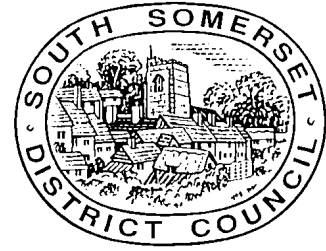


South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 11th March 2015

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 **10.45 am**.

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 3 March 2015.

Ian 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 **10.30 am**. Planning applications will not be considered before **10.45 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 11 March 2015

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 on 8th April 2015, the time and venue is to be confirmed.

8. Chairman Announcements

Items for Discussion

9. **Local Housing Needs in Area East** (Pages 1 - 5)

10. **Provision of Minor Injury Services and Education Places in Wincanton** (Pages 6 - 8)

11. **Youth Update** (Pages 9 - 12)

12. **Work Hubs - Executive Decision** (Pages 13 - 14)

13. **Marketing** (Pages 15 - 16)

14. **Area East Committee Forward Plan** (Pages 17 - 19)

15. **Items for information** (Pages 20 - 21)

16. **Schedule of Planning Applications to be Determined by Committee** (Pages 22 - 23)

17. **Planning Application 14/01958/ FUL Long Hazel - Erection of 28 No. dwelling**

houses and 1 No. Commercial Unit (Pages 24 - 38)

- 18. Planning Application 14/05052/FUL - Land OS 3432, Sparkford - Residential development of 11 dwellings (Pages 39 - 51)**
- 19. Planning Applications 14/05472/FUL Sutor Farm Wincanton Construction of a 9.3 hectare solar park with associated works (Pages 52 - 61)**
- 20. Planning Application 15/00407/DPO Land North Of Coombedene Coombe Hill Keinton Mandeville - Application to discharge a Section 106 Agreement (Pages 62 - 64)**
- 21. Planning Application 15/00070/FUL - Riding Gate, S. Trister - Variation of configuration of acoustic barrier (Pages 65 - 73)**
- 22. Planning Application 14/02896/OUT - Land adj Light House, Barton St David. Residential development of land for up to six dwellings (Pages 74 - 86)**
- 23. Planning Application 15/00084/COU Churchfields Wincanton Change of use of lower ground floor area of building (Pages 87 - 92)**
- 24. 15/00372/CPO County Council Consultation In Relation To A Proposed Waste Transfer Station At Dimmer Landfill Site (Pages 93 - 97)**

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

Local Housing Needs in Area East

Strategic Director: Vega Sturgess, Operations and Customer Focus
Assistant Director: Steve Joel, Health and Wellbeing
Service Manager: Kirsty Larkins, Housing and Welfare Manager
Lead Officer: Kirsty Larkins, Housing and Welfare Manager
Contact Details: Kirsty.larkins@southsomerset.gov.uk or (01935) 462744

Purpose of the Report

The purpose of this report is to give Councillors an update on housing need in Area East.

Public Interest

The report gives an overview of numbers on the Housing Register (Homefinder Somerset) in Somerset and the demand for housing in Area East.

Recommendation(s)

That Members:

1. Discuss matters of interest to the local area arising from the reports and presentation.
2. Identify further or future information to be considered by the Area East Committee or other forum.

Background

Homefinder Somerset (HFS) was launched in December 2008 in partnership with the other four Somerset Authorities. Since the introduction of HFS housing needs data is more readily available and the scheme is made the allocation of social housing transparent.

Increased provision of affordable, good quality, homes in South Somerset remains a high priority. This has been evidenced by the countywide Sustainable Community Strategy 2008-2026, and by South Somerset District Council's "Our Plan - Your Future" 2012-2015.

Housing Need across Somerset

Table 1 sets out the numbers of applicants on the Homefinder Somerset register as at 16th February 2015 within each Local Authority area.

Local Authority	Emergency	Gold	Silver	Bronze	Grand Total
Mendip District Council	1	205	522	534	1262
Sedgemoor District Council	1	346	1062	2255	3664
South Somerset District Council	1	298	619	1093	2011
Taunton Deane Borough Council	2	376	648	1859	2885
West Somerset Council		91	210	445	746
Grand Total	5	1316	3061	6186	10268

Over the last year numbers of active applications on the housing register have decreased across the County. The decrease is largely due to each Local Authority carrying out the rolling reviews of applications on a regular basis. The review involves applicants confirming they still wish to remain on the register and updating their details.

Housing Need in Area East

Table 2 summarises the figures for households on the Homefinder Somerset Register expressing their first choice of location for Area East as at 16th February 2015 compared with previous years

Parish	No. Applicants 2012	No. Applicants 2013	No. Applicants 2014	No. Applicants 2015	Parish	No. Applicants 2012	No. Applicants 2013	No. Applicants 2014	No. Applicants 2015
Abbas & Templecombe	40	43	28	25	Kingsdon	4	6	4	1
Alford	6	5	1	0	Limington	2	1	3	0
Ansford	10	6	3	0	Lovington	2	1	0	0
Babcary	1	1	0	0	Maperton	0		1	0
Barton St David	14	19	6	0	Marston Magna	5	6	6	1
Bratton Seymour	0	0	0	0	Milborne Port	65	69	48	32
Brewham	2	2	1	0	Mudford	26	15	5	3
Bruton	65	83	54	25	North Barrow	0	0	0	2
Castle Cary	89	122	70	42	North Cadbury	12	12	4	2
Charlton Adam	3	2	0	0	North Cheriton	1	1	1	0
Charlton Horethorne	1	4	3	2	Penselwood	2	1	1	0
Charlton Mackrell	1	5	2	1	Queen Camel	24	25	18	24
Charlton Musgrove	1	1	0	0	Shepton Montague	2	2	1	1
Chilton Cantelo	1	1	0	0	South Barrow	3	2	0	0
Compton Pauncefoot	1	1	0	0	South Cadbury	7	4	2	1
Corton Denham	1	0	0	1	Sparkford	6	8	10	9
Cucklington	2	2	0	1	Stoke Trister	1		0	0
Henstridge	58	63	30	13	West Camel	3	2	3	3
Holton	1	0	0	0	Wincanton	240	234	152	92
Horsington	3	3	0	0	Yarlington	12	21	15	16
Ilchester	54	50	28	18	Yeovilton	5	10	9	1
Keinton Mandeville	6	8	4	1	Total applicants	782	841	513	317

Table 3 overleaf shows the number of households and their bedroom requirements by band in Area East as at 16th February 2015. Members should note that this may include applicants not currently resident in Area East.

Bedroom size	Gold	Silver	Bronze	Grand Total
1	20	37	95	152
2	14	50	60	124
3		13	18	31
4	1	6	1	8
5	1	1		2
Grand Total	36	107	174	317

Demand for one and two bedroom properties remains high and a large number of social housing tenants are still in the process of trying to downsize due to the spare room subsidy.

Table 4 shows the number of properties advertised in Area East from 02/04/2014 until 16/02/2015 broken down by Registered Partner and parish. If the parish does not appear in the list it means no properties have been advertised during the above time frame.

Property Team	Ansford	Bruton	Castle Cary	Charlton Horethorne	Henstridge	Ilchester	Kingsdon	Lovington	Marston Magna	Milborne Port	Mudford	North Cadbury	Queen Camel	Rimpton	South Cadbury	Sparkford	West Camel	Wincanton	Grand Total
Aster Communities						1													1
Hanover			1																1
Hastoe HA		1											19						20
Jephson HA																		15	15
Knightstone HA			1															4	5
Magna HA Ltd						1												1	2
Signpost HA			1																1
Stonewater										3								9	12
Wyvern Rural Housing Association												1							1
Yarlington Housing Group	3	42	11	2	13	4	1	1	2	19	11		6	1	2	5	6	44	173
Grand Total	3	43	14	2	13	6	1	1	2	22	11	1	25	1	2	5	6	73	231

Affordable Housing Delivery in Area East

Appendix A shows the outturn for the affordable housing development programme in Area East for the last financial year.

Appendix B shows the programme for the current financial year in Area East.

Financial Implications

None

Corporate Priority Implications

Focus Three: Homes

Minimise impact to our residents of the major changes to housing and council tax benefits proposed by Government

Minimise homelessness by providing advice, support and housing options

With Partners, enable additional new homes to meet the needs of the district, including mixed housing schemes to buy or rent that are affordable.

Background Papers

AEC-Affordable Housing Programme 08/10/20

Appendix A: Combined HCA & SSDC Programme 2013/14 outturn											
Housing Association	Scheme Name	Rent	Shared Ownership/ intermediate	Net Gain New Homes	Total Homes for NI 155 purposes	Total Grant	Level of grant from SSDC	SSDC land allocation value	SCC Funding	Level of grant from HCA	Completion
Yarlington	Cumnock Crescent, Ansford	0	12	12	28	£990,800	£0	£0	£0	£990,800	October 2013
Stonewater (Raglan)	Mill Lane, Barton St David	13	0	13	13	£209,924	£19,500	£0	£0	£190,424	July 2013
TOTALS		13	12	25	41	£1,200,724	£19,500	£0	£0	£1,180,224	

Appendix B: Combined HCA & SSDC Programme 2014/15											
Housing Association	Scheme Name	Rent	Shared Ownership/ intermediate	Net Gain New Homes	Total Homes for NI 155 purposes	Total Grant	Level of grant from SSDC	SSDC land allocation value	SCC Funding	Level of grant from HCA	Completion
Yarlington	Wheathill Way, Milborne Port	5	2	7	7	£0	£0	£0	£0	£0	March 2015
Hastoe	West Camel Road, Queen Camel (CLT)	16	4	20	20	£868,000	£0	£0	£0	£868,000	March 2015
Stonewater (Raglan)	Sparkford Road, Sparkford	7	6	13	13	£179,623	£0	£0	£0	£179,623	February 2015
TOTALS		28	12	40	40	£1,047,623	£0	£0	£0	£1,047,623	

Agenda Item 10

Provision of Minor Injury Services and Education Places in Wincanton

<i>Portfolio Holder:</i>	<i>Cllr Nick Weeks</i>
<i>Strategic Director:</i>	<i>Rina Singh, Place & Performance</i>
<i>Assistant Director:</i>	<i>Helen Rutter, Communities</i>
<i>Service Manager:</i>	<i>Helen Rutter, Area East Development Manager</i>
<i>Lead Officer:</i>	<i>Helen Rutter, Area East Development Manager</i>
<i>Contact Details:</i>	<i>helen.rutter@southsomerset.gov.uk or (01963) 435012</i>

Purpose of the Report

To report back from the Deanesly Way multi agency group about a) the current situation with provision of minor injuries services in the Wincanton area and consider if the Committee wish to take the matter further b) the provision of school places to meet the growing needs of the town.

Public Interest

Some concern has been expressed about the lack of, out of hours, access to minor accident treatment in the Wincanton area. The town is expanding and is remote from other Minor Injuries Units (MIUs) or Accident and Emergency Departments. An approach has been made to the Clinical Commissioning Group (CCG) to find out if there are any plans to upgrade services locally. They have told us that a national review and redesign of urgent and emergency care is underway but that there is not likely to be enough need in the Wincanton area to upgrade service levels.

As the town grows there is increasing pressure on primary schools places. Somerset County Council is working closing with the schools to monitor demand and increase the number of primary and nursery places to serve the growing needs of the town

Recommendation

That the Committee makes representations to the CCG as part of the current redesign of the urgent and emergency care system.

Background

The Deanesly Way multi agency group was set up in 2013 to bring together agencies and community representatives to share details of current and planned services/ facilities, plan for and welcome new residents to this large key site development on the northern edge of the town centre.

It has looked at the on and off site facilities provided by the town, factoring in the particular dimension of 85 properties purchased for military families by the MoD. It started by developing a welcome pack, highlighting the facilities available and where to go to for information. It has since followed up on some particular issues: connection to broadband; the on and off site infrastructure using 106 developer obligations; availability of nursery and school places. It has also looked at access to sports and youth group activities. Some funding may be available from the Armed Forces Community Covenant for suitable projects which help to integrate forces families with the wider community.

Access to Minor Injury Services

An issue raised by representatives was the lack of facilities for treating people with minor injuries. Wincanton has not had a minor injuries unit (MIU) A Local Treatment Centre used to operate at Wincanton Community Hospital but was transferred to Wincanton Health Centre when it opened at New Barns estate. Here the service was rebranded as a Minor Injury Service (MIS) complementing the services already provided and more cost effective to operate. When it was at the Hospital it was being operated by an agency nurse employed by Somerset Partnership and, given its limited service (open during the day on working days only), was not much used by local people. The MIS is open for slightly longer but is still closed in the evenings, at weekends and on Bank Holidays.

A letter was sent to the Clinical Commissioning Group by the Chairman, Cllr Weeks, seeking information about the trigger point for the upgrade of services for a growing town like Wincanton with a wide rural hinterland (see letter attached appendix 1 and schedule of MIUs for out of hours emergencies)

The reply from David Slack, CEO of the CCG, is also attached at appendix 2. He flagged up that a countryside review is going on about the provision of Emergency Care. In due course the Somerset CCG will implement its findings; he concluded that the level of demand will not make Wincanton a candidate for a MIU.

In his letter the "Wincanton MIU" he refers to has never existed. The Wincanton Community Hospital Local Treatment centre was unique in Somerset & did not have similar services and opening hours to MIUs elsewhere in Somerset. In effect it offered first aid only, so it is not surprising that comparatively few patients were recorded as using it. The transferred and slightly enhanced service at Wincanton Health Centre is still not a fully operational MIU. Also local patients must travel out of hours to Shepton Mallet MIU (last patient admission 7.30pm), Shaftesbury MIU, Sherborne MIU, Yeovil Medical Centre or A&E at Yeovil District Hospital. All are about 30 min travelling time from Wincanton.

Access to Schools Places

This has become a key issue with the advanced building out of the 2 key sites and the delays in building a new primary school / extending school places for the town. In addition the military families moving into the town have a much higher number of children per household than the usual model used by Somerset County Council to estimate demand for pre-school and school places. SCC staff have been consulting with the schools and developing solutions to release primary school places pending a longer term solution of a replacement or expanded primary school serving the town.

SCC reported in late January to the multi-agency group that the expansion of the primary school by 30 places for September 2015 will be achieved, by the pre-school being relocated to a new building. They say that *"we are looking forward to the new nursery building providing excellent facilities for the nursery, releasing 30 places for Wincanton primary school"*

An application for planning permission is currently under consideration.

Profile of Wincanton. (more data may follow.)

The Joint Health and Social Needs Analysis section on Wincanton shows levels of deprivation in the town, especially amongst older people. Service families are moving to Wincanton along with many other new residents on the 2 key sites. They will find that the nearest MIU/A&E is half an hour away. Also Wincanton is a significant catchment town for a

large rural area. its location on the edge of 3 counties would appear to make it more vulnerable to lack of investment and/ or service cuts.

Financial Implications

There are no new financial implications as a direct result of this report

Corporate Priority Implications

Carbon Emissions & Climate Change Implications

Local facilities able to meet local needs reduce carbon emissions as people can walk or travel short distances to access public services

Equality and Diversity Implications

The growth of our market towns takes place in a balanced way with the appropriate infrastructure giving equitable access to services in rural areas

Background Papers:

Agenda Item 11

Update on work with Young People in Area East

Portfolio Holder & Ward Member: Cllr Nick Weeks
Strategic Director: Rina Singh, Place & Performance
Assistant Director: Helen Rutter, Communities
Service Manager: Helen Rutter, Area Development Manager East
Lead Officers: Steve Barnes, Young Peoples Officer
Tim Cook, Community Development Officer
Contact Details: tim.cook@southsomerset.gov.uk or (01963) 435088

Purpose of the Report

This report provides details of work being done to support young people in Area East and brings the Committee up to date on youth activities and facilities in Area East.

Public Interest

Supporting and helping to improve the work of voluntary community organisations in the towns and villages across Area East.

Recommendation

That Members note and comment on the report.

Background

SSDC works with partner organisations to provide support to local groups and individuals working towards maintaining and improving activities and facilities for young people across the District.

Members will recall that the structure of SCC Youth and Community Service had changed to provide one senior youth and community worker covering Mendip and South Somerset. The focus of support available from SCC is now through a grants programme, advice and guidance and the 'Safe and Welcoming'.benchmark quality assurance scheme.

Current Youth Club Provision

This report sets out the direct provision of youth work in this area and the support that is available to groups and individuals carrying out this work in communities in Area East.

Bruton

Bruton has a regular club night every Monday run by a team of volunteers. The club continues to grow in terms of membership however, attendance was lower through the winter with an average of 15 attending. The club has a team of 3 volunteers and has once again been successful in gaining a grant from SCC. The grant will extend the contracted support from Somerset Rural Youth Project (SRYP). The focus of the next few months is to recruit new members to make the club viable and to complete the County Council's 'Safe and Welcoming' programme.

Castle Cary & Ansford – Youth Matters

The youth club is going strong with 20 young people registered and 17 to 19 attending every week. The club is run by Somerset Rural Youth Project with volunteer support and a number of trips have been organised alongside the regular Thursday evening sessions.

One of the SRYP project workers also works at Ansford Academy every Friday helping young people access the Eat Cary horticultural project. Other community based projects have been with the young people working with the Town Council to negotiate the equipment to be installed in the play park and working with the Town Council and the football club to design and paint the dug out on the Donald Pither Memorial field.

Most of our youth club members are male; therefore, in order to attract some girls into Youth Matters we hope to start a new group in the New Year especially for girls. It will focus on confidence and will be called 'Making the Most of Yourself'. Our two new volunteers wish to assist in the delivery of this with Vic-Lin.

SRYP gained funding in the summer to provide a new Rural Music project led by James Brookes. James is based in the Town Council office every Wednesday afternoon and is currently promoting taster sessions which have been well attended. The most successful ones will lead to the provision of short courses for adults and young people. He has formed a steering group of young people and he has had a great deal of positive feedback. Youth Matters has funded his music taster sessions in the Shambles.

Wincanton

The Youth Club established in 2013 has been open regularly at the David Sharp centre; Wincanton has struggled to recruit members in any significant number. Wincanton Town Council has decided to close the youth with effect from March 2015.

Wincanton Town Council has set aside a significant budget within the precept to support a programme of events for young people during 2015/16. The programme is likely to include a skate day/competition, support for 2 'Playdays', Basketball & games sessions and environmental improvements. The aim is to encourage young people to engage with existing events throughout the year.

The Charltons

The Charltons youth club continues to meet regularly and is attended by approximately 15 young people. The club has 7 volunteers and 1 paid worker. Highlights include a London trip, a pamper night, technology night and a Christmas meal.

Ilchester Youth Council

Two very strong youth parish councils continue to meet every other Tuesday, 7pm until 9pm. A younger group for young people aged 9 to 12 and an older group aged 12 to 19 are supported by 3 adult volunteers.

Both groups work closely with Ilchester parish council. Highlights of this last year have included the following:-

- a recruitment afternoon laser tagging one another! This resulted in recruiting 5 new members,
- decorating the weighbridge on the square,
- helping to replace and decorate the panels for the bus shelter at Northover that was sadly destroyed after a car crash,
- holding the annual village in lights and 'Ilchester in lights' competitions over Christmas as well as helping with the refreshments at the carols on the green and running a crèche area at the impromptu Christmas eve coffee morning.

Looking to the future the group has planned a breakfast brunch for the village on the 7th March, the idea is to get the young and old together, as well as assisting the sports field to plant trees they have been given, helping the parish council with their bulb planting and finally getting together with the cheese factory to do a litter pick.

The group is used as an example of good practice by Somerset County Council to help other Parishes interested in setting up youth councils.

Keinton Mandeville

Youth Club meets term time on a Friday evening and is attended by approximately 30 young people who enjoy positive activities including hockey, football, darts and indoor games. In the summer the group use the outdoor area at the village hall, utilising the Skate Park, MUGA and grassed area.

The MUGA currently is used by a variety of young people and gives a home base to the following netball teams, 2 under 14 , 1 under 12 and 1 under 16 netball teams during the winter. One Mini football team, and various groups using the floodlit facility on an ad hoc basis.

In the summer Rush Hockey, Rounders, Cricket and Football are played by young people at the MUGA and grassed area at the village. All of the above is encouraged by local adult volunteers from the community.

Other groups

Area East has a variety of other youth groups including church based youth groups, uniformed groups (Scouts, Guides, Cadets etc). A small amount of support has been given to a number of these groups in the past however many are part of national organisations with developed support structures.

SSDC Young People's Officer – Steve Barnes

The support that is given by the Young People Officer includes small grants of up to £500 through the Youth Development Fund, advice on start up and examples of standard documents including Model Constitutions, Health & Safety Statement, Accident Reporting records, Model Child Protection Policy Parental consent forms.

The Young People Officer can arrange for youth group volunteers to be checked through the Disclosure and Barring service. (Previously known as CRB check)

Following the continuing success of the Gold Star event, work begins on the 2015 event which will celebrate volunteering and reward local volunteers. There will be a call for nominations during the summer.

There is a distinct role for both specialist support and more generic local development work. The Young People's Officer works closely with Area Development Staff and in particular the Neighbourhood Development Officer. This ensures that local groups and organisations delivering youth provision benefit from the external support, funding, good practice and advice.

The Youth Opportunities Group

The Youth Opportunities Group is a multi-agency group meeting quarterly to make sure that youth work is provided in a coordinated way across the area. Key partners include Somerset

County Council, Somerset Rural Youth Project, Avon and Somerset Police, Local Community Learning Partnerships.

Training & Development

Training for voluntary youth groups is offered during the year. Recent courses include; First Aid, Food Hygiene level 2 and Introduction to child protection.

National Citizenship Scheme

The National Citizenship Scheme gives young people in years 11 and 12 the opportunity to develop confidence, leadership skills and independence. The scheme consists of a four week programme during the summer holidays part of which is residential. There are three distinct elements:

- Challenging activities including climbing, coast steering, abseiling etc
- Skills development eg. Budgeting, project management, time management etc
- Community project eg. Environmental improvement or organising community events.

The scheme is run by Somerset Rural Youth Project. Further information is available at www.sryp.co.uk or www.ncsyas.co.uk .

Financial Implications

There are no new financial implications as a result of the report.

Corporate Priority Implications

Supporting work to maintain and improve youth activities and facilities makes a significant contribution towards the corporate plan by:

- Improving the health and well-being of our citizens
- Ensuring safe, sustainable and cohesive communities

Carbon Emissions & Climate Change Implications

- Providing access to good quality, local activities reduces the need to travel which therefore reduces carbon emissions.

Agenda Item 12

Work Hubs (Executive Decision)

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

Purpose of the Report

To seek Members support to allocate funds to support the development of a work hub in Area East

Public Interest

This complements our work to encourage viable and growing businesses in the villages and market towns in Area East and thereby increases the potential for more local job creation and employment opportunities

Recommendations:

- (1) To allocate £8,000 from the Members Discretionary Budget ring fenced to support the development of work hubs in Area East, pending the bringing back of a worked up proposal to the Committee in June 2015.

Background

Members will be aware of ongoing work to support businesses particularly in town centres through schemes like the Retail Support Initiative. Preliminary discussions on preferred premises for a retail incubator scheme are held pending the outcome of negotiations by a commercial end user (expansion for an existing business) on those premises.

In parallel with this, visits were undertaken at the end of last year to business hubs in Wells, Frome and Langport, with a view to developing a proposal for the vacant office space at Churchfield. This is part of a wider, corporate look at how we support micro and small businesses, by the provision of office space, with good broadband speeds and other support services to help them to develop and expand into successful businesses.

The Frome business hub is highly regarded and generally considered to be a good model opening in 2007 it was the first shared co-working space to be created outside of London. It was full within 4 months of opening and has remained at full occupancy since. A major expansion took place at the end of last year more than doubling the size of the Frome hub to 14,00sq ft. It offers flexible 'easy in, easy out' terms. The space comprises a mix of hot desks within open plan office space, work pods (100 sq. ft. with own door) and studio offices that are modular and available in multiples of 200 sq. ft. Drive, flexibility, altruistic approach, town centre location and vibrant atmosphere are some of the successful ingredients of the Frome hub

Progress Update

For a variety of reasons the Churchfield accommodation is not a suitable venue from which to promote a work hub, but very early stage discussions have commenced about the development of work hub on another site. Whilst initial discussions, conducted confidentially, are encouraging, at this stage it would be premature to anticipate whether this scheme will

come to fruition. Some interim measures, such as the provision of one or more bookable computers, available to businesses, within Churchfield or other public buildings is also being investigated.

Members are asked to prioritise work to develop a work hub in town centre locations to maximise accessibility as follows:

1. Wincanton
2. Castle Cary
3. Bruton
4. Rural settlements

Depending on the detail of the scheme brought forward, it may be eligible for grant assistance through the LEADER programme, due to be launched in June 2015, or other Local Enterprise Partnership (LEP) promoted funding such as European Agricultural Fund for Rural Development (EAFRD). Details of whether timescales will be compatible and how to bid for these funding streams is awaited.

In the meantime it is felt important to maintain impetus and Members are asked to demonstrate their commitment to bringing forward a scheme locally, through a seedcorn funding allocation.

There is an unallocated balance of £8,000 in the Members Discretionary budget. As a first step, it is recommended that Members ring-fence this sum for the development of work hubs, pending consideration of a worked up proposal for this funding. This proposal could include offering businesses a 'hot desk' with computer access. By offering this low cost flexible solution it may also help us to assess potential demand locally for such provision. In addition to the allocation requested from Area East Committee, officers will look at the possibility of other area and corporate funding sources depending on the detail of the emerging scheme.

Financial Implications

The Members Discretionary budget is a revenue budget with an unallocated balance of £8,000. If the recommendation is supported the 2014/15 budget will be fully allocated

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: none

Agenda Item 13

Marketing

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

Purpose of the Report

To update Members about ongoing work to market Area East

Public Interest

To promote and market the Area as a destination for visitors and businesses

Recommendation:

To note and comment on the report

Background

Several key strands of works have been developed over the last two/three years with implementation or progression of these happening during 2014, these included:

‘Relocate’ Brochure – This full colour brochure was published last August. It was aimed at promoting the lifestyle and business development opportunities within the area to businesses interested in relocating. Contributors included successful local businesses. Circulation, mainly as a PDF included Chamber networks (including the locally based groups), Town Councils, national specialist press such as Regen & Renewal magazine, local + national press, Trade & Industry Federation. It was also available on the Business Property Network website.

Business Property Network website – The aim of this initiative was to improve the marketing of available business property within Area East to interested businesses and inward investors. The emphasis was SSDC providing the content for the ‘lifestyle’ and business advocacy parts of the website and signposting to land/premises availability but with partnership agreement with Business Property Network for website development and to:

- Generate awareness of available business land and premises
- Attract enquiries from investors and businesses wishing to re-locate to, or within Area East

Measures for the success of this work would be:

- Website hits to the BPN site together with contacts for follow-up
- Land/business premises in area available during period
- Click through numbers to linked sites

The lead in time to build confidence and attract business/premises owners was longer than anticipated with many preferring to retain light touch marketing or preserve arrangements with traditional estate agents.

The original allocation of £2,750 by Area East funded the set-up and one year of operation which came to an end last Autumn and has not been renewed

Market Town App'

All the towns in Area East are involved in the App' which has been promoted as Districtwide initiative through the Market Town Investment Group and actively supported by an Intern (who has now come to the end of her time with the District Council)

The free phone app includes

Homepage – A homepage with easier access to the nine participating towns .

Galleries – For displaying views of the town and local events.

Custom Carousel images – to allow it be tailored to each town, making it more personalised and visually appealing.

App Search – a search on each individual town, rather than linking through South Somerset ' – this makes it a lot easier for visitors to find.

Town Trails – the facility to include town walks.

The App was set-up so that there was local ownership of the initiative, this is generally through the Town Councils but in some cases the Business Associations are updating information.

As a result of the extensive promotion of the App by the District Council's Intern there was significant increase in use between April and December 2014

	April	December	% Increase
Downloads	393	1516	+286%
Active Users	47	148	+216%
Business listings	679	882	+30%

Financial implications

There are no new financial implications resulting from this report

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: none

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
8 April 15	6 monthly Streetscene Update	To provide an update of the service and the winter achievements.	Chris Cooper SSDC
8 April 15	Out turn report for the ADP (Area Development Plan)	To inform Members of progress on activities and projects contained within the ADP	Helen Rutter ADM
There will be no meeting of the Area East Committee during May 2015 due to the elections.			
10 June 15	Community Health & Leisure Service	Annual update on the service	Lynda Pincombe SSDC
10 June 15	Community Leisure & Grant applications	To consider any SSDC community grant applications	Tim Cook/ Pam Williams/ Steve Barnes
10 June 15	AE Community Capital Grant programme 2014/15	To give a summary of community projects and activities from across the area supported with grants during 2014/15	Tim Cook/ James Divall/Pam Williams SSDC
10 June 15	Appointment of members to outside bodies	Annual appointments report	Angie Cox SSDC
10 June 15	Development Control Scheme of Delegation – Nomination of Substitutes for Area East Chairman and Vice Chairman – 2014/15	To nominate two members to act as substitutes for the Chairman and Vice Chairman in their absence.	Martin Woods SSDC
10 Jun 15	Highways report	To update members on the total works programme and local road maintenance programme.	John Nicholson SCC

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
8 July 15	Buildings at Risk update	To update members	Adron Duckworth/ Andrew Tucker SSDC
8 July 15	<i>Police Authority</i>	<i>Overview of operational arrangements and policing issues relating to East - Future police provision</i>	<i>Avon & Somerset Constabulary</i>
8 July 15	Draft Area East Development Service Plan 2014/15	To note the draft AE Development Service Plan 2014/15	Helen Rutter ADM
8 July 15	Transport support for community and public transport and SSCAT	Annual report on corporate support for community and public transport and SSCAT Bus	Nigel Collins SSDC Andy Chilton – sscatringride@yahoo.co.uk

Agenda Item 15

AREA EAST COMMITTEE

11th March 2015

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**

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
Templecombe	14/02487/OUT	Erection of a house at Land adjacent to Lily Lane, Templecombe	Mr J Tizzard	Refusal	N/A

* Papers Attached

Financial Implications

None

Background Papers

Planning Application files

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 10.45am.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 10.35 am.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
17	CAMELOT	14/01958/FUL	Erection of 28 dwelling houses and 1 Commercial Unit	Longhazel Farm, High Street, Sparkford	Richard Mead
18	CAMELOT	14/05052/FUL	Residential development of 11 dwellings	Land Os 3432 (rear Of The Burrows) High Street Sparkford	Mr & Mrs Nigel Tucker
19	WINCANTON	14/05472/FUL	Construction of a 9.3 hectare solar park with associated works	Land At Sutor Farm West Of Moor Lane Wincanton	Elgin Energy Esco Ltd
20	NORTHSTONE	15/00407/DPO	Application to discharge a Section 106 Agreement	Land North Of Coombedene Coombe Hill Keinton Mandeville	Mr Eric Mackenzie
21	TOWER	15/00070/FUL	Variation of configuration of acoustic barrier	Land OS 2000 Riding Gate Riding Gate Stoke Trister	Ms J Josie
22	NORTHSTONE	14/02896/OUT	Residential development of land for up to six dwellings	Land North Of The Light House Barton Road Keinton Mandeville	Mr & Mrs Keith Budd
23	WINCANTON	15/00084/COU	Change of use of lower ground floor area of building	South Somerset District Council Churchfield Wincanton	SSDC Property Services

24	CARY	15/00372/CPO	Report In Relation To County Council Consultation In Relation To A Proposed Waste Transfer Station At Dimmer Landfill Site, Dimmer, Castle Cary (ref. 15/00372/CPO)		
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Further information about planning applications is shown below and at the beginning of the main agenda document.

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

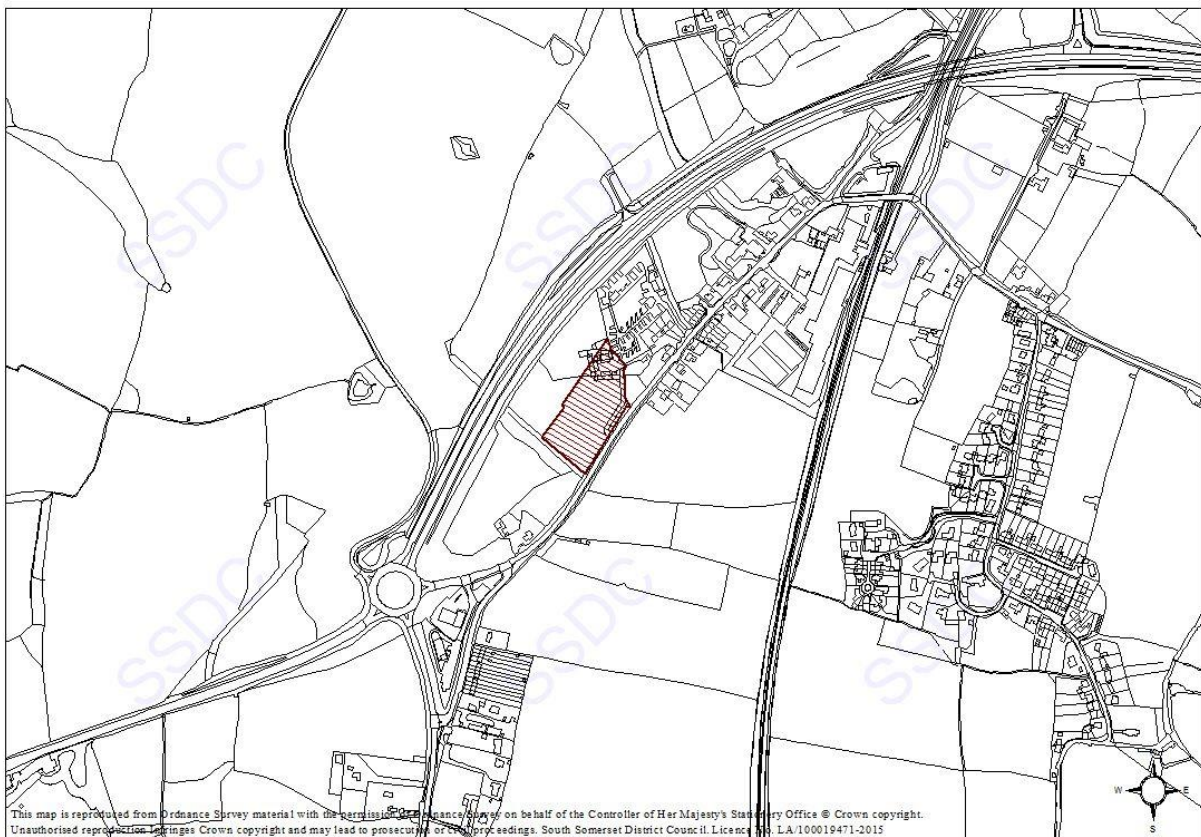
Officer Report on Planning Application: 14/01958/FUL

Proposal :	Erection of 28 No. dwellinghouses and 1 No. Commercial Unit all with associated highways and landscaping (GR:360155/126174)
Site Address:	Longhazel Farm High Street Sparkford
Parish:	Sparkford
CAMELOT Ward (SSDC Member)	Cllr Mike Lewis
Recommending Case Officer:	Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date :	1st August 2014
Applicant :	Richard Mead
Agent:	Mike Payne, Boon Brown, Motivo, Alvington, Yeovil, BA20 2FG
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the request of the Ward Member with the agreement of the Chair to enable the local issues raised to be debated.

SITE DESCRIPTION AND PROPOSAL





This level 1.16 hectare site comprises a residential barn conversion, the former yard of Long Hazel Dairy Farm , now in use as a motor vehicle upholstery business, a paddock and existing vehicular access. It is on the western edge of Sparkford village, on the northside of the A359. A 60m strip of the paddock would be retained in agricultural use to provide a buffer to the A303. To the east is the caravan park at Long Hazel Park, to the west and south is agricultural land. Immediately to the southwest is the original listed gate house that once served Hazelgrove House, c. 800m to the north and now severed from this historic entrance by the A303.

The proposal was originally for 31 dwellings and a commercial unit to re-house the existing business, however following concerns about the layout, design and setting of the listed gated house the scheme has been amended (016/01/15) the reposition the commercial unit and amended the design/layout, as a result the number of dwellings proposed has dropped to 28. The proposed landscaping has been amended (05/02/15) to address concerns raised by the landscape architect and the layout adjusted (06/02/15) to address issues raised by the police architectural liaison officer

The proposal comprises a mix of 2, 3 and 4 bedroom houses, including a replacement bungalow for the site owner, a new commercial unit for the relocation of the site owner's vehicle upholstery business and associated access arrangements. It is supported by:-

- Design and Access Statement
- Transport Statement
- Travel Plan
- Flood Risk Statement
- Ecology Survey
- Species Survey

RELEVANT HISTORY:

None relevant to this proposal; previous history relates historic agricultural use and diversification.

POLICY

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the saved policies of the South Somerset Local Plan 2006. On the 8th January 2015, South Somerset District Council received the Inspector's Report into the emerging South Somerset Local Plan (2006 – 2028). The conclusion of the report is that the local plan is 'sound', subject to a number of agreed modifications.

Under the terms of Paragraph 216 of the National Planning Policy Framework (NPPF) weight should be given to relevant policies in emerging plans according to "the stage of preparation" and therefore the emerging local plan must be given substantial weight in decision-taking and it is therefore essential that the development is considered against all relevant policies.

On this basis the following policies are considered relevant:-

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

SD1 - Sustainable Development

SS2 - Development in Rural Settlements

SS6 – Infrastructure Delivery

HG3 – Provision of Affordable Housing

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 – Provision of open space, outdoor playing space, sports, cultural and community facilities in new development

EQ2 - General Development

EQ3 - Historic Environment

EQ4 – Biodiversity

EQ5 – Green Infrastructure

EQ7 – Pollution Control

EP4 – Expansion of Existing Businesses in the Countryside

Saved Policies of the South Somerset Local Plan

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

ST10 - Planning Obligations

EC3 - Landscape Character

EC7 - Networks of Natural Habitats

EC8 - Protected Species

EH1 - Conservation Areas

EH5 - Development Proposals Affecting the Setting of Listed Buildings

EH8 - Historic Parks and Gardens

EH11 - Archaeological Sites of National Importance (Schedule Ancient Monuments)

EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological Sites

EP1 - Pollution and Noise

EP3 - Lighting
EU4 - Water Services
HG7 - Affordable Housing
TP7 - Car Parking
CR2 - Provision of Outdoor Playing Space and Amenity Space in New Development
CR3 - Off-Site Provision
CR4 - Provision of Amenity Open Space

National Planning Policy Framework

Part 1 - Building a strong, competitive economy
Part 4 - Promoting sustainable transport
Part 6 - Delivering a wide choice of high quality homes
Part 7 - Requiring good design
Part 8 - Promoting Healthy Communities
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

CONSULTATIONS

Sparkford Parish Council: initially did not formal state either support or objection, the following comments were provided:-

Several councillors questioned the need for more housing in Sparkford, given the approximately 50 new houses that have been built in the last 8 years, with the latest development on the Old Coal Yard due for completion soon, and the affordable housing need addressed by Yarlinton's Bennett Close project. Following the completion of the latter, the Parish Council has no stated housing need in Sparkford. Policy SS2 suggests that there should be identified housing need in Rural Settlements to justify development and supporting evidence included in an application, neither of which are apparent here. The Parish Council has always been aware that the site of this application is not the only land between the A303 and High Street and has been, and still is, concerned about the number of houses which could potentially be built here if all of the land were to gain residential planning permission.

Several concerns were raised about sustainability, in particular the provision of jobs, education, health care, and retail and leisure facilities in the local area. Sparkford does have a number of well-established business, but none that are actively recruiting in the sort of numbers which this proposed development would represent. The 2011 Census showed that in Sparkford 34% of the population were not in employment, 8% worked at home, 51% went to work in private motorised transport, 6% on foot or bicycle, and 1 person used the bus service.

There is no evidence that the Education Authority and the GP Health Centre have been consulted and confirmed their ability to absorb and if necessary fund the facilities for the extra population.

Retail and leisure facilities in Sparkford are limited and, as for most existing residents, are met by using cars to go to larger local towns like Wincanton and Yeovil. SS2 suggests that "evidence for a development being of a strong sustainable nature is particularly important to provide."

Very considerable concern was raised by councillors about the inability of the sewerage and rainwater drainage systems to cope with additional volumes, given the problems with both that already exist.

GGA Associates acknowledge that surface/roof water drainage from the site cannot be accommodated by soakaways. The ditch to the front of the site is a ditch in name only, does not flow anywhere, and once filled with rainwater overflows onto the A359. Their solution is to divert the outflow under the A359 and ultimately into the drainage ditch serving Ainstey Drive, Manor Close and Church Road (north west side). This ditch always overtops in moderate rainfall, flooding Church Road. Any additional volume would only exacerbate the situation unless Highways were to radically improve the culvert under Church Road.

Wessex Water acknowledge an existing sewage problem in Sparkford, leading to backing-up of household toilets in Church Road. The problem is exacerbated by the infiltration of ground water into the pipework after rain. Councillors believe that infrastructure work is urgently required to address this problem. The housing development at the Old Coal Yard will add to this problem when they are occupied in October 2014. Unless Wessex/Summerfield are proposing to enhance the sewerage system to cope with the additional volumes, the residents of Church Road will suffer further. Wessex Water has correctly identified that the pipework beside the site of this application has sufficient capacity, but not the shortcomings of the pipework between High Street and the treatment works.

Under a general heading of highways/traffic, it was difficult to reconcile the traffic flow figures presented by the TPA report and the ongoing SID figures for the detection devices installed periodically in the village by Somerset Highways. In general, TPA figures are lower than SID. However this may be explained by the ATC device being used by TPA being located on the National Speed Limit sections of the road, thus missing all traffic to and from the village via the Castle Cary Road and Sparkford Road. Excessive speed of traffic entering Sparkford on the A359/High Street, where this application site is, has been amply demonstrated by SID results and is the subject of ongoing discussions between the Parish Council and Highways.

There is no local authority school bus service to/from schools in the Cadburys, as suggested.

There is no continuous footpath from the site to Queen Camel (primary school; post office/shop; health centre), as suggested. The A359 has to be crossed twice, both within the national (60mph) speed limit area.

It was suggested that the SSDC Development Officer be asked if that part of the village could be made available for commercial/industrial use. Having lost the Old Coal Yard site, considered perfect for such use, to housing, the Parish Council would like an increase in employment units of all types, but needs a site. The site in this application, with its proximity to the A303/A359, would be ideal for warehousing/distribution or light industrial and commercial units. While there was support for the expansion of the established business on the site into new premises, there was disappointment that there are no other industrial/business units proposed, to balance the 31 houses.

It was subsequently clarified that:-

During the PC meeting there was no request for, nor proposal to, take a formal vote on supporting or objecting to the application.

The [four] councillors who already objected did so both on the general level (no identified need for housing in Sparkford; danger of opening the door for development of the rest of the land adjacent to the application; land suitable for

business/commercial use being approved for housing at the expense of local job creation, etc) and at the infrastructure (foul and surface water drainage inadequacies) level. Two more councillors have objected at the infrastructure level, one of them with further concerns at the domino effect (outlined above). I'm afraid that this makes it difficult to pin down an absolute majority view, but I think it would be fair to say that, at the very least, no one has put forward a case for this housing being needed in Sparkford, nor for any perceived benefits which 106 contributions might bring to the parish. The narrow focus of the latter on "Sport & Leisure" is considered perverse policy, particularly as there are much more pressing infrastructure problems to be attended to. Councillors are also well aware of planning policy and how this application does not appear to fit well within the SS2 guidelines.

There are seven councillors on Sparkford PC, with one having declared an interest as the landowner....which makes a total of 4 against on all levels, and 2 against at the infrastructure level.

County Highways: no objection subject conditions

Highways Agency – No objection

Planning Policy: originally commented that:-

Overall, the proposal is contrary to saved Policy ST3. However, on balance given Paragraph 14 of the NPPF, the advanced stage of the eLP, the fact that Sparkford has access to basic facilities such as a shop and pub and the scale of growth proposed appears consistent with eLP Policy SS2, if you can be satisfied that the proposal accords with other saved Local Plan policies and the requirements of eLP Policy SS2, then subject to no other consultee raising an objection which renders the proposal unacceptable, no planning policy objection is raised to the principle of development in this location.

Subsequently it is advised that:-

.... the South Somerset Local Plan 2006-2028 is proposed to be adopted on 5th March 2015 after which time Policy ST3 will no longer be saved. As such, the proposal should be assessed against Policy SS2 and the other adopted Local Plan policies.

Housing: requests 35% affordable housing based on a tenure split of 67/33 in favour of rented accommodation.

Climate Change Officer: cannot commend this application with the site layout as currently shown because it is evident that no consideration has been given to solar orientation or renewables.

Natural England – no objection subject to referral to standing advice and achieving biodiversity improvements.

Ecology: No objection, subject to safeguarding conditions

County Archaeology: notes that:-

Although there are currently no archaeological sites recorded within the boundaries of the application area, investigations to the southwest have identified a range of archaeological features. The proposal may therefore impact upon a heritage asset.

However, there is currently insufficient information contained within the application on the nature of any archaeological remains to properly assess their interest.

For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This should initially comprise a geophysical survey. Depending upon the results of this investigation, it may be necessary to carry out further trial trench evaluation as indicated in paragraph 128 of the National Planning Policy Framework.

Leisure Policy: Seek a contribution of £150,931 (equating to £5,390 per dwelling) towards the increased demand for outdoor playing space, sport and recreation facilities should the scheme be approved as follows:

- £138,346 for local facilities, to go towards enhancing off-site equipped play provision and youth facilities at Sparkford Playing Field and changing room provision at Sparkford Cricket Club and towards the enhancement of Sparkford Village Hall;
- £39,929 for strategic facilities, to go towards theatre provision and an indoor tennis centre in Yeovil, , artificial pitches and swimming pool provision in Wincanton and a new sports hall;
- £17,553 as a commuted sum towards local services;

Landscape Officer: no objection to amended scheme

Conservation Manager: initially raised concerns about the setting of the listed gate house to Hazelgrove House

Environmental Protection: no objections

Economic development officer: No objection.

Police Architectural Liaison Officer: No objection subject to suggested revisions.

Environment Agency – No objection subject to conditions

Wessex Water – No objection

REPRESENTATIONS

15 letters were received as a result of the initial consultations, 10 in support, with 3 objections and two raising concerns that should be addressed in any approval. The objections are on the grounds of:-

- There has been significant development in Sparkford in recent years
- Poor drainage
- No school or doctors surgery in the village
- Local infrastructure (schools and doctors) wouldn't cope.
- Insufficient jobs in village
- An estate in this edge of village location would be a step too far and is not needed
- Increased traffic , need for speed restrictions and a crossing point
- What would happen to the land behind?

The concerns raised are:-

- Plan appears include land owned by caravan park;

- Possible over looking to caravan park
- Impact on visibility for users of the caravan park should occupiers of new houses park on the main road
- Lack on continuous footpath along north side of High street
- Construction noise
- Any play space should be sited away from the caravan park

It is suggested that conditions could be imposed to address these issues.

Another local resident has experienced flooding from the site and hopes that the scheme will put in new highways drains that will prevent reoccurrence.

The supporters cite:-

- Good to see a thriving business grow
- Proposed scheme will help support local firm
- Well thought out application
- Options to introduce traffic calming
- Will benefit current and future generations
- Plenty of job opportunities in and around Sparkford
- New homes will encourage staff of existing to move to Sparkford
- Provision of affordable housing could enable to me to move to Sparkford and save the daily commute
- Occupiers of the homes will support local services
- Well related by development area with no adverse impact
- Meets community sustainability/house supply objectives, in particular first time buyers and expanding families
- Secure immediate and long terms future for village

In response to the amended plans the owners of the caravan park has confirmed that the plans have now been revised to omit their land.

CONSIDERATIONS

Principle

Whilst the site is located outside the development area of Sparkford as defined by the 2006 local plan policy SS2 is now to be given significant weight given the highly advanced stage of the local plan. This policy supports modest developments in rural settlements that have access to key services, where they bring forward employment opportunities or enhancements to communities facilities or meet an identified housing need. Such schemes should be commensurate with the scale and character of the settlement and generally have the support of the community.

Policy EP4 allows for appropriately scaled expansion of established rural businesses subject to consideration of the impacts. Whilst this policy seeks to contain expansion to the curtilage area, in this instance the proposal is for a mixed use development with a rural settlement where policy SS2 also applies.

Sparkford has access to a range of day to day facilities including a convenience store at the A303 services , a church, a village hall, a public house and recreation facilities. Furthermore there are good local employment opportunities at the Haynes site and other local commercial sites. On this basis it is considered that Sparkford is a sustainable location for a development of this size, which would not be out of scale with the settlement.

Local concerns have been raised with regard to possible cumulative impacts of the proposal with others recently approved at the former coal yard and at the affordable housing exception site. These have been approved under the previous policy regime and are not considered to be an inappropriate level of growth for a sustainable rural settlement such as Sparkford, which benefits from better than average transport links (A303/A359) and is well served by employment opportunities. In such circumstances policy SS2 allows for higher levels of growth. On this basis when considered cumulatively with previous development it is not considered that the current proposal is excessive, for out of character with Sparkford.

The scheme would bring forward employment opportunities with the expansion of the Piper's site, it would enable the provision of enhanced communities facilities through the requested sports, arts and leisure obligations and would deliver a mix of affordable and open market housing that would contribute toward both local and district wide need.

On this basis it is considered that the proposed development broadly accords with the requirements of policies SS2 and EP4 of the 2006-2028 local plan and the objectives of the National Planning Policy Framework for sustainable development. It is therefore acceptable in principle, subject to consideration of the detail.

Impact on local landscape and visual amenity:

The Landscape Officer and Conservation Manager have expressed some reservations about the layout of the development and the relationship with the listed gate house. The applicant has amended the scheme in response to the issued raised and as a result these objections have been withdrawn. The proposal, as amended, relaxes the development and introduces a better layout with improved parking and amenity space for future residents. The commercial building has been moved back on the site to create an open landscaped area as a visual buffer to what would inevitably be a large building and service area.

In terms of the density, general layout and house design there are no specific concerns. The layout makes good use of the site and includes a range of house sizes from the smaller two-bedroom houses terraces and pairs to a mix of detached and semi-detached three and four bedroom houses. The palette of materials includes brick, reconstituted stone and render with tiled roofs. Overall the general design would not be at odds with existing development in the locality.

Conditions are recommended to ensure that appropriate material details are agreed and that the submitted landscape plan is adhered to. On this basis it is considered that the proposal would comply with policies EQ2 and EQ5 of the local plan.

Impact upon historic assets

The conservation manager is satisfied that the revised layout would safeguard the setting of the listed gate house to Hazelgrove House as required by policy EQ3. Whilst the County Archaeologist has asked for additional details prior to the determination of the application, she notes that there are no identified archaeological sites on this site. A geophysical survey is suggested, followed, if necessary by an exploratory trial trench evaluation. It is considered that this could reasonably be required by condition. Should anything be found the applicant would have to agree a way forward with the archaeologists to ensure compliance with policy EQ3.

Residential Amenity

Concerns have been raised by the caravan site owners about possible loss of privacy from

upper windows to plots 13-15. These plots would be c. 8m from the eastern boundary. It is not considered that this would be unreasonably close to the nearest pitches on the caravan site, given the opportunity to provide boundary screening and the separation that exists between pitches on the caravan site.

There are no concerns with regard to the amenities of any existing residential properties and it is considered that the proposed layout would provide for adequate amenities for future occupiers. A construction management condition could be imposed to minimise the impact of the construction phase.

With regard to the commercial building, it is proposed that this would be used by the existing vehicle upholstery business. It is not considered that would be incompatible with the proposed houses and a condition could ensure the use is limited to this activity or other uses within the B1/B8 use classes which would also be acceptable in proximity to residential properties.

On this basis the proposal complies with the requirements of policy EQ2.

Highway Safety

The highway authority has raised no concerns about the proposed access arrangements or any impacts on the wider highways network. Whilst there is a degree of local concerns about the possibility of parking on the High Street, the proposal provides sufficient on this parking to meet the County's standards. It would not be reasonable therefore to presume that future residents would park on the main road. If this happens and proves to be a problem there is other, highways legislation to address the situation.

On this basis, and subject to the conditions suggested by the highways authority it is considered that the proposal complies with policies TA5 and TA6.

Other Issues

No substantive ecology or drainage concerns have been identified as part of this proposal which could not be satisfactorily addressed by way of planning conditions. With regard to the parish council's comments the following observations are offered:-

- Whilst the county education authority have not commented, it is noted from the latest Somerset School Organisation Plan there is capacity at the primary schools in North Cadbury and Queen Camel in the coming years. Confirmation of this has been sought and will be reported to the committee.
- No issues with GP health care have been identified
- It is accepted that in Rural Settlements retail trips for anything other than convenience shopping in the local store will be by car; indeed most leisure trips will also be car dependent. It is not considered that this justifies resisting modest levels of development in rural settlements which have at least a basic range of services. This reflects the thrust of policy SS2 which would also support appropriate levels of commercial growth should a suitable site come forward in the village.

Planning Obligations

The proposed development will result in an increased demand for outdoor play space, sport and recreation facilities and in accordance with policies HW1 an off-site contribution towards the provision and maintenance of these facilities is requested of £5,390 per dwelling (equating to an overall total of £150,931)

The applicant has raised no objection to making these contributions and has also agreed to the request for 35% of the houses to be affordable as requested by the housing officer. Provided these requirements are secured through the prior completion of a Section 106 agreement the application is considered to comply with policies SS6, HW1 and HG3 and the aims of the NPPF.

Conclusion:

The site is considered to be in a sustainable with access to a range of day to day services and facilities. The proposal does not give rise to any cumulative related concerns when considered alongside development already permitted within the locality and the applicant has agreed to the provision of affordable housing and paying the appropriate contributions, as such the development is considered to be acceptable in principle.

No adverse impacts on the setting of the nearby heritage assets, landscape, ecology, drainage or residential amenity have been identified that justify withholding planning permission. On this basis the proposal is considered to be an acceptable form of development that accords with the policies of the Local Plan, and the aims and provisions of the NPPF.

RECOMMENDATION

That application reference 14/01958/FUL be approved subject to the prior completion of a section 106 planning agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to secure:-

- (a) A contribution of £150,931 (£5,390 per dwelling) towards offsite recreational infrastructure, to the satisfaction of the Assistant Director (Wellbeing) broken down as:
 - £138,346 for local facilities, to go towards enhancing off-site equipped play provision and youth facilities at Sparkford Playing Field and changing room provision at Sparkford Cricket Club and towards the enhancement of Sparkford Village Hall;
 - £39,929 for strategic facilities, to go towards theatre provision and an indoor tennis centre in Yeovil, , artificial pitches and swimming pool provision in Wincanton and a new sports hall;
 - £17,553 as a commuted sum towards local services;
- (b) At least 35% of the dwellings as affordable dwellings of a tenure that is acceptable to the Corporate Strategic Housing Manager.

and the following conditions.

Justification:

Notwithstanding the local concerns, by reason of the range of services and facilities to be found in the locality this is considered to be a sustainable location in principle for appropriate development. The erection of 28 dwellings and a commercial unit would provide employment opportunities, make provision for enhancements to community facilities and would contribute to the supply of local housing without undue impacts in terms of landscape, residential amenity, ecology, drainage or highway safety impacts and would respect the setting of nearby heritage assets. As such the proposal accords with the policies of the South Somerset Local Plan 2006 - 2028 and the provisions of the National Planning Policy Framework.

Subject to the following conditions:

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 (except where directed otherwise by the conditions below):

- Site location plan – 2878/110A received 28/01/15
- Proposed layout – 2878/100 C received 06/02/15
- Landscape proposal - 633-01B received 05/02/15
- drawing numbers 2878/101B; 2878/102B; 2878/103B; 2878/104B; 2878/105B; 2878/106B; 2878/108A; 2878/109A; 2878/111A; 2878/112A; 2878/113A; 2878/114A; 2878/115A; 2878/116A; 2878/117A; 2878/118A; 2878/119A; 2878/120A; 2878/122A received 16/01/15.

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

03. No development hereby approved shall be carried out unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority;

- a) materials (including the provision of samples where appropriate) to be used for all external walls and roofs;
- b) details of the design, materials and external finish for all external doors, windows, boarding, openings and lintels;
- c) details of all roof eaves, verges and abutments and all new guttering, down pipes and other rainwater goods, and external plumbing;
- d) details of all hard surfacing and boundary treatments.

Once approved such details shall be implemented as part of the development unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

04. Before any of the development hereby permitted is commenced details of the internal ground floor levels of the dwellings to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the agreed details.

Reason: In the interest of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

05. The development shall be carried out in accordance with the landscaping shown on drawing 633/01B. All planting, seeding, turfing or earth moulding shown on this approved plan shall be carried out in the first planting and seeding season following the completion of the relevant part development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season

with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the rural character of the area and for the conservation of biodiversity to accord with policies EQ2 and EQ5 of the South Somerset Local Plan 2006-2028.

06. 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 operation hours, construction vehicular routes to and from site, construction delivery hours, car parking for contractors and specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. Once approved the development shall be carried out in accordance with the approved Construction Management Plan.

Reason: To safeguard the amenities of the locality in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

07. No development hereby approved shall commence until a detailed surface water drainage scheme for the site, generally in accordance with the submitted Flood Risk Assessment by Gary Gabriel Associates has been submitted to and approved in writing by the local planning authority. Such scheme shall include measure to prevent the run-off of surface water from private plots onto the highways. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Reason: To ensure the development is properly drained in accordance with policy EQ1 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework

08. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed.

Reason: To ensure the development is properly drained in accordance with policy EQ1 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework

09. No removal of any hedge (or part thereof) shall be undertaken until a Method Statement detailing precautionary measures for the avoidance of harm to dormice has been submitted to and approved in writing by the local planning authority. All hedge removal shall be undertaken in full accordance with the approved Method Statement unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with policy EQ4 of the South Somerset local Plan 2006-2028.

10. No removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, ivy or other climbing plants) nor works to or demolition of buildings or structures that may be used by nesting birds, shall be carried out between 1st March and 31st August inclusive in any year, unless previously checked by a competent person for the presence of nesting birds. If nests are encountered, the nests and

eggs or birds, must not be disturbed until all young have left the nest.

Reason: For the conservation and protection of species of biodiversity importance in accordance with policy EQ4 of the South Somerset local Plan 2006-2028.

11. Prior to the commencement of the dwellings hereby approved details of measures for the enhancement of biodiversity shall be 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 conservation and protection of species of biodiversity importance in accordance with policy EQ4 of the South Somerset local Plan 2006-2028.

12. The proposed access shall be constructed in accordance with details shown on the submitted plan, drawing number Transport Statement Figure 3.1, and shall be available for use before any commencement on site. Once constructed the access shall be maintained thereafter in that condition at all times.

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

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

Reason: In the interests of highways safety and to safeguard the visual amenities of the locality in accordance with policies EQ2 and TA5 of the South Somerset Local Plan 2006-2028.

14. 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 highways safety in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

15. The areas allocated for parking and turning on the submitted plan, drawing number 2872/100C, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highways safety and to safeguard the residential amenities of the locality in accordance with policies EQ2, TA5 and TA6 of the South Somerset Local Plan 2006-2028.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the use of any garage hereby permitted, as part of this development shall not be used

other than for the parking of domestic vehicles and not further ancillary residential accommodation, business use or any other purpose whatsoever.

Reason: In the interests of highways safety and to ensure that adequate parking provision is maintained in accordance with policies TA5 and TA6 of the South Somerset Local Plan 2006-2028.

17. All the recommendations of the Approved Travel Plan shall be implemented in accordance with the timetable therein. Thereafter the development shall operate the Approved Travel Plan or any variation of the Travel Plan agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable development in accordance with the provisions of the National Planning Policy Framework

18. At the proposed access there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plan, drawing number Transport Statement Figure 3.1. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

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

19. The commercial building hereby approved shall only be used for purposes of a vehicle upholstery business or for uses falling within B1 or B8 of the Use Classes Order.

Reason: In the interests of residential amenity in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

Agenda Item 18

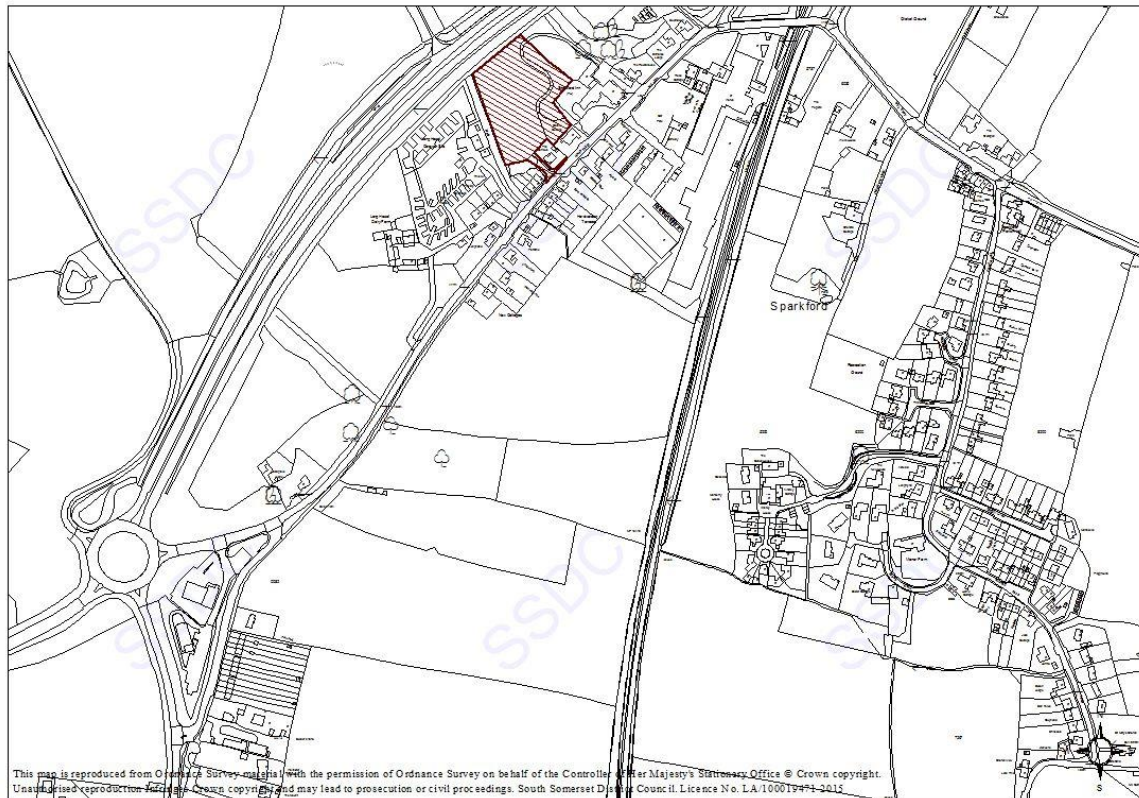
Officer Report on Planning Application: 14/05052/FUL

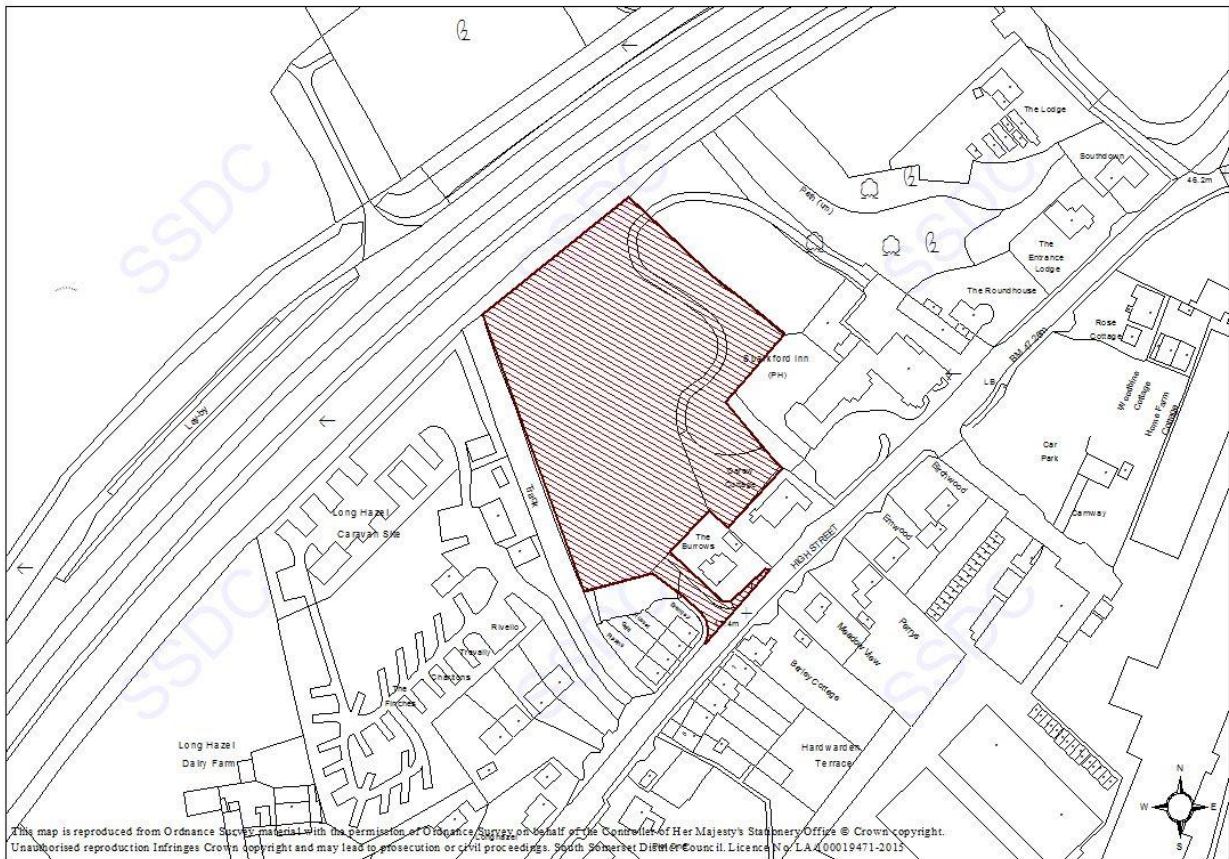
Proposal :	Residential development of 11 dwellings (GR: 360265/126329)
Site Address:	Land Os 3432 (rear Of The Burrows) High Street Sparkford
Parish:	Sparkford
CAMELOT Ward (SSDC Member)	Cllr M. Lewis
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	10th February 2015
Applicant :	Mr & Mrs Nigel Tucker
Agent: (no agent if blank)	Mr Stuart Sinclair Seymour Studios, Bratton Seymour, Wincanton, BA9 8BY
Application Type :	Major Dwlg 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

At the time of the agenda deadline and when the application was advertised locally, the recommendation to approve the proposal represented a departure from the adopted development plan in terms of saved policy ST3 of the local plan. However, at the time of writing the emerging local plan must be given substantial weight in decision-taking and, indeed, by the date of the committee it is anticipated that the emerging local plan may be formally adopted and therefore form the development plan against which decisions should be taken. The application is therefore at the committee to allow the application to be assessed against the policies of the emerging local plan, which at the very least must be afforded substantial weight.

SITE DESCRIPTION AND PROPOSAL





This application seeks permission for the residential development of land for 11 dwellings. The site consists of a broadly flat agricultural field laid to grass, with an area of conifer trees to the north east. The boundaries are for the most part heavily vegetated. The site is bounded by a variety of residential properties and a public house to the south, with open land to the east, the A303 trunk road to the north, and a caravan park and various residential properties to the west. The site is not with a development area as defined by the local plan.

It is proposed to provide vehicular access to the site through the southern boundary of the site, making use of an existing vehicular access onto the High Street.

The proposed layout is for the provision of 11 dwellings set a round a central cul-de-sac. It is proposed to provide a semi-detached pair and a terrace of four two-storey dwellings at the southern end of the site, with the provision of 2 detached bungalows and 3 detached two-storey houses at the northern end of the site.

The application is supported by:

- Design and Access Statement
- Flood Risk Assessment
- Noise Impact Report
- Extended Phase 1 Habitat Survey
- Various plans and elevations

RELEVANT HISTORY

On the application site:

15/00928/EIASS - Residential development of 11 dwellings - EIA not required 26/02/2015

14/02556/FUL - Residential development of 11 dwellings - Application withdrawn 11/09/2014

97/00005/REF - Residential development of land and formation of vehicular access - Appeal dismissed 13/05/1997

95/02676/OUT - Residential development of land and formation of vehicular access - Application refused 11/01/1996

POLICY

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the saved policies of the South Somerset Local Plan 2006. On the 8th January 2015, South Somerset District Council received the Inspector's Report into the emerging South Somerset Local Plan (2006 - 2028). The conclusion of the report is that the local plan is 'sound', subject to a number of agreed modifications.

Under the terms of Paragraph 216 of the National Planning Policy Framework (NPPF) weight should be given to relevant policies in emerging plans according to "the stage of preparation" and therefore the emerging local plan must be given substantial weight in decision-taking and it is therefore essential that the development is considered against all relevant policies.

On this basis the following policies are considered relevant:-

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

Policy SD1 - Sustainable Development
Policy SS1 - Settlement Strategy
Policy SS2 - Development in Rural Settlements
Policy TA5 - Transport Impacts of New Development
Policy TA6 - Parking Standards
Policy EQ1 – Addressing Climate Change in South Somerset
Policy EQ2 - General Development

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

ST3 - Development Area
ST5 - General Principles of Development
ST6 - The Quality of Development
ST9 - Crime Prevention
ST10 - Planning Obligations
EC3 - Landscape Character
EC8 - Protected Species
EU4 - Drainage
TP1 - New Development and Pedestrian Movement
TP4 - Road Design
TP7 - Car Parking

National Planning Policy Framework

Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design

CONSULTATIONS

Sparkford Parish Council - Does not specifically object to the application, but notes local concerns in regard to highway safety at the point of access between the site and the High Street, drainage issues (in particular sewage/sewerage, and whether the site is unsuitable for development because of noise from the A303.

County Highway Authority - Initially raised several concerns. On the receipt of the amended plans in draft, and prior to formal consultation, they had the following comments to make:

They sought confirmation as to ownership and highlighted the requirements for formal adoption. They suggested that a 2 metre margin should be added to the proposed turning arms and highlighted the required space in front of garage doors. They requested details of any landscaping on or directly adjacent to the proposed highway. They stated that the submitted flood risk assessment is still under review. They stated that all of these points needed to be addressed but that none would constitute a reason for refusal. They stated that the proposed level of parking is acceptable, with the proposed 41 spaces being a slight overprovision, but not an unacceptable overprovision given the need for visitor parking. They summarised by stating that the highway authority has no objection subject to conditions to control:

- Details of the estate roads etc.
- The provision and maintenance of the proposed parking arrangements
- Details of the surface of the proposed access
- That each dwelling is properly served by footpath and carriageway prior to occupation
- Appropriate drainage details

The final position of the highway authority can be confirmed as an update to committee if any different to the above.

Police Crime Prevention Design Advisor - Notes proposal for rear parking court behind to the rear of the terraced units. He states that these are known crime generators and suggest it would be better located to the front of the dwellings to allow natural surveillance.

SSDC Landscape Architect - Notes that whilst the site lies outside the development footprint of the village, it is an area of limited visual profile due to it lying between the developed frontage of the High Street, and the tree-planted edge of the A303 road corridor. As such, he concludes that the landscape and visual impact of development here would be minimal, and argues that if the proposal accords with emerging policy SS2, then there is no substantive landscape case to tell against the principle of development here. He goes on to criticise the design of the proposed dwellings, but advises consulting with the SSDC Conservation Manager in this regard.

SSDC Conservation Manager [Verbal] - No objections. He considers the proposed design to be in line with extensive pre-application discussions.

SSDC Community, Health and Leisure - Requests a contribution towards:

- Local facilities of £54,350, divided as:
 - £9,504 towards equipped play space at Sparkford Playing Field
 - £1,866 towards youth facilities at Sparkford Playing Field
 - £8,901 towards changing rooms at Sparkford Cricket Club
 - £17,039 towards Sparkford Village Hall
- Strategic facilities of £15,686, divided as:

- £3,459 towards the Octagon Theatre in Yeovil
- £888 towards Artificial Grass Pitch provision in Wincanton
- £2,023 towards the provisions of a learner pool at Wincanton Sports Centre
- £2,619 towards a new indoor tennis centre in Yeovil
- £6,698 towards the development of a centrally based 8 court district wide competition sports hall
- Commuted sums of £6,896, divided as:
 - £5,490 towards marinating the play area as Sparkford Playing Field
 - £690 towards marinating the youth facilities at Sparkford Playing Field
 - £716 towards maintaining the changing rooms at Sparkford Cricket Club

This would be total contribution of £59,893 (£5,445 per dwelling).

They did also ask for a monitoring fee £599, but due to recent case law this fee can no longer be requested.

SSDC Ecologist - No objections subject to conditions to protect slow worms and nesting birds.

Highways Agency - No objections

Wessex Water - Notes that new water supply and waste water connects will be required from Wessex Water to serve the proposed development and advise as to how the developer can achieve this. They state that no building will be permitted within the statutory easement width of 3 metres from a public sewer pipeline without agreement from Wessex Water. They suggest that separate systems of drainage will be required to serve the proposed development and that no surface water connections will be permitted to the foul sewer system.

SSDC Environmental Protection Unit - Notes that road traffic noise from the A303 is a major consideration. He notes the submitted survey indicates that mitigation measures would be required in order to protect future residents from the effect of road traffic noise. He states that this concern is reflected in the proposed design and layout, to such an extent that he judges the most sensitive living spaces are likely to be protected against the worst effects of noise. He notes that the external spaces are likely to be subject to average noise levels marginally above the World Health Organisation recommended levels. He recommends that a condition is imposed on any permission to secure the installation of an acoustic barrier along the site boundary towards the A303.

SCC Archaeology - Notes the possible presence of archaeological features on site, but confirms that in this particular case the archaeological issues on the site can be dealt with through the use of a condition. He suggests the appropriate wording for such a condition.

REPRESENTATIONS

Letters of objection have been received from the occupiers of 4 properties in Sparkford. Objections were raised on the following grounds:

- The proposal would spoil the objector's rural views and tranquil rural locality.
- The level of development in Sparkford recently has been excessive and therefore any new-build project should be rejected.
- The proposal will overlook the rear of the objector's house and their garden. The proposed planting screen will remove sunlight.
- The proposed screening is not appropriate, being deciduous, and should be looked

at again.

- The proposal will overlook the caravan site and intrude on their privacy.
- The proposal will cause disturbance during construction and subsequently.
- The proposal could exacerbate existing drainage difficulties.
- The proposal would have an adverse impact on local wildlife, and the submitted habitat survey is not accurate.
- The infrastructure of Sparkford cannot support more houses, for example, the sewers are at capacity and the schools overloaded.
- The traffic impacts of the proposed development will be adverse and exacerbate existing problems in the village.
- The access is not safe due to poor visibility.
- Concern that there will be an impact in terms of noise, damage, and inconvenience on the existing car park area to the rear of the objector's property.
- The proposal should be checked and enforced for quality to ensure there is not a wider impact on the village.
- Traffic noise from the A303 is continuous and increased by echoing.
- The developer should consider tarmacking the existing gravelled car park and transferring it to the existing owners at no expense to them.
- The density of the proposed development would be overbearing, out-of-scale and out of character with existing development in the vicinity.

CONSIDERATIONS

The main areas of consideration are considered to be:

- Principle of Development
- Highways
- Visual Amenity
- Residential Amenity
- Planning Obligations

Principle of Development

Concerns have been raised as to the principle of development, specifically as to the amount of development that has been carried out in the village in recent years which the objector has argued to have been excessive.

The site is located outside the development area defined by the current local and is therefore contrary to policy ST3. However, as stated above, the emerging local plan is at an advanced stage and the scheme should be considered against its policies. In this case the policy of most relevance is policy SS2, which deals with development in rural settlements, and in particular settlements containing two or more key services. Sparkford falls within this category. Policy SS2 allows for development in rural settlements, but controls and limits it "...to that which:

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

In this case the proposal provides houses towards the district wide identified need for housing. More importantly however, the applicants have agreed to pay a contribution towards community, health, and leisure facilities including a contribution of £61,246 to be spent locally. As such, the proposal is considered to enhance community facilities and to therefore comply with emerging plan policy SS2.

Notwithstanding local concerns in relation to principle, it is therefore considered that the principle of the proposed residential development of this site is acceptable and the application therefore falls to be determined on the basis of its impacts.

Highways

Concerns have been raised by neighbouring occupiers regarding the potential impact of the proposed development on the surrounding highway network, in regard to traffic generation and highway safety. The concerns regarding the potential impact relating to highway matters are multiple and various.

The county highway authority was consulted as to these impacts and all highway aspects relating to the development. They have assessed the impact of the proposal. They have concluded that there is no traffic impact grounds for a recommendation of refusal, subject to the imposition of certain conditions on any permission issued.

Accordingly, whilst local concerns are noted, it is considered that the proposed access arrangements and local highway network are capable of accommodating the traffic generated by the development without detriment to highway safety. As such the proposal complies with saved policies ST5, TP1 and TP4 of the local plan, and emerging local plan policies TA5, TA6, and EQ2.

Visual Amenity

Concerns have been raised regarding the impact of the proposal on the rural character of the area. The SSDC Landscape Architect was consulted as to the visual impacts of the scheme. He noted that whilst the site lies outside the development footprint of the village, it is an area of limited visual profile due to it laying between the developed frontage of the High Street, and the tree-planted edge of the A303 road corridor. As such, he concludes that the landscape and visual impact of development here would be minimal, and argues that if the proposal accords with emerging policy SS2, then there is no substantive landscape case to tell against the principle of development here. He did raise some concerns with design of the proposed dwellings, but advised consulting with the SSDC Conservation Manager in this regard. The SSDC Conservation Manager advised that he was content with the proposed design and that it accorded with the extensive pre-application discussions that had been carried out.

A neighbour has raised a specific concern with the proposed density, suggesting that it will be very high and entirely at odds with local character. However, at a density of approximately 12.64 dwellings per hectare the density is in fact very low and not at odds with the loose grain of the prevailing local character.

On this basis it is considered that the proposal complies with saved policies ST5, ST6 and EC3 of the local plan and emerging plan policy EQ2 and would not have such a harmful impact that permission should be withheld on the grounds of visual amenity. The various concerns of the neighbouring occupiers regarding the impact of any development on the visual amenity of the area have been considered but are not considered to outweigh the conclusions of the SSDC Landscape Architect and the SSDC Conservation Manager as to the visual impacts of the scheme.

Residential Amenity

Concerns have been raised by the occupiers of neighbouring properties regarding the potential impacts of the development on their residential amenity by way of loss of privacy

and outlook, and a general disturbance to the tranquillity of the area. However, it is considered that the proposal has been carefully designed to avoid any undue overlooking of neighbouring properties and, although there will be an inevitable increase in noise and disturbance through the development of a green field site, the distances involved are such in this case that it would not warrant refusal.

A concern has been raised that the proposed screening will effectively block sunlight from the objector's property. However, the screening referred to is to the north of adjoining properties and therefore unlikely to have a significant impact on daylight levels. Any trees that reach such a height as to cause a nuisance can be controlled through other legislation. A further concern has been raised that the screen is deciduous and therefore not appropriate for protecting privacy. However, such screening is not considered necessary to protect amenity in any case.

Therefore, notwithstanding the concerns of the neighbouring occupiers, it can be concluded that the proposed development will not cause demonstrable harm to the residential amenity of adjoining occupiers in accordance with saved policy ST6 of the South Somerset Local Plan and emerging plan policy EQ2.

Planning Obligations

A contribution of £59,893 (or £5,445 per dwelling) has been sought towards Sport, Art and Leisure. The requested contribution can be broken down as follows:

- Local facilities of £54,350, divided as:
 - £9,504 towards equipped play space at Sparkford Playing Field
 - £1,866 towards youth facilities at Sparkford Playing Field
 - £8,901 towards changing rooms at Sparkford Cricket Club
 - £17,039 towards Sparkford Village Hall
- Strategic facilities of £15,686, divided as:
 - £3,459 towards the Octagon Theatre in Yeovil
 - £888 towards Artificial Grass Pitch provision in Wincanton
 - £2,023 towards the provisions of a learner pool at Wincanton Sports Centre
 - £2,619 towards a new indoor tennis centre in Yeovil
 - £6,698 towards the development of a centrally based 8 court district wide competition sports hall
- Commuted sums of £6,896, divided as:
 - £5,490 towards marinating the play area at Sparkford Playing Field
 - £690 towards marinating the youth facilities at Sparkford Playing Field
 - £716 towards maintaining the changing rooms at Sparkford Cricket Club

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.

The applicant has agreed to these obligations, and the proposal would therefore comply with saved policies ST5, ST10, and CR2 of the local plan.

EIA

The requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 have been considered. A screening and scoping assessment was carried out in accordance with the regulations. The screening opinion issued by the LPA was that, given the nature of the site and the type of development proposed, the development will not have significant environmental effects and that no environmental statement is required for the purposes of environmental impact assessment.

Other Matters

Concerns have been raised regarding the adequacy of the local sewerage network. Wessex Water has raised no concerns in this regard.

A number of concerns have been raised regarding whether Sparkford has the necessary infrastructure and facilities to cope with the proposed development. Specific concerns were raised in relation to sewerage and schools. However, such concerns are not supported by technical consultees or service providers and, where necessary, details can be conditioned. When considered alongside recent approvals and other schemes currently under consideration in the locality, there is no evidence to suggest that the impacts on local infrastructure would be so significant as to warrant refusal of the scheme.

A neighbour has raised a concern regarding the loss of their rural views. However, the loss of a private view has been held not to carry significant weight as a material consideration within the planning process.

Concerns have been raised that the proposal could exacerbate existing local drainage details. However, no evidence has been forward to substantiate that there are local difficulties in relation to drainage. The site is not with an Environment Agency flood zone, and Wessex Water have not raised a concern in this regard. As such, it is considered that an appropriate drainage mechanism can be secured through the use of a condition on any permission issued.

Local concerns have been raised as to the impact of the proposal on local wildlife and there have been suggestions of inaccuracies in the submitted habitat survey. The SSDC Ecologist was consulted in this regard and concluded that there are no objections to the proposal subject to the imposition of suitable conditions on any permission.

A neighbour has raised a concern regarding the quality of the build, suggesting that any quality issues should be checked and enforced to ensure that there is not a wider impact on the village. Any permission would be subject to conditions to control the detailing of external materials, and the development would be subject to building regulations in terms of internal and external build quality. As such, this is not a planning matter that needs to be considered further here.

Concerns have been raised regarding the impact of traffic noise on the proposal from the nearby A303. The Highways Agency and the SSDC Environmental Protection Unit were consulted in this regard. They were satisfied that occupiers of the development would have a satisfactory level of amenity, provided that a suitable acoustic barrier is installed. It is considered that the details of such a barrier can be secured through an appropriate condition.

A neighbour has suggested than an existing gravel car park in the vicinity of the development should be tarmacked by the developer and given to local occupiers at no expense to them. However, this is not a matter that relates directly to the development under consideration and cannot be considered here.

The police architectural liaison officer has raised a concern with the proposed rear parking court included in the design, stating that rear parking courts are considered as potential crime generators and that there could be adequate space to the front of the relevant properties for the parking of vehicles. However, it is considered that to provide adequate parking to the front would compromise the design, and in any case there is considerable natural surveillance of the parking court in question.

Conclusion

Given the limited weight that can be given to saved policy ST3 of the local plan (2006) and the application's accordance with emerging plan policy SS2, it is considered that, in principle, it is a sustainable location for development. No adverse impacts on the landscape, ecology, drainage, residential amenity or highway safety have been identified that justify withholding planning permission and all matters of detail would be adequately controlled 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, ST9, ST10, EC3, EC8, EU4, TP1, TP4, and TP7 of the South Somerset Local Plan, emerging plan policies SD1, SS1, SS2, TA5, TA6, EQ1, and EQ2, and the aims and provisions of the NPPF. As such the application is recommended for approval.

RECOMMENDATION

That application reference 14/05052/FUL be approved subject to:-

a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-

- 1) Secure a contribution of £5,445 per dwelling towards the increased demand for outdoor playing space, sport and recreation facilities to the satisfaction of the Assistant Director (Wellbeing).

b) The following conditions:

Notwithstanding the local concerns, the provision of 11 houses in this location would contribute to the council's housing supply and would enhance community facilities and services to serve the settlement 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, emerging local plan policies, and the aims and objectives 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: TC1345/1d, TC1345/2d, TC1345/3d, TC1345/4b, TC1345/5b, TC1345/6, and TC1345/7b received 10 February 2015.

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

03. 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 and in the interests of highway safety and in accordance with saved policy ST5 of the local plan, and emerging plan policy TA5.

04. The development hereby permitted shall not be commenced until such time as details of an acoustic barrier in relation to road noise from the A303 has been submitted to and approved in writing by the Local Planning Authority (LPA).

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

Reason: To protect the residential amenity of future residents of the development hereby approved in accordance with saved policy ST6 of the local plan, and emerging plan policy EQ2.

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

Reason: In the interests of highway safety and in accordance with saved policy ST5 of the local plan, and emerging plan policy TA5.

06. The dwellings hereby permitted shall not be occupied until parking spaces as detailed on Drawing No TC1345/2d and in accordance with Somerset County Council parking standards have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with saved policy ST5 of the local plan, and emerging plan policy TA5.

07. The Development hereby permitted shall not be commenced, other than in relation to the provision of an access, until a properly consolidated and surfaced access has been constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety and in accordance with saved policy ST5 of the local plan, and emerging plan policy TA5.

08. The proposed internal layout, 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 saved policy ST5 of the local plan, and emerging plan policy TA5.

09. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: In the interests of protecting heritage assets and in accordance with paragraph 141 of the NPPF.

10. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a mitigation plan or method statement detailing measures to avoid harm to reptiles, has been submitted to and approved in writing by the local planning authority (unless a reptile-specific survey has been undertaken in accordance with current best practice and has confirmed the likely absence of reptiles). The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection of a legally protected species to accord with policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended), and for the conservation of a 'priority species' in accordance with NPPF.

11. No removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, ivy or other climbing plants) nor works to or demolition of buildings or structures that may be used by nesting birds, shall be carried out between 1st March and 31st August inclusive in any year, unless previously checked by a competent person for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have left the nest.

Reason: To avoid disturbance to nesting birds thereby ensuring compliance with the Wildlife and Countryside Act 1981, as amended by the CROW Act 2000, and in accordance with Policy EC8 of the adopted South Somerset Local Plan.

12. No work shall be carried out on site until particulars of the following have been submitted to and approved in writing by the Local Planning Authority:
- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b) a sample panel, to be prepared for inspection on site, to show the mortar mix and coursing of the external walls;
 - c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - d) details of all hardstanding and boundaries
 - e) details of the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan and policy EQ2 of the emerging local plan.

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

Reason: To safeguard the character and appearance of the area in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan and policy EQ2 of the emerging local plan.

Agenda Item 19

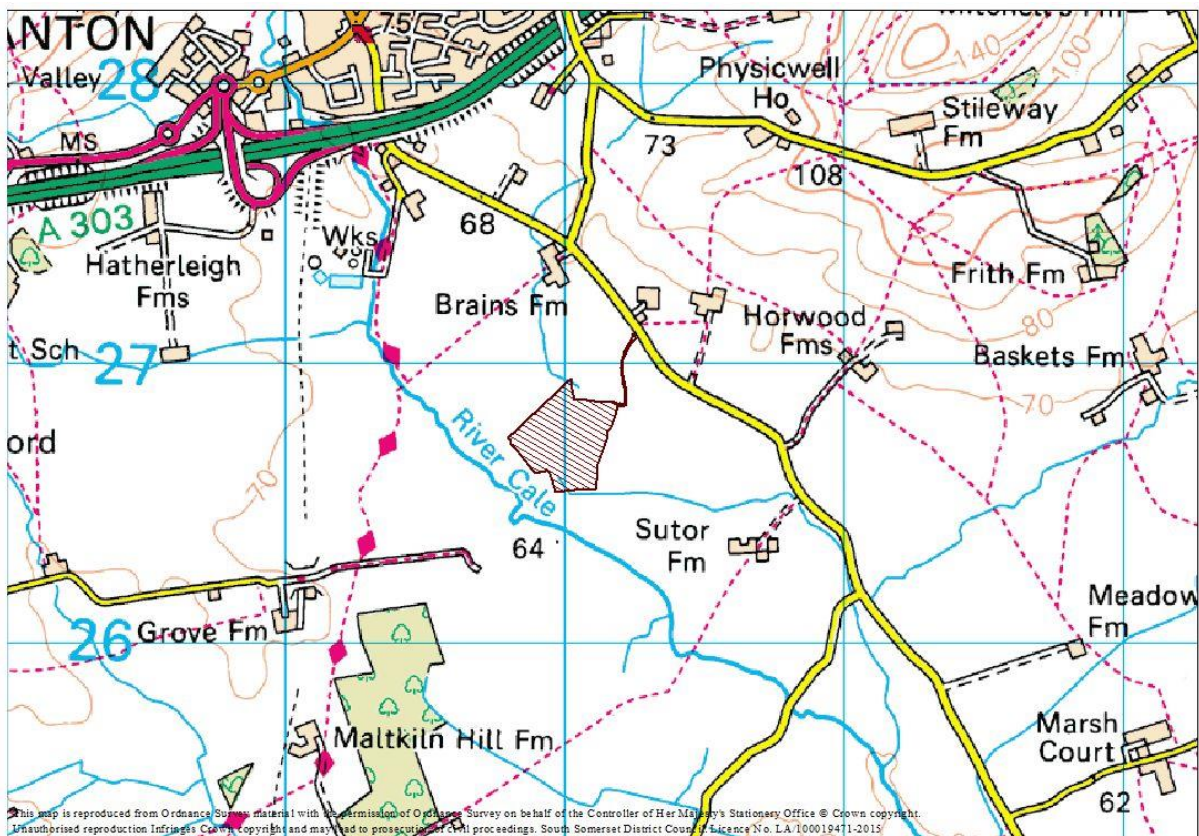
Officer Report On Planning Application: 14/05472/FUL

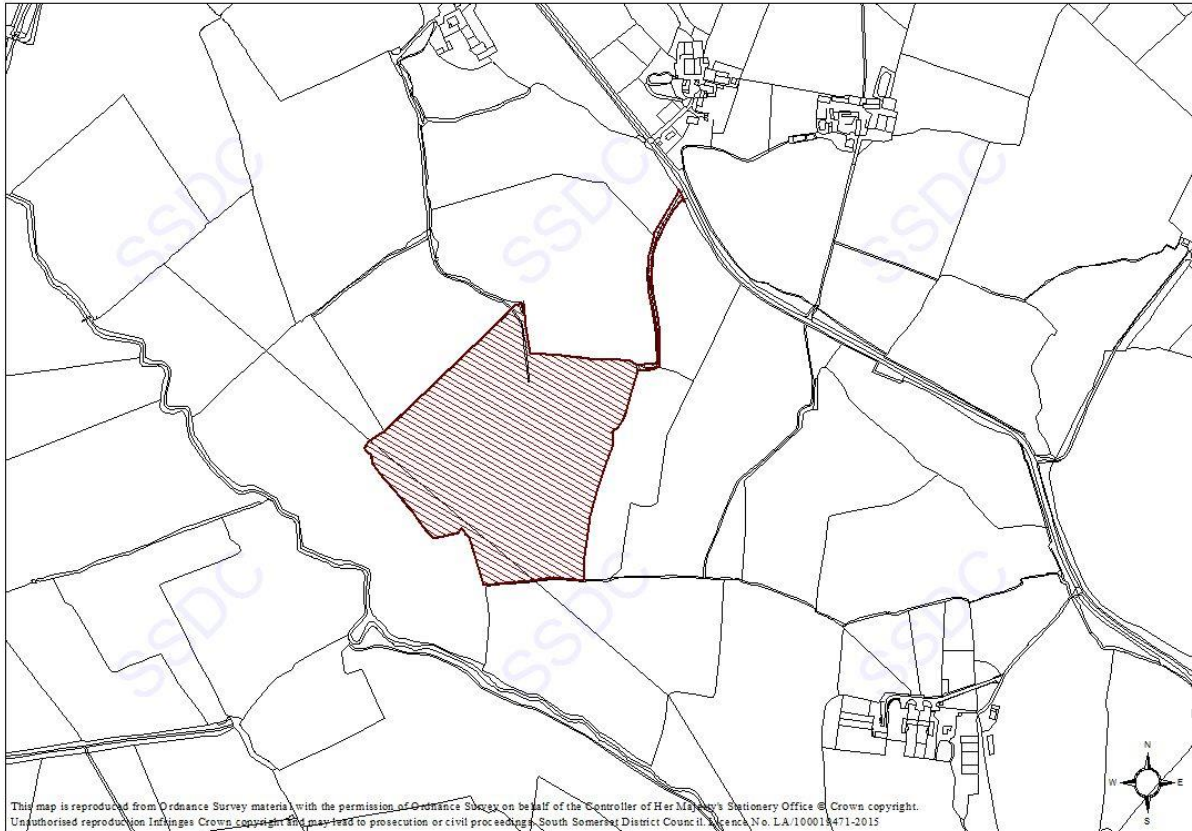
Proposal :	Construction of a 9.3 hectare solar park with associated works. (GR 372048/126757)
Site Address:	Land At Sutor Farm West Of Moor Lane Wincanton
Parish:	Wincanton
WINCANTON Ward (SSDC Member)	Cllr N Colbert Cllr C Winder
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	17th March 2015
Applicant :	Elgin Energy Esco Ltd
Agent:	Mr Diccon Carpendale Brimble Lea And Partners, Wessex House, High Street, Gillingham, SP8 4AG
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL

The application is a 'major major' development and recommended for approval that under the scheme of delegation is to be referred to committee.

SITE DESCRIPTION AND PROPOSAL





The application site is located within a single field that is 1km south of Wincanton. The field is currently used for agricultural grazing and occupies a broadly level site. The River Cale is located a short distance to the south-west, and to the north-east Moor Lane passes at its nearest point some 300m away. The existing track is proposed to give access to the site. The land classification is Grade 4 (poor quality)

This proposal seeks the erection of a 5MWP Solar Farm on a 9.3 hectares site with associated works that would generate annual electricity the equivalent of consumption of approximately 1400 homes, over a 25-year period. The works include:

- 20,000 Solar Panels 2.4m to 2.8m high
- 5 x 3m high pole mounted CCTV cameras
- 4 x Inverter sub stations 7m x 2.5m x 3m high
- 1 x primary substation and grid connection point 6m x 3,2m by 3.4m high
- 2.4m high wooden post and wire (deer) fencing enclosing the site.

The application is supported by the following documents:

- Planning Statement
- Flood Risk Assessment
- Tree Survey
- Extended Phase 1 Habitat Survey
- Agricultural Land Classification Report
- Landscape and Visual Impact Assessment
- Construction Traffic Management Statement
- Heritage Desk Based Study

In addition, and following comments received by the Council's Landscape Architect, the applicant submitted: Supplementary Report on the Potential Cumulative Impact of the proposals (February 2015)

RELEVANT HISTORY

13/02070/EIASS - Proposed Solar Park - Enlarged site. EIA not required.

12/03380/EIASS - Proposed Solar Park. EIA not required.

POLICY

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the saved policies of the South Somerset Local Plan 2006. On the 8th January 2015, South Somerset District Council received the Inspector's Report into the emerging South Somerset Local Plan (2006 - 2028). The conclusion of the report is that the local plan is 'sound', subject to a number of agreed modifications.

Under the terms of Paragraph 216 of the National Planning Policy Framework (NPPF) weight should be given to relevant policies in emerging plans according to "the stage of preparation" and therefore the emerging local plan must be given substantial weight in decision-taking and it is therefore essential that the development is considered against all relevant policies.

On this basis the following policies are considered relevant:-

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

SD1 - Sustainable Development

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 - Historic Environment

South Somerset Local Plan 2006:

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

EP3 - Light Pollution

ME5 - Farm / Rural Diversification

National Planning Policy Framework - March 2012:

Chapter 1 - Building a strong, competitive economy

Chapter 3 - Supporting a prosperous rural economy

Chapter 7 - Requiring good design

Chapter 10 - Meeting the challenge of climate change, flooding and coastal change

Chapter 11 - Conserving and enhancing the natural environment

The NPPF 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.

Other Relevant Guidance:

The UK Renewable Energy Strategy (July 2009)

Planning Practice Guidance for Renewable and Low Carbon Energy (DCLG, July 2013)

CONSULTATIONS

Wincanton Town Council - recommends approval.

North Vale Parish Council (Adjacent) - Councillors questioned the need for another solar park so close to two parks recently built. Councillors would like to know if there is a mechanism or policy limiting the number of parks in the area. If a mechanism does not exist then the Parish Council think that one should be put in place.

Stoke Trister With Bayford Parish Council (Adjacent) - The solar park would cover a large area of 9.3 hectares (23 acres) just outside the parish boundary. Although it would be one field away from the Wincanton to Buckhorn Weston road and possibly not too visible from the road if there was additional screening landscaping, it would be likely to be visible by residents on higher ground in Wincanton, Cucklington and on parts of Shaftesbury Lane. (Officer Note: Their comments include the cumulative effect, harm to amenity and tourism, a lack of agricultural activity that accompanies solar parks, questions the agricultural land grade given by the applicant and refers to the 'permanent' elements of the proposal.)

Horsington Parish Council (Adjacent) - Two Councillors were in favour. One Councillor abstained. Two Councillors were opposed to the as they felt that it would be detrimental to the visual amenities. They also questioned whether another solar park, that would use more agricultural land, was needed so close to two other solar parks recently built within a short distance.

Environment Agency - No objection subject to conditions that the development is carried out in accordance with the Flood Risk Assessment.

Natural England - makes general comments.

SSDC Ecologist - I've noted the ecological appraisal. This doesn't identify any significant issues or constraints. I have no objection and no recommendations to make.

County Archaeology - No objection.

County Highway Authority - Given the proposed measures identified within the Construction Traffic Management Statement the proposed development is not considered to adversely affect highway safety. There is no objection subject to conditions: a construction traffic management plan detailing staff numbers, movements areas for parking and turning, the delivery of the photovoltaic panels and equipment to the site, specifically identifying proposed access routes; a properly consolidated and surfaced access; a Condition Survey of the existing public highway; a parking plan for the site and site compound shall be issued for review by the highway authority.

Landscape Architect - I have reviewed the findings of the visual assessment, with which I concur in part. It is clear that the extent of visibility is limited within the vale. I agree with the LVIA that the potential visual impact is low as perceived from Cucklington (due to the distance

from the site, and its limited visibility in a wide panorama) but contrary to the LVIA summary (page 20) I consider impact to be moderate from the Bayford Hill area of Wincanton where public amenity areas and adjacent residential properties have valued views toward the vale (within which the site lays centrally) that are integral to their design; and low rising to moderate from stretches of the footpath not only over Coneygore Hill, but also to the south of Shaftesbury Lane where a number of paths have a direct prospect of the site. From these vantage points the array lays in the fore-mid ground; and has little visual containment, for its incongruity of character to be clearly in evidence.

Relative to potential cumulative impact, there are two existing solar arrays within 4km of this application site, (i) to the west side of the A371 at Higher Holbrook, circa 3.5km to the northwest; and (ii) to the immediate west side of the River Cale, just 0.5km to the WNW within the same vale setting. The addition of a third site at Sutor Farm creates a sequence of sites to the west and south of Wincanton, extending from Higher Holbrook to Sutor Farm. Whilst only occupying part of the west/south quadrant of Wincanton's close environs, such sites express an industrialised form of energy production, which by accumulation creates an increased and significant adverse impact upon local landscape character, as well as the setting of the town.

I also note that as viewed from Bayford Hill; Coneygore Hill; and the rights of way to the south of Shaftesbury Lane, how the array on land to the south of Wincanton STW (above) is now an established component of views over the vale. It is clear that a second array will add to the effect of panel mass across the head of the Blackmore Vale, and from the above locations, the two arrays will lay within a 30 degree field of view. Whilst tonally this may not appear overly incongruous, when the increased floor area; linear characteristics of an array's layout, plus incidental structures within the site are also factored in, then I consider the effect of the accumulation of panels on these two sites at the head of the vale to be moderately adverse, rising to moderate-high as viewed from specific public vantage points and properties at Bayford Hill; and the footpath running SE from Shaftesbury Lane to the raised knoll opposite Stileway Farm where 5 paths meet. This is a substantive concern.

Turning to site detail, I note that the array will stand between 2.4 and 2.8 metres above ground level, which at the upper height will raise it above the current elevation of hedge height that is prevalent in the locality. This raises some concern, though I acknowledge the intent to counter this by a change in hedge management regime, and tree planting within the hedgeline. PV mounting is limited to a fixed racking system with its toes driven into the ground without need for concrete. A 2.45 metre tall fence of deer fencing - wire mesh on wooden poles - along with CCTV cameras (but no lighting) provides site security. Inverter structures are located within the array layout, and are to be finished in suitable dull tones to thus minimise visual impact. Grid connection is local. The field surface will continue as grassland, to be managed by stock grazing. With the correct use of materials and finish tones, PV installation is capable of being accommodated without undue impact upon the fabric of the site.

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 semi-open agricultural landscape, as a singular proposition the proposal has the potential to be accommodated within the context of the vale's broad scale without undue impact. However, whilst the site's visual profile is low in most part, its development as an array raises a concern when viewed from Bayford Hill, and a number of rights of way to the NE. This visual concern is exacerbated when considered cumulatively with the established array at Higher Hatherleigh to the WNW, to the extent that I consider adverse impact to be locally significant. I also consider the introduction of a third array site to the locality to adversely impact upon Wincanton's landscape setting.

National government guidance is weighted in favour of renewables, and LPAs are advised to approve renewable energy schemes providing impacts can be made acceptable, which

requires landscape/visual impact to be considered sufficiently weighty to enable a landscape objection to provide a basis for refusal. Considered in its own right, the likely landscape and visual impacts arising from array development of this site may not be so great as to generate an over-riding landscape objection. However, I consider the cumulative impacts of PV development to the south and west of Wincanton to be significantly adverse to provide a sufficient landscape case upon which to base an objection to this application.

Should you consider there is justification to approve the application, could you please Condition: the approved planting scheme to be implemented in the immediate planting season, November 2014 - mid March 2015, and; a site restoration proposal to be submitted for approval.

Cranborne Chase And West Wiltshire AONB - The site is outside this AONB but, depending on the scale, extent, and character of the proposed development it could be within the setting of the AONB. Looking at the location in relation to the AONB boundary - and considering the relatively low level of the proposed development - it appears that Conygore Hill and the Cucklington Ridge are likely to screen key points in the AONB from the development. Alfred's Tower is some 9km to the north and even allowing for the elevation of the viewing platform it appears that the development site would be sloping away from the line of view. That means any view would be of the rear of the PV panels and frames. It is, therefore, unlikely that the proposed development would be significant in the scene.

Somerset CPRE - strongly object - cumulative impact, the Blackmore Vale is a beautiful unique area; Wincanton is well supplied with solar panel. Electricity cannot yet be stored and the surplus leaks away as it is carried along power lines. Land is needed to grow food.

The Monarch's Way Association - is against this solar park and request that the application is refused on the basis that landscape and local distinctiveness (character) key issues of concern would be lost if the application is approved. Also overdevelopment and increased flooding potential are major issues.

SSDC Climate Mitigation Officer - I have no objections to this application. The site chosen is very suitable because it is close to Wincanton, which is a large electrical consumer. This will minimise grid losses and just the type of application that this council should encourage.

I calculate that the development will generate over the course of a year electricity equivalent to that used by 970 households based on the average household consumption for the district (DECC statistical report 2012), which is 39% of Wincanton's household demand.

REPRESENTATIONS

There have been two neighbour letters. One objects to the proposal reiterating Stoke Trister's objections. There has also been one letter of support received whose comments include: discrete parks placed where they will impact directly on the fewest number of people become preferable. The more efficiently these constructions supply electricity, the better for all. ie The nearest to a National Grid power line, the better. For all these reasons, the proposed site is ideal. It is surrounded by farmland for some considerable distance and when complete, it will be impact on very few. The site is directly under an electricity Grid Line... this proposal is as near to ideal as we are likely to achieve.

CONSIDERATION

Principle of development

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. The expectation should always be that an application should be approved if the impact is (or can be made) acceptable (para.98 of the NPPF).

While it might be preferable for brown field sites to be considered before green field agricultural land there is no requirement for developers to consider brown field sites in the first instant. The supporting information indicates that the land is Grade 4 agricultural land and is therefore not the best and most versatile land in respect of its fertility.

The proposal seeks the installation of PV panels in arrays supported on metal posts driven into the ground allowing the ground beneath to grass over and be used for low-level grazing. The land would remain available to agriculture. Further, any permission would be for a long-term but temporary basis for a period of 25-years. A condition can be imposed to require the site's restoration following cessation of its approved use should the site become redundant; and on this basis the principle of the use of this agricultural land for the purpose of a solar farm is considered acceptable. Accordingly the main considerations for this application relate to landscape character, highway safety, neighbour amenity and the benefits of renewable energy.

Landscape character

The site comprises a single large field enclosed by mature hedges that is surrounded by other fields within a relatively flat landscape. The Landscape Architect accepts that the site itself offers few concerns and is capable of containing the development within the existing field boundaries. There is more concern with the possible cumulative impact, but this is viewed from a distance and from certain locations, but nevertheless locations that enjoy good public access. Having said this, the Landscape Architect does not seek refusal, but offers an objection, and then goes on to seek conditions. As noted above government guidance requires provided impacts from a scheme can be made acceptable then they should be approved. Notwithstanding the concerns that are raised by the Landscape Architect conditions are considered capable of mitigating in favour of the proposal. Further, the local Town Council support approval and there have not been any householder objection to the proposal.

Highway Safety

The Highway Authority do not object subject to conditions that would be attached to any permission. The proposal seeks use of the existing access point that forms a wide concrete apron off the highway and follows a track alongside a mature hedge to the site.

Residential amenity

There are no dwellings in close proximity to the site. It is not considered that any harm would result to the amenity of the residents.

Other Matters

The application has been accompanied by detailed assessments of ecological impacts. These have been assessed by the Council's Ecologist, who raises no objections.

The EA having considered the accompanying FRA have raised no objection subject to condition to secure the details of the FRA to be undertaken as part of the approved scheme.

Whether an EIA is required

Two EIASS applications have been considered covering this site. The last is dated 22 May 2013 and post-dates the second of the two solar park planning permissions to the west and south of Wincanton. Nevertheless, to accompany the current application a further EIASS has been considered to ensure that there is no cumulative impact effect from a third solar park close to Wincanton. The EIASS does not require an EIA.

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 concerns in relation to visual amenity and landscape character. A thorough assessment of these impacts 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. 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. The proposal is considered to represent sustainable development which is accordingly recommended for approval.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Grant permission.

01. Notwithstanding local concerns 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 and heritage assets. 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, and Policies SD1, EQ1 and EQ2 of the South Somerset Emerging Local Plan, and policies ST3, ST5, ST6, EC3, EC7, EH5, EH11, EH12 and EP3 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 removed and the land restored to its former condition within 25 years of the date of this permission or within 6 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 the structures, materials and any ancillary equipment which shall be removed from the site.

Reason: In the interests of character and appearance further to policy ST5, ST6 and EC3 of the South Somerset Local Plan and EQ2 of the Emerging Local Plan, and the NPPF.

03. Prior to the commencement of development a construction traffic management plan providing details on staff numbers, movement areas for parking and turning, the delivery of the photovoltaic panels and equipment to the site, specifically identifying proposed access routes shall be submitted to and approved in writing by the Local Planning

Authority and fully implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

04. Before construction of the development hereby permitted commences, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times for the life of the development.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

05. 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.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

06. Prior to the commencement of development a parking plan for the site and site compound shall be submitted to and agreed in writing by the Local Planning Authority, to ensure parking does not exceed the proposed level and associated traffic generation expected for this development.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

07. The development permitted by this planning permission shall be carried out in full accordance with the approved Flood Risk Assessment (FRA) JBA Consulting November 2014 (version 1) and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Provision of compensatory flood storage on the site to a 1 in 100 year climate change.

Reason: To prevent flooding by ensuring there is no increased surface water run-off from the site, and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided further to policy ST5 and ST6 of the South Somerset Local Plan, and NPPF.

08. The development hereby permitted shall be carried out in accordance with the following approved plans: 12073-1 Rev c; WSP-0091-GA-600-ST234 Rev C, DNOC SEP-131004-roo, and 1014/PL10 received 9 December 2014.

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

09. The approved planting scheme (drawing 1014/PL10 received 9 December 2014) shall be implemented in the immediate planting season, November 2014 - mid March 2015;

any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and landscape character further to policy ST6 and EC3 of the South Somerset Local Plan, and the NPPF

10. No means of external illumination/lighting shall be installed within the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of landscape character and visual appearance further to policy EC3, ST5 and ST6 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan and the NPPF.

Informatives:

01. Where works are to be undertaken on or adjoining the publicly maintained highway, a licence under Section 171 of the Highway Act 1980 must be obtained from the Highway Authority. 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 applicant should be advised that at least seven days before access works commence the Highway Service Manager must be consulted. Under Section 59 of the Highways Act 1980 allows the Highway Authority to recover certain expenses incurred in maintaining highways, where the average cost of maintenance has increased by excessive use. The condition survey will be used as evidence should damage to the highway network occur during the construction phase of the development.

Agenda Item 20

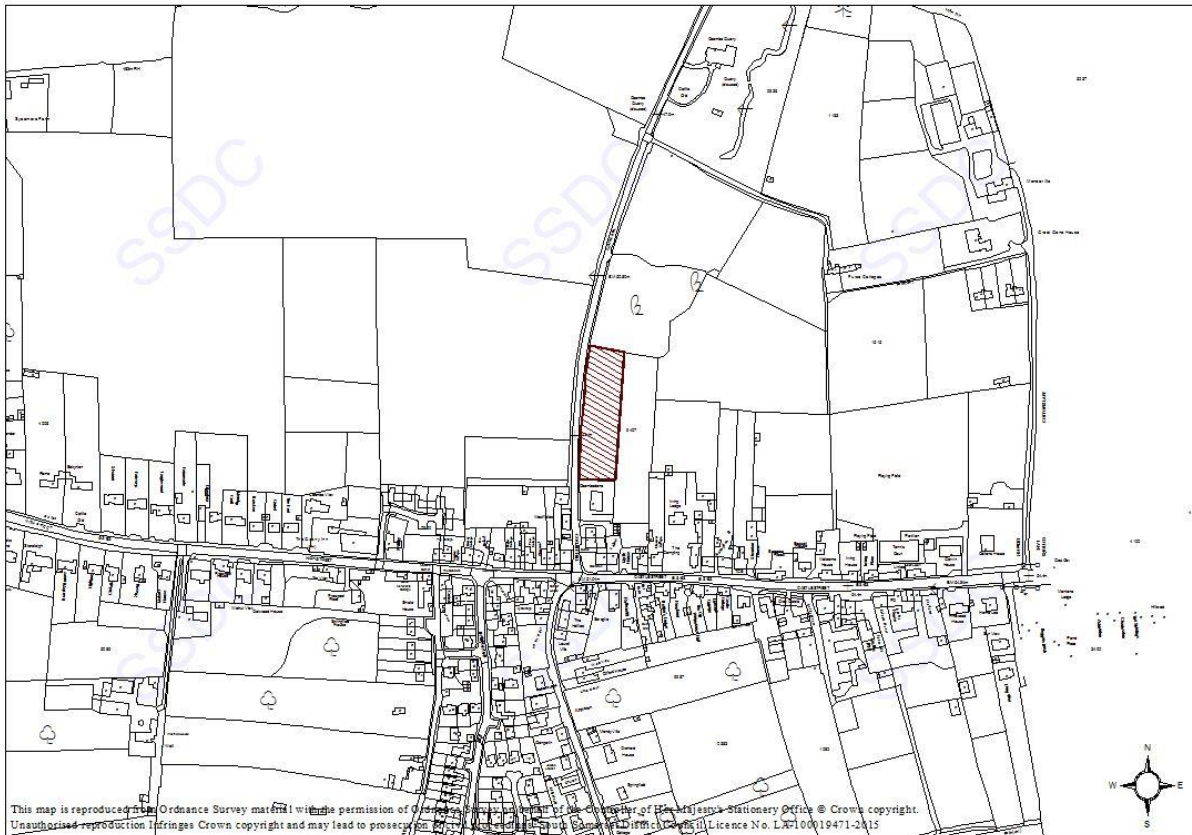
Officer Report on Planning Application: 15/00407/DPO

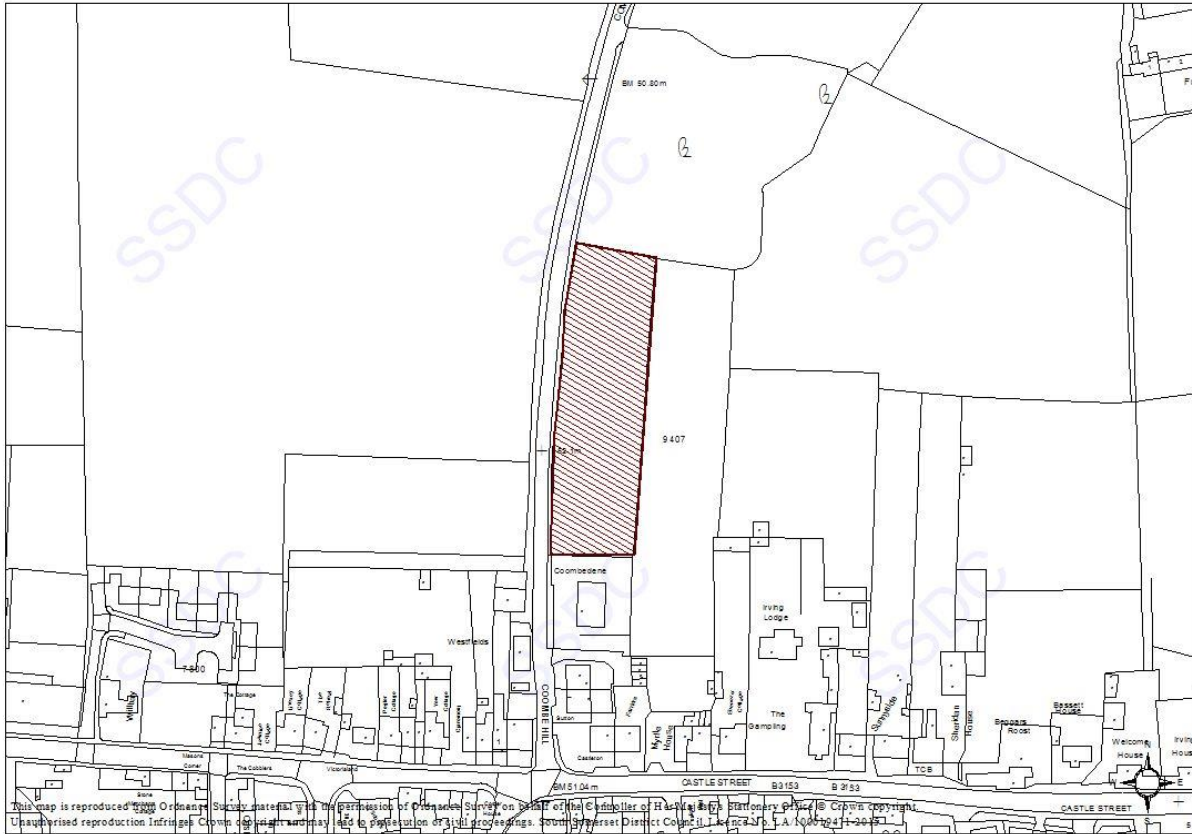
Proposal :	Application to discharge a Section 106 Agreement dated 19th January 2015 relating to planning permission 14/03788/FUL(GR:354922/131095)
Site Address:	Land North Of Coombedene Coombe Hill Keinton Mandeville
Parish:	Keinton Mandeville
NORTHSTONE (SSDC Member) Ward	Cllr J Calvert
Recommending Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	19th March 2015
Applicant :	Mr Eric Mackenzie
Agent: (no agent if blank)	
Application Type :	Non PS1 and PS2 return applications

REASON FOR REFERRAL TO COMMITTEE

The application is before the committee as the contributions that the applicant does not wish to pay were agreed as part of a decision of this committee.

SITE DESCRIPTION AND PROPOSAL





This application is seeking to discharge a Section 106 agreement dated 19 January 2015, which is an agreement relating to the following planning permission;

14/03788/FUL - Erection of 8 dwellings - Application permitted with conditions 19/01/2015

The legal agreement secures the payment of £5,036 per dwelling towards the provision of recreation and leisure facilities, both locally and strategically.

HISTORY

14/03788/FUL - Erection of 8 dwellings - Application permitted with conditions 19/01/2015

14/01259/OUT - Outline application for the erection of up to 8 no. dwellings (with all matters reserved) (revised scheme) - Application refused 29/05/2014

14/00790/OUT - Outline application for the erection of up to 7 no. dwellings (with all matters reserved) - Application withdrawn 06/03/2014

POLICY

National Planning Policy Framework

Paragraphs 203-206 - Planning Conditions and Obligations

National Planning Practice Guidance

Planning Obligations - Para. 012

CONSULTATIONS

Parish Council - No comments received 24/02/2015

REPRESENTATIONS

One letter of objection received from the occupier of a neighbouring property stating that they maintain their previous objections

APPLICANT'S CASE

[
"I have considered your suggestion asking me to pay the local contributions sought, amounting to £30,292.

I am aware of the similarities of this application and the Barton Road application in terms of location and size of site, however this application will provide the small houses and bungalows required by the village as stated in the Keinton Mandeville Local Community Plan, therefore providing a community benefit.

This application is also in a more favourable location, and has already been granted planning permission.

This amount of money will make a huge difference to a small developer such as myself, enabling me to focus on the quality and refinement of the development, which was the intention of the government when they changed the requirements for contributions in November 2014.

I therefore respectfully request that the whole Section 106 is removed, in line with paragraph 012 of the planning portal."

CONSIDERATIONS

Paragraph 012 of the "Planning Obligations" section of the National Planning Practice Guidance states that contributions for affordable housing and tariff style planning obligations *"...should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm"*.

The approved scheme is for 8 units with a combined gross floor space of less than 1000 square metres. As such, there is clear central government advice dictating that the type of contributions that have been agreed should not be sought.

The developer was asked whether he would still be willing to pay the local contributions, but he declined on the grounds that in his opinion the development will provide the small houses and bungalows required by the village as stated in the Keinton Mandeville Local Community Plan, therefore providing a community benefit. He also argued that the amount of money involved would make a huge difference to a small developer such as himself, enabling him to focus on the quality and refinement of the development, which he argues was the intention of the government when they changed the requirements for contributions in November 2014.

Given the clear position dictated by central government it is difficult to see how the LPA can resist the application to discharge the legal agreement.

The application is therefore recommended for approval.

RECOMMENDATION

1. To allow the discharge of the Section 106 Agreement dated 19 January 2015 made between South Somerset District Council and Eric Mackenzie Limited.
2. To instruct the Council's Legal Services of the need to complete a deed of variation.

Agenda Item 21

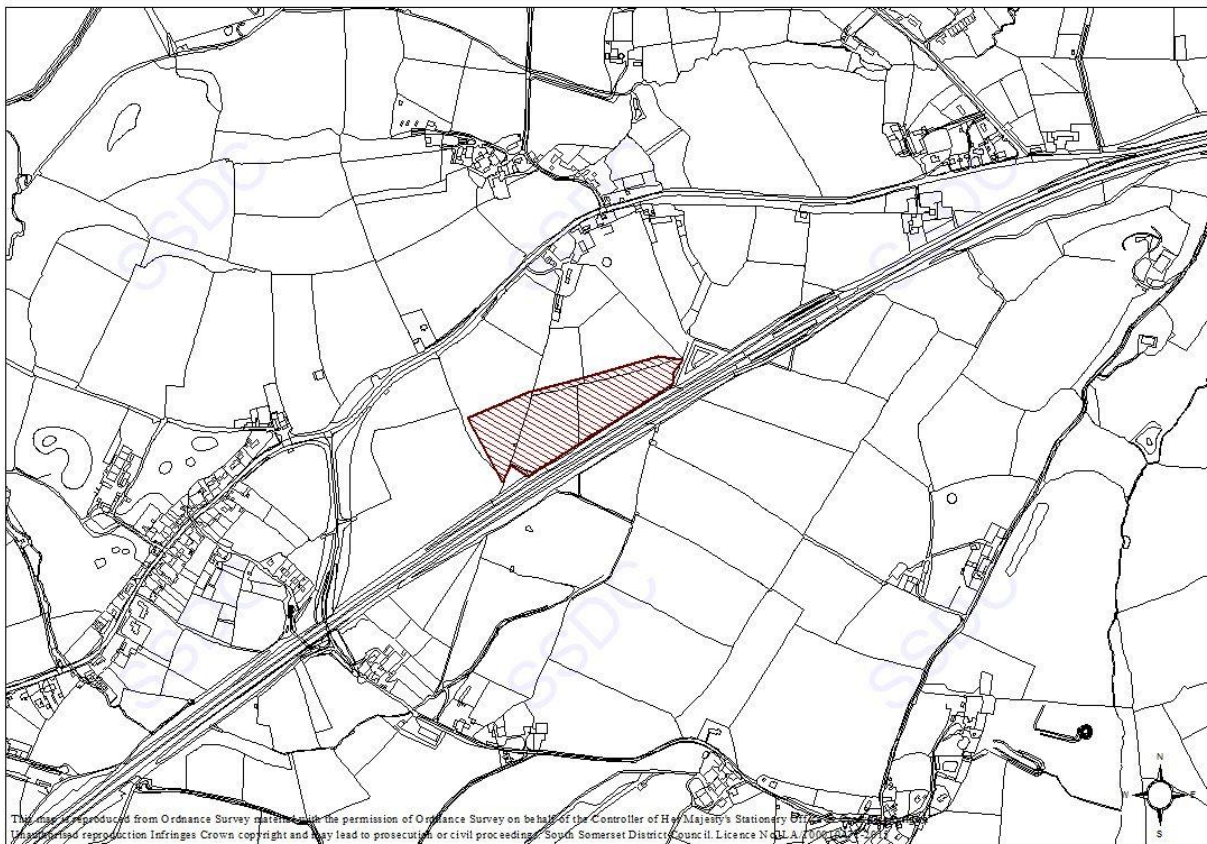
Officer Report on Planning Application: 15/00070/FUL

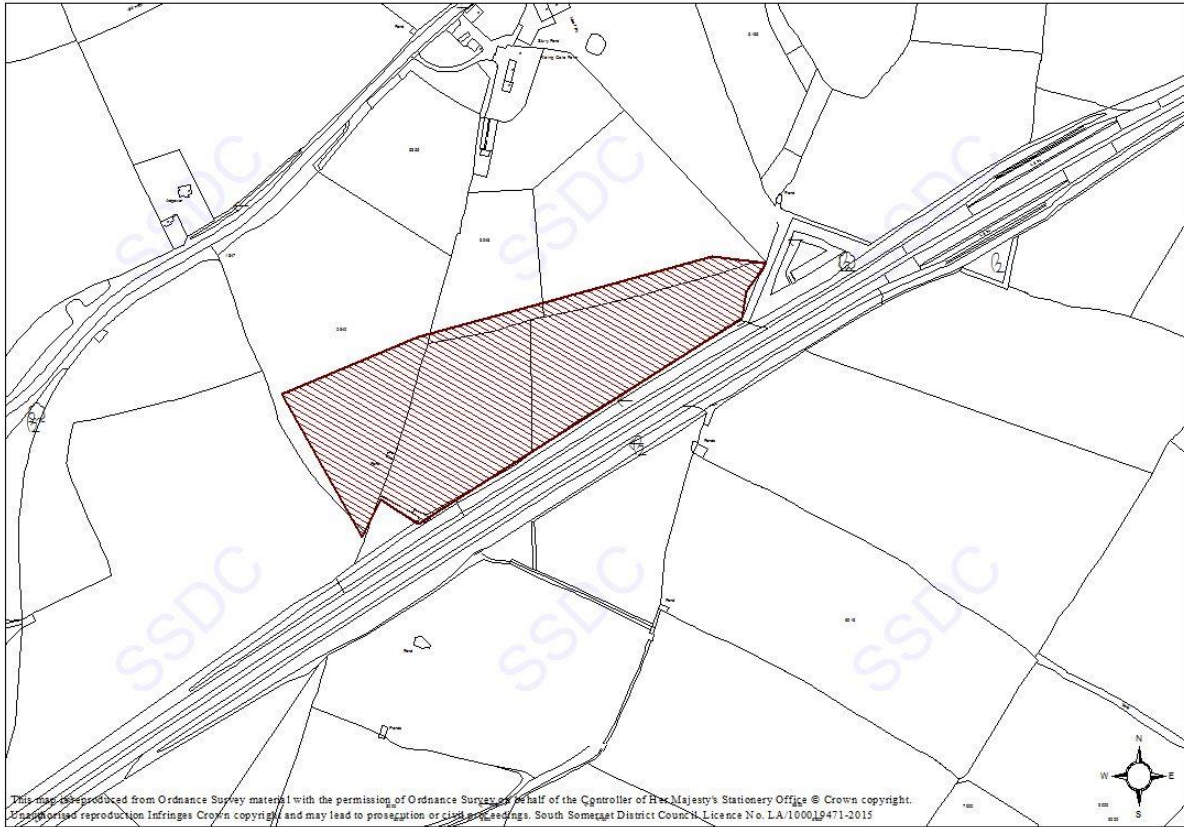
Proposal :	Variation of configuration of acoustic barrier (GR:373458/129571)
Site Address:	Land OS 2000 Riding Gate Riding Gate Stoke Trister
Parish:	Stoke Trister
TOWER Ward (SSDC Member)	Cllr Mike Beech
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	9th April 2015
Applicant :	Ms J Josie
Agent:	Mr Lucy Binnie Suite 1, 82c Security House, Chesterton Lane Cirencester, GL7 1YD
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO AREA EAST COMMITTEE

The proposed development falls into the category of major development, due to the size of the site exceeding 2 hectares in area, and is recommended for approval. In these circumstances the South Somerset District Council's scheme of delegation requires the application to be determined by the area committee.

SITE DESCRIPTION AND PROPOSAL





This application is seeking alterations to an approved scheme for an acoustic barrier (planning consent 10/02210/FUL). The alterations include raising the bund height by up to approximately 2 metres above that approved as well as the slight remodelling of its form. It is understood that these revisions are sought as the approved bund, which is still under construction, does not appear to be as effective in reducing traffic noise from the A303 to the landowner's property Riding Gate Cottage.

The proposed bund affects four agricultural fields, situated between Riding Gate Cottage to the north and the A303 to the south and is located in the open countryside. The site occupies a relatively low position within the landscape with a range of hills rising in the distance to the south and the land rising more gently to the north. The A303 which passes along the valley floor is elevated on raised banking in the vicinity of the application site and the application land is known to have a high water table and to be prone to surface water flooding, particularly the land towards the southern perimeter.

The application fields are bounded by native hedgerows interspersed with mature trees, with the exception of the southern boundary. The works to the approved bund were quite advanced at the time of the site visit with the banking alongside the A303 raised up significantly above road level.

HISTORY

14/02905/FUL: Variation of configuration of acoustic barrier. Refused for the following reason:

- *“The proposed increase in height of the approved acoustic barrier and provision of an additional barrier, by virtue of its height and configuration, fails to respect the characteristic features of the surrounding landscape and will introduce land forms whose engineered visual profiles will be at variance with and uncharacteristic of the*

surrounding valley landscape, contrary to the aims and objectives of the National Planning Policy Framework and saved policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan.”

10/02210/FUL: Raising the level of the land to form an acoustic barrier (revised application). Permitted.

09/03763/FUL: Formation of an acoustic bund. Withdrawn 2009.

POLICY

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the saved policies of the South Somerset Local Plan 2006. On the 8th January 2015, South Somerset District Council received the Inspector's Report into the emerging South Somerset Local Plan (2006 – 2028). The conclusion of the report is that the local plan is 'sound', subject to a number of agreed modifications.

Under the terms of Paragraph 216 of the National Planning Policy Framework (NPPF) weight should be given to relevant policies in emerging plans according to “the stage of preparation” and therefore the emerging local plan must be given substantial weight in decision-taking and it is therefore essential that the development is considered against all relevant policies.

On this basis the following policies are considered relevant:-

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

SD1 - Sustainable Development
EQ2 - General Development
EQ3 - Historic Environment
EQ4 – Biodiversity
EQ5 – Green Infrastructure
EQ6 – Woodland and Forests
EQ7 – Pollution Control

Saved Policies of the South Somerset Local Plan (2006)

ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
EC1 - Protecting the Best and Most Versatile Agricultural Land
EC3 - Landscape Character
EC3 - Landscape Character
EC7 - Networks of Natural Habitats
EC8 - Protected Species
EP1 - Pollution and Noise
EP3 – Light Pollution
EP9 - Control of Other Potentially Polluting Uses

National Planning Policy Framework

Part 1 - Building a strong, competitive economy
Part 4 - Promoting sustainable transport
Part 7 - Requiring good design

Part 11 - Conserving and enhancing the natural environment
Part 12 - Conserving and enhancing the historic environment

National Planning Practice Guidance

Natural environment
Noise

CONSULTATIONS

Stoke Trister Parish Council: No objections

SCC Highways: No observations

SCC Rights of Way: Noted that there are public rights of way that run through the site, any proposed works must not encroach on the width of the footpaths. The proposed development may well obstruct the right of way and a diversion might be necessary. The right of way will need to remain open and available until the (stopping up / diversion) 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.

Highways Agency: No objections, subject to conditions seeking an updated method statement with regard to the construction of the bund and an updated Geotechnical Report and Certificate.

Environment Agency: No objection.

Ecologist: No objection or recommendations.

Landscape Officer: Raises no objection.

Following receipt of an amended landscaping plan and detailed planting scheme submitted in response to the Council's Arborist's comments, the Landscape Officer confirmed that the amendments were acceptable.

(Initial comments) You will be aware that I have had pre-application involvement relating to this latest proposal, and had earlier expressed reservations over any increase in height of the roadside bund, viewing the bund as currently constructed to be at an acceptable maximum.

However, in favour of the proposal now before us;

- The southwest end of the current bund is already at the height proposed by this application, hence it is only the bund's central and northeast end that is yet to be built up to a comparable height. Thus the remaining build-up of spoil will not exceed that 'acceptable maximum' I have referred to above;
- By filling the 'valley' central to the bund's length, the bund will gain a greater horizontal emphasis, and;
- The planting scheme, which by suitable choice and disposition of species, will limit the woody growth profile over the upper shoulder of the bund, yet by virtue of tree planting around the junction of existing tree and shrub cover/ground level, and the lower shoulder of the bund, will help to more gently 'grade' the earth form into its landscape context.

Whilst I am not entirely won over by the proposal before us, I consider that sufficient

landscape mitigation has been factored into the revised application, to enable the bund to integrate into its landscape context in a manner that is not overtly at variance with its surrounds. Consequently, if you are minded to approve this proposal, please condition planting works to be undertaken as detailed on the revised landscape documents, planting plan (revD) and specification (RevB).

Arborist: Raised concern with regard to the use of 16-18' standards, noting that they are susceptible to transplant shock and failure caused by drought. If this size is considered desirable, I would recommend improving the root-to-shoot ratio by amending the specification to 'container-grown' rather than 'root-balled'. Amending the specification to 'fully feathered' (trees that have not had their lower branch structures removed) rather than 'tr standards' is also a measure that improves their chances of establishment, particularly with Oaks.

The species-diversity of the larger trees could be widened a little - the use of some Italian Alder (*Alnus cordata*) would be a faster-growing addition, particularly well-suited to the characteristics of the site.

Recommended the use of cell-grown trees over bare-root specimens.

REPRESENTATIONS

None.

CONSIDERATIONS

Planning permission for the construction of an acoustic barrier on this site was first approved in 2010 under planning consent 10/02210/FUL. This application is seeking modifications to the approved scheme to raise the overall height of the bund from that approved by up to 2 metres along its south eastern side where it is parallel with the A303 and to remodel it slightly to give it a more regular form. The construction of the bund is now quite progressed and incorporates part of the modifications that are being sought under the current application with the southern end of the bund already at the increased height being proposed through this revised scheme.

Principle:

The acoustic barrier was originally sought with the aim of reducing traffic noise, resulting from the A303, to the applicant's property Riding Gate Cottage, and clearly the principle of a bund on this site has been established as a result of the 2010 permission. The 2010 application was accompanied by an acoustic survey that lent support to the applicant's case that the bund would help to mitigate road noise. Since construction works have progressed on site, however, it has become apparent that the bund as approved is not as effective in this regard as was hoped. It is for this reason that the applicant is seeking the proposed modifications, which are considered to be acceptable in principle.

Visual amenity and landscape impact:

An application submitted in 2014, which sought modifications to the 2010 application, was refused due to concerns about its height and configuration which was considered to have an overly engineered profile that was at odds with the characteristic features of the surrounding landscape. The current scheme differs significantly to the one proposed under the 2014 application.

The Landscape Officer and Arborist are broadly satisfied with the revised scheme now under consideration. Whilst the increase in height is disappointing and makes the bund more pronounced when viewed from the A303, its general form has a slightly more natural profile to that previously agreed. Arguably the more sensitive public views are from the public rights of way that pass through the site as well as those to the south of the A303, including from Stoke Trister church. When viewed from these points it is anticipated that the modified bund, especially once the planting scheme which forms part of the proposal has become established, will have an unobtrusive presence that blends into the surrounding landscape features. The proposed planting scheme is comprehensive with blocks of tree and shrub planting along the A303 side of the bund which should in time offer fairly dense wooded cover.

For these reasons the modified scheme raises no new substantive landscape or visual amenity concerns.

Residential amenity:

The development, due to its scale and nature, could harm the amenities of one or two nearby properties particularly as a result of noise and disturbance. The original 2010 permission included a condition restricting the hours that construction works could be carried out to between 07.00 – 17.00 Monday to Friday, 07.00 to 13.00 Saturdays with no works being carried out outside these hours or on bank or public holidays. On the basis that this condition remains in force for this amended scheme, it is accepted that the proposal will not result in any new demonstrable harm to neighbour amenity.

Ecology:

The Council's Ecologist has raised no objections to this proposal. Bearing in mind the large scale planting scheme that is to be implemented it is accepted that the proposal offers suitable ecological enhancements.

Highway safety, drainage and public rights of way:

Neither the Environment Agency or the relevant highway authorities have raised any objections to this development, as such it is not considered to raise any new highway safety or drainage concerns. A couple of public rights of way pass across the site and County Rights of Way have noted that a diversion order might be required during construction. This matter was brought to the applicant's attention during the 2010 application and there is no reason why a temporary diversion order could not be satisfactorily achieved and as such is matter for the County Rights of Way Officer to follow up and is not reason to object to this application.

Conclusion:

For the reasons set out above, this amended scheme raises no new substantive harm, is considered to accord with the aims and objectives of both the saved and emerging local plans as well as the National Planning Policy Framework and as such is recommended for approval.

RECOMMENDATION

Grant permission for the following reason:

The acoustic barrier, by reason of its form, scale and accompanying landscaping scheme, is considered to respect the characteristic pattern and features of the surrounding landscape, to cause no demonstrable harm to residential amenity or the rural amenities of the area or to adversely affect highway safety or the structural stability of the adjacent A303. The associated planting, which will provide enhanced habitat to the benefit of local ecology. The proposal therefore accords with the aims and objectives of saved policies ST3, ST5, ST6, EC1, EC3,

EC7, EC8, EP1, EP3 and EP9 of the South Somerset Local Plan 2006, the policies of the emerging South Somerset Local Plan 2006-2028 as well as the National Planning Policy Framework.

Subject to the following:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans numbered 2088-1B Revision B received 08/01/2015 and DLA.1621.L001.01 Rev D received 23/02/2015.

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

03. No works pursuant to the construction of the development hereby permitted shall take place outside the hours of 07.00 to 17.00 Mondays to Fridays and 07.00 to 13.00 Saturdays nor at anytime on bank or public holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of residential amenity and the amenities of the area to accord with saved policy ST6 of the South Somerset Local Plan 2006.

04. The development hereby permitted shall not be commenced unless an aftercare scheme has been submitted to and agreed in writing by the Local Planning Authority setting out details to restore the land to the required standard for the use of agriculture.

Reason: In the interests of the rural character of the area and to ensure the continued agricultural use of the land to accord with saved policies ST5, ST6, EC1 and EC3 of the South Somerset Local Plan 2006.

05. The scheme, to ensure that all vehicles leaving the site are in such condition so as not to emit dust or deposit mud, slurry or other debris on the highway, agreed under planning application 10/02210/FUL shall continue to be implemented in full for the duration of the development hereby permitted, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of highway safety to accord with saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

06. The finished levels of the development hereby permitted shall match those detailed on drawing numbered DLA.1621.L001.01 Rev D received 23/02/2015.

Reason: For the avoidance of doubt and to safeguard the character and appearance of the area to accord with saved policies ST5, ST6 and EC3 of the South Somerset Local Plan 2006.

07. The planting scheme as detailed on the Landscape plan (drawing number DLA.1621.L001.01 Rev D received 23/02/2015) and the accompanying written specification (titled 'Detailed Planting Scheme Revision B' received 23/02/2015) shall be carried out in full in the first planting season following the completion of the development hereby permitted. Any trees or plants which within a period of five years

from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the rural character of the area to accord with saved policies ST6 and EC3 of the South Somerset Local Plan 2006.

08. The amendments to the construction of the acoustic barrier hereby permitted shall not be commenced unless an updated method statement for its construction has been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with these approved details.

Reason: To safeguard the integrity of the proposed works and to avoid any adverse impacts upon the adjacent SRN to accord with saved policy ST5 of the South Somerset Local Plan 2006.

09. The amendments to the construction of the acoustic barrier hereby permitted shall not be commenced until an updated Geotechnical Report and Certificate (compliant with HD 22/08) have been submitted to and approved in writing by the Local Planning Authority (who shall consult with the Highways Agency acting on behalf of the Secretary of State for Transport).

Reason: To safeguard the integrity of the proposed works and to avoid any adverse impacts upon the adjacent SRN to accord with saved policy ST5 of the South Somerset Local Plan 2006.

10. The development hereby permitted shall be carried out in accordance with the Construction Environmental Management Plan agreed under planning consent 10/02210/FUL, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent pollution of the water environment to accord with saved policy EP9 of the South Somerset Local Plan 2006.

11. The Tree Protection Plan and Arboricultural Method Statement agreed under planning consent 10/02210/FUL shall continue to be implemented in their entirety for the duration of the development hereby permitted, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the rural character of the area and to preserve and retain existing trees in accordance with the statutory duties defined within the Town & Country Planning Act, 1990 (as amended).

12. No means of external illumination/lighting shall be installed without the prior written approval of the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with saved policies ST3, EC3 and ST6 of the South Somerset Local Plan 2006.

Informatives:

01. The proposed access route and some of the proposed planting and new ditches could affect public footpaths (NW 28/9 and NW28/10) that cross / pass near the application site. Should the proposal obstruct these rights of way, affect the health and safety of

walkers or make their use less convenient for members of the public a temporary closure order may be necessary and a suitable alternative route provided. In such circumstances the applicant is advised to contact Sarah Hooper of Somerset County Council on 01823 483086. Please note that authorisation is also needed from SCC should new furniture or any changes to the surface of the footpaths be required.

Refer to ROW ..

Agenda Item 22

Officer Report on Planning Application: 14/02896/OUT

Proposal :	Residential development of land for up to six dwellings (GR 354414/131119)
Site Address:	Land North Of The Light House Barton Road Keinton Mandeville
Parish:	Keinton Mandeville
NORTHSTONE (SSDC Member) Ward	Cllr J Calvert
Recommending Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	25th August 2014
Applicant :	Mr & Mrs Keith Budd
Agent:	Joanna Fryer Home Orchard, Littleton, Somerton TA11 6NR
Application Type :	Minor Dwellings 1-9 site less than 1ha

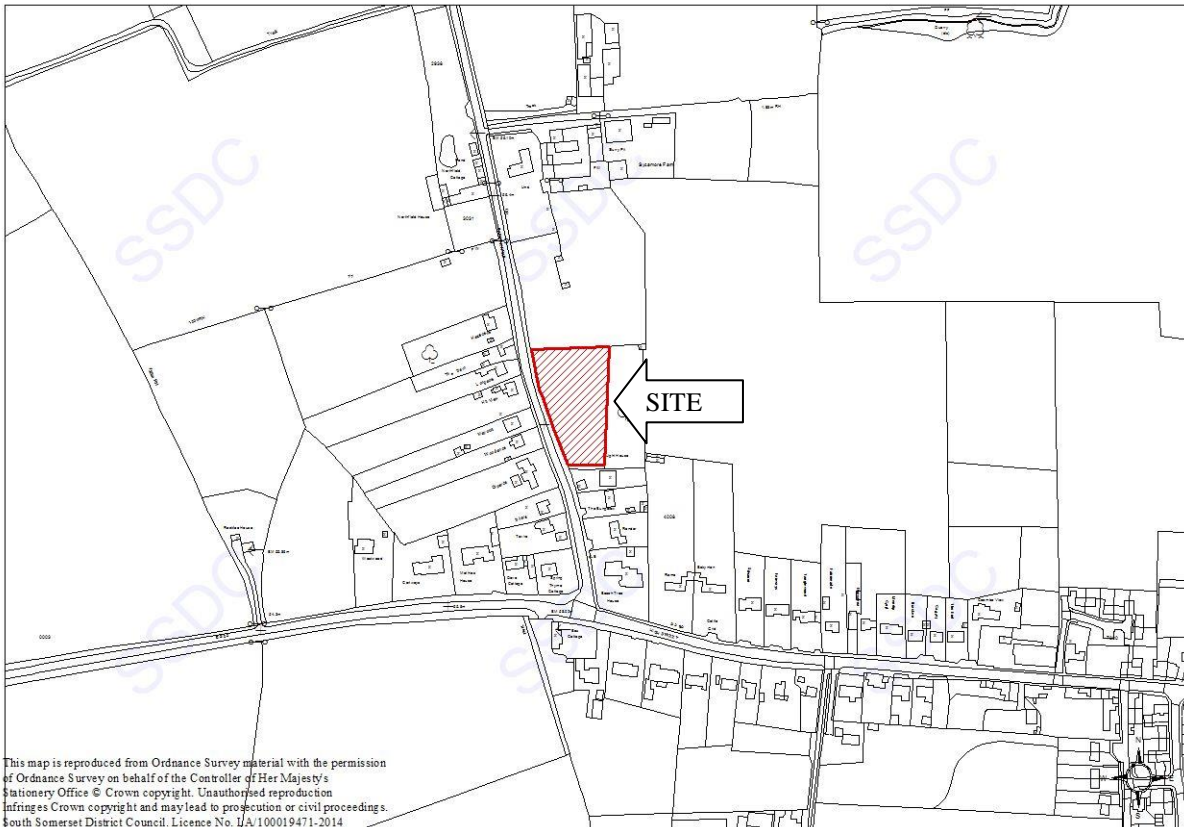
REASON FOR REFERRAL TO AREA EAST COMMITTEE:

The application was presented to the February Area East Committee meeting following the committee's previous resolution in September 2014 to approve the application, subject to the prior completion of a Section 106 agreement to secure a contribution of £30,217 towards outdoor playing space, sport and recreation facilities. Following the government's decision (in November 2014) to remove tariff-style planning obligations for small developments of 10 homes or less, the applicant requested that the requirement for the Section 106 agreement be omitted and the application was therefore brought back to Committee in February to gain their agreement to this amendment. The Committee however resolved to defer the application in order that negotiations could be undertaken with the applicant to seek their agreement to paying the contributions sought for local sports, arts and leisure facilities only and to omit the strategic contributions. The applicant has agreed to this request.

The application has therefore been brought back to Committee recommended for approval, subject to the conditions set out at the end of this report and the prior completion of a Section 106 agreement to secure the following contributions towards local sports, arts and leisure facilities:

- £5,184 towards enhancing the equipped play area at Keinton Mandeville playing field;
- £4,855 towards enhancing the changing facilities at Keinton Mandeville playing field or providing new changing facilities at the village hall;
- £9,294 towards enhancing the existing village hall in Keinton Mandeville;
- £485 towards the provision of a new 3G AGP at Huish Episcopi Academy School;
- £2,994 commuted sum towards enhancing the equipped play area at Keinton Mandeville playing field; and
- £391 commuted sum towards enhancing the changing facilities at Keinton Mandeville playing field or provide new changing facilities at the village hall.

SITE DESCRIPTION AND PROPOSAL



This application is seeking outline planning permission to erect up to six dwellings and to agree details of access with all other matters reserved for later consideration. This application is identical to that submitted last year under application 13/04143/OUT which was refused.

This application site is a greenfield site approximately 0.3 hectares in area that is outside but abuts the development area for Keinton Mandeville. The site forms part of a wider agricultural field with existing residential development immediately to the west and south with agricultural land to the north and east. The site is predominantly enclosed by hedgerows including along the road frontage along the west side of the site and is a relatively flat field. A livestock farm is situated approximately 130m to the north of the site.

There are a number of facilities within the settlement of Keinton Mandeville including:

Facility:	Walking Distance (approximate):
Village shop	580m
Primary school	1300m
Bus stop	430m
Public house	430m
Village hall and recreation ground	1040m

Whilst the matters of scale and layout are reserved matters the details submitted with the application indicate up to six dwellings, two-storey in scale, of which four are suggested to be semi-detached and two detached.

RELEVANT HISTORY:

13/4143/OUT: Residential development of land for up to six dwellings. Refused by Area East Committee for the following reason:

- *“The proposed development by reason of the extension of the built form in this location would erode the local character and have a poor relationship with the village core by reason of its detachment from the main part of the village and its rural location. As such the proposal is contrary to saved policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan, the provisions of the Keinton Mandeville Parish Plan and the policies contained within the National Planning Policy Framework.”*

This decision was tested at appeal and the appeal was dismissed for the following reason:

- *“I therefore find that a financial contribution is required for the provision of recreation facilities. Consequently, the absence of an agreement making such provision would be contrary to the requirements of the LP Policies CR2, CR3, ST5 and ST10. As this is a matter than can only be addressed by the submission of an executed obligation from the appellant, it follows that I cannot grant planning permission for the proposed development.”*

740282: (Outline) Erection of a dwelling and garage. Refused.

741049: (Outline) Erection of a dwelling and garage. Refused.

POLICY

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the saved policies of the South Somerset Local Plan 2006.

South Somerset Local Plan Policies

- ST2 – Villages
- ST3 – Development Areas
- ST5 - General Principles of Development
- ST6 - The Quality of Development
- ST10 - Planning Obligations
- EC3 - Landscape Character
- EC7 - Networks of Natural Habitats
- EC8 - Protected Species
- EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological Sites
- EP1 - Pollution and Noise
- EU4 - Water Services
- TP1 - New Development and Pedestrian Movement
- TP4 - Road Design
- TP7 - Car Parking
- CR2 - Provision of Outdoor Playing Space and Amenity Space in New Development
- CR3 - Off-Site Provision
- CR4 - Provision of Amenity Open Space

On the 8th January 2015, South Somerset District Council received the Inspector's Report into the emerging South Somerset Local Plan (2006 - 2028). The conclusion of the report is that the local plan is 'sound', subject to a number of agreed modifications.

Under the terms of Paragraph 216 of the National Planning Policy Framework (NPPF) weight should be given to relevant policies in emerging plans according to "the stage of preparation" and therefore the emerging local plan must be given substantial weight in decision-taking and it is therefore essential that the development is considered against all relevant policies.

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

- Policy SD1 - Sustainable Development
- Policy SS2 – Development in Rural Settlements
- Policy SS5 – Delivering New Housing Growth
- Policy TA5 - Transport Impact of New Development
- Policy TA6 - Parking Standards
- Policy EQ1 – Addressing Climate Change in South Somerset
- Policy EQ2 - General Development
- Policy EQ4 - Biodiversity
- Policy EQ6 - Woodland and Forests
- Policy EQ7 - Pollution Control

National Planning Policy Framework:

- Part 1 - Building a strong, competitive economy
- Part 4 - Promoting sustainable transport
- Part 6 - Delivering a wide choice of high quality homes
- Part 7 - Requiring good design
- Part 8 - Promoting Healthy Communities

Part 10 - Meeting the challenge of climate change, flooding and coastal change
Part 11 - Conserving and enhancing the natural environment

Other considerations:
Keinton Mandeville Community Plan

CONSULTATIONS

Keinton Mandeville Parish Council: Recommend refusal for the following reasons:

- Out of character with the current street scene and will not fit with the local built environment. This is the case in terms of the height of the proposed buildings (other houses are all bungalows) and their proximity to the road (the other houses are all set further back).
- The site is not the most sustainable, it is at the edge of the village and far from the local amenities. There is no pavement to allow for safe access to facilities for pedestrians and the road is unsuitable for a pavement because of drainage issues.
- The original development line should be observed in spite of the absence of a local plan. This development would fall beyond the original development line agreed for Keinton Mandeville. Development on this site will have the effect of merging the two distinct parishes (Barton St David and Keinton Mandeville) and is some distance from the core of the village.

County Highways: No comments received, however, their comments for the previous identical application were as follows:

No objection to the principle of the development. They referred to their standing advice and the need for satisfactory levels of visibility for vehicles exiting the site from each of the new access points, including visibility splays measuring 43m in either direction when measured 2.4m back from the carriageway edge. They also recommended a condition to secure appropriate levels of parking and turning to serve each dwelling.

County Archaeology: (Previous comments) On visiting the site it was noticed that there are earthworks within the development area which may represent early activity on the site. It is therefore recommended that the developer be required to archaeologically investigate the site and provide a report on any discoveries made as indicated in paragraph 141 of the NPPF. This should be secured by the use of model condition 55.

Environmental Protection: (Previous comments) No objection. If approved, the application will result in the encroachment of residential dwellings towards an existing farmyard which has the potential for the new dwellings to suffer loss of amenity due to odour, noise and insects from the farm and to impact on any future intensification plans of the farm. There are existing residential dwellings at a similar distance from the farmyard however as the proposed ones and no history of nuisance complaints.

Landscape Officer: Reiterated his previous views:

Objects and is of the opinion the proposal will erode the local character and has a poor relationship to the village core.

Keinton Mandeville is primarily a linear settlement, with the core of the village aligned on the B3153 and Queen Street, whilst the main village area is concentrated to the south of the B3153 and west of Queen Street. The current residential plots that are sited along Barton Road are somewhat detached from this village core, and have little sense of connection to the main village. Whilst the application plot itself has housing to west and south, these are

singular plots that are bounded by paddocks and farmland, to thus place the application site within a wider countryside context. Due to its detachment from the main village, and its rural location, and mindful that there are other housing options for the village in prospect that are better related to the village core, this is not a site that has landscape support.

I also note that the present roadside hedge will be disrupted by access arrangements, and that SCC highways requirements for safe visibility are likely to require the reduction of the hedge to 90 cm tall – a diminished feature that would then be at risk of removal if residential development were to be approved here. The potential for roadside footways is also viewed as being unacceptable. The application field currently marks a transition from the village edge, to the wider agricultural landscape, a characteristic that would be lost to development. Given this erosion of local character, and the poor relationship to the village core, then there is basis for landscape objection.

Should you believe there to be an over-riding case for development, then I would suggest that (i) this is agreed without highways 'improvements' and (ii) the land to the rear of the housing is dedicated to orchard planting or similar.

Ecology: (Previous comments) No objection but recommends a condition requiring a detailed ecological appraisal of the site at reserved matters stage.

Planning Policy: The application must be considered in the light of the saved policies in the adopted local plan, the NPPF and emerging local plan.

The policy framework provided by the extant local plan (1991-2011) is increasingly out-of-date with certain policies not in accordance with the NPPF. The proposal is contrary to Policy ST3 in the extant local plan which although having sustainability aspects which are in line with the general thrust of the NPPF is considered to be overly restrictive particularly in light of paragraphs 54 and 55 of the NPPF which aim to facilitate appropriate housing in rural areas to meet local needs. Therefore the presumption in favour of sustainable development as set out in the NPPF paragraph 14 is an important material consideration. As previously discussed it should be considered whether 6 dwellings is consistent with Policy SS2 for example whether it meets the identified housing need, particularly affordable housing and is commensurate with the scale and character of the settlement.

Overall although the Council now does have a five-year housing land supply, it is more important that the impacts and benefits of the scheme are considered appropriately in light of the existing local plan, the NPPF and the emerging local plan. Particular reference should be made to the presumption in favour of sustainable development in the NPPF paragraph 14. As previously, I do not raise a policy objection against the principle of development, subject to there being no adverse impacts raised by other consultees that would significantly and demonstrably outweigh the benefits of additional housing provision.

Strategic Housing: (Previous comments) As the site is outside the development limit we would expect 100% of the dwellings to be affordable under current policy.

Leisure Policy: The proposed development will result in an increased demand for outdoor play space, sport and recreation facilities and in accordance with Policies CR2, CR3, ST5 and ST10 of the South Somerset Local Plan an off-site contribution towards the provision and maintenance of these facilities is requested of £5,036 per dwelling (equating to an overall total of £30,217) broken down as:

- £19,333 for local facilities;
- £7,199 for strategic facilities;
- £3,385 as a commuted sum towards local services;

- £299 as the Community Health and Leisure Service administration fee.

Wessex Water: (Previous comments) Raised no objections.

REPRESENTATIONS

Written representations have been received from 7 local residents raising the following comments and concerns:

- This application has not been amended since it was previously refused and subsequently dismissed by the Planning Inspector.
- The application relies heavily on the lack of a 5-year supply of building land however a report to the Council in June concluded that this was no longer the case.
- There are already other planning applications in progress in Keinton Mandeville do we need more housing especially as one development appears to be favoured by the local community, is nearer to all the village amenities and appears to benefit a wider range of residents.
- The site is outside the development area and unsustainable in its location.
- The development brings Keinton and Barton St David closer together.
- Keinton is supposed to be a rural village, all these developments are turning it into a very busy place with limited facilities.
- Any housing should be 100% affordable.
- Village services are at full stretch with overloading of the sewer system in the last 12 months.
- There are a number of other planning applications in Keinton, this application should be examined in relation to these.
- There is no pavement on this road to connect the development to local facilities.
- Distance to local facilities.
- Public transport provision in Keinton is poor.
- There is a side access to the remaining plot of land behind the development and we have no guarantee that this will not be used to develop the rest of the plot at a later date.
- If approved it could lead to many more applications applying to develop small plots.
- Nearby villages of Barton St David, Baltonsborough and Somerton already have new developments offering a variety of ownership methods and different styles of home so in this area people's housing requirements are already being catered for. Additionally there is always a large number and variety of homes for sale in the village at any one time.
- Loss of privacy and over bearing.
- Loss of view.
- The landscape officer previously objected to this proposal.
- Out of character with remainder of the road.
- The new properties will not be in line with those already existing on that side of the road.
- There are a number of bungalows in the road already but none of the proposed houses are to be bungalows.
- There are no semi-detached properties in the vicinity.
- The proposal would lead to undesirable ribbon development.
- Many apple trees in the field have been cut down in the last few years.
- Has the ecological and wildlife impact been properly assessed.
- The proposal leaves a small area behind the proposed development which is too small for any usual purpose and the land will be left totally idle and continue to be neglected.

- Highway safety. This is a busy road, with more houses there is likely to be more vehicles parking on the road creating hazardous road conditions. Lead to an increase in traffic on this narrow road to the detriment of other road users.
- The areas for pedestrians to walk do not seem ideal.
- The proposal will add to the excess traffic that the High Street already suffers.
- The proposal will be built into an area of derelict land and should not be approved.

APPLICANT'S CASE

“This proposal constitutes sustainable development that complies with the latest Government policy. A number of dwellings can be readily assimilated into the street scene without detriment to neighbouring properties or the wider landscape. It’s occupants need not have access to a private motor vehicle for many of their daily needs. It would contribute to the existing shortfall of housing land, whilst buoying the ability of Keinton Mandeville to sustain a healthy and vibrant community.”

(para 7.1 of the Supporting Statement)

CONSIDERATIONS

The main issues in the consideration of this application are considered to be:

- The principle of development;
- Visual amenity and landscape impact;
- Residential amenity;
- Highway safety; and
- Ecology.

Principle:

The application site is greenfield land located outside the defined development area of Keinton Mandeville, and therefore in a position where development is normally strictly controlled by Policy ST3 of the South Somerset Local Plan. It should be noted, however, that the policy framework provided by the extant local plan (1991-2011) is increasingly out-of-date with certain policies not in accordance with the National Planning Policy Framework. The proposal is contrary to Policy ST3, however, 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 and sustainable housing to meet local need.

This application was preceded by an earlier identical scheme that was refused and subsequently dismissed at appeal. However, the Inspector noted that Keinton Mandeville is a large village, with a number of services and facilities, including a shop, primary school, public house, community hall and recreation ground, and concluded that the site is in a sustainable location. Indeed, the Inspector raised no substantive concerns in relation to the proposal and the appeal was only dismissed due to the omission of a unilateral agreement to secure the leisure contributions, which at that time were required through the provisions of saved policies CR3 and ST10. Therefore, notwithstanding the concerns raised by the parish council and a number of local residents the location is considered to be a sustainable location for residential development in accordance with the provisions of the NPPF and the thrust of saved local plan policies.

Impact on local landscape and visual amenity:

As with the previous application it has been indicated that that the dwellings would be two-storey in height and be a mix of detached and semi-detached houses with the indicative

layout plan suggesting at a linear arrangement with the proposed houses facing on to but set back from the highway. However, layout, appearance and design are reserved matters.

Area East Committee objected to the previous application by reason that this “extension of built form would erode the local character and have a poor relationship with the village core by reason of its detachment from the main part of the village and its rural location”. However, the Planning Inspector noted that the proposed housing would “maintain the essentially linear development form of the village that extends along the road network from its central core, that the provision of semi-detached properties would not necessarily harm the varied character and appearance that already exists in the area”. He further notes that “immediately opposite the site is a continuous frontage of houses that extends further north than those proposed” and as such would form a continuation of the existing pattern of development.

Therefore taking into account the Inspector’s comments raising no substantive visual amenity concerns and bearing in mind that matters relating to layout and design are reserved for later consideration it is not considered that there are any robust concerns on which to base a landscape or visual amenity refusal.

Residential amenity:

The application site sits immediately to the north and opposite a number of residential properties. The proposed scheme of six two-storey houses however is relatively low density and there is no reason why an acceptable layout and design could not be achieved that avoids causing any demonstrable harm to these neighbouring properties.

It is noted that a local resident has objected to the loss of a view in that their view of a green field will be replaced by built development. Whilst their objection to such a change to their outlook is understandable it does not constitute a sufficiently substantive reason to refuse the application.

There is a livestock farm located approximately 130m from the site which could potentially cause some nuisance to future occupiers of the development as a result of odour, insects and noise. However, bearing in mind the existing residential dwellings that are a similar distance from the farmyard to those proposed and that there is no history of nuisance complaints in relation to this issue the council’s Environmental Health officer did not consider this to be a reason to object to the application.

It is noted that the Inspector raised no specific residential amenity concerns, therefore given the above comments the proposal is not considered to cause any substantive amenity concerns.

Highway safety:

The highway authority raised no objection to the principle of the proposed development or the number and position of the proposed new accesses and are satisfied that a satisfactory level of visibility (43m in each direction when measured 2.4m back from the carriageway edge), on-site parking and turning can be achieved for each new dwelling. Therefore, notwithstanding traffic related concerns raised by a number of local residents, including the speed of traffic along this 30mph road and increased traffic as a result of the development, provided the visibility splays, parking and turning are secured by condition the development is not considered to be prejudicial to highway safety. This view was shared by the Planning Inspector.

Ecology:

The site is not subject to any special ecology designations and the council’s ecologist has not identified any specific concerns in relation to the site although has requested a condition requiring a detailed ecological appraisal of the site. As such any approval should be subject

to a condition requiring an ecological appraisal to be submitted prior to reserved matters stage.

A local resident has expressed concern that any loss of the hedgerows surrounding the site could be harmful to the habitat of local wildlife. This is noted and it is anticipated that as much of the boundary hedgerows as possible will be retained, this matter however is best addressed through a landscaping scheme at reserved matters stage.

Archaeology:

The site is not subject to any special archaeological designations, however, the county archaeologist has noted that there are some earthworks within the site and therefore requested a condition requiring the site be archaeologically investigated prior to any works commencing.

Other matters:

The issue of drainage and flooding has been raised by a local resident who has noted that surface water in Barton Road usually flows to this side of the road and raised concerns at the possible effect of flooding. The application site is located in flood zone 1, the lowest flood risk zone, and Wessex Water, the drainage authority, has not raised any local or site specific concerns with respect to either drainage or flooding. On this basis there is no evidence to support the view that the development would either be unduly susceptible to flooding or lead to an increase in drainage or flood related issues in the locality.

The Strategic Housing team has noted that the site is located outside the development area and should therefore be treated as an exception site with the expectation that any new housing here should be affordable. Concerns have also been raised by a number of local residents that the new housing will not benefit the local community. Whilst these concerns are noted, due regard should be given to the current transitional policy circumstances whereby the extant local plan is increasingly out-of-date and the controls of Policy ST3 being considered to be overly restrictive and not fully in accordance with the NPPF. In these circumstances, it is not considered reasonable to seek 100% affordable housing on all residential proposals simply because they are outside settlement limits. In this instance, this is not considered to be a reason to refuse this application.

Planning Obligations:

The applicant has agreed to making contributions towards the provision of local offsite outdoor play space, sport and recreation facilities and towards the maintenance of such facilities, in accordance with Area East Committee's request, as follows:

- £19,333 towards the enhancement of the local equipped play area, changing facilities and village hall in Keinton Mandeville;
- £485 towards the provision of a new 3G AGP at Huish Episcopi Academy; and
- £3,385 as a commuted sum towards the maintenance of the local equipped play area, changing facilities and village hall in Keinton Mandeville.

Conclusion:

In view of the Planning Inspector's comments in respect of the previous application and the comments set out above the proposal is considered to represent a sustainable form of development and to cause no significant adverse impact on the character of the area, residential amenity or highway safety and accordingly is recommended for approval.

RECOMMENDATION

Permission be granted subject to:

1. The prior completion of a S106 planning obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued, the said planning obligation to cover the following issues:-
 - (a) financial contributions towards offsite recreational infrastructure of £30,217 broken down as:
 - £19,333 for local facilities;
 - £485 for the new 3G AGP at Huish Episcopi Academy; and
 - £3,385 as a commuted sum towards local services;

For the following reason:

Keinton Mandeville by reason of its size and provision of services and facilities is considered a sustainable location in principle for appropriate development. The erection of six dwellings on this site, immediately adjacent to settlement limits would respect the character of the locality with no demonstrable harm to residential amenity or highway safety. As such the proposal complies with saved policies ST2, ST5, ST6, EC3, EC7, EC8, EH12 and EP1 of the South Somerset Local Plan, the provisions of the emerging local plan and the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. Details of the appearance, landscaping, layout and scale (herein 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: For the avoidance of doubt and in the interests of proper planning.

02. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission and the development shall begin no later than three years from the date of this permission or not later than two 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.

03. The site hereby approved for development shall be as shown on the submitted combined site plan and site layout (drawing number 1389/01) received 21/10/2013.

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

04. The development hereby permitted shall comprise no more than 6 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location and commensurate with levels of contributions sought in accordance with policies ST5, ST6, ST10 and EC3 of the South Somerset Local Plan.

05. No development hereby approved shall take place unless the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To ensure that adequate opportunity is afforded for investigation of archaeological or other items of interest to accord with Policy EH12 of the South Somerset Local Plan.

06. Prior to the submission of any reserved matters application a detailed ecological appraisal of the site shall be carried out and details including an assessment of the impact of the proposed development and any appropriate measures to alleviate this shall be submitted to and approved in writing by the Local Planning Authority. Any agreed mitigation measures shall be implemented in full accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with Policy EC8 of the South Somerset Local Plan (adopted), The Habitats Regulations 2010, and The Wildlife and Countryside Act 1981 (as amended).

07. There shall be no obstruction to visibility greater than 600mm above adjoining road level forward of a line drawn 2.4m back and parallel to the nearside carriageway edge on the centre line of the new accesses and extending to a point 43m either side of the accesses to the nearside carriageway edge. Such visibility shall be fully provided and shall thereafter be maintained at all times.

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

08. The Development hereby permitted shall not be commenced unless a scheme providing an appropriate level of parking in line with the SCC parking strategy March 2012 (including properly consolidated and surfaced turning spaces for vehicles) have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of the provision of adequate parking to serve the development in accordance with the Somerset Parking Strategy 2012 and Policy ST5 of the South Somerset Local Plan.

09. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, including measures to prevent the discharge of surface water to the highway, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interests of environmental health and neighbour amenity to accord with Policies EU4 and ST5 of the South Somerset Local Plan.

Informatives:

01. The applicant is reminded that the layout detailed on the submitted proposed site layout plan (drawing number 1389/01) only secures the position of the new vehicular accesses and that all other layout details are indicative only.

02. The developer's attention is drawn to the comments made by the council's Landscape Officer with regard to the road frontage and orchard planting of the paddock to the rear of the site.
03. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that a Section 184 Permit must be obtained from the Highway Service Manager, Yeovil Area Office, tel 0845 3459155. Application for such a permit should be made at least three weeks before access works are intended to commence.

Agenda Item 23

Officer Report on Planning Application: 15/00084/COU

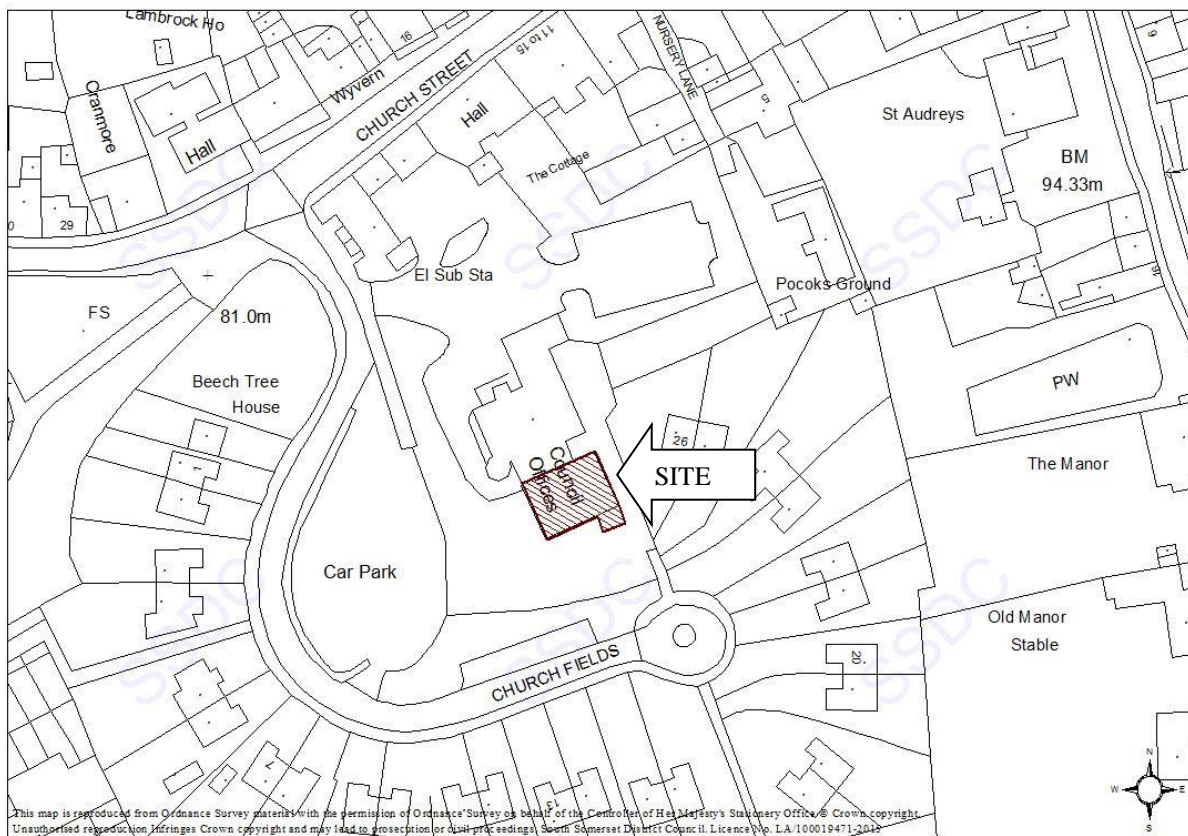
Proposal :	Change of use of lower ground floor area of building (south wing) to a nursery (GR 371217/128486)
Site Address:	South Somerset District Council Churchfield Wincanton
Parish:	Wincanton
WINCANTON Ward (SSDC Member)	Cllr Nick Colbert Cllr Colin Winder
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	3rd March 2015
Applicant :	SSDC Property Services
Agent: (no agent if blank)	
Application Type :	Other Change Of Use

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 change of use of the lower ground floor of the building and an area of the curtilage from an office to a children's day nursery. 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 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. The internal area to change use includes a small extension to the building with planning permission, but not yet built.

HISTORY

14/04613/FUL - Erection of a single storey extension to south wing of building - Application permitted with conditions 17/12/2014

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), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in

accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the saved policies of the South Somerset Local Plan 2006. On the 8th January 2015, South Somerset District Council received the Inspector's Report into the emerging South Somerset Local Plan (2006 - 2028). The conclusion of the report is that the local plan is 'sound', subject to a number of agreed modifications.

Under the terms of Paragraph 216 of the National Planning Policy Framework (NPPF) weight should be given to relevant policies in emerging plans according to "the stage of preparation" and therefore the emerging local plan must be given substantial weight in decision-taking and it is therefore essential that the development is considered against all relevant policies.

On this basis the following policies are considered relevant:-

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

Policy SD1 - Sustainable Development
Policy SS1 - Settlement Strategy
Policy TA5 - Transport Impact of New Development
Policy TA6 - Parking Standards
Policy EQ2 - General Development

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

CONSULTATIONS

Town Council - Recommends approval

County Highway Authority - Refers to standing advice

SSDC Environmental Protection Unit - States that experience has shown that institutions of this nature have the potential to cause localised noise issues, however given the location and context of this application he does not think there is an overriding issue here. He recommends the use of a condition to ensure all hard surfaces within any play areas are padded to dampen noise from play activities. He additionally recommends an informative to suggest that the operator should maintain, implement and adapt as required a noise management plan.

SCC Archaeology - No objections

REPRESENTATIONS

One letter of objection received from the proprietor of a nursery business elsewhere in Wincanton. One letter of objection received from the occupier of a neighbouring property. Objections were raised on the following grounds:

- The proposed nursery business is not required in Wincanton, as there is already sufficient capacity for existing and future demand. As such, the viability of the objector's business and the careers of his staff could be adversely impacted.

- Concern that the proposal will exacerbate existing parking issues in the area, especially if the children from the nursery and the primary school are to be collected at the same time.

CONSIDERATIONS

Principle

The emerging local plan designates Wincanton as a Primary Market Town "...where provision will be made for housing, employment, shopping and other services that increase their self containment and enhance their roles as service centres. "The site is within a development area as defined by the existing local plan. As such, the principle of this type of business in this location is considered to be policy compliant.

The owner of a nursery business elsewhere in Wincanton has raised an objection on the grounds that the proposed provision is not necessary, and could therefore jeopardise the viability of the objector's business and the careers of his staff. However, the planning system does not exist to protect the private interests of individual business owners, or even the careers of their employees. Instead the market must be allowed to operate in this respect.

Visual Amenity

There is an extension to the building that would be used by the proposed nursery that has been granted planning permission but not yet built. Minor alterations to the fencing arrangements are also proposed. As such, the impact of the proposed development on the visual amenity area is considered to be minor and entirely acceptable.

Residential Amenity

The SSDC Environmental Protection Unit was consulted as to the likely noise impacts on the occupiers of neighbouring properties. They noted that this type of business has the potential to generate localised noise impacts. However, they were comfortable in this particular case that there was not an overriding issue, subject to a condition and informative on any permission issued.

There are no other issues arising in relation to residential amenity.

Highways

The highway authority has referred to their standing advice. The highway authority have previously stated that when they refer to their standing advice in relation to change of use applications, it indicates that they have assessed the number of vehicle movements likely to be associated with the existing use against the number of movements likely to be associated with the proposed use, and concluded that they will be broadly similar. Given that there will be no decrease in parking provision, and an existing area of parking (10 spaces) currently used by the public will be signed to make it clear is for use only in association with the proposed nursery use, there will be no demonstrable harm to highway safety in relation to parking issues. No changes are proposed to the existing access arrangements.

A neighbour has raised a concern that the proposal will exacerbate existing parking issues. However, as discussed above, the proposed use is not considered likely to generate significantly more vehicle movements than the existing permitted use, albeit that the currently available accommodation is underused.

Conclusions

Accordingly the proposal is considered to comply with policies EH1, ST5 and ST6 of the South Somerset Local Plan, emerging local plan policies SD1, SS1, TA5, TA6, and EQ2, 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 causes no demonstrable harm to residential amenity or highway safety in accordance policies EH1, ST5 and ST6 of the South Somerset Local Plan, emerging local plan policies SD1, SS1, TA5, TA6, and EQ2, and the aims and objectives 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: 1289-60 received 22 December 2014 and 1289-61 received 06 January 2015

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

03. The area marked in pink on the submitted floor plan, 1289-60 received 22 December 2014, shall be used as children's day nursery and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interests of residential amenity and in accordance with policy ST6 of the South Somerset Local Plan and policy EQ2 of the emerging local plan.

04. Any hard surfaces provided within the outside area, to be used in conjunction with the use hereby permitted, should be padded with a soft material in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To dampen noise from play activities in the interests of residential amenity and in accordance with policy ST6 of the South Somerset Local Plan and policy EQ2 of the emerging local plan.

05. The children's day nursery use hereby permitted shall not be operated outside the hours of 8am to 6pm Monday to Friday and not at all on Saturdays, Sundays and Bank Holidays.

Reason: In the interests of residential amenity and in accordance with policy ST6 of the South Somerset Local Plan and policy EQ2 of the emerging local plan.

Informatives:

01. The applicant's attention is drawn to the comments of the SSDC Environmental Protection Unit who have recommended that the operator of the nursery should maintain, implement and adapt as required a noise management plan.

Agenda Item 24

Report In Relation To County Council Consultation In Relation To A Proposed Waste Transfer Station At Dimmer Landfill Site, Dimmer, Castle Cary (ref. 15/00372/CPO)

Ward Member(s)

Cllr Nick Weeks

Cllr Henry Hobhouse

Strategic Director:

Rina Singh, Strategic Director (Place & Performance)

Assistant Director:

Martin Woods, Assistant Director (Economy)

Service Manager:

David Norris, Development Manager

Lead Officer:

Adrian Noon, Area Lead

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Purpose of The Report

To inform Members of an application that has been made to Somerset County Council for “the construction and operation of a waste transfer station (including retention of glass bays, garage/workshop, water tanks, weighbridge, parking and staff welfare facilities)” at the Dimmer landfill site and invite members to provide a response which the Committee would wish to make to the County Council.

Recommendation

That Members provide comments to form the District Council’s consultation response to Somerset County Council.

Background

Application 15/00372/CPO for the construction and operation of a waste transfer station (including retention of glass bays, garage/workshop, water tanks, weighbridge, parking and staff welfare facilities)” at the Dimmer landfill site has been submitted to Somerset County Council. The District Council, along with the parish council and local residents, has been consulted and invited to make representation to the County Council who are the determining authority under their waste and mineral powers.

Site

The site was originally a wartime depot, with ammunition bunkers surrounded by earth banks. It was first developed as a landfill in about 1970. The original filling was quite shallow over a wide area. After 1975 the County Council took ownership of the site and the landfill was developed as a series of square cells. In the early 1990s planning permission was granted for a major extension to the landfill to deal with additional waste arising from the closure of sites near Wells and Yeovil. This extension was developed some years later and has been operating ever since catering for waste from Mendip and South Somerset.

The Dimmer site has also received permission for other waste management facilities including: green waste composting, a materials recycling facility and an in vessel composting facility and has accepted household, commercial, industrial, (non special and special waste) throughout its history. The site currently comprises of:

- An operational non hazardous landfill, which has no end date or vehicle number restriction, with a current annual throughput of approximately 110,000 tonnes a year and historically this has been up to 165,000 tonnes a year;
- An operational green waste composting facility with an annual throughput of approximately 20/30,000 tonnes a year;

- An operational glass bulking facility (tonnage included in landfill figures);
- A closed in vessel composting facility for dealing with green and kitchen waste which had an annual throughput of approximately 27,000 tonnes a year when it was operational (2013).
- Household Waste Recycling Centre (HWRC) operated by Viridor adjacent to the site.

Access would be via the existing landfill site access road from Camp Road, use of which is shared with the adjacent Dimmer HWRC and adjacent industrial estate.

The Proposal

The proposed waste transfer station (WTS) would cover 1.72 hectares and would consist of the retained In Vessel Composting (IVC) facility building (dimensions 51.5m by 27.15m) together with a proposed extension (dimensions 51.5m x 21.9m). The existing building height of 7.5m to the eaves will remain unchanged. The extended building will have a total floorspace of 2,408 sq m.

The building is a steel portal frame construction with columns at regular intervals around the perimeter. The proposed extension would be clad with steel profiled sheeting similar in style and colour (green) to the existing building. Within the roof there would be rooflights to provide some internal light.

Internally around the perimeter of the proposed extension there would be a 5m high concrete retaining wall to contain the waste deposited within the building. The wall would form the external envelope for the lower part of the extension with the columns visible on the outside. The upper part, above the walls, of the extension would be clad in a steel profile sheeting similar in style and colour to the existing building. Where there is no internal wall the cladding will be either brought down to ground level or a small dwarf wall will be constructed for the cladding to finish against.

The existing former IVC building provides loading and circulation space, while the new building extension provides the covered storage area for waste. Under normal operating conditions the WTS would operate a clean floor policy (i.e. waste deposited during the day will be removed by the end of the day), however the design of the WTS incorporates up to three days of waste storage to accommodate unforeseen events and emergency/contingency situations in line with Environment Agency requirements.

The proposal would retain the existing staff welfare, garage/workshop, weighbridges, hardstanding, water storage tank and parking, located at the entrance to the Dimmer site. The existing glass storage bays would be relocated to the western boundary of the WTS building and fitted with acoustic screening to reduce the impact of glass being tipped within them.

It is advised that WTS would divert municipal and commercial and industrial waste that is currently going to the landfill and have a maximum capacity of 75,000 tpa.

The submitted Traffic Assessment notes that the landfill site has historically generated up to 306 HGV movements per day (156 in and 156 out), although by 2013 this had reduced to 196 (96 each way). It is stated that if the WTS is approved, the landfill would close in 2016 to household and commercial waste, this would be followed by a 2-year restoration period during which soil would be imported to implement the restoration. This would operate in tandem with the WTS, thus for a two period it is claimed that there would be 184 daily HGV movements (92 each way), thereafter (2018 on) this would fall to 82 HGV movements each way (164 total movements).

If the WTS is not approved it is stated that the landfill would have to remain operational.

The supporting information comprises:-

- Design & Access Statement
- Landscape and Visual Assessment
- Flood Risk Assessment
- Planning Supporting Statement
- Noise Assessment
- Carbon Assessment
- Transport Assessment

Planning History

There is a long history of applications related to this landfill site. The principle approvals are:-

15/00548/EIASS	Screening opinion issued by Somerset County Council (11/12/14) which advises that an Environmental Impact Assessment is not required.
03/01269/CPO	Creation of area for composting of green waste
99/02590/CPO	Application permitted for redevelopment of existing waste management site facilities
99/02055/CPO	Extension to Landfill site permitted (15/10/99)
99/01531/CPO	Household waste recycling centre approved.
910134	Alterations at access an extension to landfill site.
811041	Extension of existing waste disposal site

Other Relevant History

During the food and mouth crisis permission was granted on land to the north east for an animal incinerator. This was a temporary permission which has now lapsed, although the structure is still there.

There is a current application (14/04582/FUL) for a concrete batching plant on land adjacent to the incinerator. Additionally there are a number of current applications for significant residential development (c.500 dwellings) on the northwest side of Castle Cary, off Station Road. Whilst these are undermined, cumulative traffic assessments have been requested which need to assess the impacts of all current development proposals, including the proposed WTS and concrete batching plant. A key area of concern is likely to be the possible impact of additional traffic along the B3153 between Castle Cary and the A37 at Lydford.

PLANNING POLICY

Waste Core Strategy – Somerset County Council February 2013

- WCS2 – Recycling and Reuse
- DM1 – Basic Location Principles
- DM2 – Sustainable Construction & Design
- DM3 – Impacts on the Environment and Local Communities
- DM4 – Site Restoration and Aftercare
- DM5 – Safeguarding Waste Management Sites
- DM6 – Waste Transport
- DM7 – Water Resources

National Planning Policy Framework – March 2012

Other Relevant Documents

The 1987 Wincanton Local Plan allocated land immediately to the northeast of the site for 'bad neighbour' industries. This designation reflected the on-going landfill activities and lack of immediate residential neighbours. The designation was brought forward into the then emerging 2006 local plan, however following the grant and implementation of permissions the designation was regarded as implemented and as such the formal allocation did not need to be brought forward into the adopted 2006 plan.

CONSULTATIONS

As this is a 'County' application the District Council is a consultee, and therefore external consultees (the Parish Council(s), neighbours various, statutory bodies etc.) are invited to make their comments direct to the County Council for consideration. Nevertheless many local residents have copied their objections to the District Council for information; these are summarised as:-

- Increased traffic on the B3153 which is lacking pavements, narrow and twisting, and cannot cope. This would lead to safety and amenity concerns in Alford, Clanville, Lovington and Lydford;
- Already high levels of traffic, particularly HGVs on B3153 which inadequate and unsuitable;
- Properties along the B3153 front directly onto the road – passing HGV are very intrusive;
- Cumulative impact of increased traffic with other proposals (450 houses in Castle Cary and the concrete batching plant);
- Dimmer is the wrong location being neither on nor near the strategic road network;
- County policy WCS5 requires strategic waste sites to be centrally location near Taunton, Bridgwater, Yeovil or Glastonbury/Street.
- Volumes of waste are under-estimated and could increase in the future;
- The landfill operation should be wound down; this proposal would make Dimmer a permanent facility, opening the door to further development to the detriment of the amenity and safety of the local community.

ISSUES

It is considered that this application for a waste transfer station raises a number of issues:-

- Traffic impact HGV movements on the B3153 between Castle Cary and the A37 at Lydford, particularly through the villages of Alford, Clanville and Lovington in terms of highways safety and residential amenity. In detail consideration should be given to:-
 - a) Cumulative impact with other developments, in particular the concrete batching plant and residential development.
 - b) Would the proposed WTS result in an increase in traffic over what could be generated unrestricted landfill approval
 - c) Could control be exerted by a traffic management plan or condition restricting the number of HGV movements? Would this constitute an improvement?
 - d) Control over any prolonged overlap of WTS and landfill activities;
- Would there be any undue increase in noise and disturbance?
- Would there be any increase visual impact at the site as a whole?
- Would the creation of a WTS, with appropriate restive conditions be a benefit if it achieved the cessation of the unrestricted landfill activities?

In light of the foregoing, member's views are sought and will be reported to Somerset County Council for consideration as part of their determination of this application.

Background Papers: *Planning File 15/00372/CPO*