh lane, three dwellings within the appeal site, which remains relatively narrow, would represent a notably greater level of density than is characteristic of the area. Aside from Nos 121 and 123, a pair of historic semi-detached properties, the prevailing pattern of development nearby is of detached properties set in more spacious plots than the proposed dwellings (as is the case of Nos 127, 128a and 129 close by). In my view the incongruous level of residential density proposed would accentuate the effect of the proposal on the surrounding landscape and its visual harm.²
16. I therefore conclude that the development proposed, by virtue of resulting in incongruous development within an essentially natural and open site which contributes significantly towards landscape character, would have a substantial detrimental effect on the character and appearance of the area. Retained or augmented boundary screening, as the appellants have proposed, would do little to mitigate such effects given that this would only partially obscure the proposed dwellings from view (and may itself reduce the characteristic sense of openness here). The proposal therefore conflicts with the relevant provisions of LP policy EQ2 and with the approach in paragraphs 17, 60 and 109 of the NPPF.

Planning balance

17. As set out initially, relevant policies for the supply of housing must be considered out of date. However, whilst I acknowledge that LP policy HG5 'Achieving a mix of market housing' relates to an acknowledged need for 2 or 3 bedroom properties of the type proposed in this instance, the relevance of the

² I also note that the residential density now proposed, 3 dwellings within a plot of approximately 54 metres frontage would be comparable with that proposed in the 2011 appeal (one dwelling within a plot of approximately 30 metres frontage), which the previous inspector found contributed towards visual harm.

absence of a 5YLS is largely that the proposal would make a small numerical contribution to housing stock.

18. The NPPF sets out that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously. This is effectively reiterated in LP policy SD1 'Sustainable Development'. Three new homes in this location would entail some social and economic benefits, notably in supporting employment during construction and as future occupants would make use of services and facilities in the area.
19. However the social and economic benefits of three new homes would inevitably be modest, particularly set against the minimum LP housing requirement of 15,950 dwellings over the plan period (of which 7,441 relate to Yeovil).³ Moreover neither the support in the LP nor NPPF for the provision of new housing is at the expense of ensuring that all development is appropriately located and integrates suitably with the character and appearance of its surroundings. Therefore, for the above reasons, the substantial harm arising in respect of the main issue in this case would significantly and demonstrably outweigh the qualified benefits of the proposal.

Conclusion

20. For the above reasons, and having taken all other relevant matters into account, the proposal conflicts with the development plan taken as a whole and with the approach in the NPPF. I therefore conclude that the appeal should be dismissed.

Thomas Bristow

INSPECTOR

³ LP policies SS4 'District-Wide Housing Provision' and SS5 'Delivering New Housing Growth'.