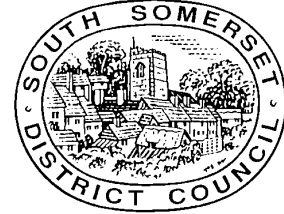


South Somerset District Council

Notice of Meeting



Area West Committee

Making a difference where it counts

Wednesday 17th October 2018

5.30 pm

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

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



The following members are requested to attend this meeting:

Jason Baker
Marcus Barrett
Mike Best
Amanda Broom
Dave Bulmer
Carol Goodall

Val Keitch
Jenny Kenton
Paul Maxwell
Sue Osborne
Ric Pallister
Garry Shortland

Angie Singleton
Andrew Turpin
Linda Vijeh
Martin Wale

Consideration of planning applications will commence no earlier than 6.30pm.

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462055 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 8 October 2018.

Alex Parmley, *Chief Executive Officer*

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



Information for the Public

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

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

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

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

Meetings of the Area West Committee are held monthly, usually at 5.30pm, on the third Wednesday of the month (except December) in village halls throughout Area West (unless specified otherwise).

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

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

Public participation at committees

Public question time

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

Planning applications

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

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

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

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

The order of speaking on planning items will be:

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

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

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

Recording and photography at council meetings

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

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

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

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

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Area West Committee

Wednesday 17 October 2018

Agenda

Preliminary Items

- 1. To approve as a correct record the Minutes of the Previous Meeting held on 19th September 2018**
- 2. Apologies for Absence**
- 3. Declarations of Interest**

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

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

Planning Applications Referred to the Regulation Committee

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

Councillors Mike Best, Angie Singleton and Martin Wale.

Where planning applications are referred by this Committee to the Regulation Committee for determination, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

- 4. Date and Venue for Next Meeting**

Councillors are requested to note that the next Area West Committee meeting of the Area West Committee is scheduled to be held on Wednesday 21st November at 5.30pm at The Guildhall, Chard.

- 5. 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.

6. Chairman's Announcements

Items for Discussion

- 7. Update on Cresta Swimming Pool/Kingfisher Community Pool, Chard** (Page 6)
- 8. Town Centre Events Programme Final Evaluation** (Pages 7 - 8)
- 9. Ilminster Community Office Impact Assessment and Future Provision for Customer Access** (Pages 9 - 11)
- 10. Area West Committee - Forward Plan** (Pages 12 - 14)
- 11. Planning Appeals** (Page 15)
- 12. Schedule of Planning Applications to be Determined by Committee** (Pages 16 - 17)
- 13. Planning Application 18/00688/OUT** - Land South of Church Street, Merriott** (Pages 18 - 30)
- 14. Planning Application 18/01068/LBC - Tithe Barn, Pye Lane, Forton** (Pages 31 - 38)

Please note that the decisions taken by Area Committees may be called in for scrutiny by the Council's Scrutiny Committee prior to implementation.

This does not apply to decisions taken on planning applications.

Agenda Item 7

Kingfisher Community Pool

Update from Cllr Amanda Broom, 5th October 2018

This update is provided on the date shown, a further verbal update will be provided at the Area West meeting.

Public meeting called for by the public of Chard

Since the devastating news was received from Somerset County Council, that the Community bid for the pool had been declined, public feeling is running high in the area.

The Trustees have been inundated by questions, queries, concerns and pure anger/despondency from residents in Chard, and the surrounding area. A poll was set up on social media to ask residents if they felt a public meeting to discuss matters was in order. To date, 108 people have said yes, and 29 have said no, with 79% in favour, this has resulted in the Trustees agreeing to hold another public meeting.

The meeting will be held to discuss and update everyone; talk through plans for reimbursement & the distribution of funds raised. Somerset County Council will be invited, at the request of many residents, Cllr Hall has declined to attend.

The meeting will be held at St Mary's Church, Chard on Wednesday 10th October from 18:30 - 20:00.

Members of the public are encouraged to attend if they want to find out more about the situation, and any questions/issues can be sent ahead of the meeting to kingfishercompool@gmail.com or ajbroom@somerset.gov.uk

Agenda Item 8

Town Centre Events Programme Final Evaluation

Assistant Director: Helen Rutter, Communities
Service Manager: Tim Cook, Locality Team Manager
Lead Officer: Alison Baker, Neighbourhood Development Officer
Contact Details: Alison.baker@southsomerset.gov.uk or 01460-260359

Purpose of the Report

To inform Members of the evaluation of the Town Centre Grants programme.

Public Interest

The Town Centre Events Programme was allocated £4,500 ring-fenced from Christmas parking savings to fund new events and activities to stimulate footfall and participation in the Area West town centres of Crewkerne, Chard and Ilminster. Applications were invited in two calls from between September 2017 and February 2018. Applications were assessed and offers made at the end of each call. This report informs Members of the results of the evaluation from the projects that were funded.

Recommendation

That Members note the content of the report.

Background

The Town Centre Events Programme (TCEP) was requested by Area West Members, developed by the Area West Development team under Area Lead Zoe Harris and approved by Area West Committee in August 2017.

The programme was created to fund new events and activities to stimulate footfall and participation in the town centres of Crewkerne, Chard and Ilminster. It was allocated a budget of £4,500 ring-fenced from Christmas parking savings in the three towns. The process was based on the existing community grants process with the requirement for 50% match funding removed and funding decisions delegated to Area West Development officers. Grants were capped at £1,500

Over the 2 calls 5 grants were allocated. All of those who applied for a grant were successful but most got less than applied for to ensure the funds went as far as possible.

Organisation	Activity / Event	Total Project Cost	Amount requested	Amount awarded
Chard Town Team	Children's Christmas event	£340	£340	£282
Chard Town Council	A month of Saturdays	£1650	£1650	£1000
Crewkerne Rotary	Bartholomew's Fair – Live Music	£950	£950	£750
ABCD (Creative Crewkerne)	Pom Pom opening event	£1477	£1477	£1328
Crewkerne Town Council (Crewkerne in Bloom)	Crewkerne in Bloom	£1825	£1825	£1057

All of the events have now taken place, apart from the Month of Saturdays event. Chard Town Council had intended to have a series of cultural and creative events / attractions on the high street on consecutive Saturdays in May of this year. However, due to staff shortages this was postponed. The Town Council were given the opportunity to run the event later or to propose another event. A proposal has been received and accepted for an event to be held in December – ‘Chard Goes Global’.

Chard Town Council	Chard Goes Global	£1150	£1000	£1000
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Of the other events the grants were very well received. Feedback has been that it would either not have been possible to run the event at all (e.g. Crewkerne in Bloom or the Pom Pom opening event) or that the existing event was greatly enhanced by having the grant (in the case of the live music for St Bartholomew’s Fair)

Whilst the events / activities were well attended it has not been possible to say that the grant specifically increased the footfall in the town centres. Feedback would suggest that too many other factors come into play including weather, TV listings etc.

In hindsight the amount of grant available (max of £1500) and for a one off activity would not necessarily increase footfall in the town centres. For example Yeovil have worked hard over the last few years with a much bigger resource to establish the ‘Super Saturday’ event.

Despite this there is little doubt that the grants programme has helped to enhance community events and activities across Chard and Crewkerne

Financial Implications

There was a very slight underspent for this grants programme of £83. This will be absorbed into the Community Grants Programme.

Council Plan Implications

The SSDC Council Plan 2016 – 2021 states:

Focus on economy: “We will work with businesses and use our assets to grow our economy.”

Focus on Heath and communities: “Support communities so that they can identify their needs and develop local solutions.”

Carbon Emissions and Climate Change Implications

None directly arising from this report.

Equality and Diversity Implications

Rural communities are vulnerable to isolation from services & markets and face higher transport costs. This programme provides an opportunity to support locally important economic initiatives.

Privacy Impact Assessment

None directly arising from this report.

Background Papers

Report to Area West Committee ‘Town Centre Events Programme’ August 2017.

Agenda Item 9

Iminster Community Office Impact Assessment and future provision for Customer Access

Director: Martin Woods, Delivery Services
Assistant Director: Helen Rutter, Communities Lead
Lead Officer: Debbie Haines, Deputy Community Office Support Manager
Contact Details: debbie.haines@southsomerset.gov.uk 01460 260449

Purpose of the Report

To update Committee on the impact following the withdrawal of face to face contact at Iminster Community Office and the future provision for customer access and locality working.

Public Interest

With an increase in digital access there is a continuing need to support customers to access services online and raise awareness of alternative methods to access information and services to ensure that the service provided by SSDC best meets the needs of the customer. SSDC also need to actively manage assets and resources to ensure the best financial or community return. This reports shows the impact relating to the closure of Iminster Community Office.

Recommendation

Members are asked to note this report.

Background

Iminster Community Office provided a face to face service and enabled customers to receive advice and assistance to many SSDC services, as well as referral or signposting to other agencies where necessary.

Due to increasingly low footfall within the office a report was taken to Area West Committee and members agreed to withdraw from the Community Office and provide services in an alternative way. Over a lead in period Customer Advisors would focus on encouraging and supporting customers to access services online and to raise awareness of all alternative methods. There would also be an appointment based offer to customers who required further assistance in a location suitable to them.

The proposal was also endorsed by Senior Leadership Team as a good way of testing various aspects of service delivery through transformation.

Lead up to office closure

Iminster Community Office was based with the Town Council and closed at the end of January 2018. During the 2 month lead up to the closure customers were assisted and encouraged to move, where possible, to alternative methods.

29 customers were seen during this period. 19 moved to digital, phone or post access. 6 said they would visit another office and 3 were returning equipment or one off visits.

Of the 29 customers who visited the offices, 27 lived in Iminster and 2 locations were not recorded.

SSDC services were advised of the office closure and provided with guidance on how to assist customer access with an appointment based visit.

Signs and leaflets were provided within the Community Office to advise customers and offer support. Information and leaflets were also supplied to Ilminster Town Council to support any future enquiries.

SSDC released a press statement highlighting the closure.

Impact of closures

Following the closure Ilminster Town Council unfortunately didn't receive sufficient leaflets, which was highlighted by the Town Council and rectified.

Ilminster Town Council continues to receive 2-3 face to face SSDC enquiries per week. These enquiries are generally for benefits, Homefinder and waste and recycling services. Assistance is given mainly via signposting, although the Town Council has also provided some online assistance to the customer by reporting incidents via the SSDC website.

There was concern around access to public computers (PC) as some customers could not afford to call the council and some would require assistance in using a computer. Current PC access provision in Ilminster is provided within the Library.

The Town Council also noted an increase in telephone enquiries (around 4-6 per week). However, it was felt that some of these calls may have been due to customers being unable to get through to the main SSDC switchboard and were therefore contacting the Town Council instead. Calls generally related to Waste and Recycling issues (missed bin collections etc). They have also received email enquiries or have replied to enquiries via email and have been very proactive in including the SSDC website link, so that customers can go directly to our website. It was felt that these calls and email enquiries were beginning to reduce in volume.

There has been 1 occasion to date where an appointment was provided to a customer and this was held at Ilminster Library.

The Town Council continue to give out leaflets and information and felt the impact on the Town Council was manageable. We will continue to liaise with the Town Council to provide assistance and leaflets where required.

Impact regarding additional phone calls where considered to be minimal by the Customer Focus team.

Below is some data regarding the proportion of people who have completed online forms themselves and also forms which have been completed with the help of an SSDC officer either by phone or face to face. There have been a number of initiatives over the last 9 months to help customers to self-serve.

	Feb-18	Sept-18 (to date)
% of forms completed by self-serve	37.8%	50.8%
% of forms completed by SSDC officer	62.2%	49.2%

Future provision

As part of the Council's Access Strategy, Area + report and channel shift initiative, provision throughout the district is being made to provide Customer Access Points (CAP) within our existing buildings and other appropriate locations within market towns. A new CAP is due to be trialled within Crewkerne Community Office and there will be a staff presence to help customers self-serve.

CAP's will consist of slim line touch screen computers. They will include scanning and skype facilities and customers will be able to book appointments if further assistance is required.

We are also looking into the possibility of providing access and support to SSDC services within the County's network of Libraries but this will be dependent on the outcome of the current Library consultation.

Touchdown spaces for the Locality team will be available within existing council buildings and market town premises from January 2018.

There will be a number of channel shift campaigns and marketing materials produced between now and the launch of SSDC's new website. This will inform customers, businesses and residents about the opportunity to create personal accounts and how to interact with the council digitally – for simpler, faster and more efficient 24/7 access to service requests and reporting.

Financial Implications

None from this report.

Council Plan Implications (2016-21)

Transform customer services through technology
Provide access to services to suit out customers' needs
Actively manage assets and resources to ensure the best financial or community return

Carbon Emissions & Climate Change Implications

Reduce carbon emissions by increasing awareness of local offices and use of alternative methods of contact i.e. online transactions, phones.

Equality and Diversity Implications

Equality Analysis Assessments were completed for original report.

Background Papers: *Ilminster Community Office November 2017*

Agenda Item 10

Area West Committee - Forward Plan

Communities Lead: Helen Rutter, Communities Lead
Service Manager: Tim Cook, Locality Team Manager
Agenda Co-ordinator: Jo Morris, Case Services Officer (Support 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.

Notes

- (1) Items marked in italics are not yet confirmed.
- (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

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
21st November 2018	Highways Update report	To update members on the highways maintenance work carried out by the County Highway Authority.	Mike Fear, Assistant Highway Service Manager, Somerset County Council
	<i>Crewkerne Leisure Management (Aqua Centre)</i>	<i>Reports from members on Outside Organisations</i>	<i>Cllr. Angie Singleton</i>
12th December 2018	<i>AONB Management Plan</i>	<i>To approve the draft AONB Management Plan</i>	<i>Tim Cook, Locality Team Manager Nicky Doble, Neighbourhood Development Project Officer Cllr. Martin Wale</i>
	<i>Making It Local Executive Group</i>	<i>Reports from members on Outside Organisations</i>	<i>Cllr. Martin Wale</i>
	<i>Chard & District Museum</i>	<i>Reports from members on Outside Organisations</i>	<i>Cllr. Amanda Broom</i>
16th January 2019	<i>Ile Youth Centre Management Committee</i>	<i>Reports from members on Outside Organisations</i>	<i>Cllr. Val Keitch</i>
	<i>Ilminster Forum</i>	<i>Reports from members on Outside Organisations</i>	<i>Cllr. Carol Goodall</i>
20th February 2019	<i>Avon & Somerset Police</i>	<i>Report on activities on neighbourhood policing and partnership working to reduce crime and fear of crime.</i>	<i>Sgt. Rob Jameson</i>
	<i>Avon and Somerset Police and Crime Panel</i>	<i>Update Report</i>	<i>Cllr. Martin Wale</i>
20th March 2019	<i>A Better Crewkerne & District (ABCD)</i>	<i>Reports from members on Outside Organisations</i>	<i>Cllr. Mike Best</i>

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
	<i>Crewkerne & District Museum</i>	<i>Reports from members on Outside Organisations</i>	<i>Cllr. Marcus Barrett</i>
17th April 2019	<i>Meeting House Arts Centre, Ilminster</i>	<i>Reports from members on Outside Organisations</i>	<i>Cllr. Carol Goodall</i>
Quarterly Update Reports following Programme Board meetings (dates to be confirmed)	<i>Chard Regeneration Scheme Town Centre Regeneration Update</i>	<i>Update Report</i>	<i>Jeb Farrah, Chard Regeneration Scheme Project Manager</i>

Agenda Item 11

Planning Appeals

Director: Martin Woods, Service Delivery
Lead Specialist: Simon Fox, Lead Specialist - Planning
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

Purpose of the Report

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

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

17/03725/FUL - Erection of Agricultural Building for Livestock Accommodation and Storage Use
Land Os 4676 Part Limekiln Lane Winsham Chard Somerset TA20 4DH
(Officer Delegated Decision)

Background Papers

None

Agenda Item 12

Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods, Service Delivery
Service Manager: Simon Fox, Lead Specialist - Planning
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

Purpose of the Report

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 6.30 pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 6.20 pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
13	EGGWOOD	18/00688/OUT**	Residential development comprising the erection of up to 50 dwelling houses and formation of access	Land South Of Church Street Merriott	Lord Cameron & Mr and Mrs Webb
14	TATWORTH AND FORTON	18/01068/LBC	The carrying out of various internal and external alterations (part retrospective)	Tithe Barn Pye Lane Forton	Mr Antony Pike

Further information about planning applications is shown below and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda had been prepared.

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 13

Officer Report on Planning Application: 18/00688/OUT**

Proposal :	Residential development comprising the erection of up to 50 dwelling houses and formation of access.
Site Address:	Land South Of Church Street Merriott
Parish:	Merriott
EGGWOOD Ward (SSDC Member)	Cllr Paul Maxwell
Recommending Case Officer:	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
Target date :	29th May 2018
Applicant :	Lord Cameron & Mr and Mrs Webb
Agent: (no agent if blank)	Greenslade Taylor Hunt Winchester House Deane Gate Avenue TAUNTON TA1 2UH United Kingdom
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

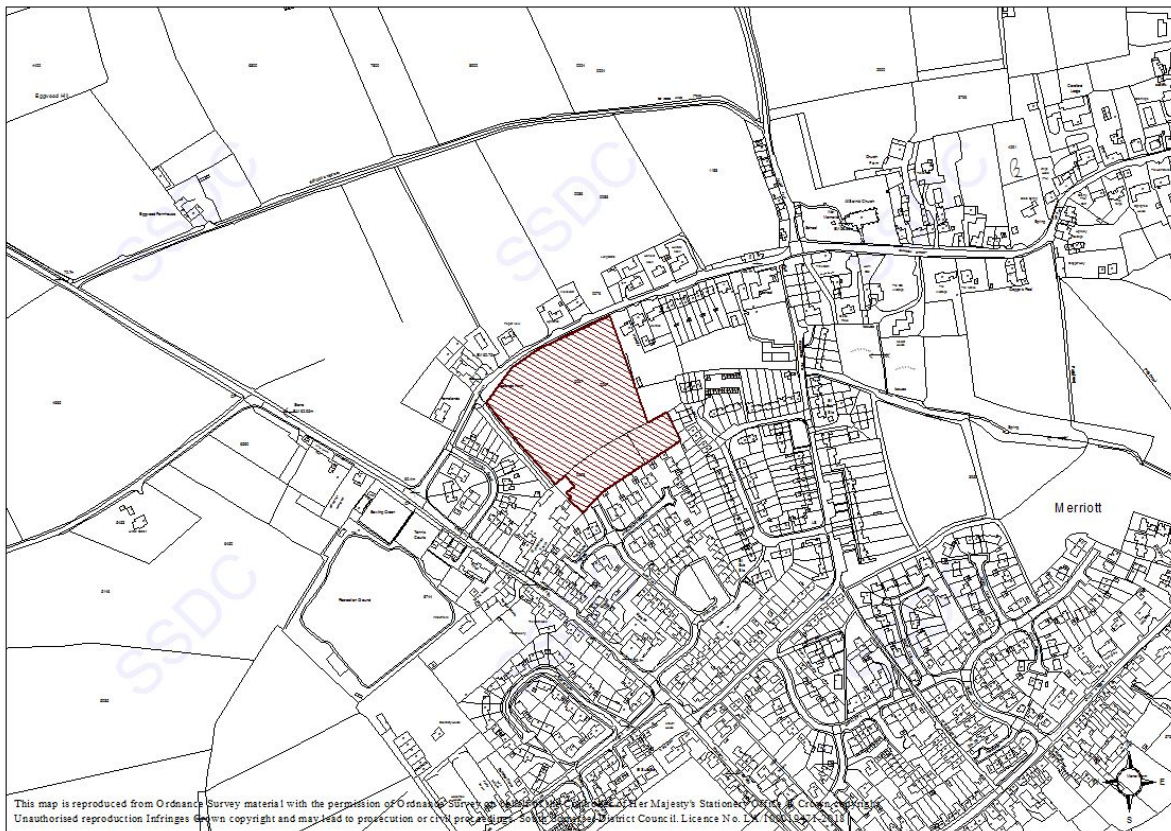
REASON FOR REFERRAL TO COMMITTEE

The application is referred to the Area Committee at the request of the Area West Team Leader, after consultation with the Ward Member and Chair, in the public interest for discussion regarding the level of development proposed in a rural settlement.

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

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

SITE DESCRIPTION



The application site comprises 2 pieces of agricultural land located on the southern side of Church Street, towards the north western side of Merriott. The site totals 2.12 hectares and is bounded by a mix

of hedgerows and fencing. The site is surrounded on all sides by residential development along with a farm on the northern side of Church Street. The site is not located within or adjacent to the Conservation Area. The southern corner of the site adjoins the curtilage of listed Broadway Farm.

PROPOSAL

This application as originally submitted sought outline consent for up to 50 dwellings and formation of an access onto Church Street. Permission for all other detailed matters including appearance, layout, scale and landscaping would be sought at reserved matters stage. This is a separate application that is submitted following the grant of outline consent. However, following the submission of Highway Authority comments, the agent has removed access for approval at this outline stage. Accordingly, it is only the principle of erecting 50 dwellings that is now being assessed.

The application has been supported by a Design and Access Statement, a framework Travel Plan, Transport Assessment, Community Engagement Statement, a Flood Risk Assessment and Drainage Strategy, Landscape Statement, Ecological Appraisal, and a Planning Statement.

HISTORY

No relevant recent planning application history.

POLICY

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

Relevant Development Plan Documents

South Somerset Local Plan (Adopted 2015)

SD1 - Sustainable Development

SS1- Settlement Strategy

SS2 - Development in Rural Settlements

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

HG3 - Provision of Affordable Housing

TA4 - Travel Plans

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision of Open Space, outdoor playing space, sports, cultural and Community Facilities in New Development

EQ2- General Development

EQ3 - Historic Environment

EQ4- Biodiversity

The land was designated in the previous adopted South Somerset Local Plan as a 'No Development Area'. The Village plan also states that this site should not be developed. Land usually allocated in the local plan as such included school playing fields, recreation grounds and other areas of open space within towns and villages. Development would be generally resisted unless a special community, education or recreation need was identified. However, this policy was not taken forward into the current adopted local plan. Accordingly, each application on formerly designated 'No Development Areas' are to be treated on their own merits. It is understood that this site had been identified some time ago as a possible additional recreation ground. However, this has not come forward and facilities provide elsewhere.

Other Relevant Material Considerations

National Planning Policy Framework (2018)

Chapter 2 - Achieving sustainable Development

Chapter 5 - Delivering a sufficient supply of homes

Chapter 12 - Achieving well designed places

Chapter 15 - Conserving and Enhancing the Natural Environment

Chapter 16 - Conserving and Enhancing the Historic Environment

Somerset County Council Adopted Highway standards.

Merriott Village Plan

Merriott Housing Needs Survey (2018)

CONSULTATIONS

Merriott Parish Council:

MPC recommends refusal on the following grounds:

1. Merriott is defined as a rural settlement in the current local plan. It is not identified for specific development growth unless certain provisions benefiting the community are made;

- a) increased employment opportunity;
- b) improved community facilities and services; and
- c) supply of identified housing needs.

This proposal does not meet any of these conditions.

2. Street scene

The meadow, hedge and verge form a very important part of the street scene being the only open land visible from the perimeter roads of the village.

Highway Authority: (summary)

No objection raised to either the principle (scale) of this development nor to the principle of the proposed simple priority access onto Church Street. However, insufficient detail has been submitted in regard to the technical details of the access including the width of the access road, footways, pedestrian crossing points and kerbline radii at the access. Visibility splays also need to be shown for pedestrians or cyclists along with the width of the new footway along Church Street. Parking provision is shown at an average of 2 spaces per dwelling. It is not clear if the applicant intends to provide sufficient off street car parking within the development. Advice is also given in terms of drainage and design of the estate roads. A list of conditions are recommended.

Landscape:

The application site lays to the south side of Church Street (west end) and is currently pasture land, bounded by a native hedgerow to the north, and divided by a further hedge toward the southern extent of the site. Whilst the site has a value as an open field within the curtilage of the village, residential form lays to 3 sides, whilst to the north of Church Street, a dilute mix of farmstead and dwellings with intervening open space, contribute toward providing a clear built context, and a high degree of visual enclosure. Unlike open land within the village to the east, this site has little correspondence to either the development of the upper and lower areas of the settlement, or the village conservation area.

The proposal indicates a development layout of circa 50 houses, accessed off Church Street, which broadly ties with the rectilinear pattern of both the site, and the general housing layouts around it. A landscape statement (LS) is submitted with the application, which considers the site to have few landscape features of value; to be set within the wider context of the village; and to be visually contained, with most views of the site available only from its immediate surround, with no wider views from the surrounding countryside, other than partial glimpses from Bowood Lane to the north. The LS concludes

that with appropriate landscape mitigation measures, and careful choice of materials and housing design, the overall visual impact is assessed to be low. I do not contend that assessment.

On balance, whilst this is a sizeable development for a village settlement, the site is well-integrated with village form, and the landscape effect of development impact, whilst likely to be adverse, will be low. I believe there is some fine-tuning of the layout that can be undertaken, to bring a bit more variation to the scheme, and open space provision needs to be greater, but the prime expression of frontage to Church Street, and a dilution in housing density to the east side, I agree to be appropriate. Consequently I do not consider the weight of landscape impact to be sufficient to oppose this application.

Horticultural Officer: (summary)

0.19 hectares (h/a) of informal open space is sought which exceeds the 0.7 h/a shown on the indicative layout plan. On site provision would be required for 50 + dwellings but an off-site contribution sought for 49 dwellings or below.

Conservation Officer:

The farm house to the main road is listed. The farm buildings to the rear which were ancillary to this have been converted and a new house built to the east.

The main significance of the house is in the fabric, but the land to the rear would have had some slight significance in that it related to the house as the farm. Overall I consider the impact of this new build to be negligible and to that end I have no objections.

Ecologist: (summary)

The Ecologist doesn't consider there to be any significant wildlife or biodiversity constraints against the proposed development. There are no badger setts on site although there is evidence of badger activity across both of the fields, possibly to gain access to residential gardens and artificial food sources ie bird feeders or feeding by householders. Conditions are recommended to check for setts prior to commencement of ground works, in regard to reptiles and for biodiversity enhancement.

Somerset Wildlife Trust: (summary)

In general agree with the findings of the Ecological Assessment report, in particular the recommendations for mitigation and enhancement.

Crime Prevention Design Advisor:

No objection but has provided design advice in respect of avoiding blank gable walls abutting public space, a barrier to prevent vehicular access into Granary Barton, and provision of gated alleyways close to the front elevations.

Housing Development Officer: (summary)

Seek 35% (17 houses) as Affordable Housing with a split of 80:20 social rent / intermediate product. A mix of 6 x 1bed, 7 x 2 bed , 3 x 3 bed and 1 x 4 bed parlour house. Internal space standards are provided. The properties should be pepper potted throughout the site and phasing agreed.

Wessex Water: (summary)

No objection raised but provide advice in terms of foul and surface water drainage connection and water infrastructure.

Local Lead Flood Authority (summary)

No objection raised. The LLFA have sought information from the applicant and these details will be subject to a condition.

County Education:

This application is in the 1st School catchments area of Merriott 1st school, Maiden Beech Academy (Middle school) and Wadham Upper School.

Our new pupil yields show that 50 dwellings in this location will generate 12 1st school children, 8 middle school children and 5 upper school children. The Middle school and upper schools have enough capacity at present to accommodate more pupils, however Merriott 1st school is currently over capacity, and this application will exacerbate the problem. Therefore SCC request education contributions so that the school will be able to adequately accommodate the children from this development.

Current build costs per pupil for 1st schools are £17,074, therefore $12 \times £17,074 = £204,888.00$. SCC request a total of £204,888.00 in education contributions for 50 dwellings on this site.

REPRESENTATIONS

30 letters/emails have been received raising objections to the scheme. 1 letter has been received not raising a direct objection but made comments in respect of the need for bungalows adjacent to existing bungalows.

A summary of the objections is outlined below:

- Density too high design of properties not in keeping
- No need for additional housing in the village
- Proposal higher than the HEELA figure
- Harm to the character of the village
- Contrary to No Development Area
- Inadequate parking provision
- Parking will occur on an already busy Church Street
- Traffic assessment inadequate and misleading
- Concern regarding surface water drainage
- Low water pressure
- Harmful impact on local road network
- Significant recent development in the village
- Slow sales for new development
- Private road at Granary Barton must not have any access
- Harmful impact on local infrastructure/ local facilities can't cope
- Lack of local facilities
- Impact on listed buildings
- Scale of development too high for the village
- Harmful impact on adjoining properties/ loss of privacy
- Need bungalows
- Inadequate public consultation
- Should develop brown field areas first.
- Harmful impact to wildlife
- Not taken account of the housing need survey
- Bus services have been cut

A letter has also been received from the Campaign for the protection of Rural England (CPRE) raising a strong objection to the proposal. The main points raised are that the spatial distribution strategy of the Local Plan is being constantly undermined with developments in rural settlements, the local plan figure for rural settlements outlined in the Local Plan has been exceeded, (2531 completions/permissions compared with 2,242 in the Local Plan and the lack of a 5 year housing supply does not mean that all development proposal are acceptable.

CONSIDERATIONS

The application, as amended, seeks outline consent with all detailed matters reserved for future approval. Accordingly, it is the principle of residential development that is the main consideration. Detailed matters in regard to the vehicular/pedestrian access, appearance, landscaping, layout, scale and design of the houses would be assessed as part of any subsequent separate reserved matters application, subject to outline approval being granted.

Principle of development

Merriott is classed as a rural settlement in the adopted South Somerset Local Plan where development is strictly controlled. Development should be limited to that which provides 1 or more of the following (Policy SS2): employment opportunities, community facilities and/or meets housing need, particularly affordable housing. The adopted Local Plan seeks to direct most of the housing growth towards Yeovil, the market towns and rural centres. However, it does expect housing to be delivered within the rural settlements and provides a target of at least 2,242 homes across all the rural settlements. It is accepted that the Council's settlement hierarchy forms the basis of the Local Plan in regard to the distribution and spread of housing, and is designed to take advantage of employment and service opportunities in the larger settlements.

Merriott does benefit from a range of local services and facilities including a garage, a post office, a petrol station, butcher, a pub and social club, village hall, a church, a pharmacy, a primary school, pre-school and play/sports facilities. On this basis, the village clearly meets the criteria under Policy SS2 of the Local Plan for allowing development in rural settlements. Whilst, as with many rural areas, employment opportunities are low, and public transport provision is poor, people are increasingly either running businesses from home or working from home with a reduced need to travel to a main office. Taking into account the facilities available in the village, it is considered to be a settlement as being a sustainable location appropriate for development. On this basis, and taking account of a number of appeal decisions in other smaller rural settlements within the district with fewer facilities, where Inspectors have accepted residential development, the principle of residential development is considered to be acceptable. The key consideration in this case is whether the proposed number of dwellings are acceptable, taking into account the site individually and the cumulative number of dwellings completed and consented over the plan period.

It should also be noted that whilst Policy SS2 has to be taken into account, insofar as parts of the policy are considered to be a housing constraint policy, due to the Council's current lack of a 5 year supply of housing, only limited weight can be attached to Policy SS2.

As the principle is accepted, an assessment therefore now has to be made as to whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the scheme. In this case, the benefits of the scheme would be the provision of housing, including affordable dwellings, economic benefit during construction and the spend of new occupants in the village. In addition, money from the Community Infrastructure levy, of which 15% will go to Merriott Parish Council.

Housing Need/Local Plan housing strategy

Objections have been received to the application on the basis that there is no proven housing need for this scale of development in Merriott. In addition, the Parish Council has recently undertaken its own housing needs survey. 1,000 surveys were distributed with 278 being returned hence a return rate of 28%. In summary, the published report states that there is an expressed need for 10 intermediate houses in Merriott but insufficient evidence to verify this. In regard to the provision of affordable housing, 24 households/individuals within a household expressed strong links to the village and felt they may need affordable housing in the parish of Merriott. 3 of these respondents are currently registered on Homefinder Somerset.

The Housing Needs Survey provides useful evidence as to the housing needs in the village. However,

this must be set against the context of the overall housing needs for the district. As outlined above, whilst Policy SS2 seeks to strictly control development, rural settlements are expected to contribute to meeting the district's overall housing needs. It is not considered that it would be reasonable to refuse this application simply on the basis that there is no housing need. There is clearly a housing need in the district and the Council are currently not able to demonstrate that it is meeting its housing targets. Indeed, the housing supply position has worsened with the most recent report stating that the Council currently has a 4 year supply, compared with the previous figure of 4.2 years. Accordingly, as a housing constraint policy, the NPPF advises that such policies are considered out of date and can only be afforded limited weight in the decision making process.

Given this context, the next assessment is whether the adverse impact of approval of this scale of development would significantly and demonstrably outweigh the benefits. Major new residential developments have been approved in Merriott in recent years, in particular 24 units at Moorlands, Tail Mill with 45 and Shiremoor with 30. Moorlands is nearly complete but it is understood that work has stopped at Tail Mill due to poor sales. Shiremoor currently has outline consent with a pending application for 39 units and has not commenced. In total, as at 31st march 2018, there have been 58 completions and 84 commitments (ie sites with planning permission but yet to commence). This gives a total of 142. The latter would largely be made up of Shiremoor and Tail Mill. The benefits of this scheme would be the provision of housing, including affordable dwellings, economic benefit during construction and the spend of new occupants in the village. In addition, money from the Community Infrastructure levy, of which 15% will go to Merriott Parish Council. A footway is also proposed to run across the whole of the site frontage, an issue that had been identified in the Village Plan to help with safety for pedestrians walking along Church Street.

In terms of assessing the scale of growth, the scheme would add to the 142 already consented giving a figure of 192. This would exceed the housing figures for Stoke Sub Hamdon and Ilchester which are classed as rural centres and in the tier above Merriott. The next tier of settlements above rural settlements in the local plan are the 6 rural centres and these generally have a target of 200 plus dwellings. However, Stoke sub Hamdon, whilst included as a rural centre has a housing figure of only 51 to reflect its smaller scale and nature. Ilchester with 141 but has major constraints due to archaeology and airfield noise restrictions. Therefore the total of 192 would sit below the 200 dwellings plus of the other 4 rural centres. Therefore, on balance, it is not considered that the hierarchical strategy of the local plan would be significantly harmed by this proposed development.

The Council are currently in the early stages of reviewing the adopted Local Plan. An Issue and Options document was published for consultation towards the end of 2017. One of the possible options is to provide a new tier within the settlement hierarchy that would give some of the current rural settlements an enhanced role. However, this is at an early stage with the Preferred Options yet to be published. Accordingly, no settlements have been identified yet with an enhanced role, and thus it is not considered to be a material consideration at this stage.

Highways/Parking

The Highway Authority has assessed the highway impacts of this scheme and do not raise an objection to the scale of the proposed development nor to the principle of a priority vehicle access onto Church Street. The scheme originally sought approval for the proposed access but following the request for additional information from the Highway Authority as outlined above, the agent agreed to remove the access from the outline application. Accordingly, this will, now be assessed at any reserved matters stage.

The indicative layout submitted with the application shows provision for an average of 2 parking spaces per dwelling. This would be below the adopted parking standards and the Highway Authority have raised a concern that insufficient parking may lead to on street parking with potential road safety hazards. Details of the layout, including parking arrangements however, are not due for consideration at this stage, rather to be assessed with any subsequent reserved matters application.

Ecology

The application was supported by an ecological appraisal which has been assessed by the Council's Ecologist. As outlined above, the Ecologist doesn't consider there to be any significant wildlife or biodiversity constraints against the proposed development. Conditions are recommended to check for setts prior to commencement of ground works, in regard to reptiles and for biodiversity enhancement.

Flooding/Drainage

Concern has been raised by local residents about flooding and drainage of the site. Whilst it not disputed that there may be local drainage/flooding issues, this scheme is not expected to resolve current issues but to ensure that an appropriate drainage system is installed and that it does not create additional flooding elsewhere. A Flood Risk and drainage Strategy report has been submitted. The site is wholly located in Flood Zone 1 which means that the site is at low risk from sea or river flooding. As mentioned by local residents, the Flood Risk Assessment report does mention record of flooding in the surrounding area although there are no details about the extent or magnitude of these events. However, this site has to ensure that it provides appropriate drainage and does not create flooding problems outside of the site.

The Flood Risk Assessment and Drainage report concludes that the ground conditions provide relatively low permeability and is not suitable for the adoption of soakaway drainage. Off site discharge combined with on-site attenuation is concluded as the most suitable drainage solution at the site. The preferable solution would to discharge into the sewer or suitable outfall. An underground storage tank that would control discharge at an agreed rate during storm periods is suggested to ensure discharge is not increased from the present situation. The Local Lead Flood Authority have requested various details and these will be conditioned.

Residential amenity

Concern has been raised that the scale and design of some of the proposed dwellings would result in overlooking and loss of privacy, particularly in regard to the occupiers of the bungalows in Sherlands Gardens. The impact of a new development on the amenity of all adjacent occupiers is a very important consideration. In this case, the details of the scheme including layout and design of the dwellings have not been sought for approval at this stage. The assessment of the relationship between new and existing dwellings would be undertaken at reserved matters stage.

Landscape

The application has been supported by a Landscape Statement which has been assessed by the Landscape Officer. As can be noted by his assessment outlined above in this report, he does not disagree with the findings that with appropriate landscape mitigation measures, and careful choice of materials and housing design, the overall visual impact is assessed to be low. Whilst the site has a value as an open field within the curtilage of the village, residential properties fully surround the site on 3 sides, with a farm and a less dense form of residential development on the northern side of Church Street. The site has few landscape features of value and is visually contained, with most views of the site available only from its immediate surround, with no wider views from the surrounding countryside, other than partial glimpses from Bowood Lane to the north. For these reasons, it is not considered the weight of landscape impact to be significant to warrant refusal.

Heritage

The site is not located within nor does it adjoin the Conservation Area. Due to the distance from the Conservation Area, it is not considered that the proposed development would have any adverse impact on the setting of the Conservation Area. The Conservation Officer does not raise an objection in this regard. In respect of listed buildings, the closest listed property is Broadway Farmhouse which is located to the south west of the site. As stated by the Conservation officer, the farm buildings to the rear which were ancillary to the main house have been converted and a new house built to the east. The main significance of the house is in the fabric, but the land to the rear would have had some slight significance in that it related to the house as the farm. Overall, the Conservation Officer considers the impact of this

new build to be negligible and has no objections. Careful consideration will be given to the layout of the scheme in the south western corner to ensure that it respects the setting of the listed building.

Other matters

Comments have been received that brownfield sites should be used first before greenfield sites. The former nursery site (Scotts Nurseries) has been mentioned. Whilst the Council would support the principle of reusing brownfield sites, no application has been submitted by the landowners for development of this site. The Council can only assess the merits of those applications that have been submitted.

Both the supporting documents and a local resident have made reference to the fact that this site is identified within the Council's Housing & Economic Land Availability Assessment (HELAA). The HELAA is a technical and theoretical assessment of sites which could potentially contribute towards the future supply of housing and employment land within the local plan area. However, it is important to note that no policy weight is attached to its inclusion in HELAA nor does it imply that planning permission will be granted.

Comment has been received that no access should be permitted from the site into Granary Barton Close, a private drive which runs along the western boundary of the site. It is not known whether there are any current access rights for the application site landowner to use this private drive to access the site. Notwithstanding that position, a condition will be imposed on any consent to ensure that no vehicular access can be gained.

SECTION 106 PLANNING OBLIGATION

The application be approved subject to:

a) The prior completion of a section 106 planning obligation (in a form acceptable to the Council's Solicitor(s) before the decision notice granting planning permission is issued, the said planning permission to cover the following terms/issues:

- 1) The provision of 35% affordable housing with a split of 80:20 rent /intermediate product;
- 2) Contribution towards the provision of sport, play and strategic facilities,
- 3) Contribution of £204,888.00 towards education provision;
- 4) Submission of a Travel Plan; and
- 5) Provision and maintenance of open space;

COMMUNITY INFRASTRUCTURE LEVY

The application is CIL liable. This would be charged at 40 per sqm. 15% of the total received would go to the Parish Council.

RECOMMENDATION

Grant permission.

01. The proposed scheme will result in a sustainable form of development that would make a valuable contribution towards meeting the Council's housing needs, including affordable housing, would not harm residential amenity, would provide a safe means of vehicular access, and would not harm ecological interests nor heritage assets. The scheme is in accord with Policies SD1, SS1, SS2, SS5, SS6, HG3, HG5, TA4, TA5, TA6, HW1, EQ1, EQ2, EQ3 and EQ4 of the South Somerset Local Plan and Chapters 2, 8, 12, 14, 15 and 16 of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

Reason: To accord with the provisions of Article 4 (Article 5) of the Town and Country Planning (Development Management Procedure) Order 2015.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

03. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

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

04. All reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design, layout, plot boundaries, materials, scale, vehicular and pedestrian access arrangements, drainage and landscaping.

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

05. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

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

Drawing numbers: 2526-PL-01 (Location Plan).

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

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

Construction vehicle movements;

Construction operation hours;

Construction vehicular routes to and from site;

Construction delivery hours;

Expected number of construction vehicles per day;

Car parking for contractors;

Measures to prevent dust, mud or debris from being deposited on the public highway;

Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
A scheme to encourage the use of Public Transport amongst contractors; and
Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason: in the interests of highway safety and local amenity to accord with Policies EQ2 and TA5 of the South Somerset Local Plan.

08. The reserved matters application shall include foul and surface water drainage details to serve the development, to include the details /information as required by the Local Lead Flood Authority in their letter dated 19th April 2018. Before any development commences on site, these drainage details shall have been approved by the Local Planning Authority and shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter in accordance with details submitted and approved.

Reason: To ensure that the site is adequately drained in accordance with the National Planning Policy Framework.

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

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

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

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

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

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

12. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed within the site in accordance with a design and specification to be approved in writing by the Local Planning Authority.

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

13. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

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

14. No part of the development hereby permitted shall be occupied or brought into use until the construction of suitable vehicular and pedestrian access to the development has been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details prior to first occupation, unless otherwise agreed in writing by the Local Planning Authority.

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

15. No part of the development hereby permitted shall be occupied or brought into use until the construction of a footway on the southern side of Church Street from the existing footway to the east of the site boundary with Church Street, across the site frontage with Church Street and onwards on the south side of Church Street to the junction of Church Street with Newchester Cross has been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority. This scheme shall be fully implemented prior to first occupation with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

16. Prior to (and within 2 months of) commencement of each significant stage of ground works, an update survey for badger setts will be undertaken by a competent person, and if they are present within 30 metres (including on adjoining land) of the area of activity, the works shall not commence until a method statement for the protection of badgers has been produced and necessary Natural England license have been obtained. The method statement shall be implemented in full.

Reason: For the conservation and protection of legally protected species and to ensure compliance with the Wildlife and Countryside Act 1981 and the Protection of badgers Act 1992.

17. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey to determine the presence/absence of slow worms, plus if present, a mitigation plan or method statement detailing measures to avoid harm to slow worms has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan/ method statement, unless otherwise approved in writing by the Local Planning Authority.

Reason: To accord with Policy EQ4 of the South Somerset Local Plan and compliance with the Wildlife and Countryside Act 1981.

Agenda Item 14

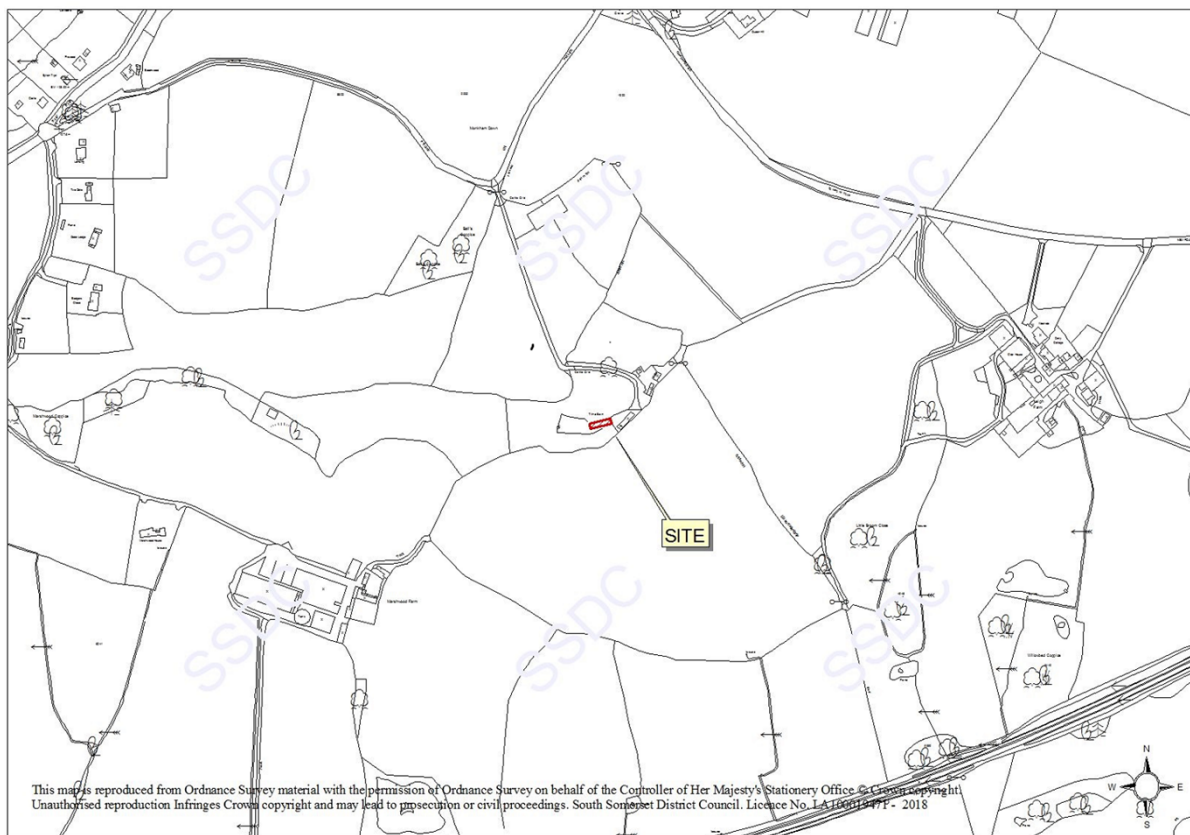
Officer Report on Planning Application: 18/01068/LBC

Proposal :	The carrying out of various internal and external alterations (part retrospective).
Site Address:	Tithe Barn Pye Lane Forton
Parish:	Tatworth and Forton
TATWORTH AND FORTON Ward (SSDC Member)	Cllr A Turpin
Recommending Case Officer:	Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk.
Target date :	19th July 2018
Applicant :	Mr Antony Pike
Agent: (no agent if blank)	
Application Type :	Other LBC Alteration

REASON FOR REFERRAL TO COMMITTEE:

At the request of the Ward Member and the agreement of the Area Chair this application is referred to committee to discuss the merits of the replacement of the staircase.

SITE DESCRIPTION AND PROPOSAL





This application is for the retention and regularisation of unauthorised works to this Grade II listed building.

The Tithe Barn is a stone built vernacular farmhouse set under a thatched roof. This is a resubmission of a previously refused scheme for various internal and external alterations to the farmhouse. The previously refused scheme under reference 17/00177/LBC was submitted as the result of an enforcement case. The application was refused by committee in accordance with the Planning Officer recommendation for the following reason:

"The proposed alterations by reason of the loss of loss of the historic plan form, and the introduction of an alien open hallway in the centre of the building would be detrimental to the special architectural and historic qualities of the Grade II listed building. There is a lack of clear and convincing justification to demonstrate that any benefit outweighs the great weight to be given to conservation of heritage assets. The proposal is therefore contrary to Section 16 of the Listed Building and Conservation Areas Act, policy EQ3 of the South Somerset Local Plan (2006) and Chapter 12 of the National Planning Policy Framework 2012".

As with the earlier application the proposed works are as follows:

External Works

1. Moving kitchen doorway from east gable to south (front) elevation and providing new door
2. Removing window from west gable and sealing opening with stonework
3. Providing new opening and French doors in west gable
4. Changing door to French doors at west end of south elevation
5. Replacing majority of timber windows with timber double-glazed windows
6. Removing pitch fibre soil pipe and providing cast-iron soil pipes and painted plastic
7. Waste pipes on south elevation

8. Rebuilding of east chimney and addition of one chimney pot

Internal Works

1. Removing staircase from kitchen to upper floor
2. Removing partition between west end and central room
3. Removing modern wooden winder staircase from south-west corner and installation of an abbreviated staircase
4. Removing section of floor to central room and insertion of new staircase
5. Lining rear of ground floor fire places with brick and covering jambs of west fireplace with brick
6. Replacing plasterboard ceilings with new plasterboard ceilings
7. Re-plastering and tanking rear wall
8. Re-arranging partitions at west end of first floor and re-siting bathroom 17/00760/FUL
9. Removing stud partition walls forming cupboards in the kitchen

RELEVANT HISTORY

17/00177/LBC- External alterations to windows and doors, replacing soil pipes and rebuilding of east chimney. Various internal alterations to include removal of staircase (part retrospective) - Refused.
15/00189/LB - Enforcement Enquiry

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'

NPPF (2018) Chapter 16 - Conserving and Enhancing Historic Environment is applicable. 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.'

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:

Policies of the South Somerset Local Plan (2006-2028)
Policy EQ3 - Historic Environment

CONSULTATIONS

Tatworth and Forton Parish Council: Recommend approval

SSDC Conservation Officer:

The Tithe Barn was previously assessed by Greg Venn. He recorded a series alterations that had taken place without listed building consent, and detailed these in correspondence to Lorraine Pike (homeowner) dated 29th October 2015. These were as follows:

- Insertion of hallway stairs and the removal of part of the ceiling to accommodate a large L-

shaped staircase;

- Removal of partition between west end and central room;
- The missing winder staircase in the west end of the house;
- Removal of door and door surround at the entrance of the winder stair in west end
- the removal of a window, replaced with a new door in the west end of the house, on the wall which the stair would have originally leant against;
- floor plan alterations including the addition of a wetroom on the first floor where the stairs would have opened out into;
- Changes to the original stone fireplace with Bessemer beam, which is a large hearth built in brick;
- Loss of corner cupboard;
- Altered partitions on the first floor.

The proposal to introduce the 'abbreviated' stair into the location of the old winder stair as an indication of its existence does very little to encourage understanding of its importance to the rest of the house or plan form, and would instead represent the winder as an incidental addition, which is incorrect.

The stone stair turret alongside the fireplace is indicative of a 16th century building. The staircase and associated historic fabric of the enclosing door, stair window and spice cupboard on the opposite side of the fireplace are rare and valuable features of a historic building, they provide authentic historic data about the buildings age and inform us about the way people lived. The loss of this fabric has reduced the buildings legibility, destroying an important element of its history. What exists there now bears no relation to the original winder stair or its former use. Despite the fact that the stairs that were removed were apparently a 1970's replacement of earlier stairs, the existence of them next to the fireplace imparts a great significance onto the building, which has been lost with their removal. The loss is harmful to the integrity and historic significance of the building.

Furthermore, the stair turret and associated fabric give us details about the vernacular plan form, local construction methods and materials used through each phase of building. The removal of the winder staircase, and associated historic fabric, has greatly reduced integrity and significance of the Farmhouse.

The quarter landing stair located in the lounge is a new addition, a section of potentially 16th century ceiling/floor was cut away to accommodate a modern design staircase, subsequently altering the building further from its original form and reducing the legibility and historic integrity of the property. The hole in the ceiling created by the open stair is unjustified and harmful to the character and special architectural interest of the building.

The removal of the partition that once existed through the lounge, has caused the building to become unrecognisable from its original three cell form, which would have comprised a lobby entrance and front room to the west. The room, which serves as the lounge, would not have been as large. There is no indication that a partition wall even existed in that location, this has caused harm to the legibility of the building which is compromised as a result of its removal.

A new first floor plan upstairs in the west end of the farmhouse to include a wetroom and two bedrooms has also required the rearrangement of the plan form and upstairs partitions, and removal of the winder staircase access. This has meant that the original Jack and Jill room arrangement has been lost.

The brick cladding on the inglenook fireplace has hidden all of the original features, removing part of the special architectural interest of the building and instead covering with a pastiche version of what the fireplace should be. There would have been ample opportunity to restore the fireplace without causing harm, and there is very little logic to the changes that have occurred. In order to partly restore the significance of the property it would be a relatively simple task to remove the brick cladding and return

the fireplace to its original form.

The loss of the plan form has again reduced the integrity and legibility of the building. Removing the historic indications lead us to understand the evolution of the building. It furthermore has a significant impact on the aesthetic qualities of the building which impart character and charm onto the building.

Historic England:

Historic England Advice

The grade II listed Tithe Barn at Forton is a stone built vernacular farmhouse probably dating from the late 15th century. Additional accommodation has been added at both the east and west end of the central core with one or both of these extensions functioning as barns ancillary to its primary role as a farmhouse. Internally for much of its history it appears to have been divided into two dwellings, as can be seen through the layout of the ground floor which is made up of four similar sized adjacent compartments.

The heritage significance of the Tithe Barn is derived from the evidence that survives within the fabric, the form the building takes and its layout. There are a number of notable features internally including exposed beams, stone fire surrounds and a characteristic timber plank and muntin screen. The historical, evidential and aesthetic interest of the building contributes to its overall significance as a multi-phased former farmhouse and agricultural building with historic links to nearby wealthy and influential landowners.

This application is for the retention and regularisation of unauthorised works to this Grade II listed building. Historic England has offered extensive advice on these unauthorised works during pre-application discussions and also on the Listed Building Consent application 17/00177/LBC. This application was refused due to the harm caused to the grade II listed Tithe Barn.

The application has provided additional justification for the works as well as notional steps to address concerns regarding the loss of the timber winder in the stone staircase. This is for a short flight of 6 steps giving an indicative position of the winder within the opening; however its truncated appearance lacks integrity and appears contrived within the plan form. Unfortunately, these steps do not address the issues raised in our previous letters and those concerns over the impact of the unauthorised works to the significance of the listed building are maintained within this response. These are set out below for your information.

We have previously commented on the works identified to be unauthorised and requiring listed building consent at the pre-application stage. The initial advice was provided to assess the level of harm caused by the works undertaken and to facilitate discussions with South Somerset District Council regarding regularisation of those works. As a Grade II listed building Historic England's remit is limited to commenting on those works that have included the demolition of primary fabric. Any decisions regarding the approval of works or the need for enforcement actions will be taken by South Somerset District Council.

We previously advised that alterations to the western stone stair access that involved the removal of a winder staircase, the filling in of a window opening and the insertion of a double door at ground level has caused significant levels of harm by removing an understanding of the function of the staircase in providing access to the first floor and that these unauthorised works have negatively impacted on the way the historic use of the building is appreciated. We acknowledge that based on photographic evidence supplied by the applicant that the staircase that was removed is likely to have been a modern timber replacement that probably little resembled the original, but its position and continuing use indicated the historic relationship between the two levels and the form and function of the stair turret. There is some doubt whether the window opening was historic but in the absence of any evidence to the contrary it must be assumed that it is. The net result of the works has been to diminish the character

of this part of the building and to obscure its legibility therefore we advise that they are reversed and a staircase is reinstated in materials and of a design to be mutually agreed between the local authority and the applicant.

Our advice regarding the addition of a central staircase is that its location, scale and appearance is not in keeping with the proportions indicated by the ground floor ceiling heights and floor levels and is contrary to the historic plan form and hierarchy of space congruent with a modest farmhouse. The cellular plan form has been all but lost by the removal of internal partitions, and it is noted that in recent estate agent particulars that masonry wall nibs had been retained in principal rooms indicating the position of the main partitions but they have now been removed and this is regrettable. This, in conjunction with the other works detailed above has contributed to a loss of legibility of individual spaces within the building.

The removal of the winder staircase at the western end and the insertion of a feature stair case in a prominent central position within a large ceiling void, seen as a whole, have served to erode and undermine the Tithe Barn's inherent character causing considerable harm to the overall heritage significance of the asset. These are works that would not have been supported at a proposal stage.

Policy

In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

National Planning Policy Framework (NPPF) Paragraph 132 sets out 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. It also states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Therefore clear and convincing justification should be provided to support any harm identified. Paragraph 134 of the NPPF states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

Position

The indicative winder stair proposed by the applicant to indicate the former role of this section of the buildings plan form is contrived and consequently, does not address our concerns. The level of harm caused is considered to be less than substantial but we have not been made aware of any public benefits that would accrue from the regularisation of these unauthorised works to outweigh this level of harm. The additional justification provided relates to the need for the building to be a functioning family home. Consequently, the council need to be overwhelming convinced that the former layout would make the use of the building as a residential dwelling untenable. They also need to be certain that less harmful solutions could not have been employed to address some of the concerns raised by the applicant.

Recommendation

Historic England has concerns regarding the application on heritage grounds. The steps by the applicant are noted but are not sufficient to alleviate those concerns. Therefore, we recommend that the unauthorised works detailed above are reversed reducing the harm caused to the heritage asset.

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

REPRESENTATIONS

Following consultation, no representations have been received.

CONSIDERATIONS

There is significant concern about some of the proposed and implemented internal works and the subsequent impact upon this historic listed building. Both of the specialist consultees conclude that the works are not justified against the statutory protection given to the listed building including section 16 of the Listed Buildings and Conservation Areas Act (1990) and the relevant sections of the NPPF and consider that the impact of the works would be harmful.

The NPPF requires that applicants for consent that affects a heritage asset must be able to justify their proposals. The NPPF says that the LPA should require an applicant to describe the significance of any heritage asset (para. 189). This should be sufficient to understand the potential impact of the proposal on its significance. When considering the impact of development, great weight should be given to the asset's conservation and that any harm should have clear and convincing justification (para. 193). Furthermore that this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm or loss should require clear and convincing justification from the applicant (para. 194). Any harm should be judged against the public benefit (para 196).

As noted by Historic England, it is considered that the heritage significance of the building is derived from evidence within the fabric, the form of the building and its layout. The internal plan form of the building is of significance to its historic interest as it had remained legible and relevant and provides evidence as to how the building was used historically.

The application includes various items, some of which are not considered to be harmful, however the harmful elements relate to the alterations to internal planform by removal of existing and addition of new partitions, removal of staircase and insertion of new open staircase (internal items 2,3,4,5 8 listed above).

Following the earlier refusal, the applicant has amended the proposal by including an 'abbreviated staircase' into the area where the previous staircase was removed from the south western corner of the dwelling. All other aspects of the application remain as per the previous application. The abbreviated staircase would consist of 6 stair treads which then terminate at a height of around 1 metre above ground floor level. The applicant states that this will aid the understanding of the previous planform and that the overall alterations are justified to facilitate family living.

Historic England have objected to the loss of this staircase, commenting that its loss diminishes the character of this part of the dwelling and negatively impacts on the way the building is appreciated. They further comment that the truncated appearance of the slight of 6 steps lacks integrity and would appear contrived within the plan form.

Historic England and the Councils Conservation Officer maintain their objection to the removal of floor and insertion of the replacement staircase commenting that its central location, scale and appearance is not in keeping with the proportions indicated by the ground floor ceiling heights and hierarchy of space appropriate within a modest farmhouse. Furthermore, that the cellular plan form has been lost from the removal and rearrangement of internal partitions on the ground and first floor.

In terms of justification, the applicant states that the overall proposals are justified to facilitate family living. However; the Conservation Officer and Historic England are of the view that they are harmful. It is considered that the level of harm is at the upper end of 'less than substantial' as opposed to 'substantial harm'. The NPPF and case law make it clear that the finding of harm should be given considerable importance and weight and provides a strong presumption against granting permission. The balancing exercise of the public benefits required by para 196 is therefore strongly tilted in favour of preservation and must be carried out against the statutory duty for preservation. The preferences for family living and internal layout of the current owner are not sufficient to constitute a clear and convincing

public benefit. As there is an objection from Historic England, if the Councils decision was to approve the application, it would need to be referred to the National Planning Casework Unit (NPCU) with a recommendation to approve for the NPCU to make the final decision.

However the above is not required given the conclusion in this report. Accordingly it is considered that the harm identified is not justified and as such would be contrary to the advice in the NPPF and Policy EQ3 of the South Somerset Local Plan (2006-2028).

CONCLUSION

For the reasons considered above and in accordance with Section 16 of the Listed Building and Conservation Areas Act, Policy EQ3 of the South Somerset Local Plan (2006), and Chapter 12 of the National Planning Policy Framework 2012. It is not considered that the application can be supported.

RECOMMENDATION

Refuse for the following reason:

SUBJECT TO THE FOLLOWING:

01. The proposed alterations by reason of the loss of loss of the historic plan form, and the introduction of an alien open hallway in the centre of the building would be detrimental to the special architectural and historic qualities of the Grade II listed building. There is a lack of clear and convincing justification to demonstrate that any benefit outweighs the great weight to be given to conservation of heritage assets. The proposal is therefore contrary to Section 16 of the Listed Building and Conservation Areas Act, policy EQ3 of the South Somerset Local Plan (2006) and Chapter 16 of the National Planning Policy Framework 2018.
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