



Area West Committee

Thursday 20th February 2020

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
Mike Best
Dave Bulmer
Martin Carnell
Brian Hamilton

Ben Hodgson
Val Keitch
Jenny Kenton
Paul Maxwell
Tricia O'Brien

Sue Osborne
Robin Pailthorpe
Garry Shortland
Linda Vijeh
Martin Wale

Consideration of planning applications will commence no earlier than 6.45pm.

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

This Agenda was issued on Monday 10 February 2020.

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).

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.

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

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Area West Committee

Thursday 20 February 2020

Agenda

Preliminary Items

1. To approve as a correct record the Minutes of the Previous Meetings

To approve as a correct record the minutes of the previous meetings held on 11th December 2019 and 22nd January 2020.

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 Jason Baker, Sue Osborne and Linda Vjeh.

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 is scheduled to be held on Wednesday 18th March 2020 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. Presentation on Affordable Housing in South Somerset** (Page 6)
- 8. Area West Community Grant Request - Allowenshay Mains Water Project (Executive Decision)** (Pages 7 - 9)
- 9. Chard Regeneration Scheme Update Report** (Pages 10 - 12)
- 10. Reports from Members on Outside Organisations** (Page 13)
- 11. Area West Committee Forward Plan** (Pages 14 - 15)
- 12. Area West - Area Chapter 2019/2020 Quarter 3 Overview (For Information Only)** (Pages 16 - 19)
- 13. Planning Appeals (For Information Only)** (Pages 20 - 23)
- 14. Schedule of Planning Applications to be Determined by Committee** (Pages 24 - 25)
- 15. Planning Application 19/00698/OUT - Land OS 0420, Part Tail Mill Lane, Merriott, TA16 5PF** (Pages 26 - 32)
- 16. Planning Application 19/00810/FUL - Land At Tail Mill, Tail Mill Lane, Merriott, TA16 5PF** (Pages 33 - 37)

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

Presentation on Affordable Housing in South Somerset

<i>Director</i>	<i>Martin Woods, Service Delivery</i>
<i>Lead Specialist</i>	<i>Ian Potter – Lead Specialist (Vulnerable Customers)</i>
<i>Lead Officer</i>	<i>Leisa Kelly – Case Officer (Service Delivery)</i> <i>Jo Calvert – Specialist (Housing)</i>
<i>Contact Details:</i>	<i>Leisa.kelly@southsomerset.gov.uk 01935 462641</i> <i>Jo.calvert@southsomerset.gov.uk 01935 462040</i>

Officers from the Housing Service will provide a short presentation on affordable housing in South Somerset.

The Council Plan 2016 – 21 details the Council Plan themes and Areas of Focus:

- Protecting Core Service
- Economy
- Environment
- Housing
- Healthy, Self-Reliant Communities

The Council Plan also includes six Priority Projects for 2019-20 of which priority five covers enabling housing. This priority is to develop proposals to accelerate the delivery of key housing sites and associated infrastructure. One of the key milestones for this priority was to set up Community of Practice (expert working group) to set objectives and outcomes to accelerate the delivery of key housing which includes affordable housing. As part of this work we are attending the four area committees to deliver a presentation along with our main partner registered providers cover the following areas:

- Increase awareness of affordable housing in the district,
- Show how our work links in with the Council Plan and Local Plan,
- The housing needs in each area
- How we work with registered providers to provide this much needed housing.

Council Plan Implications

Council Plan 2016 – 2021 aim:

- Aim to enable housing to meet all needs
- Improve health and reduce health inequalities

Area of focus within the Housing Theme for 2019-20

- Enable sufficient housing in appropriate places to meet community needs
- Maximise the number of affordable homes including providing more affordable home to support rural economies and communities
- Reduce homelessness and rough sleeping
- Match lifelong independent living with appropriate property solutions

Agenda Item 8

Area West Community Grant Request – Allowenshay Mains Water Project (Executive Decision)

Director: Martin Woods, Director of Service Delivery
Manager / Lead Specialist: Tim Cook, Locality Manager
Lead Officer: Tim Cook, Locality Team Leader
Contact Details: tim.cook@southsomerset.gov.uk

Purpose of the Report

Councillors are asked to consider a request for a financial contribution towards the provision of mains water to the hamlet of Allowenshay.

Public Interest

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

Recommendation

Members consider the request for a financial contribution towards the provision of mains water to the hamlet of Allowenshay.

Background

The Allowenshay Private Water Supply is fed by a number of spring features that originate some distance south of the village of Allowenshay in Somerset. The water from the spring features flows via various storage and distribution arrangements to feed some properties in Dinnington and Allowenshay. Over time, several properties within Allowenshay have chosen to seek alternative private supplies of water and as a result, only some of the properties are still on the Allowenshay PWS. The Council are the regulatory authority responsible for ensuring that private water supplies do not pose a risk to health in accordance with the Private Water Supply (England) Regulations 2016. The Council also has powers under the Water Industry Act 1991, to deal with a private water supply which is failing or unwholesome. Following issues of insufficiency and unwholesomeness the Council served a Notice requiring improvements in 2015.

Following ongoing issues with the supply the matter was considered again and a further Notice served in 2018. For legal reasons this Notice was served on consumers of the supply as well as the company considered to exercise management and maintenance of the supply.

At the September meeting of the District Executive, members received an update on the situation and were asked to consider a one off capital grant towards the installation costs of providing mains water. Concerns were raised about potential precedent and scale of the contribution requested given the number of beneficiaries. Members did not agree to a capital contribution and resolved 'that the Exceptions and Appeals Panel be asked to vary the policy for this case only for the approval of a Home Loan through Wessex Resolutions CIC to make it available to all residents served with the Notices regardless of the vulnerability or financial status.'

The residents have decided not to pursue the option of a loan and aim to fund the work mainly through individual contributions.

Proposed solution

The residents have considered three options.

1. Repair of the existing spring water supply: this would require significant monies to replace the extant infrastructure through the countryside and roads. In addition the pipework is on land outside the ownership of the residents.
2. Installation of individual boreholes to each property: the costs of determining the best access to the aquifer and the provision of ultra-violet filters and other health security devices makes the cost to each individual household potentially high.
3. Mains water supplied by Wessex Water.

The most secure long term solution is the provide mains water into the hamlet which will be available to all the community.

The most economical way to provide mains water is for the residents currently supplied with spring water to undertake a self-lay project to provide the infrastructure for mains water and for Wessex Water to adopt and manage the system including maintenance and repair of the pipework once the works are complete. The costs of the scheme is £210,731 inclusive of VAT. After the costs of easements and compensation to the land owners has been paid out and Wessex Water have purchased the infrastructure there is a shortfall of £102,809 which is the amount required to be paid by the twelve residents.

Residents are currently establishing a limited company in order to deliver the scheme. The company will directly contract to install the infrastructure which will then be sold to Wessex Water. Wessex Water will be responsible for the ongoing supply of mains water and maintenance of the infrastructure.

Request for support from Area West - Community Grant Application

An application for a community grant has been received from Kingstone Parish Meeting for a grant towards the provision of mains water.

Initial advice given to the applicant was that the project could be eligible for support through the community grant scheme. However, when further details were supplied by the applicant, a number of issues were identified that make it very difficult to comply with the community grant criteria. The following issues were identified.

1. The group is unable to demonstrate a PC contribution as the application is from a Parish Meeting without the power to precept. 12 households involved in the scheme will be contributing a significant amount.
2. A new company is being established to deliver the project. It will have no track record and governance is unclear at the time of application.
3. Security of Tenure – The intention is for the infrastructure to be installed and immediately sold to Wessex Water to part fund the work. This is an innovative approach and a grant will enable the work. However, a grant will not secure a tangible, physical asset for the community.
4. No other external funding secured other than through sale of the infrastructure.

It is not possible to recommend anything other than refusal on the basis that the project does not meet the criteria for the community grants scheme.

The need for the work is very clearly demonstrated and although the direct beneficiaries are relatively small in number, there are wider benefits to mains water such as the installation of five hydrants. This is particularly relevant in a community with a number of thatched properties and a recent example of a

devastating house fire. Members may want to take account of the extraordinary circumstances surrounding the application and the broader benefit of future fire safety and consider the request.

Other residents are affected by the same issue and it is possible that support for this scheme will encourage other, similar requests. These would need to be considered on a case by case basis.

Financial Implications

There is currently £115,239 unallocated capital funding. If members agree to support a £12,500 contribution, this will leave £102,739 unallocated in the capital programme.

Council Plan Implications

Healthy, Self-Reliant Communities - The community has identified an innovative solution to a local issue and is investing a considerable amount into delivery.

Carbon Emissions & Climate Change Implications

None arising directly from this report.

Equality and Diversity Implications

None arising directly from this report.

Background Papers

District Executive July 2019 & September 2019

Agenda Item 9

Chard Regeneration Scheme Update Report

Director: Alex Parmley, Chief Executive (SSDC), Project Sponsor
Manager / Lead Specialist: Dan Bennett, Chard Regeneration Scheme Project Manager
Lead Officer: Dan Bennett, Property and Development Project Manager
Contact Details: dan.bennett@southsomerset.gov.uk or 07971 111889

Purpose of the Report

This report updates members of Area West Committee on the Chard Regeneration Scheme project.

Public Interest

South Somerset District Council has worked with partners to develop an ambitious strategy which will bring significant changes and benefits to Chard and the community. Chard Regeneration Scheme encompasses the town centre with a focus on redeveloping and bringing in to community use the Boden Mill site. Following consultation in summer 2018, the proposed components to be included on the site are a new leisure centre with swimming pool, a library and community hub, alongside a blend of housing and commercial developments.

The project team appointed by the Council and working with the partners includes Alliance Leisure (leisure development specialist), AHR architects and Speller Metcalfe. It is intended that the Chard Regeneration Scheme will make a significant, positive difference to the economic vitality of the local area. It will be of interest to all who live, work, study, shop, use the services and enjoy the leisure opportunities within the town.

Recommendation

It is recommended that Area West Committee note the content of this report.

Background

Following detailed design, SSDC applied in May 2019 for Planning Consent and Listed Building Consent to build a new Leisure Centre, Library & Community Hub and public realm improvements at the Boden Mill (ACI site) in Chard. The proposal requires the removal of buildings associated with the factory site but the retention of the Mill, Building 11, the listed arch and some adjoining buildings to the south of the arch. The planning application was heard by both SSDC's Area West Committee and then Regulation Committee on 3 September 2019 where it received approval.

Project Update

Demolition:

Works to demolish the existing factory buildings commenced in November 2019 following removal of all asbestos based materials. The demolition works progressed swiftly and the buildings on site were substantially removed by the Christmas break. The remaining section of the structure being removed in the new year along with the ground floor slabs of the buildings. During the demolition process all

elements of the factory structure were detached from building 11, this returned the building back to a detached structure for the first time in over a century.

The demolition phase of works ran smoothly thanks to the skill and care demonstrated by the demolition contractor. The process was continually monitored and to date we have received only positive feedback from local residents.

The next stage of the works covering the detailed design and engineering of the foundations is being progressed by the Council's partners, Alliance Leisure. Orders have been raised to allow this phase of works to get under way prior to the main construction contract being signed. This should allow the project to progress to the timeframes in the project programme, working towards completion in August 2021.

Planning:

The project team continue to work on the discharge of the last outstanding planning conditions. We will need to maintain an open dialogue with the planning team as aspects of the materials and detail design may be subject to change. These changes are intended to keep the project costs within budget. An example of a minor amendment of this type would be the substitution of the metal cladding on the external rear wall for a render finish.

Master Plan:

The residential component of the regeneration scheme is now under consideration. The first actions will be to survey the historic mill buildings in detail to allow the cost of conversion to be thoroughly assessed.

In order to better understand the appetite for the commercial elements of phase two the Property Team have commenced marketing of the various commercial spaces. Demand information gained from this exercise will be fed back into the project to influence what type and what size of commercial space will be most suitable for the local market.

High Streets Heritage Action Zone (HSHAZ)

The final programme design document was submitted to Historic England for the High Streets Heritage Action Zone (HAZ) programme in December. This has now been through a rigorous assessment by Historic England's south west regional team. Throughout late January/early February they will be carrying out a national appraisal of the programme designs to ensure they meet the overall aims of the High Streets HAZ programme and any further questions or areas of concern raised by the regional teams will be looked at in more detail. SSDC will be notified of the outcome of our programme design in late March following agreement with the Department for Digital, Culture, Media & Sport. During the period between now and March, the project team are continuing to develop the community engagement plan. Notification of grant will be announced in the spring when the amount being awarded will be confirmed. South Somerset District Council applied for £1m which will be match funded. The funds will be used to support a programme including four public realm projects, shop front improvements and community engagement activities.

A full time project officer will be appointed by the spring to oversee the programme and the recruitment process is currently underway. The regeneration team are working with consultants to develop detailed designs of the public realm projects and will consult with key stakeholders in the coming months. A shop front design guide will be produced as part of the programme to support the refurbishment grants. SSDC

are hosting an event for building owners, local businesses and shops on Wednesday 26th February at the Guildhall in Chard from 5.30pm until 7.00pm to explain the programme in more detail.

Next Steps

Now that the demolition works are complete, construction work will shortly commence for the leisure centre and associated public realm. The phase one construction target completion date is summer 2021. Whilst phase one construction is ongoing, the project team will be preparing a planning application for phase 2 and implementing some of the softer interventions as part of the wider Chard Regeneration Scheme programme. This includes support to attract artisan / independent retailers to the town, support to develop the growth of local food producers and food businesses, and undertaking a market health check in partnership with the Town Council.

Financial Implications

There are no new financial implications directly associated with this report.

Council Plan Implications

The Chard Regeneration Scheme is a specific objective of the Council Plan and a priority project for 2019/20.

Carbon Emissions and Climate Change Implications

None at this stage

Equality and Diversity Implications

None

Background Papers

None

Agenda Item 10

Reports from Members on Outside Organisations

Purpose of the Report

To introduce reports from members appointed to outside organisations in Area West.

Public Interest

Each year Area West Committee appoints local Councillors to serve on outside bodies (local organisations) in Area West. During the year Councillors make a report on the achievements of those organisations and other relevant issues.

Background

To replace “Reports from members on outside organisations” as a generic standing agenda item it was agreed at the August 2012 meeting to include specific reports about each organisation in the Committee’s forward plan.

Members were appointed to serve on outside bodies at the June 2019 meeting.

Reports

Reports can be verbal or written. There is no standard format, but if possible they include an explanation of the organisations aims, their recent activities, achievements and any issues of concern.

This month the member report is :

Meeting House Arts Centre, Ilminster – Cllr. Val Keitch

Recommendation

That the report is noted.

Financial Implications

None.

Background Papers: None

Agenda Item 11

Area West Committee Forward Plan

Director: Netta Meadows, Strategy and Support Services
Agenda Co-ordinator: Jo Morris, Case Officer (Strategy and Commissioning)
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	Lead Officer(s) SSDC unless stated otherwise
<i>18th March 2020</i>	<i>Stop Line Way Update Report</i>	<i>Adrian Moore, Locality Officer</i>
	<i>Stop Line Way Steering Group</i>	<i>Cllr. Sue Osborne</i>
	<i>A Better Crewkerne & District (ABCD)</i>	<i>Cllr. Mike Best</i>
TBC	<i>Historic Buildings at Risk</i>	
TBC	<i>Highways Authority Update</i>	
TBC	<i>Ilminster Forum</i>	<i>Cllr. Val Keitch</i>
Quarterly Update Reports	<i>Chard Regeneration Scheme</i>	<i>Dan Bennett, Property and Development Project Manager</i>

Agenda Item 12

Area West – Area Chapter 2019/2020 Quarter 3 Overview (For Information Only)

Service Manager: Tim Cook, Locality Team Manager
Lead Officer: Debbie Haines, Locality Team Lead (North & West)
Contact Details: Debbie.haines@southsomerset.gov.uk

Purpose of the Report

To provide Members with the quarterly overview for the Area Chapter for Area West.

Public Interest

The priorities for Area West have been used to influence the development of the Council Plan for 2019/20. Some priorities identified clearly have an area focus and are better placed in an Area Chapter. The Area Chapter presents key projects and areas of work planned for the coming year by teams from across the whole organisation.

This report provides members with a quarterly update on the progress of this year's Area Chapter.

Recommendation

That members note the Area West Chapter 3rd quarter overview (Appendix A)

Financial Implications

There are no financial implications arising directly from this report.

Corporate Priority Implications

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

Carbon Emissions & Climate Change Implications

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

Equality and Diversity Implications

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

Background Papers: Area Chapter 2019/20

Appendix A

Area West Chapter 2019/20

Green = Completed
Amber = on target
Red = likely to continue into next year

Project description	Lead Officer	Lead Service	Qtr 1 Overview	Qtr 2 Overview	Qtr 3 Overview	Progress
Economy						
Attract tourists and increase spend in and visits to the area and wider district	Katy Menday	Leisure & Recreation	Partnership arrangement with Visit Somerset Destination Management Organisation (DMO) finalised. New brochures, web content and analytics coming forward in second quarter to inform service planning and to support businesses. 2019 Visit South Somerset and Somerset Gardens brochure publicised and distributed nationally.	South Somerset Director appointed to the Board of Visit Somerset. New 2020 County wide Gardens leaflet being prepared and support for 2020 destination publication with Visit Somerset underway. LIC and Community museum visits completed by Tourism officer.	Tourism Officer supporting museum to engage with SW Heritage Trust. Gardens leaflet being prepared for 2020 to include Cricket St Thomas gardens. Web brief for new tourism web ages prepared for issue in January to better reflect the diverse destination of South Somerset.	
Continue to support individual businesses and associations/Chambers of Trade/Town Teams	Peter Paddon	Economy	Included in the new key account management activity which has commenced in Q1.	Included in the new key account management activity.	Engaged 14 Area West businesses in one to one meetings through key account activity.	
Supporting rural diversification	Peter Paddon	Economy	Rural businesses are part of the key account activity, which will include diversification.	Rural businesses are part of the key account activity, which will include diversification.	Work commissioned looking at rural businesses including diversification.	
Maintain pressure to deliver the Stop Line Way	Adrian Moore	Locality	Initial discussions with stakeholders held. Work ongoing. Knowle St Giles project (see Appendix A)*	Work ongoing to integrate project with other council priorities and policies.	Ongoing work to raise the profile of the Stop Line Way through new links within SSDC and the Chard Regeneration Programme and with The Blackdown Hills AONB. Research via seminars, history archives and links with Universities. Site visits and links made with national trail and public access project delivery consultants.	
Complete gateway highway improvement scheme - Chard Fore Street	Rebecca Mc Elliot	Commercial Services & Income Generation	External funding identified and some secured. Permissions required.	Funding secured - Area West and Chard Town Council. Due to public realm strategy being completed during 2019 and the High Street HAZ bid to Historic England, decision taken to wait until strategy is finalised and then agreed scheme will be taken forward. Will form part of the Chard Regeneration Scheme programme of public realm improvements.	Chard bid for HAZ funding was successful. Funding agreement for High Street HAZ due to be signed in Spring 2020. Work will commence by the end of 2020 on the Gateway project once Hydrock have fully developed and costed the project and all approvals are received (such as SCC)	
Environment						
Support the completion of the Neighbourhood Plan in Ilminster	Anna-Maria Lenz	Strategy & Commissioning	Plan progressing. There is currently a call for sites until the 1st July and a questionnaire which can be completed.	Had a recent meeting with the consultants that are undertaking the NHP and comments made on draft documents that were shared, no further update at this stage	No update at this stage; we are providing supporting information as requested.	
Promote opportunities for enhanced service delivery through SSDC Environmental Services offer including parish warden scheme	Tim Cook / Chris Cooper	Locality / Environmental Services	Promotion ongoing through conversations with Town and Parish councils and through the Annual Parish Meetings intended for the Autumn	Annual Town & Parish meetings arranged for October 19	No further update	
Develop Chard Reservoir as a destination	Katy Menday	Leisure & Recreation	New interpretation boards installed with help of volunteer team. Opening of woods to dogs on leads confirmed from July to enable visitors with dogs to walk more of the site. Visitor survey completed and results being analysed to assess visitor opinions. Research into provision of a small visitor space commenced with a view to providing accessible public toilets.	Successful and well received public events ran throughout summer (400 attendees) with support of site volunteer team. New totem pole erected with support of local primary school.	Volunteer team have secured 400 tree whips for planting in January / Feb to further enhance habitats and outside learning spaces at the reserve. Woodlands were opened to dogs on leads to make site more accessible for dog owners; good success with few issues. Some small negative publicity far out weighed by positive use and comments.	
Continue to support The Blackdown Hills AONB	Adrian Moore	Locality	Locality Officer attendance at AONB meetings. E6k partnership funding for 2019/20 and adoption of AONB 5 year management plan agreed by Area West Committee	E6k funding paid. Ongoing attendance at AONB officer meetings. AONB group are seeking lottery funding towards a health and wellbeing project that will include Chard.	Ongoing attendance at AONB officer meeting. Committee report prepared for January 2020 includes annual update.	
Housing						
Promote and support any emerging Community Land Trusts	Jo Calvert	Service Delivery	No CLT in Area West currently. Potential to promote at the Annual Parish Meeting	No further update	No Further update on this	
Complete Housing Needs Surveys when requested	Tim Cook / Kirsty Larkins	Locality / Case Services	None received to date. Promotion through Parish & Town Council communications and Annual Parish Meetings in the Autumn	None received in Q2. Annual Town & Parish meetings arranged for October 19	None received in Q3	
Healthy, Self-reliant Communities						
To improve pitch provision in Area West and particularly in Chard.*	Lynda Pincombe / Jake Hannis / Adrian Moore	Strategy & Commissioning / Locality	The conveyance of land (c 3.5 acres) south of Chard for the future development of land is nearing completion subject to agreement of terms with SCC. Additional on site community pitch provision (2 x football pitches) requested from a development site to the north of Chard. Working with Crewkerne Town Council and Wadham School to obtain community access to school playing pitches through a formal Community Use Agreement (see Appendix A**).	Held a meeting with all football clubs in Chard, SSDC, Somerset FA and Chard Town Council on 30th July to discuss pitches and the issues. We have a strategy going forward to meet the shortfall and in the short term a pitch advisor from the FA/IOG will carry out a formal pitch report on the Jocelyn Park pitches, so that an action plan can be formulated to improve maintenance. Pitch report now received at meeting again on 23/9 to discuss action plan and work required.	Lynda to escalate conveyancing of land at Forton with SCC. At Chard Town Council meeting on 21st October, members approved recommendations within report and the actions within the agreed plan. Verti Draining will be carried out this autumn and other work on the action plan will need to be carried out in Spring 2020.	
Support a range of improvements to community buildings. - Programme of live schemes to be set out in Appendix A	Tim Cook	Locality	See appendix A	See appendix A	See appendix A	
Develop options to improve community transport links to Crewkerne Station.	David Crisfield	Strategy & Commissioning	We will look at this as part of the needs assessment work for Council Plan Priority 6 - to assess options for improving community transport links. Lynda P to set up a Healthy Self Reliant Communities of Practice (COP) sub group to progress as per the Council plan key milestones.	Due to case officer availability, a start on work to audit community transport provision and review best practice was delayed until September 19 but is now underway. Once this work is complete, an assessment of demand/need will be undertaken in Q3.	Audit of current Community Transport provision and of elected members specific concerns currently underway via SMART Survey. Surveys will be completed and analysed in Q4. Specific measures regarding the links to Crewkerne Station will be explored in Q4/Q1 of 2020/21.	
Increase the network of volunteer led health walks through promotion, training and support.	Julia Booth	Locality	28 Health Walks being supported within Area West. 15 x Broadway, 3 x Chard, 6 x Crewkerne, 3 x Ilminster, 1 x Watch Project. Volunteer workshop held in May for existing volunteers. Another workshop planned in late summer to encourage new volunteer leaders.	Healthy Walk leaders celebration event held in September to encourage networking. 50 attendees from across South Somerset, including Mendip, Sedgemoor and Taunton. 1 x new walk at Crewkerne Health centre being developed.	Health walk leader training session held in December. 21 volunteers attended. Crewkerne Medical Centre due to start a new walk group for patients in January 20.	

Deliver 8 Play days in towns/villages in Area West	Steve Barnes	Locality	Play days booked for the Summer in Chard x 2, Ilminster x 3, Crewkerne x 3 Coombe St Nicolas, Merriott, Winsham	Successful playdays held in Area West.	Project complete	
Take a full part in the work of Chard One Team	Nigel Marston	Service Delivery	Attendance at Operational and Tactical meetings by Specialists.	As per Qtr 1	All Operational & Tactical meetings have Specialists representation. Co-Ordinator role to be looked at with a view to enabling a single role to cover Yeovil & Chard One.	
Work with Crewkerne TC to pilot hub approach to customer access.	Sharon Jones	Customer Focus	Customer Access Point in situ. Technology now enables scanning to be installed in Crewkerne as a priority	Customer Access Points are now fully operational including scanners to enable customers to send us their evidence/documents	New screening provided for Customer Access Points to improve privacy. Customer access points fully operational and working well.	
Deliver a play area at Jarman Way/(Plot 5)	Adrian Moore	Locality	Initial invites being sent to form steering group.	Steering group established at Chard Town Council. Well attended consultation event held in September with local residents. Design brief being drafted for steering group approval prior to tender.	Site visits to monitor services trenching on site and consequences of removal of neighbouring construction site safety fencing, path installation and boundary fencing. Collating tender documentation. Researching conservation considerations including tree care and preservation orders. Discussed designs with suppliers.	
Appendix A - Programme of live schemes						
Advice and support to Crewkerne Town Council and Wadham School regarding fencing around the site and to deal with a badger problem and opening up pitches for community use	Jake Hannis	Locality	**Fencing required in order to solve issues at a cost of approx £70k. Waiting for member comments.	Email received from Sheila Taylor (Business Manager) on 04/7 - school has three revised quotes for fencing now and these were attached to the email. Original quote was £70k, reduced the height of fencing so that planning is not required. Having reviewed the three quotations, there was some differences between what was quoted, and therefore a direct comparison could not be made. School has been informed and waiting for updated quotations. All Crewkerne SSDC members emailed and informed about project. Have spoken with Mike Best to keep him informed of what is happening. Plan is to draft a community use agreement between school and SSDC for community use of pitches. Legal will need to be involved given that the capital investment will need to be protected and a clawback clause inserted.	The progress of this project will be closely linked to the potential artificial Football Turf Pitch (FTP) that is being discussed with Somerset FA. If Somerset FA decide to progress with the FTP at Wadham School then configuration of fencing will need to change to incorporate a FTP and my proposal would be that the fencing becomes part of the overall project to take advantage of the S106 partnership funding. If Somerset FA decide not to pursue an FTP at Wadham School then the fencing of the pitches and a community use agreement can move forward. The project will benefit football, rugby and cricket.	
Advice and support to Chard Town Council for play area project to be delivered at Upper Henson	Adrian Moore	Locality	Initial meetings with Town Council held regarding current repairs programme for Chard play area facilities which is now underway. Possibly run in conjunction with Jarman Way project.	Steering group established with Chard Town Council. Site meeting with Play company in preparation for consultation event.	Play Area consultation leaflet designed. Contacts made with town Council, Councillors and community representatives. Consultation event postponed to early 2020.	
Advice and support to group and facilitate funding and possible community grant to deliver the project to Horton play area improvements	Adrian Moore	Locality	Initial meeting and advice given to group. Current funding issues so project to be completed in phases. SSDC likely to provide some funding towards the project. Awaiting further information from group.	Further meeting held to support group to move project forward and access funding streams.	Layout and design modified to accommodate requests from immediate neighbours. Researched support from professional funders to assist the group. Still seeking external funding.	
Advice and support to group and facilitate funding and possible community grant to deliver the project to Broadway play area improvements	Adrian Moore	Locality	Initial meeting and advice given to the group. SSDC likely to provide some funding towards the project. Awaiting further information from group	Support given to access funding. Parish in consultation with developers on current local S106 proposals.	Parish researched S106 contributions with a lot of help from Jackie Hamblin. Parish budgeting to maximise their contributions from reserves in readiness. Awaiting outcomes from public meeting due in February 2020 regarding decisions of new local development and its play provision proposals. Still undecided regarding transfer of land or monies to Parish from other S106 developments within the parish.	
Advice and support for Community Grant application to Merriott Village Hall improvements for a Solar Array and Battery Storage	Adrian Moore	Locality	Community grant application received and report to Area West Committee July/August.	Committee report deferred until November to allow for other funding outcomes to be confirmed and an update on the parish council contribution.	Committee awarded 11.5k to the project. Works anticipated early 2020.	
Project management and completion of final phase at Snowdon Park, Chard Play Area completion - installation of climbing frame	Rob Parr	Locality	Old fort has been demolished. Replacement kit being sourced.	Last item of play equipment has been delivered and installation due to take place October 2019.	Fencing being installed early Jan. Climbing frame in stock and awaiting dry conditions for installation.	
Access improvements towards Snowdon Park, Chard - Prep and tarmac coat surface	Steve Fox	Environmental Services	Some grant money identified to pay for hard surfacing (tarmac) of the access trackway to be completed in the autumn. The existing car park was also looked at for enlargement, this will form part of our future district parks improvement plan but will require capital funding and we will look at this later in the year	Resurfacing of the entrance trackway will form part of this winter works programme.	No update received	
Project manage construction of new play area at Canal Way/Greenfyde Close, Ilminster new play area	Rob Parr	Locality	Equipment installed, project completed and open. Snag list to be completed.	Project completed	Project complete	
Advice and support for Community grant application at Dowlish Wake Speke Hall and car park improvements	Adrian Moore	Locality	Community grant application received and funding awarded at Area West Committee. Project to be completed for grant to be paid.	Project completed and grant paid	Project complete	
Advice and support to Knowle St Giles re improved access to the Stop Line Way	Adrian Moore	Locality	*Initial meetings at Knowle St Giles to look at accessibility ramp to improve access from the Stop Line Way path to into the village. Community Grant request expected	Meeting held with Parish to discuss funding options and a professional funder commissioned. Tenure on land to be secured by Parish	Parish sent out multiple funding requests with support and guidance from a professional project funder. Research carried out regarding local history, environmental and health & well being benefits to support funding applications.	
Advice and support to group to complete project and facilitate transfer of S106 funding to Merriott improvements at the recreation field.	Adrian Moore/Rob Parr	Locality	£36k received from Developer. Light touch assistance provided with redesign and safety surface installation. Funding to be paid	Safety surface now complete and S106 funding paid.	Project complete	
New Pavilion project at Ilminster Cricket Club	Jake Hannis/ Rob Parr	Locality	N/A	Project inception meeting held with ICC on 7th August attended by ECB. IEF have written to ITC confirming that in principle they are happy with the proposals, but would require sub lease and further information on the design. ITC confirmed at meeting on 16/7 to support the project, pay for the sub lease to be produced and be banker for VAT purposes. Further meeting held with ICC on 19th August to discuss design brief. Design brief drafted for ICC and returned on 21/8 for comment. S106 funds already secured will be used to fund design concept and design development stages by architect.	Orme Architecture has been selected as architects for the pavilion project. S106 application form and supporting documents are expected from Ilminster CC/TC to access funding	

*To improve pitch provision in Area West and investigate feasibility of artificial Football Turf Pitch (FTP)	Jake Hannis Lynda Pincombe/ Locality Officer tbc	Strategy & Commissioning / Locality	N/A	N/A	An exciting project that would represent significant investment in our local facilities and would address a (strategic) priority football project identified within our adopted PPS. To be added into the Area West Chapter 20/21 as an Area of focus	
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Agenda Item 13

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

19/00996/OUT - Erection of dwelling to the rear of Badgers Cross.
Badgers Cross, Chinnock Huts Lane, East Chinnock, Yeovil, BA22 9DH
(Officer Delegated Decision)

Appeals Dismissed

19/01509/HOU - Erection of trellis panels to an existing boundary fence (Retrospective and revised application).
111 High Street, Chard, Somerset, TA20 1QT
(Officer Delegated Decision)

Background Papers – Decision notice attached.



Appeal Decision

Site visit made on 6 January 2020

by **Helen O'Connor LLB MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 January 2020

Appeal Ref: APP/R3325/D/19/3239867

Maple Cottage, 111 High Street, Chard, Somerset TA20 1QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Leslie Hamilton against the decision of South Somerset District Council.
 - The application Ref 19/01509/HOU, dated 15 May 2019, was refused by notice dated 2 October 2019.
 - The development proposed is for the erection of trellis panels to an existing boundary fence.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. In the interests of clarity, in my heading above I have taken the description of development from that on the decision notice, as it more succinctly captures the proposal than the lengthier description given on the application form.
3. At my site visit I observed that trellis panels had been erected similar to the original proposed plans. However, the proposed plans were amended to use fewer trellis panels and the appeal proposal relates to this reduced proposal. I shall consider the appeal accordingly.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the neighbours at 117 High Street, with particular regards to outlook.

Reasons

Living conditions

5. The proposed trellis is adjacent to the rear yard and close to the entrance door and most southerly ground floor window (serving a bathroom) of the adjoining property at 117 High Street. In addition, it can be seen from the kitchen window of No.117. These face towards the boundary with the appeal site, and the approximately 3.66 metres length of the trellis extends across the full width of the bathroom window as well as a significant proportion of the porch entrance and courtyard.

6. Although I observed that the bathroom window and glazing of the inner door of No.117 were obscure glazed, which limits the impact to a degree, the proximity, combined with the height of the overall fence of approximately 3 metres, even if reduced to accord with the revised plans, would adversely dominate the outlook from the kitchen window and main entrance to No.117.
7. The development is markedly higher than the original approximately 2 metre high boundary fence and as a result encloses the limited open space available in the courtyard. When this is combined with the existing high stone boundary wall to the south of the courtyard area, this makes the space feel unreasonably confined. Taken together, these factors have a significantly harmful impact on the living conditions of the occupants of No.117.
8. In support of the proposal the appellant indicates that the fence would reduce the degree of overlooking to his rear garden from the balcony and associated stairs at No.117. Nevertheless, the evidence suggests that the relationship of the balcony area at No.117 to the rear garden area of the appeal site, is a longstanding one, albeit that the balcony was not used for a considerable period. Moreover, the merits of the staircase to the balcony area at No.117 were considered acceptable by the Council as part of a separate planning application¹. Therefore, whilst I acknowledge the proposal would be an improvement to the appellant's living conditions, this benefit would not justify a development that also results in unacceptable harm to the living conditions of the adjacent occupier.
9. Reference is made to the lattice timber structure that has a finish that blends in with planting. It would also, in the absence of climbing plants, allow for some light to pass through it. Notwithstanding that the structure is not as oppressive as a solid barrier would be and has a finish that is generally in keeping with domestic gardens, this does not address the harm to outlook identified that results in an adverse sense of enclosure to the neighbouring residents.
10. Paragraph 127 of the National Planning Policy Framework, amongst other matters, advises that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. For the reasons already stated, the appeal proposal would not adhere to this principle.
11. Accordingly, I find that the proposal would cause unacceptable harm to the living conditions of the adjacent occupiers at 117 High Street due to the adverse impact on their outlook. This would be contrary to policy EQ2 of the South Somerset Local Plan 2006-2028, March 2015 that, amongst other matters, seeks to ensure that development proposals should protect the residential amenity of neighbouring properties.

Other matters

12. The appeal site lies within the Chard Conservation Area (CA) which covers most of the historic market town of Chard. Its significance lies in part in the way the building and spaces reflect the evolution of the settlement over time. Furthermore, Maple Cottage is a Grade II listed building. Its significance is principally derived from its aesthetic appearance and form consistent with a typical burgage plot.

¹ Officer report on planning application reference 19/01509/HOU, Page 2 – History section

13. I am mindful of my statutory duties² to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, and to give special attention to the desirability of protecting the setting of listed buildings. However, neither party suggests that the proposal would adversely affect the significance of these designated heritage assets. Given the modest scale and relatively discreet location of the fencing, I have little basis to find otherwise.
14. I appreciate that my decision will be a disappointment to the appellant. However, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise³. The reasons put forward do not justify my determining the development other than in accordance with the adopted development plan.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

Helen O'Connor

Inspector

² Sections 66 & 72 Planning (Listed Building and Conservation Areas) Act 1990

³ Section 38(6) Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

Agenda Item 14

Schedule of Planning Applications to be Determined by Committee

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

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.

Please note: Consideration of planning applications will commence no earlier than 6.45 pm.

SCHEDULE					
Agenda Number	WARD	Application	Brief Summary of Proposal	Site Address	Applicant
15	EGGWOOD	19/00698/OUT	The erection of 9 No. residential dwellings.	Land OS 0420 Part Tail Mill Lane Merriott TA16 5PF	Martyn Tharratt
16	EGGWOOD	19/00810/FUL	The erection of 2 No. commercial buildings with the provision for car parking, access and turning areas. The proposed buildings are to provide employment opportunity for SME businesses and to the local residents of Merriott.	Land At Tail Mill Tail Mill Lane Merriott TA16 5PF	Mr Patrick Quinn

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 15

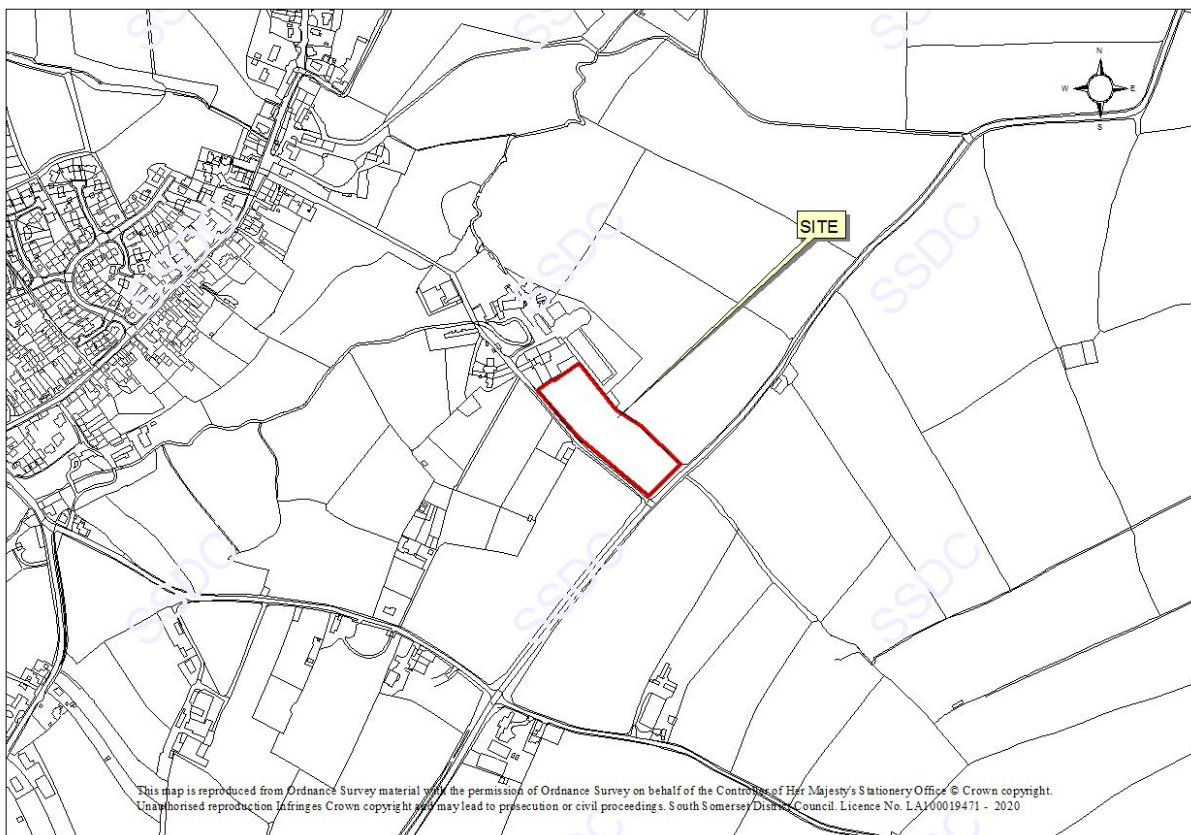
Officer Report On Planning Application: 19/00698/OUT

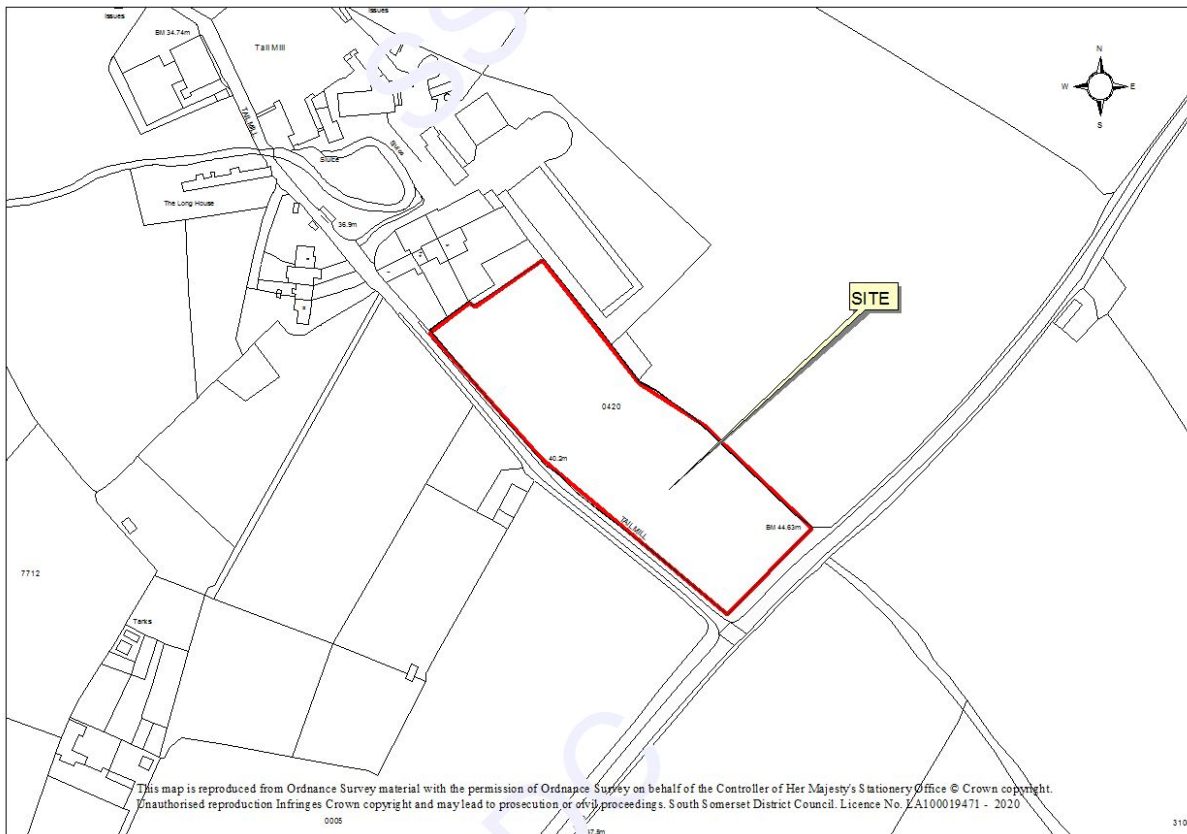
Proposal :	The erection of 9 No. residential dwellings.
Site Address:	Land OS 0420 Part Tail Mill Lane Merriott TA16 5PF
Parish:	Merriott
EGGWOOD Ward (SSDC Member)	Cllr Paul Maxwell
Recommending Case Officer:	Ian Cousins
Target date :	24th May 2019
Applicant :	Martyn Tharratt
Agent: (no agent if blank)	Mr Lyndon Brett County Court Chambers Queen Street Bridgwater TA6 3DA
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to committee by the Director (Service Delivery) in consultation with the relevant Area Chairman taking into consideration that due to the nature of the application and the evident public interest that the Committee should consider it.

SITE DESCRIPTION AND PROPOSAL





The application site forms part of a rectangular field adjacent to Tail Mill Lane. New planting, along with a post and rail fence, forms the boundary between the site and the road edge along the South West edge. Access into the site is along this boundary. Residential dwellings are located beyond the North West boundary and a commercial unit is located to part of the North East boundary. Hedging encloses the site to the South East and forms a boundary with the A356. The site itself is an open field and gently slopes downhill in a North Easterly direction. The main body of the Tail Mill site to the north of the application site contains a number of listed buildings and also forms part of the Merriott conservation area.

This is an outline application with all matters reserved apart from access for the erection of 9 No. dwellings. Access into the site is to be shared with a proposed service road that is to serve the adjacent business site currently being considered under application 19/00810/FUL.

HISTORY

None

POLICY

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006-2028 (adopted March 2015).

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

SD1	Sustainable Development
SS1	Settlement Strategy
SS2	Development in Rural Settlements
SS4	District Wide Housing Provision
SS5	Delivering New Housing Growth
TA1	Low Carbon Travel
TA5	Transport Impact of New Development
TA6	Parking Standards
EQ1	Addressing Climate Change in South Somerset
EQ2	General Development
EQ3	Historic Environment
EQ4	Biodiversity

National Planning Policy Framework

Chapter 2 - Achieving Sustainable Development
Chapter 5 - Delivering a Sufficient Supply of Homes
Chapter 12 - Achieving Well-Designed Places
Chapter 16 - Conserving and Enhancing the Historic Environment

Planning Policy Guidance

Climate change
Design
Somerset County Council Parking Strategy (March 2012)

(Note: In August 2018 a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land as required by paragraph 73 of the NPPF. In such circumstances paragraph 11 d) In relation to decision taking is engaged, this states:-

"where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

Footnote 7 to Paragraph 11 explains that:

"This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."

CONSULTATIONS

Merriott Parish Council

"Object to the application on the grounds that it extends the built-up area into a greenfield plot and the site is disconnected from the village."

County Highway Authority

"No objection to the proposal subject to conditions requiring road layout and connection to public right of way to be secured."

SSDC Highway Consultant

"Refer to County Highway Authority."

Environmental Health

"No objection"

Wessex Water

"If planning approval is obtained, it is advised that a further detailed plan is submitted showing the surface water strategy for the proposed site following the SuDS hierarchy."

Lead Local Flood Authority

"No objection to the proposal subject to a condition being imposed requesting details of the surface water drainage scheme together with a programme of implementation and maintenance for the lifetime of the development."

Somerset Wildlife Trust

"Request that conditions are imposed to enhance bio-diversity"

REPRESENTATIONS

6 representations received objecting to the application on the following grounds -

- Compromises highway safety.
- Planning Permission has recently been refused for residential development on the opposite side of Tail Mill Lane.
- Will have a detrimental impact on the historic setting of Tail Mill.
- Will have a detrimental impact on the landscape.
- Loss of agricultural land.

CONSIDERATIONS**Principle of Development**

As set out above, the starting point for decision-making is the statutory development plan, which is the South Somerset Local Plan (2006 - 2028). Adopted in March 2015, this provides the policy framework through which to make decisions on whether or not to grant planning permission for development in the district.

In policy context, national guidance contained within the NPPF sets out a presumption in favour of sustainable development. The NPPF states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Furthermore, the NPPF advises that planning decisions should avoid the development of isolated homes in the countryside unless one or more of a certain set of circumstances are met. Such circumstances include (i) there being an essential need for rural workers; (ii) enabling development to secure the future of heritage assets; (iii) re-using redundant or disused buildings; (iv) subdivision of an existing dwelling; or (v) the design of the new dwelling is of exceptional quality. None of those five circumstances apply in this instance.

Policy SD1 of the Local Plan also recognises that, when considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the NPPF and seek to secure development that improves the economic, social and environmental

conditions within the District. Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy SS1 highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local Market Towns and Rural Centres. All other settlements are 'Rural Settlements', which Policy SS1 states "will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in Policy SS2)".

Policy SS2 states:

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

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

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

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

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

Those key services referred to in paragraph 5.41 of the Local Plan are local convenience shop, post office, pub, children's play area/sports pitch, village hall/community centre, health centre, faith facility and primary school.

Policy guidance clearly encourages new housing to be located with good accessibility to existing or proposed local shops, community facilities and primary schools and with good connections to public transport.

The location of the proposed development is considered to be sustainable by virtue of its connectivity to key local services and public transport link via a pathway link to the north of the site.

For the above reason, the proposed development is considered to meet the aims of sustainable development identified within the Local Plan and NPPF.

The proposed scheme will provide nine units of accommodation that would not make a significant contribution towards the housing supply in the district. Whilst it is considered that Merriott is in a sustainable location given the facilities that the village provides, there are a number of issues with regard to the details of this site that will be considered below.

The application site is located on previously un-developed land in an area defined as countryside. In terms of site context, Merriott's Tail Mill to the North West is a listed structure, and the Mill and its associated building complex lies within Merriott conservation area. It is considered that the open land to the south of the Mill complex forms part of the setting to both the listed building and the conservation area. The row of housing to the North West boundary of the application site, which also lies within the conservation area, is considered to present a clearly defined and long established built edge to the Tail Mill complex, with which they have a historic association.

South of this established edge, there is no residential built form and it is considered that this open

agricultural land characterises the landscape and historic settings of the listed complex, along with the conservation area, to which the existing residential edge provides a clear and defining edge.

In addition to this, the site is clearly apparent from local rights of way, including the Parrett trail, which follows Tail Mill lane from the A356, directly past the site, and through the Tail Mill complex to the village beyond.

Whilst the development will have a relationship with the existing built edge, it is considered that it unduly imposes itself upon the long-established and historic open ground setting of the local heritage assets. Furthermore, the introduction of built form into the generally open and non-domesticated farmland setting of the Tail Mill building, along with their associated residential use, is considered to erode the approach and setting of both the Tail Mill complex, and the village conservation area and be at variance with the local landscape character.

As such, it is considered that the proposals fails to conform with the objectives of policies EQ2 and EQ3 of the Local Plan.

Highways and parking

Following the upgrade of Tail Mill Lane and the junction onto the A356 as part of previous development, it is considered that the highway network will be able to accommodate the anticipated level of vehicle movements. It is considered that the necessary sight lines into the site and parking provision can also be achieved. Accordingly, subject to further information regarding a construction management plan, a road layout plan with all associated infrastructure detail and a footpath connection to Tail Mill Lane, (all of which can be secured by condition) there is no objection to the proposal on Highway grounds.

Conclusions and Planning Balance

With no five year supply of housing land in South Somerset, paragraph 11 of the NPPF is engaged which explains that, for applications involving the provision of housing, relevant policies are considered out-of-date where "*...the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.*" As such the tilted balance set out in paragraph 11 of the NPPF is the measure against which the development should be assessed. This states that "For decision-taking this means...where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

The application is considered to be in a sustainable location with access to facilities and services in Merriott, however, the identified landscape and heritage harm is not outweighed by the contribution of the proposal towards the supply of housing in the district or by any other benefit arising from the scheme.

RECOMMENDATION

REFUSE

For the following reason

01. The proposal represents new residential development projecting into open countryside for which an overriding essential need has not been justified and a pattern of development failing to follow the character of development on Tail Mill Lane. Accordingly, it is considered that the proposal would have an unacceptable adverse impact upon local landscape character. The proposal would also be harmful to the setting and significance of the heritage assets due to its proximity, prominence, design and change in character of the area and does not bring any enhancement to the heritage assets. As such, the proposal is contrary to policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028. The adverse impacts are considered to significantly and demonstrably outweigh the modest benefits towards meeting the Local Planning Authority's housing supply, contrary to paragraph 14 of the National Planning Policy Framework.

Informatives:

01. In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, pre-application advice was given and highlighted landscape and heritage concerns. Having assessed the application, there were no minor or obvious solutions to overcome the significant concerns caused by the proposals that had been previously highlighted.

Agenda Item 16

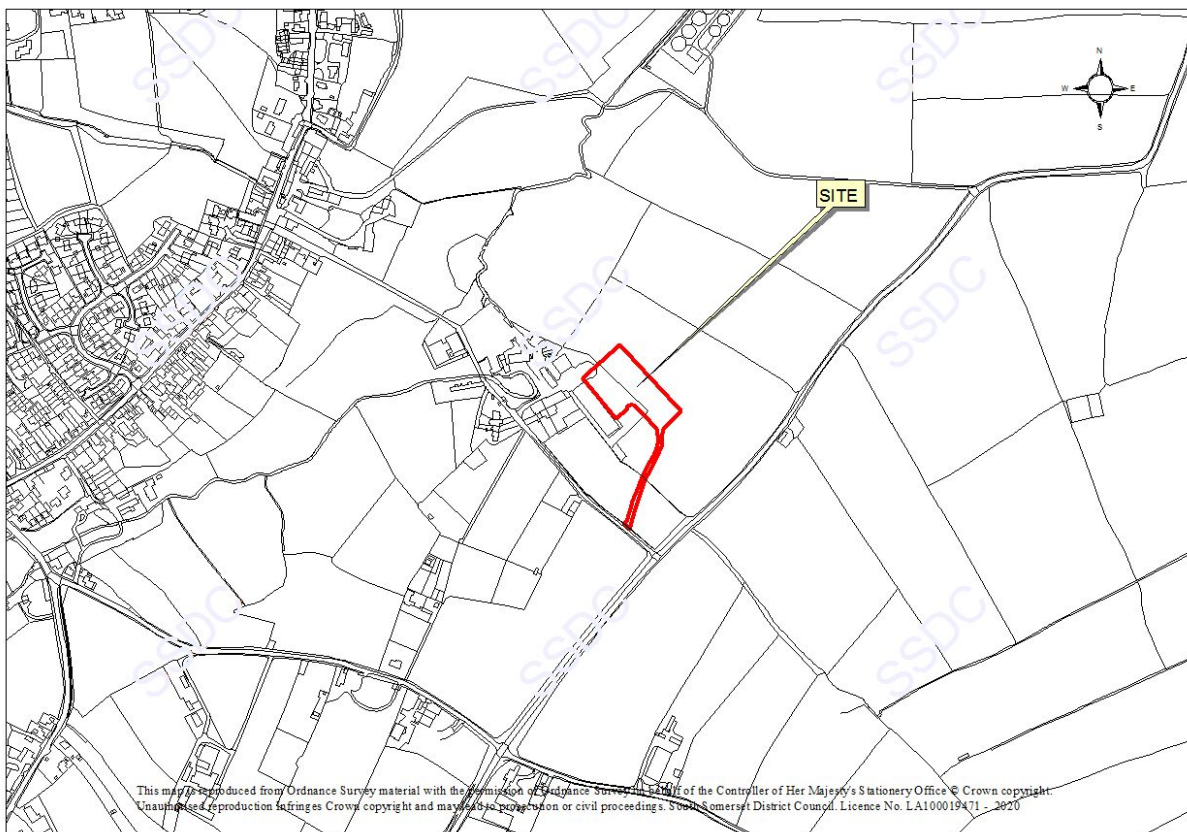
Officer Report On Planning Application: 19/00810/FUL

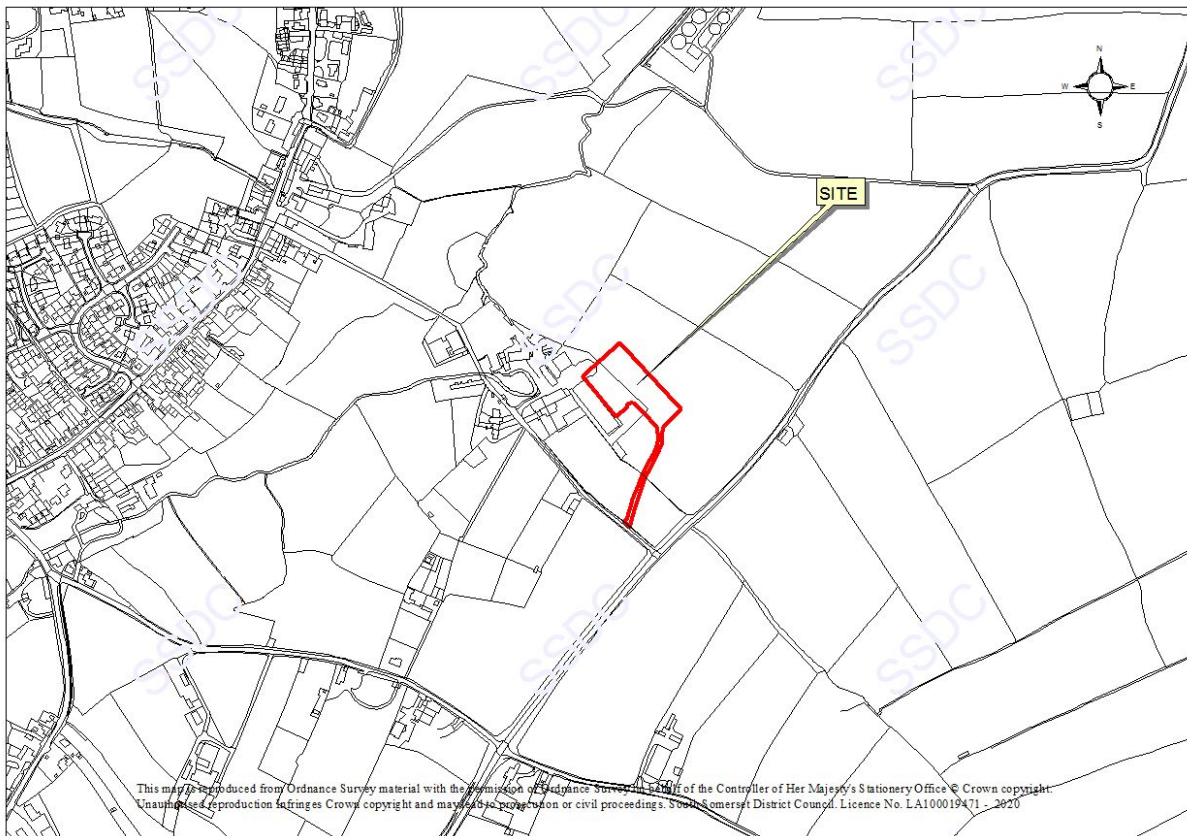
Proposal :	The erection of 2 No. commercial buildings with the provision for car parking, access and turning areas. The proposed buildings are to provide employment opportunity for SME businesses and to the local residents of Merriott.
Site Address:	Land At Tail Mill Tail Mill Lane Merriott TA16 5PF
Parish:	Merriott
EGGWOOD Ward (SSDC Member)	Cllr Paul Maxwell
Recommending Case Officer:	Ian Cousins
Target date :	13th June 2019
Applicant :	Mr Patrick Quinn
Agent: (no agent if blank)	Lyndon Brett Partnership County Court Chambers Queen Street Bridgwater, TA6 3DA
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to committee by the Director (Service Delivery) in consultation with the relevant Area Chairman taking into consideration that due to the nature of the application and the evident public interest that the Committee should consider it.

SITE DESCRIPTION AND PROPOSAL





The application site lies within the countryside to the east of Merriott and the historic Tail Mill site. The site comprises an existing commercial unit which accommodates two businesses. Access to the site is from the west between the Tail Mill re-development scheme and Tail Mill Cottages.

This application seeks consent to erect two commercial buildings to the north east of the existing building to accommodate small start-up businesses within 9 units. The units comprise a workshop/storage area with associated office and staff welfare facilities. A new road is proposed to be provided from Tail Mill Lane to the south along with parking and new landscaping.

HISTORY

07/02464/FUL - Erection of an extension and the upgrade of existing factory together with highway improvements and landscaping. - Permitted - May 2007

08/03871/FUL - Extension to proposed factory buildings relating to planning approval 07/02464/FUL by the addition of a 6m wide bay to approved extension - Permitted - October 2008

POLICY

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006-2028 (adopted March 2015).

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

SD1	Sustainable Development
SS2	Development in Rural Settlements
TA5	Transport Impact of New Development
TA6	Parking Standards
EQ1	Addressing Climate Change in South Somerset
EQ2	General Development
EQ3	Historic Environment

National Planning Policy Framework

Chapter 4 - Decision Making

Chapter 6 - Building a Strong, Competitive Economy (Paragraphs 83 & 84)

Chapter 12 - Achieving Well-Designed Places (Paragraph 124)

Planning Policy Guidance

Climate change

Design

Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

Merriott Parish Council

"Support the application and recommend approval"

County Highway Authority

"No objection as the level of parking is acceptable. Details of the disposal of surface water will need to be submitted prior to the occupation of the units."

SSDC Highway Consultant

"Refer to comments made by County Highways."

Environment Agency

"No objections subject to an informative being imposed advising of safeguarding during the construction phase"

REPRESENTATIONS

4 representations received objecting to the application on the grounds of neighbour amenity, impact on character of area, highway concerns and loss of views.

CONSIDERATIONS

Principle of Development

The site lies within an area defined as countryside and therefore the principle of development is considered against Chapter 6 of the NPPF (specifically paragraph 83 (rural economy)) and policy SS2 of the Local Plan. These policies seek to support employment opportunities appropriate to the scale of the settlement and promotes a prosperous rural economy.

Merriott is considered to be a rural settlement which has key facilities that are easily accessed from the application site. Furthermore, Merriott has accommodated development and grown over recent years.

Given this, it is considered that the scale of development is commensurate to the size and nature of Merriott and provides for employment opportunities and as such, the principle of development can be considered to be acceptable.

Scale and appearance

The proposed buildings are considered to relate well to the built form of the existing commercial building and are of a scale and appearance that will not appear incongruous. Accordingly, this element of the development is considered not to be detrimental to the character of the area. Furthermore, given that the proposed buildings are to be located further away from the recent Tail Mill development than the existing industrial building, this element of the proposal is not considered to be detrimental to the historic setting of Tail Mill.

The proposed access road will cut across an undeveloped agricultural field resulting in the creation of two separate parcels of land. As a result, this element of the proposal is considered to result in development that will be visually intrusive and therefore harmful to the rural character of the countryside. In addition to this, the provision of the road is considered to visually expand the site beyond a well-defined and established boundary into open countryside which will further exacerbate the identified visual harm.

Highways and parking

Notwithstanding the visual concern raised by the proposed road, it is considered that the new access road is suitable for the proposed development and can accommodate the level of likely traffic movements without detriment to highway safety. Furthermore, the new road will divert the traffic for the existing building away from the residential area which is considered to represent a benefit to highway safety and neighbour amenity.

Neighbouring amenity

The closest residential buildings are located to the north west of the site, beyond the existing industrial building which is sited closer to them. It is considered that, given this distance and providing the use of the buildings is restricted to B1 or B8 use, the proposed use is compatible with the surrounding area and any noise generated will not be detrimental to neighbour amenity to any degree that would warrant the refusal of the application. The restriction of B1/B8 uses can be imposed with the use of an appropriate condition however, it must be noted that, should the applicant also require a B2 use, then a suitable noise report would need to be undertaken. The noise report would have to demonstrate that a B2 use can be accommodated on site without being detrimental to neighbouring residents.

Previous applications

It has been claimed by the applicant that there is an extant consent relating to the site by virtue of the provision of infrastructure and that this consent permitted the extension of the existing building along with a new access road in a similar position to that as proposed by this application. However, it has not been documented which planning permission this is or what infrastructure has been implemented to make such a permission extant. Clarification has been sought however, no response has been provided in regard to this. Accordingly, in the absence of this information, the recommendation to refuse this planning application has been based on there being no extant consents on site.

Conclusions and Planning Balance

The proposed site is considered to be relatively well related to Merriott, a rural settlement with a number of key facilities and services, and therefore complies with the requirements of policy SS2 of the Local Plan. Furthermore, given that the siting of the proposed buildings is to be adjacent to an established commercial building, it is considered that the character of the area will not be detrimentally affected by

this element of the proposal. However, the new access road is considered to unduly encroach into the countryside and as a result, will be visually intrusive and harmful to the character of the area. Whilst there is a benefit of removing existing commercial traffic from the residential area, this is not considered to overcome the identified harm.

RECOMMENDATION

REFUSE

For the following reason

01. This siting of the proposed access road is considered to result in development that will be visually intrusive in an area of un-developed land and therefore harmful to the rural character of the countryside. In addition to this, the provision of the road is considered to visually expand the site beyond a well-defined and established boundary into open countryside which will exacerbate the identified visual harm. As such, the proposal is contrary to policy EQ2 of the South Somerset Local Plan 2006-2028

Informatives:

01. In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.
