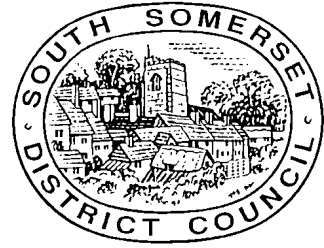


**South Somerset District Council**

*Notice of Meeting*



**Area West Committee**

*Making a difference where it counts*

**Wednesday 16th September 2015**

**6.00 pm**

**The Guildhall  
Fore Street  
Chard  
TA20 1PP**

(disabled access is available at this meeting venue)



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The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than 7.00pm.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Morris 01935 462055**, website: [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

This Agenda was issued on Tuesday 8 September 2015.

A handwritten signature in black ink that reads 'Ian Clarke'.

**Ian Clarke**, Assistant Director (Legal & Corporate Services)

This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)



INVESTORS IN PEOPLE

# Area West Committee Membership

The following members are requested to attend the meeting:

**Chairman:** Carol Goodall  
**Vice-chairman:** Jenny Kenton

Jason Baker  
Marcus Barrett  
Mike Best  
Amanda Broom  
Dave Bulmer

Val Keitch  
Paul Maxwell  
Sue Osborne  
Ric Pallister  
Garry Shortland

Angie Singleton  
Andrew Turpin  
Linda Vijeh  
Martin Wale

## South Somerset District Council – Council Plan

**Our focuses are:** (all equal)

- Jobs – We want a strong economy which has low unemployment and thriving businesses
- Environment – We want an attractive environment to live in with increased recycling and lower energy use
- Homes – We want decent housing for our residents that matches their income
- Health and Communities – We want communities that are healthy, self-reliant and have individuals who are willing to help each other

## Scrutiny Procedure Rules

Please note that 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.

## Consideration of Planning Applications

Consideration of planning applications will commence no earlier than 7.00 pm, following a break for refreshments, in the order shown 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. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

## Highways

A formal written report from the Area Highway Officer should be included on the main agenda in May and September. Alternatively, they can be contacted through Somerset County Council on 0300 123 2224.

## Members Questions on reports prior to the meeting

Members of the Committee are requested to contact report authors on points of clarification prior to the Committee meeting.

# 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”. Members of the public can view the council’s Executive Forward Plan, either online or at any SSSC council office, to see what executive/key decisions 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 3 minutes on agenda items; and
- see agenda reports.

Meetings of the Area West Committee are held monthly at 5.30 p.m. on the 3<sup>rd</sup> Wednesday of the month in venues throughout Area West (unless specified otherwise).

Agendas and minutes of Area Committees are published on the Council’s website [www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions](http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions)

The Council’s Constitution is also on the web site and available for inspection in council offices.

Further information about this Committee can be obtained by contacting the agenda co-ordinator named on the front page.

## Public Participation at Committees

This is a summary of the Protocol adopted by the Council and set out in Part 5 of the Council’s Constitution.

## 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**

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the Public Question Time session.

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 3 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.

The same rules in terms of public participation will apply in respect of other agenda items where people wish to speak on that particular item.

### **If a Councillor has declared a Disclosable Pecuniary Interest (DPI) or a personal and prejudicial interest**

In relation to Disclosable Pecuniary Interests, a Councillor is prohibited by law from participating in the discussion about the business on the agenda that relates to this interest and is also required to leave the room whilst the relevant agenda item is being discussed.

Under the new Code of Conduct adopted by this Council in July 2012, a Councillor with a personal and prejudicial interest (which is not also a DPI) will be afforded the same right as a member of the public to speak in relation to the relevant business and may also answer any questions, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

# Area West Committee

**Wednesday 16 September 2015**

## Agenda

### *Preliminary Items*

- 1. To approve as a correct record the Minutes of the Previous Meeting held on 15th July 2015**
- 2. Apologies for Absence**
- 3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), 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. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

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. As a result of the change made to the Code of Conduct by this Council at its meeting on 15<sup>th</sup> May 2014, 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. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

### **Planning Applications Referred to the Regulation Committee**

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

Councillors. Mike Best, Sue Osborne and Angie Singleton

Where planning applications are referred by this Committee to the Regulation Committee for determination, in accordance with the Council's Code of Practice on Planning, 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**

This is a chance to ask questions, make comments and raise matters of concern.

Parish/Town Councils may also wish to use this opportunity to ask for the District Council's support on any matter of particular concern to their Parish/Town.

Anyone wishing to raise matters in relation to items on the agenda may do so at the time the item is considered.

#### **5. Chairman's Announcements**

##### *Items for Discussion*

- 6. Area West Committee - Forward Plan** (Pages 7 - 9)
- 7. Environmental Health Service Update Report** (Pages 10 - 12)
- 8. Update Report from the Countryside Service** (Pages 13 - 18)
- 9. Planning Appeals** (Pages 19 - 28)
- 10. Schedule of Planning Applications to be Determined by Committee** (Pages 29 - 30)
- 11. Planning Application - 15/02959/FUL, Land Adjoining Woodlands, Leigh, Winsham** (Pages 31 - 37)
- 12. Planning Application 15/03172/FUL - 3 Church Street, Crewkerne** (Pages 38 - 43)
- 13. Planning Application 15/03173/LBC - 3 Church Street ,Crewkerne** (Pages 44 - 48)
- 14. Date and Venue for Next Meeting** (Page 49)

**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.**

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# Agenda Item 6

## **Area West Committee - Forward Plan**

*Strategic Director:* Rina Singh, (Place and Performance)  
*Assistant Director:* Helen Rutter / Kim Close, (Communities)  
*Service Manager:* Andrew Gillespie, Area Development Manager (West)  
*Agenda Co-ordinator:* Jo Morris, Democratic Services Officer , Legal & Democratic Services  
*Contact Details:* jo.morris@southsomerset.gov.uk or 01935 462055

### **Purpose of the Report**

This report informs members of the proposed Area West Committee Forward Plan.

### **Recommendation**

Members are asked to:-

- (1) comment upon and note the proposed Area West Committee Forward Plan as attached.
- (2) identify priorities for further reports to be added to the Area West Committee Forward Plan.

### **Forward Plan**

The Forward Plan sets out items and issues to be discussed by the Area West Committee over the coming few months.

The Forward Plan will be reviewed and updated each month in consultation with the Chairman. It is included each month on the Area West Committee agenda and members may endorse or request amendments.

To make the best use of the Area Committee, the focus for topics should be on issues where local involvement and influence may be beneficial, and where local priorities and issues raised by the community are linked to SSDC corporate aims and objectives.

Councillors, service managers, partners and members of the public may request that an item is placed within the forward plan for a future meeting by contacting the agenda co-ordinator.

**Background Papers:** None.

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## Notes

- (1) Items marked in italics are not yet confirmed, due to the attendance of additional representatives.
- (2) Further details on these items, or to suggest / request an agenda item for the Area Committee, please contact the Agenda Co-ordinator; Jo Morris, 01935 462055 or e-mail jo.morris@southsomerset.gov.uk
- (3) Standing items include:
  - (a) Chairman's announcements
  - (b) Public Question Time

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
21 <sup>st</sup> October 2015	Conservation Team Update Report	An update on the work of the Conservation Team.	Adron Duckworth, Conservation Manager
21 <sup>st</sup> October 2015	Historic Buildings at Risk	Confidential report to update members on current Historic Buildings at Risk cases in Area West.	Greg Venn, Conservation officer
21 <sup>st</sup> October 2015	Careline Annual report	Service Update Report	Alice Knight, Welfare & Careline Manager
21 <sup>st</sup> October 2015	Area West Development Plan & Budget Progress Report	To present an overview of projects in the Area Development Work Programme 2015/16	Andrew Gillespie, Area Development Manager (West)
21 <sup>st</sup> October 2015	Meeting House Arts Centre, Ilminster	Reports from members on Outside Organisations	Cllr. Val Keitch
21 <sup>st</sup> October 2015	Crewkerne Leisure Management (Aqua Centre)	Reports from members on Outside Organisations	Cllr. Angie Singleton
18 <sup>th</sup> November 2015	<i>Community Offices Update</i>	<i>Service Update Report</i>	<i>Lisa Davis, Community Officer Support Manager</i>
18 <sup>th</sup> November 2015	<i>Crewkerne &amp; District Museum</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Marcus Barrett</i>
18 <sup>th</sup> November 2015	<i>Chard and District Museum</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Amanda Broom</i>
16 <sup>th</sup> December 2015	<i>Blackdown Hills Area of Outstanding Natural Beauty (AONB)</i>	<i>To update members on the work of the Blackdown Hills AONB since the last report to Area West Committee.</i>	<i>Zoe Harris, Neighbourhood Development Officer (Communities) Cllr. Martin Wale</i>



<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
16 <sup>th</sup> December 2015	Highways Update	To update members on the highways maintenance work carried out by the County Highway Authority.	Mike Fear, Assistant Highway Service Manager, Somerset County Council
16 <sup>th</sup> December 2015	Section 106 Obligations	Monitoring Report	Neil Waddleton, Section 106 Monitoring Officer
16 <sup>th</sup> December 2015	Affordable Housing Development Programme	To update members on the current position with the Affordable Housing Development Programme.	Colin McDonald, Corporate Strategic Housing Manager
16 <sup>th</sup> December 2015	Local Housing Needs in Area West	Service Update Report	Kirsty Larkins, Housing & Welfare Manager
20 <sup>th</sup> January 2016	Avon & Somerset Policing Update	Report on activities and achievements on neighbourhood policing and partnership working to reduce crime and fear of crime.	Sgt. Rob Jameson
20 <sup>th</sup> January 2016	Ile Youth Centre Management Committee (Ilminster)	Reports from members on outside organisations.	Cllr. Val Keitch
17 <sup>th</sup> February 2016	A Better Crewkerne and District (ABCD)	Reports from members on outside organisations.	Cllr. Mike Best
16 <sup>th</sup> March 2016	Ilminster Forum	Reports from members on outside organisations.	Cllr. Carol Goodall

# Agenda Item 7

## **Environmental Health Service Update Report**

*Strategic Director:* Vega Sturgess, Operations and Customer Focus  
*Assistant Director:* Laurence Willis, AD Environment  
*Service Manager:* Alasdair Bell, Environmental Health Manager  
*Contact Details:* [aldasair.bell@southsomerset.gov.uk](mailto:aldasair.bell@southsomerset.gov.uk) or 01935 462056

### **Purpose of the Report**

To provide members with a brief update of the work of the Environmental Health Service in the last twelve months and to look forward to future challenges. Alasdair Bell, Environmental Health Manager will attend the meeting to give a presentation and answer any questions.

### **Recommendation**

That Members note the report.

### **Public Interest**

The Environmental Health Service is a frontline service committed to protecting public health and safeguarding the environment. The majority of work undertaken by the service is required by law with very little discretionary work. The Environmental Health Service Plan that outlines the work of the service along with key service standards and the service action plan can be found on the council website at:

[http://www.southsomerset.gov.uk/media/569271/service\\_plan\\_eh\\_15-16.pdf](http://www.southsomerset.gov.uk/media/569271/service_plan_eh_15-16.pdf)

### **Report**

The work of the service continues to go well with staff dealing with a wide variety of matters including routine inspections and enforcement activity. Pressures on the Council's budget mean that since the last report further budget savings have had to be found which has reduced the ability of the team to do much beyond the statutory minimum requirements.

### **Food and Safety Team**

The Food & Safety Team both enforces legislation and provides advice and assistance to food and other businesses. The main emphasis of the team is to contribute to the success of the local economy by helping food businesses avoid problems of food poisoning etc. and the severe economic consequences that can result. The food safety element of the work of the team includes the approval and audit of food manufacturers, food sampling, premises inspections, the investigation of food complaints and food poisoning as well as responding to national food alerts. The health and safety element includes inspection, advice, complaint and accident investigation. In Area West in the last 12 months 329 food inspections have been carried out, 84 cases of suspected food poisoning have been investigated and 24 accidents reported/investigated. Much of the work carried out is routine 'behind the scenes' and the public is generally unaware of what is going on until something significant happens such as a major food poisoning outbreak. Key achievements to note;

- The continued roll out of the National Food Hygiene Rating scheme ('scores on the doors'). This is a national scheme whereby all food catering businesses are given scores dependant on their food hygiene and management practices.
- All planned interventions and complaints successfully dealt with
- National food safety Week 2015 supported

- Changes resulting from the free school meals initiative dealt with.
- The rollout of the turkey 'pop up' thermometer scheme at Christmas which generated much positive publicity for the council.
- Development of the Better Business for All (BBfA) project.
- Delivery of business information covering new food Information/ allergen regs.
- Ongoing management of 'Flexible Warranting' scheme to allow cross boundary working throughout Somerset
- Programme of advice and guidance on Legionella and asbestos control delivered to local businesses as part of the Health & Safety Action Plan.
- Maintaining a multi-agency Safety Advisory Group(SAG) for events being held in South Somerset

## **Environmental Protection Team**

The EP Team deals with pollution control and environmental monitoring as well as the enforcement of environmental legislation. The Team checks local air quality and investigates a range of complaints about nuisance, in particular noise and smoke. The Team issues permits and inspects premises under the Pollution Prevention and Control regime (PPC). The Team also undertakes private water supply sampling, contaminated land assessment and the investigation of private drainage complaints as well as acting as a statutory consultee on planning and licensing applications. The delivery of the Pest Control service and public health burials are also part of the service provided. The Streetscene enforcement team is now part of the EP Team and deals with a range of issues including dog control and fly tipping. During the past 12 months 100 noise complaints have been investigated and 514 calls were taken regarding pest control in Area West. Significant points to note;

- Work has continued on the planned remediation of an old gas works site in Langport.
- The Private Water supply sampling and risk assessment programme has been successfully completed.
- The Permitted installation inspection programme(PPC) has been fully completed
- All actions from Streetscene audit have been implemented.
- Active participation in new multi -agency Yeovil One project.
- Somerset wide work with Councils and Police to implement new Anti-social behaviour provisions

## **Housing Standards Team**

The Housing Standards Team deal with private sector housing advice and enforcement. This includes investigating complaints about sub-standard rented housing, the inspection and licensing of houses in multiple occupation (HMOs) and the licensing of caravan sites. The team also provides advice/assistance/grant aid to improve energy efficiency and tackle fuel poverty. The team also processes applications for home repairs assistance grants, disabled facilities, HMO and empty property grants, and helps administer the WRT home loan scheme. The team works closely with the Housing Options Team in seeking to tackle the potential housing crisis that is developing in South Somerset. Significant points include;

- The running of two Landlord Forum events held at Holy Trinity Community Centre, Yeovil with over 70 local landlords attending.
- The future impact of Housing Benefit changes on rented accommodation
- Increased enforcement action to do with substandard housing and HMOs.
- £600,000 of Disabled Facilities Grants paid
- Over £250,000 of flood resilience Grants paid to flooded premises

- HMO Licensing scheme completed
- Over eighty empty properties brought back into use.

### **Financial Implications**

There are none attached to this report.

### **Corporate Priority Implications**

The work of the unit helps contribute towards the delivery of a range of our Corporate Priorities but perhaps most importantly towards Aim 3 To improve the Health and Well-being of our citizens and to Aim 5 to promote a balanced natural and built environment

### **Carbon Emissions & Climate Change Implications**

The work of the unit contributes towards this NI with it's work on fuel poverty

### **Equality and Diversity Implications**

As part of the EH service plan a full equalities and diversity assessment was undertaken.

**Background Papers:** *Environmental Health Service Plan 2015/16*  
*Food & Safety Service Plan 2015/16*  
*Health & Safety Action plan 2015/16*  
*Private Sector Housing Strategy 2012-15*  
*Housing Implementation Strategy 2015 update*  
*SSDC Corporate Plan 2012-15*

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# Agenda Item 8

## **Update Report from the Countryside Service**

<i>Strategic Director:</i>	<i>Vega Sturgess, Operations and Community Focus</i>
<i>Assistant Director:</i>	<i>Steve Joel, Health and Well Being</i>
<i>Service Manager:</i>	<i>Katy Menday, Countryside Manager</i>
<i>Lead Officer:</i>	<i>Katy Menday, Countryside Manager</i>
<i>Contact Details:</i>	<i>katy.menday@southsomerset.gov.uk or (01935) 4622522</i>

### **Purpose of the Report**

To update members on the work of the Countryside Service across the District over the past year and on key projects for the next 6 months.

### **Public Interest**

This report aims to provide the highlights of the Countryside Team at South Somerset over the past year, with particular reference to the rangers based at the countryside sites. It will summarise what has been completed in terms of land management and also event delivery for the public. The countryside team manage sites and buildings at Ham Hill Country Park, Yeovil Country Park, Chard Reservoir Local Nature Reserve, Sampson's Wood, Langport cycleway, Moldrams Ground Local Nature Reserve and Eastfield Local Nature Reserve.

### **Recommendation**

That members note the report.

### **Across the South Somerset Countryside Sites**

- It has been a busy and successful year across the sites. Community groups have been strengthened, volunteering programmes extended and a significant amount of grant money secured by both the SSDC Ranger team and our affiliated Friends Groups. We are in a strong position and look forward to further enhanced delivery in 2015 & 2016.
- Ham Hill, Yeovil Country Park and Chard Reservoir all again secured their Green Flag Awards in the top 2 highest scoring brackets. We have enjoyed a mix of visiting judges over the years and continue to take away valuable suggestions from their visits.
- For 2014/15 the events programme totalled 45 public events. This was on a range of scales (large fairs and trail events, to small play schemes and storytelling) and subjects (Halloween, Dog shows, Bonfires, Wildlife and Easter) to appeal to many residents and visitors. We estimate that 5071 people (children and adults) attended these events, having direct ranger contact, and feedback is always positive. We organise events that are free, or low cost to attend, to ensure as many people and families as possible experience and enjoy the countryside and all it has to offer.
- The rangers at Ham Hill and Yeovil delivered 24 booked educational sessions to schools, having direct led contact with 971 pupils. Further schools and groups access the sites to lead their own sessions, making use of our online educational packs and group materials like orienteering.
- Volunteering continues to be the back bone of the countryside operation. In the last year volunteer numbers have increased from 1601 to 2387 donated days per annum. This is due to offering an extra practical volunteering day at Yeovil each week, and further project days at Chard. Volunteers across the sites help with all aspects of practical site management, they open and close public facilities 7 days a week, monitor wildlife, litter pick and assist at events.

- In addition to the practical volunteering the Friends Groups at Ham Hill and Yeovil have donated many hundreds of hours of grant funding work, event support and research for the ranger teams.
- The Countryside Team continue to manage the overseeing South Somerset Countryside Steering Group; a forum where stakeholders and experts can come together to ensure success against the team's overarching delivery plan. In addition to this the specialist Park Watch group (Avon and Somerset Police, plus Rangers, enforcement team and local residents) meet for Yeovil when necessary.
- This winter 1507 native trees were planted across the sites. All native species, expanding the woodland size for South Somerset. In 2014 free tree packs were secured from the Woodland Trust and the Friends group at Ham Hill secured a grant of £1,000 from the International Tree Fund towards plantings in Pit Wood.
- Practical land management is delivered by the rangers, apprentices and volunteers across the sites, all inline with their 5 year land management plans. Conservation targets are monitored in a range of ways including via the annual species surveys conducted for us by the Yeovil Branch of Somerset Wildlife Trust. The rangers continue to use a range of traditional countryside management techniques where possible including hedge laying, dry stone walling and coppicing.
- Two new apprentices started with the team in September 2014. This year for the first time we have taken on level 3 apprentices. Both Andrew and Kristy are doing incredibly well, bringing new ideas to the teams and developing and delivering their own projects on Skylarks (through Breeding Bird Surveys) and Penn Hill Park respectively.
- New web pages have been launched at [www.southsomersetcountryside.com](http://www.southsomersetcountryside.com). The key feature of these new pages are the online event bookings. In contrast to previous years all of our 2015 events have been fully booked and paid for in advance. This online facility has made an astonishing difference to how we operate and in the autumn we will evaluate the improved attendance and income generation from the booking system. The web pages also enable a great variety of site literature to be downloaded and printed.
- Our presence on social media continues to be well received with very successful Facebook feeds for Ham Hill, Yeovil Country Park, Ninesprings Cafe and Chard Reservoir LNR. The Friends groups and volunteers carry out most of the management of these pages, regularly posting pictures and site updates. The Twitter feed for the ranger team is @SSDCCountryside. We have found that event advertisement on these feeds is sufficient to fully book most play scheme scale events.
- In addition to the regular annual funding income from Agri Environment schemes, Yeovil Town Council, wood sales, events and other tenants of the sites; the countryside ranger team and Friends groups also managed to submit and secure £247,865 of external funds for current and future delivery at the South Somerset sites, the individual breakdown is shown under each site.

### **Challenges over the year**

- As is inevitable at any popular open access site, at times, particularly in the summer months, there has been the aftermath of anti-social behavior to deal with; including small fires, littering, detritus of parties & graffiti. The rangers aim to attend to the removal of all issues within one working day.
- It has been a particularly busy year at Yeovil Country Park with a number of significant grant bids submitted and the construction of the new Ninesprings Centre. The ranger team has been heavily involved and inevitably, at times, this has affected their ability to deliver and complete the practical projects on the ground.
- Dog fouling and sheep worrying are continuing issues at Ham Hill Country Park and we are now working with the Enforcement and Legal teams to investigate the possibility of a

new Public Space Protection Order to help in management of the few site users that currently abuse the site.

### **Ham Hill Country Park**

- The ranger team, working with the Friends group, have secured £20,000 of Heritage Lottery grant to progress a project to re-surface a piped stream in Witcombe Valley bottom. The project will see the valley returned to its natural state and have positive outcomes for wildlife and landscape, whilst also providing new heritage interpretation for the site.
- Project income for the year through the Friends Group included: International Tree Fund (£1,000), Waitrose Community Fund (£750), Local Ham Hill Parish Council's and the Stoke Sports and Recreational Trust (£700).
- Events in the past year included a heritage trail, community bonfire and Easter egg hunt. Current apprentice Andrew and some volunteers are delivering wildlife themed events and walks throughout the summer.
- The rangers have been pleased to work with a range of new groups, from 50 serving Yeovilton personnel on a team building exercise for Commonwealth Day, to 25 children on series of home education group visits to understand all about the various facets of Ham Hill.
- The 2015 events calendar was re vamped with a new dog show organised by volunteers in July and a Wood Fayre in September.

### **Eastfield Local Nature Reserve, High Ham**

- The rangers and volunteers organise practical working party days to manage the grassland habitats on site. Contact is maintained between the ranger team and Butterfly Conservation with reference habitat quality as a prospective large blue butterfly release site.

### **Moldram's Ground Local Nature Reserve, Pen Selwood**

- Great crested newt numbers continue to grow on site, with the greatest success being their range expansion into the new pond that was dug in 2013. Good relations have been built with adjoining residents and advice given to them on managing their land and gardens for wildlife.
- A small team of local residents visit the site regularly to report any issues to the ranger team so we can ensure that the site is well managed despite working so remotely from it.

### **Sampson's Wood**

- The Yeovil rangers continue to monitor the tree stock and manage any issues as they arise. Recently an illegal bike track was established and had to be taken down by the ranger team and notices erected.

### **Yeovil Country Park**

- It has been an exceptionally busy year at Yeovil Country Park. At the end of October 2014 the ranger team took occupation of the newly constructed Ninesprings Centre. The building was completed on time and budget, at a final construction cost of £280,876. External funding included grants from the organisations listed below. Subject to final contract closure in October 2015, £172, 597 was raised externally, 61% of costs and 39% was funding provided by SSDC (£108,279).

- The Ninesprings Café has been established as part of the Centre and continues to perform well against its business plan. In the current financial year we are budgeted to offer £10,000 of savings against the Café income and we hope to be able to offer more in the coming years. A full review will be completed in November 2015 after a year of trading. Despite an incredibly swift set up, and business opening, the café team are performing well under the management of Samantha Lane. The customer service is excellent and provides a welcoming and positive visitor experience at Yeovil Country Park.
- The Café and Centre as a whole have been received incredibly well on site. Already there is a noticeable difference in the visitors coming to site. The provision of public toilets and an indoor space has made a significant difference to the range of individuals and groups that can make use of the wider country park. Local schools, play groups, pre-schools and groups are asking for led sessions and there is an increased demand for more and better literature in the park.
- A range of grants have been secured by the countryside rangers and the Friends Group to enable the delivery of a variety of public and group sessions, events and projects. Funds and their outputs include Ernest Cook Fund (5,580) for educational activities and training sessions for pupils and teachers. Awards for All (9,900) for mini play events, orienteering mapping and courses, forest school training and sessions. Grants for the Arts (£13,450 + £9,590) for art workshops for groups on three annual themes, photography courses and wood carvings for across the site. Armed Forces Community Fund (£14,298) for a range of events and activity sessions with a military theme, engaging forces families and the park community locally including Flying the Flag on Armed Forces day in June and the recent Flight and Float Day on August 21<sup>st</sup>.
- At the beginning of June we had confirmation from the Heritage Lottery Fund that our bid had been successful and we have now started a £421,000, 3 year project, which will improve the natural heritage and visitor offer at Yeovil Country Park. The key delivery elements of the project include:
  - Employment of a 3 year Community Ranger, to deliver and coordinate new activities and work programmes.
  - Enhanced volunteering opportunities for a greater diversity of individuals and groups.
  - New and better interpretation, and educational, materials, in the Centre and across the site.
  - Built repairs to Ninesprings, where the ageing infrastructure of the waterfalls and grottos needs specialist attention.
  - Habitat improvement works across the park for meadows, wetlands and woodlands.
  - A huge variety of events based in the country park but of interest to a great array of people including art sessions, adventurous activities and performances.

### **Chard Reservoir Local Nature Reserve**

- Habitat management projects for the reed beds and native woodlands continue to progress well in the winter months. The reed beds have responded very well to previous winter works and their area has expanded.
- The volunteers under the direction of the site ranger Tim Brown, have worked tirelessly to replace the old wooden boardwalks with new stone built causeways. An inescapable budget pressure application awarded the site the funding for materials to undertake the work to construct the causeways. The stone built structures will now provide a long term solution to access across the wet areas of the site (for both the visiting public and Angling Club members). The project is an astonishing achievement and huge thanks must go to



the dedicated volunteer team. The site ranger will now work with the volunteers remove the old rotten wooden boardwalks through the winter months.

- We are currently updating the site leaflet and seeking funding to enable us to print the leaflet so it can be available in hard copy at the LIC and on site. It will be made available on line once completed.
- Final repairs were made to the reservoir dam structure and the dam wall fenced along the Chaffcombe Road. The reservoir water levels are monitored and recorded monthly, these are reviewed at the annual reservoir inspection completed by an external inspecting engineer in August.
- Volunteers are heavily involved in the management of the site for around 4 days per week. They assist in a range of tasks including litter picking, bide hide opening, practical land management, nest box surveying and maintenance and larger projects like fencing and causeway works. Volunteers are vital to reduce lone working by the reservoir ranger. Lufton College continue to be regular attendees and have helped across a range of practical projects.
- The sites 5 year land management plan requires revision and will be completed over the winter months in conjunction with the Countryside Steering Group.
- Chard Countryside Day in July was well received; with the good weather we estimate 500 - 700 people attended and the rangers were kept busy all day delivering children activities.

### **Headlines for the next 6 months**

- The Heritage Lottery Project in Yeovil will progress now that the Community Ranger has been appointed.
- The silt trap at Chard will be excavated and restored so it functions well for the winter rains.
- The Rangers will carry out site repairs, maintenance, and habitat management works over the winter months after the busy summer events season.
- Permissions and public consultation will commence for the Ham Hill Witcombe Lottery project.
- The Apprentices will finalise their project work and complete their assessments as their 18 months with us comes to an end.
- The Ninesprings Café will have its first annual review.

### **Financial Implications**

In 2015/16 the Countryside Service manages 650 acres of public access land comprising land designated mainly as Country Parks and Local Nature Reserves, with two Country Park Centre's and the new Ninesprings Cafe. A team of 5.8 Full Time Equivalent countryside staff and 1 Full Time Equivalent Café manager plus a casual café workforce manage the service to a net expenditure budget of £253,720. The overall budget includes target annual income generation of £213,970.

### **Corporate Priority Implications**

The work of the countryside service delivers for the following targets.

#### **Corporate Plan – Focus 2: Environment**

- Maintain our Country Parks, optimising the use of external funding
- Continue to deliver schemes with local communities that enhance the appearance of their local areas.

#### **Corporate Plan – Focus 4: Health and Communities**

- Maintain and enhance the South Somerset network of leisure and cultural facilities, optimising opportunities for external funding to promote healthy living.
- Ensure, with partners, that we respond effectively to community safety concerns raised by local people and that the strategic priorities for Policing and crime reduction in South Somerset reflects local needs.

## **Carbon Emissions & Climate Change Implications**

The Countryside Team are aware of the challenges faced in mitigating climate change and as a team work hard to ensure that their operations have a minimal carbon footprint. We ensure that by approaching the management of the countryside sites in a traditional manner they offer the largest carbon sink for other operations.

Annually the team plants a minimum of 500 trees and these are always native, ensuring they are best suited to our current climate; providing habitats with the best chance of adaptation to future climate change.

By having site based rangers travel is kept to a minimum and carbon emissions kept low. Instead of heavy power tool use the nature of the work means that a significant volunteer work force is mobilised keeping fuel consumption low.

Annually thousands of members of the public of all ages have contact with the ranger team through organised educational events; promoting wildlife, green spaces, green living, traditional countryside management and minimising your carbon footprint.

## **Equality and Diversity Implications**

The countryside team work hard to ensure that the countryside sites are as accessible as possible. Stiles are removed in favour of gates. An audio trail and free mobility vehicle are for hire at Ham Hill Country Park. Easy access trails are promoted at the largest sites. The website contains relevant information and assistance for planning visits and Access for All are used to advise the rangers on proposed works and projects.

**Background Papers:** None

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# Agenda Item 9

## Planning Appeals

*Strategic Director:* Rina Singh (Place and Performance)  
*Assistant Director:* Martin Woods (Economy)  
*Service Manager:* David Norris, Development Manager  
*Lead Officer:* David Norris, Development Manager  
*Contact Details:* david.norris@southsomerset.gov.uk or 01935 462382

## 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.

## Report Detail

### Appeals Received

15/01917/FUL – Demolition of existing conservatory and erection of two storey extension (revised application to 14/01789/FUL) (GR335240/106110) (Officer Decision)  
Leigh Lodge, Forton, Chard, Somerset, TA20 4HW

14/03877/PAMB – Prior approval for the change of use of agricultural buildings into 3 No. dwellings. (GR 333666/107731) (Officer Decision)  
Cranway Farm, Cranway Lane, Forton, Chard, TA20 2LT

14/03636/OUT – Outline application for a residential development comprising of up to 16 No. dwellings, associated parking, landscaping and construction of access. (GR 332298/115322) (Officer Decision)  
Land at Tanyard, Broadway, Ilminster, Somerset

15/00419/FUL – The erection of a two storey rear extension to dwellinghouse. (GR 335750/113973) (Officer Decision)  
50 Herne Rise, Ilminster, Somerset, TA19 0HJ

### Appeals Dismissed

14/03600/FUL – Change of use of land to equestrian and the erection of stables. (GR 347042/108997) (Officer Decision)  
Land at Grey Abbey Bridge, North Perrott, Crewkerne, Somerset, TA18 7SB

15/00419/FUL – The erection of a two storey rear extension to dwellinghouse. (GR 335750/113973) (Officer Decision)  
50 Herne Rise, Ilminster, Somerset, TA19 0HJ

13/02142/DPO – Application to discharge the whole Section 106 agreement attached to planning permission 06/01701/COU dated 5<sup>th</sup> September 2007. (GR 326184/115279) (Officer Decision)

Apple Tree Lodge, Blackwater Road, Buckland St Mary, Chard, TA20 3LD

The Inspector's decision letters are attached.

***Background Papers: None***

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# Appeal Decision

Site visit made on 16 June 2015

by **John Chase MCD DipArch RIBA MRTPI**

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

Decision date: 28 July 2015

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**Appeal Ref: APP/R3325/W/15/3005505**

**Land at Grey Abbey Bridge, North Perrott, Crewkerne, Somerset**

- 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 John Hunter against the decision of South Somerset District Council.
  - The application Ref 14/03600/FUL, dated 6 August 2014, was refused by notice dated 1 October 2014.
  - The development proposed is the change of use of land to equestrian and the erection of stables.
- 

## Decision

1. The appeal is dismissed.

## Procedural Matter

2. The description of the development shown above is that taken from the Council's decision notice and appeal form.

## Main Issue

3. The main issue is the impact of the development on the character and appearance of the countryside.

## Reasons

4. The appeal property is an irregularly shaped field of about .84 ha set between two roads, the A3066 and School Hill, within open countryside. The field appears presently unused, with unkempt grass. It is proposed to use the land for keeping horses, with a new stable block alongside the existing hedgerow which separates the field from School Hill. Whilst the application drawings show the land divided by new fences, and the insertion of a parking area, the appellant agrees to a condition removing these features if, by its imposition, the scheme would be rendered acceptable.
5. Policy EQ8 of the recently adopted South Somerset Local Plan (2006-2028) concerns equine development and requires, amongst other matters, that any new stables or field shelters should be closely related to existing settlements or groups of buildings. Whilst the appellant's views to the contrary are noted, it cannot be construed that the proposed stables would meet this criterion. The nearest existing buildings, at Grey Abbey Farm, are some way distant from the site, separated by a road, and the settlement of North Perrott is further

removed to the north. The building would be isolated in the countryside, rather than being closely related to any existing development. Policy EQ8 also requires that equine development should not harm any national or international wildlife or landscape designations, but there is no indication that the land, or any adjoining, has any special status in these respects.

6. The proposal is clearly contrary to an aspect of the Policy EQ8 and the question arises as to whether there are material considerations which outweigh the application of this policy. It is the appellant's view that the impact would be sufficiently muted to minimise any harm to the quality of the landscape. Attention is drawn to the location of the stables backing onto the hedge so that, at least for part of the year, the building would be screened from School Hill. It is also suggested that conditions may be applied to prevent the more intrusive aspects of the scheme identified by the Council, including restrictions on the use of jumps and external lighting, as well as the elimination of parking and permanent fencing, referred to above.
7. These points are noted, and it is certainly the case that the vegetation along the School Hill frontage is dense, and that the stable would not be especially noticeable from this side. However, the site is more visible from the A3066 and, because of its elevated position in relation to this road, the stables and use of the land for horse keeping would become apparent. Even if permanent fencing and jumps were to be eliminated, and additional landscaping introduced, the equestrian activity would have a different character from the predominantly agricultural nature of the surroundings. Amongst other matters, temporary fencing, vehicle parking (whether on site or in the field entrance), and the more intensive use of the land would be at odds with the sparsely developed and traditional nature of the rural area.
8. The development would be harmful to the prevailing character and appearance of the countryside, contrary to Local Plan Policy EQ2 which seeks to conserve and enhance the landscape, reinforcing its distinctive character, and to policy EQ8, as described above. No material considerations indicate that this appeal should be determined other than in accordance with the development plan.

*John Chase*

INSPECTOR

## Appeal Decision

Site visit made on 8 July 2015

by **Andrew Dawe** BSc(Hons) MSc MPhil MRTPI

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

Decision date: 20 July 2015

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**Appeal Ref: APP/R3325/D/15/3013902**

**50 Herne Rise, Ilminster, Somerset TA19 0HJ**

- 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 Stuart Lee against the decision of South Somerset District Council.
  - The application Ref 15/00419/FUL, dated 21 January 2015, was refused by notice dated 31 March 2015.
  - The development proposed is 2 level extension to the rear of my semi-detached property.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - i) the effect of the proposed development on the living conditions of the occupiers of No 52 Herne Rise in respect of outlook, privacy, sunlight and daylight.
  - ii) the effect of the proposed development on the character and appearance of the host property and the surrounding area.

### Reasons

#### *Living conditions*

3. The ground floors of Nos 50 and 52 at the rear are noticeably raised above the garden level. No 52 has a rear conservatory with a correspondingly raised floor level. The proposed extension would create a two storey extension comprising ground and lower ground floor accommodation with ground floor rear access via steps and associated platform.
4. The proposed extension would project just over 5 metres from the rear of the existing house, and noticeably beyond the rear of No 52's conservatory, at a height greater than the eaves of that conservatory. This would result in a significant massing that would have an unacceptable enclosing and overbearing effect when seen from the rear living room of No 52 via the conservatory, which has glazing on all elevations, as well as from the conservatory itself. Furthermore, from the private timber patio area of No 52, immediately to the

rear of the conservatory and adjacent to the boundary with No 50, the proposed extension, due to its significant height, would be overbearing and oppressive.

5. The proposed platform that would provide access via steps to the ground floor room would be very close to the boundary with No 52. This would therefore result in direct overlooking of the more private area of the patio and garden area closest to the rear of that neighbouring house. This would result in a significant and unacceptable loss of privacy to residents of that property.
6. Due to north-north-easterly aspect, it would be unlikely that the proposed extension would cause significantly more loss of sunlight to the rear of No 52 than is currently caused by the existing house at No 50. Furthermore, there would still be a significant amount of open sky visible from the rear of No 52 and its garden such that the proposal would be unlikely to cause an unacceptable loss of daylight.
7. The appellant refers to No 52's conservatory overlooking No 50 and blocking out light to it. However, there are clear differences in terms of scale and massing between that conservatory and the proposed development. The obscure glazed side glazing panels to the former also reduce any overlooking of No 50 and there is not the same direct overlooking as would be caused by the proposed access platform. Notwithstanding this, I have in any case considered the effect on the living conditions of the occupiers of No 52 on its merits.
8. I conclude on this issue that, whilst there would not be an unacceptable loss of sunlight and daylight to No 52, this would not outweigh the unacceptable harm that, for the above reasons, the proposed development would cause to the living conditions of the occupiers of No 52 in respect of outlook and privacy. As such, in respect of this issue, it would be contrary to Policy EQ2 of the South Somerset Local Plan (the Local Plan) which states that development proposals should protect the residential amenity of neighbouring properties. It would also be contrary to the National Planning Policy Framework (the Framework) which, in paragraph 17, states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

#### *Character and appearance*

9. The proposed development would introduce a large, two storey, flat roofed addition to the existing house. I also note that there are no other similarly large flat roof extensions to other properties in the vicinity, albeit that No 48 also has a large rear extension but with a sloping roof.
10. However, despite its height, it would still be below the level of the existing first floor windows; would have a significant section of narrower width than the existing houses; would be seen to some extent in the context of the flat roof of the existing garage; would still leave a good sized rear garden; and would also not be clearly visible from the street. The dwellings to the rear of the site are also at a significantly lower level such that the proposed extension would not appear as a prominent feature from those properties. For these reasons, it would not harmfully detract from the appearance of the existing house and, although it would be clearly visible from the properties either side, it would not be a prominent feature in the context of the wider surrounding area.



11. Therefore, I conclude on this issue that the proposed development would not cause unacceptable harm to the character and appearance of the host property and the surrounding area. As such, in respect of this issue, it would accord Policy EQ2 of the Local Plan which states that development will be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district. It would also accord with the Framework in this respect which, in section 7, sets out the requirement for good design.

**Conclusion**

12. I have found that the proposed development would not cause unacceptable harm to the character and appearance of the host property and the surrounding area. However, this would not outweigh the harm that it would cause to the living conditions of the occupiers of No 52 in respect of outlook and privacy.

13. Therefore, for the above reasons, I conclude that the appeal should be dismissed.

*Andrew Dawe*

INSPECTOR

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# Appeal Decision

Site visit made on 16 June 2015

**by John Chase MCD DipArch RIBA MRTPI**

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

**Decision date: 22 July 2015**

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**Appeal Ref: APP/R3325/Q/14/2215390**

**Apple Tree Lodge, Blackwater, Buckland St Mary, Chard, Somerset, TA20 3LD**

- The appeal is made under Section 106B of the Town and Country Planning Act 1990 against a refusal to discharge a planning obligation.
  - The appeal is made by Stuart and Alison Collier against the decision of South Somerset District Council.
  - The development to which the planning obligation relates is a change of use from a garage/workroom to a holiday letting.
  - The planning obligation, dated 5 September 2007, was made between South Somerset District Council and Stuart and Alison Margaret Collier.
  - The application Ref 13/02142/DPO, dated 13 May 2013, was refused by notice dated 12 September 2013.
  - The application sought to have the planning obligation discharged.
- 

## Decision

1. The appeal is dismissed.

## Procedural Matter

2. Since the issue of the Council's decision notice, the South Somerset Local Plan (2006-2028) has been adopted, and attention has been drawn to new policies SS1, SS2, EP8, and EQ2. The appellants are aware of this change and have had the opportunity to make representations about it.

## Reasons

3. The subject of this appeal was formerly an outbuilding within the curtilage of the adjacent house at Castle Cross. Following permission for a change of use to holiday accommodation the building was extended and converted as a residential unit, with the use limited to occupation as a holiday unit, or as ancillary to the existing house, by a planning agreement under Section 106 of the Town and Country Planning Act 1990. It is now the appellants' intention to remove this restriction so that the building may be used as a separate dwelling.
4. Section 106A of the Act makes provision for the removal or modification of an obligation which no longer serves a useful purpose. It is clear that the agreement was originally formed in order to comply with Local Plan policies permitting tourist development, but restricting housing outside settlement boundaries. The main issue, therefore, is whether the obligation continues to serve a useful purpose, with particular reference to the requirement for holiday

- accommodation in the area, and the need for a sustainable form of development in the context of policies of restraint.
5. On the first point, there is no compelling evidence that there is a surplus of holiday accommodation in the area, nor that circumstances have significantly altered since the planning permission was granted. Indeed, the Council have produced figures to show a rise in both the number of visitors and the level of spending in recent times. It may be that the enterprise does not return substantial profits, and would not support a paid employee to manage the operation. However, this scale of holiday accommodation could not be expected to provide more than a supplementary income, and the appellants' representations indicate that this was the basis on which they set up the business. Their present desire to close the operation does not, of itself, indicate that there is no longer a need for holiday accommodation to justify the removal of the restriction.
  6. Turning to the question of sustainability, the original planning decision was made in the context of Policy ST3 of the South Somerset Local Plan, adopted 2006, which strictly controls development outside settlements to that which benefits economic activity, maintains or enhances the environment, and does not foster the need to travel. It is probable, as claimed by the appellants, that the occupants of a holiday cottage would use private vehicles as much or more than permanent residents. However, it is also the case that holiday makers would seek a rural environment, and that attracting a tourist trade assists the economic sustainability of the area. There is a reasonable expectation that, in balancing these conflicting demands, greater weight was given to the economic benefit when permission was granted. That potential advantage would not apply to a permanent dwelling, and there is no indication that the property is accessibly located with respect to local services, sources of employment, or public transport. It forms part of a small group of buildings, but isolated from any larger rural settlement, which diminishes the likelihood that its residential occupation would significantly influence the vitality of a rural community. Again, there are not grounds to consider that the obligation no longer serves a useful purpose.
  7. Reference is made to the need for housing in the area, and the Council acknowledge that they are not able to demonstrate a five year land supply, referring to the implications this has for development plan policies concerning the supply of housing, as set out in the National Planning Policy Framework. However, the Framework also contains policies which limit the development of isolated homes in the countryside, whilst promoting tourism and the rural economy. There is not a substantial case that the need for housing is such as to render the restrictions in the obligation obsolete. Reference is made to changes in permitted development rights concerning the conversion of rural buildings to residential use, but such rights apply to agricultural buildings, and do not establish a general principle which may be applied to other types of development in the countryside.
  8. The Council's decision notice refers to former Local Plan policies ST3, considered above, and ME10 concerning tourist accommodation outside settlements. Identified policies in the new South Somerset Local Plan (2006-2028) include SS1 and SS2, which, amongst other matters, make provision for housing development in rural settlements which have access to specified services. Policy EP8 supports tourist development of an appropriate scale, and

EQ2 is a general policy intended to secure high quality development. Whilst there are changes in emphasis from the previous policies, including omission of specific reference to the need for restrictive conditions to prevent residential use in policy EP8, overall there is no indication that the policy position has changed so radically as to make the requirements of the obligation unnecessary.

9. In terms of the main issue, the obligation continues to serve a useful purpose, having particular regard to the requirement for holiday accommodation in the area, and the need for a sustainable form of development in the context of policies of restraint. No other factors indicate a different conclusion, and any alleged curtailment of the appellants' human rights is outweighed by the need to serve the wider public interest.

*John Chase*

INSPECTOR

# Agenda Item 10

## Schedule of Planning Applications to be Determined by Committee

*Strategic Director:* Rina Singh, Place and Performance  
*Assistant Director:* Martin Woods, Economy  
*Service Manager:* David Norris, Development Manager  
*Contact Details:* david.norris@southsomerset.gov.uk or 01935 462382

### Purpose of the Report

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

### Recommendation

Members are asked to note the schedule of planning applications.

***Planning Applications will be considered no earlier than 7.00 pm.***

Members of the public who wish to speak about a particular planning item are recommended to arrive for 6.50 pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
11	WINDWHISTLE	15/02959/FUL	Formation of vehicular access track and erection of agricultural building (GR 335902/105831)	Land adjoining Woodlands, Leigh, Winsham	Mr and Mrs Gummer
12	CREWKERNE	15/03172/FUL	Separation of annexe from 3 Church Street for use as independent dwelling (GR 344063/109752)	3 Church Street Crewkerne Somerset	Mr and Mrs Dominic Simpson
13	CREWKERNE	15/03173/LBC	Internal alterations to separate annexe from 3 Church Street for use as independent dwelling (GR 344063/109752)	3 Church Street Crewkerne Somerset	Mr and Mrs Dominic Simpson

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.

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# Agenda Item 11

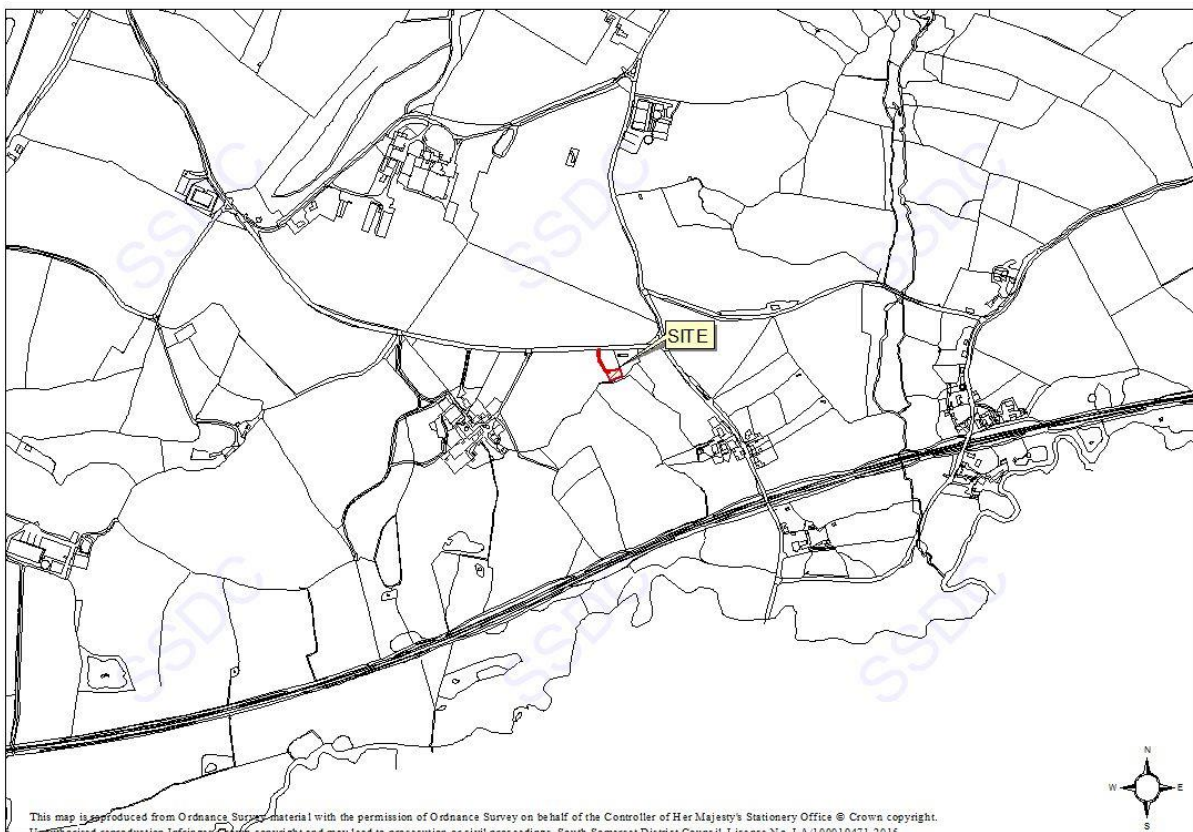
## Officer Report on Planning Application: 15/02959/FUL

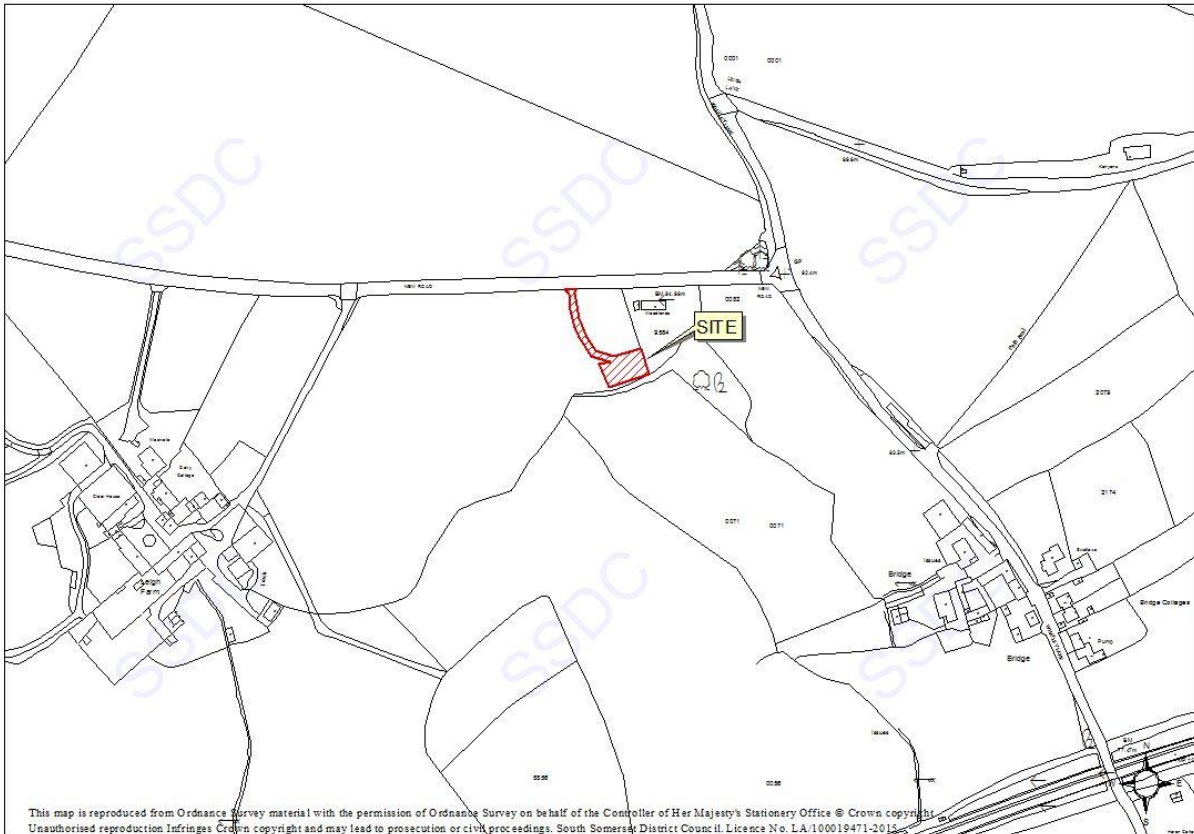
<b>Proposal :</b>	Formation of vehicular access track and erection of agricultural building (GR 335902/105831)
<b>Site Address:</b>	Land Adjoining Woodlands Leigh Winsham
<b>Parish:</b>	Winsham
<b>WINDWHISTLE Ward (SSDC Member)</b>	Cllr S Osborne
<b>Recommending Case Officer:</b>	Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk.
<b>Target date :</b>	3rd September 2015
<b>Applicant :</b>	Mr And Mrs M Gummer
<b>Agent: (no agent if blank)</b>	Paul Dance Foxgloves 11 North Street Stoke Sub Hamdon Somerset TA14 6QR
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

### REASON FOR COMMITTEE CONSIDERATION

To assess the agricultural need and landscape impact.

### SITE DESCRIPTION AND PROPOSAL





The site consists of an agricultural paddock which shares its eastern boundary with a detached dwelling known as 'Woodlands'. The highway is located alongside the northern site boundary. The paddock forms part of a unit of land totalling 2.7 acres. There is further 3.3 acres of land which the applicants rent located alongside the subject land that is rented. There is a vehicular access alongside the rented land located to the west of the subject site.

The application includes the provision of an access onto the highway from the northern site boundary, provision of an access track, hardstanding and agricultural building. The access track would measure approximately 55 metres in length leading to the proposed building which would be located within the south eastern corner of the paddock. The proposed hard standing would be located to the northern and eastern sides of the proposed building and would project 10 metres from the eastern gable elevation and 7 metres from the northern elevation of the building. It would have a total area of approximately 150 square metres.

The proposed agricultural building would measure 14 by 8.3 metres. It would have a dual pitched roof with a maximum height of 5 metres. The building would have timber clad elevations and green metal sheeting to the roof. The submitted floor plans indicate that the floor space would be used for two lamb stalls, storage for a tractor, topper and trailer and hay storage.

## HISTORY

15/00840/COL- Application for a lawful development certificate for the proposed formation of vehicular access track from highway across agricultural land to residential curtilage of Woodlands and creation of hardstanding within this curtilage- refused

14/03006/FUL- The creation of an agricultural access and change of use of land from agriculture to residential- Application withdrawn.



## **POLICY**

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

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

South Somerset Local Plan (2006-2028)  
Policy SD1 - Sustainable Development  
Policy EQ2 - General Development  
Policy TA5- Highway Safety

National Planning Policy Framework  
Core Planning Principles  
Chapter 3: Supporting a Prosperous Rural Economy  
Chapter 7: Requiring Good Design  
Chapter 11. Conserving and enhancing the natural environment

## **ENVIRONMENTAL IMPACT ASSESSMENT**

None required

## **CONSULTATIONS**

### **Parish Council:**

No objection, although concern was raised with regard to the impact on the surroundings. It was suggested a relevant archaeological or landscape study be considered to be undertaken to ensure that no valuable historical or environmental information is lost.

### **County Highways:**

No objections subject to conditions. Comments as per letter dated 26th August 2015.

### **SSDC Highway Consultant:**

Refer to SCC comments. Extent of visibility splays at proposed access need to be shown, commensurate with vehicle speeds on New Road. Suggest more details are submitted in respect of the means of access, such as the consolidation and proper surfacing of the access (not loose stone/gravel) for first 12m, entrance gate to be set back from the carriageway at a point equivalent to the longest vehicle likely to visit the site, surface water drainage measures, ensure gradient is not steeper than 1:10, etc.

### **Economic Development (agricultural advisor):**

First response:

The applicant owns just 2.7 acres, with a further 3.3 acres rented. However, there is no indication on what terms the rented land is made available. Is this a simple arrangement with the landowner or is there a formal agreement such as a farm business tenancy? If the

former, I would have to work on the holding size being just 2.7 acres. If the latter, I would appreciate for my own peace of mind seeing the legal documents that would prove continued access to the land for a defined period.

The design of the shed is somewhat baffling. There is seemingly no ventilation other than the open door. I am to assume that the pig rearing is using outdoor pig arcs, as no mention of the need for pigs to be housed within the building has been stated. There is mention of the need for 2 x isolation and lambing pens, which for just 15 sheep seems excessive. Similarly, for the density and type of livestock the applicant is looking to support, I would question the need for such a large amount of space for the storage of fodder, as sheep are year round grazing animals and pigs would only require small quantities of straw for bedding.

Finally, the costs associated with building this shed will take a very long time to recoup from the profits from such a low number of livestock. I am not comfortable with this application for the reasons stated and would be unable to support it.

Second response:

It is my view that the amount of hardstanding provided for with this building is excessive for the number of livestock and density of agricultural operations taking place at this location.

**Landscape Officer:**

The above application seeking the construction of a 14 x 8 metre building, along with extensive associated hardstanding, is noted. I believe the application raises 3 issues:

1) Justification: Is there a genuine agricultural need? For example, is there a farm business that justifies a new building in this location? I assume we need to be convinced of this before we consider the potential for development on the site.

2) Scale of holding: It would appear that the scale of the holding is only circa 2.7 acres. I am wary of encouraging the consent of a single building to service a small agricultural unit, particularly where there is no apparent relationship with a home farmstead. Such a position encourages the proliferation of built form. In landscape terms, unless the local landscape is characterised historically by a high ratio of single agricultural buildings relative to field numbers within the landscape pattern - which in this instance it is not - then such a proposal is incongruous when considered against landscape character considerations (local plan policies EQ2) and could be refused on these grounds.

3) Landscape character: The recently published PPG (Natural Environment) re-iterates one of the NPPF core principles that planning should recognise the intrinsic character and beauty of the countryside. The application site lays to the west side of 'Woodlands,' a singular residential plot within a farmland surround, that lays within the wider context of the Axe valley. This is a natural landscape of mature hedgerows; specimen trees and woodlands; and the varied field patterns, are the core components of local character, which express the 'intrinsic character and beauty of the countryside' that the NPPF seeks to protect. I also note that the field that is subject of this application is anciently enclosed land, pre-17th century, which has particular historic interest to the county. This proposal would introduce a substantive development form to the open fields to the west of, and slightly disassociated from, the house. In setting the building back from the road, a lengthy driveway is formed along with extensive hardstanding, which is viewed as a sizeable intervention upon the local landscape, and significantly aggregates the development footprint. The formalised access arrangement is a further subtle erosion of the character of this rural lane. Consequently I consider the proposal to negatively impact upon the character and local distinctiveness of the local landscape contrary to the objective of policy EQ2, to thus provide landscape grounds for objection.

## REPRESENTATIONS

Following consultation 5 representations have been received, three supporting and 2 making representations. The following comments are made:

- Support for smallholding venture- will provide a good quality product for local people.
- Agricultural building seems large for intended purpose.
- Question loss of hedgerow to form new opening. The land can already be accessed.
- The quiet lane does not need any more opening onto it.

## CONSIDERATIONS

### Principle of development:

The provision of agricultural buildings in the countryside is acceptable in principle subject to compliance with the relevant development plan policies. In this instance the principle considerations relate to the justification for the building and its impact on landscape character.

There is some relevant history to the application site. The applicant has previously attempted to carry out the construction of the access track linking the road to the rear garden of Woodlands via a certificate of lawfulness. This application was refused. Prior to this, the applicant applied for the change of use of the paddock to domestic garden in association with 'Woodlands'. This application was withdrawn following advice from the planning officer that the application would be refused. Whilst the proposal is for agricultural development, the current application and the recent planning history indicates that the intention is to join the proposed access driveway to the curtilage of Woodlands, thereby extending the residential planning unit. However, this element of the application was withdrawn at the validation stage following advice that it must either be included within the development description or withdrawn from the proposal. It is however noted that it is mentioned within the planning statement that the track will provide access to the hardstanding within the curtilage of Woodlands. This is a material consideration as it is considered to relate to the justification and also is considered to have informed the layout and scale of the development.

Where a building is generally designed for agricultural purposes it does not necessarily follow that it is appropriate in planning terms. The comments by the Councils agricultural advisor note that in terms of the size of the current holding and limited extent of the agricultural activities is insufficient to justify an agricultural building of this size. Additional information has been submitted by the applicant regarding the justification for the building and the status of the rented land. In terms of items to be stored the councils advisor considers that the areas for hay storage and lamb stalls are greater than one would require for a land holding of this size. In addition, a large portion of the building would contain a tractor, topper and trailer. The use and storage of this range of equipment is not considered essential for the running of such a small piece of land. A similar situation was considered at another site by an appeal inspector. The site was located within an AONB and involved the construction of a building for equestrian purposes measuring 13.7 by 9.5 metres and serving an area of land measuring 2.4 hectares. The appellant maintained that the building was required for a range of equipment including a tractor, topper and trailer. In considering this issue the inspector stated:

"I saw at my site visit that the land is carefully maintained. I am not convinced, however, that the small acreage involved necessitates the storage on the site of the full range of equipment proposed, some of which might be used infrequently. I note that the appellant has engaged agricultural contractors in the past but the arrangement has not proved satisfactory. To my mind, however, other arrangements such as the hiring of equipment as and when required

might be explored. Even if this were to prove unsatisfactory I believe that the cost in terms of the visual harm to the landscape resulting from the proposed built development would outweigh the benefit in respect of the maintenance of the land itself".

(Para 11; APP/H3320/A/13/2190094)

Further to the size of the building it is considered that the scale of the hardstanding is similarly unnecessary in relation to the functioning of the small scale agricultural activities on site. No justification has been submitted other than to access the proposed building. The Councils agricultural advisor has commented that an area of hardstanding of this size is; "excessive for the number of livestock and density of agricultural operations taking place at this location".

### **Character and Appearance:**

The proposed building would be set away from the adjoining highway and would be set against a mature boundary. However, given the considerations above, it is considered that the scale of the building in conjunction with the hardstanding and access track would be harmful to local landscape character. Of note the landscape officer states:

"In landscape terms, unless the local landscape is characterised historically by a high ratio of single agricultural buildings relative to field numbers within the landscape pattern - which in this instance it is not - then such a proposal is incongruous when considered against landscape character".

"In setting the building back from the road, a lengthy driveway is formed along with extensive hardstanding, which is viewed as a sizeable intervention upon the local landscape, and significantly aggregates the development footprint. The formalised access arrangement is a further subtle erosion of the character of this rural lane. Consequently I consider the proposal to negatively impact upon the character and local distinctiveness of the local landscape".

Whilst it is acknowledged that the creation of an agricultural access onto a highway does not need permission on its own, in this instance, the creation of the driveway, hardstanding and construction of the building would cause harm to local landscape character. It is clear that the intention of the current applicants is to merge the planning units; that of the residential planning unit of Woodlands with the agricultural land to the west given the application history outlined in this report. This would result in a mixed use of the land between that of residential access and agricultural. The application was amended at the validation stage so that this is no longer part of the proposal and conditions could be put in place to ensure that access into the curtilage is not provided and that the existing hedge remains.

### **Highway Safety:**

It is noted that the highway authority do not object subject to a condition relating to visibility being imposed. The relevant visibility splay standards are contained within the County Council. These are visibility splays of 2.4 metres by 43 metres either side of the access.

The submitted plan indicates a visibility splay drawn 2 metres from the edge of the carriageway. Having regard to the guidance within the Highways Standing Advice document, an agricultural access should have a splay drawn 2.4 metres from the carriageway edge. In addition the submitted plan illustrates the edge of the hedge as being 1.6 metres from the edge of the carriageway. From the site visit is noted that the hedge is located between approximately 1 and 1.3 metres from the carriageway edge and having regard to these

discrepancies it is considered that in order to provide the required visibility, a relatively substantial section of hedge of around 45 metres would need to be removed. This would be detrimental to local landscape character.

**Residential Amenity:**

The nearest residential occupiers are of sufficient distance from the site and as such there would be no impact on the amenities of these nearby occupiers.

**Conclusion:**

The proposed building, hardstanding and access track are not justified out of agricultural need. The proposed layout of the development appears contrived and rather than being designed through genuine agricultural need, appears to have been informed by the intention of joining the agricultural land to the adjoining residential planning unit. This is indicated by the recent planning history under the same applicant, including details submitted under the current application.

In addition to the lack of justification, the resulting layout, scale of the building, the access, track and hardstanding would appear contrived and the resulting scale of the development footprint would harm local landscape character contrary to Local Plan Policy EQ2 and Chapter 11 of the National Planning Policy Framework (2012).

**RECOMMENDATION**

Refuse Permission

**SUBJECT TO THE FOLLOWING:**

01. The proposed agricultural building, hardstanding, access and track by reason of the lack of genuine agricultural need, contrived design and layout would be an inappropriate development in the country side and would harm local landscape character contrary to Policy EQ2 of the South Somerset Local Plan (2006-2028) and Chapter 11 of the National Planning Policy Framework (2012).

**Informatives:**

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

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions. During consideration of the application the agent was informed of the issues and the content of responses from consultees.

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# Agenda Item 12

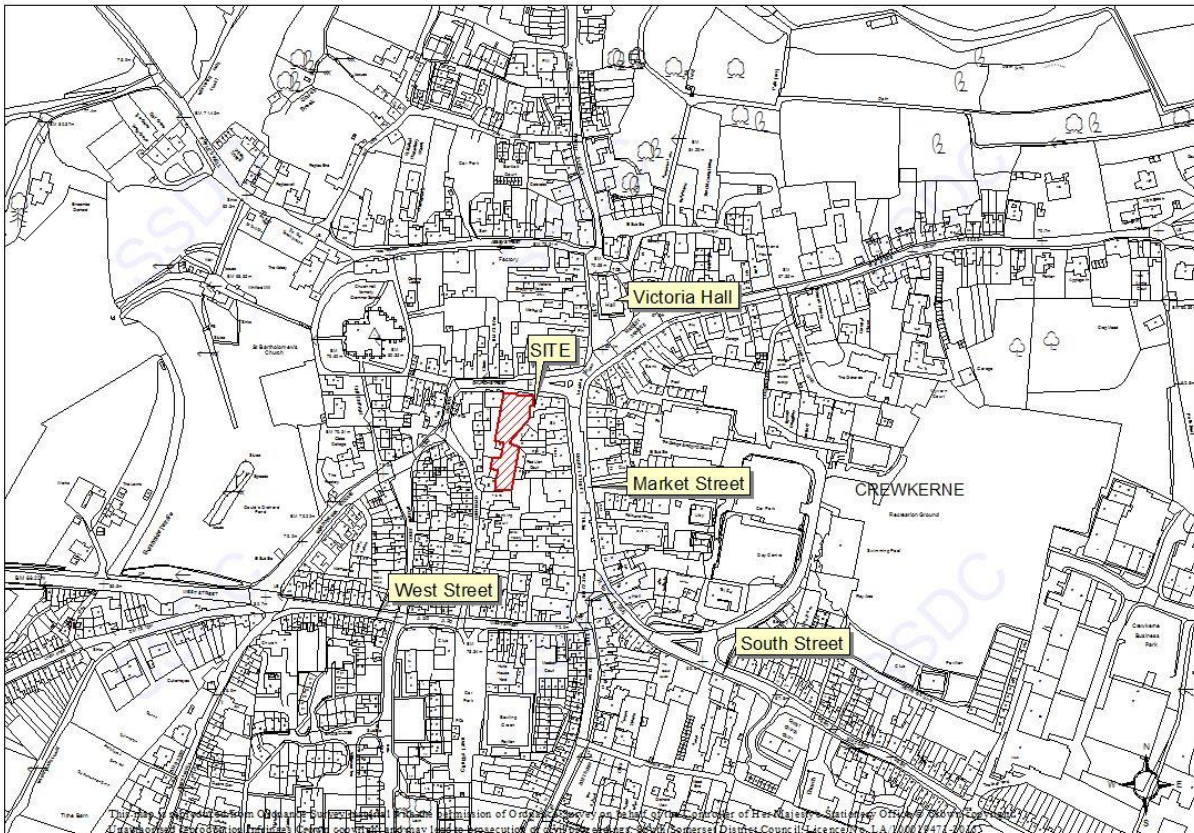
## Officer Report on Planning Application: 15/03172/FUL

<b>Proposal:</b>	Separation of annexe from 3 Church Street for use as independent dwelling (GR 344063/109752)
<b>Site Address:</b>	3 Church Street Crewkerne Somerset
<b>Parish:</b>	Crewkerne
<b>CREWKERNE TOWN Ward (SSDC Member)</b>	Cllr M Barrett Cllr M Best Cllr A M Singleton
<b>Recommending Case Officer:</b>	Diana Watts Tel: (01935) 462483 Email: diana.watts@southsomerset.gov.uk
<b>Target date:</b>	14th September 2015
<b>Applicant:</b>	Mr And Mrs Dominic Simpson
<b>Agent: (no agent if blank)</b>	Mr Chris Baranowski Higher Diary House Allowenshay Hinton St George TA17 8TB
<b>Application Type:</b>	Minor Dwellings 1-9 site less than 1ha

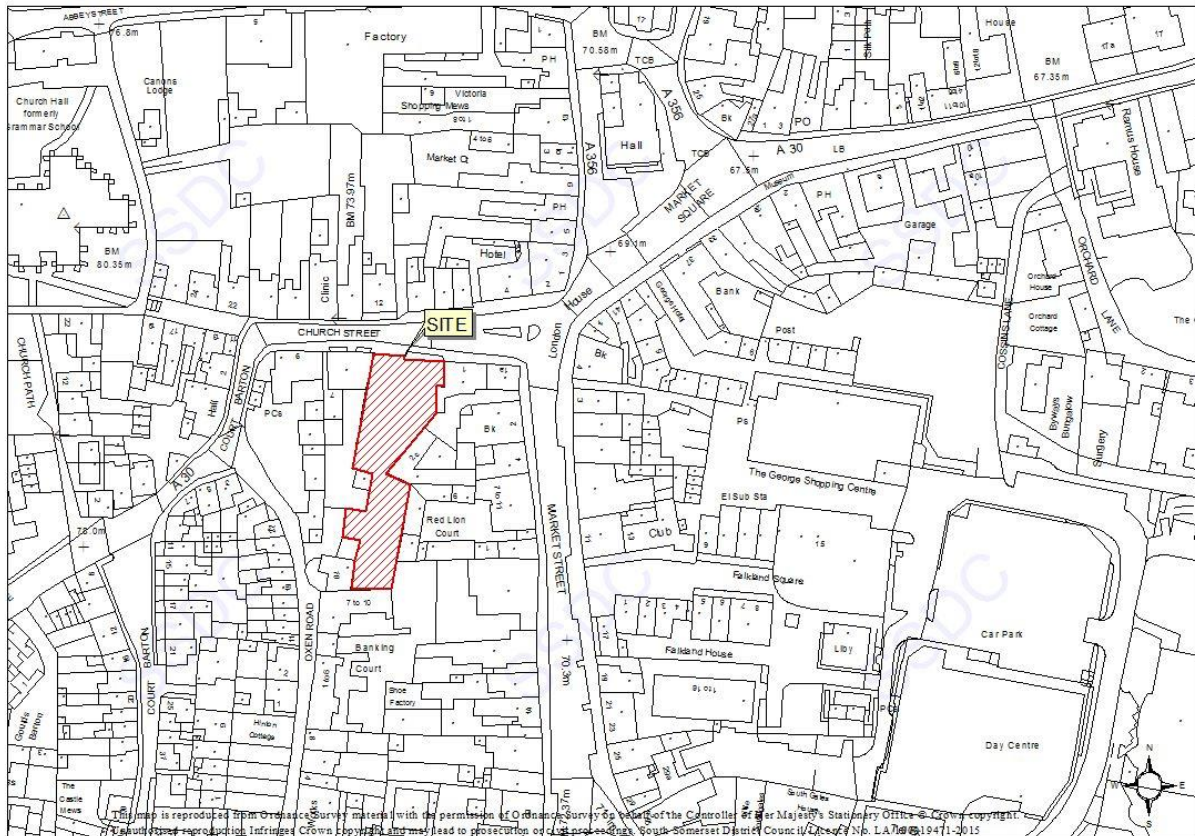
### REASON FOR COMMITTEE CONSIDERATION

The owner of the property is a District Councillor.

### SITE DESCRIPTION AND PROPOSAL







Kincora is grade 2\* listed building fronting Church Street in the centre of Crewkerne within the Conservation Area. It comprises a fine early 18th century stone house with a 17th century wing to the rear and a late 19th century wing to the right. The latter wing is a two storey extension with double timber doors providing vehicular access off Church Street. There is also an access with parking to the rear of the garden off Oxen Road.

This application proposes to separate this 19th century extension from the main house to create an independent 3 bedroom dwelling. It is understood that this extension has been used as an annex to the house as ancillary family accommodation but also let separately to tenants over the last ten years.

The application is accompanied by a Design and Access Statement which explains:

- The proposal is to separate the annex part of the property for use as an independent dwelling
- The main house would retain the existing living room, dining room, family room, kitchen, utility room and five bedrooms with en-suite bathroom.
- The existing first floor bathroom in the main house would be added to the annex accommodation to be converted into a bedroom (alterations to include reinstating a former door opening, existing partition to be removed and new door and lining inserted into opening, existing door removed and new partition added). The annex would comprise 3 bedrooms with living room, kitchen/dining room and bathroom.
- Part of garden would be retained by annex and copper beech hedging to define boundary
- Existing access to rear to main house would be retained and include a double garage and additional car parking space.
- Existing access from Church Street into annex would be retained and includes space for two cars within courtyard/passageway.

## **HISTORY**

Use of access and parking off Oxen Road acquired in 2012; prior to that the access off Church Street was the only access.

91/00754/FUL - Use of outbuilding/garage for retail purposes - approved 1991

86524 - Change of use from vet's surgery and dwelling to single dwelling - approved 1970

## **POLICY**

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

SS1 - Settlement Strategy

TA5 - Transport Impact of New Development

TA6- Parking Standards

EQ2 - General Development

EQ3 -Historic Environment

HG4 - Provision of affordable housing - sites of 1-5 dwellings

Policy-related Material Considerations

National Planning Policy Framework - March 2012

Chapter 4 - Promoting Sustainable Transport

Chapter 7. Requiring Good Design

Chapter 12 - Conserving and Enhancing Historic Environment. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

Somerset County Council Parking Strategy, March 2012 and September 2013.

Somerset County Council Highways Standing Advice, June 2015.

## **CONSULTATIONS**

Crewkerne Town Council: No comments received



County Highway Authority: Standing Advice.

SSDC Highway Consultant: No significant highway issues - ensure on-site parking provision seeks to accord with SPS optimum standards

Conservation Officer on associated listed building application 15/03173/LBC - You will be aware that this is a grade ii\* listed building in a conservation area.

The division proposed is along the line of the phasing of the building. The older part of the house has the greatest significance and the proposal does not erode the significance or do harm to the building, which has been lived in as two dwellings for a number of years.

## **REPRESENTATIONS**

A site notice was posted (Listed Building in Conservation Area) and neighbouring properties notified. No representations have been received.

## **CONSIDERATIONS**

### **Impact on character and appearance of the listed building and its setting in the Conservation Area**

This is an impressive grade 2\* listed building within the Crewkerne Conservation Area. The annex extension looks like a separate dwelling from Church Street with its own front door, vehicular access and design distinct from that of the main house. As highlighted by the Conservation Officer, the proposed division is along the line of the phasing of the building. Minimal alterations are proposed internally and these would preserve the historic fabric and character of the building. Externally, the proposed beech hedging would provide a sympathetic division of the garden which is characterised by mature planting and irregular semi-enclosed spaces.

It is considered therefore that the proposal would protect these designated heritage assets.

### **Impact on Residential Amenity**

The annex has clearly been used as separate accommodation with its own kitchen and bathroom but the courtyard immediately adjoining it currently leads into the main garden. The enclosure of this area would provide a small but not unreasonable space to serve a 3 bedroom townhouse, particularly as the Coach House outbuilding would provide storage space for garden furniture, bicycles etc. The relationship with the main house is intimate at this point however as the kitchen window in the main house overlooks the courtyard. In order to avoid any future loss of privacy for either dwelling, it would be necessary for the kitchen window to have obscured glass fitted and the openings to be fixed shut or opened in such a way that safeguards privacy. This is not ideal bearing in mind that this is the main window in the kitchen but the room adjoins a family room with an aga oven and doors out onto a patio and attached to this is a utility room (larger than the kitchen), both of which could be used as an alternative kitchen. This flexibility of this accommodation means that the requirement to glaze the kitchen window with obscured glass would not be onerous. The Conservation Officer has no objections to the window alterations or to the future possibility of using one of the adjoining rooms as a kitchen (subject to any necessary listed building consent).

There are no other overlooking issues due to the configuration of existing first floor windows, the rear wing and the garden levels.

## **Highway Safety**

A Parking Strategy was adopted and Standing Advice published in 2013 and amended in 2015. Also of relevance is that the National Planning Policy Framework states that development should only be refused where the impact of the development on highway safety would be severe.

The Highway Authority has referred the Local Planning Authority to the published Standing Advice. This gives advice on the standards, such as the dimensions required for turning, parking space and visibility. The proposal would provide two spaces to serve the 3 bedroom house which is considered acceptable given that the optimum parking standard is 2.5 spaces and that this is a Town Centre location. There would also be ample room to turn and provide 3 spaces to serve the main house, accessing off Oxen Road.

The access onto Church Street to serve the proposed 3 bedroom dwelling is substandard with a narrow entrance of about 1.8m and there is no turning space. Visibility is reasonable, in the region of 30m in both directions. Church Street is an A road but at the point of the access, it is one-way only with double yellow lines to the west i.e. in the direction of oncoming traffic, which is generally relatively slow as it joins the High Street. Although the access arrangements are not ideal, given these factors and that the access has been used for many years by the owner or tenants on a regular basis and this could lawfully continue, it is considered that it would be unreasonable to refuse the application on highway safety grounds.

## **S106 Planning Obligation**

In accordance with policy HG4 a financial contribution towards affordable housing will be required which will be based on £20 per sqm.

## **RECOMMENDATION**

The application be approved subject to:

The prior completion of a Section 106 Planning obligation (in a form acceptable to the Council's solicitor) before the decision notice granting planning permission is issued, to secure a financial contribution towards affordable housing.

01. The proposal, due to its design and layout, respects the character and appearance of the Listed Building and its setting within the Conservation Area, and causes no demonstrable harm to residential amenity or highway safety, in accordance with the aims and objectives of policies EQ2, EQ3, HG4, TA5 and TA6 of the South Somerset Local Plan (Adopted March 2015) and the National Planning Policy Framework.

## **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: location plan, drawing nos 1505.06, 15505.07, 1505.08, 1505.09, 1505.10, 1505.11 and 1505.12 received 1 July 2015 and 20 July 2015.

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

03. The area allocated for parking and access on the submitted plan to serve both dwellings 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 policies TA5 and TA6 of the South Somerset Local Plan (Adopted March 2015).

04. Use of the new dwelling shall not commence unless the hedgerow proposed to define the garden boundary has been planted, details of which (including the number and size on planting together with the height at which the hedgerow shall be maintained) shall have been previously submitted to and approved in writing by the Local Planning Authority. Any plants which within a period of five years from the commencement of the use 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 amenity and to safeguard the setting of the listed building in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (Adopted March 2015).

05. The kitchen window in the west elevation shall be fitted with obscured glass (minimum level 3) and fixed shut or altered to open in such a way so as to avoid any overlooking, details of which shall be submitted to and agreed in writing by the Local Planning Authority. Such agreed alterations shall be implemented before the new dwelling is first used and they shall be permanently retained and maintained in this fashion thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with EQ2 of the South Somerset Local Plan (Adopted March 2015).

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# Agenda Item 13

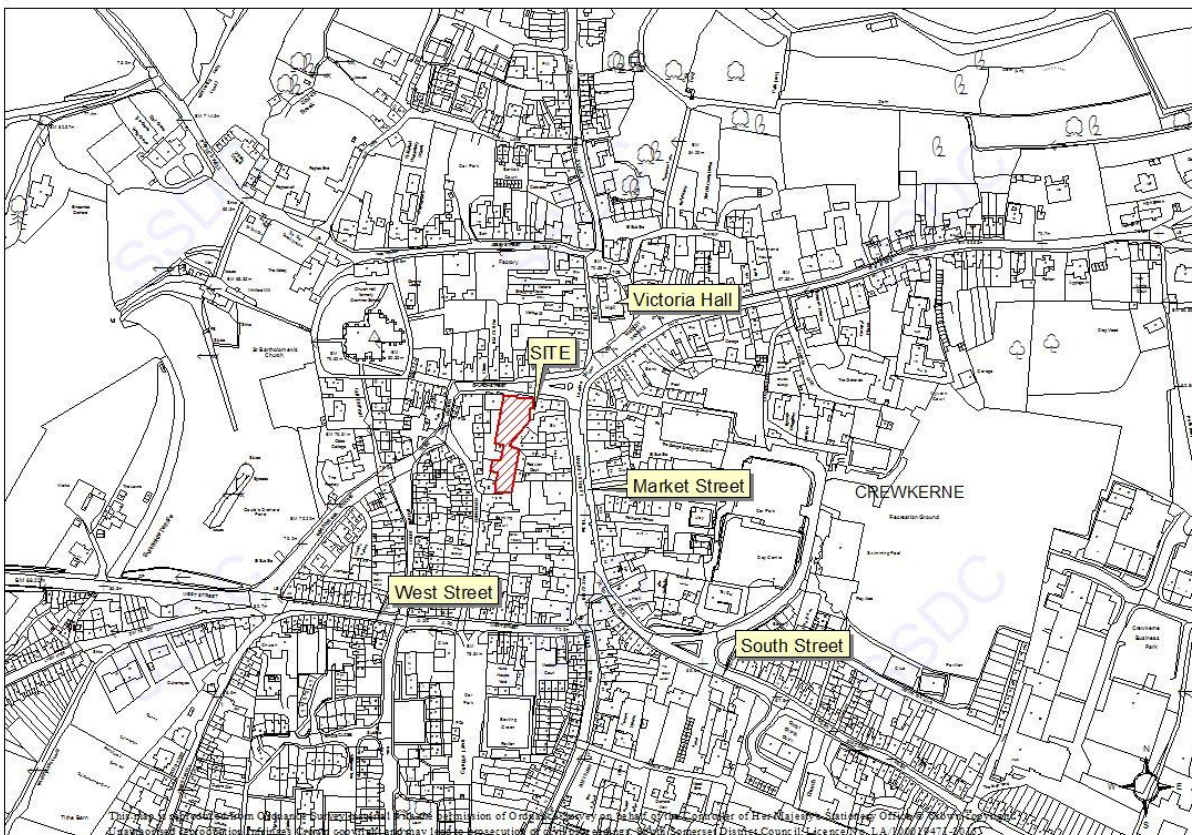
## Officer Report on Planning Application: 15/03173/LBC

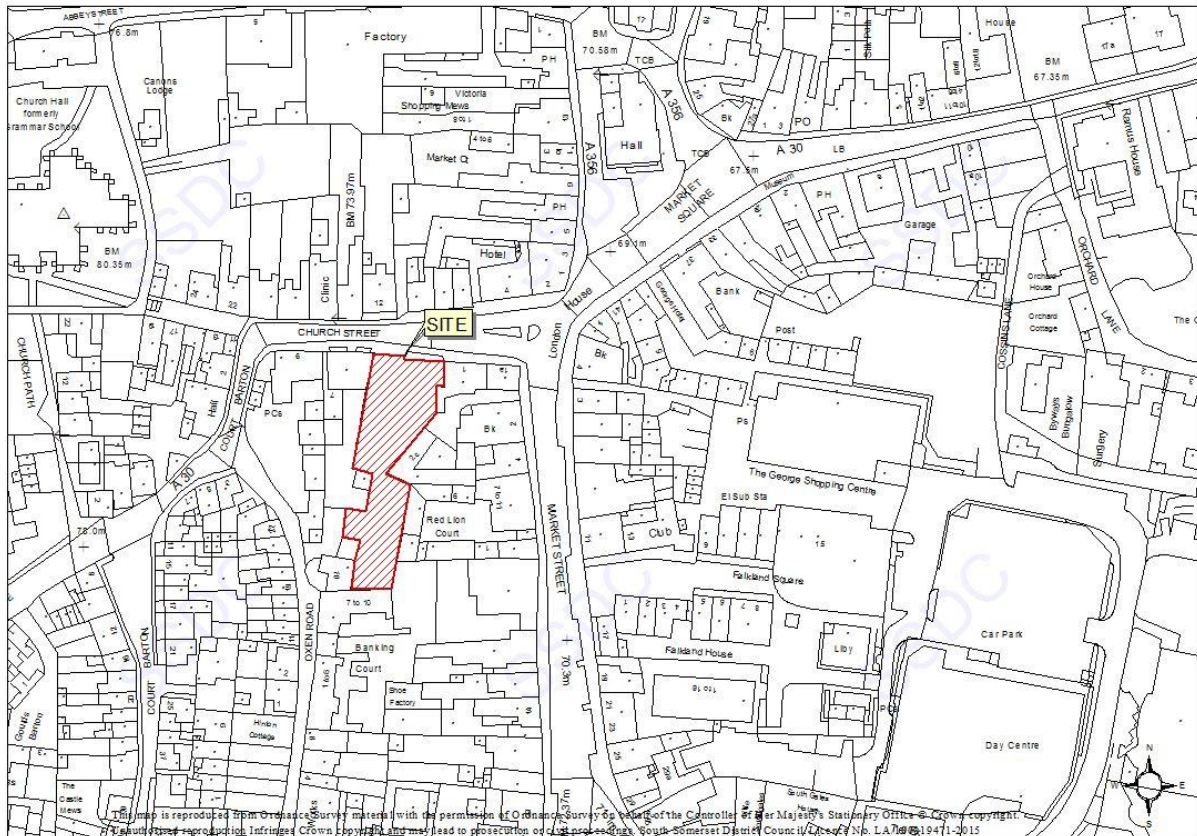
<b>Proposal:</b>	Internal alterations to separate annexe from 3 Church Street for use as independent dwelling (GR 344063/109752)
<b>Site Address:</b>	3 Church Street Crewkerne Somerset
<b>Parish:</b>	Crewkerne
<b>CREWKERNE TOWN Ward (SSDC Member)</b>	Cllr M Barrett Cllr M Best Cllr A M Singleton
<b>Recommending Case Officer:</b>	Diana Watts Tel: (01935) 462483 Email: diana.watts@southsomerset.gov.uk
<b>Target date:</b>	14th September 2015
<b>Applicant:</b>	Mr And Mrs Dominic Simpson
<b>Agent: (no agent if blank)</b>	Mr Chris Baranowski Higher Diary House Allowenshay Hinton St George TA17 8TB
<b>Application Type:</b>	Other LBC Alteration

### REASON FOR COMMITTEE CONSIDERATION

The owner of the property is a District Councillor.

### SITE DESCRIPTION AND PROPOSAL





Kincora is grade 2\* listed building fronting Church Street in the centre of Crewkerne within the Conservation Area. It comprises a fine early 18th century stone house with a 17th century wing to the rear and a late 19th century wing to the right. The latter wing is a two storey extension with double timber doors providing vehicular access off Church Street. There is also an access with parking to the rear of the garden off Oxen Road.

This application proposes internal alterations in order to facilitate the separation of this 19th century extension from the main house to create an independent 3 bedroom dwelling. It is understood that this extension has been used as an annex to the house as ancillary family accommodation but also let separately to tenants over the last ten years.

The application is accompanied by a Design and Access Statement which explains:

- The proposal is to separate the annex part of the property for use as an independent dwelling
- The main house would retain the existing living room, dining room, family room, kitchen, utility room and five bedrooms with en-suite bathroom.
- The existing first floor bathroom in the main house would be added to the annex accommodation to be converted into a bedroom (alterations to include reinstating a former door opening, existing partition to be removed and new door and lining inserted into opening, existing door removed and new partition added).
- The annex would comprise 3 bedrooms with living room, kitchen/dining room and bathroom.
- Part of garden would be retained by annex and copper beech hedging to define boundary
- Existing access to rear to main house would be retained and include a double garage and additional car parking space.
- Existing access from Church Street into annex would be retained and includes space for two cars within courtyard/passageway.



## **HISTORY**

Use of access and parking off Oxen Road acquired in 2012; prior to that the access off Church Street was the only access.

91/00754/FUL - Use of outbuilding/garage for retail purposes - approved 1991

86524 - Change of use from vet's surgery and dwelling to single dwelling - approved 1970

## **POLICY**

Section 16 of the Listed Building and Conservation Areas Act is the starting point for the exercise of listed building control. This places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

Whilst Section 38(6) of the 2004 Planning Act is not relevant to this listed building application, the following policies should be considered in the context of the application:

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

South Somerset Local Plan (2006-2028)  
EQ2 - General Development  
EQ3 -Historic Environment

Policy related material considerations

National Planning Policy Framework - March 2012

Chapter 7. Requiring Good Design

Chapter 12 - Conserving and Enhancing Historic Environment. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

## **CONSULTATIONS**

Crewkerne Town Council: No comments received

Historic England - Our specialist staff have considered the information received and do not wish to offer any comments on this occasion. This application should be determined in accordance with national and local policy guidance and on the basis of your expert conservation advice.

Conservation Officer - You will be aware that this is a grade ii\* listed building in a conservation area.

The division proposed is along the line of the phasing of the building. The older part of the house has the greatest significance and the proposal does not erode the significance or do harm to the building, which has been lived in as two dwellings for a number of years.

## **REPRESENTATIONS**

A site notice was posted (Listed Building in Conservation Area). No representations have been received.

## **CONSIDERATIONS**

### **Impact on character and appearance of the listed building**

This is an impressive grade 2\* listed building within the Crewkerne Conservation Area. The annex extension looks like a separate dwelling from Church Street with its own front door, vehicular access and design distinct from that of the main house. As highlighted by the Conservation Officer, the proposed division is along the line of the phasing of the building. Minimal alterations are proposed internally and these would preserve the historic fabric and character of the building. Externally, the proposed beech hedging would provide a sympathetic division of the garden which is characterised by mature planting and irregular semi-enclosed spaces.

The alterations required to the kitchen window, in order to safeguard privacy (referred to in the associated planning application 15/03172/FUL) have been discussed with the Conservation Officer and as the window is not of historic significance, they are considered acceptable.

It is considered therefore that the proposal would protect this designated heritage asset.

## **RECOMMENDATION**

Approve with conditions

01. The proposal, due to its design and layout, respects the character and appearance of the Listed Building, in accordance with the aims and objectives of policies EQ2 and EQ3 of the South Somerset Local Plan (Adopted March 2015) and the National Planning Policy Framework.

## **SUBJECT TO THE FOLLOWING:**

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02. The works hereby permitted shall be carried out in accordance with the following approved plans: location plan, drawing nos 1505.06, 15505.07, 1505.08, 1505.09, 1505.10, 1505.11 and 1505.12 received 1 July 2015 and 20 July 2015.

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

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# Agenda Item 14

## **Date and Venue for Next Meeting**

The next scheduled meeting of the Committee will be held on Wednesday 21<sup>st</sup> October 2015 at 5.30pm. Venue to be confirmed.

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