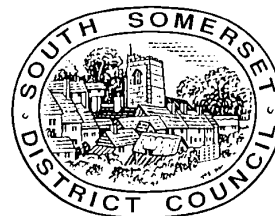


South Somerset District Council

Notice of Meeting



Area South Committee

Making a difference where it counts

Wednesday 5th September 2018

2.00 pm

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

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



The following members are requested to attend this meeting:

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

Consideration of planning applications will commence no earlier than **2.45pm**.

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 Friday 24 August 2018.

Alex Parmley, Chief Executive Officer

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



INVESTORS IN PEOPLE

Information for the Public

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

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

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

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

Meetings of the Area 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 5 September 2018

Agenda

Preliminary Items

1. Minutes of previous meeting

To approve the minutes of the meeting held on 4th July 2018.

2. Apologies for absence

3. Declarations of Interest

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

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

Planning Applications Referred to the District Council's Regulation Committee

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

Councillors Peter Gubbins, Mike Lock, Tony Lock and David Recardo.

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 Western Corridor Update** (Page 6)
8. **Radio Ninesprings Grant Application (Executive Decision)** (Pages 7 - 11)
9. **Area South - Draft Strategic Priorities 2019/20** (Pages 12 - 14)
10. **Area South Committee Forward Plan** (Pages 15 - 16)
11. **Planning Appeals (For information)** (Pages 17 - 23)
12. **Schedule of Planning Applications to be Determined by Committee** (Pages 24 - 25)
13. **Planning Application: 18/00176/REM - Land at Bunford Hollow, West Coker BA20 2HE** (Pages 26 - 45)
14. **Planning Application: 18/01122/FUL - Great Western Hotel, 47 Camborne Grove, Yeovil BA21 5DG** (Pages 46 - 53)
15. **Planning Application: 18/01743/FUL - 12 Roping Road, Yeovil, Somerset BA21 4BD** (Pages 54 - 57)

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 Western Corridor Update

*Contact Details: Andy Coupe, Somerset County Council
ajcoupe@somerset.gov.uk*

Somerset County Council's Strategic Manager Infrastructure Programmes (Andy Coupe) will attend the meeting to give a quarterly update on the Yeovil Western Corridor Improvements.

Agenda Item 8

Radio Ninesprings Grant Application (Executive Decision)

<i>Strategic Director:</i>	<i>Alex Parmley, Chief Executive Officer</i>
<i>Communities Lead:</i>	<i>Helen Rutter</i>
<i>Service Manager:</i>	<i>Natalie Fortt, Regeneration Programme Manager</i>
<i>Lead Officer:</i>	<i>David Crisfield, Specialist – Strategic Planning</i>
<i>Contact Details:</i>	<i>David.crisfield@southsomerset.gov.uk</i>

Purpose of the Report

To consider funding towards the cost of setting up the new community radio station Radio Ninesprings.

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 support this application for up to £11,675 from the Area South Capital Grant allocation.

Background

Radio Ninesprings is a Community Radio station, established as a Company Limited by Guarantee and a registered charity. Its charitable purpose is to advance the education and training of the inhabitants of Yeovil and district of South Somerset in radio production, broadcasting and media skills techniques.

Community radio stations typically cover a small geographical area with a coverage radius of up to 5km, and are run on a not-for-profit basis. They can cater for whole communities or for different areas of interest such as a particular ethnic group, age group or interest group. For example, there are stations which cater for urban or experimental music, while others are aimed at younger people, religious communities or the Armed Forces and their families. They can also bring community benefits such as training and community news and discussion. They are a third tier of radio broadcasting in addition to commercial and BBC broadcasting. They raise income through advertising/programme sponsorship, training, events, and funds given by public bodies. They are 'not for profit' and their output is influenced by the communities they serve.

Evidence of Need

Consultation regarding the need and support for a Community Radio station for Yeovil has been extensive. In total presentations were made to 18 town and parish councils, including Yeovil Town Council. All 18 supported the principle of a community radio station and 12 backed their support with funding.

Further consultation included an open-to-all public meeting on the 7th May 2014 at the Courtyard Café, Market St, Yeovil. This was attended by:

South Somerset Voluntary Community Association (now Spark)
The Hub
Yeovil Chamber of Commerce
Yarlington Housing Group
South Somerset MIND
Yeovil Foundation Learning Partnership
Fairmead School
Somerset Sight
Yeovil College
Battens Solicitors
Yeovil Live magazine
Pathways

Radio Camelot
Yeovil Town FC
Westland (now Leonardo)
Yeovil Arts Association
South Somerset District Council (Pauline Burr)
RNAS Yeovilton
Yeovil Youth Council
Yeovil U3A
Yeovil Operatic Society
The Well Being of Yeovil
Shopmobility

Further presentations were made to the following groups and schools in order to establish levels of support.

Yeovil Chamber of Commerce
Lynx2business
Dorvile Business Group
South Somerset MIND
Yeovil Rotarians
Schools - Bucklers Mead, The Park, Stanchester and Preston
All media students at Yeovil College

A 28 day internet radio station experience was run from a studio set-up in the Quedam in March 2016. In addition to providing valuable work experience for 26 media students from Yeovil College (without which there would have been nowhere else in Yeovil for them to gain that level of experience) the students expressed a strong desire for Radio Ninesprings to become a permanent facility. It also provided an opportunity for the public to provide feedback.

Letters of support to Ofcom were also provided by David Laws MP in April 2014, and Marcus Fysh MP on the 14th October 2015 and SSDC leader Cllr Ric Pallister.

Finally 24 individuals and organisation submitted comments in support of the Ofcom licence application.

It is also worth noting that a number of Somerset's major towns have their own licenced community radio stations. Taunton has two community radio stations, plus BBC Somerset, and there are licenced community stations in Bridgwater, Frome, Glastonbury, and Dulverton. A new licensed community station for Minehead launches later this year. Yeovil is the notable exception to this.

The very fact that Ofcom has awarded Yeovil a licence for a community radio station is itself a demonstration that the need for the town the size and importance of Yeovil to have a community radio station has been properly established.

Project

In November 2017 Radio Ninesprings was awarded a 5-year FM community radio licence by Ofcom with the aim to begin broadcasting by the early autumn of 2018. Also, whilst the longer term aspiration is to broadcast across a wider South Somerset area the licence initially permits broadcasting within a 5km radius of the transmitter. The

transmitter will be located at Huish Park football ground. Radio Ninesprings has its main studio and offices at Waterloo House in Westminster Street Yeovil and with a further studio facility located at Yeovil College. It is for these reasons that the project is deemed to be a predominantly Area South project.

During its development phase Radio Ninesprings has been active in the local community making recordings of local events. These have included the Mayor of Yeovil's Civic Service, meetings of South Somerset District Council, public meetings in Yeovil held by Avon and Somerset Police and Crime Commissioner, school Christmas Carol Concerts, local musicians who performed on the 'Introducing Stage' at the Yeovil Show and the provision of public address system at Westfield's Community Gala Day.

In February 2018, Radio Ninesprings completed the Westland100 Oral History project with funding from the Heritage Lottery Fund. This involved making a film about the Westland World Helicopter Speed Record and recording interviews/oral histories with former Westland employees. A website featuring all 32 oral histories was launched and CD copies of the oral histories placed in Yeovil Library.

Radio Ninesprings is being developed in three stages. Stage 1 is complete and with the current levels of funding available, is now completing stage 2 with enough equipment provided for the radio station to soft launch at the end of September. The end date for completion of the whole project is 31 March 2019 whereby the station will be fully equipped and able to deliver the promises in their application to Ofcom and able to meet their 'social gain' commitments, by which Ofcom will measure performance.

If this application is supported in full, the £49,000 funding target will be met and the stage 3 work will be able to commence and complete by the March 2019 deadline.

Having successfully raised just over 75% of the project costs (in both cash and 'in kind' donations) from a range of charitable, public and commercial bodies this application represents the final 25% of the total project costs and will ensure the project is able to complete and become fully functioning.

With regards to the ongoing annual running costs of c£7,000 (PRS/PPL/Ofcom Licences; software licence; rent for Waterloo House and utilities) these will be raised predominantly through 'on air' advertising revenues and programme sponsorship. Rent for the studio at Yeovil College will be an ongoing 'in kind' contribution as is the costs of locating the transmitter at Huish Park. The ongoing running costs have been kept to a low level by negotiating discounted rates for services in return for offering the businesses that provide those services with complimentary on-air advertising.

It has been agreed by the 4 Directors/Trustees that none would claim fees. However, under their articles of association, directors can be paid fees for delivering media training or for providing professional /expert services in situations where it would be prudent to use them rather than buy them in from outside.

Whilst the original request was for £12,500 (the maximum permitted by our community grants policies) additional funding has been secured since the application was first submitted so that the total outstanding amount required is now only £11,675.

It is recommended therefore to award a one-off capital grant of up to £11,675 or 25% of the total project costs.

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	3	7
C Evidence of Need	4	5
D Capacity of Organisation	13	15
E Financial need	6	7
F Innovation	2	3
<i>Grand Total</i>	28	37

Funding Breakdown

Project Costs are as follows

Adaption of premises to radio studio including signage	£5,000
FM Transmitter	£11,000
Telecoms, IT, associated broadcast equipment	£21,000
1-yr running costs PRS/PPL/Ofcom/Adobe/rent/utilities	£7,000
Website and hosting for 1-yr	£4,000
Total: £48,000	

Income (cash and 'in-kind') secured towards the project is as follows

Jones Building Group (Sound Proofing Premises)	£2,500
Walter Walls Carpets (Premises)	£600
Celador (Studio Equipment)	£12,000
Yeovil Football Club (Year 1 running costs)	£2,000
Avon and Somerset Police Crime Commissioners	£1,000
Yarlington Housing at £3,000	£3,000
Town and parish councils at £5,225 <ul style="list-style-type: none"> • Yeovil Town Council £1,000 • Parish Councils £4,225 	£5,225
Awards for All' Big Lottery at £10,000	£10,000
Total: £36,325	
Shortfall of income over expenditure (this application)	£11,675

Financial Implications

As part of the Area South Capital Programme, members agreed to ringfence £25,000 a year to support larger capital community projects. The uncommitted 2018/2019 capital grant allocation stands at £45,000. If members agree this award of £11,675 it will leave £33,325 available for other community projects.

Grant Conditions

In addition to the standard grant conditions, it is also proposed to attach the following special condition to the grant award in order to satisfactorily address the issue of accessibility and the participation of disabled people as per Radio Ninesprings Equality Policy.

1. That the final fitting out of the studio facility at Yeovil College will ensure accessibility for disabled (mobility and sight impaired) volunteers who are interested in becoming presenters or technicians. Advice on such things as lighting, desk heights etc. to be obtained from SSDC's partner Access for All.

The grant offer would be made based on the information provided in the application form and would represent up to 25% 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 and Climate Change Implications

None.

Equality and Diversity Implications

The current premises in Westminster Street are not accessible but this project will ensure that the studio facility at Yeovil College is accessible for disabled (mobility and sight impaired) volunteers who are interested in becoming presenters or technicians.

Background Papers

None

Agenda Item 9

Area South – Draft Strategic Priorities 2019/20

Service Manager: Jan Gamon, Lead Specialist Strategic Planning
Lead Officers: Jan Gamon, Lead Specialist Strategic Planning.
Anna Maria Lenz, Specialist, Strategic Planning (East/South)
Tim Cook, Locality Manager
Contact Details: anna-maria.lenz@southsomerset.gov.uk

Purpose of the Report

To present the draft strategic priorities for Area South as agreed at a workshop in July 2018.

Public Interest

The new operating model will be introduced in January 2019 and the way that area priorities are identified and resourced will change. The Committee's priorities will become a chapter of the council plan with resources pulled from across the organisation in Area + teams. This report gives a summary of the draft strategic priorities agreed at a previous workshop and details of the next steps.

Recommendation

That members agree the Area South priorities to be presented to District Executive for consideration for inclusion in the Council Plan.

Background

The Area+ proposal states that "The Council will become strategy led and data informed", which puts the annual strategic planning process at the heart of driving delivery in the Areas.

The Area+ Implementation plan sets out the new way of addressing area priorities and details how resources will be allocated from across the organisation to improve area working.

Area Plans will be developed for adoption as chapters of the Council Plan in February 2019 and will 'go live' in April of that year. The SLT Sponsor for each area will have an overview of the emerging Area Plans.

Draft priorities were identified by members of Area South at a workshop after the July meeting of the committee.

Draft Strategic Priorities for Area South

The four key priorities identified by members of Area South include the following:

1. Community: Including aspects such as addressing issues of isolation loneliness, deprivation, poverty, crime and healthy lifestyles
2. Youth Facilities including repair of existing facilities and the need for a concrete skate park or pump track
3. Permeability: Traffic Flow through the town and the need to make it easier for pedestrians and cyclists to navigate through the town
4. Economic Development: Supporting key business and employers

Additional discussion points not categorised as priorities included Community Transport, tourism, infrastructure and the Birchfield Group.

Further work on developing these priorities will take place in collaboration with the chair of the committee.

Next Steps

The process and timescale for the adoption of area priorities as council priorities are as follows.

- 1st Oct: Meeting with Strategic Leadership Team (SLT) to share the draft set of 'Priorities On a Page's' (POPs) and seek their input
- 4th Oct: Initial workshop with District Executive
- 1st Nov: District Executive review of final set of POPs, agree priorities for inclusion on Council Plan
- Draft Council Plan then goes through SLT, Scrutiny and District Executive during November.

The SLT sponsor for Area South is Martin Woods who will be an advocate for the Area Plan through the adoption process and maintain an overview of progress. The SLT sponsor will provide high level input into the development of Area Plans making sure that they contribute towards the broader aims of the council and take account of relevant regional and national policy.

Resourcing Area Plans

Identifying the resources needed to deliver the Area Plans will need to be done as an integral part of the planning process.

Area+ teams

Area+ teams can begin to be established as soon as the details of the Area Plans are known. Input from Specialists will be needed in the development of the Area Plans, which will help to build familiarity with the priorities. However, many people will not start new roles until January 2019 and the transition period will have an impact on when teams can make a start on delivery.

Budgets

Work will be required to align the area budgets and available resources (capital programme, S106, etc.) with the new Area Plans. There needs to be recognition that resources are finite and will be allocated according to need. Any new work will be assessed in order to establish relative priorities.

Financial Implications

There are no new financial implications arising directly from this report.

Corporate Priority Implications

The priorities have been developed taking into account the SSSC Corporate plan priorities.

Carbon Emissions and Climate Change Implications

This is considered on an individual project and programme basis as appropriate. The overall priority is to seek to create more balanced communities where people can live, work and get access to the services and facilities they need on a daily basis. Area working (Area+) helps to improve access to facilities, activities and services, reducing the need to travel.

Equality and Diversity Implications

This is considered on an individual project and programme basis as appropriate. All Area Plans will have an Equality Impact Assessment.

Background Papers

Area+ proposal, Area + Implementation Plan

Agenda Item 10

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
3rd October 2018	Yeovil Refresh and One Public Estate Programme	Update report	Helen Rutter, Communities Lead
	Heart of Wessex Rail Partnership	Annual report of the work undertaken by the Heart of Wessex Rail Partnership during 2017/18	Helen Rutter, Communities Lead
7th November 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
5th December 2018	Citizens Advice South Somerset (CASS) Presentation	Presentation from Citizens Advice South Somerset	Angela Kerr, CEO or Kim Watts Client Services Manager, CASS
	Yeovil Western Corridor Update Presentation	Quarterly update presentation from SCC on the Yeovil Western Corridor Improvements	Andy Coupe, SCC Strategic Manager Infrastructure Programmes
2nd January 2019		<i>Please note this meeting will only be held if there are planning applications to be determined</i>	
TBC	<i>Future demand and requirements for Education in Yeovil</i>	<i>To discuss future demand and requirements for education, in particular the requirement for future secondary school places.</i>	Somerset County Council, Education
	<i>Yeovil Crematorium</i>	<i>Presentation on the refurbishment/design of the Crematorium.</i>	Chris Cooper, Environment Services Manager

Agenda Item 11

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

None

Appeals Allowed

Ward: Yeovil Without
Proposal: The erection of a boundary fence (Retrospective)
Appellant: Mr Mark Burwood
Site: 59 Birchfield Road, Yeovil, Somerset BA21 5RW

Ward: Yeovil Without
Proposal: Alterations and conversion of garage to provide ancillary accommodation
Appellant: Mr & Mrs J Casey
Site: 30 Trent Close, Yeovil, BA21 5XQ

Financial Implications

None

Implications for Corporate Priorities

None

Other Implications

None

Background Papers: Planning application files



Appeal Decision

Site visit made on 4 July 2018

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 July 2018

Appeal Ref: APP/R3325/D/18/3199168

59 Birchfield Road, Yeovil, Somerset, BA21 5RW

- 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 Mark Burwood against the decision of South Somerset District Council.
 - The application Ref 17/04424/FUL, dated 15 November 2017, was refused by notice dated 3 January 2018.
 - The development is the erection of a boundary fence.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a boundary fence at 59 Birchfield Road, Yeovil, Somerset, BA21 5RW in accordance with the terms of the application Ref 17/04424/FUL, dated 15 November 2017.

Preliminary matter

2. The boundary fence subject of the appeal has already been constructed and the appellant, in effect, wishes to retain it. I shall proceed on this basis.

The main issues

3. The main issue is the effect of the proposal on the character and appearance of the locality.

Reasons

4. The appeal property stands at the junction of Birchfield Road and Bucklers Mead Road within a relatively modern residential estate. The appeal property's frontage onto Birchfield Road is unenclosed, but judging from the submitted photographs, that onto Bucklers Mead was formerly partly enclosed along the back of footpath by a leylandii hedge, inlaid by a timber fence. The hedge was removed some time ago and a new fence erected in its place, along the back of footpath and into the curtilage, on the line of the former hedge.
5. The fence, where it adjoins the highway is approx. 1.8m high, which as the Council says is 0.8m above that which would fall to be considered as permitted development. However, most of the two branches of the fence running back

towards the house would comprise permitted development, since they are not adjacent to the highway.

6. As the Council says, a hedge grows on the opposite corner on the junction, and most of the nearby gardens are fairly open in character. However, further

Appeal Decision APP/R3325/D/18/3199168

along Bucklers Mead Road to the north-west several residential curtilages, or parts thereof, have been enclosed by timber fences of a similar height to that subject of appeal. In these circumstances, the fence subject of the appeal could not be said to be wholly uncharacteristic of the locality.

7. It strikes me that the appellant did not require planning permission to remove the hedge, and having done so, he could have left the old timber fence in place. Taking that factor into account, it seems harsh to me, to refuse permission for moving the new fence less than 500mm towards the highway. This is especially so given that the fence has drawn no objection from the highway authority, the Town Council or any local resident.
8. Taking the wider spatial context and all other factors into account, it appears to me that the Council has somewhat exaggerated the visual impact of the fence.
9. On balance therefore I conclude that the fence is not a wholly uncharacteristic feature of the locality and has not harmed its character and appearance. Accordingly the development does not materially conflict with that requirement of policy EQ2 of the South Somerset Local Plan designed to ensure that new development respects local context and reinforces local distinctiveness.
10. Since the development is complete the Council's suggested condition that it be built in accordance with the approved plans is unnecessary. No other conditions are necessary.
11. All other matters raised in the representations have been taken into account but none outweigh the considerations that led me to my conclusions.

9 (Powys Jones
INSPECTOR



Appeal Decision

Site visit made on 7 August 2018

by **M Allen BSc (Hons), MSc, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 August 2018

Appeal Ref: **APP/R3325/D/18/3204201** **30 Trent Close, Yeovil BA21 5XQ**

- 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 J Casey against the decision of South Somerset District Council.
 - The application Ref 18/00244/FUL, dated 19 January 2018, was refused by notice dated 16 March 2018.
 - The development is the conversion and alteration of an existing garage to provide ancillary accommodation.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion and alteration of an existing garage to provide ancillary accommodation at 30 Trent Close, Yeovil BA21 5XQ in accordance with the terms of the application, Ref 18/00244/FUL, dated 19 January 2018, and the plan referenced 3908/A01.

Procedural matter

2. The parties agree that the external alterations to the garage have already been undertaken and so I have considered the appeal on that basis. Since the appeal was submitted the Government has published a new National Planning Policy Framework (the Framework). In relation to the main issues in this appeal, Government policy has not materially changed. As such, the cases of either side have not been prejudiced.

Main Issues

3. The main issues raised are the effects of the development on (i) the character and appearance of the area and (ii) the living conditions of the occupiers of 32 Trent Close, with particular regard to outlook, light and sunlight.

Reasons

Character and appearance

4. The site occupies a position at the end of the residential estate road, which is only generally visible from close quarters. The appeal building is also set back from the edge of the carriageway. Therefore, whilst the building is set forward of the principal elevation of the host dwelling it does not occupy a prominent position within the streetscene. Moreover, although the mansard roof is larger than the previous pitched roof, given that the building is tucked away at the

end of the cul-de-sac, it does not appear overly dominant within the streetscene. Furthermore, whilst the mansard design feature is not otherwise present within the vicinity, the building still retains the overall proportions of a domestic sized single garage and its visual appearance is therefore not wholly at odds with its residential surroundings. I therefore find that the building as altered is acceptable within its context and as such does not have an adverse effect on the character and appearance of the area. Consequently in respect of this issue the development accords with policy EQ2 of the South Somerset Local Plan (2015), which seeks to promote local distinctiveness and to preserve or enhance the character and appearance of the district. The scheme would also not conflict with the design aims of the Framework.

Living Conditions

5. The building is located adjacent to the boundary with the neighbouring property of 32 Trent Close (No 32). There is an area of substantial landscaping to the front of No 32, some of which at the time of my site visit exceeded the height of the appeal building. There is also a significant separation between No 32 and the building (both parties refer to a separation of approximately 11 metres). Given these factors, the building does not have an overbearing effect on the outlook from No 32 and, despite its position to the south of No 32, it does not materially affect sunlight or daylight levels reaching next door.
6. Concern has also been raised by another interested person in respect of the effect on the living conditions of occupiers of dwellings to the east of the site, although this is not referred to in the Council's reason for refusal. However in this respect, the building is set away from the boundaries with these properties and at a sufficient distance so that the building, whilst being visible from these properties, would not result in an overbearing effect or any significant loss of light.
7. Consequently I consider that the scheme would not result in unacceptable living conditions for the occupiers of neighbouring properties and the development accords with policy EQ2 of the South Somerset Local Plan (2015), which seeks to ensure development respects local context, in this respect. The amenity protection aims of the Framework would also be satisfied.

Other Matters

8. I am aware that planning permission was granted to convert the garage and the development was not carried out in accordance with the approved plans. However, the planning system does allow for planning permission to be sought retrospectively. Such schemes should be considered on the basis of their planning merits irrespective of the unauthorised background. Therefore, while local concerns about this aspect of the proposal are noted, they have very little bearing on the outcome of the appeal.

Conditions

9. I have considered the condition suggested by the Council, requiring the building to only be used for purposes ancillary to the main dwelling and that there should be no subdivision of the single dwelling. However, use of the building for purposes other than ancillary to the dwelling, as well as the subdivision of the dwelling so as to create separate planning units would be

development requiring a further grant of planning permission. As such the condition is not necessary.

Conclusion

10. For the reasons above, the appeal should succeed.

Martin Allen

INSPECTOR

Agenda Item 12

Schedule of Planning Applications to be determined by Committee

Director: Martin Woods, Director - Service Delivery
Service Manager: Simon Fox, Lead Specialist - Planning
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 South Committee at this meeting.

Recommendation

Members are asked to note the schedule of planning applications.

Please note: Consideration of planning applications will commence no earlier than 2.45pm.

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

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
13	COKER	18/00176/REM	Application for Reserved Matters following approval 13/01869/OUT to include approval of appearance, landscaping, layout and scale for the erection of 97 dwellings	Land at Bunford Hollow, West Coker BA20 2HE	Kier Living Limited
14	YEOVIL EAST	18/01122/FUL	Change of use of former public house to 8no flats with associated internal, external works and parking	Great Western Hotel, 47 Camborne Grove, Yeovil BA21 5DG	Kenika Properties
15	YEOVIL CENTRAL	18/01743/FUL	Erection of single storey rear extension to dwelling	12 Roping Road, Yeovil, Somerset BA21 4BD	Mrs Jusna Hussain

Further information about planning applications is shown below 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 had been prepared.

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 13

Officer Report on Planning Application: 18/00176/REM

Proposal :	Application for Reserved Matters following approval 13/01869/OUT to include approval of appearance, landscaping, layout and scale for the erection of 97 dwellings
Site Address:	Land at Bunford Hollow, West Coker BA20 2HE
Parish:	West Coker
COKER Ward (SSDC Member)	Cllr Gina Seaton Cllr Cathy Bakewell
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date :	18th April 2018
Applicant :	Kier Living Limited
Agent: (no agent if blank)	PCL Planning Ltd 1st Floor, 3 Silverdown Office Park Fair Oak Close Clyst Honiton Exeter, EX5 2UX
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

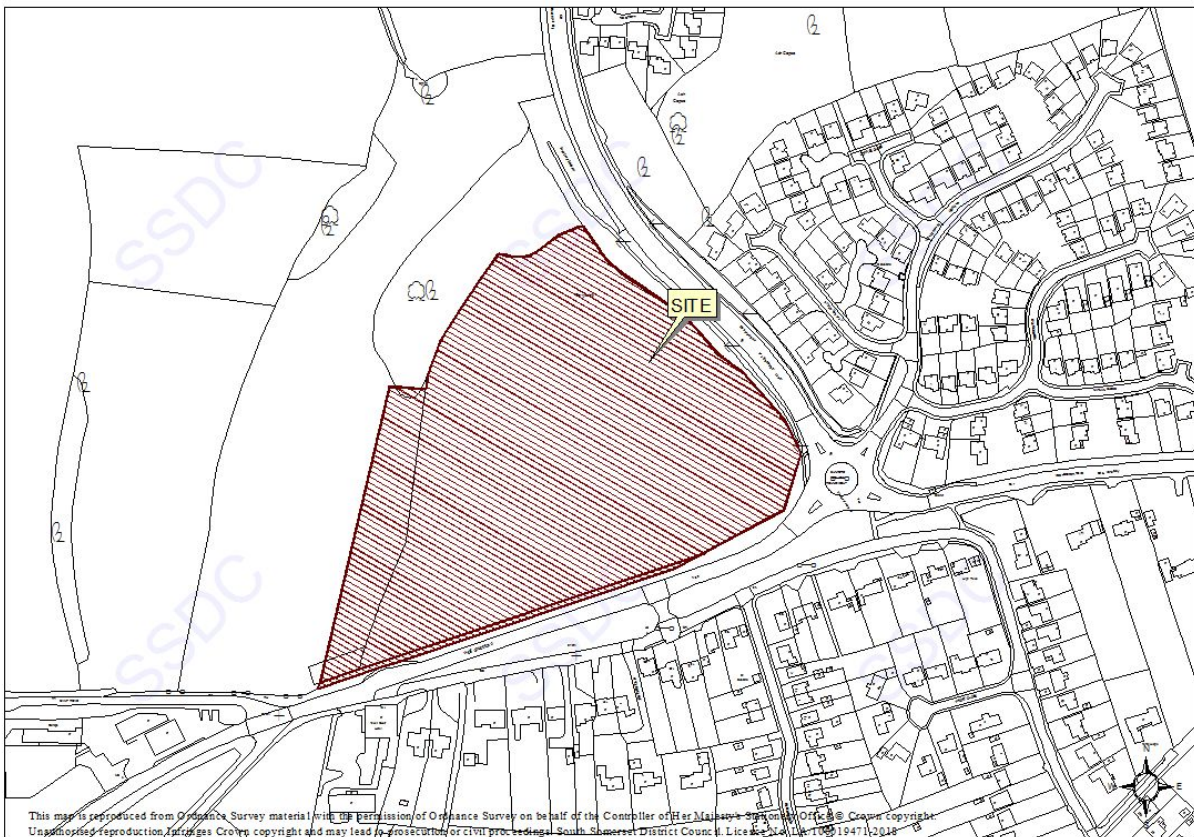
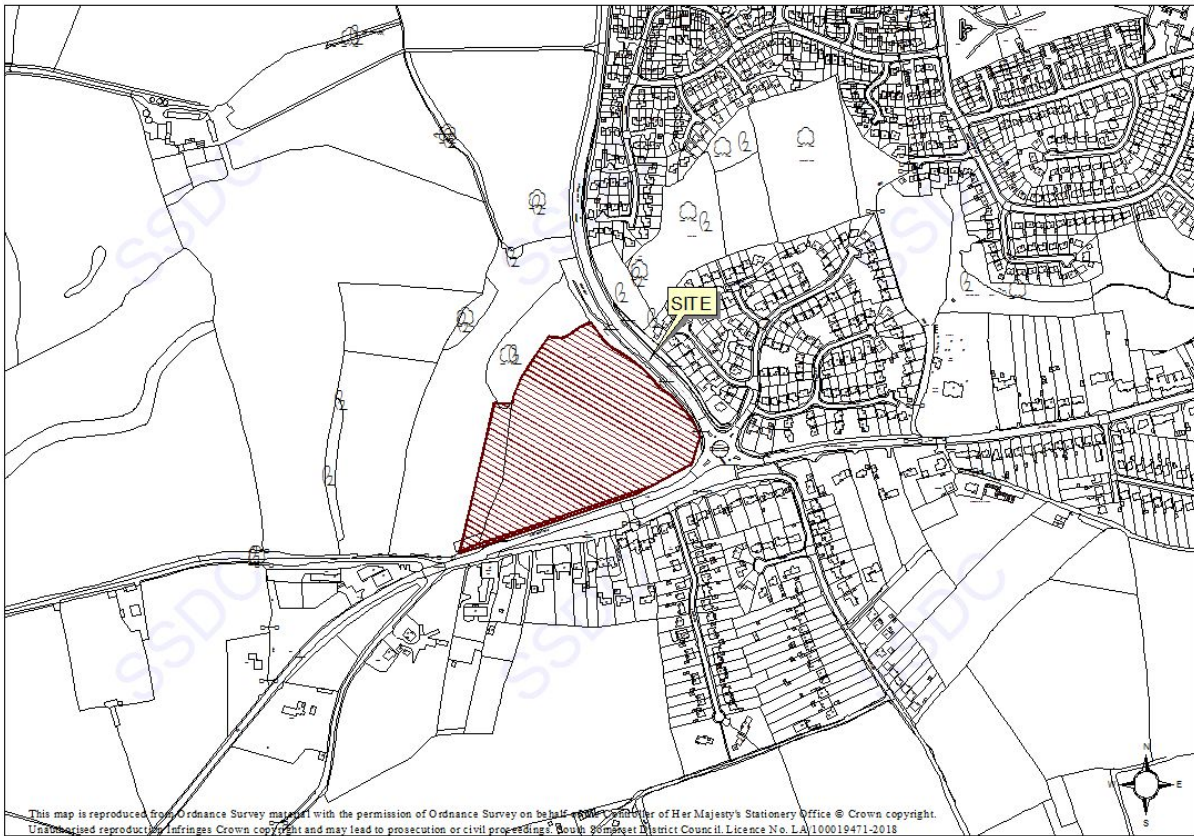
REASON FOR REFERRAL TO COMMITTEE

The application has been referred to committee by the Ward Members with the agreement of the Lead Specialist for Planning to allow discussion of the planning issues given that the outline application was considered by Area South.

This application has also been 2-starred under the Scheme of Delegation - referral of applications to the Regulation Committee for determination. In collective agreement with the Leader, Portfolio Holder, Area Chairs, Director (Service Delivery), Monitoring Officer, and Lead Specialist (Planning) all major applications will be 2-starred for the immediate future to safeguard the Council's performance, pending a more substantive review.

The Area Committees will still be able to approve and condition major applications. However, if a committee is minded to refuse a major application, whilst it will be able to debate the issues and indicate grounds for refusal, the final determination will be made by the Regulation Committee.

SITE DESCRIPTION AND PROPOSAL



The application site lies within West Coker parish and comprises an almost triangular agricultural field bordered by residential development at West Coker Road to the south, Bunford Hollow/Watercombe Lane to the east and by open countryside to the north and west.

Amounting to 4.26ha, the site, known as Bunford Heights, is relatively flat as far as the northern/western edge which falls away to an attractive coombe. Distant views can be achieved here through the open boundary to open countryside. A small woodland area is evident wrapping around the northern boundary, a linear woodland is evident to the east and to the south is hedging and trees.

A public footpath (Y 29/20) runs along the eastern/northern edge and through the woodland connecting West Coker Road to Bunford Hollow/Watercombe Lane.

Outline permission (13/01869/OUT) with all matters reserved for later approval except means of access, was approved in 2015 for residential development of the site. As part of the development the following was secured through a S106 agreement:

- i) The provision of Affordable Housing comprising 35% affordable housing split 67:33 in favour of social rent with access to further public subsidy.
- (ii) Community, Health Service and Leisure contributions towards outdoor playing space, sport and recreation facilities (as detailed in the consultations section of this report), all to the satisfaction of the Council's Community, Health and Leisure unit based on a formula of £6,350.41 per dwelling;
- (iii) The provision of the on-site LEAP and youth facilities, capital revenue contributions for developing and maintaining the facilities, with appropriate trigger points;
- (iv) The provision of landscaping and open space to include:
 - a) design standard (SSDC Landscape Design - A Guide to Good Practice and the Addendum thereto).
 - b) maintenance period
 - c) street trees
 - d) commuted sums
 - e) transfer
- (v) Enhancement of the bus stop (raised kerbs and DDA compliant) and provision of a bus shelter at the existing bus stop on West Coker Road, with a commuted sum for maintenance of the shelter;
- (vi) Residential travel plan and sustainable travel incentives;
- (vii) Education contribution towards to the provision of primary school places based on the formula of 30 places per 150 dwellings @ £12,257 per place with appropriate trigger points;
- (viii) Education contribution towards to the provision of secondary school places based on the formula of 30 places per 210 dwellings @ £18,469 per place with appropriate trigger points;
- (ix) Index linking of all financial payments,
- (x) A planning obligation monitoring fee (20% of the planning fee), and
- (xi) A financial contribution of £15,000 towards the Western Corridor Works (specifically the roundabout works to the bottom of Bunford Hollow/Lysander Road)

This is a Reserved Matters application dealing with all of the reserved matters (appearance, landscaping, layout and scale) for the erection of 97 dwellings. The proposed development will be accessed via a spine road from the A30 with a number of internal spur roads. The proposed density is 23 dwellings per hectare with areas of public open space and a children's play area and youth

facilities. The proposed housing is of a traditional vernacular style, between 2 and 2.5 storeys in height and to be constructed in a mix of red and buff brick with a small amount of rendered dwellings. Roofs would be natural slate or clay tiled. The plans have been amended in order to address the comments of Historic England.

The applicant has also submitted the following documentation in support of the application:

- Planning Statement
- Design and Access Statement
- Landscaping details - All for approval:
- Landscape masterplan (SPP 3012 P001 Rev C)
- Planting plan (SPP 3012 P 92 002)
- Drainage details:
- Surface water drainage strategy (C-05515-C-0110 Rev E)
- Foul water drainage strategy (C-05515-C-0111 Rev B)
- Exceedance run-off plan (C-05515-C-0112 Rev A)
- Drainage calculations
- Highways details:
- Transport Assessment
- Travel Plan - For approval
- Section 38 plan (C-05515-C-0105 Rev B)
- Vehicle tracking plan (C-05515-C-0106 Rev C)
- Statement of Community Involvement
- Arboricultural Impact Assessment (with Tree Protection Plan)
- Arboricultural Method Statement
- Woodland Management Plan
- Ecological Impact Assessment
- Supplementary ground investigations
- Heritage statement
- Noise assessment
- Construction Management and Phasing Plan (CMPP) and Construction Environmental Management Plan (CEMP)
- Sustainability letter

Whilst the plans currently show full provision of affordable housing, there is a pending application (18/00324/DPO) to vary the section 106 agreement to allow for a reduction in the number of affordable units on the site.

A small convenience store is located within the nearby service station to the east and the outline approval included improvements to general pedestrian/cycle access to this local facility. The same links will also improve access to the bus stop located on the north side of West Coker Road near the Camp Hill/Holywell junction.

The applicant has held a public consultation event and a statement of community involvement has been submitted with the application.

HISTORY

18/00324/DPO - Application to modify a S106 agreement between Abbey Manor Developments Ltd and Edward Nicholas Braybon Clive Ponsonby-Fayne and South Somerset District Council dated 6th November 2015 in relation to affordable dwellings. Pending - not yet determined.

13/01869/OUT - Residential development, associated landscaping, open space and new vehicular access. Approved 9/11/2015.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be 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, Yeovil is defined as a Strategically Significant Town and the prime focus for development in South Somerset.

Policy SS4 - District Wide Housing Provision

Policy SS5 - Delivering New Housing Growth

Policy SS6 - Infrastructure Delivery

Policy HG3 - Provision of Affordable Housing

Policy HG5 - Achieving a Mix of Market Housing

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy TA3 - Sustainable Travel at Chard and Yeovil

Policy TA4 - Travel Plans

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

Policy HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function.

National Planning Policy Framework - July 2018

Chapter 2 - Achieving sustainable development

Chapter 4 - Decision-making

Chapter 5 - Delivering a sufficient supply of homes

Chapter 8 - Promoting healthy and safe communities

Chapter 9 - Promoting sustainable transport

Chapter 11 - Making effective use of land

Chapter 12 - Achieving well-designed places

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

(Note: In September 2017 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. With regard to the new NPPF this advises that failure to show a five-year housing land supply or meet delivery targets will trigger the presumption in favour of sustainable development for housing applications. Footnote 7 of the finalised version says that the presumption in favour of sustainable development will apply to applications that include housing provision "where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, with the appropriate buffer, or where the Housing Delivery Test indicates that the delivery of housing was less than 75 per cent of the housing requirement over the previous three years".)

Planning Policy Guidance

Climate change

Conserving and enhancing the historic environment

Design

Natural Environment

Open space, sports and recreation facilities, public rights of way and local green space

Planning obligations

Travel plans, transport assessments and statements in decision making

Tree preservation orders and trees in conservation areas

Other

Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

West Coker Parish Council:

In response to original plans:

- *'The PC would like to see safe pedestrian access from Bunford Heights, across the A30 (on West Coker Road), towards Nash Lane / Helena Road direction - to give safe passage for those walking to Yeovil or to the Bus Stop.*
- *The PC would like to see safe pedestrian access from the development to Bunford Lane / Lysander / Trading Estate direction.*
- *The PC would like to see the proposed footpath removed from the top perimeter of the development - by Bunford Roundabout at the top of Bunford Lane, as they feel this is not the safest place for pedestrians - preferable to pick up on the pedestrian crossing from Nash Lane / West Coker Rd and cross onto Bunford Lane, rather than an additional crossing here. Point one above would make the current crossing accessible to pedestrians.'*

In response to amended plans:

'Just to let you know the Parish Council met last week to discuss the amendments in this application. The members agree the additional information on tree planting and design are good and have their support. If the Social Housing element is to be removed from this development then the PC would expect to see a good element of Social Housing included in the Bunford Hollow application.'

The PC is disappointed not to see amendments to the pedestrian crossing at the SE side of the development - as per our previous comments regarding this application.

Could you please amend the application details as the location is still stated as 'Bunford Hollow' when it should read 'Bunford Heights' and this is confusing to our members.'?

Yeovil Town Council (neighbouring parish):

Resolution: Approval.

East Coker Parish Council (neighbouring parish):

In response to original application:

'Please note for your records, East Coker Parish Council object to any application under reserved matters until such time as the social housing element of this development has been resolved.'

In response to amended application:

'Further to discussions with my Council, they would like to make the following comment;

East Coker Parish Council would re-affirm their decision of 15th February 2018 and would still wish to see the full amount of affordable and social housing as set out by Government.'

Highways Authority (Somerset CC):

Advise that the layout does not raise any significant highway safety concerns but there are some issues that the applicant will need to address should they wish to pursue adoption. Advise that the applicant also needs to be made aware of highways drainage issues and that these will need to be addressed. However, they do not wish to raise an objection and recommend the imposition of a number of conditions.

(Officer note: Some of the conditions proposed by the County Highway Authority have already been attached at the outline stage and so it would not be appropriate to repeat them on this reserved matters application.)

Archaeologist (SCC):

'As this is a reserved matter application there are no archaeological implications to this proposal. This is because the archaeological condition was placed on outline permission and the applicant has carried out excavation on the site and has agreed the funding for post-excavation analysis and publication. Therefore we have no objections to this current RM application on archaeological grounds.'

SSDC Conservation Officer:

In response to original plans:

Concurred with the comments of Historic England and raised issues regarding the layout and buildings design/materials.

In response to first set of amended plans:

'The Historic England comments still refer to a level of harm that will arise from the scheme. Some additional landscape mitigation has been put forward, but it hasn't gone as far as been suggested in terms of pushing the built edge right back and forming a proper extension to the existing woodland.'

In terms of the design of the scheme few of the observations I put forward previously have been accommodated, but I have still have many issues with the layout and plot design.

Therefore, taking no board the HE position, and the remaining concerns about the design proposed it would appear appropriate to refuse the current application; on the basis that any public benefits that arise do not outweigh the harm to the setting of Brympton d'Evercy.'

In response to the most recent set of amended plans:

Has verbally confirmed that the distancing of the dwellings from the western boundary has improved the impact on the setting of the heritage to enable the public benefits to outweigh the harm to the heritage asset.

Historic England:

In response to original application:

'Historic England Advice

Historic England has provided advice to your authority over a number of years regarding the south west expansion of Yeovil. Our advice has focused on the cumulative impact on the significance the designated heritage assets at Brympton d'Evercy derive from their settings of proposed schemes eroding the rural fringe of the town and the urbanising effect of development encroaching further beyond the A3088. In providing your authority with advice Historic England's specialist staff have visited the sites in question and viewed the proposed development areas from the surrounding landscape, including from the Grade I listed Brympton House (NHLE 1057261) and within the Grade II Registered Park and Garden (NHLE 1000506).*

Historic England also advises in general that in the delivery of any development consented in this part of the town your authority consider the opportunity presented for it to draw on the unique

character of the historic landscape in which it would sit, ensure that it meets the challenges associated with the need to avoid, minimise or appropriately mitigate any harmful impacts, and encourage a sensitive response to those historic surroundings in the detailing and quality of any consented schemes.

The current proposals comprise an application for reserved matters following outline approval of a scheme (13/01869/OUT) for the erection of 97 dwellings, to include approval of appearance, landscaping, layout and scale. Historic England previously assured that the proposed mitigation is sufficient to address the harm caused to your satisfaction.

Historic England's advice is provided in line with the importance attached to significance and setting with respect to heritage assets as recognised by the Government's National Planning Policy Framework (NPPF) and in guidance, including the Planning Practice Guidance (PPG), and good practice advice notes produced by Historic England on behalf of the Historic Environment Forum (Historic Environment Good Practice Advice in Planning Notes (2015)).

In Historic England's view the proposed scheme will be visible at the top of the hill to the south east of Brympton d'Evercy. We have previously discussed jointly with your authority and the applicant the opportunities to extend the tree line to mask the front of the development and welcome the incorporation of this in the most recent plans submitted. However we remain concerned that some elements of the development will intrude into views from the house and its registered landscape. In reviewing the proposals on site we identified that the plots with the highest potential for visibility appear in our opinion to be 88-93 and 95. We consider there may be opportunity to reduce the visual intrusion of the development further by setting it back behind the line of these plots as in earlier iterations of the proposed layout (August 2017 in Design & Access Statement). Notwithstanding this we welcome the fact that properties 90-92 under the current layout face over the intervening landscape and would encourage you to ensure that any development that will be visible from the designated heritage assets at Brympton d'Evercy is of high quality, responding sensitively to the character of the surrounding historic landscape.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

We recommend that your authority ensure you are satisfied, in consultation with your specialist conservation advisors, that you have sufficient information on the impact of the proposed layout and appearance of the consented scheme as well as in relation to the effect of the proposed mitigation to be convinced that all opportunities to avoid or minimise harm to designated heritage assets have been designed in. This will enable you to make your determination in accordance with the principles and policies set out under paragraphs 128, 129, 131 and 132 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.'

In response to first set of amendments:

'Historic England Advice

In Historic England's most recent advice of 16 February 2018 we advised that your authority should request visual confirmation (in the form of visualisations and/or photomontages) of the impact of the development in views from the designated heritage assets at Brympton d'Evercy to be assured that the proposed mitigation is sufficient to address the harm caused to your satisfaction. We also expressed our continued concerns that, despite the positive extension of the tree line to mask the

front of the development, some elements of the development will intrude into views from the house and its registered landscape. We advised that in reviewing the proposals on site we identified that the plots with the highest potential for visibility appear in our opinion to be 88-93 and 95 and that we considered there may be opportunity to reduce the visual intrusion of the development further by setting it back behind the line of these plots as in earlier iterations of the proposed layout (August 2017 in Design & Access Statement). In general we encouraged you to ensure that any development that will be visible from the designated heritage assets at Brympton d'Evercy is of high quality, responding sensitively to the character of the surrounding historic landscape.

The additional information submitted with specific reference to heritage matters comprises an addendum to the previously submitted Heritage Statement and a series of viewpoint analyses illustrating a single view of the development site from Brympton d'Evercy and associated changes in this view as a result of the development at 1, 5 and 20 years. A revised layout is included with explanations in various supporting documents and a revised Design and Access Statement. These documents indicate that the western edge of the development, a key issue in the comments of both Historic England and other consultees, has been pushed a few metres to the east to enable incorporation of an increased density of mitigation planting to reduce the long term visibility of the completed development in views from Brympton d'Evercy.

Historic England Position

We welcome the submission of visualisations to clarify the impact of the proposals on an example of views from within the Brympton d'Evercy estate illustrating the type of changes that would be experienced over time within its setting as a result of the development if consented. Having reviewed the additional submitted information we are still not convinced that further reduction in the harm caused could not be achieved by setting back the development behind plots 88-93 and 95 following the line of the western edge of development in the August 2017 scheme. We advise that your authority consider this when making your determination. Nevertheless, the amendments to incorporate an increased density of planting are welcomed. With the correct selection of species, taking a lead from the nature of the historic and existing planting in the surrounding ornamented agricultural landscape so that the additions appear as an extension to the existing scarp woodland, increased planting on the western edge has potential to help reduce the long term visual impacts in the view illustrated. This may not however, on the basis of the current submission, preclude all views of the development from within Brympton d'Evercy taking account of the impact of seasonal changes in visual permeability.

The photomontages also clearly demonstrate the harm that will be caused in the short term. The photomontages illustrate the change to the distinctive landscape feature formed by the green slope of the scarp up towards Camp and West Coker Roads. We remain of the opinion that this forms an important element within the ornamented agricultural land, being highly visible in views from the principle rooms at Brympton House. As a result the proposed development would, in our opinion, have a significant impact on this view through the intrusion, particularly in the short term, of modern development at the top of this slope and of the reduction in the visible extent of this landscape feature.

We do not agree with the applicant's assessment in the amended Heritage Statement that there will be no impact on the setting or heritage significance of the designated heritage assets at Brympton d'Evercy. Our view on the basis of this additional information has not changed. We remain of the opinion that the level of harm is, as we original assessed, within the range of less than substantial.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

Our concerns have been expressed previously and the applicant has responded and made some positive amendments to the scheme as a result. Historic England's position on the basis of the amended scheme is set out above with reference to key issues we recommend your authority give particular consideration to in discussion with your specialist conservation and landscape advisers

as part of your decision taking process.

It is for your authority to consider whether sufficient reduction in the harm caused has been made at the current time, and whether you consider the harm is outweighed by any public benefits arising from the proposed scheme. Since our remit does not extend to the planning balance [NPPF 134] that you must make taking account of all material considerations, we therefore recommend that you ensure you are satisfied, in consultation with your specialist conservation advisors and on the basis of our advice, that you have sufficient understanding of the impact of the amended proposals and appearance of the consented scheme as well as in relation to the effect of the amended mitigation to be convinced that all opportunities to avoid or minimise harm to designated heritage assets have been designed in. This will enable you to make your determination in accordance with the principles and policies set out under paragraphs 129, 131, 132 and 134 of the NPPF.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.'

In response to latest set of amended plans:

Historic England Advice

The additional information submitted comprises an amended site layout plan (drawing 1053-942-0101 Revision P4) on which plots 86-93 have been amended to move away from the western boundary on the basis of Historic England's previous advice. We welcome this amendment to the scheme and consider that this will help to reduce the harm caused by the proposed scheme in conjunction with the increased density of planting proposed on the same western boundary of the development. We refer you to our advice of 14 May 2018 in order to ensure that the approach to planting on that boundary is in keeping with the existing historic planting in the surrounding ornamented agricultural landscape.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

Our concerns have been expressed previously and the applicant has responded and made an additional positive amendment to the scheme as a result. Historic England's position on the basis of the amended scheme remains that it will cause a level of harm to the significance the designated heritage assets at Brympton d'Evercy derive from their settings, and we remain of the opinion that the level of harm is within the range of less than substantial.

It is therefore for your authority to consider whether sufficient reduction in the harm caused has been made at the current time, and whether you consider the harm is outweighed by any public benefits arising from the proposed scheme. Since our remit does not extend to the planning balance [NPPF 134] that you must make taking account of all material considerations, we therefore recommend that you ensure you are satisfied, in consultation with your specialist conservation advisors and on the basis of all of our advice in relation to the scheme, that you have sufficient understanding of the impact of the amended proposals and appearance of the consented scheme as well as in relation to the effect of the amended mitigation to be convinced that all opportunities to avoid or minimise harm to designated heritage assets have been designed in. This will enable you to make your determination in accordance with the principles and policies set out under paragraphs 129, 131, 132 and 134 of the NPPF.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.'

SSDC Landscape Architect:

In response to original plans:

'this proposal follows in the wake of the outline approval of application 13/01869 for 80 houses, to establish the principle of development to be acceptable. The application now before us seeks

consent for 97 dwellings.

From a landscape perspective, the development of the site was considered to be acceptable at outline stage, as it lays adjacent housing to the east and south that share the same general plateau location, to set it alongside a residential context, whilst there is an established tree presence to the north that provides visual enclosure, and relates to the wider scarp woodland that separates the housing off the West Coker road, from that of the main town to the north. The prime landscape sensitivity was identified as the open west boundary, and the potential for visual effects to impact upon views from the adjacent countryside, and Brympton House, circa 1.5km to the northwest.

The detailed layout that has now come forward offers a development that has a loose grain to its west side, whilst the eastern quadrant of the site is of a tighter urban grain, consistent with an urban site. Most of the development is 2-storey, but with the inclusion of some 3-storey units toward the site's southeast corner, adjacent the roundabout. This part of Yeovil is not characterised by 3 storey dwellings, and these taller dwellings will have some prominence, and present an emphatic built frontage to the scheme, at variance with its built surrounds. The 3-storey 'Norford', arranged in a block of four, has the capacity to be particularly dominant, not only in its immediate street environment, but also upon those houses that lay to the north of this block, and thus in its shadow. I consider the proposal will better respect the local residential context (as required by LP policy EQ2) if 3-storey elements are removed from the scheme.

The housing density at the west side of the site is more dilute, and appropriate to context. However, it is the treatment of the western edge that continues to raise issues:

- 1) The extent of the garden to plot 95 runs too far west, and both disrupts the edge line of the development, and reduces the capacity for additional tree planting along this edge. I would advise that it doesn't extend beyond the northward projection of the road line fronting plots 90-92, and that trees are included in this zone;*
- 2) The housing edge is designed to face west, thereby enabling greater control over house lighting and PD works along this outward facing edge. However, noting the proposed materials for plots 89-92 and 95, I am not persuaded that the incorporation of buff bricks (89, 95) will appear sufficiently subdued when viewing this housing edge from the west, nor can we be assured that the red brick elevations (90-92) will be sufficiently subdued to ensure a sense of recession that dull tones enable. Certainly we need to condition the need for prior approval of the materials, to ensure satisfactory control of this edge's finishes, though there is the option of a heather brown brick finish for these plots only. Slate roofs are acceptable.*
- 3) I had understood more land to be available for planting to the west of the scheme. Whilst I understand the intentions of the planting proposal, it is limited by virtue of the limited space available, and I am not convinced that there will be sufficient density of planting to suitably buffer this edge. I return to this issue later.*

The above comments relate to the likely visual effects of development as viewed from open countryside to the west, and Brympton House and garden. A heritage assessment has been submitted as part of the application, which considers the likely effects of this development upon this latter receptor, which acknowledges that.. 'fragmented but sustained views from Brympton RPG towards the Site may be possible from higher ground in the north-east corner of the parkland, and from the first floor of Brympton House at its east end ... but with mitigation of ...existing landscape screening; low density housing in the western half of the Site, particularly along the sensitive western boundary; and a wide western boundary easement with planting, comprising a double row of trees and native scrub ... the proposed development is predicted to offer no impact to the landscape setting of Brympton RPG and the group of designated assets contained therein'. Whilst I consider that the likely visual effects are likely to be no more than minor adverse before mitigation, I am not persuaded that the level of mitigation proposed will result in 'no impact'. To that end, it will be helpful for this to be demonstrated, as Historic England have requested. The option is to gain an agreement for off-site planting that wraps around the site as a continuation of the woodland belt to the north of the site, to create a feature that is a clear continuation of the scarp

woodland, to thus deflect prospect of the development, and negate any potential negative effect as viewed from Brympton House and garden.

A landscape proposal forms part of the submission, along with a woodland management plan. The landscape proposals are broadly acceptable, though I note that our tree officer has made a number of recommendations for change. All I would add, is that the west edge of the tree planting should utilise the species present in the woodland only - oak; beech and elm - to ensure coherence. The intention of the woodland management scheme is to maintain and enhance the woodland, and to ensure the successful natural regeneration of appropriate tree species within the woodland. Whilst this objective is essential to the success of the scheme, I note that its application is limited to the woody belt that runs alongside Bunford Hollow only, and the tree belt to the north - which has the main landscape role in visually and physically containing the site, lays outside site ownership. It is essential that this woodland is appropriately managed to ensure its longevity, and as with the off-site planting, I would like to explore the options available to us, to ensure this outcome.'

(Officer Note: The Landscape Officer has now retired and so there are no further comments from him in relation to the amended plans.)

Strategic Housing:

No comments received.

SSDC Ecologist:

In response to original plans:

Supported the views of the Tree Officer and Landscape Officer with regard to hedging, woodland management plan and Plot 95.

With regard to the ecology report and mitigation, the Ecologist broadly agrees with the conclusions and recommendations of the Ecological Impact Assessment. He advises that this didn't identify any particularly significant issues but there is some low potential for impact to relatively widespread species (e.g. badger and slow worm) and appropriate mitigation is included in the report. The Ecologist recommends a condition to deal with this issue.

The Ecologist further advises that para 118 of the NPPF expects development to deliver some enhancement for biodiversity and he therefore recommends a condition requiring submission of details of measures for the enhancement of biodiversity.

In response to amended plans:

Notes that a native hedge has now replaced the proposed beech hedge and this should be better for biodiversity and in landscape terms. Notes that Plot 95 now has a native hedge to link in with existing woodland but queries the 'easement'. Confirms support for the landscape planting plan but notes that the landscape master plan still refers to a beech hedge. Queries if existing hedge along southern boundary is retained/managed.

SSDC Tree Officer:

In response to original plans:

Expressed concerns about the removal of the roadside boundary hedgerow but welcomed removal of Cypress trees. Suggested coppicing of native hedge and supported beech hedge alongside retained hedgerow which contains young Oak trees. Suggested revisions to planting stock/details of planting/tree protection details/woodland management plan.

In response to updated details:

Confirms that the latest tree protection and woodland management details are most satisfactory but notes:

- Contradictory details between landscaping plans
- Suggest minor changes to proposed species of Malus and replacement of Salix with hazel

SSDC Rights of Way Officer:

'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 Y 29/20). I have attached a plan for your information.

The outline application ref. 13/01869/OUT made reference to a potential diversion of path Y29/20 but the path does not appear to have been diverted and therefore this development will obstruct the path.

Before we can respond to this application, we would like to see a proposed route of the diverted path shown on a plan by the applicant and clarification that the applicant has control of the land that the proposed alternative path will be located on.'

(Officer note: It is understood that an application will be made to divert the right of way, however, the requirement for a diversion does not prevent the determination of this application.)

SSDC Open Spaces Officer:

In response to original plans:

'The 'Landscape Planting Plan' identifies approximately 1.14ha of open space, an amount in excess of that required for a development of this size, which is pleasing to see.

We are encouraged by the inclusion of a green entrance and the design of this space has created a substantial and useable area of Public Open Space. Likewise, the inclusion of a centrally located area, which helps to break up the built form and provide a central point in the style of a village green which can be accessed by all residents, is an encouraging feature. We would like to see, however, this central area increased slightly to make more of a substantial and useable feature for the estimated 200+ plus residents of this site, and feel this could be easily done by decreasing the area along the southern boundary/entrance.

Additionally, because the development is on an escarpment, we would like to see more street tree planting to help further break up the built form.'

SSDC Environmental Protection Officer:

'Condition 9 of the approval 13/01869/OUT reads;

09. The application for approval of the reserved matters shall include a sound insulation scheme to mitigate traffic noise identified in the submitted Noise Assessment (SPL Acoustics-March 2013). Thereafter the scheme shall be fully implemented as part of the development and following its installation shall be permanently retained and maintained. The agreed scheme shall detail the following:

- Size and position of acoustic barriers.*
- Predicted effectiveness of acoustic barriers.*
- Maintenance arrangements of acoustic barriers.*
- Orientation and layout of dwellings.*
- Sound insulation measures of individual dwellings.*
- Predicted effectiveness of sound insulation measures in individual dwellings.*

Reason: To safeguard residential amenity to accord with policies ST6 and EP1 of the South Somerset Local Plan (adopted April 2006).

It is not clear to me from the materials submitted that the planning authority is in a position to discharge this condition.'

Crime Prevention Design Adviser:

Response to original plans:

No objection subject to comments:

- 'I have concerns regarding the re-routing of the existing PROW across the site. It does not appear on any of the drawings. It would offer an easy escape route for the opportunist criminal*
- If it edges the site to the East and North, then it makes a number of properties and vehicles*

vulnerable from the rear. Units 57 to 67, 95 to 97 & 80 will benefit from a robust boundary treatment. Please consider 2.1 metre height rather than the traditional 1.8 to reduce the risk of scaling'

Response to amended plans:
No objection or comments.

Wessex Water:

Advise that the site will be served by separate systems of drainage constructed to current adoptable standards. Confirm that the Foul Water Drainage is as anticipated and the point of connection can be confirmed at detailed design stage. With regard to surface water drainage they advise that the will be discharged to local land drainage systems which will require the approval of the local Lead Flood Authority.

They also provide technical advice regarding servicing for plots 79 and 68.

Local Lead Flood Authority:

Have requested additional information to deal with a number of requirements of the condition attached to the outline consent including: details of attenuation storage systems/greenfield run-off rate calculations/drainage calculations/proposed pollution control measures/details of outfall arrangement/confirmation that drainage ditch is adequate/clarification of removal of soakaways/proposals for 1 in 100 year event/confirmation from Wessex Water and Somerset County Council that they will adopt proposed drainage systems.

Climate Change Officer:

Has raised issues regarding building orientation/daylighting and shading. Suggests that a better layout is possible within the constraints of the site to address this issues. Also advises that the appearance of the dwellings impacts on their capability to accommodate solar panels. Advises that para 96 of the NPPF and policy EQ1 of the South Somerset Local Plan 2006-2028 support good orientation and consideration of appearance to minimise energy use and mitigate climate change.

REPRESENTATIONS

Neighbouring properties to the site have been notified. A press advert has been placed and 2 site notices have also been displayed (major development).

Two letters of representation have been received; one in support and one letter of objection. The letter of objection makes the following comments:

- Object most strongly to this as it would be saturating the area on prime agricultural land
- There are three other proposals in the vicinity which are for houses on prime agricultural land.
- This will make a traffic blockage on the A30
- Infrastructure of the area is not fit for purpose

The letter of support makes the following comments:

- Given position of site and investigations carried out (archaeology etc.) and good level of consultation/communication have no objection to this proposal by a local developer with an excellent reputation

CONSIDERATIONS

Principle of Development

The principle of developing this site for residential development has been established by the outline permission (13/01869/OUT) granted in 2015. As such, the issue of the loss of 'best and most versatile' agricultural land has already been assessed and found to be acceptable.

The outline permission included 'access ' as a matter for consideration at the outline stage and, as such, there is detailed consent in place for the proposed access arrangements. The key issues therefore are the 'reserved matters', i.e. layout, scale, appearance and landscaping.

Layout, Landscape Impact

The application site does represent a natural rounding off to the south west of Yeovil's urban area and is a flat site adjacent to a steep sided coombe. To the north is land with approval for new commercial development. Save for the public right of way that crosses through it the site is well hidden from other public vantage points by existing planted boundaries on the east and southern sides and by the wooded area to the north/northwest.

The historic park of Brympton d'Evercy is just under 1km to the west of the site. The Historical Assessment of Yeovil Periphery (July 2010) notes that the park and gardens of Brympton d'Evercy are Grade II* listed and were originally laid out in the 17th Century. The pleasure grounds are described as extending to 9 hectares and the park to around 36 hectares. Brympton House is Grade I listed. Whilst the wider area is considered highly sensitive in terms of both the receiving landscape and the setting of historic assets only the western tip, falls within the visual envelope of the Historic Park and Garden. This is mostly due to the existing wooded area to the north/north west. Proposed planting along the western edge would also provide a robust and defensible edge to the expanded settlement and one that reflects local landscape character.

The application has amended in order to address the concerns of Historic England who have welcome the amendments but remain of the view that the proposal will cause a level of harm to the significance the designated heritage assets at Brympton d'Evercy derive from their settings and they remain of the opinion that the level of harm is within the range of less than substantial. They therefore advise that it is for the local authority to consider where sufficient reduction in the harm caused has been made at the current time, and where the local authority considers the harm to be outweighed by any public benefits arising from the proposed scheme. Historic England's remit does not extend to the planning balance and they therefore recommend consultation with the local authority's specialist conservation advisors combined with Historic England advice so that sufficient understanding of the impact of the amended proposals and appearance of the consented scheme as well as in relation to the effect of the amended mitigation to be convinced that all opportunities to avoid or minimise harm to designated heritage assets have been designed in. They conclude that this will then enable a determination in accordance with the principles and policies set out under paragraphs 129, 131, 132 and 134 of the 2012 NPPF. Since making their comments the revised NPPF has been published which makes some changes to the guidance in relation to the historic environment but retains the advice that in the case of a development proposal leading to less than substantial harm to the significance of a designated heritage asset (new paragraph 196), this harm should be weighed against the public benefits of the proposal.

Given that Historic England have advised that the proposal will result in less than substantial harm it is necessary to weigh the harm against the public benefits of the proposal. In this case, the site has been granted outline consent for residential development and the plans have been amended in order to reduce the impact upon the setting of the listed assets. The only part of the site that would be visible from Brympton d'Evercy would be the section of the site at the western edge. The proposed dwellings on this part of the site have now been set back by at least 28m with a landscaped area to the front. There are size dwellings proposed in this part of the site with large areas of public open space and the proposed play area. Given this set back and additional landscaping it is felt that the applicants have taken full opportunity to minimise the harm to the heritage asset. Furthermore, the Council does not currently benefit from a five year supply of housing land and as such appropriate weight has to be given to the provision of housing on a sustainable site that benefits from outline permission. In addition, the scheme provides other public benefits such as affordable housing, off-site highway/pedestrian/cycle improvements and public open space. As such, it is considered that there are public benefits to the scheme that weigh heavily in the schemes favour which allow for a favourable recommendation despite the harm caused to the heritage asset.

It is therefore considered the site can be developed in a manner to safeguard the setting of the Historic Park and Garden and the wider landscape in general in accordance with the NPPF and Local Policies EQ2 and EQ3.

Scale and appearance

The application has been amended to take into account the comments of the Landscape Officer and Conservation Officer with regard to scale and appearance of the dwellings. Appropriate amendments have been made to the buildings design and scale in order that the development will contribute positively to the character of the area. It is felt that the amended plans have now dealt with the majority of the issues that have been raised and the development is now acceptable in terms of its scale and design.

Highway Implications

The highway works were agreed at the outline stage and this involved the creation of a vehicular access off West Coker Road, located approx. 70m to the west of the junction with Nash Lane and approx. 175m from the roundabout. To facilitate access into the site and enhance access to Nash Lane right turn lanes are to be created and the carriageway widened locally to three lanes. In addition to the vehicular access, improved pedestrian connectivity was included on an east-west axis along West Coker Road from the roundabout across the frontage of the site in the form of a footway/pavement link to the White Post Garage. The garage contains a well-stocked convenience shop and at present has very poor and potentially unsafe pedestrian access. The footway/pavement will also take in and improve access to the bus stop which is on the east bound carriageway and itself will be upgraded. There is also a crossing point via a pedestrian central refuge island close to the proposed new vehicular access. The crossing point will be linked to Nash Lane through the existing verge via a short pathway. An additional stretch of pavement on the site side will also be provided to link this point to the bus-stop.

In terms of the detailed highway layout the County Highway Authority have advised that the proposal will be subject to the Advance Payments Code (APC) unless the internal estate roads are constructed to an adoptable/appropriate standards. The County Highway Authority have confirmed that they have no objection to the proposed internal road layout but there are issues that may affect the adoptability of the internal estate roads. They also provide advice regarding the required details for the footway/cycleway routes and onsite drainage. Overall, the County Highway Authority have confirmed that they do not wish to raise an objection to the proposal subject to the imposition of a number of conditions. However, it should be noted that a number of the conditions recommended by the County Highway Authority have already been imposed at the outline stage and two other conditions in relation to the use of garages and a highway condition survey are not appropriate to be added to a reserved matters consent as they should have been suggested by the County Highway Authority at the outline stage.

With regard to parking, 225 car parking spaces are to be provided across the site and cycle parking can be provided within garages/sheds. The parking provision accords with the parking standards and is therefore considered to be acceptable.

The proposal is therefore considered to accord with policies TA5 and TA6 of the South Somerset Local Plan 2006-2028.

Affordable Housing

Currently, this is to be provided in accordance with the details agreed under the S106 agreement associated with the outline consent however it is noted that there is a current application that has been submitted to vary the agreement to decrease the amount of affordable housing provided because of viability issues. This will be considered separately from this application.

Trees/landscaping

The plans for the landscaping of the site along with the retention of existing hedgerows and trees have been amended in accordance with the advice of the Landscape Officer, Ecologist and Arboricultural Officer. As such, there are now comprehensive plans proposed along with a woodland management strategy to cover the whole site and provide appropriate planting solutions that will enhance the immediate setting and larger rural environment.

Wildlife

The application is supported by an Ecological Impact Assessment which didn't identify any particularly significant impacts. However, the Ecologist advises there is some low potential for impact to relatively widespread protected species (e.g. badger and slow worm) and slow worm and therefore a condition is recommended to require appropriate mitigation. In addition, the ecologist recommends a condition to require measures for the enhancement of biodiversity.

It is therefore considered the proposal complies with the NPPF and policy EQ4 of the Local Plan.

Drainage

The Local Lead Flood Authority has requested additional information to deal with the drainage issues at the site before being able to confirm that the detailed arrangements are acceptable. As such, it will be necessary to include a condition to deal with this issue.

Play, Sport and Open Space Provision

This has been secured through the s106 agreement associated with the outline permission and the plans include appropriate provision of on-site play facilities.

Public Right of Way

A public right of way runs through the site and therefore a diversion order will be required in order to reroute the footpath. It is understood that discussions are taking place with the relevant landowners to divert the path on land adjacent to the site in order to ensure the provision of pedestrian and cycling links. The diversion order would be secured through alternative regulations and does not preclude the grant of planning permission which doesn't override the requirement to seek the relevant diversion of the footpath.

Other Matters

Comments of the Parish Council - The plans are considered to show appropriate arrangements for pedestrian/cycle routes around and through the site. There is existing infrastructure to support pedestrians and cyclists accessing the bus stops within the vicinity and to access West Coker Road and Lysander Road. The plans have been fully considered by the County Highway Authority who are content with the proposals.

Sound Insulation - It is proposed that the windows will be double glazed to provide an appropriate level of sound insulation for the development and this is considered to be acceptable in light of the noise assessment information that has been provided.

Comments of Climate Change Officer - Whilst the comments regarding layout are noted, it is also important to ensure that the scheme provides a high standard of design layout. The application is accompanied by a letter which sets out the sustainable items that will be included within the development and these include water usage controls/garden space for outdoor clothes drying/energy labelled goods/water collection butts/cycle storage and composting facilities. As such, it is considered that the developer is intending to provide a scheme that incorporates sustainable features whilst still achieving a high quality layout.

Conclusion

For the reasons set out above it is considered that these reserved matters should be approved subject to the following conditions.

RECOMMENDATION

Grant consent for the following reason:

01. The proposal is of a satisfactory layout, appearance, scale and landscaping that would have

no adverse impacts on visual or residential amenity, ecology, flood risk, highways safety, heritage assets or landscape character. The proposal would result in less than substantial harm to the setting of the heritage asset and the public benefits of the proposal outweigh this harm. As such the proposal complies with the policies of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the plans as set out on the Plans List as set out in the agent's email of 16 July 2018.

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

02. All protected species mitigation measures, prior to and during development, as outlined in the Ecological Impact Assessment (Greenecology, January 2018), shall be undertaken in full unless otherwise agreed in writing with the local planning authority.

Reason: To minimise the risk of harm to legally protected species in accordance with the Wildlife and Countryside Act 1981 (as amended) and for the protection of biodiversity in accordance with NPPF and Local Plan Policy EQ4.

03. Prior to the commencement of development, details of measures for the enhancement of biodiversity (e.g. bat and bird boxes, wildflower sowing and management) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with NPPF and Local Plan Policy EQ4.

04. No building operations above damp proof course level of the dwellings and garages shall take place until details of:

- specific external wall materials, finishes and colours including sample panels for approval on site to show masonry coursing, jointing, bond and pointing and render finishes.
- details of any proposed parapets, string courses, plinths and mouldings
- specific window and door design details including sections and wall opening details including arch, lintel, cill, window/door surround and reveal depth.
- details of any porches and door hoods
- position and details of meter boxes and any external flue, vent and extract terminals
- roof materials, including samples
- roof ridge, hip, eaves, verge and rainwater goods details
- any chimney, dormer and roof light details.
- external works details of any steps, walls and copings, railings and fencing.
- details of any permanent external lighting proposed on building including any street lighting to be mounted on buildings (not including individual security lighting).

- Reason: To ensure that attention to detail is given to provide quality of design in the proposed development in accordance with Policy EQ2 of the South Somerset Local Plan.
05. The development shall take place fully in accordance with the Woodland Management Plan and Arboricultural Method Statement dated March 2018 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate planting is carried out and existing trees and hedgerows protected in accordance with Policies EQ2, EQ4, EQ5 and EQ6 of the South Somerset Local Plan.

06. The proposed landscape scheme shall be carried out in accordance with details as indicated on approved plans SPP 3012 92-01 Rev F Planting Plan and SPP 3012 P001 Rev H Landscape Master Plan, unless otherwise agreed in writing by the Local Planning Authority. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of any part of the development hereby permitted or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan 2006 and advice within the National Planning Policy Framework.

07. Prior to the commencement of the development hereby permitted, details of the drainage systems as required by the Local Lead Flood Authority in their email of 11 July 2017 shall be submitted to and agreed in writing. The development shall take place fully in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with the NPPF.

08. Prior to the commencement of any dwelling on any phase or part thereof, a strategy for the storage and collection of domestic recycling and refuse for that phase or part thereof shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the locations of collection points (communal if necessary).

Reason: To promote sustainable construction as advocated by the National Planning Policy Framework.

09. 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 in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

10. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

11. In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

12. 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 first occupation and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

13. There shall be an area of hard standing at least 5.5 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of a roller shutter/sliding/inward opening type.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

14. There shall be an area of hard standing at least 6 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of an up-and-over type.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

15. The area allocated for parking and turning on the submitted plan, drawing number C-05515/C/0105, 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 interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

Informatives:

01. You are reminded that legal Agreement under S106 of the Town and Country Planning Act associated with outline planning permission 13/01869/OUT remains applicable.
02. You are reminded that a Right of Way crosses this site which will require a formal Diversion Order. Advice can be gained from the Rights of Way Officer.
03. All Highway, footway and cycleway works will require a legal agreement with SCC Highway Authority well in advance of works and before they start. Requirement to secure an agreement under Section 278 Highways Act 1980 for the necessary works.

Agenda Item 14

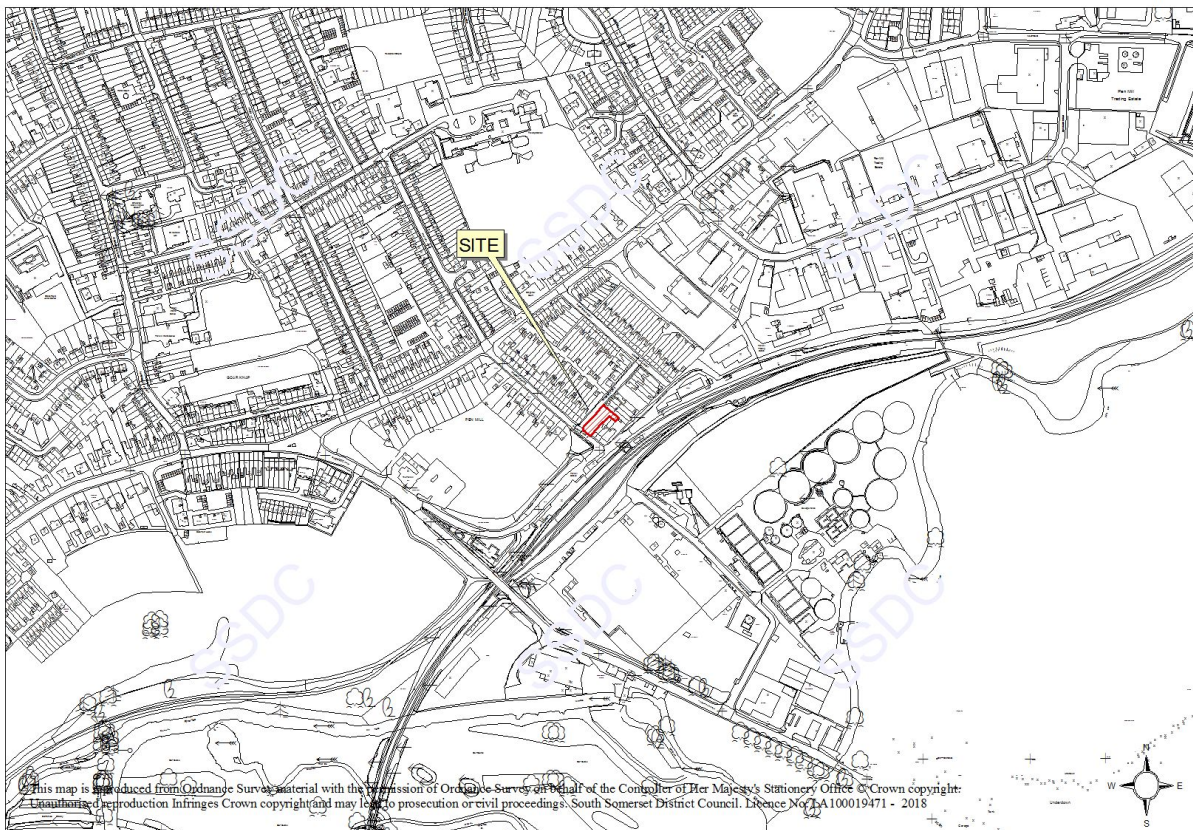
Officer Report on Planning Application: 18/01122/FUL

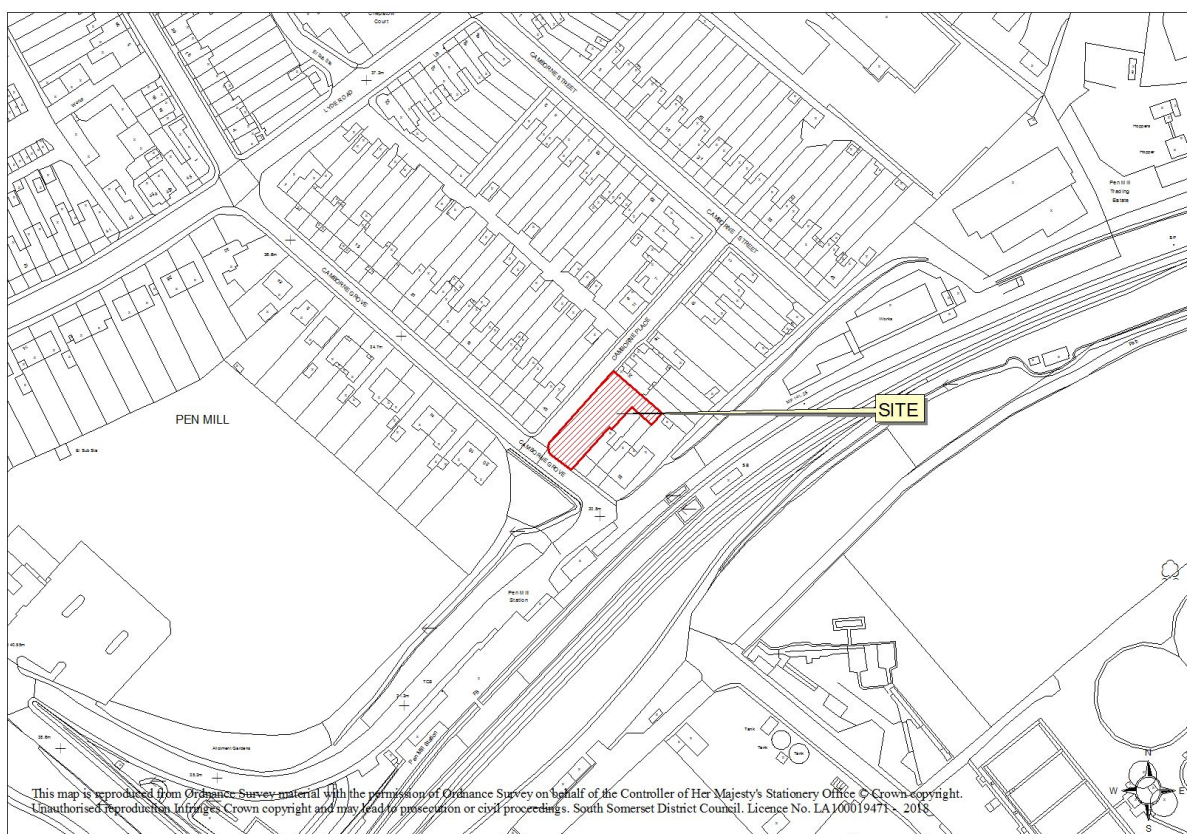
Proposal :	Change of use of former public house to 8no flats with associated internal, external works and parking.
Site Address:	Great Western Hotel, 47 Camborne Grove, Yeovil BA21 5DG
Parish:	Yeovil
Yeovil (East) Ward (SSDC Member)	Cllr D Recardo Cllr R Stickland Cllr T Lock
Recommending Case Officer:	Neale Hall Tel: 01935 462363 Email: neale.hall@southsomerset.gov.uk
Target date :	4th June 2018
Applicant :	Kenika Properties
Agent: (no agent if blank)	Mr Andrew Tregay Boon Brown Architects Motivo Alvington Yeovil, BA20 2FG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASONS FOR REFERRAL TO COMMITTEE

In consultation with the Area Chairman, the Lead specialist in Planning, considers the proposal should be referred to committee for consideration in accordance with the scheme of delegation.

SITE DESCRIPTION AND PROPOSAL





The application site comprises a former public house located on the eastern side of Yeovil, known as the Great Western pub, situated on the junction of Camborne Grove and Camborne Place which lies close to Pen Mill station. The surrounding area is predominately residential and most of the properties along the terrace all have two-storey elements of varying sizes and styles. The site frontage is similar in appearance to the adjoining property being two storey bay windowed rendered properties under tile roof to the principal elevation.

The site is within the development area as defined in the South Somerset Local Plan. The public house is vacant and the application is now part retrospective as internal works have been undertaken together with the replacement of windows with white UPVC units. An element of external demolition has also occurred involving the removal of part of the former skittle alley and some flat roofed connecting areas (kitchen area) between the main building and the rear building.

The pub was subject of a Community Right to Bid - Asset of Community Value Nomination in 2017. Following due process the Council decided not to enter the property onto the list of Assets of Community Value (ACV). The ACV application documentation suggests that the former public house was not a viable business with lack of trade and seeks the change of use from A4 public house to C3 residential dwelling. The supporting documentation to the planning application identifies two other facilities within a 400m radius, one within 500m and others further afield.

A new ACV application was received by the Authority on the 21st August 2018 and will follow due process. Notwithstanding this the planning application must be determined on the basis of the information before members irrespective of the result of the newly submitted ACV application.

The scheme proposes to change the use and convert to 8no flats, with a mix of 4x one bed flats, 3x two bedroom flats and 1x three bedroom flat. It is stated the first floor was originally

occupied by a 5 bedroom flat with office space.

Within the provision for meeting parking needs, three parking spaces are proposed as well as a new secure cycle store.

RELEVANT HISTORY

94/02555/FUL - Internal alterations and the erection of a covered way to skittle way.
18/00236/OPERA - Enforcement file

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,

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.

An enforcement file has been opened regarding the unauthorised works, however at this time no action is considered appropriate until the outcome of the application has been determined. This decision complies with enforcement protocol as a proportionate approach.

CONSULTATIONS

Yeovil Town Council

Approval subject to adequate parking provision to mitigate the impact on the existing on street parking difficulties.

SSDC Highway Comments

Refer to SCC comments

County Highways

The Highway Authority do not object to the principle of the development. However they have reservations regarding the proposed provision of car parking and potential resultant pressure for on street parking which in turn may impact on the local bus service manoeuvrability.

REPRESENTATIONS

The application was advertised by way of site notice and neighbour notification. As a result 14 letters of objection have been received with one providing a link to a petition with 254 signatures.

Main issues raised:-

- No effort to maintain viability of pub or justification
- Pub to be listed as a ACV was rejected by Council with no clear reason given
- Harmful to pedestrian safety and emergency vehicles unable to get through
- Insufficient parking
- Loss of community asset
- Right of access to rear of 20, 22+24
- Overlooking/privacy
- With the additional parking buses will be unable to get through
- 100+ years as a public house and a hub of community as a venue for events such as christenings, birthdays and weddings
- Little detailing how the proposal will impact on lane serving the rear of properties 20, 22 & 24
- External demolition and internal works have taken place
- Lack of consultation
- Constant disregard to all concerned and the planning system

MAIN CONSIDERATIONS

The main considerations in this case relate to the impact on residential amenity, pedestrian/highway safety and sustainability. The principle of residential development in this location is strongly supported by policy.

PRINCIPLE DEVELOPMENT

Policy SD1 states the Council when considering development proposals will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework and will seek development that improves the economic, social and environmental conditions within the District. Policy SD1 also compels the Council to work with applicants to improve proposals so that they are capable of being approved and to grant permission, without delay, unless material considerations dictate otherwise.

Policies SS4, SS5 and YV1 set out that 15,950 dwellings are required in the plan period (2006-2028) and 5,876, so one third of the district wide requirement, will be located within the Urban Framework (existing built area) of Yeovil.

The site use is currently a class A4 use (public house) and it is proposed to change the use to C3 residential for the development of eight flats.

The principle of residential use in this area is fully supported and encouraged by the policies of the local plan and NPPF 2018.

DESIGN/LAYOUT/MATERIALS

Policy EQ2 of the Local Plan lays down very clear guidelines for development, in particular that it should be of a high quality, compatible with the setting and local character, and the residential amenity of neighbouring properties should not be harmed.

The proposed materials are of the type commonly used within a predominately residential area and the external appearance is considered to be appropriate and acceptable.

It is considered the proposal blends comfortably within the site and the immediate residential surrounding area and will have a similar appearance to the adjoining residential property.

VISUAL/RESIDENTIAL AMENITY

The existing context of the site and area is typically of two storey terraced and semi-detached dwellings and a notable amount have converted the front of the site into off road parking. The proposed design of the units are consider to integrate well into the streetscene and the overall character of the area.

A number of the proposed units of accommodation do not have amenity space although it is proposed that there will be some definition of the rear courtyard area. However within approximately 160m lies Yeovil Country Park. Given the layout the proximity to the town centre and the general parking constraints on site, on balance this is considered acceptable and future occupiers would be fully aware of the parking restrictions.

The materials and design are appropriate in this location and as such the proposals comply with Policies EQ2 and EQ3 and the proposal is well related to existing development and the character of the area.

3no parking spaces are proposed and a new secure cycle store which will be positioned to the rear of the application site to promote the use of cycling which would be a benefit at this location.

The proposed scheme seeks to demolish the old kitchen and the single storey extension and covered walkway (the latter has already taken place and consideration of enforcement is being held in abeyance as enforcement action is discretionary and the authority is required to act proportionately to breaches). Upon investigation of the unauthorised works, the applicant was

requested to stop work on site. The applicant complied after having made the site safe and no further works have been undertaken on site since that date.

The proposed flats have been designed to minimise impact upon residential amenity and having regard to the bulk, scale, positioning and fenestration of the proposed, it is considered that it would have an acceptable relationship with the adjacent neighbouring properties, and that it would not give rise to undue overlooking / loss of privacy or an overbearing relationship with nearby neighbours. The proposal does not appear to impact on the access lane to the rear of the adjoining properties and therefore any right of access enjoyed should not be affected by the development.

Therefore the proposal would not harm local residential amenity. The proposal therefore complies with Policy EQ2.

LOSS PUBLIC HOUSE

Policy EP15 sets out guidance for developments that result in total loss of site and/or premises currently or last used for a local shop, post office, public house, community or cultural facility contributes towards the sustainability of a local settlement and states development will not be permitted except where the applicant demonstrates that:

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

In terms of alternative provision; as already noted the applicant has addressed this issue and it is noted that other establishments exist. On balance it is considered that the proposal complies with Policy EP15 due to the alternative provision that is available within the area.

HIGHWAYS

It has been suggested by representation and the Highway Authority that the lack of off-street car parking is likely to result in additional pressure for on-street car parking. In addition, the bus service 68 routes via Camborne Grove and emergency vehicle access could be affected by additional on-street car parking. The Highway Authority does not object to the principle of the proposed development. However, the provision of car parking is significantly less than the standards set out in the Somerset County Council Parking Strategy for a site located in Zone A.

It is acknowledged that the proposed level of car parking is below the optimum one space per dwelling ratio for Zone A set out in the Somerset Parking Strategy and replicated in Local Plan Policy TA6, but reference is made to this paragraph which sits alongside the Zone A ratio: "The car parking standards set out here are optimum standards; the level of parking they specify should be provided unless specific local circumstances can justify deviating from them. Developments in more sustainable locations that are well served by public transport or have good walking and cycling links may be considered appropriate for lower levels of car parking provision.

This approach is reinforced in Chapter 2 and Chapter 9 of the NPPF with specific regard being given to paragraphs 109 and 110 a) that state; development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts would be severe. Within this context proposals should give priority first to pedestrian and cycle movements and second - facilitate access to public transport.

A quality secured and covered means of cycle storage is proposed. Due to the placement of the units of accommodation so close to the town centre, the use of bikes will be enhanced, encouraging cycling and to change their travel habits given the dedicated cycle infrastructure.

The proposed is in a very sustainable location being within a very short distance of the train station (100m), is located on dedicated cycle routes and a bus service route, and is within short distance of services (400m) and the town centre (approx. 1 mile).

The station has a dedicated car park, the proposed is located at the lower end of Camborne Grove and the previous use would have generated some on street parking. If permitted it is considered purchasers of the flats would be aware of the parking provision and the sustainable location of the proposed.

Given the location and accessibility of the proposed, it is not considered the proposal will contribute to the hindrance of emergency vehicles or buses due to inconsiderate on street parking. Any additional vehicle/pedestrian conflict arising as a result of the development is considered to be unlikely.

Overall it is considered the reduced provision of parking coupled with the sustainable transport network in the immediate proximity will not give rise to any significant adverse impacts in relation to parking and the sustainable approach is fully supported by policy.

CIL

This development is CIL liable at £40 per m² and in this respect Form 0 has been filled in.

Conclusion

Overall, the main negative material consideration resulting from the proposal is that of the perceived associated consequences due to the lack of parking provision not in accordance with standards. In all other respects the proposal is considered to have minimal if any adverse impacts, being an appropriate residential development located in a very sustainable location and in accordance with the policies of the development plan and NPPF. On balance it is considered the potential impacts resulting from the reduced parking are outweighed by the considerations of encouraging sustainable development and there are no justifiable reasons not to grant permission.

If Members are minded to refuse permission, then sound reasons for refusal would need to be formulated and consideration given to any enforcement action considered appropriate in line with government guidance.

RECOMMENDATION

Grant planning permission for the following reason:

01. The proposal is supported by policy of the South Somerset Local Plan and NPPF18 and will not give rise to any significant adverse effects as the proposed change of use is considered to be appropriate in this location and has no detrimental impact on assets, residential amenity or highway safety. As such, represents appropriate development which is carefully designed to respect the character of the area, causes no demonstrable harm to residential amenity, provides balanced parking provision and does not foster the need to travel in accordance with the aims and objectives of the National Planning Policy Framework; the SCC Parking Strategy and policies SD1, SS1, SS5, SS6, YV1, EQ2, EQ7, TA5, TA6, HG3, HG5 and HW1 of the South Somerset Local Plan (adopted March 2015) and NPPF 2018.

SUBJECT TO THE FOLLOWING:

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

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

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

DRAWING PROPOSED VISIBILITY SPLAY 3825-BB-XX -XXX-DR-A-112 received June 2018

DRAWING PROPOSED SECOND FLOOR 3825-BB-XX -XXX-DR-A _102 RevB received June 2018

DRAWING PROPOSED SECTIONS 3825BB-XX -XXX-DR-A _106 RevB received June 2018

DRAWING PROPOSED GROUND FLOOR PLAN 3825_BB-XX-001-DR-A-100 RevB received June 2018

DRAWING PROPOSED ROOF PLAN 3825-BB-XX -004-DR-A-103-RevB received June 2018

DRAWING PROPOSED SITE PLAN 3825BB-XX -XXX-DR-A-108-RevB received June 2018

DRAWING PRPOSED FIRST FLOOR 3825_ BB-XX -002-DR-A-101_RevB received 7 June 2018

DRAWING PROPOSED ELEVATIONS 3825-BB-XX -XXX-DR-A 104_RevB received June 2018

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

03. No works shall commence on site unless details for the disposal of surface water from the site, so as to prevent its discharge onto the highway, have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed prior to the occupation of the dwelling hereby permitted, in strict accordance with the approved details and thereafter maintained at all times.

Reason: In the interest of Highway Safety in accordance with policy TA5 of the South Somerset Local Plan (2006-2028).

04. The area allocated for parking shown on DRAWING PRPOSED FIRST FLOOR 3825_BB-XX -002-DR-A-101_RevB received 7 June 2018 plan shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

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

Informatives:

01. Informative for CIL Liable approvals

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

You are required to complete and return Form 1 Assumption of Liability as soon as possible

and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

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

02. The applicant's attention is drawn to the following:-

Section 171 Licence - (minor works such as tree works, installation of private street furniture, building/re-building walls on or adjacent to the highway). 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.

Section 184 Agreement - (the construction of, or alterations to, any site access or accesses where these are the only highway works required to be executed to enable the development or if they need to be constructed in advance of the main works under a Section 38 or 278 Agreement). The applicant will be required to enter into a suitable legal agreement with the Highway Authority for the highway works that will be carried out as part of this development, and they are advised to contact Somerset County Council to progress this agreement well in advance of the development starting.

Agenda Item 15

Officer Report on Planning Application: 18/01743/FUL

Proposal:	Erection of single storey rear extension to dwelling.
Site Address:	12 Roping Road, Yeovil, Somerset BA21 4BD
Parish:	Yeovil
Yeovil (Central) Ward (SSDC Member)	Cllr K Hussain Cllr A Kendall Cllr P Gubbins
Recommending Case Officer:	Jacqui Churchill Tel: (01935) 462158 Email: jacqui.churchill@southsomerset.gov.uk
Target date:	16th July 2018
Applicant:	Mrs Jusna Hussain
Agent: (no agent if blank)	N L Design, 9 Shyners Terrace Merriott Somerset TA16 5NS
Application Type:	Other Householder - not a Change of Use

Reason for referral to Committee

This application is referred to Area Committee under the scheme of delegation as the applicant is related to a Committee member.



Date of site visit: 06.06.2018

Neighbours/consultees correct: Yes



Description:

12 Roping Road is a two storey, mid terraced property constructed of red brick under a tiled roof with uPVC windows.

This application seeks permission for the erection of a single storey rear extension which is full width and extends approximately 5.5m from the original rear wall.

During the course of the application amended plans were received changing the fenestration on the rear elevation and changing the proposed external materials to matching red brick.

Policy:

South Somerset Local Plan 2006-28:
 Policy SD1- Sustainable Development
 Policy SS1 - Settlement Hierarchy
 Policy EQ2 - Design and General Development
 Policy TA5 - Transport Impact of New Development
 Policy TA6 - Parking Standards

NPPF:

Chapter 12 - Achieving Well-Designed Places

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: Yeovil Town Council - Recommend approval

Other Consultees:

Highways Authority: No observations

Highways Consultant: I note the site only has the benefit of two car parking spaces and the overall level of bedroom accommodation may require more in light of the SPS optimum standards. However, given the sustainable location of the site, I would accept the current level of parking if no more can be provided.

Neighbour Comments: Five neighbours were notified and a site notice was displayed. The following representation was received:

Mr Tucker (in summary): - No direct objection but concerns as follows:

- Area has had influx of houses of multiple occupation (HMOs) leading to parking issues.
- Concern that design has potential for HMO in the future.
- External wall materials are not matching to original dwellinghouse
- Suggested alternative roof material

Full representation available to view at www.southsomerset.gov.uk

Considerations:**Principle of Development:**

The extension of existing properties is usually acceptable in principle subject to the proposed development being in accordance with Development Plan policies and proposals. In this case, the main considerations will be the impact on the visual amenity of the area, residential amenity of neighbouring residents and highway safety.

It is noted that the proposal falls within the criteria for a larger home extension. However, the agent instructed the case officer that he wished to proceed with a householder application,

Impact on Visual Amenity:

The proposal will see the erection of a single storey extension to the rear of the property. It would be constructed of materials to match the existing dwellinghouse.

In this case the property is located in a residential area with many of the properties in the area having single storey rear extensions or conservatories. Both neighbouring properties benefit from conservatories. The boundary treatment consists of a 1.8m timber fence and a section of blockwork walling. The proposed extension extends almost the full width of the property but is set back from the side elevations by approximately 0.2 metres. It is considered that the proposed extension has a subordinate appearance to the host dwelling. Therefore, the proposed extension is considered of an appropriate scale, siting, design, form and appearance such as to respect the character of the existing property and surrounding area. On this basis it is considered that the proposal submitted would not have a detrimental impact on the visual amenity of the area.

Impact on Residential Amenity:

The property is set in a generous plot and bounded by 1.8 metre timber fencing. There are no proposed windows in either side elevation. Due to the siting and the nature of a single storey extension, it is not considered that the window layout and general bulk of the extension is such that it would give rise to undue overlooking or an overbearing relationship with neighbouring properties and therefore would accord with Policy EQ2.

Therefore it is considered that the development does not have an unacceptable impact upon

amenity of neighbouring properties.

Highways: The proposal results in the increase in bedroom accommodation from three to four bedrooms. It is noted that the existing hardstanding for parking at the front of the property is sufficiently large enough to accommodate three vehicles. Therefore the proposal satisfies the requirements of the Somerset Parking Strategy 2013.

Other Matters:

A neighbour raised concern about the potential for future use as an HMO.

At an Area South Committee meeting on 3rd January 2018 it was resolved that the HMO Article 4 Direction should be extended, following consultations, to cover Roping Road amongst other roads, with a view to the Article 4 Direction coming into force late 2018. As such, any future change to an HMO of more than 3 unrelated people could be covered by this Article 4 Direction.

This application has been submitted on a householder form and the applicant confirmed it will facilitate one bedroom each for her children. As such, this application is assessed on the information submitted, and not on any perceived future use.

CIL: This Authority does not collect CIL from householder development.

Summary: The proposed development is considered to be acceptable and recommended for approval.

Recommendation: Approve for the following reason:

01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of Policy EQ2 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework (March 2012).

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans date stamped as received 03 July 2018 and reference:

Drawing number: 1529-02C - Ground Floor Plan and East Elevation

Drawing number: 1529-03B - South and South Elevations and Section

Drawing number: 1529-04A - Site Plan and Location Plan - date stamped as received 18.06.18

and the external surfaces of the development shall be of materials as indicated on plan reference 1529-02C - Ground Floor Plan and East Elevation 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.