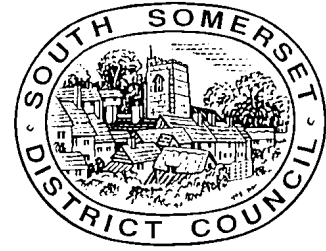


South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 8th April 2015

10.00 am

**Ansford Academy, Maggs Lane,
Ansford, Castle Cary BA7 7JJ**

(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 11.30am.

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

This Agenda was issued on Friday 27 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 **11.15 am**. Planning applications will not be considered before **11.30 am** in the order shown on the planning applications schedule. The public and representatives of Parish/Town Councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

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

Members Questions on reports prior to the meeting

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

Information for the Public

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

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

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

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

Meetings of the Area 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 8 April 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. Chairman Announcements

8. Date of Next Meeting

Members are asked to note that the next scheduled meeting of the committee will be held on 10th June 2015 at The Council Offices, Churchfield, Wincanton.

Items for Discussion

9. Performance of the Streetscene Service (Pages 1 - 4)

10. Area East End of Year Report 2014/15 - Presentation (Pages 5 - 11)

11. Provision of Minor Injury Services and Education Places in Wincanton (Pages 12 - 18)

12. Area East Committee Forward Plan (Pages 19 - 21)

13. Items for information (Pages 22 - 29)

14. Schedule of Planning Applications to be Determined by Committee (Pages 30 - 31)

15. 14/02020/OUT Outline Planning Application (All Matters Reserved Except for Access) for up to 165 houses, up to 2 Ha of Employment Land Castle Cary (Pages 32 - 53)

16. 15/00425/S73A Application to vary planning condition 2, Land At Higher

Farm Higher Farm Lane Yeovilton (Pages 54 - 58)

- 17. 15/00024/OUT Outline application for the erection of up to 150 dwellings in Ilchester (Pages 59 - 80)**
- 18. 15/00407/DPO Application to discharge a Section 106 Agreement dated 19th January Land North Of Coombedene Coombe Hill Keinton Mandeville (Pages 81 - 84)**
- 19. 15/00113/FUL Erection of extension to existing dwelling - The Barn, Templecombe (Pages 85 - 88)**
- 20. 15/00162/S73A Application to remove Condition 2 Lavender Green Verrington Lane Charlton Musgrove (Pages 89 - 92)**

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

Performance of the Streetscene Service

<i>Portfolio Holder:</i>	Jo Roundell Greene - Environment Portfolio
<i>Strategic Director:</i>	Vega Sturgess – Operations and Customer Focus
<i>Assistant Director:</i>	Laurence Willis - Environment
<i>Lead Officer:</i>	Chris Cooper Streetscene Manager
<i>Contact Details:</i>	chris.cooper@southsomerset.gov.uk or (01935) 462840

Purpose of the Report

To update and inform the Area East Committee on the performance of the Streetscene Service in the Area for the period April 2014 – March 2015

Recommendation

Members are invited to comment on the report

Report

The major focus of the service so far for this period that affect Area East, are listed below.

- Routine cleansing and grounds maintenance
- Highway weed control
- Rights of Way maintenance
- Main Road litter picking

Operational Works

As usual the main focus of the service has been the delivery of routine street cleansing and grounds maintenance across the Area. Our teams have settled following some changes to personnel and the staff have performed consistently well through the year.

Unfortunately we have recently experienced some staff sickness which has brought with it some operational challenges, however we are working with these members of staff to get them back into action as soon as possible.

One area of work that has received on-going focus has been the highway weed killing operation. The service now has two bespoke weed spraying quad bikes operating, and these now provide the capacity for two full applications of herbicide a year across the district. This will make a notable difference to the towns and villages as this operation becomes more and more embedded in the service. We aim to recommence spraying throughout the district as soon as the litter picking of main roads is completed and as weather conditions allow.

This year we also worked with the community payback groups and we have worked to develop good working arrangements with them. Although this relationship has been some time in developing, we are very close to having established processes that will enable us to deploy working parties around the district carrying out work in all wards and parishes. As part of this working arrangement, the payback team will store their vehicles and equipment at our depot; this provides the team with secure storage whilst developing better communication and working practice between both parties.

We have started working with the Wincanton Town Team; offering support where possible on the initiatives around the High Street and we are looking forwards to seeing the outcomes of this work. We believe that these cooperative working practices will show notable

improvements in service delivery and we will look to continue to explore other opportunities for joint working that will improve the look of the district.

In addition to delivering routine maintenance operations, the team worked in preparation for potential winter weather issues. Fortunately this year we have not experienced any serious problems and as a result, we hold a large number of prepared sandbags which are ready for use, in addition to these we also have numbers of 'flood sacks' in stock should they be required.

As well as preparing for flood related issues, we also planned, if we were faced with snowfall; to deploy teams to clear snow and spread grit in market towns, focussing on gritting pavements and crossings in town centres and high streets. The use of 4x4 vehicles and grit spreaders makes this a viable option for us. Should members have areas of particular concern that would benefit from gritting, please contact us to discuss these ideas.

We also continue to focus on managing the number of flytips found in the district, the chart below shows the numbers of fly tips collected from Area East over the year.

AREA EAST	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	TOTAL
Abbas & T/combe	1	2		1			1	1				6
Alford												0
Babcary												0
Barton St David												0
Bratton Seymour				2	1	2	1	1				7
Brewham		1										1
Bruton				1			2	1				4
Castle Cary & Ansford	1			4	1	1		3	2	2		14
Charlton Horethorne				1							1	2
Charlton Mackrell				1	5	2	1			1		10
Charlton Musgrove	1								1			2
Chilton Cantelo		1	1					1	2			5
Compton Pauncefoot	2	2		1		2	3	1		1	2	14
Corton Denham										1		1
Cucklington	1				1		1	1	1			5
Henstridge	2		4	2	1				1			10
Holton		1			1						1	3
Horsington							1			1		2
Ilchester	1		2		1	1	1	2	3		3	14
Keinton Mandeville												0
Kingsdon	1				1	2				1		5
Kingweston	1	1			1							3

Limington				2						1		3
Lovington												0
Maperton				5	1			3	2			11
Marston Magna				1			1					2
Milborne Port	1		2	2	1		1	1		1		9
Mudford	1	4	1	4	1	1	8		4	1		25
North Barrow				1								1
North Cadbury				1								1
North Cheriton												0
Penselwood				1						1		2
Pitcombe				2	1						1	4
Queen Camel				2			1	1				4
Rimpton												0
Shepton Montague												0
South Barrow							1					1
South Cadbury										1		1
Sparkford					1						1	2
Stoke Trister		1	1		4	1	1	3				11
West Camel			1				1					2
Wincanton		1	7	1	2	3	2	2	2	1	1	22
Yarlington	1			1								2
Yeovilton	2									1		3
TOTAL AREA EAST	16	14	19	36	24	15	27	21	18	14	10	214

In Area East we find that the levels of tipping are the same as during the previous 12 months, with 217 flytips cleared for the same period the previous year. The vast majority of these tips are the size of a small van load or less and we are carefully monitoring the types of waste deposited to help us control this problem.

The Parish Ranger Scheme has continued to develop and the service now employs three Rangers across the district. In Area East we have schemes working in Compton Pauncefoot /Blackford, Wincanton and Milborne Port. We aim to continue to develop the programme with more parishes over the coming year.

Our horticultural teams have completed 16 grass cuts through the year and they have recently completed the winter work programme of winter mowing; ditch maintenance; shrub bed pruning, weeding and mulching. As is normal for us, we are now undertaking spring maintenance operations in line with our work schedules.

In 2014 the service was successful in tendering for the maintenance of Public Rights of Way in South Somerset, and we delivered the service as specified by the Rights of Way Officers in line with the County Councils work programme. The service is now working on the tender documents for this coming season.

In addition to these operations, the landscaping team has been working with James Duvall, the Town Council and Cllr. Anna Groskop on landscaping initiatives in Bruton. This has consisted of two landscaping programmes the first programme focusses along the river walk from the pump house through to the Plox; while the other scheme targeted the Milldam to improve the pathway, handrail and bridge. These works have greatly improved access and will encourage ongoing use of this lovely route.

This year the service renewed the bulb planting initiative, working with towns and parishes to introduce plantings of a mixture of bulbs including Muscari, Leucojum, Galanthus, Fritillaria, Hyacinthus and Ornithogalum. This year we provided bulbs to the following parishes; Blackford, Sparkford, Corton Denham, Abbas & Templecombe, all of these bulbs were planted by local groups of volunteers and we are looking forwards to seeing the results of these plantings.

As well as delivering our normal work programme, the major focus for the horticultural service will be to improve signage and accessibility on and around our open spaces. These developments will enable greater use to be made of our green spaces for everyone, while making the visiting experience more enjoyable.

What's coming next?

- Spring and summer work programmes shrub bed maintenance, hedge cutting, spraying and mowing
- Ongoing developments to the cleaning systems along the main roads and A303 in particular
- Delivering the years highway weed control programme
- Development of signage and accessibility in open spaces

Financial Implications

All of the matters highlighted in the report have been achieved within service budgets.

Implications for Corporate Priorities

Continue to deliver schemes with local communities that enhance the appearance of their local areas

Continue to support communities to minimise floodwater risks

Maintain street cleaning high performance across the district.

Background Papers

Progress report to Area Committees on the Performance of the Streetscene service

Agenda Item 10

Area East End of Year Report 2014/15 - Presentation

<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 provide Members with an overview of Area East progress and achievements during 2014/15

Public Interest

This report gives a summary of work undertaken over the year in response to local priorities raised by local communities and Councillors. The Committee's priorities form a work programme to support local communities and to run complementary programmes of activities to address the particular needs of this rural area.

Recommendation

That members comment on and note the presentation and schedule Appendix 1.

Background

The Area East Committee focuses its resources to address local needs in order to promote improved quality of life in Area East. The Area Development Service Plan 2014/15 contains a set of local priorities, a work programme with targets, to carry these forward throughout the year.

Delivering Priority Work

A presentation will be given at the Committee highlighting the work taken forward in the Area Development Service Plan 2014/15. The Plan and the end of year position in summary is set out in the attached schedule (Appendix 1). The Committee has received regular reports of specific work in themes – youth, village halls, marketing, retail support initiative – or focused on delivery of schemes in the main towns throughout the year.

When the new Committee is appointed in May 2015 a priorities workshop will be arranged to assess available resources, agree priorities and enable a plan and work programme to be prepared for 2015/16.

Financial Implications

There are no new financial implications arising directly from this report. A separate report on use of resources in 2014/15 will be prepared at year end

Corporate Priority Implications

The priorities have been developed taking into account the SSDC Corporate plan. In particular the work of the ADT contributes towards:

- Enhance the vitality of town centres and discourage large scale out of town retail development that has a negative impact on local centres
- Work with and lobby partners to help communities to develop transport schemes and local solutions to reduce rural isolation and inequalities to meet existing needs of those communities
- Evaluate the overall requirements of the Government's 'Localism' legislation and work with communities to develop plans for their community
- Assist Queen Camel to complete their Neighbourhood Development Plan and use the lessons from this pilot scheme to help other communities to develop their plans in the future

Carbon Emissions & Adapting to Climate Change Implications (NI188)

This is considered on an individual project and programme basis as appropriate. The overall priority is to seek to create more balanced communities where people can live, work and get access to the services and facilities they need on a daily basis

Equality and Diversity Implications

This is considered on an individual project and programme basis as appropriate. All Area Development teams have done an Equality Impact Assessment and have an improvement plan in place.

Background Papers: ADP 2014/15;

Place & Performance
Area East Development Service Plan

Portfolio Holder – Councillor Nick Weeks

Manager – Helen Rutter

Set out below are the key projects & programmes being undertaken by the team either directly or in support of community groups & other partners, where we have a key role in the delivery of the projects. This Plan sits alongside our core work or responding to issues & problems on a day-to-day basis, working with Councillors & other services across the Authority and beyond, to try and resolve them.

Completed	In Progress – On Target	In Progress – Risk of Missing Target	Behind Target	Future Action – not started
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Service Action Plan: <i>Top level actions – more detail is within individual work programmes/project plans</i>					
Priority Area	Action	Target Date	Milestone	Lead Officer	Current Progress
Page 7	Transfer of Castle Cary Market House to local ownership	Jan 2015	Completion of Capital report and asset transfer agreed via AEC/DX	PW	Building works largely complete, into defects period. Two asset transfer meetings held. Condition survey undertaken, currently being developed into a programme of works
	Support & develop Town Team type work in the market towns to carry out projects that improve the attractiveness of the High St	Ongoing March 2015	Report to AEC on project performance	PW/JD	Targeted work in Bruton : High Street improvements, and LIC/brand Bruton improvements ongoing.
					MTIG projects towards enhancement to the riverside walk completed
					Wincanton : 2015 monthly Sunday markets scheduled to return April. Big Town Tidy event planned for 23/24 May 2015 – preparations progressing well.
	Castle Cary : Town Council's weekly market continues to flourish, recently celebrating its 1 st birthday!				
Help to resolve local problems by forming short life, solution focused action groups as required	Ongoing March 2015	Report to AEC annually	HR	Successful multi-agency working group on Deanesly Way. New residents welcome pack. Press for rapid delivery of infrastructure improvements. Lobbying to seek better emergency health care.	
Local negotiations on transfer of specific SSDC town centre assets to local Councils if required	Ongoing March 2015	Assets transferred, consensus on way forward Report to AEC annually	HR	Community toilets scheme implemented in Bruton. Open to further discussion about car park transfer to local control in Bruton and other villages, if required.	

2. Economic development, job creation & regeneration schemes	Bring forward further workspace in Wincanton & Castle Cary (corporate ED programme)	2015	Specified in project plan	PW	This project to be resourced through Corporate ED programme agreed at DX in October 2014. Parallel work to investigate work hubs underway. Report to AEC March 2015; £8,000 allocated.	
	Improvement of Wincanton High Street a) Feasibility work to attract significant new retailers/other attractions to Wincanton High St (corporate ED programme)	March 2015	As set out in project plan Report to AEC	PW	Preliminary work ongoing to look at retail incubators in the High Street as a short to medium term initiative. This is in addition to the Corporate ED programme agreed at DX in October 2014.	
	b) Re-launch targeted Retail Support Initiative	Revised scheme July 2014 Mar 2015	Number & leverage of investment reported to AEC	PW	Wincanton top-up scheme has now gone live following face-to-face visits to businesses. Total RSIs awarded 7 (of which 3 were awarded in Wincanton)	
	Secure Heart of Wessex LEADER programme to support rural economic development across Area East	Bid submission Sept 2014	Secure programme funding Schemes identified in relation to needs through consultation process	HR/JD	The whole of Area East is included. Cllr Lewis is on the Steering Group. Workshops held late 2014. Funding of over £1.4m for projects has been secured for this programme 2015/2020. It will support small businesses and economic development. Launch in June 2015.	
	Marketing of Area East for inward investment/website & brochure	Jan 2015	Report to AEC – March 2015	PW	Brochure completed, distributed and available on the website. Press releases issued. Complete.	
	Common Lane multi-user path	2015	Route opened	PW	Preliminary meeting to consider site issues undertaken in Oct 2014. Scheme currently being worked up with a view to submitting a planning application.	
	Help each of the market towns to market & promote themselves	March 2015	Marketing report to AEC annually	PW/JD/ TC	Wincanton: Specific press releases issued by Town Team in relation to Market and Town Tidy event. Positive PR around the Transport hub infrastructure improvements at Memorial Hall CP. Bruton: Brand Bruton project started with TC & Community Partnership focusing on a new website, step into Bruton leaflet & other local resources.	
	Ilchester travel plan	2015	Completed scheme	JD	Ilchester travel plan has been agreed with the Town Council & SCC Highways – ongoing.	

	Limington to Yeovil cycle path	2016	Report to AEC on completed work	JD	4 partnership meetings completed, feasibility study/ costs being developed/agreed	
	Receipt of land & exercising option on car park at Waterside, Wincanton	2015	Report to AEC & DX	PW	Active negotiation with landowner, fall back will be to move to arbitration if current discussions do not bring forward a solution.	
3. Community-led planning & development	Completion of Queen Camel Neighbourhood Plan	March 2015	Final Report and lessons from front runner AEC/DX	TC	Formal consultation period (6 weeks) delayed due to a number of factors including the need for Strategic Environmental Assessment and Habitats Regulations Screening which has now been done. Consultation now planned for Mid-May 2015.	
	Support Neighbourhood Plan Wincanton	March 2015	WTC aware of issues they want plan to tackle	TC	Project Group established, agreed terms of reference and has completed the initial research into local priorities. DCLG funding secured from Locality to engage a consultant to carry out some targeted consultation and detailed research on employment land provision as well as provide some support for the NP process.	
	Support Neighbourhood Plan Castle Cary	2016	NDP completed	PW	Consultation on formal designation of the area will run until 23 rd April 2015. Active group meeting regularly.	
	Support Towns & Parishes to carry out quality community research to influence or achieve planned projects and growth	March 2015	Completed parish plans are endorsed at AEC	TC	Research complete and being analysed in Henstridge and the Charltons are producing a comprehensive household survey which will be distributed in May.	
	Advise & support Parishes & community groups to achieve new projects & activities	March 2015	Report to AEC on schemes annually	TC/JD	£35,381 (exc HLC contribution of £10k) awarded to 27 local groups in 2014/15. This inc 2 start-up grants for new organisations. Value of all projects supported is £188,597 in total.	
	Maximising the benefits of growth a) Better awareness of how S106 /CIL, links with community research, to improve community infrastructure	March 2015	Clearer reporting of 106 investment projects to AEC	ADT Planning	Team working closely with Planning and CH&L teams. Discussions held with Education about Schools investment in Wincanton & Castle Cary. Sample investment 'account' by parish to be developed by Summer 2015 to increase Parishes' local understanding of Section 106 awards	

	b) Develop simple method for identifying sustainability factors by settlements to increase prospects of attracting good development	Dec 2014	Feedback from parishes	HR/TC Planning ADTs	Early discussion held with Spatial Policy and Development management. All Parish profiles, showing local infrastructure, being updated by May 2015. Further work needed before adoption of Local Plan and SS2	
4. Improve access to services & facilities to reduce inequality	Run a high quality access point & advice service for the public at Churchfield	March 2015	To achieve 98% customer satisfaction rate Reduce cost whilst improving service offered	HR/LD	High satisfaction rate maintained – 99% satisfaction relating to their professionalism and 98% good or very good for the environment of the reception. Total footfall for Wincanton reception is 4396 of which 2309 were core service enquiries.	
	Support development of Balsam Centre services in response to local needs to improve its sustainability	Funding report to AEC Aug 2014	Meet targets in Development Plan £10,000 funding support	JD	Work has started with support but it is still quite early days to understand the overall direction of the centre and the level of support they will require. AEC funding conditional on agreed economic targets	
	Support community-led youth work & youth opportunities.	March 2015	Annual report to AEC	TC/JD	Detailed report given to AEC March 2015. Supported youth provision in all 3 market towns and a number of parishes with different models of delivery established. Support given to Wincanton TC to evaluate the benefit of the Youth Club, which has not been well attended, to develop a programme of provision to replace it.	
	Development of Henstridge Templecombe and Milborne Port youth work programme				Somerset Rural Youth Project commissioned to research the need in the Henstridge and Templecombe area. Detail to be agreed by ADT with input from local schools. Work to begin in April 2015.	
	Development of Travel Access Point in Wincanton to improve people's access to existing services & facilities	March 2015	Report to AEC	TC	Physical infrastructure improvements completed. Potential partnership project in development with DWP and The Balsam Centre. Early discussions have taken place with local schools. Next step is to engage with larger local employers and the Health Centre.	
	New and improved community buildings – intensive support to gain	Ongoing May 2015	At least 2 buildings helped to build ready stage.	TC/JD	Bruton (Jubilee Park), Castle Cary (scout hall), Ilchester (sports ground) all have been given guidance toward funding & feasibility work needed for a new hall.	

	sound feasibility that guides development and funding package		Report annually to AEC		<p>Sutton Montis – supported to planning stage. Once planning is agreed the scheme can be costed to inform funding applications.</p> <p>Galhampton – Still awaiting outcome of Lottery application.</p> <p>Full report to AEC February 2015. Funding advice sheet produced for Area East to provide community with a sign posting tool towards larger sums of external funding for community halls</p>
	Flood resilience – support communities that want to develop flood plans and other resilience measures	March 2015	Feedback from parishes	ADT with other services	Districtwide Flooding Summit to be held in April 2015 – details awaited.
	Master plan for Jubilee Park, Bruton	July 2015	Annual Report to AEC	JD	2 initial meetings have taken place at Jubilee Park with users & partners to discuss master planning and need for a new hall. Positive progression.
5. Effective democratic engagement	Arrange annual parish meeting & workshops in response to demand from AEC, Parishes & community organisations	March 2015	Report to AEC	HR	Annual Parish Meeting held 27 th January 2015. This was a successful and well attended meeting. It focused on: community-led renewable energy; use of electronic communication and the Parish Ranger scheme. Details reported to AEC in February 2015.

In addition, the service will deliver actions to deliver key corporate strategies, comply with corporate policies, deliver savings, monitor performance, review and monitor complaints and manage risk within the service

Agenda Item 11

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 (A&E) Departments. An approach has been made to the Somerset 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, based on low levels of demand, 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 pre-school & 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

1. notes and comments on the report
2. Considers if it wishes to make further 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. It brings 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 in the town, factoring in the particular dimension of the 85 properties purchased for military families by the MoD. It started by developing a welcome pack, highlighting the facilities available and where to go 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 (LTC) used to operate at Wincanton Community Hospital but was transferred to Wincanton Health Centre when this facility moved to the 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 his letter attached Appendix 1 and supporting schedule of MIUs for out of hours emergencies Appendix 2).

The reply from David Slack, CEO of the CCG, is also attached at Appendix 3. He flagged up that a countrywide 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 LTC was unique in Somerset and 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. Out of hours local patients must travel 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 largely completed 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 in the short term pending a longer term solution of a replacement or expanded primary school serving the town.

SCC reported in late January, to the Deanesly Way 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. This follows an extensive search for suitable premises carried out during 2014. 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 by SCC.

Profile of Wincanton

The Joint Health and Social Needs Analysis section on Wincanton shows higher levels of deprivation in the town, especially amongst older people. Those without their own private transport and on lower incomes are heavily reliant on the services provided locally in the town. Further data has been requested and if this is available a verbal update will be given at the meeting.

Service families are moving to Wincanton along with many other new residents buying or renting homes on the 2 key sites. They will find that the nearest MIU/A&E, for injuries or emergency care out of hours, 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

Under our focus on Health & Communities the Council is committed to:

- Ensure that the Strategic Priorities of the Somerset health and Wellbeing Board reflect local needs and align resources to deliver projects that address those needs
- Work with and lobby partners to help communities to develop transport schemes and local solutions to reduce rural isolation and inequalities to meet existing needs of those communities

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: Notes of Deanesly Way multi- agency group 2013-15



Area East

Council Offices, Churchfield, Wincanton BA9 9AG
Telephone: (01935) 462462 Fax: (01963) 34182
Website: www.southsomerset.gov.uk/community

Helen Rutter *Area East Development Manager*

Mr David Slack
Managing Director
Somerset Clinical Commissioning Group
Wynford House
Luffton Way
Yeovil
Somerset BA22 8HR

Date: 9 October 2014
Your Ref:
Our Ref: HR/CW/14 075
Ask For: Helen Rutter
Direct Line: 01963 435012
Email: helen.rutter@southsomerset.gov.uk

Dear Mr Slack

Provision of Minor Injuries Services in Wincanton Area

I am seeking clarification about the trigger points for upgrading local minor injuries treatment services in the Wincanton area. I chair a multi-agency group that is proactively monitoring and responding to issues arising from the significant expansion of the town as 2 new key sites are nearing completion creating several hundred new homes. The population of the town exceeds 5,000 people and it also serves a substantial rural catchment area.

Previously Wincanton Community Hospital provided a daytime minor injuries service. I have been told that this was not viable as a service delivered at the hospital and so it recently transferred to the new Medical Centre on the outskirts of the town, providing slightly enhanced access during surgery hours. Following concerns raised about the limited injury service, the group has researched the availability of accident and MIU services within a 20-mile radius of the town. You will see from the attached table that there is a considerable journey time for injured people to get treatment during the evenings and at weekends.

I am contacting you to obtain details of your policy standards for this type of service and to ascertain if growth of Wincanton justifies a review of the current services provided? Please would you pass this letter to the relevant department and I look forward to a reply by the end of November, in advance of our next meeting.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nick Weeks'.

Nick Weeks
Chairman – Area East Committee

cc: Janet Loe

Enc

MIUs within 20 miles of BA9 – as at 7th October 2014

Town	Hospital/Centre	Address	Miles	Time	Opening Hours
Minor injuries (triage)	Wincanton Health Centre	Dykes Way Wincanton BA9 9FQ			08:30–18:00 (Monday to Friday) 18:30–19:30 (Monday – by appointment only) 08:30–11:30 (Saturday – by appointment only)
Sherborne	Yeatman Hospital	Hospital Lane Sherborne Dorset DT9 3JU	9.7	25 mins	09:00–18:00 Mon-Fri (closed 13:00-14:00) 10:00–16:00 Weekends & Bank Holidays (last consultations 17:30 & 15:30)
Shaftesbury	Westminster Memorial Hospital	Abbey Walk Shaftesbury Dorset SP7 8BD	13.2	32 mins	09:00–18:00 Mon-Fri 10:00–16:00 Weekends (last consultation 17:30)
Yeovil	Yeovil District Hospital	Higher Kingston Yeovil Somerset BA21 4AT	16.1	28 mins	A & E department – 24 hours
Yeovil	Yeovil Health Centre	37 Middle Street Yeovil Somerset BA20 1LS	16.1	28 mins	08:00–20:00 – 365 days a year GP walk-in service
Shepton Mallet	Community Hospital	Old Wells Road Shepton Mallet Somerset BA4 4LP	14.9	30 mins	08:00-20:00 – 365 days a year (last consultation 1930)
Frome	Frome Community Hospital	Enos Way Frome BA11 2FH	17	37 mins	08:00-23:00 – 365 days a year (last consultation 22:30)

Our Ref: DS/aa/399
Your Ref: HR/CW/14 075

17 December 2014

Mr N Weeks
Chairman – Area east Committee
Council Offices
Churchfields
Wincanton
Somerset BA6 9AG

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Lufton Way
Lufton
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BA22 8HR

Tel: 01935 384000
Fax: 01935 384079

enquiries@somersetccg.nhs.uk

Dear Mr Weeks

Provision of Minor Services in the Wincanton Area

Thank you for your letter of 9 October 2014, regarding the provision of minor injuries services in the Wincanton area. I apologise that we have not provided the information requested in time for your meeting in December.

As you note, following the closure of the minor injuries unit at Wincanton Community Hospital, Wincanton Health Centre was commissioned to provide a Minor Injuries Community Enhanced Services with effect from 2 January 2014.

In 2013, Somerset Partnership NHS Foundation Trust (SPFT) expressed a desire to terminate provision of the minor injuries service at Wincanton Community Hospital. With low levels of activity, SPFT reported challenges in staffing the service which consequently led to a number of unscheduled closures during 2013. To ensure continued provision of a minor injuries service in Wincanton, subsequent talks took place between the CCG and Wincanton Health Centre, resulting in agreement to provide the GP Minor Injuries Enhanced Service. The service commissioned from the GP practice actually increases access, as it is open for an hour and a half longer each day. This arrangement has previously been adopted in other parts of the county when a Minor Injury Unit service has not been viable.

As part of its urgent care workplan, the CCG has agreed to review the current provision of minor injury services in Somerset. This work will be informed by the Stage 2 Report from the Keogh Urgent and Emergency Care Review, which is expected to be published within the next few months. Details regarding the progress of the Keogh Urgent and Emergency Care Review can be found at NHS Choices website www.nhs.uk The CCG will need to consider the implication of this report as part of the service review.

The activity levels at Wincanton MIU were averaging ten patients per week in the two years prior to closure. The smallest of our seven remaining MIUs currently average 150 patients per week. Despite the growth in the local population at Wincanton this would not justify a dedicated service at the present time and appears unlikely to do so as part of the above review.

Yours sincerely

A handwritten signature in black ink that reads "David Slack". The signature is written in a cursive, flowing style.

David Slack
Managing Director

Agenda Item 12

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
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	Area East Overview of Spending 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
June/July	Update regarding office space within Churchfield, Work Hubs and Marketing	To update members on the latest position regarding the use of the office space within Churchfield	Pam Williams/ Helen Rutter SSDC
8 July 15	Buildings at Risk update	To update members	Adron Duckworth/ Andrew Tucker SSDC

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
8 July 15	<i>Local Neighbourhood Policing for 2014/15</i>	<i>Overview of operational arrangements and policing issues relating to East - Future police provision</i>	<i>Avon & Somerset Constabulary – Dean Hamilton</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	<i>Transport support for community and public transport and SSCAT</i>	<i>Annual report on corporate support for community and public transport and SSCAT Bus</i>	<i>Nigel Collins SSDC Andy Chilton – sscatringride@yahoo.co.uk</i>

Agenda Item 13

AREA EAST COMMITTEE

8th April 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**
- 2. The Catash Inn, North Cadbury– Assessment of nomination under Community Right to Bid**

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
Castle Cary	14/05104/FUL	Demolition of retail unit and erection of 3 terraced house with associated parking at Land adjacent to Dunster House, Woodcock street, Castle Cary BA7 7BD	Mr H Merrifield	Approval	Refusal

Appeal Decision - Allowed

Parish/Town	Application No.	Description and Location	Applicant(s)	Officer's Recommendation	Committee Decision
Charlton Mackrell	14/01001/FUL	First Floor extension above existing ground floor single storey element at Elm Cottage, Chessels Lane, Charlton Adam Somerton.	Mr & Mrs M Cooper	Approval	Refusal

* Papers Attached

Financial Implications: None

Background Papers: Planning Application files

Appeal Decision

Site visit made on 23 February 2015

by Nick Fagan BSc (Hons) DipTP MRTPI

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

Decision date: 27 February 2015

Appeal Ref: APP/R3325/D/14/2223238

Elm Cottage, Chessels Lane, Charlton Adam, Somerton, Somerset TA11 7BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Mark Cooper against the decision of South Somerset District Council.
 - The application Ref 14/01001/FUL, dated 4 March 2014, was refused by notice dated 18 June 2014.
 - The development proposed is a first floor extension above existing ground floor single storey element.
-

Decision

1. The appeal is allowed and planning permission is granted for a first floor extension above existing ground floor single storey element at Elm Cottage, Chessels Lane, Charlton Adam, Somerton, Somerset TA11 7BJ in accordance with the terms of the application, Ref 14/01001/FUL, dated 4 March 2014, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: p641/002, p641/007, p641/008, p641/009, p641/010, p641/011 & p641/013.
 - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The Local Planning Authority and Parish Council object only to the proposed material to be used on the external face of the extension, namely standing seam profiled metal.
4. The front of Elm Cottage is faced with grey stone and the various rear extensions with reconstituted grey stone. Neighbouring dwellings on this part

- of Chessels Lane are also mainly faced in reconstituted stone, including the immediate neighbours and the houses on the opposite side of the Lane.
5. Oblique views of the proposed extension would be possible from the street through the gap between Elm Cottage and its immediate neighbour but it would not be prominent in the street scene, not least because the colour of the cladding is shown as being similar to that of the stone and reconstituted stone already existing.
 6. Although the grey metal cladding proposed would be different from the reconstituted stone on Elm Cottage and its neighbours I see no reason why it would be unacceptable on the proposed rear extension. It is not unusual for extensions to be faced in different materials to that of the main dwelling and the materials proposed would be acceptable in principle in this case.
 7. The appellants have pointed out that metal cladding has been used on the roof and part of the walls of the nearby Charltons' Community Centre, which is in a more prominent location. I saw that building but do not consider it justifies the materials in this case because it was clearly constructed some time ago and its context and use is completely different and therefore irrelevant. However, the appellants also state that the materials they intend to use would in any case be more attractive and I am aware that there are a number of such metal cladding products currently available on the market that would be much more acceptable in appearance than the cladding on the Community Centre.
 8. I therefore conclude that, subject to a condition requiring specific details of the actual metal cladding to be used to face the walls and roof of the extension to be approved by the Council prior to development commencing, the proposal would be acceptable within its context and would not harm the character or appearance of the area. A condition, as suggested by the Council, is also necessary listing the approved drawings in the interests of good planning and for the avoidance of doubt.
 9. 'Saved' Policies ST5 and ST6 of the South Somerset Local Plan together require development to respect the character and appearance of the locality and the proposal would do so for the above reasons. It therefore complies with these Policies.
 10. For the reasons given above I conclude that the appeal should be allowed, subject to the above conditions.

Nick Fagan

INSPECTOR

The Catash Inn, North Cadbury– Assessment of nomination under Community Right to Bid (Item for information)

Executive Portfolio Holder: Cllr Ric Pallister, Leader of the Council
Ward Member Cllr Nick Weeks, Cllr Henry Hobhouse
Strategic Director: Rina Singh, Place & Performance
Assistant Director: Helen Rutter/Kim Close, Communities
Service Manager: Area Development Manager (East)
Lead Officers: As above
Contact Details: Helen.rutter@southsomerset.gov.uk 01963-435012

Purpose of the Report

This report is to inform councillors of the decision to place The Catash Inn onto the SSDC Register of Assets of Community Value, following a nomination made by North Cadbury & Yarlington Parish Council.

Public Interest

On 2nd January, 2015, SSDC received a nomination from North Cadbury & Yarlington Parish Council to include the Catash Inn on the SSDC Register of Assets of Community Value and it is SSDC's responsibility to consider whether this should be included on the Register. SSDC has 8 weeks to consider a nomination.

Background

In August 2013 District Executive agreed a process for considering nominations received from communities to place assets of community value onto the SSDC Register of Assets of Community Value, based on criteria which are set out in the Localism Act.

The decision is delegated to the relevant Area Development Manager in consultation with the Ward Member and Area Chair. The result of a nomination is reported to the Area Committee for information only, with a quarterly report being presented to District Executive for information. (NB: decisions about any SSDC-owned properties are still presented to District Executive for decision)

The assessment

The nomination was approved on 13th February by the Area Development Manager (East). The assessment is set out in Appendix 1.

Next Steps

The Parish Council, the property owner and the Land Registry will be notified and the asset will be placed on the SSDC Register of Assets of Community Value.

The owner can appeal against the decision; any appeals are considered by the Council's Monitoring Officer.

Normally, once an asset has been listed, nothing further will happen until the owner decides to dispose of the asset (either through a freehold sale or the grant of a lease for at least 25 years). At this point the owner must notify SSDC of the intention to sell. A relevant

community group is then given 6 weeks to express an interest in the asset and submit a written intention to bid for the property(s). However, as the property is on the market, the first (6 week) moratorium period began as soon as the decision was taken.

If any written intentions are received, the Council must pass on the request to the owner, at which point the full moratorium period of 6 months (from the date that SSDC is notified of the intention to sell) comes into force. If no written intention(s) to bid are received, the owner is free to sell the asset.

All accepted nominations will normally remain on the Register for 5 years.

Financial Implications

None at this stage. Government provided SSDC with an (un-ringfenced) sum of £7,902 for 2013/14 as a contribution towards the costs associated with the new duties under the Community Right to Bid. Sums in future years are still to be confirmed.

Property owners who believe they have incurred costs as a result of complying with these procedures can apply for compensation from the Council. SSDC is in the process of designing this compensation scheme. Government recognises this as a potential risk to local authorities and will provide a safety net whereby any verified claims of over £20,000 will be met by Government.

Council Plan Implications

Evaluate the overall requirements of the Government's Localism legislation and work with communities to develop plans for their community

Carbon Emissions & Adapting to Climate Change Implications

None in relation to this decision.

Equality and Diversity Implications

The Council's Equality Objectives and the General Equality Duty have been considered in the assessment of this nomination. There are no implications requiring action arising from this decision.

Appendix 1 – Community Right to Bid Assessment – The Catash Inn

Name of Property/Land			Date of decision	
			Area Development Manager	Helen Rutter
	Detail	Community Right to Bid Criteria	Fits Criteria Y	
Nominating Body	North Cadbury & Yarlington Parish Council	Does the nominating body fit the definition of a ‘Community Interest Group?’	<i>Yes. The Parish Council is an eligible community organisation.</i>	
Area of interest	North Cadbury	Does the nominating body have a ‘local connection’? IE: Are its activities wholly or partly concerned with the South Somerset area or with a neighbouring authority (which shares a boundary) and is any surplus it makes wholly or partly applied for the benefit of the South Somerset area or a neighbouring authority’s area?	<i>Yes. The Parish Council activities are wholly concerned with the South Somerset area.</i>	
Use in recent past	Public House	Does the current use of the property or its use in the ‘recent past’ (ie. the past 5 years) further the social wellbeing and interests of the local community?	<i>Yes. The Catash Inn is open as the last public house in the village.</i>	
Proposed Future Use	Public House	Does the proposed continued use (or in the next 5 years) further the social wellbeing and interests of the local community?	<i>Yes. The proposal would be to continue to run the property as a public house business.</i>	
Conclusion	<i>The application meets the criteria to add the Catash Inn to the SSDC Register of Assets of Community Value.</i>			
Decision	To add the Catash Inn on the Register of Community Assets			

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Agenda Item 14

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 11.30am in the order as shown on the schedule.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 11.15am

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
14	CASTLE CARY	14/02020/OUT	Outline Planning Application (All Matters Reserved Except for Access) for up to 165 houses, up to 2 Ha of Employment Land,	Land between Torbay Road and Station Road, Castle Cary,	Donne Holdings & Somerset County Council
15	IVELCHESTER	15/00425/S73A	Application to vary planning condition 2 (hours of shoot)	Land At Higher Farm Higher Farm Lane Yeovilton	Podimore Shooting School
16	IVELCHESTER	15/00024/OUT	Outline application for the erection of up to 150 dwellings	Land North Of Dragonfly Chase Ilchester	Pegasus Planning Group Ltd
17	NORTHSTONE	15/00407/DPO	Application to discharge a Section 106 Agreement	Land North Of Coombedene Coombe Hill Keinton Mandeville	Mr Eric Mackenzie
18	BLACKMOOR VALE	15/00113/FUL	Erection of extension to existing dwelling	The Barn Bowden Road Templecombe	Mr Michael Williams of Clive Miller Associates Ltd

19	WINCANTON	15/00162/S73A	Application to remove Condition 2 (Agricultural Occupancy)	Lavender Verrington Charlton Musgrove	Green Lane	Mrs M Foreman
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Further information about planning applications is shown on the following page and at the beginning of the main agenda document.

The Committee will consider the application 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 15

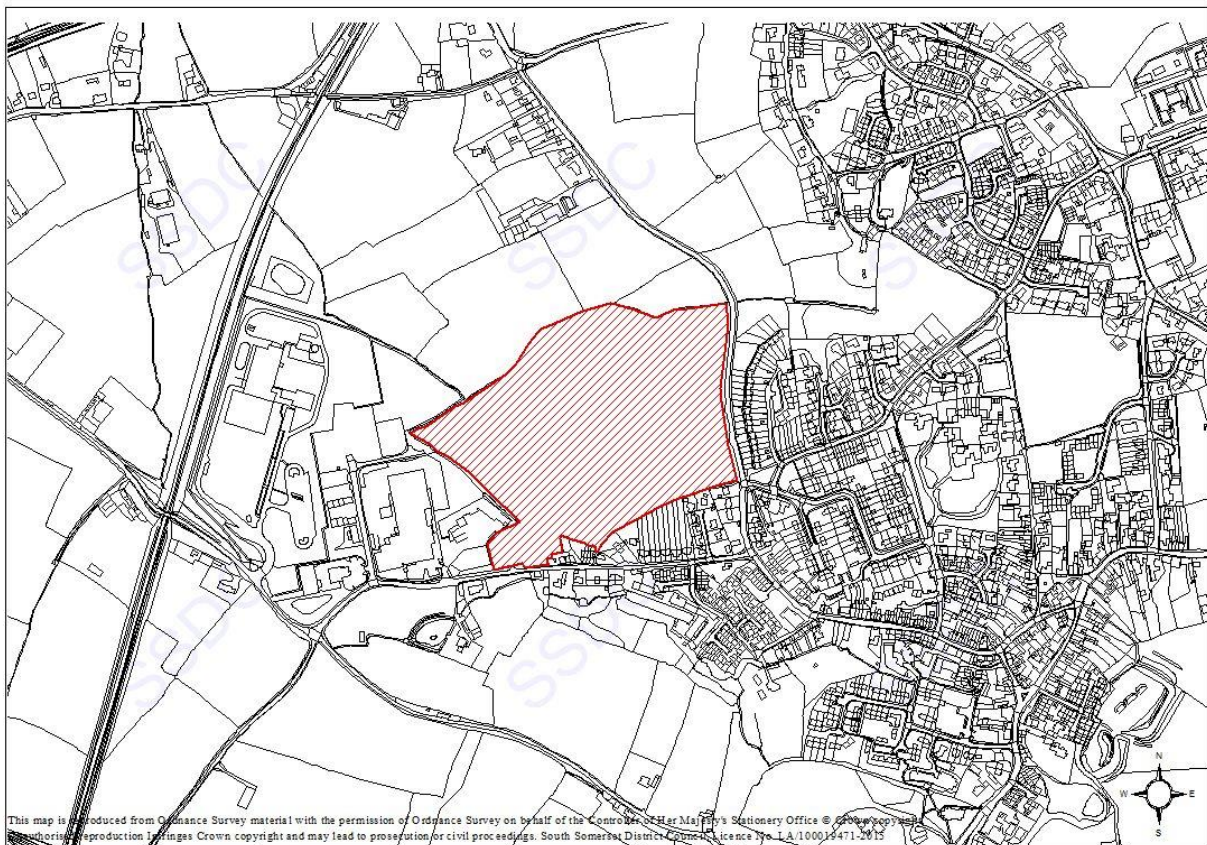
Officer Report on Planning Application: 14/02020/OUT

Proposal :	Outline Planning Application (All Matters Reserved Except for Access) for up to 165 houses, up to 2 Ha of Employment Land, a Road Linking Torbay Road with Station Road, a Safeguarded Site for a New Primary School and Green Infrastructure on Land Between Torbay Road and Station Road, Castle Cary, Somerset (GR:363260/132575)
Site Address:	Land Os 1445 Part Torbay Road Castle Cary
Parish:	Castle Cary
CARY Ward (SSDC Member)	Cllr Nick Weeks Cllr Henry Hobhouse
Recommending Officer:	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Case	
Target date :	27th August 2014
Applicant :	Donne Holdings & Somerset County Council
Agent:	James McMurdo, Jones Lang LaSalle, Keble House Southernhay Gardens, Exeter, EX1 1NT
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



The Transport Assessment has been supplemented by 2 further statements, one (received 10/11/15) in response to concerns raised locally about its shortcomings and another (dated 27/02/15) in response to concerns about potential cumulative impacts. Additionally an Odour Assessment has been provided (16/03/15) to address any possible issues arising from the proximity to the pet food factory. The latest transport statement has been subject to re-consultation.

PLANNING HISTORY:

12/04789/EIASS Negative Screening Opinion given – Environmental Impact Assessment not required

Subsequently this Opinion was challenged and the applicant sought a Screening Direction from the Secretary of State to confirm the negative Screening Opinion given by the Council. Care4Cary also approached the SoS raising concerns that the cumulative impacts of current development proposals had not been fully considered. After considerable delay the National Planning Casework Unit, on behalf of the SoS, referred this matter back to the Council (27/01/15) to 're-screen' the proposal in light of the passage of time and submission of further application.

15/00460/EIASS Further negative Screening Opinion given (13/02/15), this concluded:-

“... the Council is of the opinion that the proposed development of up to 165 houses, 2 hectares of employment land and school site would not, on its own or when considered cumulatively with other developments in the locality, have significant environmental effects beyond the locality. Such local impacts would not be of such significance that an environmental impact assessment under the above regulations is required. Accordingly an environmental statement is not required for the purposes of environmental impact assessment.”

An assessment of potential cumulative traffic impact and an odour assessment was requested to support the application.

OTHER RELEVANT APPLICATIONS

There are a number of applications for residential development in Castle Cary, namely

13/03593/OUT Up to 60 dwellings at Well Farm, Lower Ansford. It is noted that revisions to the 'developable area are likely to limit the scheme to about 0 houses. Now approved.

14/02906/OUT Up to 75 dwellings at Station Road, Castle Cary (pending)

14/04031/OUT Up to 29 dwellings at Foxes Run, Bridgwater Buildings, Castle Cary on the saved allocation HG/CACA/2 (to be considered at a special Area Committee on 31/03/15).

14/05623/OUT Up to 125 dwellings at Wayside Farm, Station Road, Castle Cary (pending).

15/00519/OUT Up to 75 dwellings on land east of Station Road (pending)

There are also two application with potential traffic impacts in the vicinity:-

14/04582/FUL Erection of a concrete batching plant at Camp Road, Dimmer (pending).

15/00372/CPO County application for a waste transfer station at Dimmer Waste Management Centre. The District Council has resolved to object to this proposal on the number grounds, including potential cumulative highways impacts. The application is to be considered by SCC in May.

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 policies of the South Somerset Local Plan 2006-2028 (adopted March 2015).

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

SS1 – Settlement Strategy – identifies Ansford/Castle Cary as a Local Market Town

SS1 – Delivering New Employment Land – sets out a need for 18.97 hectares of employment land for Ansford/Castle Cary over the plan period. To date 10.07 ha have been delivered with the remaining 8.9ha to be delivered between now and 2028.

SS4 – District Wide Housing Provision – sets the overall target for the delivery of at least 15,950 houses over the plan period

SS5 – Delivering New Housing Growth – sets out a need for at least 374 houses in Ansford/Castle Cary over the plan period. As at April 2012 there were 156 commitments (i.e. built or with planning permission) with at least a further 218 to be delivered by 2028.

LMT1: Ansford/Castle Cary Direction of Growth and Link Road – sets out how policies SS3 and SS5 will be applied to Ansford/Castle Cary:-

The direction of strategic growth (for housing, employment & education) will be north of Torbay Road and East and West of Station Road. As part of any expansion within the direction for growth, a road will be expected to be provided between Station Road & Torbay Road prior to completion of the expansion.

SD1- Sustainable Development

SS6 – Infrastructure Delivery

SS7 – Phasing of Previously Developed Land

HG3 – Provision of affordable Housing

HG5 – Achieving a Mix of Market Housing

TA1 – Low carbon travel

TA4 – Travel Plans

TA5 – Transport Impact of New development

TA6 – Parking Standards

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

EQ1 – Addressing Climate Change in South Somerset

EQ2 – General development

EQ3 – Historic Environment
EQ4 – Biodiversity
EQ5 – Green Infrastructure
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
Part 12 - Conserving and enhancing the historic environment

CONSULTATIONS

Castle Cary Town Council: Unanimously opposed:-

Consideration of the bigger picture essential

This application should not be considered in isolation. The bigger picture needs to be considered. There will be the additional effects of other already approved applications in the area such as Well Farm as well as others alleged to be in the pipe line.

Size and concept

This development would be totally overwhelming to our unique Market Town and Castle Cary is unanimous in its view that the town is not ready for and does not need a development of this size at this time. This development will quickly take the town near its minimum recommended number of new houses under the local plan, how many more will there be by 2028?

Roads and Access

The main A road serving the town is the A371 which has two notable pinch points – the railway bridge and the lights on Ansford Hill. This road is already over full and dangerous. The smaller roads in and around the proposed development are already under considerable pressure with weight limits ignored and rat runs established through narrow lanes. We cannot take more large volumes of traffic. Highways have failed to take this into account in their considerations and it is a major concern that entry and exit to the new site are proposed on blind corners. There are insufficient safe routes for walking or cycling for access to town or schools.

Density

Many of the proposed homes are very small with little or no garden space - not suitable for raising a family. A complete lack of opportunity to enjoy outside environment and inadequate play areas for children.

Erosion of Countryside.

This represents an erosion of countryside and inappropriate use of green fields when there are so many undeveloped derelict sites in Castle Cary.

Infrastructure

The roads, health and other professional services will not cope with such a sudden a large change.

Employment

We consider it essential that employment opportunities are in place prior to the housing development. These need to be new initiatives and include small micro ventures and not an extension of existing employers. This town is not suitable for large factories due to the inadequate roads.

School

Neither the School nor the town wish to see the primary school moved out of the town centre.

106 monies – *The town thinks that 50% allocation of the 106 monies from this development is outrageously mean.*

No comments received at the time of writing to the consultations.

Ansford Parish Council: make the following comments on the application:

1. Concerns were raised with regard to taking the primary school away from the centre of town. It was felt that money allocated for this could be redirected to improve space and facilities at the existing primary school site.
2. There would need to be a pedestrian crossing installed for older children going to Ansford via footpaths
3. Concerns were raised about the increased traffic that would exit onto Station Road and subsequently on to the A371 which is already classed as being overloaded.
4. When detailed plans are drawn up can consideration be given to the need for one bedroomed dwellings in the area?

No comments received at the time of writing to the consultations.

County Highways: initially noted that the site lies within an area that has been identified for strategic growth for Castle Cary under Policy LMT1 which identifies a number of delivery requirements for the town including:

1. a road linking Torbay Road and Station Road
2. provision of employment land
3. housing including affordable housing provision;
4. a site for a new primary school.

With regard to the originally submitted Transport Assessment to following comments are provided:-

This document has looked at both the existing traffic flows on the network and models the potential impact of the proposed development on the local road network, whilst also including the impact of any relevant committed development. The extents of the data used to prepare the TA was accepted by the Highway Authority at the pre application stage, and prepared in an industry standard manner which includes a full analysis of the ghost island right turn lane junction being proposed on Station Road and the new access onto Torbay Road (subject to some minor sensitivity testing at REM stage when more details are known about end users of the various parts of the site) both of which operate with ample reserve capacity even when the development is complete and fully operational, and will therefore operate in a satisfactory manner. These off site highway works, including the works proposed on Torbay Road would need to be incorporated into a subsequent S106 Agreement or at the very least be the subject of suitably worded negative planning condition requiring the works to be complete prior to an appropriate point in time to avoid any adverse impact on the surrounding highway network and allow for any phasing arrangement that may be

agreed by the LPA.

Further afield, the TA has also analysed a number of existing road junctions in the vicinity of the site (the details of which were again agreed at the pre application stage with the Highway Authority) to assess their current capacity and how the development would impact upon them, and in all cases the TA finds that they will operate with ample reserve capacity even when the development is fully completed and therefore that no adverse impact on highway safety will result should the development proceed after planning consent is granted. These junctions being:-

- *B3152 Station Road / Torbay Road*
- *Fore Street / Woodcock Street*
- *A371 Ansford Hill / B3152 Station Road*
- *B3153 / Blackworthy Road*

As such it is the Highway Authorities view that any objection to the development on traffic impact grounds would be unreasonable in this particular case.

It is concluded that subject to appropriate conditions and securing appropriate travel planning measures through a S106 agreement the development is not objectionable in highways terms.

Subsequently the highways authority were asked to comment on a highway consultant's concerns about the original Transport Assessment and the applicant's rebuttal of these concerns. The County declined to do so expressing their view that the original Statement is sound.

At the time of writing the county's comments in relation to the cumulative transport statement were awaiting and will be reported to committee.

Planning Policy: Notes that this proposal is located within the 'direction of growth' for Ansford /Castle Cary as set out in Policy LMT1 and includes 2 ha of employment land, a site for a new school, housing and a road between Station Road and Torbay Road. Local Plan Policy SS3 includes a requirement for 8.9 ha of additional employment land at Ansford/Castle Cary and it is noted that this proposal contributes towards that requirement.

The Council also has under consideration four additional planning applications for up to 304 dwellings, including 29 dwellings on the saved allocation HG/CACA/2. Each of these applications will be determined on their merits, but it is important to be mindful of the potential cumulative effect of their development. If permission were to be granted for this proposal and the other planning applications it would entail 643 dwellings being committed for Ansford/Castle Cary. This would bring it over Ilminster's expected housing requirement figure (496 dwellings), even though Ilminster is categorised as a Primary Market Town, which is the next 'tier' up in the settlement hierarchy. Whilst it is acknowledged that the local plan figure of 374 dwellings does not represent a maximum, nonetheless, under the policy approach in Policy SS5 the scale of growth should be appropriate to a settlement's role and function and should this site receive permission in combination with the other proposals it will lead to total housing numbers at Ansford/Castle Cary being 72% higher than that set out in Policy SS5.

Overall, Ansford/Castle Cary is a settlement with a range of jobs, services and facilities that means it is a sustainable location for new development. Taken in isolation the scale of this proposal is consistent with Policy SS5 and from a settlement-wide perspective it is clear that this proposal is more consistent with Policy LMT1 than proposals 14/05623/OUT,

14/02906/OUT and 15/00519/OUT.

Economic Development Officer: No objection subject to consideration of a request to amend the illustrative layout to:-

- Maintain an adequate buffer zone between the proposed residential land and employment land
- Ensure that the layout offers access to potential/ future employment land provision.

This request has been put to the applicant however they have refused to amend the masterplan stating that as far as they are concerned it is the best solution. Nevertheless they have indicated a willingness to revisit the issue at the reserved matters stage and suggest this could be conditioned.

Subsequently the economic development manager has commented:-

We note that the proposed mixed use development will enable approximately 2 Ha of new employment land adjacent in Castle Cary. This allocation will considerably assist Castle Cary in securing its employment land target for the plan period to 2028.

We would re-iterate that we have checked with the major local employers who expressed an interest in acquiring further employment land in their responses to the 2013 employment land survey. These employers have confirmed that they have adequate provision for the mid-term, so this development will help meet the future requirement for employment land in Castle Cary, based on the figures included in the draft Local Plan provision.

We understand that our previous comments on the configuration of the employment land outlined within the application have been noted by the applicant and that these will be addressed under reserved matters when a full application is brought forward.

On this basis we are fully supportive of the application.

Area Development: raises a number of issues:-

In responding to this application my overwhelming concern is the inability to consider developments cohesively in town and especially in Torbay Road/Station Road area. With one other application pending and potential for other sites to be brought forward, I believe that the absence of an overall plan for this area poses a real risk of fragmented development.

The cumulative effect of this application, the recent outline approval at Well Farm and the pending application for land west of Station Road is significant for a settlement the size of Castle Cary & Ansford.

Currently approved and pending applications provide for 300 units, well in excess of the 218 contained in the minor Modification of the growth projections to 2028 and this does not take into account any other developments which may come forward

Town Centre

Castle Cary is a unique town, retaining a wide range of independent shops; bringing forward an edge of town site, ahead of dormant sites within the town, does little to aid the long term viability of the town centre. In this context the preservation of the school within the town centre would be highly desirable, although it is acknowledged that there is a need for expansion of the school's facilities

Employment

Through the core strategy consultation there was acknowledgement that the settlement needed to 'catch-up' because employment land had not been brought forward and where it had, job creation had been limited so the provision of employment land within this application is to be welcomed. However, the type and form of employment is important and I hope that we would be seeking to avoid high land use low employment density in favour of more job lucrative employment space. If approved, I appreciate the bringing forward of the employment land, within this application will be market sensitive but I hope that any tools within the planning 'toolkit' are applied to ensure that the employment space is serviced from early within the development so that it can be built out as soon as end users are identified. It would be particularly undesirable for the residential units to be occupied and no additional employment available

Finally, I am concerned that the current layout is not conducive to the future expansion of the employment areas on adjoining land. The provision of an adopted road (to the boundary of the site) would facilitate rather than impeding such expansion.

Housing Development officer: requests 35% affordable housing based on a tenure split of 67/33 in favour of rented accommodation. Based on 165 houses, 58 affordable units would be expected. These should provide:-

- 20 x 1 Bed
- 24 x 2 Bed
- 12 x 3 Bed
- 2 x 4 Bed

Leisure Policy: request the provision of an on-site LEAP of at least 749m² with 30m buffer zone. Contributions towards off-site mitigation measures to address increased demand for sport and recreation facilities are sought as follows:

- £27,993 towards provision of new youth facilities in Castle Cary/Ansford;
- £65,763 towards enhancement of existing pitches or provision of new grass or artificial pitches in Castle Cary/Ansford;
- £133,520 towards enhancement of existing changing rooms or provision of new changing rooms in Castle Cary/Ansford;
- £86,161 towards enhancement of existing community hall facilities in Castle Cary/Ansford.;
- £51,881 towards expanding and enhancing the Octagon Theatre in Yeovil;
- £13,325 towards enhancing AGP provision in Wincanton;
- £30,341 towards the provision of a learner pool at Wincanton Sports Centre;
- £39,282 towards the provision of a new indoor sports centre in Yeovil
- £68,016 as a commuted sum towards the local facilities.
- Monitoring fee based on 1% of total

In the event that the District Council were to provide and subsequently adopt the on-site LEAP it is suggested that the cost of provision would be £142,564 and that a commuted sum of £82,347 should be provided.

County Education: suggests that 165 houses would generate a demand for 33 primary school places at a notional cost of £12,257 per place, equating to £404,481 which should be secured through a S106 agreement.

Network Rail: concerned about the possible impact of increased use of 3 uncontrolled foot

crossings over the single track railway to the north of the site, known as Buckles and Clanville No.s 1 & 2. It is noted that, cumulatively, there are proposals for up to 365 dwellings in the vicinity of the railway line (14/02020/OUT, 14/02906/OUT and 14/05623/OUT). Network Rail is concerned by the potential increase in risk at the crossings and request that an appropriate form of mitigation is introduced at the crossings to ensure that the safety of the operational railway and those using the crossings is maintained.

It is suggested that:-

If any of the proposed developments are granted planning permission it is highly likely that there will be increase in risk at the crossings. Due to the complexity of the situation, please see below a number of scenarios that may occur and Network Rail's recommended form of mitigation should they occur. The mitigation options which are presented will require further consideration and Network Rail would appreciate the council's feedback on them.

The safest way to mitigate against the impact of the proposed developments would be to close all three of the crossings and divert the existing footpaths over an alternative route or via a new footbridge over the railway line.

Scenario A – All three planning applications are granted permission

If all three planning applications are granted permission, in order to appropriately mitigate the crossings against the cumulative impact of these developments, Network Rail would recommend the closure of all three crossings, with existing footpaths diverted over an alternative route or via a new footbridge over the railway line. Please see attached diversions options document which illustrates the potential diversion options.

This could be funded by the applicants through a pro-rata system. The footbridge and related funding could be delivered through a Section 106 agreement.

Scenario B – Only one planning application is granted permission

If only planning application 14/02020/OUT was granted planning permission;

Network Rail would recommend the closure of both Clanville No 2 and Buckles crossings with the existing footpaths diverted over an alternative route or via a new footbridge over the railway line.

If only planning application 14/02906 was granted planning permission;

Although it is probable that this development would increase the use of the crossings, as it consists of a smaller number of units compared with the other developments, if only planning application 14/02906 was granted permission Network Rail would recommend that the applicant makes a small contribution towards mitigating additional risk at the crossings.

In addition, Network Rail would be keen to work with the applicant to inform new residents of how to safely use the crossings. For instance the applicant could assist Network Rail by ensuring that new residents are given a level crossing guidance leaflet.

If only planning application 15/05623/OUT was granted planning permission;

Network Rail is extremely concerned by the impact that this development would have on the safety and operation of Clanville No 1 & No 2 crossings. Due to proximity of the proposed development to Clanville No 1 & No 2 crossings Network Rail would require

the closure of both crossings, with the existing footpaths diverted over a new footbridge over the railway line.

Scenario C – If planning application 14/02020/OUT and 14/02906 were granted planning permission while planning application 15/05623/OUT was refused;

Network Rail would recommend the closure of both Clanville No 2 and Buckles crossings with the existing footpaths diverted over an alternative route or via a new footbridge over the railway line.

Rights of Way Officer: no objection subject to informative to remind developer to ensure rights of way is not blocked.

Area Engineer: considers the proposed drainage strategy to be sound. Recommends the detail should be secured by condition

Wessex Water: No objection subject to securing detail of foul water and surface water strategies by conditions

Environment Agency: No objection subject to conditions to ensure the detail of the drainage strategy are agreed and that appropriate investigations are carried out to ensure there are no land contamination issues. No comments received at the time of writing to the odour assessment.

SSDC Environmental Protection Officer: no objection subject to a condition to secure an appropriate investigation of any potential land contamination. In relation to subsequent submission of an Odour Assessment it is considered that its methodology and supporting data are sound and it is observed:-

I am satisfied with this report; it does not guarantee an odour free environment for the new development but does seem to be taking a worse case scenario approach to the assessment and suggests a very small to insignificant impact.

SSDC Climate Change Officer: does not support the scheme based on the illustrative layout,

Natural England: No objection

SSDC Ecologist: No objection, subject to safeguarding conditions

County Archaeology: no objection subject to safeguarding condition

Landscape Officer: No objection. Notes that the supporting material outlines an acceptable development and landscape approach. It is recognised that Castle Cary is intended for further growth in the forthcoming plan period. accordingly no landscape objection is raised to the proposal.

REPRESENTATIONS

2 letters of support have been received. One from a local resident who wishes to buy his first property in Castle Cary referring to the lack of affordable houses which is forcing the younger generation out of the town just to get onto the property ladder. The other is from a local business interested in any industrial land that becomes available.

A further letter acknowledges the “shortage of good genuinely affordable homes in

Somerset". New neighbourhoods of well-designed houses should be encouraged and built to high standards and made available at affordable costs. Alternative delivery models to the private developer are suggested, such as Community Land Trusts.

82 letters have been submitted raising the following areas of concern:-

- Cumulative impacts on character of town
- Development is too big in one go for the town (a 25% increase is referred to)
- Would spoil character of town
- Landscape and visual impact
- Loss of green space
- Over development of site with a lack of garden and play space.
- Existing brownfield sites (e.g. BMI) should be developed first
- Local infrastructure cannot cope
- Future residents would have to commute elsewhere to work
- Increased traffic and parking demands could not be accommodated in the town
- Impact of additional on B3153 where the Inspector at the Dimmer concrete plant appeal said the road is over loaded
- Impact on South Cary Lane
- Noise impacts of additional traffic
- Safety issues with the increase traffic for children and pedestrians
- Cumulative highways impacts with other developments
- No need for link road
- Lack of safe crossing points,
- Poor pedestrian and cycle links
- Impact on footpaths
- Possible loss of on street parking in Torbay Road
- Unsafe access
- School should not move out of town centre
- New school site close to pet food factory is in the wrong place
- Business units should be small
- Lack of consultation
- Unsustainable development with no detail of low energy measure
- Limited demand for new houses and business space
- Allotments should be provided

A solicitor on behalf of Care 4Cary, a local pressure group, has challenged the council's screening of this (and other sites), although nothing further has been submitted since the rescreening of the proposals.

Care4Cary has also engaged a transport consultancy to assess the submitted Transport Statement. It is their view that:-

- the value of the link road is diluted as HGV traffic would be prohibited from using it and therefore increased HGV movements would be experience on the B3153.
- The link road would not be an attractive alternative to Torbay Road due to distance and restrictions
- The design of the link road would not facilitate its best use.
- The ability of the town to accommodate traffic has not been properly investigated – it is pointed out that a 33% increase would be attributable to this proposal
- Piecemeal approach threats to result in multiple accesses and a lack of a comprehensive footpath/cycle network between the various sites under consideration.
- TRICS data applied to the 'business park' do not include more intensive class uses

The County highways authority and the applicant have been asked to comment on this representation.

The Chair of the Governors of Castle Cary Community Primary School has written stating the governing body's preference that the school remain in the town centre provided the increased numbers could be accommodated without detriment to the children's education.

CONSIDERATIONS

Principle

The site is within the Direction of Growth (DoG) allocated in the new local plan for Ansford/Castle Cary. The proposal brings forward provision for employment, housing, education and a link road between Torbay road and Station Road as required by policy LMT1. At up to 165 dwellings and 2 hectares of employment land it is within the minimum levels of growth set up policy SS3 and SS5. On this basis it is not considered that there is any reasonable justification to dispute the principle of the development, nor could there be any justification to now seek to lower the employment or housing provisions or the Direction of Growth set out in the adopted plan through the determination of this application.

It is noted that the site comprised grade 1 and 3a agricultural land. Whilst this is the 'best and most versatile (BMV) land, which the council should seek to avoid the loss of, it is only one of the many factors weighed in the 'planning balance' when the council considered the allocation of this site balanced against other considerations and constraints facing alternative sites when the DoG was allocated.

Whilst the proposal does not deliver all the outstanding employment land for the town (8.9 ha) there is no policy requirement for this to be achieved in a single application and there remains land within the DoG on which this could be achieved. The suggested revisions to the layout, whilst desirable, are not considered so fundamental that the applicant's failure to amend the masterplan could justify withholding permission. Rather a condition ought to be imposed to require the provision of links to the site boundary to ensure future provision is prejudiced.

It is regrettable that the various landowners have chosen to submit separate applications; however LMT 1 does not require a comprehensive approach to the entire DoG. Accordingly, notwithstanding the 'piecemeal' approach, unless clear harm in terms of non-compliance with either the NPPF or the policies of the local plan can be demonstrated permission should be granted.

Impact on local landscape and visual amenity:

The Landscape Officer notes that this site has been evaluated in the peripheral landscape studies that informed the local plan) as having a 'high and moderate-high' capacity to accommodate built development. Indeed such consideration would have informed the choice of the town's direction of growth. Accordingly it is been decided that given the constraints of alternatives, this is the favoured direction of growth.

Accordingly given that the Council will be able to seek an appropriate design and layout, together with suitable landscaping, at the reserved matters stage, it is not considered that outline planning permission could reasonably be refused. On this basis it is considered that the proposal would comply policies EQ2 and EQ5 of the local plan.

Residential Amenity

Subject to agreeing appropriate siting and design of houses at the reserved matter stage there is no reason why the development of this site would be inherently harmful to the amenities of existing residents or prejudicial to the amenities of future occupiers of the development. Nevertheless particular care would need to be paid to the uses within the proposed employment area as B2 uses could prove problematic if sited too close to residential properties. On this basis the proposal complies with the requirements of policy EQ2.

Highway Issues

Clearly there is significant local concern that traffic from this development may have a serious impact on the local road network. The applicant has provided a full transport statement, supplemented with additional information in response to the issues raised by Care4Cary and to address possible cumulative impacts identified by the screening process.

The County highways authority raises no objection to the detail of either point of access for which full approval is currently sought, nor have they objected to the wide impacts of additional traffic movements for example within the town or on South Cary Lane or along the A3153. Whilst their final comments in relation to cumulative impact are awaited it is not considered that there is any evidence that points to a 'severe' impact on highways safety or capacity and as such it is not considered that a refusal on these grounds could be sustained.

With regard to the link road, whilst there may be an aspiration for a new road to directly into the existing employment area is this not required by policy LMT1 and the county highway authority does not require it to be provided. Furthermore there is no evidence that the existing road network could not accommodate additional HGV movements on the existing routes to and from the Torbay Road industrial area.

On this basis, subject to the conditions suggested by the highways authority, and not objection being raised on the grounds of cumulative impact, it is considered that the proposal complies with policies LMT1, TA5 and TA6.

Cumulative Impact

Policy SS1 of the adopted Local Plan identifies Ansford/Castle Cary as a Local Market Town. Policy SS5 advocates the delivery of at least 374 dwellings in the settlement over the plan period and outlines a "permissive approach" for the consideration of planning applications, prior to the adoption of the Site Allocations Development Plan Document when considering housing proposals in the direction of growth. The permissive approach is a policy mechanism to facilitate development applications to come forward and be considered in the context of the policy framework established in the local plan, specifically the overall scale of growth established for each settlement and the emphasis upon maintaining the established settlement hierarchy. As such, the overall scale of growth identified for Ansford/Castle Cary (374 dwellings) and its role as a 'Local Market Town' in the context of the 'Primary Market Towns' and the 'Rural Centres' is a material consideration in determining the application and ensuring sustainable levels of growth for all settlements.

As at March 2014, 63 dwellings have been completed over the first 8 years of the plan period. A further 71 dwellings (up to March 2015) are committed, i.e. have permission but have not yet started or are currently under construction. Approximately 40 dwellings have recently been approved on land at Well Farm (13/03593/OUT). This sets out a total of 174 dwellings that are either built, committed, or under construction at Ansford/Castle Cary.

The Council is currently considering 5 planning applications (including this one) for up to 469

dwellings. Each of these applications will be determined on their merits, but it is important to be mindful of the potential cumulative effect of their development. If permission were to be granted for this proposal and the other planning applications it would entail 643 dwellings being committed for Ansford/Castle Cary. This would bring it over Ilminster's expected housing requirement figure (496 dwellings), even though Ilminster is categorised as a Primary Market Town, which is the next 'tier' up in the settlement hierarchy.

Whilst it is acknowledged that the local plan figure of 374 dwellings does not represent a maximum, nonetheless, under the policy approach in Policy SS5 the scale of growth should be appropriate to a settlement's role and function and should this site receive permission in combination with the other proposals it will lead to total housing numbers at Ansford/Castle Cary being approximately 72% higher than that set out in Policy SS5.

Ansford/Castle Cary has a population of 3,200 people, of which 1,500 are 'economically active'. There is a workplace population (i.e. working in Ansford/Castle Cary) of 1,400 people (Census 2011), meaning almost 1 workplace per economically active person which indicates a good level of sustainability, although the 2001 Census shows 54% of people living in the Cary Ward travel elsewhere to work. There are 1,600 dwellings in the settlement (Census 2011) and a good level of services and facilities, including a range of local shops, GP surgery, primary school, secondary school, sports hall, and library. Castle Cary Railway Station is on the main London to Penzance line and there are relatively regular bus services to Wincanton, Yeovil and Shepton Mallet.

Overall, Ansford/Castle Cary is a settlement with a range of jobs, services and facilities that means it is a sustainable location for new development. However, if all current planning applications are granted permission, the overall scale of growth may lead to a scale of housing growth that will threaten the settlement hierarchy and lead to an unsustainable level of growth at the settlement. Growth beyond that identified in the local plan has the potential to cause issues such as perpetuating out-commuting, deficits in infrastructure capacity (e.g. emerging draft study indicates that the primary school may be over capacity by 2018 due to housing growth), and harm to the character of the settlement.

By way of further context, should all planning applications be granted permission, this would take the level of growth in Ansford/Castle Cary beyond that envisaged for Ilminster, which is classified as a Primary Market Town in the settlement hierarchy. This means the strategy and intended hierarchy could be compromised, with smaller scale settlements, which are inherently less sustainable due to a lower critical mass, receiving more growth than a larger scale settlement.

As with all planning applications, each proposal must be determined on its own merits. This application is the first to come forward. It is in the most appropriate location, being next to existing development and includes 2 ha of employment land, a site for a new school, housing and a road between Station Road / Torbay Road as required by Policy LMT1.

Additional information on the cumulative impacts of development on the highways network have been sought. In particular the proposals at Dimmer, which is out outside the scope of policy LMT1, have the scope to affect traffic flows all the B3153 which might be exacerbated by this proposal which would perpetuate (increase) HGV movements out to the B3153 via Blackworthy Road. Whilst then highway authority's final formal comments are awaited they have not to date indicated a problem with the overall level of growth and have long been aware of all current applications.

On the basis that the highways authority maintains a position of 'no objection' it is considered that this proposal, which complies with policy LMT1, could safely be approved without any adverse cumulative impact on the status of Ansford/Castle Cary in the hierarchy

of settlements within South Somerset. This would not prejudice the determination of subsequent applications, which might be within the Direction of Growth, but would have to demonstrate compliance with policies LMT1, SS3 and SS5.

Other Issues

No technical consultee has objected on the grounds of drainage, protected species, archaeology, land contamination, noise or odours. It is considered that these matters could reasonably be addressed by appropriate conditions.

Network Rail is concerned that this development may give rise to increase risk at the uncontrolled foot crossing over the single track railway line to the north west of the site. The applicant is will to fund the cost of the diversion of the existing footpath and this could be achieved through a planning obligation.

The preference to retain the school in the town centre is understanding. However it is a constrained site where there are limited options to expand. As the chair of governors notes there may come a time when children's education may suffer, at which point alternatives would have to be considered. The approval of this application would simply create the option to move the school to this site. There would of course be a range of other (non-planning) factors to be considered before the final decision could be made.

There is not considered to be any sound planning reason why this allocated site would be inappropriate for a new primary school and the detail could reasonably be considered at the reserved matters stage.

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 equating to an overall total of £516,282. An on-site LEAP would also need to be provided.

An education contribution of £404,481 is requested together with Travel Planning measures and a contribution towards the stopping up of footpaths over the railway and the diversion of the affected footpaths.

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:

This is a site within the allocated Direction of Growth for Ansford/Castle Cary and 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 or proposed 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 highways safety, archaeology 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, subject to the County highways authority confirming that they have no highway objection to the proposal, application reference 14/02020/OUT 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 £516,283 towards offsite recreational infrastructure, to the satisfaction of the Assistant Director (Wellbeing) broken down as:
 - ££27,993 towards provision of new youth facilities in Castle Cary/Ansford;
 - £65,763 towards enhancement of existing pitches or provision of new grass or artificial pitches in Castle Cary/Ansford;
 - £133,520 towards enhancement of existing changing rooms or provision of new changing rooms in Castle Cary/Ansford;
 - £86,161 towards enhancement of existing community hall facilities in Castle Cary/Ansford.;
 - £51,881 towards expanding and enhancing the Octagon Theatre in Yeovil;
 - £13,325 towards enhancing AGP provision in Wincanton;
 - £30,341 towards the provision of a learner pool at Wincanton Sports Centre;
 - £39,282 towards the provision of a new indoor sports centre in Yeovil
 - £68,016 as a commuted sum towards the local facilities.
 - Monitoring fee based on 1% of total
- (b) The provision of an on-site LEAP to the satisfaction of the Assistant Director (Wellbeing) or the provision of land and contribution of £142,564 and a commuted sum of £82,347 to enable the District Council provide and subsequently maintain the LEAP.
- (c) At least 35% of the dwellings as affordable dwellings of a tenure that is acceptable to the Corporate Strategic Housing Manager.
- (d) an education contribution of £404,481 to the satisfaction of the Development Manager in consultation with the County Education Authority
- (e) Travel Planning measures to the satisfaction of the Development Manager in consultation with the County Highways Authority
- (f) a contribution towards the stopping up of footpaths over the railway and the diversion of the affected footpaths to the satisfaction of the Development Manager in consultation with Network Rail.

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. Details of the appearance, landscaping, layout and scale (herein after called the “reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

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 not later than 3 years from the date of this permission or not later than 2 years from the approval of the last “reserved matters” to be approved.

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

03. The development hereby permitted shall be carried out on the land identified by on drawing number 12733_L01_01.

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

04. 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 Pell Frischmann 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

05. 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.

06. The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker. Such strategy scheme shall include appropriate arrangements for the agreed points of connection and provision for capacity improvements as required to serve the development. Once approved

drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

Reason: In the interests of residential amenity and to ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property in accordance with policies EQ1 and EQ2 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework.

07. The development hereby permitted shall not be commenced until there has been submitted to, and approved in writing by the Local Planning Authority, a badger mitigation plan detailing measures for minimising disturbance and harm to badgers and enabling badgers continued access within their territory as appropriate for their welfare. The works shall be implemented in accordance with the approved details and timing of the plan, unless otherwise approved in writing by the local planning authority.

Reason: To safeguard protected species in accordance with Policy EQ4 of the South Somerset Local Plan 2006-2028.

08. The development hereby approved shall be carried out in accordance with the measures, including an ecological watching brief during construction, for minimising harm to Priority Species (Common Toad, Slow-worm) as detailed in the Ecology Mitigation and Enhancement Plan dated 27/04/14 submitted with the application.

Reason: For the protection of priority species in accordance with NPPF and the Natural Environment and Rural Communities Act 2006.

09. Prior to the commencement of the dwellings hereby approved details of measures for the enhancement of biodiversity, which shall include the provision of bat, swallow and swift boxes, 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.

10. The development hereby permitted shall not begin until a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:
- a) A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175 : 2011 Investigation of Potentially Contaminated Sites – Code of Practice. (Completed)
 - b) A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report should include a detailed quantitative human health and environmental risk assessment.
 - c) A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the

remediation should be stated, such as site contaminant levels or a risk management action, and how this will be validated. Any on-going monitoring should also be outlined.

- d) If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority.
- e) A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan 2006 – 2028.

- 11. 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: To safeguard the archaeological potential of the site in accordance with policy EQ3 of the South Somerset Local Plan 2006 – 2028.

- 12. Before any of the dwellings hereby permitted are first occupied 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.

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, cycle ways, 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 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 in accordance with Policy 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 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.

16. The reserved matters application(s) shall include provision for footpath, cycle-path and vehicular links to the boundary with the adjoining land to the north west. Unless agreed otherwise in writing, such links shall be fully provided to the boundary prior to the occupation of any dwelling or building on the site

Reason: to ensure that future development is provided with good links to the town in accordance with policies TA1 and TA5 of the South Somerset Local Plan 2006-2028.

17. The accesses to the site shall be formed generally in accordance with the details shown on drawings 14139/SKC002A; 14136/SKC003A and 14139/SKC001B, the full details of which shall be submitted to and approved in writing by the local planning authority prior to their commencement.

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

18. The commercial buildings hereby approved shall only be used 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.

Informatives

1. You are reminded that development, insofar as it affects a right of way should not be started and the right of way should be kept open for public use until the necessary diversion/stopping up order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.
2. You are reminded that the submitted layout is indicative only and that objections have been raised to it from the Council's economic development officer and climate change office. The layout of the reserved matters application should be informed by their comments. You are urged to discuss these concerns with the local planning authority at an early stage.
3. You are reminded that there should be 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.

4. When discharging conditions 4 and 5 you are reminded of the comments of the Environment Agency set out in their letter of 07/07/14.
5. You are reminded that parking provision should be in line with the Somerset County Council Parking Strategy.
6. It is suggested that 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.
7. You are reminded that no work should commence on the development site until the appropriate rights of discharge for surface water have been obtained.
8. When discharging the drainage conditions you are reminded of the following advice from the Environment Agency:-
 - Any outflow from the site must be limited to the maximum allowable rate, so there is no increase in the rate and/or volume of run-off, and preferably it should be reduced.
 - The surface water drainage system must deal with the surface water run-off from the site up to the critical 1% Annual Probability of Flooding (or 1 in a 100-year flood) event, including an allowance for climate change for the lifetime of the development. Drainage calculations must be included to demonstrate this (e.g. Windes or similar sewer modelling package calculations that include the necessary attenuation volume).
 - If there is any surcharge and flooding from the system, overland flood flow routes and "collection" areas on site (e.g. car parks, landscaping) must be shown on a drawing. CIRIA good practice guide for designing for exceedance in urban drainage (C635) should be used.

Agenda Item 16

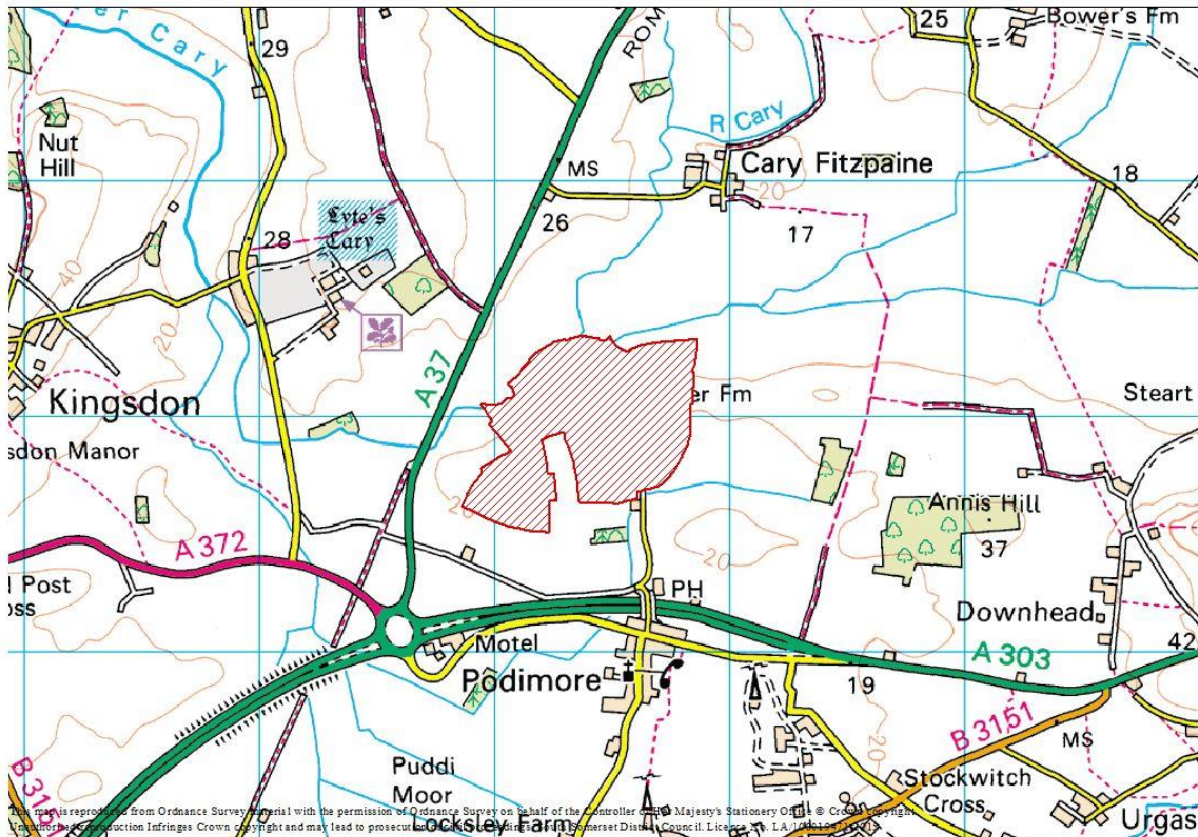
Officer Report on Planning Application: 15/00425/S73A

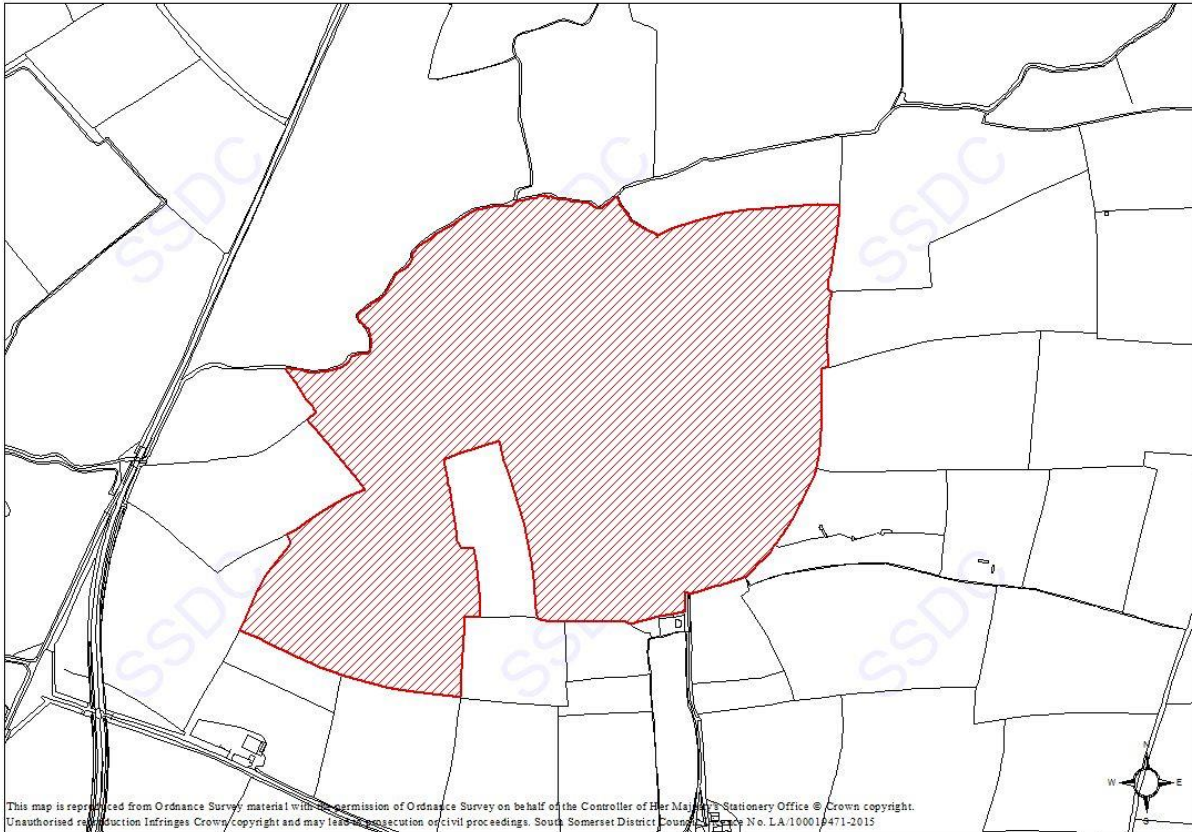
Proposal :	Application to vary planning condition 2 (hours of shoot) of approval 00/02600/COU to extend the hours shooting can take place (GR 354440/126123)
Site Address:	Land At Higher Farm Higher Farm Lane
Parish:	Yeovilton
IVELCHESTER Ward (SSDC Member)	Cllr A Capozzoli
Recommending Case Officer:	Mrs Jennie Roberts Tel: (01935) 462441 Email: jennie.roberts@southsomerset.gov.uk
Target date :	30th March 2015
Applicant :	Podimore Shooting School
Agent:	Boon Brown Architects Motivo Alvington Yeovil, BA20 2FG
Application Type :	Other

REASON FOR REFERRAL TO COMMITTEE

This application is brought before Area East Committee at the request of the Ward Member and Area Chair.

SITE DESCRIPTION AND PROPOSAL





Podimore Shooting School is located outside of any development area, to the north of Podimore.

In 2002, planning permission was granted by the Planning Committee for the use of the land as a clay pigeon shooting ground; this was conditioned as follows:

"Shooting shall take place only on Wednesdays between the hours of 9.00 and 19.00 with a maximum duration of 6 hours.

Reason: To safeguard local residents from noise and disturbance."

This application seeks to vary this condition, to allow for extended shooting hours as follows:

"Shooting shall take place on;

Wednesdays 10am to 5pm

Saturdays 10am to 4.30pm

Sundays 10am to 3pm limited to one Sunday per calendar month

The shot to be fired shall not exceed 28 grammes in weight and the number, siting and direction of stands shall be as set out by plan 3391-001 unless otherwise agreed in writing with the planning authority."

An application for a Certificate of Lawfulness has also been submitted, which seeks to prove that these extended hours have been operating for a period of 10 years or more, and as such, that they may continue to operate in this way by default.

RELEVANT HISTORY

15/01223/COL - Application for a lawful development certificate for the existing use of land for clay pigeon shooting - pending

00/02600/COU - The use of land as a clay pigeon shooting ground - conditional approval - 26/11/2002

POLICY

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

The following policies are considered relevant:-

South Somerset Local Plan (2006-2028)

SD1 (Sustainable Development)

SS2 (Development in Rural Settlements)

EP4 (Expansion of Existing Businesses in the Countryside)

TA6 (Parking Standards)

EQ2 (General Development)

EQ7 (Pollution Control)

National Planning Policy Framework

Chapter 1 - Building a strong, competitive economy

Chapter 3 - Supporting a prosperous rural economy

Chapter 8 - Promoting healthy communities

National Planning Practice Guidance

- Noise

Somerset County Council Parking Strategy (March 2012) and Standing Advice (June 2013)

CONSULTATIONS

Parish Council - Recommends refusal due to the noise impact on Podimore residents

County Highway Authority - Standing Advice

Environmental Protection - Recommends refusal of the application due to the increased risk of harm to local amenity and possible noise nuisance.

MOD (In relation To nearby Yeovilton Airbase) - Committee to be advised of the response once it has been received

REPRESENTATIONS

Objections

19 letters/emails of objection have been received in relation to this application. The majority of these are from residents who live locally to the site. Reasons why they would like the application refused include:

- In the past 18 months, there has been a dramatic increase in frequency of shots, volume of shots and number of days shooting
- The closure of Southern Counties Shooting off the A37 has seen a dramatic increase in the number of people attending the Podimore venue by car, which is a safety concern for pedestrians walking in Podimore village and up Higher Farm Lane

- On competition days, as many as 1 shot per second for many hours have been heard from inside a house 600m away which is double glazed and insulated
- Horses that residents own are disturbed and spooked by the shots
- The noise from shooting at the weekend makes it impossible for residents to relax outside and enjoy their gardens - weekends should be a time when residents can relax and enjoy their homes after working hard all week. The increase in shooting times adversely affects residents' much cherished weekends.
- The shoot is not in line with the Chartered Institute of Environmental Health's guidelines for Clay Shooting, in that there should be a minimum of 1km between stands and residential property
- The noise from the shoot is causing such stress to some residents that they are considering moving house
- The noise from the shoot negatively affects both residents and visitors alike, and detracts from the natural beauty of the area
- The noise from the shoot is intrusive and affects residents' lifestyles
- The noise from the shoot frightens livestock
- The continuous popping and banging from the clay being fired and shot at is very annoying and extremely loud
- The noise from the shoot is prolonged and excessive and is a nuisance to residents' wellbeing
- The noise from the shoot is affecting a resident's ability to study for his 'A' levels

Support

20 letters/emails of support have been received. At least 19 of these are from people who do not live locally to the site. Reasons they would like the application approved include:

- The clay pigeon shoot has been in operation at the site for 24 years
- The ground is an important facility in the south-west of England, where there is a paucity of good shooting facilities, and two Olympic gold medallists have trained at the site
- The facility should be supported due to its longevity and importance to an Olympic sport in which our country has achieved notable successes
- The facility adds to the appeal of South Somerset as a leisure attraction and contributes to the business of local hotels and restaurants
- Most major shooting competitions are held on a Sunday because it is outside of the working week and competitors can commit to attendance
- Noise pollution is minimal, due to the maximum shot load allowed being 28g
- The ground is thriving with wildlife
- The ground is situated between two busy A roads and has the Yeovilton airbase nearby, and as such, noise from the clay target shooting school is insignificant
- Clay shooting is beneficial in teaching discipline, self control and confidence to young people

Neutral

2 letters/emails have been received which neither support nor object to the proposal. Both are live locally to the site, and both state that the times applied for should not be exceeded.

ENVIRONMENTAL IMPACT ASSESSMENT

None required

CONSIDERATIONS

The main issue when considering this application to extend the hours for shooting is that of

noise and its impact on the residential amenity of local properties.

The Shooting School has already been operating outside its permitted times, and as such, is in breach of the planning condition which restricts shooting to Wednesdays. The Local Planning Authority was first made aware of this breach over a year ago, when various complaints about noise and disturbance caused by the shooting were received from a number of local residents. An enforcement case was subsequently set up, and the Council's Environmental Protection team were informed of the issue. Over the past year, the Environmental Protection officer (EPO) has worked with the complainants and the applicant to try to resolve the amenity issues, and various noise readings were taken. Noise complaints persisted, and as the applicant wished to continue shooting outside of the approved hours, he was invited to submit a S73a application. The EPO advised that a noise assessment to determine the likely impact on surrounding settlements and nearby dwellings should be conducted and submitted with the application. No noise assessment has been submitted with the application, despite reference being made to this within the agent's supporting statement on pages 5 and 6.

The EPO was consulted on the application and commented as follows:

"Environmental Health has been in pre-application discussions with the applicant regarding this matter. During those discussion I raised concerns due to the potential for loss of amenity and possible Statutory Nuisance due to extending the permitted hours of shooting. During the pre-application discussions the applicant agreed to conduct and submit a noise assessment to determine the likely impact on surrounding settlements and nearby dwellings. It is my understanding that this assessment has not yet been submitted. Without this information I would have to take a precautionary approach and recommend against approval of the application due to the increased risk of harm to local amenity and possible noise nuisance."

In addition to the recommendation for refusal from the EPO, the Parish Council has also opposed the application, due to the noise impact on local residents. It noted that noise impact had increased during the past few months for Podimore Village. This is backed up by the substantial number of objections received from nearby residents, as described in the 'Representations' section, above.

Whilst many letter of support have also been received, it is noted that the majority of these are from people who do not live in settlements local to the shooting school.

CONCLUSION

Many local residents have stated that their home life is being made intolerable by the increase in shooting hours that has occurred, and the Environmental Protection Officer has recommended refusal of the application. Having regard to the above, it is considered that the application has failed to demonstrate that the extension of hours would not be detrimental to the residential amenity of the local settlements and dwellings, and as such the proposal is unacceptable and should be refused.

RECOMMENDATION

Refuse to vary condition 2 of permission 00/02600/COU

FOR THE FOLLOWING REASON

01. The application has failed to demonstrate that the variation to this permitted shooting hours would not be detrimental to the residential amenity of local settlements and dwellings in terms of noise and disturbance. As such, the proposal is contrary to policies EQ2 and EQ7 of the South Somerset Local Plan (2006-2028) and the National Planning Policy Framework 2012.

Agenda Item 17

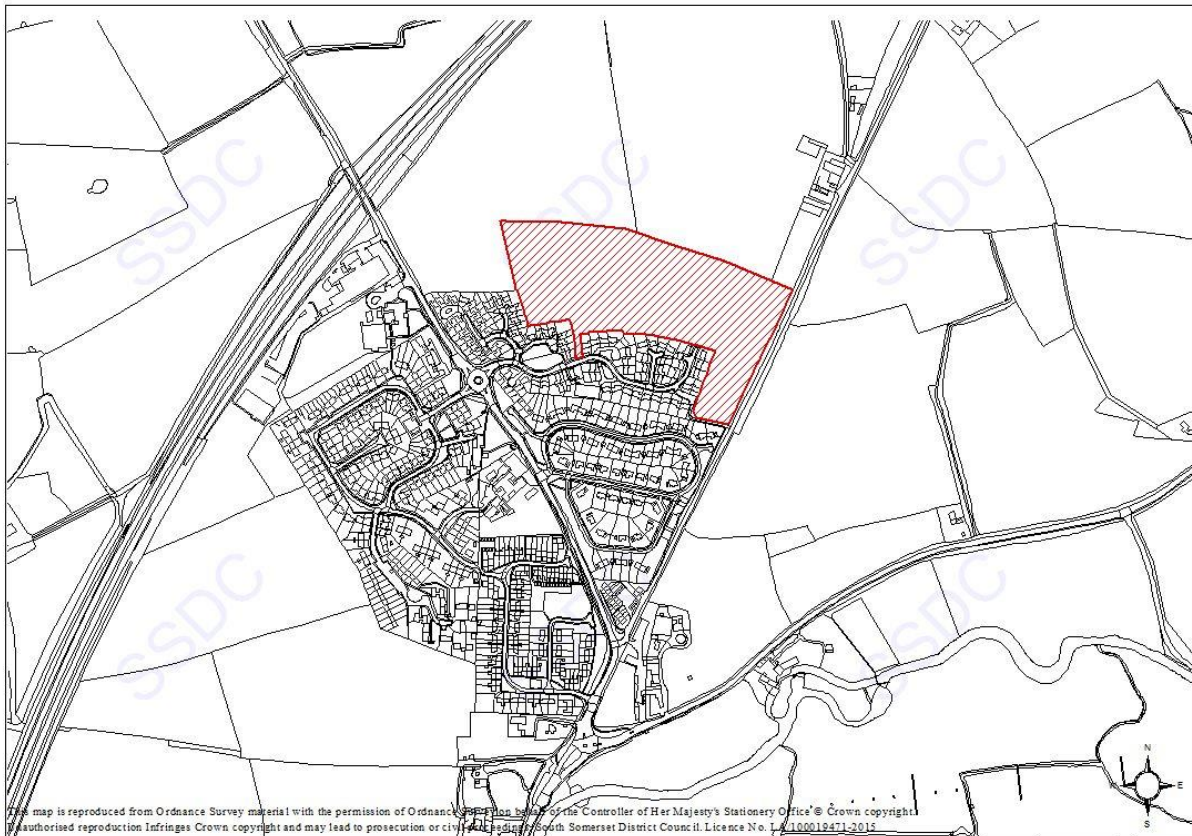
Officer Report On Planning Application: 15/00024/OUT

Proposal :	Outline application for the erection of up to 150 dwellings, site access, provision of associated landscaping and open spaces/play facilities (GR 352508/123950)
Site Address:	Land North Of Dragonfly Chase Ilchester Yeovil
Parish:	Ilchester
IVELCHESTER Ward (SSDC Member)	Cllr A Capozzoli
Recommending Case Officer:	Andrew Collins Tel: 01935 462276 Email: andrew.collins@southsomerset.gov.uk
Target date :	3rd April 2015
Applicant :	Executors Of PCH Young Deceased
Agent:	Pegasus Planning Group Ltd First Floor Wing Equinox North Great Park Road, Almondsbury Bristol BS32 4QL
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL TO AREA EAST COMMITTEE

This application for residential development is referred to the Area East Committee at the request of the Ward Member in agreement with the Area Chairman due to the significance of the proposals to Ilchester.

SITE DESCRIPTION AND PROPOSAL





This application seeks outline permission for the erection of up to 150 dwellings with associated access and landscaping. All matters are to be reserved with the exception of access. The site consists of three agricultural fields currently in pasture use for livestock. The Southernmost field lies to the North of Esmonde Drive, East of Dragon Fly Chase and West of the historic Fosse Way. The other 2 field are located to the North of Dragon Fly Chase. The site forms a broadly rectangular piece of land comprising parts of the Northern most fields and an infill to the East. In total the site is 5.03 hectares. The site slopes down gently towards the North. A central dividing hedge lies between the 2 Northern fields. To the East and South of the site it is bounded by hedges of various quality and type. The site is bounded by a variety of 2 storey residential properties to the South, with open countryside to the North, West and to the East beyond the Fosse Way. An existing public footpath / cycleway borders the Southern boundary of the Southernmost field that links Dragon Fly Chase with the Fosse Way. The submitted Agricultural Land Classification Report concludes that due to the clay soils and the seasonal waterlogging the site is classified as mainly being 3b. The smaller field to the South is less waterlogged and could be 3a, but due to the heavy clay loam topsoil and slight seasonal waterlogging and surrounded by 3b the overall classification of the predominate class on the site is 3b.

It is proposed to provide vehicular access to the site through the northern boundary from the existing classified un-numbered highway known as Dragon Fly Chase with proposed pedestrian and cycle links to the Fosse Way. The access from the B3151 is via the roundabout on Tarranto Hill. Two vehicular accesses are proposed to the site with these being between 1 Brairfield and 9 The Green towards the West of the site and between 5 and 52 Dragon Fly Chase towards the East of the site. In addition a pedestrian access is proposed into the site near the existing footpath / cycleway.

The indicative layout shows the retention of much of the existing hedgerow surrounding the site. The layout shows a central area of open space including youth facility provision and a Local Equipped Area of Play Provision (LEAP). The layout shows a low key highways

solution with the 2 accesses providing a road network to the West and East with central links between the two and a number of areas where shared surfaces are indicated.

The application is supported by:

- Design and Access Statement
- Arboricultural Impact and Tree Protection Plan Survey Constraints Report
- Ecological Surveys for Bats, Dormice, Access and Ecological Walkover Survey
- Statement of Community Involvement
- Sustainability Statement
- Planning Statement
- Archaeological Assessment
- Travel Plan
- Transport Assessment
- Flood Risk Assessment and Foul and Surface Water Management Strategy
- Landscape and Visual Appraisal
- Contaminated Land Desk Study
- Environmental Noise Planning Assessment
- Agricultural Land Classification Report
- Preliminary Services Report
- Draft Heads of Terms for Legal Agreement
- Various indicative plans

HISTORY

15/00037/EIASS - Outline application for the erection of up to 150 dwellings, site access, provision of associated landscaping and open spaces / play facilities - Environmental Impact Assessment not required - 16/2/15. This concluded that due to only local importance and no significant environmental effects on the environment an EIA would be 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.

On 5th March 2015 the South Somerset Local Plan (2006 - 2028) was adopted. Therefore it is considered that the development plan comprises this plan

On this basis the following policies are considered relevant:-

Policies of the adopted South Somerset Local Plan 2006 - 2028

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS4 - District Wide Housing Provision

Policy SS5 - Delivering New Housing Growth

Policy SS6 - Infrastructure Delivery

Policy HG3 - Provision of Affordable Housing

Policy HG5 - Achieving a Mix of Market Housing

Policy TA1 - Low Carbon Travel

Policy TA4 - Travel Plans

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

Policy HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development

Policy EQ1 - Addressing Climate Change in South Somerset
Policy EQ2 - General Development
Policy EQ3 - Historic Environment
Policy EQ4 - Biodiversity
Policy EQ5 - Green Infrastructure

National Planning Policy Framework
Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 8 - Promoting Healthy Communities
Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment

Other Policy Considerations
Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

Ilchester Parish Council - Raise concerns over the proposals;

"The ability to sustain and enhance Ilchester's role as a Rural Centre is strongly supported by the Parish. There are 4 critical areas of the Rural Centre infrastructure that require enhancement prior to the development taking place and we seek your assistance in working with the Parish to start moving this forward now.

- *Ilchester Surgery. We have been advised that the Surgery, who have confirmed with NHS England, cannot cater for additional numbers as it is at capacity both in numbers and particularly space. We plan to work with the Surgery to examine the feasibility of its re-location and building a new surgery and dispensary on the currently empty site of the Somerset Carriage Company in the centre of the village, which will be available for purchase over the next 2 years. We would seek your support to moving forward with this plan now as without it medical support will not be available for the new development, and even starting now, facilities will not be available before 2017 which is our estimate of the earliest that construction on the site could occur.*
- *Community Facilities. The additional 150 homes will be a 20% increase in the number of civilian homes in the Parish and the current community facilities available in the Town Hall are antiquated and outdated. Concurrent with the development, these require upgrading to cater for the increase in the population, and we welcome your plan to provide funds under Section 106 to update these facilities. It is noted that the Defence Infrastructure provides a social and welfare facility at the Tall Trees Community Centre co-located within the Defence Estate in the Parish. Whilst this is now available to all in the Parish through a Armed Forces Community Covenant Grant, it is not core infrastructure supported by the Parish.*
- *Ilchester Schools. There is currently limited capacity and the school would require additional permanent classroom accommodation in order to provide for the number of children projected to be living within the 150 proposed houses. This should be coupled with an opportunity to redevelop the whole facility, possibly on a single site which would aid access and control. This must occur before development starts to allow the facilities required to be available once occupancy of the new estate starts.*
- *Car Parking. There remains a dearth of parking in the Rural Centre and to meet the needs of the enhanced population, faced with over a half mile walk to facilities; additional parking will need to be provided. A site is available and its acquisition*

should be considered in the Local Plan.

Because of the unusual geography of Ilchester, there is a real risk that the development will have a deleterious effect on the sustainability of the Rural Centre, unless precautions are taken. In the future, perhaps even beyond 2026, there could be a drift of facilities, businesses and retail infrastructure towards the northern end as the housing continues to grow. We cannot overemphasize the need to maintain a stimulus to the economy of the core village to prevent its dying.

We are concerned that the proposal only meets the needs of local housing, it adds nothing to extending local services nor supporting additional economic activity and this needs to be addressed. Without considering these points all that will be provided are 150 commuter homes which will add to congestion across the Parish which has already been highlighted in our SCC endorsed Transport Strategy. This Strategy remains unfunded and we would wish to see it funded and delivered prior to construction, and before the increase in commuter traffic from the projected over 400 additional cars start to transit the Parish.

We remain concerned that there is an over-emphasis on the employment opportunities available at RNAS Yeovilton, especially after the reduction of the RN Personnel and their civilian support and a large increase in Army personnel who have less civilian support but will have an increased level of Army support from other units temporarily detached to this area to provide this support.

The employment forecast in the Local Plan is that jobs in Ilchester will grow by over 400 before 2028, Current MoD operations indicate that the opposite may be more correct. It is our view that the planned housing will be largely taken up by Somerton and Yeovil commuters.

Similarly, the size of the school and its viability and ability to cope with the increased numbers needs to be addressed by SCC, and this must occur before development starts to allow the facilities required to be available once occupancy of the new estate starts.

Notwithstanding the comments made in the proposal and their adherence to national guidelines, we have major reservations and wish to see changes to the transport strategy.

- Broadsword Park is a quiet Married Officers Quarter Area where children play in the quiet cul-de-sacs and play parks are adjacent to the highway with no safety area or separation zones. We consider that it is inappropriate to have the traffic from the new homes transiting this area and would wish to see a safer exit from the new estate through the old Fosse Way, or through a new construction to the North of the site. The former would require a revised road junction at its junction with the B3151 (Called Roman Road in the plan) and would set the scene for future developments in the area and the already agreed development of Hainbury Farm, in Yeovilton Parish. This new entrance point would have to take account of the residents of Fosseyway Court, farm traffic and dog walkers that use the Old Fosse Way.*
- Should this not happen we would insist on severe traffic calming across the transit road through Broadsword Park to limit the maximum speed of vehicles. Additionally, the increase in numbers attending the school will give a major increase in crossing by minors of the B3151 and we would expect the current uncontrolled crossing to be upgraded to controlled. This will also act as traffic calming, conforming to the Parish Transport Strategy.*
- The school has no objection to the building of houses on the land however they have significant concerns over the access to the new houses as this would mean a substantial increase in traffic and subsequent danger to their existing and new children as they made their way to and from school and in crossing the road via the two crossings.*

- *Broadsword Park is unsuitable for heavy vehicles and a separate entrance will be needed from the Old Fosse Way to the proposed development to allow free access to the site. This will then form the basis for a separate entrance to the estate as above.*
- *It should be noted that the residents of the 14 properties of Fosse Way Court do not support this line and would not wish to see the additional traffic flow."*

Yeovilton Parish Council (neighbouring Parish Council) - *The only concern from Yeovilton Parish Council is that of the drainage of surface water from this development, which if not properly addressed could impact on pumps adjacent to the A303."*

County Highway Authority

Notes that the submitted Transport Assessment (TA) has minor faults but its conclusions on the capacity of the junction are accepted. A draft Travel Plan (TP) has been submitted. It identifies several minor issues with the draft TP but notes that the TP should be secured via a Section 106 Legal Agreement for financial elements to be secured.

In detail in relation to the specific access points considers that there is sufficient room between Briarfield and The Green to provide an access road of 5m with 1.8m footpath either side. A sufficient junction can be formed. The second access is clearly designed for this to occur and there is sufficient width for a successful estate road.

In relation to the indicative layout considers that there are appropriate turning heads within the layout and a swept path drawing shows a refuse vehicle could manoeuvre on site. Detailed comments are made regarding the laying out of and the considerations of the estate, parking levels and drainage details which can all be agreed in detail at a later date.

Due to the proposed access and detailed considerations raises no objection subject to the imposition of conditions.

Highways Agency - Initially raised a holding objection due to insufficient information to assess the impact upon the A303.

On the submission of additional information from the Highway Consultants comment that;

"A Transport Assessment and Travel Plan dated November 2014 has been prepared, setting out trip generation and trip distribution / assignment results for the local highway network associated with the proposals for up to 150 mixed residential dwellings. We have also received further trip distribution / assignment information in an email from TPA dated 4 February 2015.

We have now reviewed the additional information and have concluded that development trips would largely travel to / from the nearest urban centre of Yeovil for employment, leisure and education purposes, and therefore place minimal impact on the Strategic Road Network which is located in the opposite direction."

On this basis raises no objection.

SSDC Climate Change Officer - Objects to the outline application as it currently stands because there is no comment on orientation, energy efficiency or renewables have been mentioned. Notes that 52 of the dwellings have South facing roof slopes and that a revised layout could provide for a greater number.

He cannot support the application because the opportunity to maximise solar orientation within the constraints of the site has not been taken.

SSDC Housing Officer - *"Regarding the affordable housing element of the scheme I would expect 53 affordable units (based on up to 150 dwellings proposed in total). The affordable units would be split 2/3 - 1/3; 36 social rent and 17 shared ownership or other intermediate solutions.*

All affordable dwellings must meet the minimum space and design criteria and we would ordinarily expect them to be provided through one of our main approved Housing Associations. We would also expect the affordable housing to be pepper-potted throughout this site and for the outward appearance to be generally consistent with the market housing in the site.

Further discussion would be necessary to assess the property types based on data from the Housing Register - Homefinder Somerset."

SSDC Environmental Protection Unit - On the basis of the submitted noise and phase 1 contaminated land surveys submitted with the application suggests the imposition of conditions regarding a watching brief and acoustic insulation due to noise from RNAS Yeovilton.

SSDC Open Spaces Officer - *"The plans provided within the 'Design and Access Statement' identify a provision of 0.16ha of informal open space, an amount well within the amount required by SSDC.*

We are very happy with the design for this outline application and are very encouraged by the central location of the public open space, maximising its catchment area, as well as the inclusion of the green gateways at the entrances to the site, helping to connect the new site to existing developments to the south.

We have no further comments or amendments to make at this stage and are happy for the progression of this application with the current plans."

SSDC Planning Policy - The Local Plan takes a permissive approach to housing proposals in the Rural Centres that are adjacent to the development areas where they are in keeping with the overall scale of growth and wider policy considerations. The site is identified in the peripheral landscape study (February 2010) as having a moderate to high capacity to accommodate built development. 150 dwellings are proposed, a number which is in scale with that being proposed through emerging Local Plan Policy SS5. The site does not fall within any of the Environment Agency Flood Zones and is outside the Area of High Archaeological Potential identified on the Local Plan Proposals map, both constraints which are heavily present in locations to the south of Ilchester.

On the basis of the above, the proposed development appears to be in general accordance with the Development Plan.

SSDC Landscape Architect - Notes the peripheral landscape study of Ilchester carried out in 2010, and that the application sites was evaluated as one having moderate - high capacity for development.

The application now before us includes a landscape and visual impact assessment, which has evaluated the likely impact of development in this location upon the character of the host landscape, and the likely visual effects of development in this location. It identifies that the site has few constraining landscape features, and considers that other than as viewed from the immediate residential edge, and the adjacent Foss Way, that visual impact will be minor,

falling to negligible with distance, and primarily from the northeast only. In evaluating the collective impacts relative to a residential layout, the assessment proposes;

- (i) Management and enhancement of the existing vegetation along the southern, southwestern and eastern boundaries of the site to provide enclosure and visual screening;
- (ii) The retention of open areas within the development, to include a central public open space that breaks up development mass, and to soften the transition of the built edge to open countryside;
- (iii) A landscape buffer to the northern boundary to create a wildlife corridor; allow for connectivity to the surrounding countryside; and provide a woody boundary to create a strong landscape edge to the built fringe of Ilchester;
- (iv) The planting of a new hedgerow along the western and southern boundary of the area of the site to assist visual containment, and;
- (v) Structural tree planting within the new development to provide visual interest and reduce the perceived scale and massing of the built form within the surrounding environment.

Is in general agreement with the applicant's landscape assessment, whose conclusions broadly correspond to the findings of the PLS. Noting the illustrative plan to have accommodated these landscape prescriptions, then at this outline stage, accepting that the local plan proposes further residential development for Ilchester, there is no basis for an over-riding landscape objection to development in this location.

SSDC Conservation Manager - *"There is no significant impact on above ground heritage assets with this proposal.*

I have no major concerns about the design suggestions contained here except to be wary in this location of buildings higher than 2 storeys. Where the footpath link to the Foss Way is indicated this I suggest should be overlooked by frontage development."

SSDC Community, Health and Leisure - Requests the following contributions are sought in line with policy HW1 of the local plan and paragraphs 203-206 of the NPPF:

- Local facilities £233,380 - Broken down as; Equipped Play Space provided on site on a centrally located LEAP of 681m² with 30m buffer zones (£129,604), Youth Facilities provided on site as 170m², located adjacent LEAP (£25,448), Community Halls off site contribution towards enhancing facilities at the existing town hall in Ilchester or towards providing a new hall (£78,328)
- Strategic facilities £213,907 - Broken down as; Theatres and Art Centres towards expanding and enhancing the Octagon Theatre in Yeovil (£47,164), Artificial Grass Pitches towards a new 3G pitch in Wincanton (£12,114), Swimming Pools towards a learner pool at Wincanton Sports Centre or new 8 lane district wide pool in Yeovil (£27,583), Indoor Tennis Centres towards a new indoor tennis centre in Yeovil (£35,711), Sports Halls towards the development of a centrally based 8 court District wide competition sports hall or enhancements in Yeovil (£91,335).
- Commuted sums £84,270 - Equipped Play Areas provided on site (£74,861) and Youth Facilities provision for 170m² provided on site (£9,409)
- Community, Health and Leisure Service administration fee £5,316

Notes that contributions have been included for play and youth facilities but if the developer were to provide and manage them through a management company these costs would be removed. Also raise concern over the road between the LEAP and youth facilities.

N.B. New Central Government legislation coming in on 6th April 2015 states that only 5

contributions can be pooled for a specific facility. Due to lack of development within Ilchester this would not affect the Local facilities. However the Strategic facilities may be affected by this change. The Community, Health and Leisure Department have been contacted to confirm the contribution that can be sought in relation to strategic facilities.

SCC Archaeology - Following the requested geophysical survey, indicates that there may be Romano/British remains on the site. Therefore they require an area of 2% trenching to be undertaken before the application is determined. Subject to this being undertaken recommend that the developer is required to archaeologically excavate the heritage asset and provide a report as to any discoveries in accordance with the NPPF. They suggest that this can be achieved through the imposition of the following condition on any permission issued:

"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."

Avon and Somerset Constabulary Architectural Liaison - As a Police Service we offer advice and guidance on how the built environment can influence crime and disorder to create safer communities addressing the potential of the fear of crime and anti-social behaviour.

Sections 58 and 69 of the National Planning Policy Framework March 2012 both require crime and disorder and fear of crime to be considered in the design stage of a development and ask for:-

"Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion."

Guidance is given considering 'Crime Prevention through Environmental Design', 'Secured by Design' principles and 'Safer Places'.

Based on the above, pedestrian links should be at least 3m wide, straight and restrictions put in place to prevent unauthorised use of cars / motorcycles. Subject to these inclusions users feel safe when using these links.

SCC Education - It is noted that a development of 150 dwellings would be expected to require 30 primary school places. He notes that the local primary school at Ilchester currently has some un-used places, it is important that it manages to retain some flexibility given the transient turnover of families at Yeovilton Air Base; and at present, it is forecast to be over-subscribed by 2018, without taking into account new development.

He concludes that at £12,257 for each new primary school place a total contribution of £367,710 would need to be secured through a Section 106 agreement.

Environment Agency - No objection subject to the imposition of certain conditions and informatives being imposed on any permission issued.

SSDC Ecologist - He notes the Ecological Surveys carried out and submitted with application. The bat activity survey identified a relatively low number of bats and does not contain any trees or structures that could be used by bats for roosting. There was no evidence of dormice and the surveys do not identify any other significant issues and consequently raises no objection.

Recommends a condition regarding biodiversity enhancement.

Somerset Wildlife Trust - Notes the various ecological reports submitted with the application. States they support the outcome of the reports and in particular the recommended enhancements. They also request existing hedgerows gaps should be replanted with native species that encourage wildlife. Any external lighting should be designed to minimise impact. Despite suggesting conditions raise comments over the overall design of the estate and consider that it lacks imagination and there is no provision for wildlife corridors and insufficient green areas and planting.

Wessex Water - The applicant has indicated foul water connections to the existing foul sewer to the south of the site. They note limited capacity of the existing sewerage network. They require network modelling commissioned by the developer to determine capacity improvements and points of connection. As a strategy has yet to be agreed request a condition regarding foul water drainage.

They also note that network modelling of the water supply system will be necessary to consider if off site reinforcement of the network will be recommended to serve the proposed development.

There is currently no cost for network modelling of the water supply system which can be pursued upon application to Wessex Water. The cost of any recommended off site reinforcement required to serve proposals can be accommodated within Section 41 requisition arrangements of the Water Industry Act 1991.

MoD - Confirms that the MoD has no safeguarding objections to this proposal.

NHS England - *"The total anticipated population impact for Ilchester therefore would total 150 dwellings.*

Further to discussions with the practice and Somerset CCG I enclose comments on the proposed housing application in Ilchester and the impact on GP Provision:

Planning Proposals

150 dwellings at 2.2 per dwelling = 330 residents

Total anticipated population 330 residents in Local Plan

GP capacity = Whole Time Equivalent 2.00

List Size 3,407 (dec 14)

Average List per GP Whole Time Equivalent = 1,703

Average List per GP nationally 1,800 - 2,200

Average List per GP to assess GP capacity = 1,700 patients per GP to allow for variances in patient need. So the practice staffing is currently matching practice list. However if the practice list size does increase then further capitation payments will accrue to enable additional staffing and services to be provided.

Premises Capacity

Current building = 220 sqm approx.

Space guidance for new development business cases is 333sqm for 4,000 patients

Current building is c 75% of new guidance size

Current building would fall to 67% of new guidance size if practice list increases to 4,000

Conclusion

There is currently no Doctor capacity to accept more patients, and the current facilities are

constrained in capacity and there is little or no opportunity to expand the current site.

The practice is operating out of a reduced space compared to new business case guidance. The proposed planning application is likely to put an additional strain on the capacity of the current surgery and the full impact of the potential of a second application could lead to a new list of c3,737 patients.

*NHS best practice guidance for new surgery for up to 4,000 patients is 333sqm at an overall development project costs including design, fees, construction etc is c£750k excluding land. The planning application would represent contribution of $330/4067 * £750k = 8.1\% = £61k$ and some site will need to be provided to support a potential new development or contribution to purchase alternative site.*

The only realistic way to future proof provision is likely to be through providing additional space. Given the nature of the current site, options from the developer are sought and or other site searches to assess the likelihood of an alternative and suitable site being available."

REPRESENTATIONS

11 letters of objection have been received raising the following areas of concern;

- Broadsword Park is occupied by personnel through the Service Families Accommodation and this proposal due to access through the site results in potential security threat to military personnel.
- More people and a broader demographic has the potential to increase crime rates.
- Increased volume of traffic through the site will make it less safe for children.
- Facilities in Broadsword Park have been provided for military personnel and an increased use could result.
- The increase in residents within Ilchester could have greater impact upon existing facilities especially the school.
- The proposal would see greater traffic through Ilchester and it is already busy at present.
- The proposal could devalue property prices.
- The close-knit military community could be put to stresses and strains during construction and may impact upon the Armed Forces Covenant.
- Concerns over impact on schools and doctors surgery. Can they cope?
- Questions how the proposal meets the sustainable development criteria?
- Noise surveys undertaken were during March and questions why these were not carried out during the summer when noise from roads are greater.
- The agricultural classification report states that the land is seasonally waterlogged and therefore questions whether drainage on site will cope.
- One of the accesses to the site is over an area of open space.
- Questions why access cannot be obtained via the Foss Way to the East.
- The Local Plan requirement is for 141 and this proposal exceeds this level.
- One resident moved from Yeovil as wanted a village location.
- Concerns over the influx of dogs and where will people take them to exercise them?
- This is a green field site and should only be considered as a last resort.
- This proposal is too large and the impact would be too big and overpowering.
- Questions the need for new / additional housing in Ilchester.
- Questions the assumption made in the Local Plan regarding employment development especially at RNAS Yeovilton. Housing is likely therefore being for commuter housing.

- The settlement of Ilchester is spread out and this proposal will extend new development away from the historic heart.
- Does not consider that the proposal is sustainable and there is no joined up thinking with the requirements for RNAS Yeovilton. Suggests that the occupation of the development should be MoD personnel only.

A letter of representation has also been received from the doctor's surgery who states that there is no doctor capacity at the surgery to accept any more patients. Also the current facilities are constrained in capacity and there is no opportunity to extend the site. The future proofing of the facility is required and options from the developer are sought. They are principally interested in a site being secured for future development within the village but any surgery would need to be fit for purpose.

In addition, 1 letter for support has been received detailing that that it is over 40 years since an estate of private houses were built in the village and it is needed for growth and prosperity.

APPLICANT'S CASE

In the conclusion of the Planning Statement it is stated;

"This Planning Statement supports an outline planning application for residential development and associated works to provide approximately 150 dwellings at land north of Troubridge Park, Ilchester. The application is submitted in outline form, with all matters reserved except for access.

The Statement has clearly demonstrated how the proposal accords with national and local planning policy and contributes towards the delivery of housing required by the emerging Local Plan.

The proposal is informed by pre-application discussion with the District Council and local residents.

The application site constitutes the most appropriate available site to deliver the required housing in a logical location adjacent to the existing Development Area for Ilchester. Ilchester is defined by the District Council as a sustainable 'Rural Centre' capable of accommodating additional development at an appropriate scale.

The proposal therefore constitutes sustainable development that accords with the development plan, which, in the context of the NPPF, should be granted planning permission without delay."

CONSIDERATIONS

The main areas of consideration are considered to be:

- Principle of Development
- Landscape / Visual Impact
- Archaeology
- Flooding and Drainage
- Ecology
- Sewerage and Water Supply
- Highways
- Residential Amenity

- Loss of Agricultural Land
- Planning Obligations
- Infrastructure and Facilities

Principle of Development

The recently adopted local plan designates Ilchester as a Rural Centre capable of accommodating at least 141 additional dwellings up to 2028 (policy SS5, Proposed Submission of Local plan, June 2012). It is not proposed to allocate sites at this stage; rather it would be a case of responding to each proposal on its merits. This reflects the fact that Ilchester is a large village containing a variety of shops, services, facilities, and employment opportunities and is a sustainable location for residential development, following the revisions to the noise contours. On this basis it is considered that the principle of the residential development of this site is acceptable and the scale of the application accords with the level of growth outlined in the Local Plan. The application therefore falls to be determined on the basis of its impacts.

Development management criteria will continue to apply in terms of landscape, historic environment, access, flooding, environmental damage, amenity etc. There is no automatic assumption that sites will be approved.

In relation to Ilchester, the centre and Southern part of the village is heavily constrained due to flood risk and archaeology. It is noted from the Landscape Architect's comments that under the peripheral landscape study of Ilchester carried out in 2010, the application site was evaluated as one having moderate - high capacity for development. Therefore in considering the whole of Ilchester the principle in developing this site is accepted. On this basis the proposal complies with Policies SD1, SS1 and SS5 of the adopted South Somerset Local Plan (2006 - 2028).

Residents have raised concerns that the building of a development would be too much too quickly for Ilchester. As detailed above this level of growth is considered to be appropriate for Ilchester and it is noted that the 141 dwelling requirement is a target not a maximum figure. Also a reserved matters application would need to be submitted to consider the detail on the site. Once any reserved matters application is approved, the development would not be built out immediately. Even at the most optimistic rates it is likely to take up to 3 years. This rate is considered to be acceptable.

Landscape / Visual Aspect

As noted above the peripheral landscape study considers that this site has a moderate to high capacity for development.

The submitted landscape and visual impact assessment has evaluated the likely impact of development in this location upon the character of the host landscape, and the likely visual effects of development in this location. It identifies that the site has few constraining landscape features, and considers that other than as viewed from the immediate residential edge, and the adjacent Foss Way, that visual impact will be minor, falling to negligible with distance, and primarily from the northeast only.

It is considered that the proposal broadly correspond to the findings of the peripheral landscape survey. It is noted that the layout plan is indicative only but at this outline stage the Landscape Architect concludes that there is no basis for an over-riding landscape objection to development in this location.

Therefore subject to a condition regarding a landscaping scheme it is not considered that the

proposal would result in an adverse landscape impact. As such the proposal complies with Policy EQ2 of the adopted South Somerset Local Plan (2006 - 2028).

Archaeology

The county archaeologist was consulted as to the impacts of the development on any archaeology in the area. They initially raised concerns and requested that further survey work was carried out. This resulted in a geophysical survey being undertaken. There is potential of Romano/British remains on the site. Therefore they require an area of 2% trenching to be undertaken before the application is determined. Subject to this being undertaken and reported to the County Archaeologist it is recommended a condition is imposed requiring the site to be excavated in accordance with a written scheme of investigation.

The County Archaeologist however considers that regardless of any findings that may remain on the site, they should not constrain the proposed development subject to a suitable programme of archaeological work being carried out by the developer in accordance with aims and objectives of the NPPF.

Flooding and Drainage

The Environment Agency has been consulted as to the potential flooding impacts of the development and the proposed surface water drainage scheme. They are content with the principle of the scheme, subject to the imposition of conditions and informatives on any permission granted. The site is located within the Environment Agency flood zone 1 and is therefore not considered to be an area at risk of flooding. Therefore, notwithstanding the concerns expressed in the letter of representation subject to the imposition of suitable conditions on any permission issued, it is considered that the proposed development would not increase the risk of flooding and subject to a detailed drainage strategy be any worse than the green field site in accordance with the aims and objectives of the NPPF and the local plan. The drainage proposals are considered to be adequate subject to a condition to secure further details.

Ecology

Submitted ecological surveys have been examined by the District Ecologist and the Somerset Wildlife Trust. The findings of the submitted ecological reports are agreed and none raise any concerns regarding the principle of the development. All refer to specific improvements that can be incorporated into the design of the scheme, but these are considered to be matters best dealt with as part of any reserved matters application. As such, the proposal is considered not to have an impact on local ecology or protected species significant enough to warrant refusal of the scheme in accordance with Policy EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

Sewerage and Water Supply

Wessex Water has indicated that there are capacity issues in relation to both these matters in the locality. However, they are content that these issues can be adequately controlled through the imposition of a suitable condition on any permission issued, and that financial contributions can be secured using the Water Industry Act 1991.

Highways

Initial concerns were made from the Highways Agency regarding the impact upon the A303. However due to the submission of further information, this objection was removed.

Concerns have been raised over the proposed development's impact upon the local highway network especially the B3151 through Ilchester and the impact through Broadsword Park. The Highways Authority has considered the Transport Assessment and they consider that the accesses into the site have sufficient capacity to cope with the proposed extra development.

The accesses into the site from Dragon Fly Chase and additional traffic using the road have also been raised as an area of concern. The existing road layout is large enough and has been designed to accommodate additional traffic. Therefore whilst additional traffic through the estate is inevitable, the roads have the physical capacity to cope.

The Highways Authority have concluded that there are 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 highways safety. As such the proposal complies with Policies TA1 and TA5 of the adopted local plan (2006 - 2028).

Parking provision and other matters of detail (footpaths etc.) would be assessed at the reserved matter stage and need not be conditioned at this stage as requested by the highways officer.

The highways officer has raised some minor concerns with the proposed Travel Plan. However, it is not considered that these concerns should constrain the development, as any further revisions considered necessary can be secured as part of any legal agreement negotiations in the event that permission is granted. This complies with Policy TA4 of the adopted South Somerset Local Plan (2006 - 2028).

Residential Amenity

Noise and access through Broadsword Park have been raised as issues. A noise survey has been undertaken and this has been assessed by the Environmental Protection Officer. The noise contours have been amended in the adopted Local Plan and a scheme of noise insulation is required due to aircraft noise from RNAS Yeovilton.

Reference has been made to the submitted survey in respect of impact of noise from the A303. The application site is not adjacent to the A303 and it is noted that the part nearest to the site is within a cutting whereby noise would be reduced. In addition, any potential noise would be covered by acoustic insulation within the dwellings.

External amenity space would be subject to greater noise but in considering the general presumption in favour of development in Ilchester and the greater constraints elsewhere this is not considered demonstrable to warrant a refusal.

Concerns have also been expressed over the impact on amenity due to additional vehicles accessing the site through Broadsword Park. Notwithstanding any practical issues as raised above, the amenity needs to be assessed. A first floor side window is located on the gable end of 1 Briarfield but this is not considered to be adversely affected by traffic using this access and this relationship is considered to be appropriate in the context of access to the site. Additional vehicles will be utilising Broadsword Park to access the proposed development but this is likely to be mainly at peak times in the morning and evening as detailed in the submitted assessments. The remainder of the time additional traffic may be prevalent, but would not be substantial and whilst the proposal will undoubtedly have some

impact on their residential amenity, it is not considered that the impact would be significant enough to warrant refusal of the scheme.

It can therefore be concluded that the proposed development will not cause demonstrable harm to the residential amenity of adjoining occupiers in accordance with Policy EQ2 of the adopted South Somerset Local Plan.

Loss of Agricultural Land

The proposal results in the development of greenfield land and therefore an assessment of in relation to the loss of the agricultural land is required under Paragraph 112. The application is supported with an Agricultural Land Classification Report. This confirms that the majority of the site is 3b with the southernmost field being potentially 3a. However due to soil conditions and the small nature of this particular parcel of land it is not considered that this proposal would result in the significant loss of the best and most versatile agricultural land.

Planning Obligations

- Sport, Art and Leisure - a contribution of £536,872 (£3,579 per dwelling) is sought towards the increased demand for outdoor playing space, sport and recreation facilities.
- Affordable Housing - whilst the housing officer requests 53 affordable houses this is an outline application with all matters, except access reserved. The application seeks permission for up to 150 houses, however the actual number would be finalised at the reserved matters stage. At this point the S106 agreement should oblige the developer to provide at least 35% of the dwellings as affordable with a tenure split of 67:33 in favour of rented accommodation over other intermediate types.
- Travel Plan - the developer needs to agree the content of the Travel Plan as part of a S.106 agreement. It is noted that the Highways Authority request that the locations of cycle parking is plotted on a plan. However this is an indicative plan and therefore this is not possible in the legal agreement. This aspect could be subject of a condition.
- Education - A contribution of £367,710 towards primary school places is sought towards the shortage of places that the proposed development would generate.

These aspects have all been agreed as detailed in the draft Heads of Terms submitted with the application.

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

- Secure the agreed contribution towards strategic and local outdoor playing space, sport and recreation facilities.
- Secure the agreed contribution towards education.
- Ensure that 35% of the dwellings units are affordable and remain so in perpetuity.
- Provide an appropriate Travel Plan.

Subject to the applicant agreeing to these obligations the proposal would comply with saved policies HW1, SS6, HG3 and TA4 of the adopted South Somerset Local Plan.

Infrastructure and Facilities

A number of concerns have been raised regarding whether Ilchester has the necessary infrastructure and facilities to cope with the proposed development. (e.g. education, healthcare etc.) In this regard the County Education Officer identifies that the proposed development would equate to the need to provide 30 primary school places. Therefore as detailed above a financial contribution is sought to meet this demand. This has been agreed by the applicant.

NHS England has sought a contribution for the doctor's surgery and their comments are acknowledged. However, no concerns for doctor provision were raised in the Infrastructure Delivery Plan of January 2012. Whilst their comments are acknowledged their response is somewhat unclear as to the proposed mitigation measures. Under the Community Infrastructure Regulations 2010 contributions should not be sought if no specific project is identified.

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 supporting information provided with the application, the proposed development will not have significant environmental effects and that no environmental statement is required for the purposes of environmental impact assessment.

Other Matters

The SSDC Climate Change Mitigation officer raised an objection to the scheme on the grounds that there is no comment on the provision for renewable energy generation equipment or how code for sustainable homes level four will be met. Whilst his comments are noted it is considered that these issues represent detailed design matters best dealt with at the reserved matters stage.

The Sports, Arts and Leisure Department are concerned over the separation of the LEAP and the youth facility provision by a road. However this is an indicative plan as to the potential layout of the site. This matter is best dealt with at reserved matters stage and this area redesigned to incorporate just a footpath link.

A concern has been raised that the proposed development may generally result in an increase in crime within Ilchester, and any new play may encourage anti-social behaviour. However, there is no reason to assume that this will be the case, and detailed crime prevention matters can be considered at the reserved matters stage.

Neighbours have raised a concern regarding the loss of outlook from their properties and potential devaluing. However, subject to achieving a satisfactory design and layout at the reserved matters stage the relationship between existing and proposed dwellings will be thoroughly assessed at the reserved matters stage. Moreover, the loss of property values is not a material planning consideration.

Concerns have been expressed that the entrance to the site is via Broadsword Park a military families estate and possible associated security issues. No end developer is identified and the agent is representing the land owner as opposed to any developer. Therefore it is feasible that due to the growth of RNAS Yeovilton the MoD may acquire the site. Notwithstanding the above, the roads within Broadsword Park are adopted roads and could be used by members of the public. Therefore there would still be a potential for non-

military people accessing the site. Therefore whilst the concerns are noted, it is not considered this potential issue results in the application being recommended for refusal.

Conclusion

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 outline planning permission and all matters of detail would be adequately assessed at the reserved matters stage or by the agreement of details required by condition. The applicant has agreed to pay the appropriate contributions.

Further trenching is required to meet the requirements of the County Archaeologist. Therefore this information is required before permission can be granted.

Therefore, notwithstanding the various concerns raised and the above comments regarding archaeology, the proposed development is considered to be in accordance with policies SD1, SS1, SS4, SS5, SS6, HG3, HG5, TA1, TA4, TA5, TA6, HW1, EQ1, EQ2, EQ3 EQ4 and EQ5 of the adopted South Somerset Local Plan and the aims and provisions of the NPPF. As such the application is recommended for approval subject to the trenching required by the County archaeologist.

RECOMMENDATION

That application reference 15/00024/OUT be approved subject to:-

- a) The prior completion of further archaeological investigation to the satisfaction of the Development Manager in consultation with the County Archaeologist.
- b) 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 £3,579 per dwelling towards the increased demand for outdoor playing space, sport and recreation facilities and its on-going maintenance to the satisfaction of the Assistant Director (Wellbeing).
 - 2) Ensure at least 35% of the dwellings are affordable with a tenure split of 67:33 in favour of rented accommodation over other intermediate types, to the satisfaction of the Corporate Strategic Housing Manager.
 - 3) Provide for Travel Planning measures to the satisfaction of the Development Manager in consultation with the County Highway Authority and fully implemented in accordance with the agreed details.
 - 4) Secure a contribution of £232,883 towards primary school places to the satisfaction of Somerset County Council.
- c) The following conditions:

JUSTIFICATION

01. Notwithstanding the local concerns, the provision of up to 150 houses in this sustainable location would contribute to the council's housing supply without demonstrable harm to archaeology, residential amenity, highway safety, ecology or visual amenity, and without compromising the provision of services and facilities in the settlement. As such the scheme is considered to comply with the saved policies of the local plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. Details of the appearance, landscaping, layout and scale (herein after called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

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 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

03. The site hereby approved for development shall be as shown on the submitted location plan BRS.4903_02C and drawing 1312-10 of the Transport Assessment from Transport Planning Associates received 24 December 2014.

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

04. No works shall be undertaken unless a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 critical storm an allowance for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy EQ1 of the South Somerset Local Plan and the aims and objectives of the NPPF.

05. 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 prevent the increased risk of flooding, both on and off site in accordance with Policy EQ1 of the South Somerset Local Plan and the aims and objectives of the NPPF.

06. No works shall be undertaken unless a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker
- a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing
 - the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property in accordance with the aims and objectives of the NPPF

07. No works shall be undertaken 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 safeguard heritage assets of archaeological interest in accordance with Policy EQ3 of the adopted South Somerset Local Plan and the aims and objectives of the NPPF.

08. To be submitted with any future full or reserved matters application details of measures for the enhancement of biodiversity, based upon the submitted reports and noted by the Somerset Wildlife Trust. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with Policy EQ4 of the adopted South Somerset Local Plan and the aims and objectives of the NPPF.

09. In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or remains from the past industrial use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Policy EQ7 of the adopted South Somerset Local Plan.

10. No works shall be undertaken unless a scheme of works for acoustic insulation for the new dwellings has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity due to aircraft noise in accordance with the aims and objectives of the NPPF and the details contained within Appendix 4 of the adopted South Somerset Local Plan

11. As part of any full or reserved matters application a detailed landscape strategy, including a hedge protection plan to BS5837, shall be submitted with the onsite landscape proposals based on indicative drawing BRS.4903_09E.

Reason: In the interests of visual amenity and in accordance with policies EQ2 of the adopted South Somerset Local Plan.

12. The proposed dwellings shall be constructed as two storey buildings with the main eaves line approximately level with the first floor window heads.

Reason: In the interests of the character of the locality in accordance with Policy EQ2 of the adopted South Somerset Local Plan.

13. The residential component of development hereby approved shall comprise no more than 150 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 EQ2, HW1, SS6, HG3 and TA4 of the adopted South Somerset Local Plan.

14. No work shall commence on the individual parts of the development site until a car parking scheme for that part of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme should be in line with the optimum levels set out in the County Council Parking Strategy and is to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of parking on the site in accordance with Policy TA6 of the adopted South Somerset Local Plan

15. 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 highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan

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

Reason: In the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan

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

Reason: In the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan

18. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed between on all the proposed roads in accordance with a design and specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan

Informatives:

01. You are reminded of the contents of the Environment Agency's letter of 26 January 2015 which is available on the council's web-site.
02. You are reminded of the comments of the Council's Climate Change Officer dated 13 January 2015 which is available on the council's web-site.
03. You are reminded of the contents of the Police Architectural Liaison Officer's letter of 20 January 2015 which is available on the council's web-site.
04. You are reminded of the contents of the Environmental Protection Officer's letter of 23 February 2015 which is available on the council's web-site.
05. You are reminded of the contents of Wessex Water's letter of 27 February 2015 which is available on the council's web-site.
06. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority.

Agenda Item 18

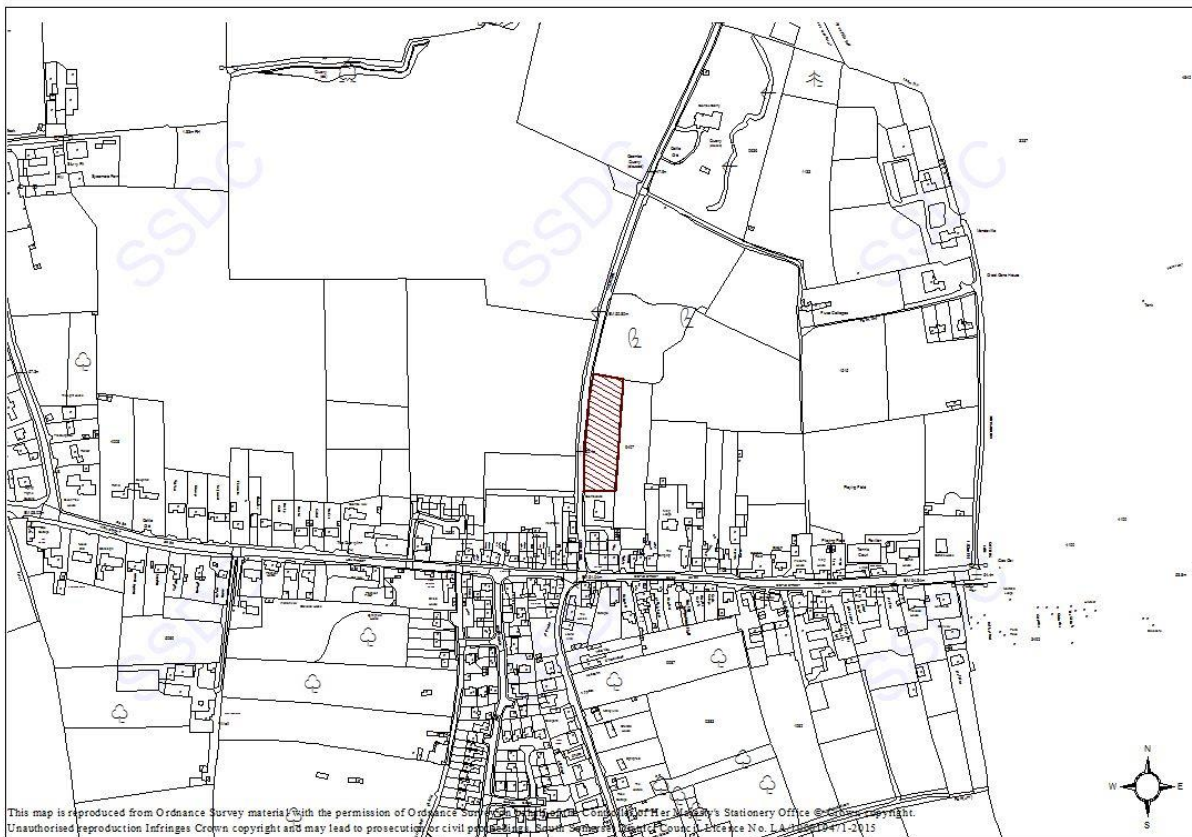
Officer Report on Planning Application: 15/00407/DPO

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 Ward (SSDC Member)	Cllr J Calvert
Recommending Case 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 was discussed at Area East Committee 11 March 2015. The committee deferred the application to allow for the formal request of the committee to be put to the applicant to retain the local component of the sports, arts and leisure contributions. The applicant has since agreed to retain a component of the local contributions sought.

SITE DESCRIPTION AND PROPOSAL



The applicant has now agreed to pay a contribution of £6,912 towards enhancing the equipped play area at Keinton Mandeville Playing Field together with a sum of £3,993 as a commuted sum towards the long term maintenance of those facilities. This would translate as a contribution £1,363.13 per dwelling.

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 - Notes the change in law regarding s106 contributions for developments of 10 houses or less. They state that the request is disappointing especially as the development was promoted as having many benefits for the village. They acknowledge that the application would be difficult to challenge.

REPRESENTATIONS

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

APPLICANT'S CASE

"It is my understanding that section 106 payments are not necessary for developments of 10 units or less, and that you agree with this.

I am however aware that the Area East Committee would like to see some local benefits, so I am willing to offer to pay for the enhancement of the playing field, and the long term maintenance of it (totalling £10905.00). I hope that this would be an acceptable compromise.

I am also aware that I have the right to appeal, which could go in my favour, but I would rather not waste the time and delay the project so I would prefer to resolve this at the Area East Committee.

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.

Following the deferral of the scheme, and on the request of the committee, the applicant was again asked whether he would be willing to pay the local component of the contributions, a total of £30,292.

The applicant stated that he is aware that he has the right to appeal, which could go in his favour, but he would rather not waste the time and delay the project so would prefer to resolve this at the Area East Committee. He has therefore offered, as a compromise, to pay a contribution of £6,912 towards enhancing the equipped play area at Keinton Mandeville Playing Field together with a sum of £3,993 as a commuted sum towards the long term maintenance of those facilities. This totals £10,905.

Given the clear position dictated by central government it is difficult to see how the LPA could have resisted the application to discharge the legal agreement, so the applicant's agreement to pay a small element of the local contributions is considered to be acceptable.

The application is therefore recommended for approval.

RECOMMENDATION

1. To allow a variation to the Section 106 Agreement dated 19 January 2015 made between South Somerset District Council and Eric Mackenzie Limited. Such a variation to reduce the contributions from £5,036 per dwelling to £1,363.13 per dwelling. £6,912 of the contributions to be used towards enhancing the equipped play area at Keinton Mandeville Playing Field together with a sum of £3,993 as a commuted sum towards the long term maintenance of those facilities.
2. To instruct the Council's Legal Services of the need to complete a deed of variation.

Agenda Item 19

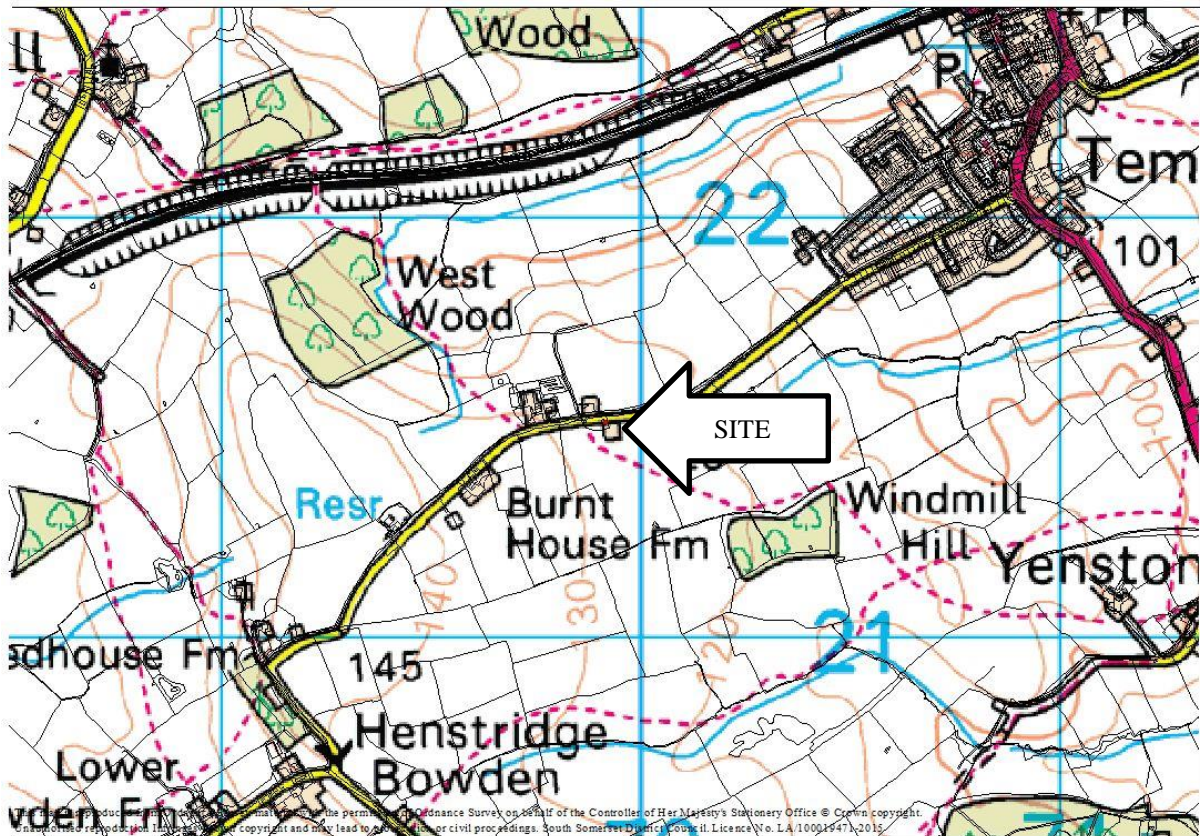
Officer Report On Planning Application: 15/00113/FUL

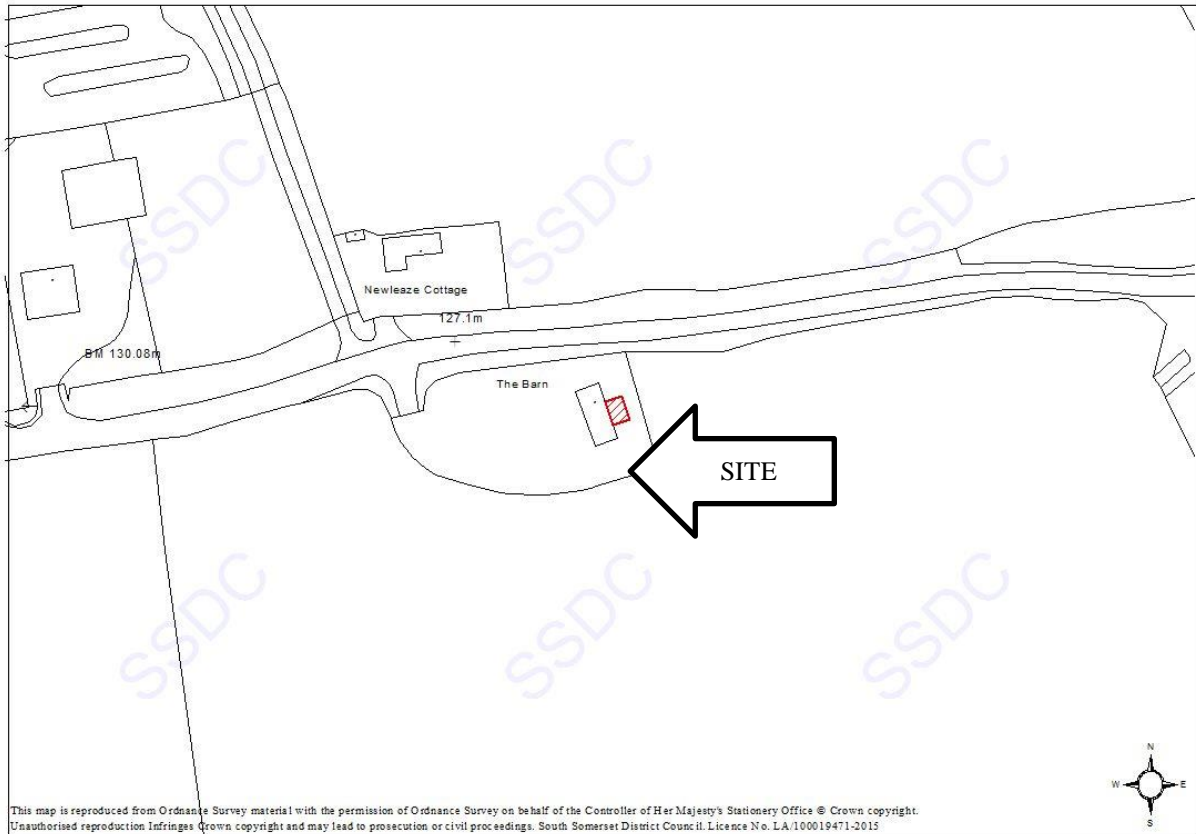
Proposal :	Erection of extension to existing dwelling (GR 369915/121508)
Site Address:	The Barn Bowden Road Templecombe
Parish:	Abbas/Templecombe
BLACKMOOR VALE Ward (SSDC Member)	Cllr T Inglefield Cllr W Wallace
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	9th March 2015
Applicant :	Mr & Mrs A Raymond
Agent:	Mr Michael Williams Clive Miller And Associates Ltd Sanderley Studio, Kennel Lane, Langport TA10 9SB
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL

This application is referred to the Committee at the request of the Ward Members with the agreement of the Area Chairman to enable the comments of the Parish Council to be fully debated.

SITE DESCRIPTION AND PROPOSAL





The application site is prominently located on rising ground and south of the highway it is the only built form. The conversion established a simple residential barn of roughly rectangular layout, having pitched roofs to front and back, with gable ends.

The proposal seeks the erection of an extension to the existing dwelling that involves a large central wing within the eastern elevation.

HISTORY

15/00202/DPO - Discharge of legal agreement (ref: 96/01921/FUL) dated 7.4.1997 to allow more than 2 bedrooms, approved. (OFFICER Note: This appears to have been unnecessarily restrictive, and provided an additional layer of protection, while the planning conditions that remain would permit continuing controls to safeguard character and consider both design and scale involving future enlargement(s)).

11/03020/FUL - Erection of an agricultural building for the storage of fodder and farm machinery, Approved.

11/01597/AGN - Erection of a steel portal framed building for the storage of agricultural equipment and fodder, Planning permission is required.

03/02073/FUL - The Erection of a porch and garage (resubmission of 02/02597/FUL), Approved.

02/02597/FUL - The Erection of a porch and garden store, Refused.

01/00970/FUL - Revised elevations to the Barn as approved 96/01921/FUL to comply with Building Control Regulations, Approved.

96/01921/FUL - Alterations and conversion of barn into a dwelling house (revised scheme)

94/02189/FUL - Alterations and conversion of redundant barn into a dwelling house, Approved.

POLICY

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

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

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

EQ2 - General Development

EQ3 - Historic Environment

National Planning Policy Framework - March 2012

Chapter 7 - Requiring Good Design

Chapter 12 - Conserving and Enhancing the Historic Environment

National Planning Practice Guidance

CONSULTATIONS

Abbas/Templecombe Parish Council - No objections provided the appropriate materials are used to match the existing building.

SSDC Conservation Officer - The significance of this building lies in its simple structure, as well as its isolated positioning at the edge of a large field. This does result in the barn having a high degree of prominence in its position alongside Bowden Road. As with many farm buildings, the unbroken and simple roof slope is a strong characteristic of this building and is one of the key elements that reflects its historic use as a barn.

I am of the view that the proposed extension does cause harm to the simple structure of the barn, will be highly prominent from the public road and will greatly impact upon the existing roofline of the barn, even though the ridge height is proposed to be lower.

I would recommend refusal on the basis that the character and significance of this non-heritage asset would be lost through the proposed alterations. (OFFICER Note: Following the above comments the agent submitted further information indicating the actual works undertaken on site to the effect of a major rebuild. Notwithstanding, the resulting structure continues to exhibit a simple barn and as such the conservation officer's response remains unchanged).

County Rights Of Way - General comments made.

County Highways - standing advice applies, to consider parking and turning.

REPRESENTATIONS

None

CONSIDERATIONS

Principle of Development:

As a householder application there is support in principle. Planning conditions attached to planning permission ref: 96/01921/FUL, namely, conditions 7 (extensions) and 8 (alterations to the external appearance) permit further consideration to be given to proposals where this

affects the barn conversion's character and appearance. Accordingly the main considerations include character and appearance, highway safety and neighbour amenity.

Character and Appearance:

The barn conversion, notwithstanding the slight alterations made to the approved scheme during the conversion is not dissimilar to what had stood on site prior to its conversion (ref: 96/01921/FUL) to a dwelling. The building is representative of the building that had stood on this site for perhaps a century or more, and on this basis the Conservation Officer has sought refusal because of the disruption and loss of character entailed by the proposal.

The barn's character as retained is its simplicity with a roughly rectangular floor plan, pitched roofs to front and back, and gable ends. Given the site's isolation and prominent position it is considered important to protect this simple agricultural character that is representative of its former self. While it is considered that there is scope to extend the building it is equally important that this is done sympathetically whilst retaining the valued agricultural qualities that are identified.

The proposal seeks a substantial central wing that significantly projects outwards (4.6m) from the east elevation. The proposed design makes for a much more complex design. It's a miniature tithe barn rather than the simple field barn from which it derives. As such the type and form of extension has a detrimental impact on character.

Highway Safety:

It is considered that there is an acceptable level of parking and turning within the site and that the proposal generally accords with the highways' standing advice.

Neighbour Amenity:

It is considered that the proposal would not unacceptably harm the residential amenity of occupiers of adjacent properties by disturbing, interfering with or overlooking such properties.

RECOMMENDATION

Refuse for the following reason:

01. The proposed extension would, having regard to the prominence and external appearance of the barn conversion, detract from the appearance of that building, by reason of its design, scale and location that would constitute an intrusive feature, out of character with this former field barn contrary to Policy EQ2 and EQ3 of the South Somerset Local Plan 2006-2028, and the NPPF.

Informatives:

01. The applicant is advised that there are opportunities to extend the barn but that this should be undertaken sympathetically to retain the simple agricultural character of the original barn conversion.

Agenda Item 20

Officer Report on Planning Application: 15/00162/S73A

Proposal :	Application to remove Condition 2 (Agricultural Occupancy) of approved planning permission 791810 dated 30th August 1979 (GR: 370424/129048)
Site Address:	Lavender Green Verrington Lane Charlton Musgrove
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 :	12th March 2015
Applicant :	Mrs M Foreman
Agent:	Mr Edward Dyke Symonds And Sampson, Agriculture House Market Place, Sturminster Newton, DT10 1DU
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL

This application is referred to the committee at the request of the Ward Members with the agreement of the Area Chairman to enable the comments of the Town Council to be fully debated.

SITE DESCRIPTION AND PROPOSAL





The application site is in the countryside, north of Wincanton.

The proposal seeks removal of the agricultural occupancy condition (2) attached to planning permission 791810 dated 30 August 1979 for the erection of a bungalow. The application follows the issuing of a Certificate of Lawfulness ref: 14/02116/COL dated 8 December 2014 that permitted continued occupancy without compliance with the occupancy condition.

Condition 2 states:

"The occupation of the dwelling shall be limited to persons employed or last employed full-time locally in agriculture as defined by section 290 of the Town and Country Planning Act, 1971, or in forestry and the dependents of such persons".

RELEVANT BACKGROUND

14/02116/COL - Application for a certificate of lawfulness for the continued occupation of the dwelling without compliance with condition 2 (agricultural tie) of planning permission 791810 dated 30 August 1979, permitted.

791810 - Erection of an agricultural bungalow on land at Verrington Lodge Farm - conditional approval.

POLICY

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

For the purposes of determining current applications the local planning authority considers

that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

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

EQ2 - General Development

TA6 - Parking standards

HG10 – Removal of Agricultural or other occupancy conditions

National Planning Policy Framework (March 2012):

Chapter 4 - Promoting sustainable transport

Chapter 7 - Requiring Good Design

National Planning Practice Guidance

CONSULTATIONS

Wincanton Town Council recommend refusal. Condition 2 (Agricultural Tie) should remain. The residents have been committing an offence for several years.

County Highways - standing advice applies, to consider parking standards.

REPRESENTATIONS

None

APPLICANT'S CASE:

We believe the condition should be removed for the following reasons:

1. The current occupants have no intention of entering into agricultural employment. As such the dwelling will never be available for agricultural occupation again.
2. The effect of securing the CLUOD has been to increase the market value of Lavender Green by as much as 30% which is the average discount created by the presence of an Agricultural Occupancy Conditions (AOC). The property will never be sold to an agricultural worker as the AOC would become complied with leading to a 30% loss in capital value.
3. The AOC will never be complied with and is thus redundant, removing the AOC will regularise the planning situation.
4. Due to the existence of the CLUOD condition 2 of the planning permission 791810 is now unenforceable and fails to meet the requirements and tests set out within para.206 of the NPPF. The removal of the condition would therefore accord with the requirements of the NPPF.

CONSIDERATIONS

Principle of Development:

This application follows the establishment of a certificate of lawfulness that favours continued occupancy without compliance to condition 2 attached to planning permission ref: 791810. The proposal seeks now to regularise the situation by having the condition removed.

Notwithstanding the policy requirement (HG10 of the local plan) for the removal of agricultural occupancy conditions, the applicant has the fall-back position established by the certificate of lawfulness. Although the certificate represents a 'snap shot' in time with the potential for a subsequent breach to resume the reality is that with the increase in the capital value of the property there is limited likelihood that the occupancy condition would ever be brought back into play. It is considered that policy HG10 is of little help in considering the current application simply because the applicant enjoys full market value and as such the sales price would reflect

this rather than the normal anticipated two thirds of the property value that is reflected by the presence of an enforceable occupancy condition. The exercise is considered to be unreasonable and we have therefore to consider the applicant's case, as copied above.

The applicant offers 4 reasons why it is only reasonable to anticipate acceptance that condition 2 should be removed. We have therefore to consider the 'reasonableness' of withholding permission. Of course, the wider site extends to the former agricultural buildings although the extent of the land can be argued is too small to support continuing farming on site alone. It can be argued also that the structures can be sold or through change of use a non-agricultural use might be made of the site, such as equestrian use. It is considered because of the inflated capital value that has been established by the certificate of lawfulness that the interests of most, if not all, future occupants would be to avoid a return to the agricultural tie. While there must always be the possibility that a future occupancy meets the requirement of the condition, realistically with a full market value there is no reasonable likelihood of the dwelling fulfilling any need for an agricultural workers' dwelling. The condition has, in effect, become a 'dead letter' and outlived its usefulness.

Town Council's Comments:

These are noted. There was never an offence, although there was a breach and the certificate of lawfulness established a lawful right to continue in occupancy in breach of the planning condition. It means that a future purchaser is able to occupy the property without the need to conform to the condition. As stated above, the considerations will be the 'reasonableness' or not, of withholding permission. Any future purchaser is less likely to be involved in farming, for the evident reason that the capital value of the property is that much more. Therefore on the balance of probabilities this supports a continuing unenforceable breach of occupancy so that it would be unreasonable to seek retention of condition 2. As stated above the condition has, in effect, become a 'dead letter', and outlives its usefulness.

Other Matters:

Removal of the occupancy condition would not have any negative impact on character and appearance, highway safety and neighbour amenity.

RECOMMENDATION

Allow the removal of condition 2 of planning consent 791810