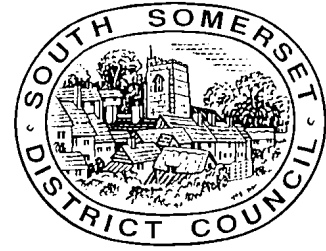


South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 10th December 2014

9.00 am

**Council Offices
Churchfield
Wincanton
BA9 9AG**

(disabled access is available at this meeting venue)



Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than 10.30am.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Anne Herridge, Democratic Services Officer 01935 462570**, website: www.southsomerset.gov.uk

This Agenda was issued on Tuesday 2 December 2014.

an Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk



INVESTORS IN PEOPLE

Area East Committee Membership

Nick Weeks
Mike Lewis
Mike Beech
John Calvert

Tony Capozzoli
Nick Colbert
Anna Groskop
Henry Hobhouse

Tim Inglefield
Lucy Wallace
William Wallace
Colin Winder

South Somerset District Council – Council Plan

Our focuses are: (all equal)

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

Scrutiny Procedure Rules

Please note that decisions taken by Area Committees may be "called in" for scrutiny by the Council's Scrutiny Committee prior to implementation. This does not apply to decisions taken on planning applications.

Consideration of Planning Applications

Members of the public are requested to note that the Committee will break for refreshments at approximately **10.15 am**. Planning applications will not be considered before **10.30 am** in the order shown on the planning applications schedule. The public and representatives of Parish/Town Councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

A formal written report from the Area Highways Officer should be on the main agenda in May and November. A representative from the Area Highways Office should attend Area East Committee in February and August from 8.30 am to answer questions and take comments from Members of the Committee. Alternatively, they can be contacted direct through Somerset Highways direct control centre on 0845 345 9155.

Members Questions on reports prior to the meeting

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

Information for the Public

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

Decisions made by Area Committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as "key decisions". Members of the public can view the council's Executive Forward Plan, either online or at any SSDC council office, to see what executive/key decisions are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

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

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the area committee chairman's discretion, members of the public are permitted to speak for up to up to 3 minutes on agenda items; and
- see agenda reports.

Meetings of the Area East Committee are **normally** held monthly at 9.00am on the second Wednesday of the month in the Council Offices, Churchfield, Wincanton (unless specified otherwise).

Agendas and minutes of Area Committees are published on the Council's website <http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions>

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

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

Public Participation at Committees

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

Public Question Time

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

Planning Applications

Comments and questions about planning applications will be dealt with at the time those applications are considered, when planning officers will be in attendance, rather than during the Public Question Time session.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the Planning Officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The Planning Officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to 3 minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

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

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

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

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

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

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

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

Area East Committee

Wednesday 10 December 2014

Agenda

Preliminary Items

- 1. Minutes of Previous Meeting**
- 2. Apologies for absence**
- 3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. As a result of the change made to the Code of Conduct by this Council at its meeting on 15th May 2014, where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

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

Planning Applications Referred to the Regulation Committee

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

Councillors Tim Inglefield and William Wallace

Where planning applications are referred by this Committee to the Regulation Committee for determination, in accordance with the Council's Code of Practice on Planning, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation

Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

4. Public Participation at Committees

a) **Questions/comments from members of the public**

b) **Questions/comments from representatives of parish/town councils**

This is a chance for members of the public and representatives of Parish/Town Councils to participate in the meeting by asking questions, making comments and raising matters of concern. Parish/Town Council representatives 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. The public and representatives of Parish/Town Councils will be invited to speak on any planning related questions later in the agenda, before the planning applications are considered.

5. Reports from Members Representing the District Council on Outside Organisations

6. Feedback on Reports referred to the Regulation Committee

7. Date of Next Meeting

Members are asked to note that the next scheduled meeting of the committee will be held at the Council Offices, Churchfield, Wincanton on 14th January 2015 at 9.00 am.

8. Chairman Announcements

Items for Discussion

9. Community & Leisure Capital Grant Request (Executive Decision) (Pages 1 - 3)

10. LEADER Programmes for Rural Economic Development - Heart of Wessex progress report (Pages 4 - 6)

11. Local Information Centre update (Pages 7 - 10)

12. Annual update on the Countryside Service (Pages 11 - 15)

13. The Retail Support Initiative (Pages 16 - 19)

14. Area East Committee Forward Plan (Pages 20 - 21)

15. Items for information (Pages 22 - 37)

Should members have questions regarding any of the items for information please contact the officer shown underneath the relevant report. If, after discussing the item with the officer, and with the Chairman's agreement, a

member may request the item to be considered at a future committee meeting.

16. **Schedule of Planning Applications to be Determined by Committee** (Pages 38 - 39)
17. **14/04234/OUT - Land at Dancing Lane, Wincanton. Outline application for up to 25 dwellings.** (Pages 40 - 59)
18. **14/03587 - Land adjoining Manor Farm Installation of standalone solar PV modules and associated infrastructure** (Pages 60 - 74)
19. **14/03936/FUL Rowells Place, Castle Cary - The erection of a hobby room, etc (Retrospective application)** (Pages 75 - 79)
20. **14/04342/FUL - The Old Coach House Bruton. Partial change of use from dwelling to not-for-profit art gallery,** (Pages 80 - 87)
21. **1404613FUL Churchfield Wincanton. Erection of a single storey extension.** (Pages 88 - 91)

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

This does not apply to decisions taken on planning applications.

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Agenda Item 9

Community & Leisure Capital Grant Request (Executive Decision)

Ward Members: Cllr Tim Inglefield Cllr William Wallace
Strategic Director: Rina Singh, Place & Performance
Assistant Director: Helen Rutter, Communities
Service Manager: Helen Rutter, Area Development Manager East
Lead Officer: Tim Cook, Neighbourhood Development Officer
Contact Details: tim.cook@southsomerset.gov.uk or (01963) 435088

Purpose of the Report

For members to consider requests for capital grants from Abbas & Templecombe Parish Council.

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 East.

Background

Community and Leisure Capital Grant applications are considered twice a year in June and December. The next opportunity to consider applications will be at the Area East Committee meeting in June 2015.

Requests from community organisations for non-capital works are now restricted to small grants with the upper limit recently reviewed and increased to a maximum of £1000. A minimum amount of £100 has also been agreed. Capital projects requiring grants of between £500 and £1000 can be dealt with at any time and are subject to Ward Member agreement.

The standard grants conditions used by SSDC and the policies under which all applications are assessed are attached to this agenda as part of the Items for Information

Recommendation

That Members agree a contribution of £2,738 (50% of the total project costs) from the Community & Leisure Capital Budget to Abbas and Templecombe Parish Council towards improvements to the entrance and lobby area of the Village Hall.

Abbas & Templecombe Parish Council – Templecombe Village Hall Improvements to entrance and lobby area

Abbas & Templecombe Parish Council has applied for a grant towards some essential work to improve the entrance and lobby area of the Village Hall. This is the first phase of a programme of work which will include the provision of new toilets and kitchen improvements.

Parish Precept information

Parish	Abbas & Templecombe
Parish population	1560 (based on 2011 Census)
No. of Households	746
Precept 14/15	£18,103
Band D Charge 14/15	£34.53

The Project

Templecombe Village Hall is owned by Abbas & Templecombe Parish Council and run by a local management committee. The hall provides a base for a number of local organisations and a space for activities. The hall is regularly used by the short-mat bowls club, a very popular Pilates group and the school PTA weekly coffee mornings. A local band has also started using the hall as a practice space. The parish council and management committee is keen to develop the use of the hall which is the main reason for the proposed programme of work.

Recently, work was undertaken to remove a metal staircase from the front of Templecombe Village Hall. It's removal has allowed the proposed Phase 1 work to proceed.

The first phase of the improvements involves the removal of the external attic door and dormer, together with removal of the existing porch roof and the fitting of a new lean-to roof. This work is largely cosmetic but will also alleviate some problems encountered from rainwater that has been leaking into the hall way causing water damage. It is expected that the work will improve the appearance of the hall and increase bookings.

An access audit has been commissioned for the hall and other planned work includes the refurbishment of the kitchen and improved toilet facilities.

The project has been assessed against the agreed criteria and the following scores apply.

	Score	Maximum score
A Eligibility	Y	
B Equalities Impact	4	7
C Evidence of Need	2	5
D Capacity of Organisation	13	15
E Financial need	4	7
F Innovation	1	3
Grand Total	24	37

Projects scoring above 22 points are eligible for SSDC support under the current policies.

Funding Sources	% Funding of Total Scheme Cost	Amount of Funding	Status
Parish Council	50%	£2,738	Secured
SSDC	50%	£2,738	Applied for
Total Scheme Cost	100%	£5476	

The Council has plans to improve the toilet facility and kitchen which will attract grant funding from external sources. The Area East contribution will be used to demonstrate local support for other funding bids.

Financial Implications

There is currently £10,000 unallocated within the Community & Leisure Capital budget. If Members agree the above recommendations, a sum of £7,262 would be available for allocation in June or for smaller delegated grants.

Corporate Priority Implications

The project helps to 'maintain and enhance the South Somerset network of leisure and cultural facilities, optimising opportunities for external funding to promote healthy living.'
(Focus Four: Health & Communities)

Carbon Emissions & Adapting to Climate Change Implications

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

Equality and Diversity Implications

The project has been subject to an assessment in terms of accessibility.

Agenda Item 10

LEADER Programmes for Rural Economic Development – Heart of Wessex progress report

<i>Portfolio Holder:</i>	<i>Area Chairs</i>
<i>Strategic Director:</i>	<i>Rina Singh, Place & Performance</i>
<i>Assistant Director:</i>	<i>Helen Rutter/ Kim Close, Communities</i>
<i>Service Managers:</i>	<i>ADMs</i>
<i>Lead Officer:</i>	<i>Helen Rutter,</i>
<i>Contact Details:</i>	<i>helen.rutter@southsomerset.gov.uk or (01963) 435012</i>

Purpose of the Report

To brief Area Committees on the progress with establishing district wide coverage of the new LEADER programme for rural economic development and report on the success of funding bids.

Public Interest

Over the last 5 years much of rural South Somerset has not qualified for the LEADER Programme, which supports locally designed, rural development initiatives. This year, 3 existing programmes have bid for funding to extend their reach within South Somerset resulting in full coverage of SSDC qualifying rural areas. The successor programme will run for 5 years from January 2015 and will focus on rural economic development.

Recommendation

It is recommended that Members note the success of the bid for programme funding for the Heart of Wessex and consider future promotion next year.

Background

This is an update from the report to Area Committees in June 2014 about proposals to extend coverage of the LEADER programme in South Somerset from 2015.

Projects funded under the new LEADER Programme (2015-2020) will need to focus on delivering jobs and growth, 70% of all projects funded under LEADER will directly support the rural economy (e.g. through creating and developing micro and small sized rural businesses) 30% of projects will also need to demonstrate that they are contributing to improving the rural economy. The new Programme has 6 priorities:

- (1) increasing farm productivity
- (2) micro and small enterprise and farm diversification
- (3) rural tourism
- (4) rural services
- (5) cultural and heritage activity and
- (6) forestry productivity

LAGs will align activities to Local Enterprise Partnerships (LEP), Local Authorities, Rural Growth Network Pilot areas, Rural and Farming Networks etc. The Local Development Strategies (LDSs) have been written to complement the activities of the relevant LEPs and for the LEPs have formally endorsed the LDSs

The coverage of the 3 LAGs for the new programme all consist of large rural areas, extending well beyond South Somerset with populations approaching 150,000 people. These are:

- *The Levels and Moors* – is an established area stretching from A303 to the Somerset coast. Minor boundary changes in South Somerset means that it has been possible to consolidate full coverage of Area North. The accountable body is Somerset County Council
- *Making it Local* – is largely based on the Blackdown Hills and into Devon. The boundary has been extended eastwards to take in Chard and western parishes of Area West, including the Ilminster area. The accountable body is Devon County Council
- *Heart of Wessex* – follows the A303/A30 corridor area, which is a strong economic area due to the impact of these major transport routes into Wiltshire. It includes much of South Wiltshire and eastern Mendip also covering all of Area East, parts of South and West taking in the Crewkerne area (Yeovil is not eligible). The accountable body is Wiltshire Council

Award of Funding for the Programme Covering Area East

The scheme managers have been notified of indicative funding for their programmes.

Below are details of the indicative award for the Heart of Wessex LAG covering Area East. The Programme Manager has now had written confirmation that the proposal can expect to be funded in the range £1,647,000-£1,816,000. The final programme sum is dependent on negotiations with rejected programmes. A final figure should be known by mid-February and the contracts signed off by end March 2015. Nothing can progress until the Rural Development Programme is finally agreed between Defra and EC. Defra will inform Groups of the timetable for this shortly. There should be no formal promotion of this programme until the RDP is signed off. A verbal update will be given at the meeting.

Preparatory work for new Leader Programme – Heart of Wessex

Each prospective Local Action Group submitted a proposed local development strategy to Defra in September 2014. In the Eastern part of South Somerset this has been followed up by awareness raising about the programme through a number of Funding Advice Workshops across the Heart of Wessex Area held in November. These were well attended by over 50 people in all and have the objective of ensuring that some projects come forward early in the programme.

Date	Venue
4 November	Boyton, Nr Warminster, Wilts
6 November	West Hatch, Tisbury, Wilts
20 November	Haselbury Plucknett, Nr Crewkerne, Somerset
25 November	The Royal Bath & West Showground, Nr Shepton Mallet, Somerset
27 November	Balsam Centre, Wincanton, Somerset

An Interim Executive Committee is being formed in early December. SSDC will be represented on this by Cllr Mike Lewis who has been on the Steering Group for the LAG. A launch event is planned for the evening 20th January 2015 at the Cheese & Grain in Frome

The Programme Managers are also to await the operating manual in order to be able to open the programme for bids.

All details of the programme are on the web site: www.heartofwessex.co.uk

Financial Implications

At its February 2014 meeting AEC set aside up to £10,000 towards participation in the proposed Heart of Wessex LEADER programme, to help to secure full coverage of the Area and maximise the benefit of the programme over the years to 2020. To date £3,000 of funding has been allocated leaving a balance of £7,000 towards programme implementation

Corporate Priority Implications

The Council Plan states that

We want a strong economy which has low unemployment and thriving businesses

One of the stated ways we will address this is to

Work in partnership to deliver investment and development that local people value

Carbon Emissions & Adapting to Climate Change Implications (NI188)

In due course this designation could provide a way to supporting local employment and promote local produce/ services to our communities contributing to greater self-containment thereby reducing carbon emissions

Equality and Diversity Implications

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

Background Papers: DEFRA guidance documents for LEADER programme

Agenda Item 11

Area East: Local Information Centre's 2013/14 report

Strategic Director: Rina Singh, Place & Performance
Assistant Director: Helen Rutter / Kim Close, Communities
Service Manager: Helen Rutter, Area Development Manager East
Lead Officer: James Divall, Neighbourhood Development Officer
Contact Details: James.divall@southsomerset.gov.uk (01963) 435023

Purpose of the Report

To update members on the progress and operations of the Area East Local Information Centres in Bruton, Wincanton & Castle Cary.

Public Interest

The Area East Committee gives funding support to the three town councils to assist with the running costs of local information centres (LICs) in Bruton, Wincanton & Castle Cary. This report gives details of how each LIC is doing from the monitoring information supplied under the service agreement.

Recommendation

To note and comment on the progress made towards establishing strong, locally run Local Information Centres

Background

A review of SSDC satellite offices was completed in spring 2010 and an improvement plan put in place with a programme of improvements for the area and community offices across the district. Part of these proposals was to recognise that Local Information Centres should be under Town Council control to enable increased hours of operation supported by local resident volunteers and backed by an annual District Council service level agreement of £500 per LIC.

In February 2012, as part of efficiency savings the District Executive ceased staffing small part time community offices and in April 2012 sole responsibility for running the Local Information Centre in Bruton and Castle Cary transferred to the Town Councils. This gave the Town Council's the opportunity to manage the Local Information Centres based on the need of their town and its visitors. It also enabled Area Support staff to concentrate on delivering a comprehensive SSDC advice service from the Wincanton office to those who need it. The Area Support staff provided training for the Local Information Centre volunteers and a referral/sign posting system for District Council enquiries is in place and no issues have arisen following the transfer.

As part of the continuing support for the Local Information Centre provision a Service Level Agreement has been signed with each Town Council with regard to the management of the Local Information Centre. As previously agreed by Area East Committee £500 per annum is awarded to the Town Council to assist with the cost of running their LICs and improving the service.

Bruton, Castle Cary & Wincanton LICs are located alongside and run by the Town Councils/ volunteers for the benefit of the local community and visitors to the town and the surrounding villages. The service agreement with SSDC gives a framework for achieving consistency & funding stability. SSDC will support the LIC to provide services to the local community and to

visitors to the district. As the LIC is overseen/ staffed by Town Council employees/ volunteers and local residents can access SSDC services in the town, it is not necessary for SSDC to run surgery sessions at the Town Hall/offices & referrals can be made as necessary.

The agreement sets out the links between the town LIC and SSDC, the services and activities being provided by the centre and the support it can expect from the district council. It also outlines a framework for monitoring its success, as well as giving funding conditions.

The agreement assumes no significant changes in the level or scope of core activity over the life of the funding. It is subject to regular review

Aims of LICs

- To provide information on local services, amenities and activities to the community and visitors to the town.
- To promote the heritage and culture of the town and the surrounding area.
- To support the local economy by promoting businesses, venues and attractions in the area.
- To provide a reliable, efficient and professional service.

Monitoring and Evaluation

There is an annual meeting between the LIC and a representative from SSDC to monitor the level of service, activities provided and financial position. At this review, the following information is considered:

- Annual accounts.
- Budget for the coming year.
- Development plans.
- Details of any other funding.

Report for 2013/14

The Town Councils LICs have been very busy this year developing and operating their individual services. The LICs have seen increased tourism to the area, in turn increasing demand on volunteer time as well as a greater range of information needed from enquiries.

Objectives	Recorded information 2013 – 2014	Bruton	Castle Cary	Wincanton	Total numbers 2013-14
Provide a central point of contact for the community and visitors	Overall number of enquiries to LIC	2158	5795	1872	9825
	enquiries in person	2158	5738	1488	9384
	by telephone/ e- mail/post	0	57	384	441
Encourage & support a team of well-informed volunteers to run LIC	Number of volunteers	6	13	0	19

Please note:

The opening hours for each office are determined locally and vary, which is reflected in the number of visitors. Wincanton LIC is run mainly by the Deputy Town Clerk and a paid employee. Bruton LIC does *not* have a separate phone line/computer from the Town Council

In addition to supplying statistics the LICs have given the following reports:

Wincanton report:

- Updated meeting with SSDC Tourism team
- Numbers on par with last year's accessing the LIC
- Interest: 15 French tourists accessed the LIC finding out information on re-tracing the Napoleonic Wars (French prisoners were stationed here in Wincanton).
- Seen an increase in visitors to the area researching family history.
- New residents to the town are happy with the welcome guide that has just been produced.

Castle Cary report:

- Continue to run our Community and Tourist Information Desk entirely on volunteers.
- Open summer 9.30 am to 2pm Monday to Thursday, Friday 9.30am to 4pm, Saturday 9.30am to 12.30 am
- Open winter (Nov to March) 9.30 to 12noon weekdays and Saturdays
- 10 "desk" volunteers plus Sally as chair
- We attend leaflet distribution session annually plus other volunteer' training and events set up by SSDC Tourism team where possible
- We organise ordering of leaflets, tourism materials including train and bus timetables, local information, etc
- We use the internet increasingly for information searching, and now have a laptop solely for our use which is great.
- We help Sally input material onto the town website (she is webmaster) and also deal with putting up of posters
- We manage the Saturday morning coffee morning bookings, banner bookings
- We help advertise and promote local events, including the Big Christmas
- We have regular Volunteers' group meetings, chaired by Sally

2013/14 additional activities have been:

- The production of a new edition of the Castle Cary leaflet
- Re-print of our popular walks leaflets
- Taking on (January onwards) the showing of people round the new Shambles venue, and briefing hirers on its use
- Taking on the preliminaries of making bookings for the Shambles and undercroft over and above the coffee mornings.
- Joining in the "safer places" scheme
- Having regular informal "Volunteers tea parties" into which have been incorporated training sessions on disability awareness
- Session on giving out SSDC information (James Divall)
- Working out new systems for information gathering and sharing
- Selling tickets now for local events
- Registering students for new programme of adult learning to take place in the shambles.

Bruton report:

In addition to the statistical information Bruton LIC is working with the Town Council and Bruton Community Partnership to develop:

- A refurbished LIC and town office
- New branding for the town (to be implemented within the LIC)
- A new web site and town information signs (including new maps)
- Enhancements to signs in the town highlighting where the LIC is for the increased tourist due to Hauser and Wirth galleries.

Financial Implications

A total of £1,500, £500 per LIC is paid to the Town Councils from Area East: community grants budget

Corporate Priority Implications

Focus two: Environment

Focus four: Health & Communities

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None

Equality and Diversity Implications

The SSDC Area East Development Team considers all aspect of equalities in evaluating funding support. Supporting an accessible face to face, locally run LIC, with the ability to refer vulnerable people to the community office for additional support, is complementary to SSDC run customer access services.

Background Papers:

File with SLA

Agenda Item 12

Update Report from the Countryside Service

Executive Portfolio Holder: Sylvia Seal, Health and Well Being
Strategic Director: Vega Sturgess, Operations and Community Focus
Assistant Director: Steve Joel, Health and Well Being
Service Manager: Katy Menday, Countryside Manager
Lead Officer: Katy Menday, Countryside Manager
Contact Details: Katy.menday@southsomerset.gov.uk or (01935) 462522

Purpose of the Report

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

Public Interest

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

Recommendation(s)

That members note the report.

Across the South Somerset Countryside Sites

- The largest sites have again secured 3 Green Flag Awards all in the highest scoring brackets. Green Heritage accreditation was retained at Ham Hill Country Park.
- For 2014 the team delivered 30 events across the countryside sites. Slightly lower than previous years, but we delivered a greater number of larger scale events and fewer play schemes. At Yeovil we reintroduced Well Dressing and two trail events (Halloween and Easter) and Ham Hill delivered a community bonfire and September Heritage Trail. The dog show, running races, and countryside days continue to be regular calendar fixtures.
- An estimated 11,000 visitors (children and adults) attended across the 30 events, organised by the countryside team. Further visitors attended events organised by other SSDC teams or local charities and groups.
- Delivery of Countryside Services is via a huge volunteer bank and activity is focused across the 3 strategic sites and Moldrams Ground LNR. Community support groups like the Steering Group and 2 "Friends of" Groups now bring the annual average of frequently engaged volunteers to around 70 individuals. In 2014 practical volunteering days increased as the ranger team now try to manage for two practical volunteering days each week at the three largest sites. Weekly sessions now include a less strenuous option, more like gardening, that appeals to a wide range of individuals and has given the team greater scope to accept groups of volunteers from local schools and colleges (especially Lufton College who travel and volunteer at all three sites each week). This has increased our volunteer days donated figure up from 1400 last year to over 2000 in 2014. In

addition to this further days were donated by members of our community groups including Park Watch. Two “thank you” days were organised for the volunteers; including a summer away trip to the Dorset coast.

- The Friends groups at Ham Hill and Yeovil Country Park offer tremendous support to the countryside team, especially in securing external funding for projects and events. In 2014 this has included £24K of grant funding for events and community participation to be delivered at Yeovil Country Park from 2015.
- The team continues to increase the tree stock on the sites at appropriate locations. At Ham Hill over 850 native trees were planted at Pit Wood in winter 2013/14 and at Yeovil Country Park replacement trees are planned following large losses as a result of the storms in 2013/14. Trees are grant funded by the Woodland Trust.
- The Countryside team has continued to work towards delivery of all targets in their annual delivery plan which is monitored by the South Somerset Countryside Steering Group.
- Practical land management continued including dry stone walling, hedge laying, scrub and tree stock management and grassland works, plus bin emptying and response work.
- Two apprentices successfully finished the annual training programme at the country parks and the decision was taken to start a new apprenticeship programme for level 3 students. The scheme will take 18 months to complete, and students finish with a higher level qualification, making them more suitable for work in the sector. Graduates are now eligible to apply, and this September Kristy and Andrew started with us and are already working hard on development projects for their qualification.
- The rangers continue to manage their social media feeds as free advertising and a great link to the communities of the parks. Both country parks have very popular feeds and a new Ninesprings Café feed received over 600 likes in 3 days, helping the team deliver a successful café launch.
- Shop Mobility in Yeovil, in conjunction with the countryside team, is developing two leaflets to show all ability trails at both Yeovil and Ham Hill Country Parks. Clear routes showing gradients and accessibility have been devised and hard copy and downloadable formats will be available from the early spring.

Challenges over the year

- Stormy weather in February 2014 caused a large number of trees to come down across all of the sites. Trees have also been damaged with split branches and trunks causing them to be dangerous. This has resulted in a high level of work for the rangers, and SSDC Arboricultural team, who have needed to undertake the climbing works. This has caused significant financial pressure to the budget. Damaged fence lines from falling trees have also been a cost.

Moldram's Ground Local Nature Reserve, Pen Selwood

- Great Crested Newt and Dormouse surveys continue on site to monitor the populations of these European protected species. In spring 2014 Great Crested Newts were found in the lower pond for the first time, indicating that habitat management on site suits the population and should continue. During nest box surveys a dormouse nest was discovered confirming their continued presence on site.
- Vegetation has been removed from the three ponds to improve breeding conditions for all species of newt living there.
- Advice has been given to a local landowner on management of his pond for Great Crested Newts. Work will continue, with the help of local residents, to identify key landowners to aid the conservation of the rarest animals that have a stronghold at

Moldrams Ground. Water and hedgerow management are essential at a landscape level to enable the small isolated populations to expand into the wider environment.

- The local community continues to be involved with the management of Moldrams. Six volunteers are now registered for the site and they help with practical management works and surveys. In 2014 this has included bracken bashing and tree clearance, particularly after the storms. A key volunteer keeps the community updated about works at Moldrams through the Pen Selwood village website.

Ham Hill Country Park

- The grazing went out to tender in late 2013 and as a result Mr Wakeley from South Petherton took over the grazing rights in April 2014. The family firm has extensive experience grazing a public access site at the National Trust's Montacute estate. The new regime has brought a mixture of sheep and some cattle onto the hill. Results of the new grazing have already been positive with pasture grasslands responding well.
- Higher Level Stewardship work continues on site including putting new fence lines in and adding barbed wire to existing fences in areas where the cattle will graze.
- Communication with the local parishes has improved with regular articles included in the Hambook, which is delivered to every household in the parishes surrounding Ham Hill.
- A successful Heritage Fayre was delivered in 2013, with the public and volunteers helping to create a roundhouse frame, which was a focal point for the Fayre. The roundhouse was left in situ in the plateau fields but the roof was vandalised in January 2014. Public support on Facebook for the structure to remain meant that the rangers rebuilt it in the summer of 2014 with volunteers at a public event. It became a focus for events throughout the summer and autumn including at the September 2014 Heritage Trail.
- The rangers delivered a successful community bonfire night which again featured on the ITV local news.
- The team is working with the Friends of Ham Hill to submit a Heritage Lottery Fund bid for habitat reinstatement in Witcombe Valley and interpretation of the historic remains of the medieval village.

Eastfield Local Nature Reserve, High Ham

- The ranger team continues to partner with Butterfly Conservation to improve the quality of the scarce grassland habitat on site. Somerset Rare Plants group has advised on land management and grazing regimes to retain the calcareous grassland.

Yeovil Country Park

- The new Ninesprings Café, Information and Education Centre opened its doors on Tuesday 27th October, with a family launch day on Friday 31st October in conjunction with the Halloween Trail. It was an exceptionally busy and fun day and we received lots of positive feedback about the new centre. The Halloween event attracted 800 participants (and their families) and was busy from 10.30 – 3pm. The Ninesprings Café enters its second month of trading and continues to hit the business plan targets. With plenty of events planned inside over the Christmas period we are confident that the centre and café are the correct additions to the country park. The team are delighted that the centre has been so well received by the public.
- The ranger team is now focusing on finalising the round 2 submission to the Heritage Lottery Fund of a large bid to support a 3 year community ranger post and a packed programme of activities and events. The project will also deliver biodiversity improvement

projects, restoration of key features in Ninesprings valleys gardens and new interpretation for the building and wider country park with themes linked to heritage.

- The Dog Show, Halloween Trail and Easter Trail were all successful. Well dressing was the only victim of some bad summer storms, but 200 visitors braved the wet evening to see the decorated springs.
- The management plan for the Country Park has been updated, to take us into 2017.
- 3-2-1 running trails have been set up in the country park in conjunction with our Active Lifestyles Team and Run England. There are two trails, one at Riverside Walk and the other at Ninesprings which waymark a 3km circular running or walking route.
- Park Watch continues to monitor anti-social behavior on site with a good working relationship with the local Beat Manager, PC's and PCSO's.
- Volunteering has been expanded to Mondays and Thursdays each week; both sessions are popular, focusing on different areas of the country park.

Sampson's Wood

- The woodland is in its final winter of significant tree stock management to stabilize the perimeter trees.

Chard Reservoir Local Nature Reserve

- The volunteer team goes from strength to strength with 6 - 8 regular volunteers turning up weekly and on ad hoc days to help the ranger. Volunteering has been extended to 2 days per week allowing Lufton College and other local educational providers to send groups of students along to participate in appropriate tasks.
- The directed management of the water levels continues to attract rare bird species during migration seasons including a Grey Phalarope in October. This attracts many 'twitchers' to the site.
- The water levels continue to be well managed during the extreme rainfall events.
- Essential dam repair work, tree maintenance and fencing have been completed after support was given by District Executive via the unavoidable budget pressures submission.
- Chard Countryside Day was another successful day with approximately 300 people in attendance.

Headlines for the next 6 months

- The project officer for the V3 Heritage Lottery Fund bid will start to finalise the round 2 bid to be submitted to HLF by Mid February 2015. This will have an outcome date in mid June 2015.
- We await finalisation of new countryside web pages and booking pages for the service and its events.
- Countryside continues to represent SSDC on the Somerset Local Nature Partnership. The Somerset Biodiversity Partnership has recently disbanded and representation for both groups will be through a landowners and managers forum of the Nature Partnership.
- Countryside pays the annual contribution and receives the papers for the Cranborne Chase and West Wiltshire Downs AONB.

Financial Implications

In 2014/15 the Countryside Service manages 650 acres of public access land comprising land designated mainly as Country Parks and Local Nature Reserves and two Country Park Centre's. A team of 5.8 Full Time Equivalent officers manage the sites to a net expenditure budget of £243,570. The budget includes target annual income generation of £106,670.

Corporate Priority Implications

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

CORPORATE PLAN – Focus 2: Environment

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

CORPORATE PLAN – Focus 4: Health and Communities

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

Carbon Emissions & Adapting to Climate Change Implications (NI188)

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

Annually the team plants an average of 500 trees and these are always native, ensuring they are best suited to our current climate and provide the habitats with the best chance of adapting to future climate change.

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

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

Equality and Diversity Implications

The countryside team work hard to ensure that the countryside sites are as accessible as possible. Stiles are removed in favour of gates. An audio trail and free mobility vehicle are for hire at Ham Hill Country Park. Easy access trails are promoted at the largest sites. The website contains relevant information and assistance for planning visits and the South Somerset Disability Forum continues to advise the rangers on proposed works and projects, they also have a place on the South Somerset Countryside Steering Group.

Agenda Item 13

The Retail Support Initiative

Assistant Director *Helen Rutter, Communities*
Service Manager: *Helen Rutter, Area Development Manager- East*
Lead Officer: *Pam Williams, Neighbourhood Development Officer (Economy)*
Contact Details: *pam.williams@southsomerset.gov.uk* or 01963 435020

Purpose of the Report

To provide an update on the Retail Support Initiative (RSI) during the first six months of 2014/15.

Public Interest

Supporting and helping to improve the retail offer in the towns and villages across Area East.

Recommendations:

- (1) To note the report

Background

Members will be aware that the Retail Support Initiative (RSI) was set up eight years ago with a focus on town centres; it was subsequently extended to include village & farm shops. Over this time the scheme has been well received making 40+ grant awards across the area during the last five years.

In July members received a comprehensive report and considered the operating criteria for the current financial year. At this time approval was given for a Wincanton 'top-up' scheme, the detail of which was to be worked up by officers for approval by Ward Members and Chairman. Members approved the top-up scheme in October and a member of the Area Support Team visited eligible businesses in Wincanton during October/November. As far as possible a 'face to face' approach was adopted but in some instances a leaflet was left. It remains to be seen if this converts to additional applications, particularly in Wincanton where the 'top-up' is available for the first time.

The new operating criteria is attached at Appendix 1.

2014/15 Operation

Retail Support Initiative awards from April to October 2014:

Quillon Antiques	Antique shop	Bruton	£745.20 awarded July 2014
The Bear Inn	Public House	Wincanton	£1,105 awarded August 2014

No Naked Windows	Upholstery/haberdashery shop	Bruton	£686.40 awarded October 2014
Bruton Vets	Veterinary Practice	Bruton	£1,000 awarded October 2014

Retail Rate Relief – Help for Retail Businesses

Although not part of the Retail Support Initiative, Members may be interested to know Area Support Staff called on eligible businesses, who had not taken advantage of this scheme, to encourage them to apply. We await feedback from the Business Rates team about how effective the additional follow up has been

SSDC have the discretion to discount business rate bills up to £1,000 for 2 years (2014-15 and 2015-16) for retail premises with a rateable value of £50,000 or less. The business owner only needs to complete the form once for both years. A leaflet, with the application form, was sent out with this year's bills. Retail premises must be occupied and wholly or mainly used to sell goods, services or food & drink to visiting members of the public.

Financial Implications

There are currently the following unallocated balances available for the Retail Support Initiative including reserve balances

Revenue element - £6,394.40

Capital - £2,212

Additionally there is £10,000 ringfenced in the Wincanton top-up scheme, to-date none of this has been drawn down.

Implications for Corporate Priorities

A well supported business community

Measured by: An increase in satisfaction by businesses with the specialist support they receive in South Somerset

A vibrant and sustainable Yeovil, Market Towns and Rural Economy

Measured by: Increasing local sustainability measured by the average level of self containment for South Somerset Wards

Other Implications

Included within the Area Development Plan

Background Papers:

Retail Support Initiative

Operating criteria

Percentage contributions cannot exceed 50% of costs and no retrospective applications are eligible (i.e. in respect of works which have already been commissioned/started).

Applications over £750 will be considered by Area East Committee on a monthly basis. Amounts up to £750 may be considered at any time as a delegated grant in consultation with the Chairman and Ward Member(s).

Grant levels:

Maximum 50% of project costs as follows:

Eligible costs:

Shop-front improvements, if they enhance the High Street
Business rates assistance – a contribution to the amount payable for new businesses (which do not compete with another business) in their first two years of trading
Exceptional projects which add to the viability of towns/villages

Process

Applications for Grants are accessed and recommendations made on the basis of a fully completed application form and two 'like for like' quotes. Self-help/DIY schemes may complete the application form and supply a project budget with supporting information.

All grant recipients must accept that the grant may be used for publicity purposes by the District Council. Payment of the grant is done retrospectively, for a completed programme of works on the basis of receipted invoices. Exceptionally officers, in consultation with the Chairman, may release partial payments where there is clear justification for doing so.

The District Council will continue to claw back grants from businesses which cease trading on the following basis: 100% in year one, 75% in year two, 45% in year three.

The existing assessment and current scoring mechanism favours businesses:

- employing more than 2 people
- in prominent places
- key rural stores/Post Offices
- retailers

The award is subject to the following standard conditions:

- The grant award may be used by SSSDC for promotional/publicity purposes;
- Grants are paid for approved works/purchases on production of receipted invoices;
- Awards are subject to a summary of the benefit of the scheme being supplied;
- Applicants will normally be expected to draw down the grant within six months of the offer and if not will have to inform us of the reason(s) for the delay. If there is a valid reason, officers can provide a 6 month extension, but beyond this the grant would either be withdrawn or referred Area East Committee to be re-affirmed;
- That appropriate consents are obtained - works requiring listed building/planning consents or building regulation consent will be required to be signed off by the appropriate officer prior to the release of funds

Wincanton only – ‘top-up’ scheme operating criteria

Key elements of flexible top up:

- Maximum contribution from SSDC capped at 50% of scheme costs
 - Maximum grant £1,000 for businesses wishing to move into one of 7 units currently empty in the town, these are listed below.
 - Grants are only available to proprietors/owners with one business/premise
- or
- maximum £300 available to new **and** existing businesses for business improvements and marketing initiatives. For new businesses this could be used towards stock too.

Units eligible for £1,000 top up:

- 3 Market Place
- 13 Market Place
- 1 – 3 High Street
- 6 High Street (2 units)
- 24 High Street
- 36 High Street

Agenda Item 14

Area East Committee Forward Plan

Head of Service: Helen Rutter, Area Development Manager
Lead Officer: Anne Herridge, Democratic Services Officer
Contact Details: anne.herridge@southsomerset.gov.uk or (01935) 462570

Purpose of the Report

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

Recommendation

Members are asked to:-

- (1) Comment upon and note the proposed Area East Forward Plan as attached;
- (2) Identify priorities for further reports to be added to the Area East Forward Plan, developed by the SSDC lead officers.

Area East Committee Forward Plan

The forward plan sets out items and issues to be discussed over the coming few months. It is reviewed and updated each month, and included within the Area Committee agenda, where members of the Area Committee may endorse or request amendments.

Members of the public, councillors, service managers, and partners may also request an item be placed within the forward plan for a future meeting, by contacting the agenda co-ordinator.

Items marked *in italics* are not yet confirmed, due to the attendance of additional representatives.

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.

Further details on these items, or to suggest / request an agenda item for the Area East Committee, please contact the Agenda Co-ordinator; Anne Herridge.

Background Papers: None

Appendix A

Area East Committee Forward Plan

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
14 Jan 15	Environmental Health Service update report	To provide members with a brief update of the work of the Environmental Health Service in the last twelve months.	Alasdair Bell
14 Jan 15 TBC	<i>Overview of Community Safety</i>	<i>To update members.</i>	<i>Steve Brewer</i>
11 Feb 15	Welfare Service	Annual update on the work of the service.	Catherine Hansford
11 Feb 15	Area East Annual Parish & Town Council Meeting Summary of Issues Raised	To inform Members of the topics discussed and the issues raised at the Annual Parish and Town Council Meeting held on 27 January 2015.	Helen Rutter SSDC
11 Feb 15	Village Halls	An annual update on Village Halls within Area East	Tim Cook SSDC
11 Mar 15	Update on work with Young People in Area East	Update of work being done to support young people and youth activities and facilities in Area East.	Tim Cook SSDC
11 Mar 15	Local Housing Needs in Area East	To provide an update on housing need in Area East	Kirsty Larkins SSDC
11 Mar 15	6 monthly Streetscene Update	To provide an update of the service and the winter achievements.	Chris Cooper SSDC

Agenda Item 15

AREA EAST COMMITTEE

10th December 2014

ITEMS FOR INFORMATION

Should members have questions regarding any of the items please contact the officer shown underneath the relevant report. If, after discussing the item with the officer, and with the Chairman's agreement, a member may request the item to be considered at a future committee meeting.

- 1. Appeals**
- 2. Appendices A & B for Agenda Item 9 Community & Leisure Grant Applications**

Planning Appeals

Head of Service

Martin Woods, Assistant Director (Economy)

Lead Officer:

Dave Norris, Development Control Manager

Contact Details:

Dave.norris@southsomerset.gov.uk or (01935) 462382

Purpose of the Report

To inform members of the decisions of the planning appeals lodged, dismissed or allowed as listed below.

Appeals Lodged

Parish/Town	Application No.	Description and Location	Applicant(s)	Officer's Recommendation	Committee Decision
South Cadbury	14/02419/PAMB	Prior approval for the change of use of agriculture building to a dwelling	Mr J Tabor	Requires planning permission	N/A

Appeals Dismissed*

Parish/Town	Application No.	Description and Location	Applicant(s)	Officer's Recommendation	Committee Decision
Babcary	14/01868/FUL	Erection of a dwelling at Land South of the Red Lion Steart Road Babcary	Mr & Mrs Garrard	Refusal	N/A
Mudford	14/01887/OUT	Change of use of land for mixed development at Land East of Hales Meadow Mudford	Hales Lea	Refusal	N/A

* Papers Attached

Financial Implications None

Background Papers: Planning Application files

Appeal Decision

Site visit made on 4 November 2014

by Roger Pritchard MA PhD MRTPI

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

Decision date: 7 November 2014

Appeal Ref: APP/R3325/A/14/2223800

Land to the South of the Red Lion Pub, Babcary, Somerton, Somerset, TA11 7ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs C Garrard against the decision of South Somerset District Council.
 - The application Ref 14/01868/FUL, dated 24 April 2014, was refused by notice dated 27 June 2014.
 - The development proposed is to erect a dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be –
 - i. Whether the proposed development is sustainable;
 - ii. Its effects on the living conditions of future occupants; and
 - iii. Its effects on the setting of the nearby listed building, the Red Lion Public House.

Reasons

Background

3. The proposed development would erect a two-storey, detached dwelling on land adjacent to the car park of a public house in the small village of Babcary. The public house, the Red Lion, is Grade II listed and has recently seen the conversion of an existing outbuilding to provide additional accommodation.
4. There is already an extant permission for a dwelling of similar scale and design on the appeal site (Ref 10/05151/FUL). That permission is subject to a condition that would tie the occupancy of the approved dwelling to persons, or their dependents, employed in the running of the public house. The condition was to be reinforced by means of an agreement between the appellant and the Council made under section 106 of the Town and Country Planning Act 1990.
5. Subsequently, despite the section 106 agreement being signed, the appellant failed to secure the finance to go ahead with the development. A letter from his Bank, submitted with the appeal, suggests that the primary reason for this failure is the conditioned tie to the public house. That tie has caused the Bank to impose more stringent terms for a loan than might be applied to an

unrestricted residential property. Essentially, the revised application and subsequent appeal therefore seek permission for a similar dwelling but without the occupancy condition.

The sustainability of the proposed development

6. The appeal site is outside the limits of any area defined for development by Policy ST3 of the adopted South Somerset Local Plan - Bab Cary not being classified as a village appropriate for development in that Plan. However, as the Council concedes, Policy ST3 is now somewhat out of date. Furthermore, it is not in complete alignment with the provisions of the Government's National Planning Policy Framework ('the Framework') which is a material consideration in all planning applications and appeals.
7. The Council is now preparing an emerging local plan, although this has not yet been adopted. The plan's Policy SS2 adopts a criteria based approach to development in rural settlements. Criteria include access to key services and the delivery of community benefits by way of additional employment opportunities, the creation or enhancement of community facilities and the meeting of an identified housing need. Whilst the emerging Local Plan is not yet adopted, Policy SS2, which has not been subject to substantial objection, is material and also seems to me to be broadly compatible with the criteria for assessing sustainable development put forward in the Framework. I therefore conclude that emerging Policy SS2 can be given significant weight.
8. The Council and the appellant disagree about the extent to which Bab Cary possesses key services. There is no dispute that the village has a church and village hall as well, of course, as the public house. However, I would dispute the appellant's claim that this represents '*...a large range...*' of local and community facilities. Bab Cary is relatively isolated, has no public transport and its inhabitants must rely on the private car for their trips to shop and to medical and educational facilities. It cannot therefore represent a location which, as recommended by Paragraph 30 of the Framework, supports a pattern of development that facilitates the use of sustainable modes of transport.
9. Notwithstanding any locational issues, Paragraph 7 of the Framework emphasises that sustainable development has three dimensions – economic, social and environmental – which are mutually dependent. However, the economic benefits of the proposed development of a single, open market dwelling are minimal in meeting the Framework's objective of supporting a prosperous rural economy, whilst I have no evidence that it would deliver any specific social benefit as, for example, by meeting a particular housing need in the village. Any minimal economic and social benefits are thereby more than outweighed by the environmental disadvantages of its location.
10. Furthermore, I come to that conclusion irrespective of the present position with regard to whether there is a five years' supply of readily available housing land in South Somerset. A review of recent evidence caused the Council to revise its previous position that there was not such a supply in the District and its current contention is that there is a five years' supply as advised by Paragraph 49 of the Framework. These matters are due to be concluded on by my colleague whose conclusions following the recently reconvened Examination in to the emerging Local Plan are awaited. In these circumstances, it would be premature for me to confirm or reject the Council's claims to have now

achieved a five year supply of available housing land as advised by the Framework.

11. However, given my conclusions as to the poor sustainability of the proposed development, I conclude that the proposed development would not meet the criteria of Policy SS2 of the emerging Local Plan and would not be sustainable in the wider terms set out by the Framework.
12. In concluding as I have above, a fundamental and critical distinction must be drawn between the previous permission, tied as it was to the continued viability of the public house, and the current appeal which has no such explicit link. I acknowledge the appellant's future intention to live in the proposed dwelling. Nevertheless, without the tie provided by the condition as imposed on the previous permission and the subsequent s.106 agreement, the link that justified the previous proposal in terms of its community benefit cannot be guaranteed. A range of circumstances – even if unforeseen at present – could lead to the proposed development being severed away from the public house. The outcome would be a dwelling that would be contrary to existing and emerging planning policy and to the principles of sustainable development as set out in the Framework.

The living conditions of future occupants

13. The Council has drawn the distinction that I have emphasised above in paragraph 12 as being relevant to the degree to which future occupants of the proposed dwelling may or may not be disturbed by the proximity of the public house car park.
14. I accept that were there to be a legal tie between the proposed dwelling and the public house complaints about disturbance would be far less likely than if the occupancy of the former were entirely separate. Nevertheless, I am reluctant to give this matter substantial weight. There could be hundreds if not thousands of residential properties adjacent to licensed premises and their car parks and anyone purchasing the proposed property would be well aware of the issues. Moreover, the dwelling now proposed would have a separate access at the far corner of the site. Therefore, whilst the appellant intends to retain a gated access to the public house car park, if the occupancy of the proposed dwelling were subsequently severed, a revised boundary treatment could significantly reduce any disturbance.
15. I therefore conclude that the effect of the proposed development on the living conditions of its future occupants would not be so severe as to warrant the dismissal of the appeal. However, neither do I conclude that this outweighs the material harm that I have identified as arising from the first main issue.

Effects on the setting of a nearby listed building

16. I take a very similar view of the suggested effects of the proposed development on the setting of the listed public house. I accept that a tied dwelling could provide some assurance as to the future business viability of the public house and that such a public benefit could outweigh less than substantial harm to the significance of this heritage asset. However, my observation was that the proposed dwelling, whose facing elevation would be some 80 metres from the public house and whose materials could be conditioned to be

compatible with the latter, would have only a minimal impact on the setting of the listed building.

17. As with the second main issue, I therefore conclude that the effect of the proposed development on the setting of the listed building would not be so severe as to warrant the dismissal of the appeal. However, again, neither do I conclude that this outweighs the material harm that I have identified as arising from the first main issue.

Conclusion

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

Roger Pritchard

INSPECTOR

Appeal Decision

Site visit made on 5 November 2014

by Paul Griffiths BSc(Hons) BArch IHBC

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

Decision date: 27 November 2014

Appeal Ref: APP/R3325/A/14/2224827

Land East of Hales Meadow, Mudford, Yeovil

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Hales Lea against the decision of South Somerset District Council.
 - The application Ref.14/01887/OUT, dated 26 April 2014, was refused by notice dated 25 July 2014.
 - The development proposed is described as 'outline application for change of use to a mixed development of housing with annexed business plus sports hall and community accommodation'.
-

Preliminary Matters

1. The application was made in outline with all matters reserved for future determination. I have considered the appeal on the basis of the details shown on Drawing No.3449/02: Site Plan.
2. Applications for costs have been made by the Council against the appellant, and vice versa. These are the subject of separate Decisions.

Main Issues

3. The Council cited seven separate reasons for refusal. In that context there is much to address including (1) the principle of development and the policy position; (2) character and appearance; (3) flood risk; (4) the means of access and highway safety; (5) ecology; and (6) heritage matters. There are other, ancillary matters to address too.

Reasons

The Principle and the Policy Position

4. LP¹ Policy ST3 says that outside the defined development areas of towns, rural centres and villages, development will be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment, and does not foster growth in the need to travel. The Council also refers, in general terms, to LP Policy ST5. This outlines a series of criteria against which development will be assessed. Amongst these are (1) which in simple terms seeks to promote patterns of development that reduce the need to travel; and (2) which stresses the need to make efficient use of land, prioritising recycled land, and other appropriate sites, in urban areas.

¹ The South Somerset Local Plan 1991-2011 Adopted April 2006

5. Criterion (3) deals with the need to conserve biodiversity and environmental assets; (4) the need to respect the form, character and setting of the locality; (5) requires satisfactory means of access and a demonstration that traffic generated can be accommodated on the local network; (6) refers to the need to protect people and property from flood risk; and (7) addresses the necessity to make provision for the infrastructure necessary to service the development or mitigate its impacts.
6. In essence, the appellant says that the LP is out of date and that the Council, having regard to paragraphs 214 and 215 of the Framework², has stated that the policies therein 'no longer hold legal merit'. On that basis, it is said that the proposal should be determined on the basis of the Framework, and paragraph 14 in particular. I have some difficulty with that. The LP Policies referred to above remain extant, having been saved. They remain a constituent part of the development plan and Section 38(6) of the Act³ requires the determination of planning applications to be made in accordance with the development plan, unless material considerations indicate otherwise.
7. It might be argued that the Framework is such a material consideration but having regard to paragraph 215 of the Framework, that would only be justified if the development plan policies referred to are not consistent with the approach therein. In my view, LP Policies ST3 and ST5 are consistent. Paragraph 49 of the Framework says that relevant policies for the supply of housing, a description that would cover LP Policies ST3 and ST5, should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. If that was established, then the decision-maker would be directed to paragraph 14 of the Framework. However, the appellant puts forward no convincing evidence that the Council cannot demonstrate a five-year supply of deliverable housing sites and, in that context, LP Policies ST3 and ST5 retain their primacy.
8. The appeal site lies outside the defined development areas of any town, rural centre or village. While there would be some economic benefit involved in the proposal, there would clearly be an environmental impact in developing a green-field site – a matter I turn to below – and a development of the scale proposed would obviously foster growth in the need to travel. The latter would not be mitigated to any great degree by the submitted Travel Plan which, as things stand, has been deemed inadequate. On that basis, the proposal is clearly contrary to LP Policy ST3 and criteria (1) and (2) of LP Policy ST5.

Character and Appearance

9. Mudford is a linear village and notwithstanding interventions at odds with that pattern, notably Hales Meadow and the adjacent recreation ground, this essential character trait remains readily discernible. On the face of it, the proposal would represent development in depth, on a green-field site, beyond Hales Meadow and the recreation ground. This would accentuate the harmful impact previously perpetrated, contrary to criterion (4) of LP Policy ST5. The appellant seeks to use the presence of the development at Hales Meadow and the recreation ground to justify the proposal. However, harmful development permitted in the past, under a different policy regime, provides little justification for more of the same.

² The National Planning Policy Framework

³ The Planning and Compulsory Purchase Act 2004

Flood Risk

10. Criterion (6) of LP Policy ST5, rehearsed above, bears on this issue. Paragraph 100 of the Framework says that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
11. Paragraph 101 tells us that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be permitted if there are appropriate sites, reasonably available, in areas with a lower probability of flooding. As the Environment Agency (EA) point out, there are areas of the appeal site that are at risk of flooding and that risk is likely to increase as a result of climate change.
12. Given my conclusions on the first main issue, an overriding necessity for development on the site has not been demonstrated. Even if that necessity had been demonstrated, it has not been shown that there are no more appropriate sites, reasonably available, elsewhere.
13. On that overall basis, it cannot be concluded that the proposal accords with LP Policy ST5, or the Framework, in terms of flood risk.
14. The EA has suggested that if development was to be permitted, then it should be limited to that part of the site in Flood Zone 1, with finished floor levels set no lower than 24.56 m AOD, and of two-storey construction. Such an approach would not overcome the in-principle issues set out above. However, even if that consideration is left to one side, limiting development to Flood Zone 1 by condition would not be a reasonable approach because there is insufficient detail in the application, and associated material, to demonstrate properly that the scope of the development proposed could be accommodated satisfactorily in that part of the appeal site.

Access and Highway Safety

15. Criterion (5) of LP Policy ST5 is relevant and paragraph 32 of the Framework tells us that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
16. Access is a reserved matter but it is clear that it would need to be facilitated from the road bounding the south-west extremity of the site. From what I saw, providing the point of access was chosen carefully, it ought to be possible to design an access to the site that provided adequate visibility in both directions.
17. Moreover, on the face of it, even allowing for the lack of an acceptable Travel Plan, the traffic that the development would generate need not be so great that use of the existing road to, and the junction with, Main Street, where visibility in both directions appears more than adequate, would cause residual impacts that could be described as severe.
18. I accept that such a conclusion depends, to a large extent, on the nature of the proposed sports hall and community accommodation, and the residential element of the proposal. However, any changes that might be required to the junction with Main Street, as a consequence of what came forward, could sensibly be dealt with at reserved matters stage.

19. On that overall basis, I see no difficulty in terms of criterion (5) of LP Policy ST5, or the Framework, in this specific regard at least.

Ecology

20. Criterion (3) of LP Policy ST5 is important in considering potential impacts on biodiversity. Paragraph 109 of the Framework explains that the planning system should contribute to and enhance the natural and local environment by, amongst other things, minimising impacts on biodiversity and providing net gains in biodiversity, where possible.

21. Standing behind all that are the requirements set out in Circular 06/2005⁴. Paragraph 99 maintains that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should only be left to coverage under planning conditions in exceptional circumstances. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development.

22. The appeal site is grassland, bounded in large part by hedgerows, and there is a pond in the middle of it. In that context, it appears to me that there is a reasonable likelihood of protected species, like bats and/or Great Crested Newts, that would be affected by the development, being present on the site. Much debate has centred on the use of the term 'appropriately qualified person', but this rather misses the point. Most importantly, the information put forward by the appellant in support of the application does not include anything that could reasonably be described as a survey for protected species.

23. As such, the likely impact of the proposal on such species cannot be forecast and it cannot, therefore, be concluded that the proposal meets the requirements of LP Policy ST5 criterion (3) or paragraph 109 the Framework. Bearing in mind the advice in Circular 06/2005, planning permission could not properly be granted for the proposal as promulgated.

Heritage Matters

24. LP Policy EH12 stipulates, of relevance here, that planning permission will not be granted for development which would damage or destroy areas of high archaeological potential, or sites where there is good reason to believe there may be remains of archaeological importance, unless the importance of the development outweighs the local significance of the remains.

25. Paragraph 128 of the Framework says that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their settings. Where a site includes, or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

⁴ Circular 06/2005: *Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System*

26. The County Archaeologist drew attention to the ridge and furrow system on the site, and explained that this form of agricultural feature often preserves underlying prehistoric and Romano-British remains. Obviously then, there is the potential for remains of that sort to be present on the site. The information put forward on behalf of the appellant lacks an appropriate desk-based assessment and there has been no adequate field evaluation. Neither does the 'Heritage Statement' properly acknowledge the presence of the ridge and furrow system which is, obviously, a heritage asset, albeit non-designated. Paragraph 4.9 of the 'Heritage Statement' states that the site does not contain any archaeological features or other heritage assets. That is speculative in relation to the former, and plainly inaccurate in terms of the latter.
27. As presented, it cannot be concluded that the proposal complies with LP Policy EH12. Moreover, it is clearly contrary to the requirements of paragraph 128 of the Framework. The balanced judgement required by paragraph 135 of the Framework, when dealing with non-designated heritage assets, cannot be carried out because an assessment of the significance of those assets, whether potential, or readily identifiable, has not been carried out.

Other Matters

28. Having regard to criterion (7) of LP Policy ST5, The Council draws attention to issues that need to be addressed through an Obligation under s.106. Given that affordable housing is proposed on-site, I am content that the number of affordable units, tenure mix, and implementation, could be properly covered by an appropriately worded condition.
29. What the Council terms 'sports, arts and leisure contributions' involve financial contributions designed to mitigate the impact of the proposed development on these matters. Analysis is complicated because the proposal, as presented, includes a sports hall and community accommodation but, in any event, the appellant has not put forward an Obligation designed to address the Council's requirements, largely on the basis that this could be dealt with at reserved matters stage. I have my doubts about that as an approach but nevertheless, it is a matter of little consequence given that the proposal is unacceptable in any event. I reach a similar conclusion in terms of whether or not the contributions sought by the Council meet the requirements of paragraph 204 of the Framework, or Regulation 122⁵.

Final Conclusion

30. The proposal could be made acceptable in terms of the means of access and highway safety. Much more weighty however, are the failure to accord with the approach of the development plan to proposals outside defined development areas, and the harm that would be caused to the character and appearance of the area. On top of that, it has not been shown that the proposal is acceptable in terms of flood risk, and that it would not have an adverse impact on archaeology, or other heritage assets, and biodiversity. On that basis, I conclude that the appeal should be dismissed.

Paul Griffiths

INSPECTOR

⁵ Of the CIL Regulations 2010

Appendix A for Item 9 The Community & Leisure Capital Grant Requests.

Appendix A – Standard grant conditions

1	The funding has been awarded based on the information provided on the application form for your application number.
2	The enclosed Evaluation Form will need to be completed in full and returned to the appropriate Area/Central office when you return your signed acceptance of the funding offer.
3	All other funding sources are secured.
4	SSDC are given prior notice of the date when work is to commence.
5	SSDC is acknowledged on any publicity and on any permanent acknowledgement of assistance towards the project.
6	The applicant will work, in conjunction with SSDC Officers, to monitor the success of the scheme and the benefits to the community, resulting from SSDC's contribution to the project.
7	<p>All grants offered by SSDC will be based on a set of conditions. Conditions include one or more of the following:</p> <ul style="list-style-type: none"> • Monitoring arrangements. • Publicity options. • Before and after photos. • Return signed acceptance slip. • Grants can only be paid for a single year and a second application is not allowed for the same project within 3 years (unless Service Level Agreement). • Any changes to the project should be notified to SSDC. • Share good practice with other organisations if successful in securing external funding. • All other funding sources are secured. • Conditions of grant should be presented in Committee report.
8	<p>For buildings, facilities and equipment:</p> <ul style="list-style-type: none"> • Capital grants are on a one-off basis. • Capital grant applications should include a strategy for maintenance of equipment to applicable standards, and a strategy for replacement (or otherwise) if appropriate. • Subject to planning permission if necessary. • Shared use of buildings/equipment, where appropriate. • Proper signage to buildings/facilities. • The applicant must ensure that its play area is inspected and maintained in accordance with EN1176 or a successive standard. • For Village Halls, an access audit must be carried out and all projects should be improving access for people with disabilities.

Appendix B for Item 9 The Community & Leisure Capital Grant Requests.

Appendix B

SSDC Community Grants Policies

1	Corporate Priorities	Grants criteria and priorities will be linked to the Council's Aims & Key Targets in the Corporate Plan. These are published in the application pack and incorporated into the assessment and scoring system. Specific criteria linked to specialist work areas (eg. Sports, Arts, and Leisure and Play Provision) are published on separate sheet in grants pack.
2	Area Priorities	Area Committees set their own priorities for the year and publicise these to applicants. Area grants should reflect local priorities within the broad district-wide framework.
3	Area or District-wide?	An organisation should be considered for a District-wide grant if: 40% or more of the organisation's activity is benefiting people in 2 or more SSDC areas It is unique in the district and no equivalents exist in the areas. It may have a local base but plans to develop quickly across the district. District-wide organisations receiving core funding should apply to the areas separately for local project work. Where new local projects involving district-wide organisations crop up through the year they should be supported by the area committee on a one-off or pilot basis (say 1-3 yrs). If this project then becomes part of core activities, this should be built into a Service Level Agreement.
4	Repeat Funding & Service Level Agreements (SLA's)	<ul style="list-style-type: none"> • Grant funding is for one year only; • A second grant application for the same project will not be considered within 3 years of the first award; • All organisations requesting repeat funding should have a Service Level Agreement with SSDC; • SLAs will be based on: <ol style="list-style-type: none"> a) an agreed set of measurable targets against which performance will be monitored; b) monitoring of the continued health of the individual organisation; c) value for money being demonstrated; will be: <ol style="list-style-type: none"> d) for 1 year if SSDC wishes to support the organisation's core running costs on an ongoing basis, but will consider funding annually or e) for 3 years if an organisation is: <ol style="list-style-type: none"> (i) assessed to be a key or substantial partner making a significant contribution to corporate and strategic priorities and/or (ii) is delivering services on a long-term basis as delegated by the council. f) 3 year SLAs will be reviewed in the 3rd year of operation; at least one year's notice will be given if future funding levels are to change.
5	Funding/costs	Up to 50% of the total project costs is available (up to 75% for safety

		surfacing in play areas). Up to £12,500 is available for Area grants. Project costs will be monitored to ensure that the SSDC contribution does not exceed 50% of the total project costs. Grants will be awarded subject to other funding being secured
6	VAT	SSDC may be able to recover VAT on major schemes costing over £100,000. Gifts in kind may be used to avoid VAT, where appropriate.
7	Publicity	SSDC should be acknowledged on publicity material. A simple menu of 'publicity opportunities' is sent out with all grant offer letters.
8	Monitoring	Monitoring arrangements will be a condition of grant and will be included in offer letters. Monitoring will be proportionate to the size of grant and organisation Monitoring information will be fed back to the relevant Committee.
9	Non-financial support	Other forms of Council assistance will be listed in applications and committee reports. A menu of non-financial SSDC support is sent to all applicants.
10	Delegation	Requests for £750 or under are delegated to officers following consultation with Area Chair, Portfolio Holder or Ward Member as appropriate and reported to relevant committee for information only.
11	Retrospective support	Retrospective support is not eligible for funding.
12	Planning Permission	Outline planning permission/building regulation approval should be obtained before grant goes to committee. Awards will only be offered subject to planning permission (and other relevant permissions) being given (where relevant).
13	Parish/Town Council Funding	SSDC will only fund projects where a contribution is being made by the Town or Parish Council, unless there are very exceptional circumstances. This contribution should be proportionate to the size of the Parish. Applicants should approach Town/Parish Council for funding before coming to SSDC. The greater contribution received from Town/Parish Council and the less requested from SSDC the application will achieve a higher score. Parishes need to make better use of their precept to support local organisations.
14	Maintenance	Routine maintenance and replacement of equipment is not eligible.
15	Reserves	SSDC will only fund projects where a maximum of 1 year's running costs is held in free reserves. If a group has dedicated reserves for a particular project, these should be ring-fenced.
16	Leases	Capital grants can be awarded to leased facilities on the following grades: <£5k grant = minimum 10 yr lease. >£5k grant = minimum 15 year lease. Proof of ownership or evidence of an appropriate lease is required at the application stage.
17	Buildings, Facilities & Equipment	3 estimates should be submitted with buildings, facilities and equipment applications where possible. Access to buildings and sharing use of equipment should be demonstrated, where appropriate, and will be a condition of grant. Play area refurbishments will only be eligible for grant aid if the contractor is selected from the SSDC approved list. Rent/income from facilities should reflect market rates. Capital grants are on a one-off basis.

		<p>Capital grant applications should include a strategy for maintenance of equipment to applicable standards, and a strategy for replacement (or otherwise) if appropriate</p> <p>Proper signage to buildings/facilities will be a condition of grant.</p> <p>Capital projects will need to have incorporated disabled access and an access audit will be required where relevant.</p> <p>Requests for capital funding of over £12,500 are beyond the remit of the Community Grants programme. A Capital Appraisal will be required and referred to the relevant Committee for approval separately.</p>
18	Rent	<p>Organisations occupying SSDC owned property should be assessed and treated in the same way as any other organisation.</p> <p>They should all know the full rent payable.</p> <p>They should apply for a grant in the normal way and include rental costs in their budget.</p> <p>SSDC support should reflect the value placed on the work of the organisation not the cost of the accommodation.</p>
19	Rate Relief	<p>All organisations eligible to 100% Rate Relief apply directly to Business Rates. Charitable Arts and Sports organisations who are entitled to 80% Rate Relief can apply to Area Committees for a grant to meet the 20% shortfall. Assessments are made using an adopted set of criteria.</p>
20	Offer letters/grant conditions	<p>All grants offered by SSDC will be based on a set of conditions, which will be presented in Committee reports, to include the following:</p> <p>Projects must start within 6 months of the grant being offered or as otherwise specified in the offer letter</p> <p>A project update will be provided every 3 months</p> <p>Other monitoring arrangements as specified</p> <p>Publicity options (eg photos)</p> <p>Return signed acceptance slip</p> <p>Grants can only be paid for a single year and a second application is not allowed for the same project within 3 years (unless SLA)</p> <p>Any changes to the project should be notified to SSDC</p> <p>Share good practice with other organisations</p> <p>All other funding sources are secured</p> <p>Grants only payable upon receipt of invoices or receipts which provide evidence of the costs of project/purchase</p> <p>Evidence of relevant permissions being obtained (eg. planning permission)</p>
21	Loans	<p>SSDC will help applicants access loans from other sources where possible, and consider loans only when alternative forms of borrowing are not available or at a prohibitive cost. All loans will incur interest</p> <p>Village Halls can borrow up to £5,000 through the District-wide Village Hall Loans Scheme</p> <p>Loans of up to £5,000 can be approved by Area Committees</p> <p>Loans exceeding £5,000 will require a full appraisal & business plan</p> <p>Loans are offered at the appropriate Public Works Loan Board rate for the period of the loan</p> <p>The maximum repayment period will be 10 years and repaid in instalments in accordance with the agreed payment reschedule</p> <p>The maximum amount of a loan shall be £150,000. Any requests above this are beyond the remit of the Community Grants programme and will be considered separately by Full Council.</p> <p>Other loans may be available from other suitable sources</p>

Agenda Item 16

Schedule of Planning Applications to be Determined by Committee

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

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 10.30 am.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 10.20 am.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
17	WINCANTON	14/04234/OUT	Outline application for up to 25 dwellings with approval for means of access sought and all other matters reserved for future consideration	Site Address: Land At Dancing Lane, Wincanton	Oxford Law Ltd
18	CASTLE CARY	14/03587/FUL	Installation of standalone solar PV modules and associated infrastructure	Land Adjoining Manor Farm, The Park, Castle Cary	Brilliant Harvest 001 Limited
19	CASTLE CARY	14/03936/FUL	The erection of a hobby room, car port and additional parking	2 Rowells Place, Castle Cary	Mrs Mandy Foot
20	BRUTON	14/04342/FUL	Partial change of use from dwelling to not-for-profit art gallery (D1), retail (A1) and associated alterations	The Old Coach House Coombe Street, Bruton	Mr Benedict Nicolson
21	WINCANTON	14/04613/FUL	Erection of a single storey extension to south wing of building	South Somerset District Council Churchfield Wincanton	SSDC Property Services

Further information about planning applications is shown on the following page 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 has 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 17

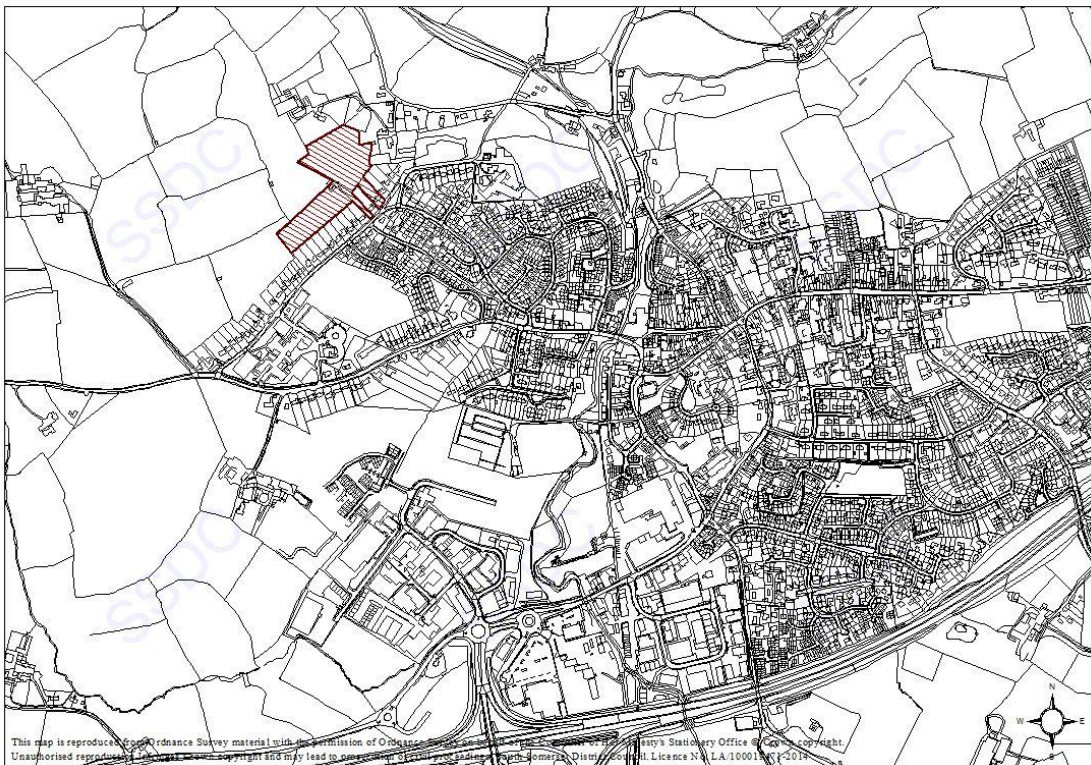
Officer Report on Planning Application: 14/04234/OUT

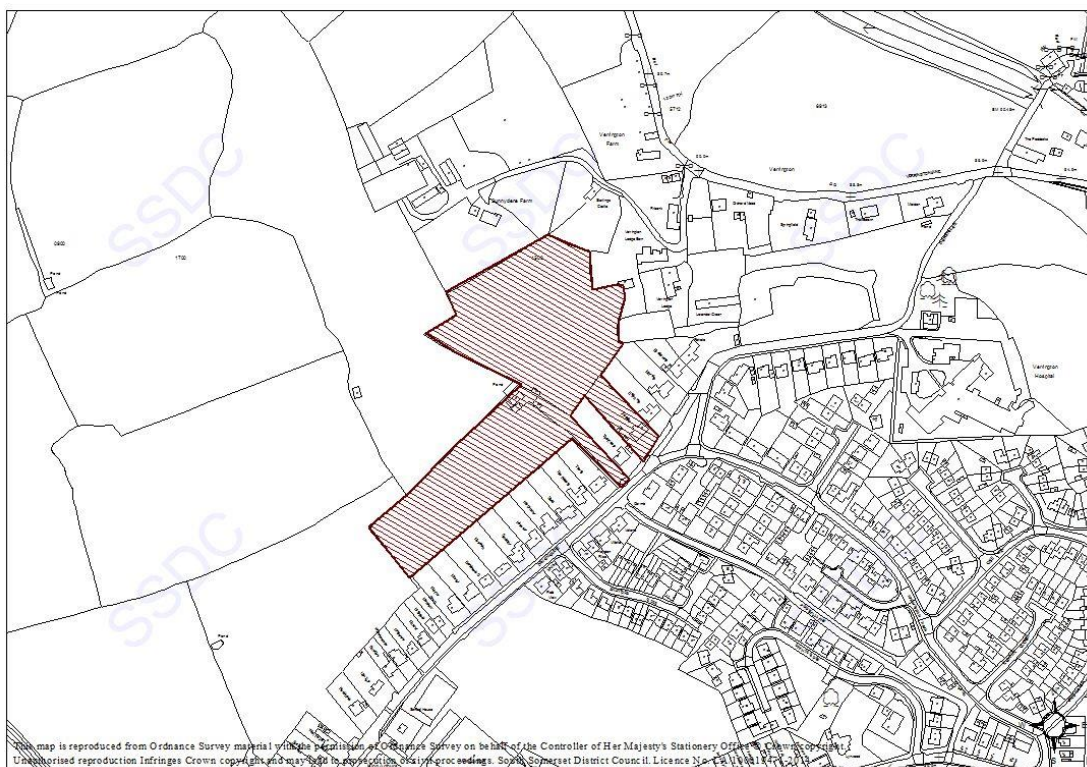
Proposal :	Outline application for up to 25 dwellings with approval for means of access sought and all other matters reserved for future consideration (Revised scheme) (GR:370409/128841)
Site Address:	Land At Dancing Lane Wincanton
Parish:	Wincanton
WINCANTON Ward (SSDC Member)	Cllr N Colbert Cllr C Winder
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	17th December 2014
Applicant :	Oxford Law Ltd
Agent:	Mr Neal Jillings 23 Southernhay East Exeter, EX1 1QL
Application Type :	Major Dwlgs 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

This application for residential development is recommended for approval as a departure from saved policy ST3 of the South Somerset Local Plan which seeks to constrain development within Development Areas. However, the adopted local plan is increasingly out-of-date and policy ST3 is not consistent with the NPPF, as it is overly restrictive particularly in light of Paragraphs 54 and 55 of the NPPF, which aim to facilitate appropriate housing to meet local need. Accordingly the application is referred to committee to enable the justification for the development to be considered in light of the issues raised locally.

SITE DESCRIPTION AND PROPOSAL





This application seeks outline permission for residential development of up to 25 dwellings with approval for means of access sought and all other matters reserved for future consideration.

The site consists of an area of agricultural land currently laid to grass. The site is flat in places, but slopes steeply at the north-eastern end. The site is adjacent to a variety of residential buildings, including a Grade II listed building, and is close to open countryside. The site is not located within a development area as defined by the local plan.

An indicative plan has been submitted with the application that shows the provision of 25 dwellings, with vehicular access to the site from the south east. The proposed vehicular access involves the demolition of an existing bungalow. The site is currently traversed by two public rights of way, which are shown as retained on the indicative layout.

The application is supported by:

- Statement of Community Involvement
- Draft s106 Heads of Terms
- Pre-Development Tree Survey and Assessment Report
- Design and Access Statement
- Flood Risk Assessment and Drainage Strategy
- Travel Plan Statement
- Transport Statement
- Landscape and Visual Assessment
- Ecological Impact Assessment

HISTORY

14/04234/OUT – Outline application for residential development with approval for means of access sought and all other matters reserved for future consideration – Appeal against non-

determination submitted and pending consideration. Committee resolved to defend the appeal for the following reasons:

- *The proposal is for up to 35 dwellings on a site that is not within reasonable walking distance remote of primary schools, employment opportunities and the services and facilities available in the town centre. Given the distances, topography and nature of the route and the lack of regular bus services future residents would have no realistic alternative to the private motor car to access services and facilities necessary for daily life. The submitted travel plan does not satisfactorily demonstrate that the future residents would have any option but to rely on the private motor car for virtually all their daily needs. Such lack of choice of transport modes constitutes unsustainable development contrary to the presumption in favour of sustainable development running through the NPPF which is not outweighed by any reasonable benefit arising from the development. Accordingly the proposal is contrary to the policies contained within the NPPF and saved policies ST3, ST5 and TP2 of the South Somerset Local Plan (2006).*
- *It has not been demonstrated that the loss of best and most versatile agricultural land (grades 1 & 3a) has been justified in this instance where there is other lower grade land available.*
- *Dancing Lane by reason of its width, lack of pavements and use by the school is incapable of safely accommodating the additional traffic generated by this development without detriment to pedestrian safety.*
- *It has not been demonstrated that the proposal to development up to 35 houses on this site could be satisfactorily achieved whilst maintaining the setting of the grade 2 listed Verrington Lodge.*

14/02518/EIASS - Outline application for up to 35 dwellings with approval for means of access sought and all other matters reserved for future consideration – EIA not required 09/06/2014

68453 – Development of land for residential purposes and the formation of vehicular accesses – Refused 09/06/1964

POLICY

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

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the South Somerset Local Plan (Adopted April 2006):

ST3 – Development Area

ST5 - General Principles of Development

ST6 - The Quality of Development
ST7 - Public Space
ST9 - Crime Prevention
ST10 - Planning Obligations
EH5 – Setting of Listed Buildings
EC3 - Landscape Character
EC8 – Protected Species
EU4 – Drainage
TP1 - New Development and Pedestrian Movement
TP4 - Road Design
TP7 - Car Parking
CR2 - Provision for Outdoor Playing Space and Amenity Space in New Development
CR3 – Off Site Provision
CR4 - Amenity Open Space
HG7 – Affordable Housing

Emerging Local Plan (ELP)

Whilst limited weight is accorded to the emerging local plan (2006 – 2028), it is to be noted that Wincanton is designated a “Market Town” where emerging policy SS5 would apply. This suggests that Wincanton should grow by at least 703 dwellings over the plan period, of which there were 698 commitments as of April 2012, i.e. an outstanding need for 5 houses.

Given the substantial commitments, it has not been considered necessary to indicate a ‘Direction of Growth’ for the town. However, as of March 2014 permissions had been granted for 37 further dwellings in Wincanton. Subsequently, in the course of the re-opened local plan examination the proposals for Wincanton have come under scrutiny and the Council has agreed to review the position. Accordingly further ‘Main Modifications’ (MMs) are proposed and are under consultation. MM12 would amend the third paragraph of SS5:-

Prior to the adoption of the Site Allocations Development Plan Document, a permissive approach will be taken when considering housing proposals in Yeovil (via the SUEs), and ‘directions of growth’ at the Market Towns. The overall scale of growth (set out below) and the wider policy framework will be key considerations in taking this approach, with the emphasis upon maintaining the established settlement hierarchy and ensuring sustainable levels of growth for all settlements. The same key considerations should also apply when considering housing proposals adjacent to the development area at Crewkerne, Wincanton and the Rural Centres.

Chapter 13 (Implementation and Monitoring) would have the following added after para. 13.5 (this would also be a footnote to SS5):-

An early review of policy relating to housing and employment delivery in Wincanton will be undertaken as part of the proposed Site Allocations Development Plan Document process; this will commence within two years, with the objective that the review will be completed within five years of the date of adoption of the Local Plan.

National Planning Policy Framework

Chapter 4 – Promoting Sustainable Transport
Chapter 6 – Delivering a Wide Choice of High Quality Homes
Chapter 7 – Requiring Good Design
Chapter 8 – Promoting Healthy Communities
Chapter 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

Other Relevant Documents

Wincanton Peripheral Landscape Study (2008)

CONSULTATIONS

Town Council – Recommend refusal for the following reasons:

- The application does not conform to the emerging local plan in that the number of dwellings allocated to Wincanton has already been met. They note that the minister for planning has stated in parliament that due weight should be given to local plans that have been submitted to the inspector for examination.
- There is insufficient employment land in town.
- There is insufficient primary school places to support the level of development already improved.
- The development site is Grade 1 and 3a agricultural land. Brownfield land should be developed before quality agricultural land, which is defined as Grades 1, 2 and 3a.
- The geology of the site render is not suitable for development due to high water table and sink holes.
- The site is not in a sustainable location for the reasons outlined by the inspector in the appeal at the nearby Verrington Hospital site.

For the above reasons the town council concludes that the development is not sustainable development in terms of the definition contained within the NPPF.

County Highway Authority} – Notes the previous scheme and their comments in relation to that. They note a lack of accidents in the immediate vicinity of the proposed access, and two minor accidents within the wider highway network. They conclude that the accidents do not represent a pattern relating to the deficiencies of the existing highway network. They state that the proposed access arrangements remain acceptable and the predicated traffic generated by the development would not have a detrimental impact on the safe and efficient operation of the local highway network. They note the parking standards for the area and suggest that appropriate level of parking is secured through condition. They raise no objections to the indicative internal site layout. Finally they raise no objections to the submitted travel plan.

They therefore conclude that the highway authority would not raise a highway objection subject to conditions to control the following:

- Details of the highway works, footway and access
- Parking arrangements
- The implementation of a travel plan
- Details of the estate roads, footways etc
- Details of measures to ensure construction vehicles leaving the site are clean
- Details of the disposal of surface water to prevent discharge onto the highway
- To ensure that each dwelling is served by a properly consolidated and surfaced footpath and carriageway prior to occupation
- To ensure that the gradients of drives are no steeper than 1 in 10
- To ensure an appropriate level of hardstanding is supplied in front garage doors.

They also suggest the use of various notes on any decision notice.

Natural England – States that the proposal is unlikely to affect any statutorily protected sites or landscapes. They advise that they have not assessed this application for impacts on protected species. They advise as to the duties of the LPA in regard to possible biodiversity and landscape enhancements.

SSDC Planning Policy – Refers to their comments in relation to the previous application, which were:

“Policy Context

The National Planning Policy Framework (NPPF), at Paragraph 14 sets out a presumption in favour of sustainable development. For decision-making on planning applications this means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *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; or*
 - *specific policies in this Framework indicate development should be restricted.*

The NPPF also states that planning applications should be considered in the context of the presumption of in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date if the LPA is unable to demonstrate a five year supply of deliverable housing sites (paragraph 49).

As you are aware following District Executive on 5 June 2014 the Council now considers that it does have a demonstrable 5 year supply of deliverable housing land (including a 20% buffer).

Development Plan

The development plan for South Somerset currently consists of the ‘saved’ policies of the adopted South Somerset Local Plan 1991-2011.

Having regard to these policies, the principle of developing in the location would not be accepted, as the development site is outside of the Development Area. In locations beyond the Development Area development is strictly controlled and should be restricted to that which would maintain or enhance the environment, benefit economic activity and not foster growth in the need to travel (see saved Policy ST3).

Whilst Policy ST3 is in line with the general thrust of the NPPF, the Council recognises that it is not entirely consistent. In these circumstances the NPPF sets out that “due weight” should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). It would therefore not be appropriate to fully determine the applications based on the extant Local Plan (1991 – 2011).

Meanwhile, decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (i.e. the more advanced the

preparation, the greater the weight that may be given). As such, the Council considers that the emerging Local Plan (2006 – 2028) should be afforded increasing weight during decision-making.

The emerging Local Plan (2006 – 2028) identifies Wincanton as a Primary Market Town and Policies SD1, SS1, SS3, SS4, SS5, SS6, and PMT4 are directly applicable.

Under Policy SS5 Wincanton has a housing requirement of at least 703 dwellings, within the context of an overall housing requirement of at least 15,950 dwellings across South Somerset. The Council's position is that there are substantial existing residential commitments in Wincanton, which results in only a small residual housing requirement (5 dwellings) for Wincanton over the rest of the Local Plan period.

However, Main Modifications to the emerging Local Plan propose a permissive approach for considering housing growth in Wincanton, prior to the adoption of the Site Allocations DPD. The Main Modifications enable the Council to consider proposals adjacent to the development area, whilst taking account of the overall scale of growth and the wider policy framework in the Local Plan. The emphasis therefore in decision-making should be on considering how the proposals will impact and/or maintain the established settlement hierarchy and ensure sustainable levels of growth.

Conclusion

In conclusion, the starting point is that the application is contrary to extant policy ST3 within the adopted Local Plan (1991 – 2011). However, given the advice in the NPPF, and the permissive approach set out in the emerging Local Plan (2006 – 2028), it is important that the impacts of the application are balanced against the benefits of the scheme.

As one of four Primary Market Towns in South Somerset further housing growth in Wincanton in excess of the remaining 5 dwellings cannot be ruled out in principle. However, the Council has concerns over the impact of additional dwellings exceeding the remaining housing requirement set out in the emerging Local Plan. This is heightened when the cumulative impact of the current applications in Wincanton are considered alongside one another (i.e. Verrington Hospital, Windmill Farm, and Dancing Lane). Whilst accepting that each application must be determined on its merits, the cumulative impact of up to 190 dwellings in Wincanton must be taken into account, especially given the scale of existing commitments. Decision-making will therefore need to take into account the comments of other consultees on site specific impacts and benefits (i.e. highways, education, health, flood risk, heritage and landscape) in order to carry out the balancing act and understand whether these impacts render the proposal unacceptable.”

SSDC Landscape Architect – Notes that the site is within the area of the peripheral landscape study of Wincanton which was undertaken during March 2008. He notes that the site was evaluated in the study as having a high (southwest field) and moderate-high (northeast field) capacity to accommodate built development. He therefore states that, if a need for additional housing within Wincanton is identified, this location would be an area where development could be undertaken without too adverse an impact upon the landscape. He notes the submitted landscape and visual impact assessment (LVIA) and agrees with the findings, which concludes the site to be suitable for development, with appropriate landscape mitigation. He notes the suggestions for mitigation outlined in the LVIA and expects that they

would be incorporated in any detailed scheme coming forward. He notes the constraints of the site and concludes that the submitted indicative plan is acceptable. He therefore concludes by stating that raises no landscape objection to the application.

Given the policy officer's comments on the previous application the Landscape Architect was asked to consider the cumulative impact of this development with others currently proposed at Windmill Farm (14/02107/OUT) and Verrington Hospital (14/00838/OUT). He provided the following comments, which remain relevant to the current scheme:-

"Whilst I take this to relate primarily to matters of infrastructure and services, it can also embrace cumulative landscape impact.

Currently I am aware of 3 significant sites that are subject of applications within Wincanton, i.e; by Verrington hospital; off Dancing lane; and Windmill Hill. Whilst in close proximity, the sites are separated by both development form, and a mix of topography, and woody vegetation, to thus avoid the presence of additional built footprint within a shared landscape. There are no local public vantage points that perceive all 3 sites within the same view, and theoretically it is only from the upper stands of Wincanton racecourse from which one may get a public view of both the Verrington and Dancing Lane sites. Whilst I have not been able to test this view, I note that both sites back onto an established development edge, and are barely seen through intervening hedgerows – hence this amounts to very little change in the view. I also note that there is no particular sense of the sites being experienced as a sequence, as they are not related to common routeways and/or regional trails. Consequently I consider that a sense of development proliferation within the locality is not at a point where it is adversely impacting upon local character, and given the topographic and physical separation of the sites, is not anticipated that cumulative impact will be an issue with this application."

SSDC Conservation Manager [in relation to the previous scheme] – Leaves consideration of the impact on the nearby listed building to the conservation officer. Raises concerns with the proposed indicative layout, in particular the proposed cul-de-sac arrangement and narrow SW portion of the site, which he states does not comply with the design expectations of the NPPF. He concludes that in principle development on the site would not be particularly harmful, but the constraints in its poor integration, awkward restricted shape and the need to secure the setting of the listed building, are limiting.

SSDC Conservation Officer [in relation to the previous scheme] – In regards to the initially submitted indicative layout plan he raised objections to the scheme on the grounds of the impact on the setting of the grade II listed Verrington Lodge, and its former outbuilding (listed in association) Verrington Lodge Barn. On the receipt of an amended indicative layout plan removing development from the northern portion of the site he confirmed that he would have no objection to the principle of such development, but raised a specific concern in regards to the northern most of the shown dwellings and the access spur too the northeast. He also provided a plan with suggested 'No Build' zone, which corresponded with the area shown empty on the amended indicative plan submitted by the applicant.

SSDC Community, Health and Leisure – Based on 24 dwellings they request contributions to outdoor space, sport and recreation as follows:

- Local facilities - £53,795
- Strategic facilities - £34,225
- Commuted sum - £21,871
- Community Health and Leisure Service administration fee - £1,099

This would be a total contribution £109,891 (£4,625 per dwelling).

SCC Archaeology – No objections

SCC Rights of Way [in relation to the previous scheme] – Notes the presence of footpaths traversing the site and the current proposal will obstruct the footpaths. He states that the proposal either needs to be revised to prevent any obstruction or a diversion order applied for. However no objections to the scheme area raised subject to the applicant being informed that the grant of planning permission does not entitle them to obstruct a public right of way. To that end they suggest the use of an informative on any permission granted. They note the duties of the developer in relation to the right of way.

SSDC Housing Development Officer – Notes that as the site outside the development area they would normally expect 100% affordable housing. However, in the event that the provision is 35% they would expect 9 affordable units – based on 25 dwellings in total. They state that the split should be 2/3 – 1/3 social rent against shared ownership or other intermediate solutions. They state that they have an expressed desire for a significant proportion of the properties to be bungalows rather than houses or flats.

Wessex Water – They note their comments in relation to the previous scheme and state that they are still relevant. The previous comments were as follows:

States that the site will be served by separate systems of drainage constructed to current adoptable standards. They note the proposal to drain surface water to an existing surface water culvert, which will require approval of the appropriate authority and riparian owner. They note the proposal for pumped foul discharge to local foul sewerage systems. They states that subject to agreement of detail and pumped flow rates the local foul sewerage systems has current available capacity to serve predicted flows from the proposed development. They note that the local sewerage has limited available capacity and if any future development phases are proposed, network modelling will be required to determine recommended downstream capacity improvements. They state that there must be no tree planting within 6 metres of sewers or water mains. They note that there is limited available capacity within the local water supply network to serve the proposed development, and advise that the applicant should contact Wessex Water to initiate water supply network modelling. They note that there is no cost for this service but the developer will be expected to contribute towards the cost of any recommended network reinforcement.

SSDC Engineer – Notes that as part of the previous scheme a concern was raised in relation to a ‘missing’ section of culvert at Verrington Lodge Barn. He raises a concern that the latest Flood Risk Assessment seems to ignore this issue to a degree and indicates a connection from the proposed development, via a storage system, to the existing culvert upstream of the problem area. He states that in his view a direct connection on an outflow from the storage system at this point will exacerbate the existing problems here. He suggests this needs further consideration.

SSDC Ecologist – Notes the submitted report and states he has no objections to the proposal. He recommends the use of a condition to secure the implementation of the mitigation and enhancement measures detailed in section 4 of the Ecological Impact Assessment.

Somerset Wildlife Trust [in relation to the previous scheme] – Notes the submitted survey and supports several of the recommendations. They make specific suggestions in

regard to the indicative layout, and state that they may wish to make further comments when the bat and bird surveys are received.

SCC Education – Notes previous comments and states that position has not changed. He therefore states that contributions should be sought in the event that the application is approved in order to mitigate additional pressure caused by the development. Based on 25 dwellings they request a contribution of £61,285. This equates to £2451.40 per dwelling.

Given the policy officer's comments on the previous application the County were asked to consider the cumulative impact of this development with others currently proposed at Windmill Farm (14/02107/OUT) and Verrington Hospital (14/00838/OUT). They provided the following comments, which remain relevant to the current scheme:-

“SCC has been very concerned about the cumulative impact of several developments for some time and these have been compounded by suggestions that the MoD intend re-housing families with children in the Deansley Way development.

I have attached an extract from the most recent School Organisation Plan, which shows the two existing schools significantly over-subscribed without taking the developments below into account.

I have been notified that the Dancing Lane application has been reduced to 25 dwellings, but that's still of a total of 180, requiring 36 primary school places being available.

The County Council does have a strategy for providing additional capacity in the town, but this would be dependent on being able to secure developer contributions through S106 agreements.”

Environment Agency – No objections subject to conditions to secure no buildings over, or within an agreed proximity, of the culvert traversing the site, and the securing and implementation of a surface water drainage scheme.

SSDC Climate Change Officer [in relation to the previous scheme] – No objections to the outline application.

REPRESENTATIONS

Letters of objection have been received from the occupiers of 27 properties in Wincanton, 1 from the occupier of a property in Bratton Seymour, and one from a Matron at Wincanton Community Hospital. Objections were received on the following grounds:

Principle of Development

- The proposal would building over green fields of high agricultural grade
- The proposal is unsustainable due to the distance from services, facilities and employment opportunities which will increase reliance on the private car. Exacerbated by the steep inclines between the site and the town centre.
- There is vacant brownfield land that should be built on first.
- The site is outside the development area defined in the local plan and the emerging local plan.
- No more housing is required in Wincanton according to the emerging local plan and given the number of permissions or new builds in existence.
- There is a lack of employment opportunities, which would be exacerbated by the proposal.

- Other sites closer to the A303 would be more appropriate
- Wincanton does not need more housing

Highways

- More traffic will increase the chance of accidents involving school children at the nearby school
- The proposed access is dangerous and unworkable
- The existing highway network is substandard and problems would be exacerbated by the proposal, including during the construction phase.
- Ambulance access and other emergency traffic to Verrington Hospital could be restricted.
- The submitted traffic statement is inadequate, especially considering other nearby proposed development.
- The proposed access would make access into the opposite property difficult and dangerous
- The existing car parks cannot cope with the number of vehicles.

Visual Amenity

- Important views of the countryside and surround will be marred and there would be loss of open fields.
- The nearby listed building would be adversely impacted.
- Concerns over the design, in particular the cul-de-sac arrangement.
- The site projects into open countryside and would stick out like a 'sore thumb'.
- Existing hedges and tree are valuable assets and should be retained.

Residential Amenity

- The occupiers of the property between the two access points to the site will have their amenity disturbed by way of vehicle disturbance and loss of privacy.
- Neighbouring properties would be overlooked and would suffer from disturbance. Their outlook would be ruined.

Other Matters

- Concern regarding speculator profits and lack of local benefits
- Infrastructure to support the development is lacking in the following areas:
 - o Primary school places
 - o Health Centre provision
 - o 6th Form provision
 - o Play facilities in this part of town
 - o Public transport
 - o Police support
- The proposal will affect existing footpaths
- Concern over flooding and drainage issues, especially considering sink holes on site.
- Concerns over impact on ecology and biodiversity
- The results of the applicant's public engagement have been ignored.
- An approval would set a precedent for further building on green field land.
- Insufficient public consultation
- Concern over the (bullying) style and tone of the application and supporting information.
- Neighbouring properties would be devalued.
- Concern over a loss of good quality agricultural land
- Concern over water supply capacity

CONSIDERATIONS

The main areas of consideration are considered to be:

- Site History
- Principle of Development
- Highways
- Visual Amenity
- Residential Amenity
- Flooding and Drainage
- Cumulative Impact of Development on Wincanton and Infrastructure Provision
- Planning Obligations

Site History

A very similar application was submitted earlier this year. The previous application was not determined and the applicant has appealed against non-determination. The application was considered at committee and the committee resolved to fight the appeal for the reasons outlined above (in the History section of this report). The applicant has not addressed these concerns raised by the committee, and has not attempted to do so. However, the current application remains more or less identical to that previously considered, and the responses from the various statutory consultees remain largely unchanged. As such, the consideration process detailed below is very similar to that presented to the committee in relation to the previous application, and, for the sake of officer consistency, the conclusions remain the same.

Principle of Development

In light of the policy officer's advice it is not considered that the proposal can be rejected simply because it would exceed the emerging local plan housing figures for Wincanton. Members are reminded of the proposed main modification to policy SS5 which would entail an early review of the growth of the town. Whilst it is unfortunate that applications are submitted prior to this review, it is clear that the Council must determine them on their merits and that a permissive approach as advocated by the NPPF is appropriate.

It is not considered that Wincanton, as the fourth largest Market Town in the District is an unsustainable location for appropriate levels of growth. Local concerns about lack of employment in the town are noted however they are not supported by the evidence from the 2011 Census which records 2,739 economically active people in the town, compared to 2,700 jobs, an employment density of 0.99. Whilst this has fallen since the Baker Associates study of 2009 (1.24), it still compares favourably against Cary (0.62), Chard (0.84), Ilminster (0.71). and on this basis given the range of services and facilities available in the town it is not considered reason to object to this development on the grounds that Wincanton is an inappropriate or unsustainable location for further development at this time.

In regards to the specific location of the site, and whether the proposal represents sustainable development in regard to the accessibility of the services and facilities of the town centre, it is important to be aware of the planning history of the nearby site at Verrington Hospital. The location of the two sites is similar enough that conclusions drawn about the location of the Verrington Hospital site could be applied equally to the current site. At the Verrington Hospital site an appeal inspector, in relation to a proposal for up to 58 dwellings (11/02835/OUT), noted that:

"The site is reasonably close to the town centre with its shops, services and public transport links but there is little provision for public transport from the site to the town centre. During the inquiry I walked from the town centre to the site and back and found that the gradient of the footpaths and limited provision of road crossing points

made it unlikely that the route would be attractive for use on a regular basis, either on foot or by bicycle, or for anyone who was less mobile or had a push chair, wheel chair or significant amounts of shopping to carry.”

She therefore concluded that:

“...given the location and lack of realistic alternative modes of travel, future occupiers of the proposed development are likely to be unduly dependent on the private car for access to employment and for many of their daily needs..... The proposal is contrary to the provisions of the Framework, which aims to minimise the need to travel. I conclude that the site is not in a particularly sustainable location.”

The applicant has submitted a travel plan in order to address the accessibility of town centre services and facilities from the proposed location. The County Highway Authority was specifically asked to comment on the suitability of the submitted travel plan to address this issue. They have accepted that the travel plan is sufficient and raise no objections on these grounds.

It is accepted that the proposal would bring forward housing, including affordable housing, the need for which, across the District, is not disputed. Regardless of the Council's 5 year housing land supply (HLS), weight should be given to this benefit; this weight would be significant in the absence of a 5 year HLS. However, starting with an assessment of conformity with the local plan and NPPF, such weight needs to be balanced any harm arising from the development.

Therefore, notwithstanding the various concerns raised by the town council and neighbouring occupiers in relation to the principle of development, the site is considered to be a sustainable location for residential development, and the scheme falls to be considered on other issues.

Highways

A great deal of concern has been raised locally regarding the impact of the proposal on the surrounding transport network, and the suitability of the proposed access arrangements. Arguments have been put forwards that the network is already deficient in a number of ways, and the current proposal would exacerbate these issues. The highway authority has considered in detail the submitted information and transport statement, and have come to the conclusion that the proposal includes a safe means of access onto the highway and that the traffic generated by the development would not have a detrimental impact on the safe and efficient operation of the local highway network. As such they have no objection to the development on traffic impact grounds.

No evidence has been put forward to demonstrate that this is an inaccurate assessment of the situation and as such it would be unsustainable to seek to override the advice of the highways authority.

Visual Amenity

The SSDC Landscape Architect, the SSDC Conservation Officer, and the SSDC Conservation Manager were consulted as to the visual impacts of the scheme.

A number of concerns were raised locally in regard to the visual impacts of the scheme, in particular in regard to the impact on the rural countryside character of the area and the setting of the nearby listed building.

In relation to the previous application the conservation officer initially raised significant concerns in relation to the setting of the grade II listed Verrington Lodge. However, on the receipt of an amended indicative plan, and the agreement of the applicant to a 'no build zone' covering the northern portion of the site, he withdrew his objection to the principle of the development. He maintained some concern as to the indicative layout, but it is considered that such concerns could be satisfactorily resolved at the reserved matters stage. It is therefore considered that the site could be developed without an adverse impact on the setting of the listed building in accordance with policy EH5 of the South Somerset Local Plan.

The conservation manager raised concerns as to the awkward shape of the plot and the design failings of the indicative plan. These concerns were echoed by local objectors. Whilst it is accepted that the plot is an awkward shape that is inevitably going to lead to some incoherence to the design, it is not considered that this necessarily rules out residential development of the site. It would be preferable if the land was a more regular shape, but that is not the proposal before us. It is considered that the irregular shape of the plot does not represent enough of an adverse impact to constrain development of the site.

The landscape architect noted that the site has been evaluated in peripheral landscape study of Wincanton as having a high (southwest field) and moderate-high (northeast field) capacity to accommodate built development. He therefore concluded that, if a need for additional housing within Wincanton is identified, this location would be an area where development could be undertaken without too adverse an impact upon the landscape. He noted the submitted landscape and visual impact assessment (LVIA) and agrees with their findings, which concluded that the site is suitable for development, with appropriate landscape mitigation. He noted the suggestions for mitigation outlined in the LVIA and expects that they would be incorporated in any detailed scheme coming forward. He noted the constraints of the site and concluded that the submitted indicative plan is acceptable.

Therefore, notwithstanding local concern, it is considered that the impact on visual amenity would be acceptable in accordance with saved policies ST5, ST6, EC3 and EH5 of the local plan.

Residential Amenity

Notwithstanding local concerns in relation to residential amenity, it is considered that the proposed level of development could be accommodated on site with causing demonstrable harm to such amenity, subject to a suitable layout and detailing at the reserved matters stage. As such the proposal is considered to cause no demonstrable harm to residential amenity in accordance with policy ST6 of the South Somerset Local Plan.

Flooding and Drainage

Much concern has been raised locally regarding existing flooding issues associated with the site, and the drainage proposals being put forwards by the applicant.

The Environment Agency, the SSDC Engineer, and Wessex Water were consulted as to these impacts. On the previous scheme the Environment Agency initially raised a concern as an existing culvert that traverses the site, indicating that there could be no buildings over the culvert or within a set distance of it. They also expressed a preference that the culvert should be opened and maintained as an open watercourse. However, on the receipt of additional information from the applicant they withdrew their objection subject to conditions to ensure that their requirements in relation to the culvert are met and that a sustainable drainage strategy is secured and implemented. The area of the site that is traversed by the culvert is

well within the 'no build zone' suggested by the conservation officer and agreed to by the applicant. As such, subject to appropriate conditions securing the implementation of the 'no build zone' and a sustainable drainage scheme, it is not considered that issues of flooding and drainage should constrain the proposed development.

Cumulative Impact of Development on Wincanton and Infrastructure Provision

As noted by the policy officer, and to address clear local concerns, it is important to look at the potential cumulative impacts of the scale of growth on strategic and local infrastructure. There is an on-going dialogue with infrastructure providers, both as part of these application and as part of the wider local plan process. Given the revised proposals for Wincanton in the emerging local plan, as expressed in the main modifications, there appears to be no evidential basis to withhold permission on the grounds of significant adverse impacts on local or strategic infrastructure.

The county education authority have confirmed that, subject to securing the requested education contribution there would be no cumulative impact that could not be addressed by their strategy to provide additional capacity in the town. The landscape architect accepts that the Windmill Farm site would not be readily visible in the same context as this site. Whilst the site is seen in the same views as the Verrington Hospital site, both sites are well screened and are not seen as a sequence when viewed from footpaths to the north. Accordingly no landscape objection is raised to any cumulative impact of these developments.

On this basis it is not considered that there would be a significant adverse cumulative impact given Wincanton's role within South Somerset's settlement hierarchy and its overall role and function within the District.

Planning Obligations

A contribution of £2451.40 per dwelling towards the provision of primary school places and a contribution of £4,625 per dwelling towards outdoor playing space, sport, and recreation has been requested. A s.106 monitoring fee of 20% of the application fee has also been sought. The applicant has agreed to pay all the contributions and that 35% of the housing will be affordable.

Accordingly, should the application be approved a Section 106 agreement will be necessary to:-

- Secure the agreed contribution towards strategic and local outdoor playing space, sport and recreation facilities.
- Secure the agreed contribution towards the provision of primary school places
- Secure the agreed monitoring fee.
- Secure 35% affordable housing.

Subject to the applicant agreeing to these obligations the proposal would comply with saved policies HG7, ST10 and CR2 of the local plan.

EIA

The requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 have been considered. The Council is of the opinion that the proposed development will not have significant environmental effects and that no environmental statement is required for the purposes of environmental impact assessment.

Other Matters

The site is located on a mixture of grade 1, grade 3a and grade 3b agricultural land (Magic Website, Natural England). Grades 1, 2, and 3a are defined in the Government's Planning Practice Guidance as the best and most versatile land. Paragraph 112 of the NPPF requires the LPA to take into account the economic and other benefits of the best and most versatile agricultural land and whether the LPA should be seeking to use areas of poorer quality land in preference to the application site. A large number of neighbours and the parish council have expressed concerns in this regard. However, the site is only 2.4 hectares in size, and due to its awkward shape and steeply sloping areas it would not be easily farmed. As such, although the proposal does represent the loss of some of the best and most versatile agricultural land, the loss is small and not considered to be significant enough to the overall supply of such land in South Somerset to warrant refusal of the scheme.

Given that the developer has accepted a restriction on the amount of land that is developable, and the site's edge of settlement location, it is considered that the site is not capable of satisfactorily supporting a level of development higher than that shown on the indicative plan. As such, it would be reasonable to impose a condition on any permission restricting the number of units to 25.

A concern has been raised that the proposal provides few local benefits, instead only providing speculator profits. However, as discussed above, the benefits provided by the scheme are significant, and an element of profit is necessary to ensure that development takes place at all.

A concern has been raised regarding the impact of the proposal on the footpaths which currently traverse the site. The SCC Rights of Way Group was consulted and raised no objections subject to the applicant being made aware of the need to appropriately divert or stop the footpaths prior to work commencing on site. It is considered that this can be achieved through an appropriate informative on any permission issued.

Concerns have been raised regarding the impact of the proposal on local ecology. However, the SSDC Ecologist has carefully considered the impacts and the submitted information and has concluded that the impact of the scheme will be acceptable subject to the imposition of a condition on any permission issued.

Concerns have been raised regarding public consultation and engagement and whether the applicants have properly taken into account local concern. However, it is considered that the public engagement carried out by the applicant, as detailed in their Statement of Community Involvement, was sufficient and proportionate to the size and type of the application.

Concerns have been set that approval of the application would set a precedent for further development of greenfield land. However, every application is considered on its own merits and future applications would be judged against the same criteria.

A neighbour has raised a concern that the applicant and their representatives have adopted a bullying and aggressive tone throughout the application. However, the style and tone adopted by the applicant is not material to the determination of a planning application, which must pass or fail on its own merits.

Finally a concern has been raised regarding the devaluing of neighbouring properties. However, such a devaluing is not a material planning consideration.

Conclusion

Given the limited weight that can be given to policy ST3 of the local plan and the site's location adjacent to the settlement limits of Wincanton, it is considered that, in principle, it is a sustainable location for development. No adverse impacts on the setting of the nearby listed building, landscape, ecology, drainage, residential amenity or highway safety have been identified that justify withholding outline planning permission and all matters of detail would be adequately assessed at the reserved matters stage or by the agreement of details required by condition. The applicant has agreed to pay the appropriate contributions.

Therefore, notwithstanding the various concerns raised, the proposed development is considered to be in accordance with policies ST3, ST5, ST6, ST7, ST9, ST10, EC3, EC8, EU4, TP1, TP2, TP4, TP7, CR2, CR4, EH12 and HG7 of the South Somerset Local Plan and the aims and provisions of the NPPF. As such the application is recommended for approval.

RECOMMENDATION

That application reference 14/04234/OUT be approved subject to:

a) The prior submission by the applicant of a unilateral undertaking (in a form acceptable to the Council's solicitor(s)) to:-

- 1) Secure a contribution of £4,625 per dwelling towards the increased demand for outdoor playing space, sport and recreation facilities to the satisfaction of the Assistant Director (Wellbeing).
- 2) Secure a contribution of £2451.40 per dwelling towards the increased demand for primary school places in Wincanton.
- 3) Ensure at least 35% of the dwellings are affordable with a tenure split of 67:33 in favour of rented accommodation over other intermediate types, to the satisfaction of the Corporate Strategic Housing Manager.
- 4) Provide for a S.106 monitoring fee based on 20% of the outline application fee, and

b) The following conditions and informatives:

Justification:

Notwithstanding the local concerns, the provision of up to 25 houses in this sustainable location would contribute to the council's housing supply without demonstrable harm to residential amenity, highway safety, ecology or visual amenity, and without compromising the provision of services and facilities in the settlement. As such the scheme is considered to comply with the saved policies of the local plan and the aims and objectives of the NPPF.

- 1) The site hereby approved for development shall be as shown on the submitted location plan received 17 September 2014.

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

- 2) Details of the appearance, landscaping, layout and scale (herein after called the "reserved matters") shall be submitted to and approved in writing by the local

planning authority before any development begins and the development shall be carried out as approved.

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

- 3) 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 and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

- 4) The development shall be implemented in accordance with the ecological mitigation and enhancement measures detailed in section 4 of the Ecological Impact Assessment (EAD, Sep 2014) unless otherwise agreed in writing.

Reason: For the protection, conservation, and enhancement of biodiversity in accordance with NPPF chapter 11.

- 5) The development hereby permitted shall not be commenced until such time as a surface water drainage scheme (including a full drainage masterplan and associated drainage calculations) has been submitted to, and approved in writing by, the Local Planning Authority (LPA).

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

- 6) There shall be no buildings on the land hatched green on the submitted 'No Build Zone' plan, 1174/03NBZ received 13 October 2014.

Reason: In the interests of preserving the setting of the nearby listed building and in the interests of flood prevention in accordance with policy EH5 of the South Somerset Local Plan and the aims and objectives of the NPPF.

- 7) No part of the development hereby permitted shall be occupied until the highway works, footway and access, have been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

- 8) Prior to the commencement of the development, a Measures only Travel Plan Statement is to be submitted to and approved in writing by the Local Planning Authority. Such Travel Plan should include soft and hard measures to promote

sustainable travel as well as targets and safeguards by which to measure the success of the plan. There should be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures are being implemented in accordance with the agreed timetable. The measures should continue to be implemented as long as any part of the development is occupied.

Reason: In the interests of highway safety and ensuring sustainable development in accordance with policies ST5 and ST6 of the South Somerset Local Plan and the aims and objectives of the NPPF.

- 9) 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 and in accordance with policy ST5 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

- 11) The residential development hereby approved shall comprise no more than 25 dwellings.

Reason: To ensure that the level and density of development is appropriate to the sensitive and rural location in accordance with ST5, ST6, EC3 and EH5 of the South Somerset Local Plan.

Informatives:

- 1) You are reminded of the contents of the Environment Agency's letter of 19 September 2014 which is available on the council's web-site.
- 2) Development, insofar as it affects a right of way, should not be started and the right of way should be kept open for public use until the necessary (diversion/stopping up) Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.
- 3) The developer should note that works on or adjacent to the existing highway will need to be undertaken as part of a formal legal agreement with Somerset County Council. This should be commenced as soon as practicably possible, and the developer should contact Somerset County Council for this information, Tel No 0845 345 9155.

Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Transport Development Group, Environment Department, County Hall, Taunton,

TA1 4DY, or by telephoning 01823 355645. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.

The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence team and will be signed off upon satisfactory completion.

- 4) A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

Agenda Item 18

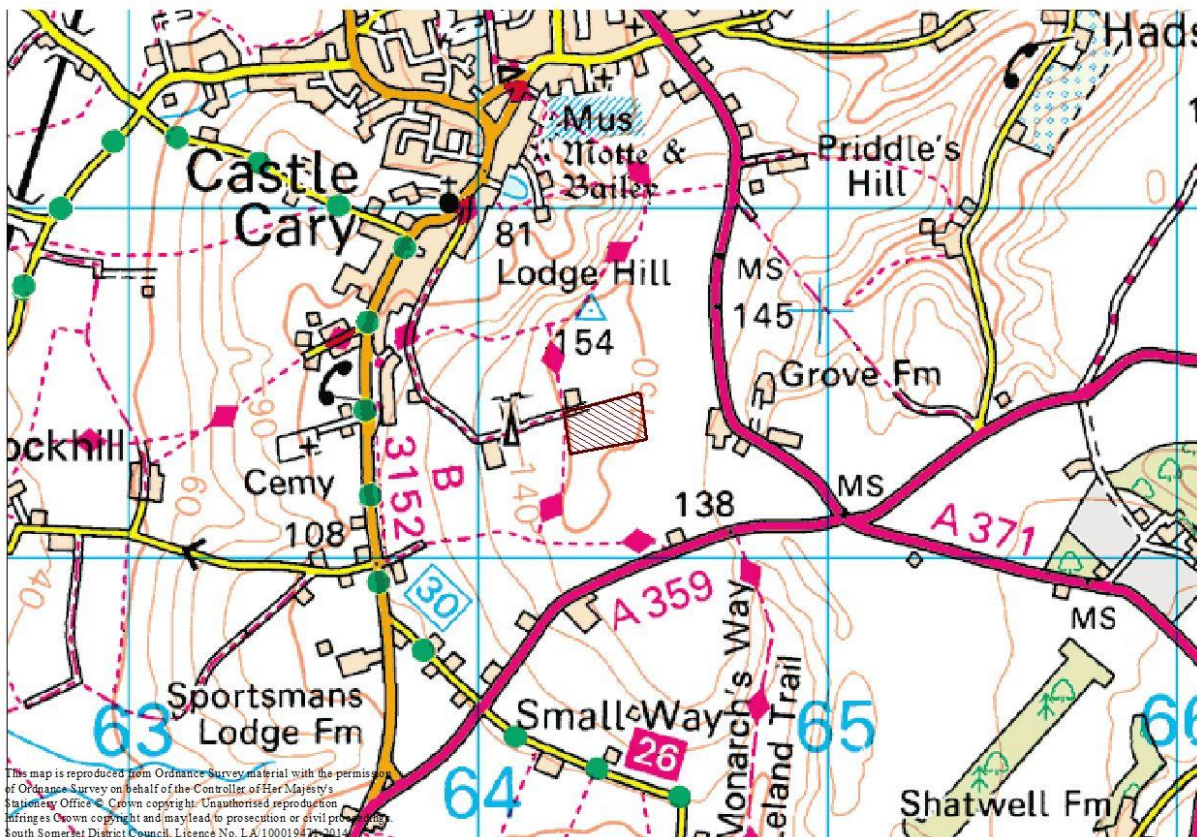
Officer Report on Planning Application: 14/03587/FUL

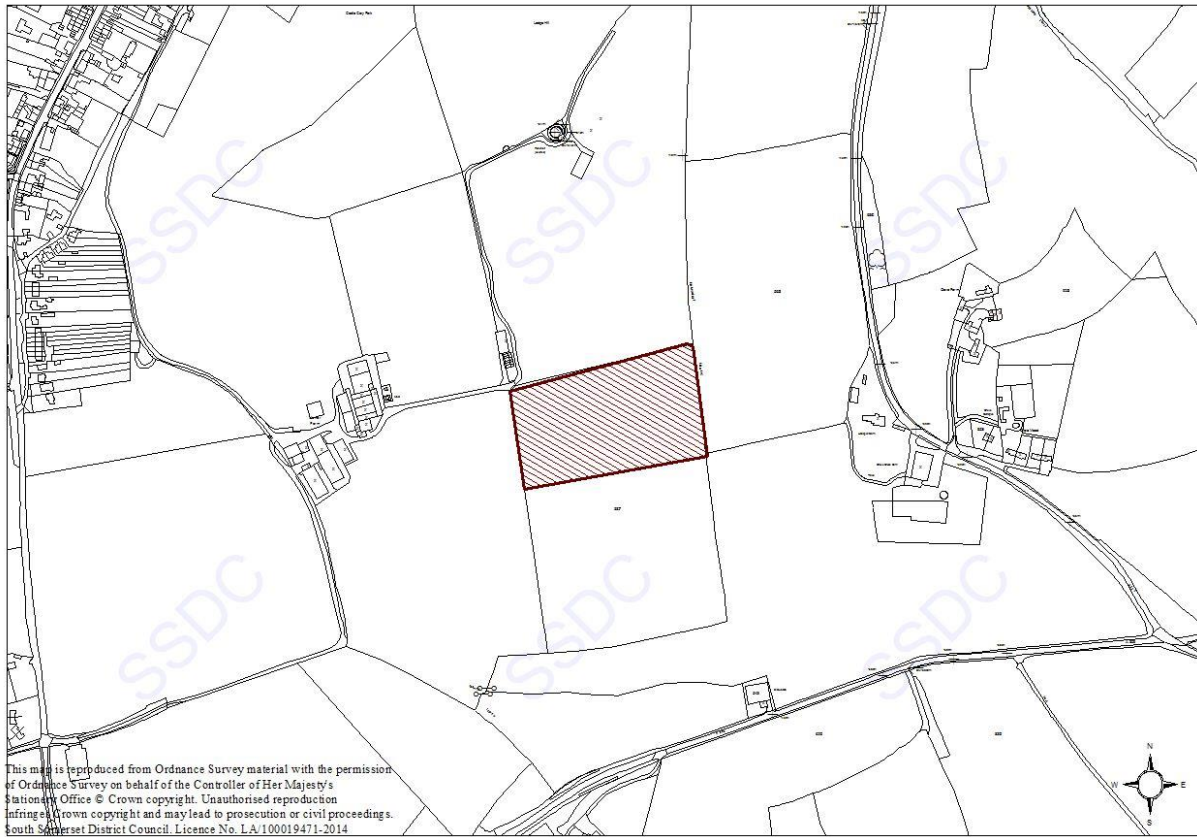
Proposal :	Installation of standalone solar PV modules and associated infrastructure (GR:364360/131378)
Site Address:	Land Adjoining Manor Farm The Park Castle Cary
Parish:	Castle Cary
CARY Ward (SSDC Member)	Cllr N Weeks Cllr H Hobhouse
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	10th November 2014
Applicant :	Brilliant Harvest 001 Limited
Agent:	Nick Leaney Aardvark EM Ltd Higher Ford Wiveliscombe, Taunton, TA4 2RL
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The size of the proposed development is such that under the scheme of delegation the application, if recommended for approval, must be determined by committee.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission to erect a 1.8MW solar PV farm on a 2.67 hectare site to generate electricity to feed into the national grid. The application as originally submitted sought the development on a permanent basis however the application has since been amended to a temporary proposal, seeking to development for a 30 year period or until it is no longer required for the generation of electricity, whichever is the sooner.

The scheme seeks to erect approximately 6800 photovoltaic panels, mounted on metal posts driven into the ground with a maximum height of 2.17m orientated to face south and arranged in rows aligned in a west to east direction with the ground beneath left to grass over. Other associated infrastructure includes security cameras and fencing, transformer and switchgear unit.

The application site occupies the northern section of a larger agricultural field, with the land classed as grade 3b (moderate quality), and is in an elevated an open countryside location. There are a number of public rights of way in the vicinity, most notably the Monarch's Way (WN 6/4) which passes immediately to the west of the site, and there is a public viewing platform a short distance to the north which offers far reaching panoramic views including in the direction of this site. At present the boundaries of the site are quite open. The site is located within flood zone 1, the lowest flood risk zone, and is located within a ground water catchment area. The site is not within any special ecological designations.

The site is within an areas of high archaeological interest and potential and is approximately 700m distant from a Scheduled Ancient Monument (SM) situated on the edge of Castle Cary and which is the site of a motte and two baileys. The nearest listed building is Hadspen Barn located approximately 180m to the east and there are numerous listed buildings within Castle Cary itself, most notably All Saints Church which is Grade II*.

This application is supported by the following documents:

- Design and Access Statement
- Planning Statement
- Landscape Visual Impact Assessment (LVIA)
- Land Classification Report
- Statement of Community Involvement
- Historic Environment Assessment
- Magnetometer Survey Report (Archaeology)
- Environmental Considerations Statement
- Habitat Survey
- Flood Risk Assessment
- Construction and Traffic Management Plan

RELEVANT HISTORY:

14/02305/EIASS: Environmental Impact Assessment (EIA) screening request in relation to a proposed photovoltaic solar farm. EIA not required.

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.

The development plan comprises the saved policies of the South Somerset Local Plan. The policies of most relevance to the proposal are:

- ST3 - Development Areas
- ST5 - General Principles of Development
- ST6 - The Quality of Development
- EC1 - Protecting the Best Agricultural Land
- EC3 - Landscape Character
- EC7 - Networks of Natural Habitats
- EC8 – Protected Species
- EH1 – Conservation Areas
- EH5 – Development Proposals Affecting the Setting of Listed Buildings
- EH11 – Archaeological Sites of National Importance (Scheduled Ancient Monuments)
- EH12 – Areas of High Archaeological Potential and Other Areas of Archaeological Interest
- EP3 - Light Pollution
- EU7 – Groundwater Catchment Areas
- CR9 – Public Rights of Way and Recreation Routes

International and European Policy Context

There are a range of International and European policy drivers that are relevant to the consideration of renewable energy developments. Under the Kyoto Protocol 1997, the UK has agreed to reduce emissions of the 'basket' of six greenhouse gases by 12.5% below 1990 levels by the period 2008-12.

Under the Copenhagen Accord (2010), the UK, as part of the EU, has since agreed to make further emissions cuts of between 20% and 30% by 2020 on 1990 levels (the higher figure being subject to certain caveats). This agreement is based on achieving a reduction in global emissions to limit average increases in global temperature to no more than 2°C.

The draft European Renewable Energy Directive 2008 states that, in 2007, the European

Union (EU) leaders had agreed to adopt a binding target requiring 20% of the EU's energy (electricity, heat and transport) to come from renewable energy sources by 2020. This Directive is also intended to promote the use of renewable energy across the European Union. In particular, this Directive commits the UK to a target of generating 15% of its total energy from renewable sources by 2020.

National Policy Context

At the national level, there are a range of statutory and non-statutory policy drivers and initiatives which are relevant to the consideration of this planning application. The 2008 UK Climate Change Bill increases the 60% target in greenhouse gas emissions to an 80% reduction by 2050 (based on 1990 levels). The UK Committee on Climate Change 2008, entitled 'Building a Low Carbon Economy', provides guidance in the form of recommendations in terms of meeting the 80% target set out in the Climate Change Bill, and also sets out five-year carbon budgets for the UK. The 2009 UK Renewable Energy Strategy (RES) provides a series of measures to meet the legally-binding target set in the aforementioned Renewable Energy Directive. The RES envisages that more than 30% of UK electricity should be generated from renewable sources.

The 2003 Energy White Paper provides a target of generating 40% of national electricity from renewable sources by 2050, with interim targets of 10% by 2010 and 20% by 2020. The 2007 Energy White Paper contains a range of proposals which address the climate change and energy challenge, for example by securing a mix of clean, low carbon energy sources and by streamlining the planning process for energy projects. The Planning and Energy Act 2008 is also relevant in that it enables local planning authorities (LPAs) to set requirements for energy use and energy efficiency in local plans.

National Planning Policy Framework

Part 1 - Building a strong, competitive economy
Part 3 - Supporting a prosperous rural economy
Part 7 - Requiring good design
Part 10 - Meeting the challenge of climate change, flooding and coastal change
Part 11 - Conserving and enhancing the natural environment
Part 12 - Conserving and enhancing the historic environment

The NPPF outlines that local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:

- have a positive strategy to promote energy from renewable and low carbon sources;
- design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources; and
- identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for collocating potential heat customers and suppliers.

The NPPF further advises that when determining planning applications, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions;
and
- approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

The NPPF states that planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

In determining applications, the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

It is considered that the main thrust of the NPPF is to positively support sustainable development, and there is positive encouragement for renewable energy projects. However the NPPF reiterates the importance of protecting important landscapes, especially Areas of Outstanding Natural Beauty, as well as heritage and ecology assets.

National Planning Practice Guidance (March 2014)

Paragraph: 013 Reference ID: 5-013-20140306 sets out advice in relation to large scale ground-mounted solar PV farms and suggests that LPAs will need to consider:-

- encouraging the effective use of land by focusing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;

- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

Other Material Considerations

South Somerset Sustainable Community Strategy:

Goal 1 - Safe and Inclusive

Goal 3 - Healthy Environments

Goal 4 - Quality Public Services

Goal 5 - High Performance Local Economy

Goal 7 - Distinctiveness

Goal 8 - Quality Development

Goal 10 - Energy

Goal 11 - Environment

South Somerset Carbon Reduction and Climate Change Adaption Strategy 2010- 2014

CONSULTATIONS

Castle Cary Town Council: Recommend approval. There should be no site entrance via The Park due to the location of the primary school.

Pitcombe Parish Council (adjoining parish): Object. The scheme will have an unacceptable visual impact on the surrounding area and properties. The screening proposed does not seem adequate in respect of the adjoining properties. It will impact on the local amenity and heritage through its proximity to three historic rights of way. Access to the site is inadequate with no proper road from the A359 or B3152. The scale of the development is relatively small as such any benefits arising from renewable energy cannot outweigh the harm it causes. No benefits accrue to our community which is most affected.

County Highways: No objection, subject to a condition seeking the submission and agreement of a Construction Traffic Management Plan.

It is noted that access is intended via the existing access leading on to the public highway B3152 south of Castle Cary opposite Coopers Ash Lane where a 40mph speed limit applies. It is proposed that there will be no additional traffic movements in Castle Cary town centre.

County Rights of Way: There is a Public Right of Way (PROW) abutting the site. Any works must not encroach on the width of the footpath and the health and safety of walkers must be taken into consideration during works.

Monarch's Way Association: Object. The position of the solar park close to the top of Lodge Hill will remove the local distinctiveness found when walking this area. The Lodge Hill area is unique in the landscape and this open aspect uniqueness would be lost. It will also look very different in the naturally evolved landscape that many visitors come to enjoy. Tourism should

be very important to Somerset, many local businesses rely on their income from visitors whether they are walkers or people simply enjoying the countryside. This proposal will reduce the attractiveness of this area for both visitors and walkers.

The Monarch's Way is a heritage footpath and crosses and follows along the side of the site. It is a nationally important and highly valued and follows very closely the escape route taken by Charles II after defeat at the Battle of Worcester in 1651.

Three public rights of way, the Macmillan Way, the Monarch's Way and Leland Trail, converge along the western boundary of the site. No effort has been made to hide the solar park where the Monarch's Way enters the solar field. The solar park infrastructure will have a substantial impact on views from these footpaths especially on the approach from the southwest.

The site lies within a higher level agricultural stewardship target area, where the objectives are to conserve and enhance the natural environment, landscape, historic environment, public access and natural resources. The proposal is at odds with these objectives.

Other concerns raised include:

- a full archaeological survey is required;
- the site has been used to grow crops, the categorisation of the land as grade 3 is an understatement;
- has the impact of the development on ground water drainage. This facility has a greater density of panels than most other similar schemes;
- cumulative impact of this proposal along with other solar farms in the area;
- the proposal will have a substantial impact and would change the character and / or appearance of the landscape for a long period of time;
- Contrary to clause 112 of the NPPF which states that significant development of agricultural land must be demonstrated to be necessary;
- This seek a further expansion of the site in the future.

Technical Engineers: No comments received.

Environment Agency: No objection. Recommended our local drainage engineer also be consulted and that a number of informatives be added to the decision.

Climate Change Officer: No objections. The UK has a target to meet 20% of energy needs from renewables by 2020. Despite this, renewable electricity generation within South Somerset currently only supplies just over 4% of the District's electricity. The development will generate the sufficient electricity to serve the equivalent of 387 households which equates to 33% of Castle Cary.

MOD: No objection.

English Heritage: No objection.

In their initial comments they raised an objection due to insufficient information in relation to the impact of the proposal upon heritage assets. Following the submission of additional information by the applicant they withdrew their objection and concluded that any impact upon the setting of the highly graded assets within Castle Cary and Hadspen would be limited.

Ecology: Raised no objection. I have noted the ecology report submitted with the application.

I consider my comments below also address those made by the Somerset Wildlife Trust.

A disused badger sett was noted on site. Whilst it was concluded that badgers were no at significant risk there is a risk of sett activity changing prior to construction, I therefore recommend a condition for an up to date badger survey and a method statement for the protection of badgers if necessary. The NPPF (para 118) expects development to deliver some enhancement for biodiversity through taking opportunities to incorporate features beneficial for wildlife within new developments. A condition to secure measures for biodiversity enhancement is also recommended.

Somerset Wildlife Trust: Request that the mitigation and enhancements set out within Section 5.3 of the submitted habitats survey be implemented.

County Archaeology: No objection. Initially requested further information in order to assess the nature of the archaeological remains detailed in the submitted geophysical survey. Following further exploratory works on site in liaison with County Archaeology their initial objection was withdrawn and concluded that the proposal would have limited or no archaeological implications.

Landscape Officer: Raises no substantive landscape objection. (Please refer to Annex A at the end of this report for the Landscape Officer's full comments.)

Looking at the application overall, whilst the location selected is not strongly related to existing development form, and projects some incongruity of character within this agricultural landscape, I would acknowledge that the scale of the proposal has the potential to be accommodated within the context of the hilltop field without undue impact, and the site's visual profile is low in most part, other than at the immediate edge. Its visibility can be further played down by landscape mitigation, though amendment of the mitigation proposal is necessary for it to be acceptable. Mindful that national government guidance is heavily weighted in favour of renewables, and that LPAs are urged to approve renewable energy schemes providing impacts can be made acceptable, then providing a fuller mitigation proposal is agreed, then I would not consider the extent of landscape and visual impact to be sufficiently adverse to enable an over-riding landscape objection to be raised.

From a landscape standpoint the only detailed information still required is;

- (a) The finished details of CCTV installations – to be matt, and of subdued tone.

If you are minded to approve the application, could you please request pre-determination;

- (b) A revised landscape mitigation proposal,

... and subsequently condition;

- 1) the approved planting scheme to be implemented in the forthcoming planting season, November 2014 – mid March 2015.
- 2) A site restoration proposal to be submitted for approval, detailing the works necessary to revert the site to open agricultural land on completion of the lifetime of the array, along with the retention of the new landscape features arising from this application.

Following these comments the applicant submitted a revised landscaping scheme which the Landscape Officer has confirmed he is satisfied with.

REPRESENTATIONS

Three sets of written representations have been received from members of the public raising the following concerns and objections:

- Cumulative impact of such developments in the area. A large park opposite the Holbrook House Hotel is already in situ. Any more will have a disproportionate impact on the local countryside.
- Detract from the enjoyment of this historic area and rights of way.
- The site is just off the summit of one of the highest points in the district, Lodge Hill which draws many walkers. The Monarch's Way is a heritage footpath which draws many visitors, they will not return or recommend the walk to others if they have to skirt this solar farm.
- I walked beside a solar installation in full sun last week and the loud electrical humming noise was very disconcerting.
- The site is not adequately screened. The site will be visible from many aspects particularly in the winter months.
- If this is approved it may be difficult to resist future expansions of the site with consequential implications for the surrounding area and properties.
- Solar technology is developing rapidly. This site may have a relatively short economic life.
- The government is focusing solar development on already developed commercial and industrial buildings rather than the countryside.
- The Pitcombe Parish Plan indicates significant opposition to solar parks although there is recognition that there could be some areas within the parish where they would be acceptable. The parish boundary is adjacent to the site.
- Will the developer have sufficient long-term funding to dispose of this equipment when it is no longer needed?
- Loss of productive farmland from food production.
- The statutory consultation process is inadequate to reach all interested parties.
- If approved conditions for the effective all-year round screening of the site with all cables underground and to ensure the site is cleared when it becomes redundant should be imposed. A levy should also be imposed for the benefit of the local community.

Ramblers Association: Object. The development will be detrimental to the attractive landscape in the location and particularly the extensive views eastwards. Planning authorities should avoid permitting such developments in areas of high scenic value. It has not been demonstrated that the development of greenfield land is necessary. If approved the developer should be required to keep the popular public footpath WN6/4 accessible and safe for the public to use at all times. The development will seriously detract from the natural beauty of views from this path particularly towards King Alfreds Tower in the east.

CONSIDERATIONS

This application is seeking temporary planning permission to erect a 1.8MV solar PV farm on a 2.67 hectare site to generate electricity to feed into the national grid for 30 years after which time the infrastructure will be removed and the land restored.

The scheme seeks to erect approximately 6800 photovoltaic panels, mounted on metal posts driven into the ground with a maximum height of 2.17m orientated to face south and arranged in rows aligned in a west to east direction with the ground beneath left to grass over. Other associated infrastructure includes security cameras and fencing, transformer and switchgear unit.

The main considerations for this application are considered to relate to the principle of the development, landscape character and visual amenity, impact on archaeology and other heritage assets, impact on ecology, residential amenity of nearby residential properties, flooding and drainage and highway safety.

Principle:

Part 10 of the National Planning Policy Framework (NPPF) states that local authorities should “have a positive strategy to promote energy for renewable and low carbon sources” and “design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts”. Additional supplementary guidance National Planning Practice Guidance (NPPG), published in March, accompanies the NPPF and is referred to in the policy section above.

Whilst the land is greenfield the site includes grade 3b agricultural land, as such the proposal will not result in the loss of the best and most versatile agricultural land. The development is sought on a temporary 30 year basis or until it has become redundant, whichever is the sooner, after which time the land will be fully restored to its former agricultural use. The panels are to be spiked into the ground with grass grown under and around the arrays making it capable of being grazed by sheep and that biodiversity enhancements can be achieved. In this regard the development is considered to comply with the aims and objects of the NPPF and its accompanying practice guidance and to be acceptable in principle.

Landscape character and visual amenity:

The adjoining Pitcombe Parish Council, several members of the public, the Monarch’s Way Association and Ramblers Association have objected to the proposal and its impact upon character of the local landscape, views in and out of the area and in particular from the public footpaths that pass close to the site.

The site is located on a hilltop plateau elevated above nearby Castle Cary where there is a network of public rights of way (PROW) passing close to the site, including the Leland Trail, McMillan Way and Monarch’s Way (WN 6/4), along with Lodge Hill viewing platform situated a short distance to the north.

At present the site is quite open and only the eastern edge contained by a low-managed hedgerow and post and wire fencing to the north and west. Whilst the proposed solar farm is quite industrial in character the Landscape Officer notes that the site itself is quite flat and the arrangement of the arrays correspond quite well with the immediate field pattern and should not encroach onto the sloping ground to the west. A revised landscaping plan includes new native hedge planting along the north, west and south boundaries of the site and the reinforcing of the existing hedgerow currently growing along the eastern boundary. On the basis of these revised landscaping details the Landscape Officer is satisfied that the proposal will have only a very limited impact on the landscape and that a suitable level of screening will be achieved to ensure that it does not encroach significantly into any views from the footpaths in the area, the Lodge Hill view point and other surrounding vantage points.

Issues of cumulative impact resulting from the development have also been raised, most significant in this regard is the large scale array installed at Higher Holbrook approximately 5km to the southeast. The Landscape Officer is satisfied however that due to the lie of the land of that scheme and varying landscape types that intervisibility of the sites is avoided and that the current proposal does not raise any cumulative impact concerns.

Subject to the imposition of conditions to secure the revised landscape plan and a long-term management plan to address on-going maintenance concerns of the agreed planting the proposal is not considered to raise any substantive landscape or visual amenity concerns.

Residential amenity:

The nearest neighbouring property is approximately 180m to the east. Given this distance and the relatively low profile of the proposed development and its inanimate nature it is not anticipated that the proposal will cause any demonstrable harm to nearby residents. The impact of the proposal of views from nearby properties has been raised as a concern by Pitcombe Parish Council however changes to or loss of a view carries very limited weight in the determination of planning applications.

Access and highway safety:

Access to the site will be via an existing farm track leading onto the B3152 where there is a 40 mph speed limit. The applicant has stated that they will seek that all delivery vehicles avoid passing through the middle of Castle Cary and that they intend to display directional signs to this effect. The highway authority is satisfied with these arrangements subject to the submission of a Construction Traffic Management Plan detailing the size of delivery vehicles and the approach routes to be used. On this basis the proposal is not considered to raise any substantive highway safety concerns.

Ecology:

The application site is not located within any areas subject to any special habitat or ecological designations. The application was accompanied by a Habitat Survey report which indicated that there was a disused badger sett on the site. The Council's Ecologist is satisfied with this report and its findings and subject to conditions to secure an up to date survey of the badger setts and measures for the enhancement of biodiversity the proposal is considered to raise no substantive ecology related concerns.

Heritage and Archaeological Assets:

The site is within areas of high archaeological interest and potential and is approximately 700m from a Scheduled Ancient Monument (SM), The Park, situated on the edge of Castle Cary. The nearest listed building is Hadspen Barn located approximately 180m to the east and there are numerous listed buildings within Castle Cary itself, most notably All Saints Church which is Grade II*.

Following the submission of additional information relating to the impact of the proposal upon nearby listed buildings and SM English Heritage accepts that any such impact will be limited and has not objected to this proposal. Bearing in mind topography of the area and the proposed planting scheme it is accepted that the proposal should not be visible in the context of any of these heritage assets.

In addition to the archaeological survey report submitted with the application the applicant has carried out some trial trenching on site in conjunction with County Archaeologist. Following this additional work County Archaeology are satisfied that the development raises no significant archaeological concerns.

Drainage and Flooding:

The site is located in flood zone 1 and as such is at low risk of flooding, and is also within a ground water catchment area. The Environment Agency has accepted the details set out within the accompanying Flood Risk Assessment and there is no evidence to suggest that the proposal would result in any significant increase in surface water runoff or adversely affect the quality and volume of ground water.

Other matters:

- Environmental Impact Assessment – The proposal falls within the scope of Schedule 2, sub-section 3a of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 requiring that a formal screening decision be carried out. This was carried out prior to the submission of this current application when it was concluded that an Environmental Impact Assessment was not required.
- Public Rights of Way - There is no reason why the proposed development should lead to the obstruction or interference of any surrounding PROWs or adversely affect the amenity of users of these PROWs.

Conclusion:

Government advice is clear. Planning Authorities should approve applications for renewable energy projects where impacts are (or can be made) acceptable (NPPF Para 98). The current application has raised some concerns in relation to visual amenity, landscape character, heritage assets and ecology. A thorough assessment of the potential impacts of the development indicates that, for the most part, they are acceptable - or can be made acceptable by appropriate mitigation measures - in the context of Government advice and the clear need for renewable energy sources. Where impacts can be overcome by way of pre-commencement or other conditions (i.e. archaeology, ecology, landscaping) appropriate conditions are recommended. Subject to the appropriate controls set out in conditions, it is considered that the impacts of the proposal can be considered 'acceptable' as set out in Government guidance. Notwithstanding the objections received from Pitcombe Parish Council, the Monarch's Way and Ramblers Associations and members of public, the proposal is considered to represent a sustainable form of development and is recommended for approval.

RECOMMENDATION:

Grant consent for the following reason:

Notwithstanding local concerns and the concerns of the Monarchs Way and Ramblers Associations it is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact of the proposed PV panels on the local landscape character. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, the National Planning Practice Guidance and Policies ST3, ST5, ST6, EC1, EC3, EC7, EC8, EH1, EH5, EH11, EH12, EP3, EU7 and CR9 of the South Somerset Local Plan 2006.

Subject to the following:

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

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

Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered BH1310185S-010-01, BH110185S-002-1, BH1310185S-001-05, BH110185S-003-02, BH110185S-004-1, BH110185S-005-03, BH110185S-006-01 and BH110185S-008-01 received 07/08/2014.

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

03. The development hereby permitted shall be removed and the land restored to its former condition before 31/12/2044 or within six months of the cessation of the use of the solar farm for the generation of electricity whichever is the sooner in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all structures, materials and any associated goods and chattels from the site.

Reason: In the interests of landscape character and visual amenity in accordance with Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan.

04. The supporting posts to the solar array shall be anchored into the ground as detailed on approved drawing BH110185S-004-1 received 07/08/2014.

Reason: In the interests of sustainable construction and to accord with Part 10 of the NPPF.

05. The landscaping scheme shown on drawing titled Landscape Management Plan received 12/09/2014 shall be completely carried out within the first available planting season from the date of commencement of the development. For the duration of this permission the trees and shrubs shall be protected and maintained, and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: In the interests of visual amenity and landscape character in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

06. No works hereby permitted shall be commenced unless a landscape management plan has been submitted to and agreed in writing by the local planning authority. Such a plan shall detail measures for the protection of any new and retained planting, the height at which the perimeter hedge planting shall be maintained and an on-going programme of maintenance. Such agreed details shall be fully implemented for the duration of the use hereby permitted, unless any variation is agreed by the local planning authority.

Reason: In the interests of visual amenity and landscape character in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

07. Prior to commencement of each significant stage of ground works, an updated survey for badger setts will be undertaken by a competent person, and if any are present within 30 metres of the area of activity, the works shall not commence until a method statement for the protection of badgers has been produced and any necessary Natural England licences have been obtained. The method statement shall be implemented in full.

Reason: For the conservation and protection of legally protected species in accordance

with Policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981, and The Protection of Badgers Act 1992.

08. No works hereby permitted shall be commenced unless details of measures for the enhancement of biodiversity have been submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with NPPF.

09. No means of external illumination/lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

10. The development hereby permitted shall not be commenced unless the external finished colour of the CCTV equipment and security fencing has been submitted to and agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

11. No form of audible alarm shall be installed on the site without the prior written consent of the local planning authority.

Reason: In the interest of residential amenity and the rural amenities of the area to accord with Policy ST6 of the South Somerset Local Plan.

12. No development hereby permitted shall be commenced unless details of the means of connection to the electricity grid from the site have been submitted to and approved in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST5 and ST6 of the South Somerset Local Plan.

13. The development hereby permitted shall not commence unless a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicle per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason in the interest of highway safety and the rural amenities of the area to accord with Policies ST5 and ST6 of the South Somerset Local Plan.

14. Prior to the commencement of the development hereby permitted, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented by the approved Contractor. The plan and any contract shall stipulate the size of vehicles to be used for deliveries and the

routes to be used.

Reason: In the interest of highway safety to accord with Policy ST5 of the South Somerset Local Plan.

Informatives:

01. Please take note of the advice and recommendations set out within the Environment Agency's letter dated 05/09/2014.

Agenda Item 19

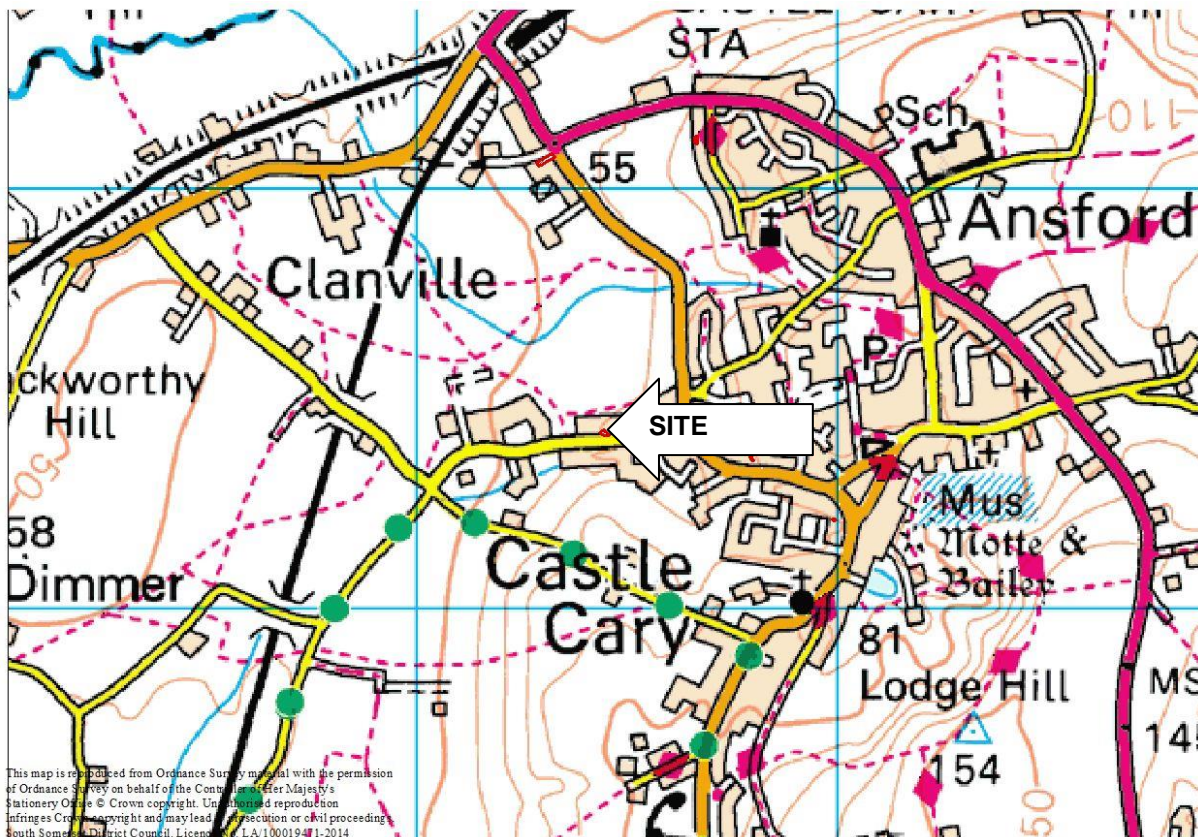
Officer Report on Planning Application: 14/03936/FUL

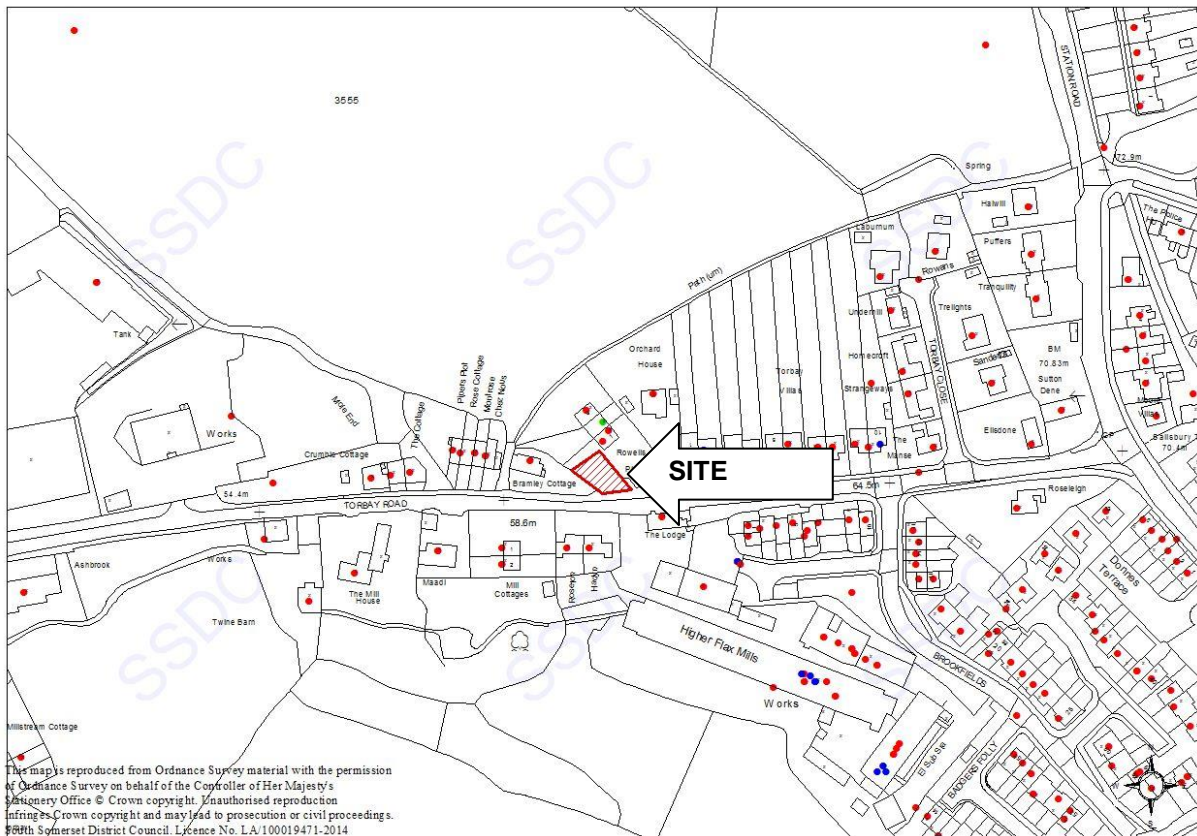
Proposal :	The erection of a hobby room, car port and additional parking (Retrospective application)
Site Address:	2 Rowells Place Castle Cary Somerset
Parish:	Castle Cary
CARY Ward (SSDC Member)	Cllr N Weeks Cllr H Hobhouse
Recommending Case Officer:	Sam Fox Tel: 01935 462039 Email: sam.fox@southsomerset.gov.uk
Target date :	14th November 2014
Applicant :	Mrs Mandy Foot
Agent: (no agent if blank)	Mr Tim Downes Hillcote View 44 Westfield, Bruton, BA10 0BT
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee at the request of the Ward Members with the agreement of the Area Chairman as the comments of the Town Council, Neighbour and Highways officer are contrary to the officer's recommendation.

SITE DESCRIPTION AND PROPOSAL





The site is located on the western edge of the town, within the defined development area.

The property is the middle of a row of three terraced, two-storey dwellings constructed of red brick with white UPVC windows under a tiled roof. The properties sit in an elevated position set back from the highway with a long gardens to the front and small gardens to the rear. Both end terraces benefit from additional side gardens whilst the application site benefits from an additional detached piece of land adjacent to the highway, this site being the subject of this application. An access path runs from the highway along the side of the site and across the front of the three dwellings. The site is surrounded by residential properties, opposite the site being the Grade II listed dwelling 'The Lodge' and the entrance to the Higher Flax Mills site.

This application seeks retrospective permission for the erection of a hobby room, carport and formation of additional parking. Historic imagery shows the site appeared to have previously been a small gravel area for parking approximately two vehicles leading onto an overgrown garden home to a number of sheds in varying states of disrepair. The area has been dug out and a retaining wall built around the site. A larger gravel parking area has been created with the addition of a carport of timber/Perspex construction with a lean to design adjoining the northeast elevation of the lean to block and render hobby room. The hobby room measures approximately 3m wide by 4m long and is 2.5m at its highest point. The carport measures approximately 2.8m wide, 4m long and 2.3m at its highest point.

HISTORY

None recent

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.

Saved policies of the South Somerset Local Plan (Adopted April 2006):

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

Policy EH5 - Setting of Listed Buildings

National Planning Policy Framework

7 - Requiring good design

South Somerset Sustainable Community Strategy

Goal 8 - High Quality Homes

Goal 9 - A Balanced housing Market

CONSULTATIONS

CASTLE CARY TOWN COUNCIL - It was noted that the building was not within the curtilage of the applicants house and had the proper process been followed, owners of adjoining properties and the Town Council would have had the opportunity to express their views to SSDC prior to the work being carried out. The building is completely separate and away from the applicant's home, is not particularly attractive and is quite prominent as you travel down Torbay Road.

The committee were unanimously opposed to retrospective permission being granted.

COUNTY HIGHWAY AUTHORITY - Standing advice applies, parking and turning for 3 vehicles

AREA ENGINEER - No comments received

CONSERVATION OFFICER - Although the host dwelling is relatively modern the site faces towards a significant historic building group. The new outbuilding is prominent, stepping forward of the existing house. Its materials and form make it more prominent, particularly the use of render in an area that is dominated by the use of stone and brick. If you are minded to approve the application then I suggest you seek some mitigation such as repainting the building with a stone that better reflects the natural stone hues in the locality and perhaps seeking some hedge planting around the front of the building.

REPRESENTATIONS

Two letters of representation received, one in support stating this is attractive, in proportion and an improvement on what was there before, and one objection raising the following issue:

Overlooks our front garden and driveway, invading our privacy.

Has planted some trees along the fence line, this will block out light to our garden and lounge and cause leaves to fall on our lawn and communal pathway.

Building work stopped when advised planning was needed, but started again and finished before the application was made.

Parking for people visiting the site already a problem.

It is bright white, not in keeping with the surrounding area.

CONSIDERATIONS

Visual amenity

The proposal is modest in size and of a simple lean to design, considered to be appropriate in terms of size, scale and design. Whilst the use of render is not prevalent immediately around the site it has been used within the local surrounding area, with the neighbouring property to the southwest, Bramley Cottage, having a rear extension visible from the highway finished in render. There is so much variety within the streetscene in terms of material type and colour and in terms of building design that there is no real uniformity. The conservation officer has commented on the prominence of the building being forward of the dwellings and of render construction, however, he has raised no objection to the proposal but suggested the re-painting of the render to a more subtle stone colour to help blend in with the surrounding palette. Whilst this suggestion has been noted, the area is not particularly sensitive in terms of visual amenity and although the render colour is quite bright this will weather down over time and the proposal be less stark in its appearance. Overall the proposal is considered an improvement on what previously existed. On this basis it is not considered that it would harm the character of the property or have a detrimental impact on the visual amenity of the area.

Residential amenity

It is not considered that the window layout and general bulk of the extension is such that it would give rise to undue overlooking / loss of privacy or an overbearing relationship with neighbouring properties. Therefore the proposal would not harm local residential amenity.

Highway comments

The proposal does not meet the standing advice requirements as there is no onsite turning. However, the previous scheme offered only two parking spaces with no turning which would not meet the current standing advice in terms of both the number of spaces and turning. The proposal is an improvement on the previous scheme as it now provides three parking spaces without increasing the number of bedrooms.

Neighbour comments

The comments of the neighbour have been noted. Regarding the overlooking/invading privacy issue, the front gardens to these properties are relatively open and there would appear to be an existing level of overlooking. Whilst there are windows with a view towards the neighbour's garden and parking area, this is not considered to be any more harmful to that which previously existed. In terms of views into the neighbouring lounge, the site is at a lower level than the neighbouring property and with the orientation a direct view into the house would be difficult without considerable effort. It is not considered to cause any significant detrimental harm to in terms of overlooking/loss of privacy to the occupiers of the neighbouring property.

In terms of the hedge planting, this could be carried out under permitted development rights, likewise, this would go some way to screen the views both into and out of the site giving additional privacy to both the applicant and the neighbour.

This application is to regularise the fact that the building was built before any planning permission was applied for, all works carried out prior to permission is done at the applicants own risk.

The issue over parking has been improved by the proposal increasing the number of spaces and with regard to the bright colour, this will weather and settle in with its surroundings and is considered to be acceptable as stated above.

Parish Council comments

The comments of the parish council have been noted. Whilst the parcel of land is detached from the other residential curtilage, it would appear to have been linked to the dwelling for many years and used as a garden and parking area without any issues. The proposal is to

regularise the retrospective building which replaces the various sheds and provides additional parking. Whilst the proposal is prominent within the streetscene when travelling towards it from the east, this is enhanced by the newness of the white render and the open space created whilst creating the level area and general clearing up of the site. In time the render will weather and will settle comfortably into the streetscene.

Conclusion

Overall the proposal is considered to be acceptable in terms of visual and residential amenity and is considered to be an improvement in terms of highway safety. Accordingly the proposal is considered to comply with policies ST5 and ST6.

RECOMMENDATION

Permission be granted for the following reason:

01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of policies ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006).

SUBJECT TO THE FOLLOWING:

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 01 February 2014.

Reason: To accord with the provisions of section 73A of the Town and Country Planning Act 1990.

Agenda Item 20

Officer Report on Planning Application: 14/04342/FUL

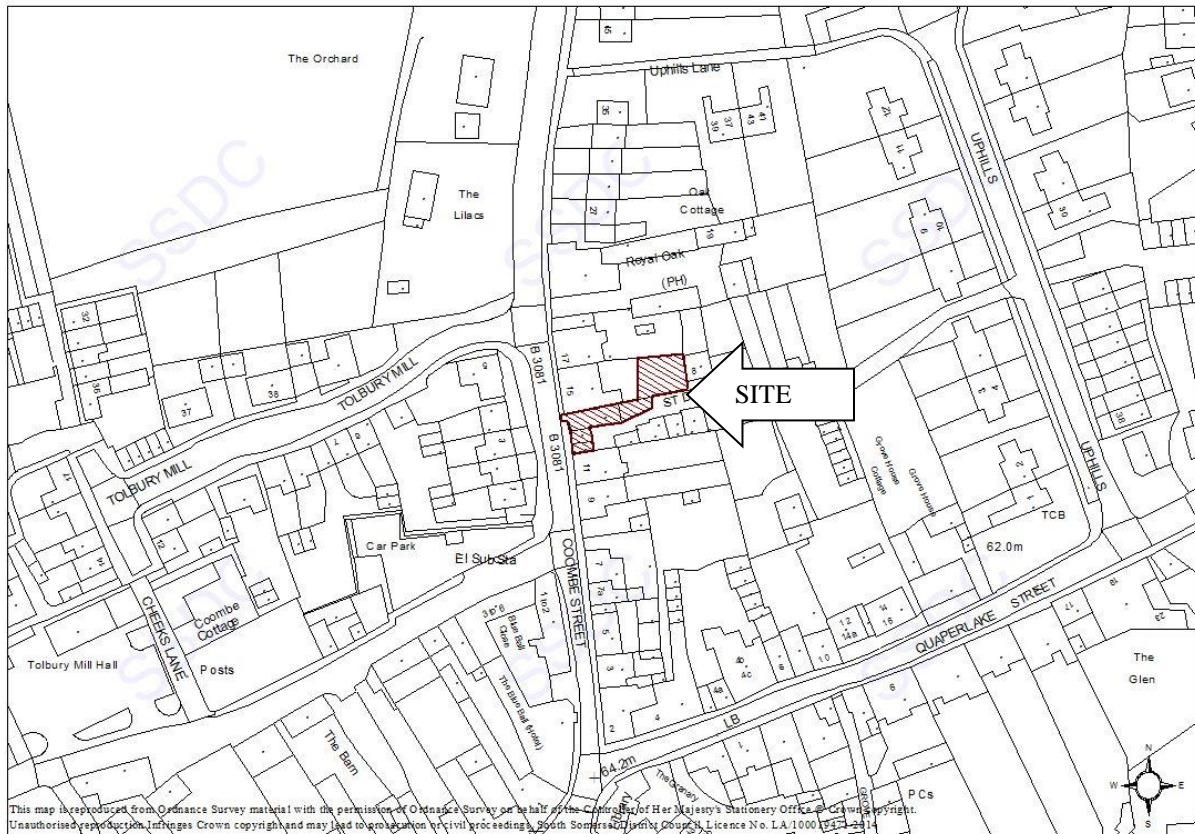
Proposal :	Partial change of use from dwelling to not-for-profit art gallery (D1), retail (A1) and associated alterations (gr 368363 / 135003)
Site Address:	The Old Coach House Coombe Street Bruton
Parish:	Bruton
BRUTON Ward (SSDC Member)	Cllr A M Groskop
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	28th November 2014
Applicant :	Mr Benedict Nicolson
Agent: (no agent if blank)	
Application Type :	Other Change Of Use

REASON FOR REFERRAL TO COMMITTEE

The application is before the committee at the request of the ward member, and with the agreement of the area chair, in order to allow concerns raised locally to be fully debated.

SITE DESCRIPTION AND PROPOSAL





The proposal seeks permission for the change of use of an existing dwelling to a mixed use of dwelling (C3), not-for-profit art gallery (D1), and retail (A1), and for associated physical alterations. The property consists of a three storey terraced house, finished in natural stone, with clay and stone roof tiles and painted timber window frames. The dwelling is a grade II listed building and is close to various residential properties; including other grade II listed buildings. The site is located within a development area and a conservation area as defined by the local plan.

The proposed alterations are predominantly internal alterations to facilitate the proposed gallery use and required as part of the general restoration of the building. It is proposed to provide a hanging sign to the exterior front elevation of the building. There would be no clear delineation inside the building between the different uses, with gallery space provided on the ground and first floor, and living accommodation provided on the ground and third floor, with the circulation space on the ground and first floor space shared between the uses. The proposed retail element of the use would be ancillary to the gallery part of the use. It is not proposed to include the outdoor space within the gallery or retail use.

HISTORY

14/04343/LBC - Proposal for partial change of use from dwelling to not-for-profit art gallery (D1), retail (A1) and associated alterations - Pending consideration

09/04860/FUL - The erection of a 1.8 metre high boundary wall - Application permitted with conditions 12/03/2010

10/00297/LBC - The erection of a 1.8 metre high boundary wall - Application permitted with conditions 12/03/2010

96/00688/LBC - Carry out alterations to garage block - Application permitted with conditions
07/05/1996

POLICY

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

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the South Somerset Local Plan (Adopted April 2006):

Policy EH1 - Conservation Areas
Policy EH3 - Alterations to Listed Buildings
Policy EH5 - Setting of Listed Buildings
Policy ST5 - General Principles of Development
Policy ST6 - The Quality of Development

National Planning Policy Framework

Chapter 7 - Requiring Good Design
Chapter 12 - Conserving and Enhancing the Historic Environment

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments
Goal 4 - Services and Facilities
Goal 8 - High Quality Homes

CONSULTATIONS

Bruton Town Council - Various comments have been received from various members of the Town Council expressing different views. However, the chair of the Town Council has clarified that it is the original recommendation of the Town Council planning committee that stands. As such it must be considered that the Town Council recommend refusal on the following grounds:

- The location of the gallery is not suitable to accommodate the extra traffic that will result, due to difficulties in on street parking, overcrowded car parks, the substandard junction at the bottom of Coombe Street, and the very narrow pavements.

County Highway Authority - Refers to standing advice

SCC Archaeology - No objections

SSDC Conservation Officer [in relation to the concurrent listed building consent application] - States that he has no objection to the low key change of use. He states that the building will be little altered and will still be managed as a single entity, easily capable of reinstatement as a single dwelling in the future. He suggests the use of conditions to control details of repointing, details of the making good to the underside of the staircase, details of the new balustrade, the agreement of a door schedule, and details of the hanging sign bracket.

SSDC Area Development - Notes that changes of use from residential to commercial uses in

town centres are, in principle, welcome. They note and agree that there are traffic and parking issues in the locality. They state that their occasional snap-shot surveys, of both on and off street parking for 2014 show that there is normally around 10-15% capacity on the high street, but that the town centre car parks are normally full. They state that additional spaces are normally available at the overspill car park on the corner of Silver Street and Station Road. They note that road safety is a local concern, but suggest this is a pre-existing issue that can only be addressed by traffic calming measures. They conclude that the proposal will not have an adverse impact and that it offers the benefit of encouraging more footfall and spending in the town centre.

SSDC Economic Development - Understands logic behind building on Bruton's reputation of being a focus of art, and with the opening of the prestigious gallery at Durslade Farm, the applicant has seen an opportunity to add to the 'Bruton offer'. He notes the predicted traffic flows and suggests that the number of additional cars to the area are not dissimilar to what would have been generated by the two public houses which have recently closed in the vicinity. He raises a concern with the suggested opening hours, which he suggests may raise amenity issues.

SSDC Environmental Protection Units - No comments

REPRESENTATIONS

Two letters of support were received from the occupiers of neighbouring properties, one of which was on the condition that the opening hours are amended and the parking issues are properly assessed. They support for the economic and cultural benefits to the town.

Letters of objection have been received from the occupiers of 13 neighbouring properties. Objections were raised on the following grounds:

- The street is not suitable for commercial properties, which would be better sited on the High Street.
- There is a lack of available parking and the proposal will exacerbate an existing problem.
- The junction of Coombe Street with High Street and Quaperlake Street is dangerous and the pavements are narrow. The proposal will exacerbate the issue.
- The noise and disturbance of premises opening from 9am to 9pm seven days a week is unacceptable and inappropriate.
- The commercial gallery will overlook the objector's sitting room and bedroom.
- The number of visitors quoted in the application form appears to be understated.
- Delivery vehicles could block the right of access for residents of St David's Place or access by emergency vehicles
- The proposal could increase footfall through St David's Place and along Coombe Street affecting the privacy of residents and increasing noise levels.
- The building is a grade II listed building in a conservation area and should not be allowed to change use or to put a sign up.
- The proposed access is not suitable for disabled visitors.
- The proposal could set a precedent for future changes of use in the vicinity.
- The division of uses within the building needs to be made clearer.
- There are various errors within the submitted application documents.
- The proposal will exacerbate parking issues in Tolbury Mill. This will make access impossible for emergency vehicles.

CONSIDERATIONS

History and Principle of Development

The proposal represents the change of use of an existing dwelling to a relatively low-key commercial use. All the site is not within the defined town centre of Bruton, it is very close (approximately 62 metres) to the town centre and primary shopping area as defined by the local plan. As such, the location is considered to be a sustainable location for the type of development proposed and in accordance with the aims and provisions of the NPPF.

The occupier of a neighbouring property has argued that the street is not appropriate place for a commercial property, and the proposal would be better suited to the high street. Whilst it could be argued that the proposal might be better suited to the high street, there are no specific policies restricting such uses in predominantly residential locations. There are residential amenity issues in this regard, but these are discussed later in this report. There are no 'in principle' objections to the proposed use in this location.

A neighbour has raised suggested that the proposed uses should be better defined. It is considered that the extent of the proposed uses can be satisfactorily controlled through the imposition of appropriate conditions on any permission issued.

Visual Amenity

The SSDC Conservation Officer was consulted on the concurrent listed building consent application as to the impact on the listed building and the conservation area. He raised no objections to the scheme, concluding that the building would be little altered and would still be managed as a single entity, easily capable of reinstatement as a single dwelling in the future. He recommended the use of several conditions to control detailing, all of which are considered to be reasonable.

As such, notwithstanding local concerns in this regard, the proposal is considered to preserve the character of the conservation area and the character and setting of the listed building in accordance with saved policies EH1, EH3, EH5, ST5, and ST6 of the local plan.

Residential Amenity

Concerns have been raised locally regarding the impact of the proposal on the residential amenity of adjoining occupiers particularly in regard to the opening hours stated in the application form, which are 9am - 9pm seven days a week. It is considered that the concerns in this regard are completely reasonable and that such opening hours would have an adverse impact on residential amenity through disturbance. However, it is considered that the opening hours could be limited through an appropriate condition on any permission issued. The applicants have agreed that 8am to 6pm Monday to Saturday and 10am to 4pm on Sundays would be reasonable, providing that they can have a limited number of later opening days per year in order to hold specific events. It is considered that if this later opening is limited to 9pm and that there would be no more than 12 events per year, the impact on the amenity of local residents would not be so severe as to warrant refusal of the scheme. Other concerns have been raised in regard to the impact of the proposal on residential amenity relating to increased footfall, increased disturbance, and increased overlooking. However, there will be no additional windows in the property so the level of overlooking will be unchanged, and with the above limit on opening hours it is considered that any increase in footfall would be adequately controlled to a reasonable level. The SSDC Environmental Protection Unit was consulted and raised no objections.

Therefore the proposal would not cause demonstrable harm to residential amenity in accordance with saved policies ST5, and ST6 of the local plan.

Highways

The highway authority was consulted and referred to their standing advice. There are no alterations proposed to the access and parking arrangements so the standing advice is not relevant.

The Somerset Parking Strategy does not suggest an optimum parking level for the type of use proposed, instead stating that each proposal would be looked at on a case to case basis. Whilst the highway authority has not provided any advice in this regard there is a significant level of concern raised locally in regard to the parking provision and the impact on highway safety. Whilst it is clear from the town council response and the data supplied by the area development officer, that there are parking and highway safety issues in Bruton, it is considered that as the proposal sits within a town centre location it would be very difficult to sustain an argument for refusal. The proposal is unlikely to be any more demanding on parking provision than other town centre uses, and to argue that the parking provision within Bruton as a whole is inadequate would be to effectively place a moratorium on economic development within the town centre of Bruton.

On this basis it is not considered that the proposal is likely to have a severe impact on highway safety and will therefore accord with the aims and provisions of the NPPF.

Other Matters

A neighbour has raised a concern that deliveries to the site could block pedestrian access or emergency vehicle access to the existing residential properties to the rear. Whilst the concern is noted any blocking of pedestrian access would be a matter between the interested parties, and delivery vehicles could be moved in emergency situations. As discussed above, the impact on highway safety is unlikely to be severe and therefore not a reason to refuse the scheme.

A concern has been raised that the proposed access to the building is not suitable for disabled visitors. This is matter that is controlled through legislation outside of the scope of the planning process, and will need to be addressed separately by the applicant.

A concern has been raised regarding the possible precedent set by any approval. An approval would not set a precedent as every application would be considered on its own merits.

A concern has been raised that there are various errors within the application documents and within the responses from various consultees. The concerns are noted, but the application has been assessed as satisfactorily accurate and the consultee responses are from technical experts and are assumed to be satisfactory.

Conclusions

Accordingly the proposal is considered to comply with policies EH1, EH3, EH5, ST5 and ST6 of the South Somerset Local Plan and the aims and objectives of the NPPF.

RECOMMENDATION

Permission be granted for the following reason:

01. The proposed use is considered to be acceptable in this location and, by reason of its size, scale and materials, respects the character of the conservation area, and causes

no demonstrable harm to residential amenity or the character and setting of the listed building in accordance with the aims and objectives of Policies EH1, EH3, EH5, ST6 and ST5 of the South Somerset Local Plan (Adopted April 2006) and the aims and provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: plans and elevations received 24 September 2014 as amended by e-mail from the applicant received 28th and 29th October 2014.

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

03. The art gallery and retail elements of the use hereby permitted shall not be operated outside the hours of 8am to 6pm Monday to Saturday and 10am to 4pm on Sundays, except on up to 12 days per calendar year, when the opening hours can be extended to 8am to 9pm.

Reason: In the interests of residential amenity and in accordance with policy ST6 of the South Somerset Local Plan.

04. The outdoor area to the rear and north of the property shall only be used for purposes ancillary to the residential use of the property and for no other purposes whatsoever, including for purposes ancillary to the use of the property as an art gallery.

Reason: In the interests of residential amenity and in accordance with policy ST6 of the South Somerset Local Plan.

05. The art gallery and retail uses hereby permitted shall be limited to the rooms labelled 'Gallery - Front Room', 'Gallery Room 1', 'Gallery Room 2', 'Gallery Room 3', and the circulation space and ground floor WC as indicated on the submitted plans received 24 September 2014.

Reason: To determine the scope of the permission and in the interests of residential amenity in accordance with policy ST6 of the South Somerset Local Plan.

06. The retail element of the use hereby permitted shall only be operated insofar as it is ancillary to the art gallery element of the use hereby permitted, and shall at no time be operated as a standalone retail use.

Reason: To determine the scope of the permission and in the interests of residential amenity in accordance with policy ST6 of the South Somerset Local Plan.

07. No works shall be carried out to repoint the building unless the following details have been submitted and a sample panel provided on site for inspection and written approval of the Local Planning Authority:

a) Full details, including elevational drawings, to indicate the areas to be repointed.

- b) Details of the method of removal of existing pointing. In this regard mechanical tools shall not be used,
- c) Details of the mortar mix, and
- d) A sample panel of new pointing that shall be carried out in the agreed mortar.

Reason: In the interests of visual amenity and in accordance with policies EH1, EH3, EH5, ST5, and ST6 of the South Somerset Local Plan.

08. No work shall be carried out to fit the hanging sign to the front of the building unless details of the hanging sign bracket have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with policies EH1, EH3, EH5, ST5, and ST6 of the South Somerset Local Plan.

Agenda Item 21

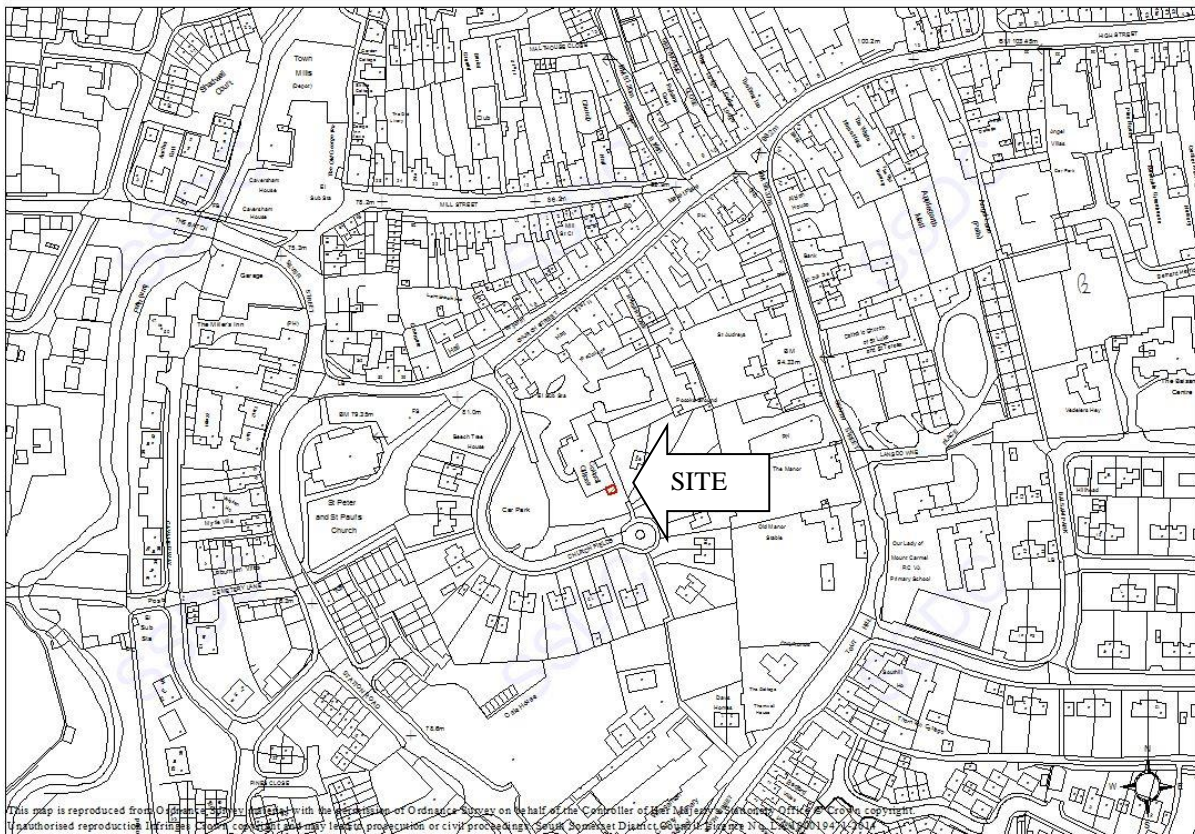
Officer Report on Planning Application: 14/04613/FUL

Proposal :	Erection of a single storey extension to south wing of building (GR 371217/128486)
Site Address:	South Somerset District Council Churchfield Wincanton
Parish:	Wincanton
WINCANTON Ward (SSDC Member)	Cllr N Colbert Cllr C Winder
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	8th December 2014
Applicant :	SSDC Property Services
Agent: (no agent if blank)	
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is before the committee as the applicant is South Somerset District Council.

SITE DESCRIPTION AND PROPOSAL





The proposal seeks permission for the erection of a single storey extension to the south wing of the building. The property is a three storey building in use as council offices and as a police station. The building is finished in natural stone. The proposed extension will be finished in materials to match the existing building. The site is located close to various residential properties. The site is located within a development area and a conservation area as defined by the local plan.

HISTORY

08/00898/FUL - Alterations and extension to be used as a cell to provide facility for police service (re-submission) - Application permitted with conditions 17/04/2008

08/00511/ADV - Display of one non-illuminated free standing directional sign - Application withdrawn 05/03/2008

07/05543/FUL - The installation of external hatch phone/screed unit - Application permitted with conditions 29/02/2008

07/04529/FUL - Alterations and extension to be used as a cell to provide facility for police service - Application permitted with conditions 26/11/2007

POLICY

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

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the South Somerset Local Plan (Adopted April 2006):

Policy EH1 - Conservation Areas

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

National Planning Policy Framework

Chapter 1 - Building a Strong, Competitive Economy

Chapter 7 - Requiring Good Design

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments

Goal 4 - Services and Facilities

Goal 8 - High Quality Homes

CONSULTATIONS

Town Council - Recommends approval

County Highway Authority - Refers to standing advice

SSDC Conservation Officer - No objections. Materials should strictly match those used on the existing building.

SCC Archaeology - No objections

REPRESENTATIONS

One letter received from the occupier of a neighbouring property was regarding the lack of information included in the application, but raising no concerns as to the actual scheme.

Letters of objection have been received from the occupiers of four neighbouring properties. Objections were raised on the following grounds:

- Concern that a high solid fence along the path to access 24, 25 and 26 Churchfields will make the already dark path even darker and unsafe.
- Concern over the loss of parking for residents of Churchfields, which will exacerbate an existing difficult situation.
- Concern over any increase in traffic on the cul-de-sac, which is already problematic.
- Any alterations to the building or change of use would be unacceptable.

CONSIDERATIONS

The proposed extension is considered to be of an appropriate design and detailing that would have an appropriate relationship with the existing building on site in terms of scale and design. The conservation officer was consulted and raised no objections as to the impact on the surrounding conservation area. The materials are considered to be appropriate, subject to a condition to ensure that they exactly match the existing building. On this basis it is considered that it would not harm the character of the property or have a detrimental impact on the visual amenity of the conservation area.

The proposed extension is very modest in size and situated well away from neighbouring properties. Due to the existing slope of the land, the extension is very low in comparison to the closest residential properties. As such, it is unlikely to cause demonstrable harm to residential amenity by way of overlooking, overshadowing, or overbearing. A neighbour has raised a concern that a high boundary fence to the east boundary of the site would make an already dark path darker and therefore unsafe. However, no fence is proposed as part of the scheme. Although a new fence is noted on the submitted plan, no details are given and it is not mentioned in description of development. A fence in this location up to two metres in height would be permitted development. As such, it is not considered reasonable to constrain development due to a notation on a site layout plan, and it is not considered appropriate to remove permitted development rights in this regard.

The highway authority has referred to their standing advice. There will be no impact on the existing access and parking arrangements. As such, it is considered that the proposal is in general accordance with this advice. A number of concerns have been raised regarding the impact of the proposal on local traffic and parking arrangements. However, all change of use elements have been removed from the scheme, and the proportionally very modest extension is unlikely to have any significant impact on the number of vehicle movements to and from the site. As such, it is not considered that the proposal will have any significant impact on the existing parking and traffic issues in the cul-de-sac.

A neighbour has raised an objection that any alterations or change of use to the building would be objectionable. However, as discussed above, there are no planning reasons to refuse the development.

Accordingly the proposal is considered to comply with policies EH1, ST5 and ST6 of the South Somerset Local Plan and the aims and objectives of the NPPF.

RECOMMENDATION

01. The proposal, by reason of its size, scale and materials, respects the character of the area, and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of Policies EH1, ST6 and ST5 of the South Somerset Local Plan (Adopted April 2006) and the aims and provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 1289-200 received 02 October 2014 and 1289-50 received 29 October 2014

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

03. The materials to be used in the development hereby permitted shall match the materials used on the existing building and no other materials unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and to comply with Policy ST6 of the South Somerset Local Plan (Adopted April 2006).