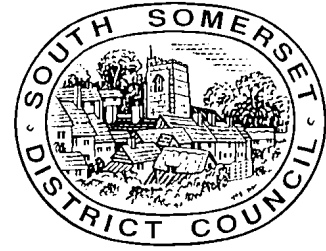


South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 12th August 2015

9.00 am

**Council Offices
Churchfield
Wincanton
BA9 9AG**

(disabled access is available at this meeting venue)



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

The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than **10.45 am**.

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

This Agenda was issued on Tuesday 4 August 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

Mike Beech
Tony Capozzoli
Nick Colbert
Sarah Dyke-Bracher

Anna Groskop
Henry Hobhouse
Tim Inglefield
Mike Lewis

David Norris
William Wallace
Nick Weeks
Colin Winder

South Somerset District Council – Council Plan

Our focuses are: (all equal)

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

Scrutiny Procedure Rules

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

Consideration of Planning Applications

Members of the public are requested to note that the Committee will break for refreshments at approximately **10.30 am**. Planning applications will not be considered before **10.45 am** in the order shown on the planning applications schedule. The public and representatives of Parish/Town Councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

A formal written report from the Area Highways Officer should be on the main agenda in May and November. A representative from the Area Highways Office should attend Area East Committee in February and August from 8.30 am to answer questions and take comments from Members of the Committee. Alternatively, they can be contacted through Somerset County Council on 0300 123 2224.

Members Questions on reports prior to the meeting

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

Information for the Public

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

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

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

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

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

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

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

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

Public Participation at Committees

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

Public Question Time

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

Planning Applications

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

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

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

The order of speaking on planning items will be:

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

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

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

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

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

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

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

Area East Committee

Wednesday 12 August 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 Sarah Dyke-Bracher, Tony Capozzoli and Nick Weeks.

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 at the Council Offices, Churchfield, Wincanton on 9th September 2015 at 9.00 am.

Items for Discussion

9. Charlton Mackrell and West Charlton Conservation Area Review (Executive Decision) (Pages 8 - 10)

10. Endorsement of Henstridge, Yenston and Bowden Parish Plan (Executive Decision) (Pages 11 - 13)

11. Endorsement of Pitcombe Parish Plan 2015 (Executive Decision) (Pages 14 - 17)

12. Area East Development Service Plan (Pages 18 - 31)

13. Heart of Wessex Rail Partnership Update (Executive Decision) (Pages 32 - 44)

14. Area East Committee Forward Plan (Pages 45 - 47)

15. Items for information (Pages 48 - 87)

16. Schedule of Planning Applications to be Determined by Committee (Pages 88 - 89)

17. **Planning Application 15/01314/FUL - Acorn House, 7 Lansdowne Place, Wincanton.** (Pages 90 - 97)
18. **Planning Application 15/01315/LBC - 7 Lansdowne Place, Wincanton.** (Pages 98 - 103)

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

Charlton Mackrell and West Charlton Conservation Area Review (Executive Decision)

Strategic Director: Rina Singh, Place and Performance
Assistant Director: Martin Woods, Economy
Service Manager: David Norris, Development Control Manager
Lead Officer: Andrew Tucker, Conservation Officer
Contact Details: andrew.tucker@southsomerset.gov.uk 01935 462168

Purpose of the Report

To recommend amending the boundary of the Charlton Mackrell Conservation Area, consisting of a large extension to the north of the existing designation.

Public Interest

Conservation Areas are one of the key tools used in the protection and management of change in historic towns and villages. The majority of the historic towns and villages in South Somerset have a conservation area and these need to be appraised and reviewed from time to time. Charlton Mackrell Conservation Area has been reviewed, and amendments are proposed.

Recommendation

- (1) To formally agree the amendments to the designated area, to take effect from today's committee date.
- (2) To advertise the changes in accordance with the requirements of the Planning (Listed building and Conservation Areas) Act 1990.

Background

Conservation areas are areas of **'special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'**.

Historic areas are now extensively recognised for the contribution they make to our cultural inheritance, economic wellbeing and enhancement to quality of life. Public support for the conservation and enhancement of areas of architectural and historic interest is well established while economic benefits for South Somerset of well-cared-for historic areas is considerable. By suggesting continuity and stability, such areas provide points of reference in a rapidly changing world: they represent the familiar and cherished local scene.

88 Conservation Areas have been designated in South Somerset. The designation is a matter for local planning authority decision and is the principal means by which a local authority can apply its conservation policies to a specific town, village or area.

The Charlton Mackrell Conservation Area was first designated in 1990. The District Council is required by the Planning (Listed Building and Conservation Area) Act 1990 to designate and review conservation areas within the district. This review and the preparation of a conservation area appraisal contribute to the fulfilment of this requirement.

A Conservation Area Appraisal has not been prepared at this stage, but will be prepared in due course, and brought to the Area East Committee for review and endorsement.

The existing conservation area is centred on West Charlton, taking in important high graded assets such as St Mary's Church, The Court and Manor Farm; all listed at Grade II*. The railway line marks the northern boundary of the current area. It is unclear why the designated area did not make it further north. The area north of the Ilchester Road railway bridge along Ilchester Road and including the Charlton House environs has clear historic character and value. The stretch of Ilchester Road from the bridge to Charlton House has seen little modern intervention. There are a number of older properties that line the road in a traditional manner, defining the view of the end of Charlton House, which in the winter when the trees aren't in leaf creates a very well defined historic vista. This view is of particular interest as the road previously ran straight up to the front of Charlton House and was altered in the late C18th. Buildings have a consistent character in this area. They are all built in the locally distinctive Blue Lias stone, set under a mix of clay tile and slate roofs, with a thatched roof at Shepherds Orchard. Buildings generally sit right at the edge of the road, although the arrangement is somewhat sporadic with some set back and some dwellings set end on with gables facing the road. The spaces between buildings here are important such as the green gap behind Bridge Cottage, as is the consistent use of lias stone for low boundary walls.

The area around Charlton House (listed Grade II*) has its own well defined character. It stands in a spacious formal parkland, bound by a significant range of mature Horse Chestnuts and Yew hedging. There are occasional views into this area from the road, taking in the beautiful southwest facing front elevation of the house. To the north of this area the proposed extension takes in two more historic buildings, including Grade II listed 'The Woods'. Both of these buildings contribute to the setting of Charlton House, and relate to its northern entrance.

We also propose including part of Hillway, which is primarily centred on the village Reading Room, dated 1858, and small Village Green but also includes a pleasant group of historic properties including Highway House and Three Wells Cottage.

Consultation Process

The Parish Council are in support of a review of the conservation area, and have indicated their general support for the proposals. The Parish Council will be formally considering the proposal at their meeting on July 25th. All the affected residents have been written to directly, and public notices have been displayed in the area, referring to information on the Council's website. All responses will be reported verbally to Councillors at committee.

Financial Implications

At designation there is a requirement to advertise locally and nationally to which there is a cost of approximately £250.

Additional publicity for planning applications is required.

Council Plan Implications

Focus 2 – Enhance the Environment

Carbon Emissions and Climate Change Implications

No adverse implications. Conserving and reusing buildings is inherently sustainable.

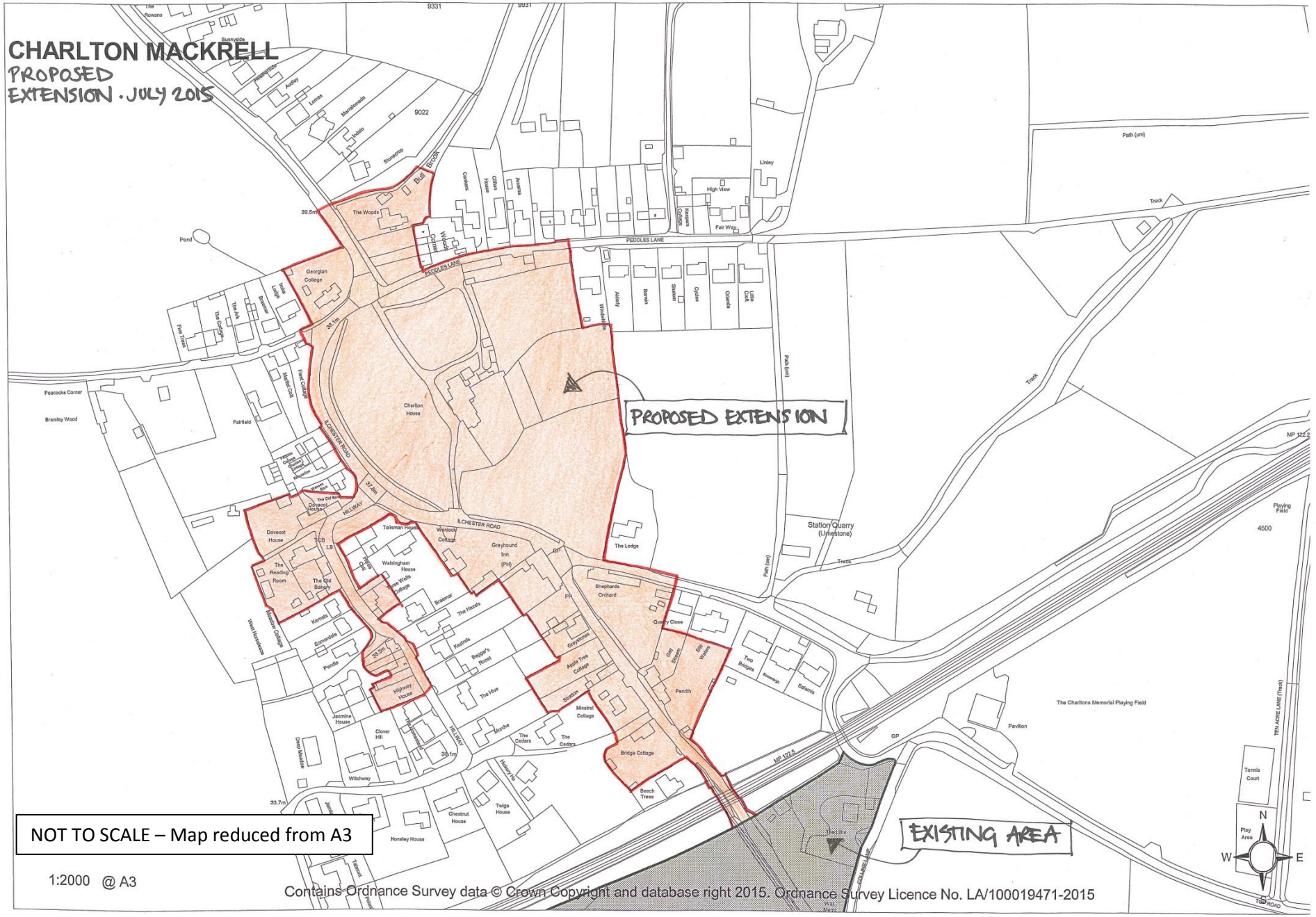
Equality and Diversity Implications

No implications indicated.

{{

Background Papers: *Conservation Area files.*

**CHARLTON MACKRELL
PROPOSED
EXTENSION . JULY 2015**



NOT TO SCALE – Map reduced from A3

1:2000 @ A3

Agenda Item 10

Endorsement of Henstridge, Yenston and Bowden Parish Plan (Executive Decision)

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

Purpose of the Report

The purpose of this report is to present a summary of the findings and actions from the Henstridge Parish Plan and to ask members to formally endorse the plan.

Representatives of the Steering group have been invited to the meeting to present the plan for endorsement.

Public Interest

Communities establish their own priorities and achieve their goals by mobilising residents and businesses. The priorities and issues for Henstridge, identified through consultation, are set out along with specific solutions and actions in a published document.

Recommendation

That Area East Committee formally endorses the Henstridge Parish Plan.

Background

Community Plans are effectively commissioned by the town/parish council and produced by local steering group with parish/town council representation. As they are primarily local documents, Town/Parish councils formally adopt them and endorsement by Area Committees has no legal status. Endorsement does however ensure that the community planning process is used to influence policy and action plans in particular the Area Development Plan (ADP).

Endorsement relates specifically to recognition of priorities and our support for helping them deliver the plan in a non-spatial sense but does not imply support for any land use allocation that would pre-empt a planning application.

The full plan is attached as a separate document.

The Process

Henstridge Parish Council appointed a small team to coordinate the process. The plan has been developed through research and consultation at 2 consultation events held in the village hall. The first of these events was attended by over 300 participants. A draft was developed from the data gathered at the events and a number of targeted sessions to try to address gaps in responses from specific demographic groups. The draft plan was then subject to further consultation before adoption by Henstridge Parish Council.

SSDC input has been minimal with some initial guidance provided at the beginning of the process and a grant through the Community grant scheme.

Actions based on key findings/major Issues

The final report survey findings and actions have been arranged under the themes, Our Community, The Local Economy, The Natural Environment, The Built Environment, Traffic and Parking and Leisure and Recreation activities facilities.

Details of each of the themes are in the report which has been circulated under separate cover.

Our Community

- 1) The Parish is considered either safe or very safe by the majority of residents. (5.2)
- 2) Good range of facilities (play area, skate park, MUGA, playing field & village hall. (5.4)
- 3) Aspiration to improve provision for young people to include a youth club, youth council activities for under 10s and for teens. (5.4)
- 4) Identified need for volunteer support for these activities. (5.4)
- 5) Further action is required to publicise activities for young people. (5.4)

The Local Economy

- 1) Good range of local businesses in the parish. Evidence that there has been a recent increase in local employment opportunities (6.1)
- 2) Identified need for better mobile phone signal & faster broadband(6.1)
- 3) Approximately 1000 people employed on the airfield and Marsh Lane trading estate (6.2)
- 4) Majority view that the pubs and restaurants are an essential part of village life. (6.3)
- 5) Village shop identified as an asset to the village however parking for both deliveries and customers was identified as an issue. (6.4)

The Natural Environment

- 1) Footpath/bridleway network identified as important assets to be maintained (7.1)
- 2) A campaign to encourage irresponsible dog owners to clean up after their dogs is needed (7.1)
- 3) Support for projects to connect rights of way within and between developments. (7.1)
- 4) Support for community energy schemes (7.2)
- 5) Improving the maintenance of public spaces was identified as a need (7.3)

The Built Environment

- 1) Whilst the general consensus is that there is no need or support for further building of housing of any sort, any future developments must meet the need of local people and sheltered housing was identified as an example. (8.1)
- 2) Parking and Traffic issues are a priority for the parish and will need to be addressed as any part of new development. (8.1 & 9)

Traffic and Parking

- 1) Pedestrian Safety is an issue with two areas identified as particularly dangerous (9.1)
- 2) Excessive speed of vehicles recorded outside the Primary School and the southern approaches to the village. (9.1)
- 3) Issues with the width of the carriageways and tight bends on the High Street (9.1)

- 4) Parking is a particular problem for some residents in Yenston and outside the village shop and Woodhayes. (9.1)

Leisure and Recreation activities/facilities

- 1) Longer term project to refurbish or rebuild the Village hall was supported. This is being considered and addressed as a key project for the parish. (10.1)
- 2) Making better use of the hall, extending the range of activities and improving publicity and communication identified as a short term action.(10.1)
- 3) Support for the provision of a 'Green Gym' facility and all-weather track around the playing field. (10.2)

Implementation of the community plan

The plan has been adopted by Henstridge Parish Council. It is expected that the Parish Council will instigate regular independent reviews of the Parish Plan to ensure that it is achieving the recommendations and to reappraise the relevance of the plan to the village at the appropriate times.

Financial Implications

There are no direct financial implications as a result of this report however, if members agree the recommendation to endorse the plan, actions and projects identified will become eligible for support from the Community Planning Implementation budget subject to application.

Corporate Priority Implications

This work contributes towards increasing economic vitality and prosperity and ensuring safe, sustainable and cohesive communities.

Carbon Emissions & Adapting to Climate Change Implications

Improved local provision of facilities and activities within each village or town and increasing local participation reduce the need to travel.

Equality and Diversity Implications

The community planning process supported by SSDC aims to give every local resident the opportunity to have an input into the way in which their town or Parish develops.

Background Papers: *Henstridge, Yenston and Bowden Parish Plan 2015*

Agenda Item 11

Endorsement of Pitcombe Parish Plan 2015 (Executive Decision)

<i>Ward Member:</i>	<i>Cllr Mike Beech</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>Tim Cook, Community Development Officer</i>
<i>Contact Details:</i>	<i>tim.cook@southsomerset.gov.uk or (01963) 435088</i>

Purpose of the Report

The purpose of this report is to present a summary of the findings and actions from the Pitcombe Parish Plan and to ask members to formally endorse the plan.

Representatives of the steering group will be at the meeting to present the plan for endorsement.

Public Interest

Communities establish their own priorities and achieve their goals by mobilising residents and businesses. The priorities and issues for Pitcombe, identified through consultation, are set out along with specific solutions and actions in a published document.

Recommendation

That Area East Committee formally endorses the Pitcombe Parish Plan.

Background

Community Plans are effectively commissioned by the town/parish council and produced by local steering group with parish/town council representation. As they are primarily local documents, Town/Parish councils formally adopt them and endorsement by Area Committees has no legal status. Endorsement does however ensure that the community planning process is used to influence policy and action plans in particular the Area Development Plan (ADP).

Endorsement relates specifically to recognition of priorities and our support for helping them deliver the plan in a non-spatial sense but does not imply support for any land use allocation that would pre-empt a planning application. The full plan is attached as a separate document.

The Process

Pitcombe Parish Council started work on the parish plan in 2013 and circulated a wide-ranging questionnaire. The results of the household survey were used to produce a first draft which was launched at the Annual Parish Meeting in 2004. The draft was made available for comment and consultation, and the responses were used as a basis for a wider ranging and longer term policy document.

SSDC input has been minimal with some initial guidance provided at the beginning of the process and a grant through the Community grant scheme. The result is a very high quality policy document which should be useful for guiding local decision making on a range of issues including future planning applications.

The data gathered has been used to define some overall objectives which are used through the plan as the underlying basis for the 'approach for the future preservation and sustainability of the parish'. These objectives can be found on page 6 of the plan which has been sent to members under separate cover.

Actions based on key findings/major Issues

The Final report survey findings and actions have been arranged under the themes, Planning, Roads, Traffic & Public Transport, Parish Facilities & Cooperation, The PPC & Coordination, Emergency Services, Enterprise, Employment & Commerce, Flood Protection and Natural Environment.

Planning and development

The plan sets out very clearly the role of the Parish Council and the broader context and tiers of planning policy. It will be used to inform responses to planning applications and discussions with potential developers.

The plan communicates the concern felt by residents about unwanted development and states that there should be limited occasions on which the parish will endorse residential development. It also sets out examples of development that might be appropriate such as conversion of a former agricultural building, adaption of existing property to meet the needs of the current residents.

The main objective 'to protect the visual amenity, character and peaceful nature of the parish', so highly valued by the community, will be used to guide the Parish Council responses to planning applications. - It is the officer's view that further work could be done to describe the character such as a landscape study or a village design statement but this would need to be taken on by the Parish Council.

Roads, Traffic and Transport

The plan identifies a number of solutions that could help address issue of increasing levels of traffic on roads in the parish. It also acknowledges that they cannot be implemented by the Parish Council without support from SCC Highways. Solutions include:-

- A 30 mph speed limit between Ansford and Grove Cross; possibly beyond to Hadspen House
- Improve safety at Grove Cross junction by improving signage
- Support a 20mph ahead of physical calming on stretch of A359 past schools
- Review of limits, markings and signage
- Better clearance of mud on the roads by those causing it
- Changes to the A37 to accommodate larger lorries
- Consider possible improvements to bus service
- Investigate the potential for a parish transport sharing scheme
- Explore better use of community transport (CATbus & Winibus)

Parish Facilities and Co-operation

- The PPC, the hall, the church and the Pitcombe News considering the establishment of a Parish Coordination Group with a view to providing a forum for coordinating the parish programme of events, and possibly even generating discussion on policy level issues of interest to the parish.
- The hall encouraging ideas for new activities and events serving a broader age range, and creating even more opportunities for new volunteers to assist in organising and running events or to become involved as Trustees;
- The Pitcombe News as a key asset to the parish should be a high priority for continued fostering, both in terms of funding as well as support in kind, from all parish bodies and the parish community.

The PPC and Co-ordination

- An increased capacity, in the PPC, for closer planning co-ordination and response cohesion, using greater in house planning expertise to respond to development schemes impacting on the parish and generated within surrounding town councils, or at SSDC or County Council level.
- A summary of the agreed parish plan being distributed to all parish households.
- The PPC holding additional parish meetings during the year, separate from statutory annual and monthly PPC meetings, to inform, or update, or discuss specific matters that may be of concern to residents.
- The parish website being much more pro-active and useable than it is, perhaps with another co-opted volunteer to enhance and run it. It might also be worth considering Twitter or Facebook as an additional form of internal parish communication.
- Residents being informed in advance of the main and/or controversial issues arising (through the website/Pitcombe News/Twitter); and using the same methods of communication parishioners can be invited to raise their own issues for debate or for answers.
- Specifically for planning related matters, promoters of potential development affecting the parish either within or outside its boundaries invited to hold an open meeting to explain and debate their plans prior to formal planning applications being made.
- A wider range of issues to be reported to the Pitcombe News.
- Residents to be encouraged to use and develop the existing internal 'grape vine' to pass on details of issues that warrant consideration by all.

Emergency Services

- To consider ways of obtaining increased awareness, and possible subject matter expertise through the auspices of the PPC, who could also lead the way to establish regular liaison with emergency service representatives, perhaps through a programmed series of informative briefings and demonstrations.
- Through the above action the parish may come to consider what self-help measures might improve any given gaps in cover – for example the provision of a defibrillator at the village hall.

Enterprise, Employment and Commerce

- The parish supporting the maintenance, and expansion where appropriate, of the existing commercial activities.

- In considering any new enterprise or commercially based development proposals, the PPC as policy (addressed under the section 'Other planning related development') to encourage small scale commercial and industrial use of land provided that protection of the existing environment be the principal determinant.
- The PPC consulting existing parish businesses, to explore issues of importance to them.
- Home workers be invited to get together to comment on the efficacy and efficiency of existing broadband internet provision and coverage of mobile phone providers, with a view to the PPC considering what representations should be made on their behalf.
- The PPC to explore the opportunities to engage with BT Openreach with a view to pursuing communications improvements.

Implementation of the community plan

The plan has been adopted by Pitcombe Parish Council. It is expected that the Parish Council will instigate regular independent reviews of the Parish Plan to ensure that it is achieving the recommendations and to reappraise the relevance of the plan to the village at the appropriate times.

Financial Implications

There are no direct financial implications as a result of this report however, if members agree the recommendation to endorse the plan, actions and projects identified will become eligible for support from the Community Planning Implementation budget subject to application.

Corporate Priority Implications

This work contributes towards increasing economic vitality and prosperity and ensuring safe, sustainable and cohesive communities.

Carbon Emissions & Adapting to Climate Change Implications

Improved local provision of facilities and activities within each village or town and increasing local participation reduce the need to travel.

Equality and Diversity Implications

The community planning process supported by SSDC aims to give every local resident the opportunity to have an input into the way in which their town or Parish develops.

Background Papers: *Pitcombe Parish Plan 2015*

Agenda Item 12

Area East Development Service Plan

Strategic Director: Rina Singh, Place & Performance
Assistant Director: Helen Rutter/ Kim Close, Communities
Service Manager: Helen Rutter, Area East Development Manager
Lead Officer: Helen Rutter, Area East Development Manager
Contact Details: helen.rutter@southsomerset.gov.uk or (01963) 435012 or (01935) 462060

Purpose of the Report

To approve the Area East Development Service Plan for 2015/16

Public Interest

The plan sets out the work being planned & undertaken locally by the Council to invest in communities across the Area, based on needs analysis, Councillor and community concerns and priorities

Recommendation

To approve the Area East Development Service Plan 2015/16.

Background

The Area East Committee revises local priorities on an annual basis within the framework of the overall Council Plan. Through the Area East Development Service Plan and other means, it seeks to make progress on these priorities by allocating resources and working with partners and other services within SSDC to achieve results. Area budgets enable the Committee to pump prime the work and projects it wishes to implement or support. The use of resources is also reviewed annually. Progress against the Service Plan is monitored monthly by staff and reported to Committee at 6 months and then at year end.

The Council Plan was updated and published 2012. A summary of the main aspects in this Plan that the Area Development Team will deliver, or assist with delivering, is shown in Appendix 1.

Each Councillor has been issued with their Ward Profile setting out key facts and contact details for their ward, along with a profile from 2011 Census. They have also identified particular problems and issues affecting their ward. The Area East Development Service Plan captures the main projects and programmes that the Development Team will work on over the year. This is in addition to the normal, day-to-day responsive capability to work with Councillors to address problems and issues that arise through the year it is implemented. It is important to set realistic expectations given the reduced capacity available since the implementation of the Lean Review.

Area East Priorities

The draft Plan is attached to this report. It consists of core work such as the enquiry service and direct support to communities, existing projects that have been rolled forward for completion and new work strands developed in response to AEC priorities.

A range of projects and initiatives are underway to progress the 4 main priority themes which are:

- Town centre & neighbourhood management
- Economic development, job creation & regeneration schemes
- Community-led planning & development
- Improving access to services & facilities to reduce inequality

In addition the AEC and service team are continuously looking at ways to maintain effective links with parishes and community groups, improve the cost effectiveness of the team and increase income to offset costs.

Members met in a special workshop in July 2015 to review the last year and to discuss priorities. The priorities firmed up in discussion have been used to revamp the work plan. This includes some new priority work added designed to address workspace and job creation and also to do strategic mapping of community facilities to enable facilities to be improved that serve the area as a whole, especially those towns and villages most remote from Yeovil.

Financial Implications

The Area Development team consists of 3 Officers (2 FTE) and a small Community Support team (1.7 FTE) who provide a front office service in Wincanton along with administrative and project support.

There are no new implications arising directly from this report at the present time. Financial implications of each project are indicated in the Area East Development Service Plan and each is brought to Committee for full consideration when ready if authority to spend budgets is being sought.

Corporate Priority Implications

The priorities have been developed taking into account the current Council Plan see Appendix 1. Please note that the Council Plan will be revamped this autumn to reflect priorities for the next 4 years

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: *Area East Development Service Plan and notes of Members' priority workshop July 2015.*

Appendix 1

SSDC Council Plan 2012 to 2015

<http://www.southsomerset.gov.uk/media/408146/ssdccouncilplan2012-2015.pdf>

Extract of actions that relate the work of Area Development and the role of the Area Committee. NB: Most actions require partnerships within the various council services, between the council and other agencies and with the wider community.

Focus One – Jobs	“We want a strong economy which has low unemployment and thriving businesses”
<ul style="list-style-type: none"> • Motivate and support business associations and act as a point of contact for businesses and partners. Improve communications with businesses so that we are supporting them in meeting their needs and not acting as a barrier. • Provide targeted support for start-ups and small businesses and those with the aspiration to expand. • Secure land with planning permission for employment use in areas where it is needed. • Enhance the vitality of town centres and discourage large scale out of town retail development that has a negative impact on local centres • Facilitate a realistic development programme for new employment sites that have been identified in market towns by 2015. • Support early delivery of Super Fast Broadband to rural areas by 2015 • Work with partners, to contribute to tackling youth unemployment. 	
Focus Two – Environment	“We want an attractive environment to live in with increased recycling and lower energy use”
<ul style="list-style-type: none"> • Continue to deliver schemes with local communities that enhance the appearance of their local areas. • Deliver campaigns and projects that help householders and businesses (including the Council) to cut energy use and adapt to climate change 	
Focus Three – Homes	“We want decent housing for our residents that matches their income”
<ul style="list-style-type: none"> • With partners, enable additional new homes to meet the needs of the district, including mixed housing schemes to buy or rent that are affordable • Work with partners to combat fuel poverty 	
Focus Four – Health and Communities	“We want communities that are healthy, self-reliant, and have individuals who are willing to help each other”
<ul style="list-style-type: none"> • Maintain and enhance the South Somerset network of leisure and cultural facilities, optimising opportunities for external funding to promote healthy living. • Continue to provide Welfare Benefits support and advice to tackle poverty for our vulnerable residents. • Ensure, with partners, that we respond effectively to community safety concerns raised by local people and that the strategic priorities for policing and crime reduction in South Somerset reflect local 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. • Evaluate the overall requirements of the Government’s ‘Localism’ legislation and work with communities to develop plans for their community. 	

Place and Performance Area East Development Service Plan (2015-16)

Portfolio Holder – Councillor Nick Weeks Manager – Helen Rutter

This is what we do:

Work with communities, Councillors and service providers across our Area supporting the development of stronger communities promoting economic vitality and helping to create better, more self-sustaining places to live and work



What do we do?	Why?	Budget (2015/16)	Key Achievements in 2014/15
Support town centre management and regeneration	<ul style="list-style-type: none"> • 5 main centres provide services and shopping facilities to residents and surrounding villages • To improve town centres: to increase footfall in high streets; adapt to changing consumer demand; improve traffic and parking management • Work with Town/Parish Councils to take more control over locally important infrastructure • Address social impact of housing developments • Work with local councils, Police & other partners to tackle antisocial behaviour, road safety and other local priorities • Work as local facilitators to tackle derelict sites/buildings & encourage their re-use 	<p>20% FTE Neighbourhood Development Officer (Economy) 10% ADM 50% FTE Neighbourhood Development Officer (Communities)</p>	<ul style="list-style-type: none"> • CCary Market House – working towards transfer of asset • Bruton High St improvements & LIC/brand Bruton ongoing • Bruton – MTIG project re enhancement to the riverside walk completed • Brand Bruton project started with TC & Community Partnership focusing on a new website, leaflet & other local resources • Wincanton holds monthly Sunday markets & held Big Tidy event • Deanesly Way, Wincanton – a multi-agency working group pressing for rapid delivery of infrastructure improvements & better emergency health care • Bruton has implemented a community toilet scheme • Maintain dialogue with services, local councils and land/premises owners to bring empty property back into good repair/ use
Promote and support the local economy	<ul style="list-style-type: none"> • Councillor priority • Local firms being affected by recession with some firms contracting or closing • Understand skills gaps, communication technology & workspace needs. Develop practical responses if needed • Economic potential of area not well known to relocating businesses • Value of A303 and other transport links not being exploited sufficiently • Work with local organisations to improve sustainable growth of towns & increase average income 	<p>20% FTE Neighbourhood Development Officer (Economy) 30% FTE Neighbourhood Development Officer (Communities)</p>	<ul style="list-style-type: none"> • Workspace in Wincanton & CCary being resourced through ED with parallel work to investigate work hubs being carried out • Wincanton top-up scheme has gone live • Total RSIs awarded 5 • Secured HoW Leader programme (2015-2020) funding of over £1.4m (includes whole of Area East) • Marketing brochure completed, distributed & is available on the website • Common Lane multi-user path – scheme being worked up with a view to submitting a planning application • Positive PR issued by Town Team in relation to Market, Town Tidy event, Transport hub infrastructure improvements at Memorial Hall car park • Ilchester travel plan has been agreed with the TC &

			<p>SCC Highways</p> <ul style="list-style-type: none"> • Limington-Yeovil cycle path – feasibility study/costs being developed/agreed • Waterside, Wincanton – active negotiation with landowner ongoing
Community development and supporting community-led planning	<ul style="list-style-type: none"> • Councillor priority • Help communities to get organised to tackle own priorities and needs • Support community-led plans that gather evidence to influence services, agree priorities based on local needs and aspirations • Evidence of need can be used to secure better community infrastructure from planned growth • Help to share good approaches & get everyone involved • Responding to Government legislation & policy eg: Localism • Help to quantify housing need and advocate for local lettings policies & schemes that meet needs of the ageing population • Support development of small village schemes that are designed to meet local needs for affordable housing 	<p>50% FTE Neighbourhood Development Officer (Communities) 5% NDO (Economy) 5% ADM</p>	<ul style="list-style-type: none"> • QCamel NDP – draft completed • Wincanton NDP – project group established & consultant engaged, initial consultation phase completed • CCary NDP – • Pticombe Parish Plan – completed • Henstridge Parish Plan – completed • The Charltons Parish Plan – started & ongoing • £35,381 (exc HLC contribution of £10k) awarded to 27 local groups, inc 2 start-up grants for new organisations. Value of all projects supported is £188,597 in total • Discussions held with Education about schools investment in Wincanton & CCary • Team working closely with Planning & CH&L teams to increase Parishes' local understanding of Section 106 awards • All Ward & Parish profiles have been updated
Community Grants	<ul style="list-style-type: none"> • Financial support to get quicker results and to help attract other funding into the area 	<p>Ring-fenced grants budget - allocated grants budget of £16k small grants and £32k Capital grants to attract up to £721k of investment 10% time of Neighbourhood Development Officer (Communities) 5% NDO (Economy)</p>	<ul style="list-style-type: none"> • Bruton (Jubilee Park), CCary (scout hall) & Ilchester (sports ground) have been given guidance toward funding & feasibility work needed • Sutton Montis – supported to planning stage – once agreed the scheme can be costed to inform funding applications
Front desk services, access to services and information	<ul style="list-style-type: none"> • To provide local, face-to-face access to SSDC services in Wincanton 	<p>1.7 FTE Community Support Assistants</p>	<ul style="list-style-type: none"> • High satisfaction rate maintained – 99% satisfaction relating to their professionalism & 98% good or very

	<ul style="list-style-type: none"> To work with Town Councils and other partners to improve local access & information for visitors & residents LICs Increase focus on the community office service to address the needs of more vulnerable people 		<p>good for the environment of the reception</p> <ul style="list-style-type: none"> Report on throughput and links with LICs in C Cary, Wincanton and Bruton securing volunteers to offer information and do referrals
Address inequality. Improve access to local services and facilities in rural areas	<ul style="list-style-type: none"> Some parts of the area have more elderly and vulnerable groups Small communities have few services and little or no public transport. Support & evaluate the programmes that improve what village halls can offer Support Parishes to provide better local recreational facilities Improve employment prospects & reduce economic inequalities Help groups and communities work with support agencies to provide more youth activities Support self-help, young people and older people Support community/Parish led improvements to public access, open spaces, food & growing schemes, emergency planning etc. and sharing of best practice Carry out research if needed to gain better understanding of local impact of issues 	40% FTE Neighbourhood Development Officer (Communities)	<ul style="list-style-type: none"> Started support for Balsam Centre – AEC funding conditional on agreed economic targets Supported youth provision in 3 market towns and a number of Parishes Support given to Wincanton TC to evaluate the benefit of the Youth Club & develop a programme of provision to replace it Travel Access Point in Wincanton – physical infrastructure improvements completed
Support for Councillors and democratic engagement	<ul style="list-style-type: none"> Assist Members in their community leadership and local advocacy role Support work of Area Committee Support Members to respond to emerging community issues 	20% FTE ADM 10% FTE Neighbourhood Development Officer (Communities)	<ul style="list-style-type: none"> Annual Parish Meeting held in January 2015 Parish & Ward profiles updated

Who do we work with? *We work with the following services, agencies and organisations to achieve our priorities:*

1.	SCC Somerset Skills & Learning, DWP, Job Centre Plus (local workforce training, job clubs and placements)
2.	SCC Youth & Community Service (funding source)
3.	SCC Adult Social Care (based at Churchfield)
4.	SCC Highways (road safety improvement schemes and local highway maintenance)
5.	SCC Fire Service (work with vulnerable people to prevent accidents)
6.	Avon & Somerset Constabulary (share base with neighbourhood policing team and work together to tackle antisocial behaviour)
7.	NHS Somerset (some links to local doctors' surgeries)
8.	Environment Agency (flooding and Parish-led emergency planning)
9.	Community Council for Somerset (village hall and rural services advocacy and advice)
10.	Yarlington Housing Group / other housing providers in the area (neighbourhood management and funding support for community-led initiatives)
11.	Town & Parish Councils (joint work to deliver & fund local priority projects and plans)
12.	Parish & Town Plan Groups (joint work to deliver community priorities)
13.	Heart of Wessex Rail Partnership (support for station improvements in Castle Cary and Bruton)
14.	Local Chambers of Commerce (joint work to promote local offer of market towns)
15.	Balsam Centre (Wincanton Community Venture) Healthy Living Centre, Conkers nursery (work together to support vulnerable local people)
16.	Somerset Rural Youth Project (support to address youth issues)
17.	CATbus (work together to develop local transport solutions)
18.	Schools in Wincanton, Bruton, Castle Cary and Milborne Port

Our Priority Areas for 2015/16 are:

1.	Town centre & neighbourhood management
2.	Economic development, job creation & regeneration schemes
3.	Community-led planning & development
4.	Improving access to services & facilities to reduce inequality
5.	Effective democratic engagement

Service Standards for 2015/16 (our core work)

1.	<p>Community Grants</p> <p>SSDC is committed to supporting community development and projects, for which we offer a range of grants. The standards that we expect to fulfil are:</p> <ul style="list-style-type: none"> • Grant application pack to be sent out within 48 hours of request • Acknowledgment letter to be sent out within 3 days of receipt of application form • Award letter and conditions to be sent out within 5 days of Scrutiny call in period
2.	<p>Front Office</p> <p>The Council have staff available in the Area Community office providing advice & guidance on all Council services, in particular:</p> <ul style="list-style-type: none"> • Verification and processing of housing benefit applications, including fast track applications • Planning applications and decision notices are available to view, as are minutes of Area Committee meetings, which include planning decisions • A Planning Duty Officer is available at Churchfield on Monday mornings
3.	<p>Community Development and Regeneration</p> <p>SSDC's Area Development Team aims to:</p> <ul style="list-style-type: none"> • Answer all community development and regeneration queries and questions received within the timescales set by corporate service standards • Offer advice and support to any community group within our Area wishing to produce a Parish Plan or Neighbourhood Development Plan • Enable one business event and maintain regular contact with local business associations • Respond to Sole Traders' and Companies' enquiries within the timescales set by corporate service standards • Encourage participation and give at least 6 weeks' notice of workshops, meetings or consultations, which will always be held in accessible venues • Ensure that communities are consulted and engaged with all of our major physical improvement projects through a communications plan • Offer funding advice to local associations and voluntary groups and signpost to grant assistance for possible sources of funding • Coordinate & arrange meetings & workshops in response to demand from AEC, Parishes & community organisations, which bring together key partners and community representatives to jointly tackle issues relating to the well being of residents in the Area • Check our SSDC website pages once a month to make sure they are up-to-date and relevant • Actively market the Area as a place to live and work, promoting key towns through communications plan

Service Action Plan: <i>Top level actions – more detail is within individual work programmes/project plans</i>						
Priority Area	Action	Who	Resource	When	Outcome	Performance Measure
1. Town centre & neighbourhood management	Transfer of Castle Cary Market House to local ownership	PW CSA	24 days 5 days	April 2016	An asset (rescued by SSDC in the early 1990s) is returned to community ownership following a partnership renovation programme with CCTC	Completion of asset transfer agreed via AEC/DX
	Support “Town Teams” in market towns with projects that enhance attractiveness of High Streets	PW/JD CSAs	24 days 5 days	Ongoing 2015	At least one priority project agreed, resourced and delivered in each town	Report to AEC on project performance
	Help to resolve local problems by forming short life, solution focused action groups as required	HR	6 days	Ongoing 2015	Issues specific, outcomes agreed at outset	Report to AEC annually
	Transfer of specific SSDC town centre assets to local Councils if required	HR	6 days	Ongoing 2015	Towns & Parishes control locally important assets if they wish to	Assets transferred, agree way forward Report to AEC annually
	Encourage take up of business rates relief schemes	CSAs	Within existing resources	Autumn 2015	Higher %age of eligible businesses apply & gain BR relief	Report to AEC
2. Economic development, job creation & regeneration schemes	Project to establish land/ business premises not currently being marketed and bring these to market	PW	Initially 4 days to recommend methodology & discuss with local councils Phase 2 - tbc	Sept 2015	Better marketing of vacant commercial land & premises	Test the hypothesis that more land & premises can be brought to market

Bring forward further workspace in Wincanton & Castle Cary (corporate ED programme)	PW	Est 10 days To be prioritised & agreed corporately in conjunction with Economic Dev Team	March 2016	Assessment of options & feasibility of extensions to existing Business Parks or new site, as appropriate	Specified in project plan
Improvement of Wincanton High Street a) Feasibility work to attract significant new retailers/other attractions to Wincanton High St (corporate ED programme)	PW	a) Est 10 days to be prioritised & agreed corporately with Economic Development service	March 2016	a) Re-test the viability of land assembly & end user	As set out in project plan Report to AEC
b) Enhanced Retail Support Initiative in Wincanton & general RSI elsewhere in Area	PW CSA	b) 15 days allocated capital & revenue funding	Ongoing	b) Fuller support package offered to new retailers, reduction in empty shops	Number & leverage of investment reported to AEC
Encourage eligible projects to bid for Heart of Wessex LEADER funding	ADT	10 days £7,000 ring fenced to support project implementation	Ongoing	First call for bids expected Autumn 2015	Report on performance of programme, AEC March 2016
Project feasibility for a work/retail incubation unit within Area	PW	10 days initially	March 2016	To explore opportunities with local businesses to bring forward work or retail hub in one of our High Streets	Report to AEC
Common Lane multi-user path	PW CSAs	10 days £5,500 SSDC budget 5 days	2016	Safe link established from Deanesly Way area to sports ground facilities	Route opened

	Help each of the market towns to market & promote themselves	PW/JD/TC	15 days	March 2016	Local business groups collaborate with Town Councils to achieve effective local marketing	Marketing report to AEC annually
	Limington to Yeovil multi user path	JD	10 days	March 2016	Subject to local steering group support establish multi-user link	Report to AEC on progress of scheme
	Receipt of land & exercising option on car park at Waterside, Wincanton	PW	5 days Capital funding £30k	March 2016	Better maintenance of car parking and environment at Waterside	Report to AEC & DX
3. Community-led planning & development	Completion of Queen Camel Neighbourhood Plan	TC CSAs	15 days £20k CLG + Planning Aid 5 days	March 2016	Draft plan out for consultation September 2015 Examination & referendum Nov 2015-Spring 2016	Final Report and lessons from Front Runner AEC/DX
	Support Neighbourhood Plan Wincanton	TC	20 days	March 2016	Complete evidence base for NP and draw up draft policies for consultation	Plan informed by needs identified, draft plan completed
	Support Neighbourhood Plan Castle Cary	PW	18 days	March 2016	Complete evidence base for NP and draw up draft policies for consultation	NDP completed
	Support Towns & Parishes to carry out quality community research (inc Housing Needs Assessments) to influence or achieve planned projects and growth	TC/JD/CSAs	15 days Within existing resources	Ongoing	Improved evidence of need is used to enable a wide range of projects & to support wanted development via policy SS2 in Local Plan	Completed parish plans are endorsed at AEC

	Maximising the benefits of growth – monitoring & enhancing project delivery S106 parish accounts	ADT	Within existing resources	March 2016	Community infrastructure improvements can be achieved more quickly. Parishes have better awareness of how S106 /CIL, links with community research, to improve community infrastructure	Clearer reporting of 106 investment projects to AEC
	Support Parish Plans	TC/JD	Within existing resources	March 2016	Exploratory work with Charlton Horethorne, Templecombe & Marston Magna	Completed Plans endorsed at AEC
4. Improve access to services & facilities to reduce inequality	(a) Run a high quality access point & advice service for the public at Churchfield (b) Support development of Town Council led LICs	HR/ LD CSAs	Within existing resources 149 days	Ongoing	Improved customer experience customer service Integration of Police and SSDC front desk	To achieve 98% customer satisfaction rate Reduce cost whilst improving service offered
	Support development of Balsam Centre services in response to local needs to improve its sustainability	JD	20 days £10,000	March 2016	Programme to improve sustainability of the Centre, clear targets & outcomes set out in Development Plan	Meet targets in Development Plan
	Support community-led youth work & youth opportunities. Development of Henstridge Templecombe and Milborne Port youth work programme	TC/JD	8 days Existing resources	March 2016	Community-led youth provision established in main centres and some development work to establish local interest in target area. Benchmark standards adopted in all key clubs	Annual report to AEC
	Explore potential for community/ leisure hub facilities across the towns /villages of East Somerset	ADT	8 days – initial mapping	Dec 2015	Existing resources mapped for discussion with relevant stakeholders	Report to AEC Jan 2016

	Development of Wincanton Hub to improve people's access to services & facilities	TC CSAs	20 days Bid for external resources 3 days	Ongoing	Increased availability, awareness & take up of options serving Wincanton & surrounding area	Report to AEC
	New and improved community buildings – intensive support to gain sound feasibility that guides development and funding package	TC/ JD	15 days	Ongoing	Ilchester pavilion – initial feasibility work completed. Sutton Montis hall; Galhampton hall helped to offer better local facilities and services	At least 2 buildings helped to build ready stage. Report annually to AEC
	Master plan for Jubilee Park, Bruton	JD	5 days	Ongoing	Detailed plans for programme of improvements to the park with at least one deliverable element progressed in the current year	Annual Report to AEC
5. Effective democratic engagement	Arrange annual parish meeting & workshops in response to demand from AEC, Parishes & community organisations	HR	15 days Within existing staff resources	March 2016	Create a forum for debating important local issues & agreeing best solutions. Raise awareness of opportunities	Report to AEC

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 13

Heart of Wessex Rail Partnership Update (Executive Decision)

Strategic Director: Rina Singh, Place & Performance
Assistant Director: Helen Rutter, Communities
Service Manager: Helen Rutter, Area East Development Manager
Lead Officer: Helen Rutter, Area East Development Manager
Contact Details: helen.rutter@southsomerset.gov.uk or (01963) 435012

Purpose of the Report

To receive a summary of the work undertaken by the Heart of Wessex Rail Partnership during 2014/15. To consider making a partnership contribution for 2015/16.

Public Interest

The Area has 2 stations on the line at Bruton and Castle Cary. The Partnership actively supports community involvement in improving the stations and encouraging local communities and visitors to utilise the line for a wide range of trips and journeys. The Partnership is resourced by contributions from local authorities, match funded by the rail operator and a large group of volunteers who offer their time and expertise.

Recommendations

That members:

- 1) Note the work undertaken by the Partnership in 2014/15 and that a similar report will be taken to Area South Committee
- 2) Approve a funding contribution of £2,000 from the Members' discretionary budget for 2015/16

Background

Accountability and financial support for the Heart of Wessex Rail Partnership is shared between Area East Committee (2 stations along the line) and Area South Committee (one station). The line has been supported by a partnership of local authorities along the route since 1998 but was revised and expanded in 2003, with an action plan to:

- 1) Widen the Partnership to include local communities and to improve the understanding of and response to local needs along the line
- 2) Improve quality and availability of information promoting the line and its destinations and raise the profile of the service as an alternative to the private car
- 3) Improve station environments & facilities and access to them by other modes of travel

In the last 12 years the Partnership has developed its community arm with significant station investment, improvements to access, promotion and better information from local community groups along the line, including a large number of regular volunteers. The community representatives have their own working group, meeting three times per year with the train operator and Network Rail.

In October 2011 the line received designation as a community rail service in recognition of its strong support from partner authorities and communities themselves. This gives greater freedom to the operator and community in running the service and stations. The national objectives for community rail development are to increase revenue, manage down costs and encourage greater community involvement in the local railway

Activities and Results of the Partnership's work

The following headlines are drawn from the 2014/15 Annual Partnership report:

- Between April 2014 and March 2015 passenger journeys grew by 140,000 to 2,046,000. For the first time in 12 years growth did not outstrip that for the region as a whole (6% versus average 7% for total Severn & Solent)
- Service levels remain unchanged meaning that for every 100 passenger journeys made in the years to 1st April 2003, there were 290 on the same trains in the year to 1st April 2015
- Of the 2 principal regional services between Bristol/Bath and the south coasts via Westbury: in 2003 Heart of Wessex carried 9% of the 7.3m passenger journeys – in 2015 it carried 15% of the 15.8m total
- Heart of Wessex line annual journeys have overtaken those of Bristol to Exeter to make it the 2nd service behind Cardiff/Portsmouth Harbour in passenger volume for the Severn & Solent region
- The Local Transport Plan for Somerset has a focus on increasing community participation in public transport and the Heart of Wessex Rail Partnership features as an example of good practice. Collaborations of this kind can be very cost effective ways of improving rural accessibility to services and facilities and boost in visitor numbers
- A major project has been a complete redesign of the Heart of Wessex website: www.heartofwessex.org.uk with entirely new, extensively researched, content
- The Partnership produces the Bristol to Weymouth line guide 3 times a year in editions of just over 30,000 each, providing a detailed guide of the services available and focusing on fresh ideas for visiting destinations along the route. Included in the main features for 2014/15 was the arrival of a major international arts centre in Bruton
- Custom designed maps were produced in answer to very specific needs (eg: directions to Hauser & Wirth from Bruton station and route into the town from Yeovil Pen Mill station) not already addressed by any existing resources
- “Fixing the Link” is focused on making it easier for people to find their way from/to stations – an above average passenger growth has brought a steady increase in customers new to the line. A new series of directional signs to the walking route to town from the station and a new poster board in Castle Cary welcomes visitors with a map of the route
- A complete resigning scheme at Bruton station included replacement station signs, a new “Welcome to Bruton” sign and a special “Running in board” at the northern limit of the station alerting arriving customers early that they were arriving in Bruton
- The Community Rail Working Party (CRWP) began with 6 people in 2003 and had its 11th Anniversary in October 2014 with 26 representatives
- The Partnership contributed to the “Stepping into Bruton” guide produced by the Bruton Chamber from its community grant fund and has helped to promote it
- Community Projects Grant Fund – 15% of the Rail Partnership’s budget is set aside each year for projects initiated by voluntary/community groups
- Voluntary contributions to the line and its stations are substantial – 120 people contribute over 13,000 hours of their time

Services on the Line

First Great Western now has a franchise extension to 2020. It has set aside a sum of money in the form of a Customer and Communities Improvement Fund (CCIF) to deliver projects that will benefit communities in areas of need. The fund is spread over three years with £750,000 available each year from April 2016 across the whole franchise area.

The partnership has asked for improvements to the Sunday service as a priority for the line as a first step towards the desired hourly service. FGW have agreed to investigate the cost and logistics of this improvement.

In Castle Cary a project is being considered to enhance parking at the station linked to a better bus interchange, with much of this investment being sought from the LEP. In Bruton there is the possibility of looking again at community access to the south side platform but any progress on this is reliant on support from Kings School.

Funding Support

The annual running cost of the Partnership in 2014/15 was in the region of £70,000. This covers: the salary of the Rail Partnership Officer; the printing and promotion of the line guide; upgrades to the Partnership website and a local grants scheme of £10,000 pa to enable the Partnership to match fund local community-led station initiatives. There is a formal Partnership Agreement through which the Unitary/County Authorities with responsibility for Local Transport Plans put in the greatest contribution and participating Districts a lesser amount. The biggest annual funding contributor is First Great Western at £26,250 although they are not signatories to the partnership agreement. The total funding expected in 2015/16 is £66,000 including some funding for small projects made available by First Great Western to enable some additional implementation of minor station improvements.

Despite some difficulties in securing all partnership contributions last year and the continuing budgetary pressure there is strong commitment from Partners and the train operating company to continue its work

Financial Implications

There is £8,360 unallocated in the Members' discretionary budget for 2015/16. Under the terms of the Partnership Agreement it is requested that a sum of £2,000 is awarded as a partnership contribution by the Committee for this financial year. If approved a sum of £6,360 will remain unallocated

Corporate Priority Implications

4. Ensure safe, sustainable & cohesive communities

Carbon Emissions & Climate Change Implications

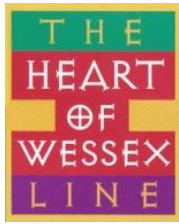
Maximising train travel reduces car journeys and congestion and therefore has a beneficial effect on carbon emissions

Equality and Diversity Implications

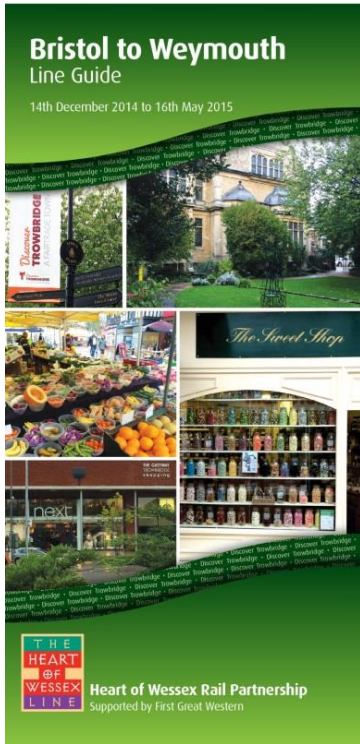
A local train service provides these towns with an alternative to car travel for people without their own independent transport. The Partnership has produced its line guide in large format type for easy reading and this is replicated on its website. The train stations themselves have limited access for those with mobility problems on certain platforms.

Background papers

SSDC Partnership Review April 2011, Report to AEC July 2011; Report to AEC December 2011; Report to AEC May 2013; Report to AEC August 2014.

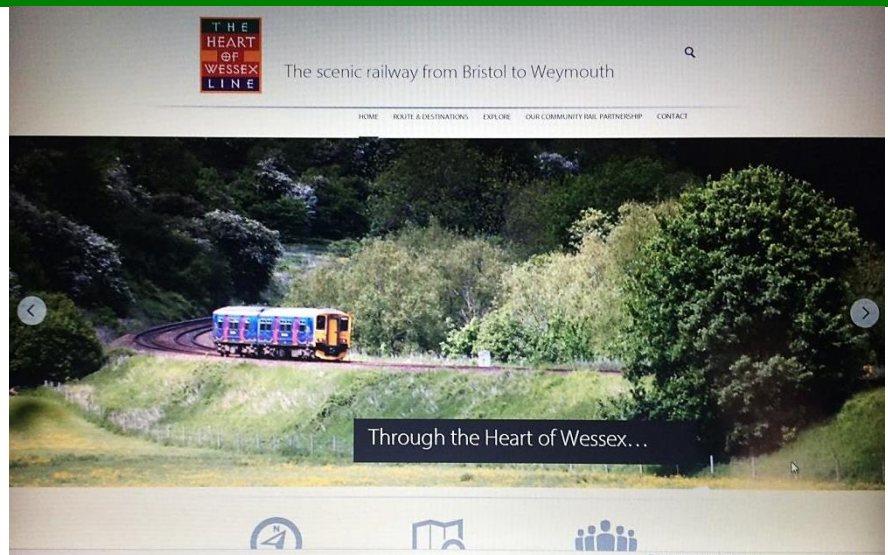


THE HEART OF WESSEX RAIL PARTNERSHIP



2014/15

ANNUAL REPORT

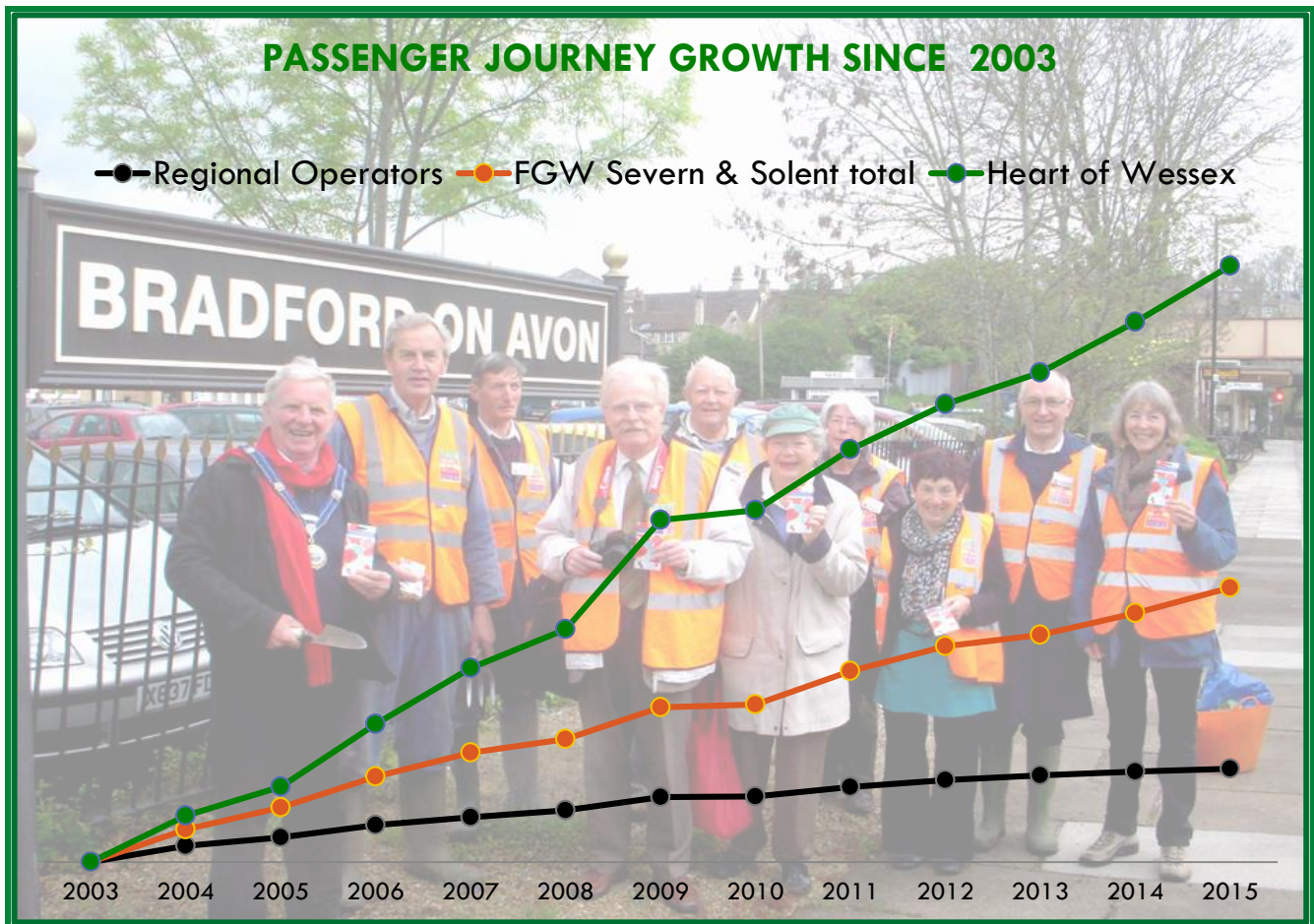


THE HEART OF WESSEX RAIL PARTNERSHIP is a joint venture between Bristol City Council, Bath & North East Somerset Council, Wiltshire Council, Somerset County Council, South Somerset District Council, Dorset County Council, West Dorset District Council and First Great Western. The overall objective of the partnership since 2003 has been **to raise awareness and use of the Bristol to Weymouth rail services**, by marketing the line, enhancing stations and access to them and working with local communities.

Funding partners meet quarterly, and produce a **Line Plan** for jointly agreed priority areas of work for the partnership. Representatives from local groups come together as the **COMMUNITY RAIL WORKING PARTY**. Community projects and aspirations are summarized and managed through an action matrix, updated several times a year, which includes the longer term **Community Wish List**. Voluntary contributions to the line and its stations are substantial – 120 people contribute over 13,000 hours of their time to enhancing stations, promoting use of the line to the benefit of their local economies, running guided walks from stations or helping to improve customer information.

OVERALL RESULTS TO 1ST APRIL 2015

Between April 2014 and March 2015, passenger journeys grew by 140,000 to **2,046,000**. For the first time in 12 years, growth did not outstrip that for the region as a whole (6% versus average 7% for total Severn and Solent¹). Cumulative percentage growth against the national average² is shown below



¹ FGW data. SEVERN & SOLENT (corresponding roughly to FGW CENTRAL region) TOTAL includes total of passenger journeys on: Cardiff-Portsmouth, Bristol-Exeter, Bristol-Weymouth, Bristol-Great Malvern, Bristol-Severn Beach, Bristol-Cardiff, Bath-Filton and Swindon-Westbury. SEVERN & SOLENT, represents approximately 13% of FGW’s total passenger journeys.
². Office of Rail Regulation. Regional Rail Operators excludes London and South East.

PASSENGER JOURNEY COMPARISON (000s)

To end March	Severn & Solent Total	Cardiff to Portsmouth	Bristol to Exeter	Heart of Wessex
2003	6641	3842	903	707
2009	10154	4561	1589	1489
2015	13750	5573	1929	2046
12 year growth	107%	45%	114%	289%

- **Service levels remain unchanged** meaning that for every **100** passenger journeys made in the year to 1st April **2003**, there were **290** on the same trains in the year to 1st April **2015**
- Of the two principal regional services between Bristol/Bath and the south coast via Westbury: In **2003** Heart of Wessex carried **9%** of the 7.3m passenger journeys. In **2015** it carried **15%** of the 15.8m total
- Heart of Wessex Line annual journeys have overtaken those of Bristol to Exeter to make it the second service behind Cardiff Portsmouth Harbour in passenger volume for the Severn & Solent region

HIGHLIGHTS: APRIL 2014 TO MARCH 2015

MARKETING & CUSTOMER INFORMATION

Focused on promoting sustainable visits to our local economies & adding value to customer information by capitalising on the knowledge base of our network of voluntary supporters, small businesses and local organisations.

LINE GUIDE

The printed edition of the Line Guide has maintained its hold on customer demand, despite the steady trend towards online only information provision. The large print, accessible A3 sized timetable with minimal notes explains part of continuing demand for print quantities of 32,000 per issue, but there is evidence that the approach to content is also popular – each edition focuses on fresh ideas for visiting destinations along the route and “insider” tips (often from local rail users, voluntary supporters and rail staff) for making the best of the line.



IDEAS FOR FURTHER ADVENTURES BY BUS!

Bristol & Bath have “jump on/jump off” open topped buses with guided tours of sights, & stops outside both stations.
www.citysightseeingbristol.co.uk
www.bathbuscompany.com

TROWBRIDGE

Bus 49 from Trowbridge to Swindon via Devizes.
www.stagecoachbus.com. See www.devizes.org.uk for more on this charming historic market town.

YEovil

Bus 68 from front of the station to the town centre & Yeovil Junction station. “Borough” bus stop at the top of the town is a good one from which to start a visit.
www.southwestcoaches.co.uk

Bus 57 or 58/SBA from in front of Pen Mill Hotel, at the top of station approach road, to picturesque **SHERBORNE** with great range of independent shops.
www.firstgroup.com/ukbus/dorset

Excellent insider’s guide to exploring by public transport in Dorset, including Weymouth & Portland
www.dorset-transport.info. Also worth following on Twitter @DorsetTransport for local news.

DORSET

Two bus services include a stunning route along the coast – X31 from **Dorchester** to Bridport & Lyme Regis and X53 from **Weymouth** via Abbotsbury, West Bay (setting for ITV’s “Broadchurch”), Bridport, Lyme Regis, Seaton & Exeter.
www.firstgroup.com/ukbus/dorset

Plan end to end journeys with

www.traveline.info
 0871 200 22 33

Main features for 2014/15 included exploring Bristol, the arrival of a major international arts centre in Bruton (Hauser & Wirth), a focus on local food including the Freshford Community Shop and Café, Farmers Markets along the line, specialist small producers and the Great Bath Feast, a special feature on Trowbridge and the arrival of the Ninesprings Café in Yeovil Country Park.

“Ideas for further Adventures by Bus” promoting enjoyable public transport links to destinations further from the line generated a great deal of positive feedback, and may be more fully developed in the future.

CONNECTING UP



The first of these custom designed maps were produced to answer very specific needs that were not addressed by any existing resources (routes in to town from Yeovil Pen Mill and the station to station link in Dorchester). Further maps in 2014/5 have also responded directly to issues raised on behalf of customers (especially first time visitors). The series will continue to build, but we do not intend to reinvent any wheels – if existing resources answer all needs, we direct people to those. Walking routes, current key bus connections and general local facilities are included according to requests and suggestions from rail staff, councils, volunteers, local businesses, as well rail & bus users themselves.

Example: Local BRUTON businesses reported to us that visitors to Hauser & Wirth arriving by rail were going in the wrong direction on exiting the station, and having to ask for directions. This map was designed and published immediately in response to this, pending the completion of pedestrian signing to this important new attraction. The map was also

included in the next edition of the Line Guide.

WEBSITE RELAUNCH

A major project for the third quarter of 2014/15 was a complete redesign of our website, with entirely new, extensively researched content.

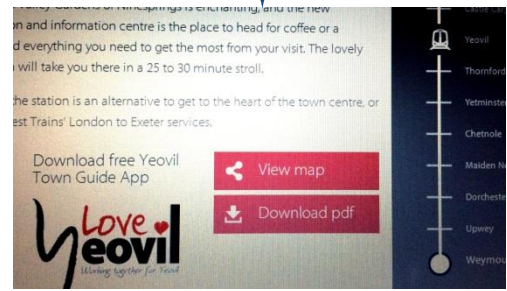
Main objectives:

- Informative, easily navigable and responsive guide to the line for visitors and local people, with a close focus on the unique local characteristics of each of our destinations, adding value to, rather than duplicating, content of more generic tourism & travel marketing sites
- Easily navigable location for all resources generated by the partnership including Connecting Up maps, and a more permanent “home” for the extensive research and selection of material that goes into each Line Guide
- Direct links to the local transport sites of the four transport authorities, plus the best local/community generated resources, apps, websites or social media.
- A distillation of substantial local knowledge and range of contacts that has been built up over more than a decade, with a web of links to relevant local community groups and businesses. The site has a total of nearly 200 links including bike hire, nature reserves, walking and cycling routes, local food and markets, specialist independent retailers and attractions, and links to parish and town council’s own, often excellent, sites with a detailed local focus. Where local groups or organisations have created “insiders’ guides” (to their communities or how to travel to them) these are given special prominence.
- Information about the Heart of Wessex Rail partnership, with a library of publications (reports, line plans etc) and a gallery of images and project highlights that will be updated several times a year.

www.heartofwessex.org.uk

**FIRST GREAT WESTERN
ADDITIONAL COMMUNITY
RAIL FUNDING**

New small projects grant introduced in 2014/15 enabled us to relaunch our website.



“FIXING THE LINK”



Taking a lead from this Abellio study, their title has been adopted for an area of our work focused on making it easier for people to find their way from/to stations. Above average **passenger growth** has brought a steady **increase in customers new to the line**, unfamiliar with stations and local geography. New custom continues to be generated by our promotional work - in a survey carried out in October 2014, 1 in 5 respondents were using the line for the first time³. The growing **presence of volunteer station adopters**, together with regular input from the Community Rail Working Party, continues to identify and underline issues that we can help to address.



DORCHESTER WEST TO DORCHESTER SOUTH STATION



Below left: Sue McGowan, **Dorset County Council**, Sue Blake, **Friends of Dorchester West** and Maria Clarke, **West Dorset District Council** who, together with the **Rail Partnership** officer, carried out a detailed survey of the c 10 minute pedestrian route between the two Dorchester stations, identifying key “decision points” for new or replacement signs. Dorset County Council funded and installed the signs in late Spring 2014.



³ Passenger Focus: Survey to be published in 2015.

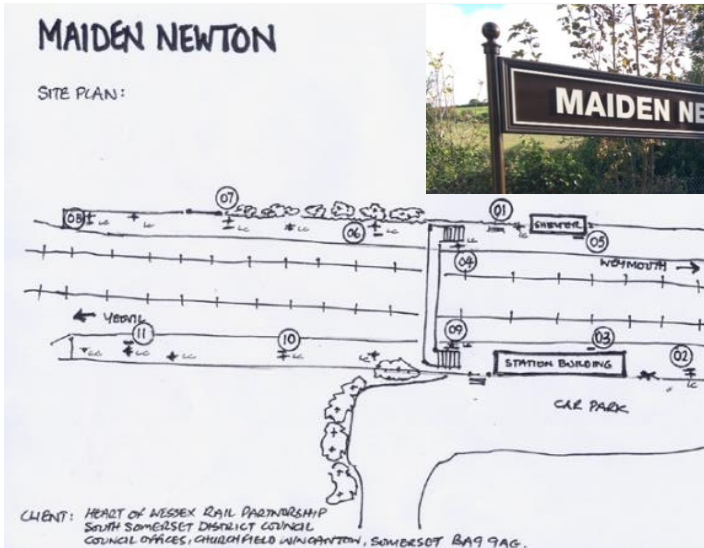
CASTLE CARY COMMUNITY WALKING ROUTE TO TOWN

A scenic walking route developed and way-marked by the local community and featured in their own **Community Tourism publication**, was complimented with a series of **directional signs within the station itself** together with a new poster board to welcome arriving visitors with a map of the route.



**FIRST GREAT WESTERN
ADDITIONAL COMMUNITY
RAIL FUNDING**
Extra grant to the partnership
for 2014/15 for station
projects, & further station
investment underway.

This project was one of the **STATION IMPROVEMENT** investments facilitated by **extra capital funding for the partnership from FGW in 2014/15**. A new double free standing poster board and signs to the footpath at Castle Cary were funded directly by this extra contribution, which also enabled us to address some of the outstanding items on our long term **Community Wish List**. **Running in boards** and complete new schemes for **additional** and **replacement station signs**, with a particular emphasis on clearer and earlier notification to passengers of their arrival at the station.



Additional funding from FGW for Community Rail also began to supply some of the larger items on our long term Community Wish List, the first of which was a new shelter at **DORCHESTER WEST** completed at the end of the financial year. The **much expanded shelter provision** responds to the doubling of use of Dorchester West since 2010 - incidentally the year the voluntary **Station Friends group led by Wally Gundry** began working there every Friday - totally transforming the environment of this unstaffed station, and creating a real sense of welcome and security for customers.

COMMUNITY RAIL WORKING PARTY (CRWP)

Local community & voluntary group representatives held three all-day Working Parties in 2014/15. Their intensive local knowledge came into its own at the November CRWP in a workshop with **Jon Morgan**, FGW Project Manager for Bath 2015 electrification work. Detailed discussion on anticipated local needs and possible solutions to them were followed up later with further sessions to focus on local details with members of the CRWP. The opportunity to learn about the intricate planning for a project like this, & most especially the chance to contribute to it, was a highly valued part of our year.



There were several other joint events, including a welcome to **Devon's Tarka Line** team, hosted by **Dave Walden and his Garden Gang**. The exchange of ideas and expertise on this day was voted the most productive of the year by all who were able to attend, and we will try to repeat this format in the future.

COMMUNITY STATION ADOPTION

14 stations benefited from over **10,000 hours** of voluntary time over the year, ranging from all day gardening sessions by a large group from the local community (e.g. Freshford & Bruton), to regular weekly sessions (e.g. Dorchester West & Bradford on Avon), to less formally arranged but often even more frequent attention for stations lucky enough to have active local citizens living right beside them, or using them daily on the way to work (e.g. Upwey, Avoncliff and Maiden Newton).



Some focus on gardening, some undertake cleaning, recycling of rubbish & litter picking, some apply their skills to small infrastructure projects, some address information gaps with noticeboards or signing projects. All enjoy the contact with customers, and the invaluable feedback they give us from this is a key driver for other areas of our work.



Every adoption is unique, and each group is free to decide what they want to do and when. No obligations, expectations or definitions are imposed on those who voluntarily choose to contribute part of their valuable time to their station and railway line. The only firm rule is regular consultation and collaboration with the **Station Manager**, and **Nick Reid** meets regularly with local volunteers. He has taken safety briefing onto a new level with his particularly thorough approach – and we are now becoming well established in Nick's "Safe Manor"!



COMMUNITY RAIL TASK FORCE

Volunteers from Bristol to Weymouth and most stations in between come together to help with larger projects, one of the most impressive of which last year was a major clearance of the front of **WESTBURY** station (see before and after photos below) together with Network Rail and FGW.



Other joint projects included working groups at 10 stations to sow Flanders poppy seeds along the line for the 100th anniversary of World War 1. Launched at **Trowbridge**, only



Upwey, Dorchester West and Bradford on Avon had a good showing of flowers. The stunningly successful Meadow Mix garden at **Yeovil Pen Mill** (with a series of different flowers blooming over the summer, including poppies) may be a better approach for semi wild garden areas, and the **Yeovil in Bloom** team kindly offered a training day on this for Task Force members.



COMMUNITY PROJECTS GRANT FUND

15% of the rail partnership's budget is allocated for projects initiated by voluntary/ community groups for station gardening & equipment, small scale infrastructure, community notice boards, tourism, walking or customer



information initiatives. Bruton Chamber's excellent map guide was a good example of local knowledge used to encourage sustainable visits into local economies. The **Wessex Wanderers** bring over 500 people a year onto the line to enjoy 30 or more free guided walks into countryside, city or town. They come from all around the country, and, thanks to their increasingly popular website, from abroad.



PROGRESS AGAINST LINE PLAN

Funding partners' priority areas from Line Plan (page 4) used here to sum up 2014/5 projects

Green text = supported by the partnership's Community Projects Grant Fund

Blue Text = FGW additional new funding for community rail projects

FUNDING PARTNERS' PRIORITIES	April 2014 to March 2015
1. ECONOMIC DEVELOPMENT	
Promoting more use of the line to the benefit of local economies	Website redesign and relaunch 3 Line Guides Chamber of Commerce: Step into Bruton/ "Visit us by Train" Wessex Wanderers Guided Walks (+ 1450 hours of voluntary work from 30 walks leaders and coordinator)
Making it easy for visitors to understand and use services, stations and connections	Dorchester Fixing the Link (funded by Dorset County Council) Castle Cary: New signing to footpath and visitor welcome board Maiden Newton & Bruton signing schemes & running in boards Yeovil 68 bus link signing/ information improvements New website: clearer navigation to, and greater focus on maps, tips, connections. 3 new / revised Connecting Up maps
Stations as community gateways and "shop windows" to destinations	Friends of Bruton Station: new visitor map Additional poster casings and/or new or revised community or Friends posters: Westbury, Frome, Yeovil, Maiden Newton, Dorchester West and Welcome to Ansford & Castle Cary Continual enhancement of station environments by voluntary groups, especially with ongoing development of gardens
Supporting and promoting local businesses	Line Guide & new website = strong focus Maiden Newton & Castle Cary Community Welcome posters Step into Bruton/ "Visit us by Train"
2. CARBON REDUCTION, HEALTH & STAYING SAFE	
Encouraging more people to switch to rail by assisting understanding of services, stations, connections.	Friends of Bruton Railway Station: www. Brutoncarytrains.co.uk Further resources and tips developed with Website, Connecting Up and Line Guides. Fixing the Link at Dorchester & Castle Cary
Continued improvement of station facilities/ making stations feel safer and more welcoming	Station adoption – new volunteers take total regularly working at stations to 92. 10,000 volunteer hours at stations. Replacement, larger capacity shelter at Dorchester West
Encourage, facilitate and promote more walking to/from stations	New website includes Walking page, and total of 18 links to particular walking opportunities on the 20 destination pages. Connecting Up guides, Wessex Wanderers, Fixing the Link
3. LOCALISM	
Manage, motivate, sustain and build community contributions to the line	3 Community Rail Working Party (CRWP) meetings; 5 Task Force/ special joint events; 4 updates of CRWP "The Matrix"(short, medium and long term action areas/ community wish list) 17 Grants for Community Projects
4. ACCESSIBILITY	
Assist understanding of connections, services and stations & those with visual and learning difficulties	Accessible/ easy to read A3 TT in Line Guide Website, Connecting Up guides

Agenda Item 14

Area East 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
9 September 15	Local Neighbourhood Policing	An update on local policing relating to Area East.	Avon & Somerset Constabulary – Dean Hamilton
9 September 15	6 mthly Streetscene update	To update members of the service, plans for the autumn and achievements during the summer	Chris Cooper SSDC Street Scene Manager
9 September 15	Confidential Henstridge Airfield	Update on progress	SSDC Development Manager
14 October 15	Update regarding, Work Hubs	To update members on the latest position regarding work hubs.	Pam Williams/ Helen Rutter SSDC
14 October 15	Buildings at Risk update - Confidential	To update members	Adron Duckworth/ Andrew Tucker SSDC
14 October 15	Conservation service	Update on the service	Adron Duckworth SSDC
14 October 15	Annual report on the Careline Service	To update members	Alice Knight SSDC
14 October 15	S106 update		Neil Waddleton SSDC
11 November 15	Community Offices	Annual report on trends, visitors etc	Lisa Davies
11 November 15	Affordable Housing development programme for 2015/16	To update members	Colin MacDonald
11 November 15	Wincanton Community Sports Centre	An update report on the centre	Steve Joel SSDC

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
11 November 15	<i>Area Development Plan Report</i>	<i>To inform Members of progress on activities and projects contained within the Area Development Plan (6 mthly now)</i>	<i>Helen Rutter ADM SSDC</i>
11 November 15	Highways update (1/2yrly report)	To update members on the total works programme and local road maintenance programme	SSC John Nicholson

Agenda Item 15

AREA EAST COMMITTEE

12th August 2015

ITEMS FOR INFORMATION

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

1. Appeals

Planning Appeals

Head of Service

Martin Woods, Assistant Director (Economy)

Lead Officer:

Dave Norris, Development 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, allowed or dismissed as listed below.

Appeals Lodged

Parish/Town	Application No.	Description and Location	Applicant(s)	Officer's Recommendation	Committee Decision
Brewham	14/043105/FUL	Single 74m tip wind turbine and associated infrastructure, including temporary wind monitoring mast at Gilcombe Farm, Bruton Road, Brewham	Mr S Hack	Refusal	N/A
Castle Cary	14/04582/FUL	Erection of concrete batching plant and associated offices etc at Land at Camp Road Dimmer Lane Dimmer Castle Cary.	Mr A Hopkins	N/A	N/A
Charlton Musgrove	15/00162/S73A	To remove Condition 2 (Agricultural occupancy) of approved planning permission at Lavender green Verrington Lane,	Mrs M Foreman	Allow the removal of condition 2 of planning consent 791810	Refusal
Sparkford	14/05052/FUL	Residential development of 11 dwellings at rear of The Burrows, High Street, Sparkford.	Mr & Mrs N Tucker	Approve	Refuse

Appeal Allowed subject to conditions*

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 houses with associated parking.at Land adjacent to Dunster House, Woodcock Street, Castle Cary	Mrs H Merrifield	Approval	Refusal
Wincanton	14/01704/OUT	Outline application for residential development with approval for means of access sought and all other matters reserved for future consideration at Land at Dancing Lane, Wincanton BA9 9DE.	Oxford Law Ltd	N/A	N/A

Appeal Dismissed*

Parish/Town	Application No.	Description and Location	Applicant(s)	Officer's Recommendation	Committee Decision
Milborne Port	14/04927/OUT	Revised outline application for 10 dwellings at Land off Higher Kingsbury Milborne Port	Mr I Skinner	Refuse	N/A

* Papers Attached

Financial Implications

None

Background Papers

Planning Application files

Appeal Decision

Site visit made on 2 July 2015

by Paul Griffiths BSc(Hons) BArch IHBC

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

Decision date: 24 July 2015

Appeal Ref: APP/R3325/W/15/3003690

Land adjacent to Dunster House, Lower Woodcock Street, Castle Cary BA7 7BD

- 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 Mrs Hazel Merrifield against the decision of South Somerset District Council.
 - The application Ref.14/05104/FUL, dated 29 October 2014, was refused by notice dated 23 January 2015.
 - The development proposed is demolition of retail unit and erection of three terraced houses.
-

Preliminary Matters

1. An application for costs was made by the appellant against the Council. This application is the subject of a separate Decision.
2. The proposal was amended in the course of the application. I have proceeded on the basis of the scheme drawings that the Council made its decision upon.

Decision

3. The appeal is allowed and planning permission is granted for demolition of retail unit and erection of three terraced houses on Land adjacent to Dunster House, Lower Woodcock Street, Castle Cary BA7 7BD, in accordance with the terms of the application, Ref.14/05104/FUL, dated 29 October 2014, subject to the conditions set out in Annex A to this decision.

Main Issues

4. These are (1) the effect of the proposal on the vitality and viability of the town centre; (2) whether the provision of car parking proposed is acceptable; and (3) whether the proposal would preserve or enhance the character or appearance of the Castle Cary Conservation Area.

Reasons

Vitality and Viability

5. The Council has referred to LP¹ Policy EP15 to bolster their reason for refusal. Put simply, this states that proposals that would result in the loss of a local shop will not be permitted unless equivalent or better provision is available in

¹ The South Somerset Local Plan (2006-2028)

the settlement, or will be provided before redevelopment, or that there is no reasonable prospect of retention, as demonstrated by a viability assessment, and suitable marketing has been carried out.

6. Reference has also been made to the Framework² and specifically paragraphs 23 and 70. The former is mainly directed towards plan-making but does show that the policy approach is the promotion of competitive town centre environments. The latter says that we should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
7. I would question whether LP Policy EP15 has any application to the proposal at issue. The retail unit proposed for removal was not operating as a 'local shop' in the sense the policy uses it. Nevertheless, as I saw during my site visit, Castle Cary has a wide range of shops and services and the retail unit proposed for removal operated on a small scale, very much on the fringe of the town centre. In that context, the loss of the retail unit would have no discernible impact on the vitality or viability of the town centre because there is equivalent, or better, provision already available, and neither would its loss reduce the ability of residents of the town to meet their day-to-day needs.
8. I see no departure from LP Policy EP15, in so far as it is relevant, or the Framework, therefore.

Car Parking

9. LP Policy TA6 states that parking provision in new development should be design-led and based upon site characteristics, location and accessibility. It goes on to state that the parking standards within the Somerset County Council Parking Strategy will be applied. On that basis, the Council says that there should be 10 car parking spaces provided to serve the dwellings proposed, along with Dunster House.
10. However, the parking standards are very clear that they are optimum standards and the level of parking specified should be provided unless specific local circumstances can justify deviating from them. Developments in more sustainable locations that are well served by public transport or have good walking or cycling links may be considered appropriate for lower levels of car parking provision.
11. The site very close to the town centre, with all its facilities, and within easy walking distance of bus stops which connect Castle Cary to other larger settlements, and a main line railway station. There is also an extensive public car park within 100 metres of the appeal site. In that context, I am content that the 4 parking spaces proposed would be more than adequate to serve the scheme and that as a consequence there would be no divergence from the Somerset County Council Parking Strategy or LP Policy TA6.

Conservation Area

12. While the existing retail unit on the appeal site, a former public toilet, is an interesting building in itself, its diminutive scale, coupled with the open nature of the existing car park alongside, means that the streetscape along the

² The National Planning Policy Framework

frontage of the appeal site lacks the sense of enclosure that is so characteristic of the rest of the conservation area.

13. The erection of three dwellings of what I regard as appropriate design, subject to the imposition of conditions, and scale, on the appeal site, would introduce proper enclosure to this part of Lower Woodcock Street. This would enhance both the character and appearance of the conservation area.
14. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision-maker to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in the exercise of planning functions. Further, paragraph 132 of the Framework sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The enhancement the proposal would bring to the character and appearance of the conservation area, and its significance, attracts considerable importance and weight.

Conditions

15. I have considered the suggested conditions in the light of advice in the Framework and the Planning Practice Guidance. Aside from the standard commencement condition, another is required to set out the approved plans.
16. A condition is required to secure samples of external materials and another is necessary to address the stonework. Details of important design elements need to be addressed through conditions also. Foul and surface water drainage is a matter best left to the Building Regulations.

Final Conclusion

17. The proposal would have no adverse impact on the vitality and viability of the town centre, and the car parking proposed would be adequate for the needs of the development and Dunster House. Moreover, the proposal would enhance both the character and the appearance of the Castle Cary Conservation Area.
18. For the reasons given above I conclude that the appeal should be allowed.

Paul Griffiths

INSPECTOR

Annex A: Schedule of 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 plans: 1404-1 Revision A: Existing and Proposed Block Plan and Roof Plan; 1404-2 Floor Plans; and 1404-3 Revision A; Elevations and Section.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted, including a sample panel of the stonework, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until details of doors and windows, including finishes, and the relationship of door and window frames with external walls, lintels, eaves, verges, ridges, abutments, rainwater goods and external pipe-work, chimneys, and service entries have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Costs Decision

Site visit made on 2 July 2015

by Paul Griffiths BSc(Hons) BArch IHBC

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

Decision date: 24 July 2015

Costs application in relation to Appeal Ref: APP/R3325/W/15/3003690 Land adjacent to Dunster House, Lower Woodcock Street, Castle Cary BA7 7BD

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mrs Hazel Merrifield for a full award of costs against South Somerset District Council.
 - The appeal was against the refusal of planning permission for demolition of retail unit and erection of three terraced houses.
-

Decision

1. The application for an award of costs is allowed in the terms set out below.

Reasons

2. As set out in paragraph 30 of the PPG¹, costs may be awarded where a party has behaved unreasonably and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process.
3. Paragraph 049 says that local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal, for example, by unreasonably refusing planning applications, or by unreasonably defending appeals. Examples include preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations; failure to produce evidence to substantiate each reason for refusal on appeal; and vague, generalised or inaccurate assertions about a proposal's impact which are unsupported by any objective analysis.
4. In their report to the relevant committee, Officers of the Council recommended that planning permission be granted, subject to conditions. Members disagreed. That is a course open to them but having done so it is not sufficient to say that the decision was based on local knowledge. Having regard to advice in the PPG, the reasons for refusal need to be substantiated.
5. In my decision on the parallel appeal, I have found no good reason to support a suggestion that the proposal would have a harmful impact on the vitality and viability of the town centre. Moreover, if the Somerset County Council Parking Strategy is read correctly, there is no support in it for the contention that the proposal is lacking in car parking. The reasons for refusal put forward have not

¹ Planning Practice Guidance

been substantiated and it is difficult to escape a conclusion that the Council's stance is based on vague, generalised or inaccurate assertions about a proposal's impact, unsupported by any objective analysis. That constitutes unreasonable behaviour.

6. On top of that, there is the question of the conservation area to consider. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision-maker to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in the exercise of planning functions. There is nothing in the evidence to demonstrate that the Council, in making its decision, attached the required importance and weight to the fact that the proposal would enhance both the character and the appearance of the conservation area.
7. Bringing those points together, the Council has prevented or delayed development that should clearly have been permitted, having regard to its accordance with the development plan, national policy and any other material considerations. The appellant has had to bear the costs of an appeal that should not have been necessary.
8. I therefore find that unreasonable behaviour resulting in unnecessary and wasted expense, as described in the PPG, has been demonstrated, and that a full award of costs is justified.

Costs Order

9. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that South Somerset District Council shall pay to Mrs Hazel Merrifield the costs of the appeal proceedings described in the heading of this decision.
10. The applicant is now invited to submit to South Somerset District Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Paul Griffiths

INSPECTOR



Appeal Decision

Inquiry opened on 15 April 2015

Site visit made on 3 June 2015

by Alan Woolnough BA(Hons) DMS MRTPI

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

Decision date: 2 July 2015

Appeal Ref: APP/R3325/A/14/2224654

Land at Dancing Lane, Wincanton, Somerset BA9 9DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Oxford Law Ltd against South Somerset District Council.
 - The application, ref no 14/01704/OUT, is dated 11 April 2014.
 - The development proposed is described on the planning application form as 'up to 40 dwellings'.
-

Formal Decision

1. The appeal is allowed and outline planning permission is granted for the erection of up to 25 dwellings on land at Dancing Lane, Wincanton, Somerset BA9 9DE in accordance with the terms of the application, ref no 14/01704/OUT dated 11 April 2014 and the plans submitted with it, subject to the conditions set out in the schedule attached to this decision.

Procedural Matters

2. At the Inquiry an application for costs was made by Oxford Law Ltd against South Somerset District Council. This application will be the subject of a separate decision.
3. The Inquiry sat for three days, adjourning at the end of 16 April 2015 after two days and resuming for one final day on 2 June 2015.
4. The planning application was made in outline form with all matters of detail reserved for future consideration with the exception of access. At the Inquiry, it was agreed between the Appellant and the Council that the element of the proposal subject to detailed consideration at this stage should comprise only the section of proposed access that would fall within the public highway and link the housing development with the vehicular carriageway of Dancing Lane, as depicted on application drawing no 13780/T04. I concur and will therefore regard all other components of the scheme, including the layout of roads and footpaths within the site itself, as illustrative.
5. At a meeting of the Council's Area East Committee held on 8 October 2014, following submission of the subject appeal, it was resolved that the following objections to the proposal should be defended:
 - The proposal is for up to 35 dwellings on a site that is not within reasonable walking distance remote of primary schools, employment opportunities and

- the services and facilities available in the town centre. Given the distances, topography and nature of the route and the lack of regular bus services future residents would have no realistic alternative to the private motor car to access services and facilities necessary for daily life.
- The submitted travel plan does not satisfactorily demonstrate that the future residents would have any option but to rely on the private motor car for virtually all their daily needs. Such lack of choice of transport modes constitutes unsustainable development contrary to the presumption in favour of sustainable development running through the National Planning Policy Framework (NPPF) which is not outweighed by any reasonable benefit arising from the development. Accordingly the proposal is contrary to the policies contained within the NPPF and saved policies ST3, ST5 and TP2 of the South Somerset Local Plan (2006).
 - It has not been demonstrated that the loss of best and most versatile agricultural land (grades 1 & 3a) has been justified in this instance where there is other lower grade land available.
 - Dancing Lane by reason of its width, lack of pavements and use by the school is incapable of safely accommodating the additional traffic generated by this development without detriment to pedestrian safety.
 - It has not been demonstrated that the proposal to develop up to 35 houses on this site could be satisfactorily achieved whilst maintaining the setting of the grade 2 listed Verrington Lodge.
6. Notwithstanding the description of development set out in the above heading, the subject planning application was revised at an early stage such that it sought permission for up to 35 dwellings rather than 40. Drawing no 1174/03 dated 12 March 2014 depicted an illustrative layout of 35 dwellings covering the whole of the appeal site. Prior to the appeal the Appellant submitted a revised layout plan to the Council, bearing the same reference number but dated 30 July 2014. This showed an illustrative scheme for 25 dwellings covering only the southern part of the site and contained no indication of the intended use of the northern part.
7. The purpose of the latter drawing was not fully resolved between the main parties prior to the Inquiry. This is reflected in the officer report to the committee meeting of 8 October 2014 and the minutes thereof, which focus on the 35 dwelling scheme. It has also led to a degree of confusion amongst local residents as to the scale and extent of the appeal development. At the Inquiry, the Appellant confirmed that, notwithstanding an indication to the contrary in the Statement of Common Ground, the revised drawing was intended to supersede that dated 12 March 2014. Consequently, outline planning permission was now sought for up to 25 dwellings across the reduced area indicated, with the northern part of the site remaining subject to the application/appeal but designated a 'no build zone'.
8. It emerged that a trigger for the appeal against non-determination of the application had been the Council's stance that further public consultation on the revised plan was required, which the Appellant considered unnecessary. In the case of *Bernard Wheatcroft Ltd v SSE* [1982] JPL P37 the High Court established that, in deciding whether to accept amendments, *'the main, but not the only criterion on which....judgment should be exercised is whether the development is so changed that to grant it would be to deprive those who should have been consulted on the changed development of the opportunity of such consultation'*.

9. In fact, the Council did undertake public consultation on the revised drawing for the Dancing Lane site a week or so before the appeal was lodged and, indeed, received several responses from interested parties. At the Inquiry, some residents indicated that they had experienced difficulty in accessing the revised drawing via the internet and were thus hampered in conveying their objections. Nonetheless they would have been able to review a hard copy of the drawing at the Council's offices and, in most cases, are likely to have been aware of the revision by the time of the Inquiry.
10. In any event, applying the *Wheatcroft* principle, I found that the revised proposal, by reason of the fact that it reduced the number of dwellings and extent of site coverage, did not introduce new considerations on which there should be an entitlement to comment. I therefore ruled that the Inquiry should proceed on the basis that permission was now sought for 'the erection of up to 25 dwellings'. I have determined the appeal accordingly and am satisfied that no injustice has arisen as a result.
11. It emerged during the course of the Inquiry that Tree Preservation Order (TPO) ref no WRDC (Wincanton No 2) 1971 safeguarded four elm trees that had occupied the island of highway land in front of the appeal site, through which the proposed access link to Dancing Lane would run. However, only deceased remnants of these trees remain. The TPO has not therefore been a significant material consideration in reaching my decision.
12. The Council's case was presented with reference to the perceived cumulative impact, in terms of housing land supply and traffic implications, of the proposal before me and that of proposed development of 55 houses on land to the rear of Wincanton Community Hospital, several metres to the east and also accessed from Dancing Lane. Some of the evidence from local residents and their representatives was presented along similar lines. The 'hospital scheme' is the subject of a separate appeal (ref no APP/R3325/A/14/2222697), in relation to which a separate Inquiry is pending. The outcome of that appeal is therefore unknown and no planning permission for housing development exists on that land at the present time.
13. As written submissions received prior to the Inquiry contained cumulative data I allowed evidence to be presented at the event relating to the combined impact of both schemes as well as in relation to the proposal before me in isolation. However, I am mindful that the 'hospital site' is not allocated for residential development by the development plan and, accordingly, the mere possibility that housing may be approved there on appeal in the near future can carry only limited weight for the purposes of my decision. I have determined the appeal before me on that basis. Nonetheless, my decision to grant planning permission in this case becomes a more significant material consideration in determining the hospital site appeal.

Unilateral Undertaking

14. On the final day of the Inquiry the Appellant submitted an executed copy of a unilateral undertaking pursuant to section 106 of the 1990 Act as amended. In the event that planning permission is granted this would provide for financial contributions towards, in summary, the provision of additional capacity at Wincanton Primary School, the provision of a learner pool at Wincanton Sports Centre and off site youth facilities, the expansion/enhancement of changing rooms and playing pitches at Wincanton Sports Ground, the enhancement of

- the existing youth facilities and play area at Cale Park and the long term maintenance of some of those enhancement works.
15. The undertaking also secures the provision of affordable housing as part of the subject development and the implementation/monitoring of a Travel Plan Statement (TPS), together with the payment of the District and County Council's reasonable legal costs. The undertaking was reviewed by the District and County Councils prior to execution. It was confirmed at the Inquiry that both found it to be sound in its final form and to make adequate provision for the matters it is intended to address.
 16. I heard updated oral evidence at the Inquiry from Ms Pincombe for the District Council in relation to recreational and community facilities. I have also perused expanded written submissions from Mr Clews for the County Council in relation to education. I am satisfied that, following certain amendments to the undertaking to ensure that it reflects that evidence, its financial provisions now meet the tests set out in Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 and that all the payments thus secured are necessary to make the development acceptable in planning terms, directly related thereto and fairly and reasonably related in scale and kind.
 17. Moreover, in the light of the above, I am also persuaded that, despite Regulation 123(3)(b) of the 2010 Regulations having effect from 6 April 2015, the finalised undertaking still constitutes a reason for granting planning permission insofar as it relates to local infrastructure. This is because the Council has yet to adopt a CIL charging schedule and, on the evidence now before me, none of the individual projects or types of infrastructure addressed by this undertaking has, since 6 April 2010, already been provided for by means of five or more legal obligations.
 18. This being so, I conclude that the Appellant has made adequate provision towards local infrastructure in accordance with the development plan and national policy, such that this need not constitute a 'main issue' for the purposes of my decision. Although some interested parties have challenged the adequacy of the provision thus made, particularly in relation to perceived limitations on the capacity of local medical facilities, no cogent evidence to substantiate these concerns has been forthcoming. Accordingly, there is no sound reason to conclude that Wincanton does not have the infrastructure capacity, subject to delivery of the provisions contained in the Appellant's undertaking, to cater for an additional 25 dwellings
 19. The affordable housing provisions within the undertaking tally with the written evidence provided by Mr McDonald of the District Council. This has not been challenged effectively by any party and I find no reason to query it. I therefore further conclude that the Appellant has adequately addressed the need for affordable housing satisfactorily and that it is not necessary to explore this further. I will revisit the undertaking insofar as it concerns the Appellant's TPS when considering the issue of sustainability.

Main Issues

20. In the light of the above, the main issues in determining this appeal are:
 - whether the District has a five-year supply of deliverable housing sites and the effect of local settlement policy;

- the implications of the proposal for the local supply of best and most versatile agricultural land;
- the effect of the proposal on the character and appearance of the surrounding area, with particular regard to the settings of adjacent Grade II listed buildings;
- the implications of the proposal for highway safety; and
- whether the proposed development would be sustainable.

Planning Policy

21. The development plan includes the South Somerset Local Plan 2006-2028 (LP), adopted on 5 March 2015. Its policies supersede all the saved policies of the South Somerset Local Plan 2006 referenced in the Council's stated objections to the appeal proposal. Paragraph 215 of the NPPF records that due weight should be given to relevant policies in existing plans according to their degree of consistency with it. I find no significant conflict with the NPPF in respect of the current development plan policies cited in this case. Accordingly, I will give them full weight insofar as they are relevant to the appeal.

Reasoning

22. The appeal site comprises approximately 2.4 hectares of land which, for the most part, is undeveloped and located to the rear of a ribbon of houses and bungalows that fronts the north-west side of Dancing Lane. The only developed part of the site is the bungalow known as Troodos, itself located within the said ribbon of development, and its curtilage. Troodos aside, the site lies outside but immediately adjacent to the built confines of the town as defined by the development plan.
23. The site is crossed by two public rights of way, linking Dancing Lane with Verrington Lane to the east. Verrington Lodge and Verrington Lodge Barn, both individual dwellings and Grade II listed buildings, lie to the immediate east with rear gardens abutting the appeal site. The northern and eastern parts of the land are characterised by particularly steep, undulating topography. There is anecdotal evidence before me to the effect that the land was once farmed, but it is common ground between the main parties that this has not been so for several years. The bulk of the site now comprises unkempt grass and scrub, with several mature trees and hedging plants along its boundaries.
24. The appeal seeks outline planning permission for the erection of up to 25 dwellings on that part of the site that extends behind the houses and bungalows fronting Dancing Lane. Most of the land proposed for development is at a similar level to the properties it is adjacent to. However, it includes land at the eastern end which is set considerably higher than Verrington Lodge. The northern portion of the site has been designated a 'no build zone' by the Appellant, within which no dwellings or associated development would be provided with the potential exception of a surface water storage facility intended to form part of a sustainable urban drainage system.
25. The principal estate road serving the site would cut through the curtilage of Troodos, which would be demolished. It would turn sharply eastward at the current frontage of that property to run along a section of metalled public highway, then turn south-eastward to cross a planted island of highway land to connect with the principal vehicular carriageway of Dancing Lane. That section

of the road which would occupy public land is put forward for detailed consideration at this stage.

Housing land supply and local settlement policy

26. Paragraph 47 of the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements. It further specifies that, where there has been a record of persistent under delivery, authorities should identify an additional buffer of 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.
27. LP Policy SS4 requires delivery of a minimum of 15,950 units over the Plan period, equating to at least 725 units per year. However, since 2009/2010 the Council has only delivered approximately 500 units per annum. Consequently, there is agreement between the Appellant and the Council that the latter has consistently failed to deliver the minimum housing target and that the 20% buffer requirement applies. Having said this, in his report on the examination into the LP, dated 8 January 2015, the Inspector accepted that the Council had by then demonstrated a housing land supply equivalent to five years and one month (including the 20% buffer).
28. This conclusion was reached on the basis that the 20% buffer should be applied only to the five year requirement and not to the backlog in supply. Although the Appellant initially contended that the buffer should apply to the backlog, in which case the five year target would not have been met, this line of argument was not pursued. It is clear that applying the buffer to the backlog would increase the total housing requirement over the lifetime of the Plan, thus representing a penalty on the Council which is not intended by the NPPF. I thus find the LP Inspector's approach to be sound and that the Appellant was correct to concede that point.
29. There is no cogent evidence before me demonstrating that the supply has since dwindled to a level below the five year threshold. Consequently, the provisions of paragraph 49 of the NPPF, to the effect that relevant policies for the supply of housing should not be considered up-to-date if a five-year supply of deliverable housing sites is not demonstrated, are not engaged and the associated provisions of paragraph 14 do not apply. Nonetheless, the LP Inspector expressed concern that the Plan before him identified a residual requirement in Wincanton for only five dwellings up to 2028 (698 being already committed), but provided no indication of how any longer-term development needs, including those for affordable housing, would be met.
30. He found the Council's reliance on its Annual Monitoring Report to identify such needs to be unsound, as it would not reflect an appropriate strategy for the town and would incorporate insufficient flexibility. He therefore recommended that a commitment to review housing policies for Wincanton within three years be included in the LP and that a 'permissive approach' be taken towards the consideration of housing proposals prior to the adoption of the Council's Site Allocations Development Plan Document (DPD), anticipated by the end of that time frame.
31. Consequently, Policy SS5 of the adopted LP records that a permissive approach will be taken prior to the adoption of the Site Allocations DPD when considering

'directions of growth' at the Market Towns. It further states that the overall scale of growth and the wider policy framework will be key considerations in taking this approach, with the emphasis upon maintaining the established settlement hierarchy and ensuring sustainable levels of growth for all settlements. LP Policy SS1 identifies Wincanton as a Primary Market Town. Policy SS5 goes on to confirm that the same key considerations should also apply when considering housing proposals adjacent to the development area at Wincanton and certain other settlements.

32. It is common ground between the main parties that, in the light of this policy, the permissive approach essentially allows housing proposals relating to land on the edge of the development area at Wincanton to come forward and be assessed on their planning merits until such time as the Site Allocations DPD is adopted. In other words, for the time being, the fact that such sites lie outside the defined settlement area does not render their development for housing unacceptable in principle. Instead, such proposals fall to be assessed having regard to other material considerations in the same way as a site that lies within the development area. This being so, until such time as specific site allocations are made, the possibility that other land might be available in or on the edge of Wincanton to accommodate extra housing would not be a determining factor in assessing proposals of this kind.
33. Some have sought to argue that, having regard to the wording of LP Policy SS5, a permissive approach is only relevant in the context of Wincanton when considering 'directions of growth' as distinct from housing proposals. Moreover, the absence of a 'direction of growth' for housing in the adopted Plan is highlighted and ascribed to the small scale of the residual housing requirement. Reliance is also placed on the examining Inspector's comment in paragraph 100 of his report that '... there is currently no justification for increasing housing provision in the short term' in Wincanton.
34. However, the latter observation was made in the context of a suggestion that the direction of growth should encompass a mixed use scheme in order to increase the supply of housing. It does not, as some have suggested, convey a short term moratorium on larger scale housebuilding on the outskirts of the town pending adoption of the Site Allocations DPD. It is also clear that the examining Inspector found reliance on a residual requirement of only five units to be inadequate as an indication of how the longer term housing development needs of Wicanton would be met. Moreover, I am drawn to paragraph 89 of the Inspector's report, where he refers to the Council's proposal to add to Policy SS5 to explain that 'in appropriate circumstances it will take a permissive approach to housing (including in Crewkerne and Wincanton)'.
35. Additionally, paragraph 100 explicitly recommends that the Council reviews housing policies for Wincanton within three years and takes a permissive approach 'towards the consideration of housing proposals' in the meantime. I am also mindful that any housing proposal on the outskirts of town will require consideration to be given to 'directions of growth'. This being so, I give little credence to the alternative interpretation of the effect of LP Policy SS5 favoured by certain interested parties and find no sound basis for departing from that agreed between the Council and the Appellant. I do not therefore regard the proposal before me as 'premature'.

36. I have noted evidence supplied by interested parties to the effect that planning permissions have recently been granted for housing in and around Wincanton which, cumulatively, exceed the identified residual requirement of five units. Although these assertions are not fully substantiated with documentation, their accuracy has not been challenged and I have no reason to question them. However, nothing in the development plan specifies that the permissive approach should cease once a certain number of additional dwellings has been approved. Rather, it continues to apply until the adoption of the Site Allocations DPD.
37. Nor do I find on the evidence before me that the granting of planning permission for additional housing tempers the weight that should be attached to LP Policy SS5 for the purposes of my decision. In this regard I am mindful that the overall housing requirement for the Plan period as specified in LP Policy SS4 is a *minimum* requirement. It is logical that the specific requirement for Wincanton should be interpreted in the same way. It is also relevant that, taking into account the shortfall in delivery from the beginning of the LP period in 2006, the Council must deliver about 1046 dwellings per annum for the next five years just to meet that minimum overall requirement. This will necessitate a very substantial step change over and above past performance.
38. Having said this, I do not share the Appellant's view that the latter factor, or the somewhat 'knife-edge' status of the Council's current five year supply, are themselves material considerations that weigh in favour of granting planning permission, over and above the endorsement in Policy SS5 of the principle of housing development on the periphery of Wincanton. The permissive approach embodied in the policy is intended to address recent shortcomings in relation to housing land supply and already reflects the marginal nature of the existing five year surplus and need for a step change in supply.
39. It follows that adding a further presumption in favour of development based on these considerations for the purpose of the balancing exercise inherent in my decision would essentially amount to double-counting and, as such, would overstate the case for the appeal development. Nor should the permissive approach be interpreted as a *carte blanche* or 'green light' for housing development on sites in any peripheral location.
40. I conclude that, despite the five year housing land supply requirement being just about met at the present time, LP Policy SS5 continues to endorse the principle of land on the edge of Wincanton but outside the defined development area being developed for housing on the scale envisaged in this case. I further conclude that there are no considerations that justify setting aside or departing from the permissive approach embodied in that policy. The appeal proposal therefore falls to be assessed on its planning merits.

Agricultural land

41. The appeal site comprises land falling within Grades 1, 3a and 3b (excellent, good and moderate respectively) of the national Agricultural Land Classification. Annex 2 of the NPPF defines land in Grades 1, 2 and 3 as 'the best and most versatile agricultural land' (BMVAL). Paragraph 112 of the NPPF advises that the economic and other benefits of BMVAL should be taken into account and that, where significant development of agricultural land is

- demonstrated to be necessary, use of areas of poorer quality land should be sought in preference to that of higher quality.
42. All the Grade 1 land within the appeal site falls within the envisaged 'no build zone', with only Grade 3a and 3b land proposed for development. Loss of BMVAL would thus be limited. It could be argued that development of the Grade 3a and 3b land would fetter any practical agricultural use to which Grade 1 land within the 'no build zone' might be put, rendering it too small an area to be economically viable or attractive. However, the site itself is only 2.4 hectares in size and, as it does not abut any existing arable unit, would have to be farmed in isolation.
43. The larger site therefore has only limited agricultural potential. On the evidence before me, the site has not been used actively for agricultural purposes for several years. It is not therefore contributing to the local economy by reason of its BMVAL status. Nor am I aware that anyone has expressed interest in putting the land to agricultural use apart from an approach by Mr Tindal and his neighbour some nine years ago. Moreover, the steep topography and awkward shape of the site are considerable hindrances to practical farming of the kind that would benefit in particular from the use of BMVAL (ie arable production rather than grazing).
44. Indeed, the Council conceded at the Inquiry that the proposal would not constitute 'significant development' of agricultural land in the terms of paragraph 112. I concur and, in conclusion, find that the loss of Grade 3a land on the site to development and any consequent fettering of the agricultural potential of the safeguarded Grade 1 land would not affect the availability of BMVAL in the District to such an extent as to justify a refusal of planning permission. I therefore find no serious conflict with the relevant provisions of the NPPF.

Character and appearance

45. The appeal site is, for the most part, an open field and, whilst not presently in agricultural production, reads clearly as the beginning of the countryside beyond the northern perimeter of Wincanton. Its steep topography, treed surroundings and long outward views contribute towards a spacious, sylvan and resolutely rural sense of place. The wider landscape beyond the site is also attractive. Having said this, substantial boundary treatments go some way towards isolating the land from its setting, such that it is perceived primarily by those occupying adjacent properties or using the public rights of way that cross it and is not particularly prominent from afar.
46. An additional 25 houses outside the defined built up area of the town would, in all likelihood, inevitably and irrevocably change the character and appearance of the countryside, simply by extending the spread of built development, and that this in itself would cause harm to the rural sense of place. However, in circumstances that stem from a pressing need for additional housing which has not been met within the town's built confines and the permissive approach embodied in LP Policy SS5, impacts of this kind are unavoidable. I am also satisfied that, notwithstanding views to the contrary expressed by local residents, the proposal would integrate reasonably well with the existing pattern of development, the illustrative layout depicting a housing scheme which, for the most part, would tuck in neatly behind established frontage development.

47. Beyond the obvious consequence of built development taking place on agricultural land, I found that the higher density of the appeal scheme relative to its immediate environs, as demonstrated by the illustrative layout, would be unlikely to be readily apparent from public viewpoints outside the site. I am also mindful of the fact that the land is not subject to any special landscape designation or the source of any protected outward views. Indeed, the reduced area now proposed for development was evaluated in the Council's peripheral landscape study of Wincanton undertaken in 2008 as having a high capacity to accommodate built development.
48. I have considered the effect on the street scene of demolishing the existing bungalow at Troodos and the removal of vegetation to accommodate the proposed access link to the vehicular carriageway of Dancing Lane. The additional side road would be viewed from within the context of an established housing estate, so would not in itself appear incongruous. Moreover, the existing planting that would need to be removed from the island in front of Troodos is relatively low-lying and not of particular visual importance. Mature trees retained to the immediate west would offset its loss and ensure that this section of road retained its sylvan character.
49. I am therefore satisfied that, with appropriate landscape mitigation in place, the proposal is generally acceptable in visual impact terms. One caveat applies in this regard, namely the effect that the development would be likely to have on the setting of an adjacent Grade II listed building, Verrington Lodge. Another listed building, Verrington Lodge Barn, also lies adjacent to the appeal site. However, the potential effect on the setting of that property has been greatly mitigated by the reduction in the maximum number of proposed units to 25 and the introduction of the 'no build zone'.
50. Bearing this in mind, together with the housing land supply context in which I must reach my decision, I find the setting of Verrington Lodge to be the determinative consideration in assessing this particular issue. The property is an attractive detached two storey dwelling with a double roof plan, dating from around the late 18th century. It displays elevations in colour-washed local stone rubble and traditional sash windows beneath a clay plain tile roof. The dwelling's rear garden abuts the appeal site and is tiered on two levels. The building nestles at the eastern end of the appeal site, set considerably lower than most of the land proposed for development and existing dwellings fronting Dancing Lane.
51. The potentially dominating impact of the latter is mitigated considerably by steep banking and a substantial tree belt, which effectively preclude overlooking or visual intrusion from that direction. Having said this, the property does not read in isolation from other built development, being closely grouped with Verrington Lodge Barn to the immediate north. Whilst its neighbour would once have been an ancillary outbuilding, it is now a separate property with a domestic appearance which readily identifies it as a self-contained dwelling.
52. Paragraph 133 of the NPPF specifies that where a proposed development will lead to substantial harm to a designated heritage asset, consent should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm and that certain specific requirements are met. Paragraph 134 adds that where a development

- proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
53. Case law arising from the Court of Appeal's judgment in *Barnwell Manor Wind Energy Ltd v E Northants DC, English Heritage, National Trust & SSCLG* [2014] EWCA Civ 137 clarifies how a decision taker must address the issue of harm to the setting of a listed building. This decision followed on closely from that of the High Court in *North Norfolk DC v SSCLG & Mack* [2014] EWHC 279 (Admin), which provided that under paragraph 134 of the NPPF one did not carry out a simple balancing exercise but had to determine 'whether there is justification for overriding the presumption in favour of preservation'.
 54. This emphasised that in enacting section 66(1) of the Listed Buildings Act 1990, Parliament had intended that the desirability of preserving the settings of listed buildings should not simply be given careful consideration for the purpose of deciding whether there would be some harm, but should be given 'considerable importance and weight' when the decision taker carried out the balancing exercise, thus properly reflecting the statutory presumption that preservation is desirable. This is the case whether the harm is 'substantial' (and thus engages paragraph 133 of the NPPF) or is 'less than substantial' (engaging paragraph 134).
 55. The DCLG's Planning Practice Guidance (PPG) defines the setting of a heritage asset as the 'surroundings in which an asset is experienced'. The Council finds that the proposal would cause harm to the setting but that this, in the terms of the NPPF, would be 'less than substantial'. The above judgments make clear the point that less than substantial harm to the setting of a listed building does not equate to a less than substantial objection to the grant of planning permission. I have assessed the matter accordingly.
 56. The Council points out that the fact that the rear elevation of the listed building faces out over open countryside is an important part of its setting. I agree. Indeed, before the 'no build zone' was introduced and housing numbers reduced accordingly, the development of the northern part of the appeal site would certainly have caused harm to the setting of Verrington Lodge, albeit probably less than substantial. However, the revised proposal essentially reduces concerns relating to the setting of the Lodge to the potential effect of development at the north-eastern extremity of the area now proposed to accommodate housing.
 57. This is shown to be occupied by a pair of semi-detached dwellings, both labelled Plot 25 (there is no Plot 24 on the illustrative plan), positioned to the immediate west of the raised section of the listed building's garden and to the south-west of the house itself. The land in question slopes steeply upward from Verrington Lodge, such that any building it accommodates would be set significantly higher than that property. Potential over-dominance is therefore the principal consideration.
 58. It is apparent that any development on this part of the site would be readily visible from the garden of Verrington Lodge. It is also clear that both listed building and new development could be taken in simultaneously by those viewing from the adjacent public right of way. The setting of the Lodge would thus be altered. However, given that the property is already grouped with another dwelling I do not find that this would amount to harm, substantial or

otherwise. Indeed, the Council would seem to have reached a similar conclusion regarding the relationship between this part of the development and the rear garden of Verrington Lodge Barn, given the absence of any objection in relation thereto.

59. My own on-site assessment of potential visual impacts, undertaken from several directions and levels, leads me to conclude that inter-visibility between the listed building and whatever might be built on 'Plots 25' would be limited. The elevated position of the new development sounds a note of caution. However, I share the view of the Council's Conservation Officer that a more carefully considered alternative to the pair of semi-detached dwellings currently shown on the illustrative plan should satisfactorily address this concern and could be adequately dealt with at the reserved matters stage, keeping in mind that the very sensitive nature of this part of the site calls for a design of particularly high quality.
60. I do not therefore consider that dismissal of the appeal on the grounds of matters arising from this issue or an extension of the 'no build zone' to incorporate 'Plots 25' could be justified. Nor do I find it necessary to reduce the maximum number of dwellings to less than 25 in order to protect the setting of the listed building. Should it emerge that, as the Conservation Officer has implied, a single dwelling in this location is the only feasible alternative, the present illustrative scheme is at a sufficiently low density to demonstrate that, in all likelihood, an additional dwelling could be incorporated into the main body of the estate in a suitable way.
61. I note that, within the illustrative scheme, a spur from the access road and a surface water storage facility would lie within the 'no build zone' and would be in relatively close proximity to Verrington Lodge. However, despite the prevailing topography neither need be a feature raised significantly above ground level and I find that the visual impact of both could be mitigated by means of a carefully considered landscaping scheme. These matters thus fall legitimately to be addressed in the context of a detailed application in the wake of a grant of outline planning permission.
62. I conclude that the proposal would, by its very nature, cause a degree of harm to the character and appearance of the appeal site simply by reason of the loss of open countryside. This in itself engenders a degree of conflict with LP Policies EQ2 and EQ5. However, it is inevitable in the context of the permissive approach to housing development on the outskirts of the town and not so significant as to outweigh the principle of housing development on the site. Moreover, I am satisfied that no harm, substantial or otherwise, need be caused to the setting of the adjacent listed buildings and that, this being so, there is no significant conflict with LP Policy EQ3 or paragraphs 128, 133 or 134 of the NPPF.

Highway safety

63. In the context of this issue, the Council's objections to the proposal span the implications of increased traffic generated by the appeal development along Dancing Lane for the safety of children walking to and from school, the difficulties that large vehicles may experience in negotiating parts of Dancing Lane and the adequacy of the access arrangement that would link the appeal development to the existing public highway. I will consider each of these in turn.

64. The only data before me relating to 'existing' traffic flows along Dancing Lane is drawn from surveys conducted in January 2011. These comprised an automatic traffic count (ATC) at the entrance to Wincanton Community Hospital and a turning count at the junction of Dancing Lane with Springfield Road. Both were undertaken in association with another housing proposal on a different site and are now a little out-of-date. I am also mindful that January is not generally regarded as a 'neutral' month favoured by the PPG for surveys of this kind. Moreover, the ATC data reflects traffic levels along that part of Dancing Lane to the east of the junction with Springfield Road and the proposed access to the appeal site rather than that section to the west of the access that runs past the school.
65. Nonetheless, both the Appellant and the Council have relied on it in presenting their cases and there is no other technical data before me. I must therefore work with what I have. In this regard, the absence of a more up-to-date, comprehensive and seasonably appropriate base survey would be a matter for concern in a busier traffic environment. However, nothing before me suggests that any part of Dancing Lane already suffers from significant safety or capacity problems or that changes have taken place in close proximity to the appeal site in the last four years that are likely to affect significantly the amount of traffic carried by any part of Dancing Lane.
66. The ATC recorded 27 two-way movements between 0800 and 0900 hours, 42 between 0900 and 1000 hours, 42 between 1500 and 1600 hours and 21 between 1700 and 1800 hours in January 2011. On any reasonable assessment, this shows the eastern section of Dancing Lane to have been lightly trafficked even at the busiest times. A review of the turning count does not suggest a level of flow along the western part of Dancing Lane significantly greater than that to and from the hospital, despite the presence of the school. There are gaps in the survey data relating to traffic associated with existing dwellings in Dancing Lane and the school which did not pass or utilise the Springfield Road junction. However, bearing in mind that the school is dual-entranced, such that it can be accessed from both Dancing Lane and West Hill, this is likely to be relatively minor in scale.
67. Accident data reveals no existing safety issues. I am also reassured by the fact that the Appellant's Transport Statement (TS), submitted in accordance with advice in paragraph 32 of the NPPF was audited by the local highway authority (LHA), which found it to be sound. Reliance on the 2011 survey data is readily apparent from the TS and the Council has made no material criticism of its methodology. I am therefore content that, although not ideally suited to its purpose, the data before me is adequate as a starting point for my assessment of highway safety.
68. According to the Council, the reduced appeal scheme would generate, respectively, an additional 14, 10, 13 and 15 hourly two way movements at the proposed site access to the ATC figures listed above. Although the Appellant concurs, I am mindful of the Council's arguments that a higher than average degree of dependency on private vehicular transport might transpire. I will explore this possibility further when I come to assess the sustainability of the development but, for the time being, will assume on a hypothetical basis that this might be the case, as it is not clear whether the above figures have taken this into account.

69. Having done so I am satisfied that, even in those circumstances, Dancing Lane would remain lightly trafficked. It has been suggested by the Council that a 5% increase in traffic, which these figures indicate would be exceeded, is usually regarded as material. However, guidance to that effect was superseded in 2007 and current advice in the PPG requires judgments to be made on a case by case basis as to whether a proposal would generate significant amounts of movement. Such a finding might be justified in association with development on this scale in circumstances where road capacity was already stretched. However, nothing before me indicates that Dancing Lane does not have the existing capacity to accommodate an increase on this scale with ease.
70. The vehicular carriageway is predominantly 5.5 metres wide and I have seen no evidence to the effect that kerbside parking is likely to cause significant obstruction. Indeed, most, if not all, properties fronting the road enjoy off-street parking facilities. I acknowledge that the presence of a footway on only one side of the vehicular carriageway along part of Dancing Lane will lead pedestrians to cross the road. Nonetheless, the above figures further suggest that the likely increase in the frequency of vehicle movements stemming from the appeal development would not approach a level that would make it difficult for pedestrians to do this safely, even at the busiest times.
71. The Council and others have also drawn my attention to the fact that the road to the west of the school access has no footways. However, the presence of the alternative access in West Hill, which is served by footways, renders the school site permeable. This suggests that schoolchildren would be most unlikely to walk along that particular stretch, lying as it does between the two school entrances/exits. Given that there are other routes to and from the town centre that adult pedestrians could use, and bearing in mind the low level of increased traffic flow likely to stem from the appeal development, it has not been demonstrated that pedestrian safety along that stretch of road would be compromised.
72. I give little weight to the Council's concern that the carriageway of the eastern part of Dancing Lane narrows to 5.2 metres in width, at which point it would not be sufficient for two heavy goods vehicles to pass. This strikes me as an irrelevance in the context of the subject appeal, given that the proposed development is most unlikely to generate significant vehicular traffic of any kind in the direction of the hospital.
73. The Council has also criticised the safety of the access/egress arrangements to and from the appeal development itself. These have been designed on the basis that visibility from the proposed access is suitable for a road carrying traffic travelling at 25 mph and that the junction spacing to Springfield Road is appropriate for a 20 mph design speed. No speed surveys have been undertaken. However, having driven the road myself in both directions I consider it most unlikely that any driver exercising reasonable care would exceed 20 mph, given existing highway geometry and the presence of the junction.
74. I have seen nothing of substance to support the Council's argument that the introduction of the access as proposed would increase the likelihood of 'rear end shunts'. Although the envisaged estate road incorporates sharp bends, forward visibility for those following along Dancing Lane or Springfield Road would be good. Whilst vehicles would inevitably slow before making a turn

into the appeal development and negotiating the bends, they would be in clear sight of the driver behind. Having regard to the swept path analyses included in the TS I find the geometry of the access road itself to meet the required standards and I have no reason to question the LHA's endorsement in this regard.

75. I have noted the reference by one interested party to the County Council's standards relating to road access to agricultural vehicles. However, details of these provisions are not before me and, in any event, the swept path analyses referred to above lead me to reject as unfounded concerns that the proposed access road would not be able to accommodate agricultural vehicles safely. Notwithstanding this, I consider the likelihood of significant agricultural traffic making use of the access to be very slim in the light of my earlier findings on the limited agricultural potential of the 'no build zone'.
76. There is a suggestion on the part of the Council that, even if it is found that individual highway safety concerns are insignificant in themselves, they nonetheless amount cumulatively or incrementally to a substantial hazard. However, I give very little credence to this argument. If each aspect of the proposal is itself 'safe' in highways terms, there is no reason why they should add up to create a situation which is unsafe.
77. As I have previously indicated, the possibility that housing might be approved on the 'hospital site' to the east that would contribute to traffic along Dancing Lane carries only limited weight for the purposes of my decision. Whilst the Council chose to present its evidence on this appeal in such a way as to include cumulative traffic assessments of the two potential developments, I must bear in mind that there is no policy commitment to housing on that other site and no planning permission has been approved to date in relation thereto.
78. I am also mindful that in the absence of more comprehensive evidence relating to that other scheme and the opportunity to cross-examine those involved with it, I am not in a position to make a reliable assessment of its potential implications for the local traffic environment. Indeed, even attempting to do so in the context of determining this appeal could be prejudicial to the conduct and outcome of the forthcoming Inquiry. Any findings on that scheme on my part would therefore be most inappropriate. The timing of the Inquiries dictates that my decision will become a significant material consideration in determining that other appeal, rather than *vice versa*.
79. I conclude that the LHA's endorsement of the scheme before me was well-founded insofar as this concerned highway safety and that no evidence advanced since undermines the reliability of the LHA's findings. I therefore further conclude that the proposal would not result in unacceptable detriment to highway safety and that there is no significant conflict in this regard with LP Policies TA5 or TA6 or the relevant provisions of the NPPF.

Sustainability

80. The Council contends that, taking into account local topography and the nature of the route, the appeal site is not within reasonable walking distance of primary schools, employment opportunities and the services and facilities available in the town centre. It therefore objects to the proposal on the grounds that, given a lack of regular bus services, future residents would have no option but to rely on the private car for travel purposes associated with

their daily needs and deems the proposed development unsustainable in locational terms.

81. I am mindful that the definition of sustainable development set out in national policy spans considerations somewhat broader in scope than location alone. I will therefore assess sustainability in those broader terms, having regard to the economic, social and environmental dimensions of sustainable development set out in paragraph 7 of the NPPF. With regard to economic considerations, additional housing would provide employment during the construction period and the eventual residential occupiers would contribute to the local economy.
82. In social terms, the development would provide much needed housing, at least 35% of which would be affordable housing, which would help to meet the needs of the local community. Moreover, the financial contributions secured by the Appellant's unilateral undertaking would enhance local facilities and thus support the community's social well-being. Both these roles therefore highlight positive sustainable attributes of the development.
83. By contrast, as I have already explained, the proposal would inevitably have a negative environmental impact by the simple reason of building over open countryside, despite my finding that the setting of Verrington Lodge could be adequately safeguarded. However, the weight that might reasonably be attributed to the relatively limited harm thus caused is tempered significantly by the 'permissive approach' to housing development promoted by LP Policy SS5. This brings me back to the disputed topic of the degree of dependence on private motor vehicles and the environmental consequences thereof.
84. In the light of the recently adopted LP Wincanton as a whole cannot be regarded as an unsustainable location unsuitable for further large scale development, despite assertions to the contrary made by some. However, I attach only limited weight to the findings of the Sustainability Appraisal undertaken by the Council some years ago in association with the preparation of its draft Core Strategy and cited by the Appellant in support of the proposal. This found the part of Wincanton and its periphery that includes the appeal site to be the highest scoring option in sustainability terms for locating new development. Nonetheless, setting aside its age, the appraisal is too 'broad brush' for my purposes and I will focus instead on more localised considerations.
85. In determining an appeal against the refusal of planning permission for residential development on the land to the rear of the hospital in August 2012 (ref no APP/R3325/A/12/2170082), my fellow Inspector concluded that the site before her was 'not in a particularly sustainable location'. Her reasoning focussed on the need for people to travel from the site to the town centre for employment and shopping or to access public transport that would enable them to commute to work further afield. She found there to be little provision for public transport to and from the town centre and that, given the gradient of footpaths and limited road crossing points *en route*, people would be unlikely to walk or cycle, thus leading to undue dependence on the private car.
86. Having walked the route into town from both that site and that which is before me, in both directions, I find little reason to disagree with my colleague's findings in the context of the case she was dealing with. The route to the town centre is largely common to both sites, featuring steep hills and relatively busy roads which some would not find conducive to walking or cycling, particularly

- when heading uphill on the way back to Dancing Lane. I also accept that the bus services readily accessible from both sites, although useful to a degree, are not so frequent as to provide a particularly convenient alternative means of transport.
87. The Council takes no issue with the distances from the current appeal site to local facilities set out in the Appellant's TS, albeit pointing out that these were 'garden gate' measurements taken from the appeal site access to the edge of the facilities in question. I concur, alternative distances suggested by others either being unsubstantiated or acknowledged as inaccurate (for example, Cllr Winder's estimates were taken from the entrance to the hospital car park rather than the appeal site).
88. I also acknowledge that some town centre facilities, including the wide range available in Wincanton High Street and both the town's primary schools, fall within the preferred maximum walking distance of 1200 metres prescribed in the Institute of Highways and Transportation's *Guidelines for Providing for Journeys on Foot*. Nor do I find serious conflict with the relevant provisions of national guidance in *Manual for Streets*, which advocates a degree of flexibility in applying distance thresholds and emphasises that walking offers the greatest potential to replace short car trips, particularly those under 2 kilometres.
89. Nonetheless, I do not dismiss lightly the effect that steep topography is likely to have on perceptions of acceptable walking distances or cycling routes. There is no clear indication that gradients are factored into the relevant guidance. Whilst the County Council's *Estate Roads in Somerset Design Guidance Notes* state that collector roads and footpaths should not generally be steeper than 1:14 (which, on the evidence before me, is the average gradient of Springfield Road), it would be unreasonable to interpret this as an indication that the gradient is comfortable for walkers or cyclists.
90. This being so, I readily acknowledge that local conditions in Wincanton will, for some, curtail the length of journeys which are likely to be undertaken by means other than the private car. This will apply particularly to those with modest impairment to mobility, whether by reason of mild disability or encumbrance with prams, pushchairs or heavy bags. However, having said this, it is also my view that many younger and fitter members of the local population, when unencumbered, would not be discouraged from tackling even the steepest route from town to the current appeal site by foot. Nor, in my assessment, are any of the roads on foot so busy as to deter walkers in that category.
91. Although my colleague did not conclude similarly, I am mindful that the site she considered is significantly further from the town centre than the site before me. The greater the distance, the less likely it will prove conducive to walking. As for cycling I note that, generally speaking, the longer the route into town the less challenging the gradient. In my experience, a slightly longer journey in order to avoid a challenging hill is unlikely to deter a cyclist and encourage them to take the car instead.
92. Notwithstanding the Appellant's contention to the contrary I recognise that, taking into account local topography, two of the town's supermarkets are beyond what could be deemed a reasonable walking distance. However, in my experience, most supermarket shopping trips are now undertaken by car irrespective of travel distance by simple reason of the bulk of goods purchased

at any one time. Small scale 'top up' shopping by many residents of the appeal development could, in my assessment, be undertaken with reasonable ease on foot or by cycle in trips to smaller shops in the High Street. Additionally, I must bear in mind that the appeal site is not wholly isolated from the town's facilities. The hospital, sports centre and, most significantly, the secondary school would all be within easy walking distance of the proposed development.

93. Moreover, I must have regard to the mitigating effects of the Appellant's TPS, the provisions of which would be secured by the unilateral undertaking. There is no indication before me that such a measure was before my colleague in determining the 2012 appeal. The TPS comprises several components which, cumulatively, are designed to encourage residents of the appeal development to embrace the principles of 'Green Travel'. It must be recognised that, within the context of a housing development as distinct from an employment facility, it is not possible to require individual residents to adhere to the TPS's objectives and doing so remains a matter of individual choice.
94. However, the measures include a number of enticements and information resources (a notice board, travel information packs, travel vouchers, car share promotion, car charging points and similar) aimed at reducing reliance on private vehicles powered by fossil fuels and thus facilitating adaptation to climate change and a move towards a low carbon economy, as promoted by the NPPF. The effectiveness of some of these measures, such as payments towards season tickets for use on public transport, would inevitably be tempered by the limitations of local bus services. Nonetheless, existing services would, in all probability, suit the arrangements of some local residents, who would therefore be likely to take advantage of the offers available to them.
95. I therefore reject the Council's contention that the TPS would have little meaningful effect, whilst nonetheless recognising its limitations. I also note that the TPS was found fully acceptable by the LHA and was a factor in its decision not to object to the planning application. This being so, and taking all other factors into account, I find that the level of dependency on the private car amongst occupiers of the appeal development would be greater than national and local policy seeks to achieve, but that residents would by no means be wholly or excessively reliant on that mode of transport.
96. The consequence would be a slightly deeper carbon footprint than would usually be associated with a 25 dwelling estate such that, overall, the proposal would not amount to 'sustainable development' for the purposes of the NPPF. However, its sustainability credentials are markedly better than those of the scheme considered by my colleague in 2012. Not only would the latter have been located further from the town centre, but it also seems to have lacked the mitigating measures provided in this case by the TPS. Moreover, the sustainability assessment in that other case was made with regard to locational considerations alone, without factoring in the economic and social dimensions which weigh in favour of the current proposal. It is also pertinent that sustainability was only one of a number of grounds for dismissal.

97. I am mindful that whilst national and local policy contains a presumption in favour of sustainable development, it does not preclude the granting of planning permission for proposals that do not comply with that definition and that, in this case, the appeal scheme does not fall far short of compliance. I therefore conclude that the proposal is consistent with LP Policies TA1 and TA4 and that there is only limited conflict in the context of this issue with LP Policy SD1 and the NPPF. Accordingly, I further conclude that the subject development would not be so unsustainable that this in itself gives grounds for dismissing the appeal.

Other Matters

98. I have considered all the other matters raised. Although some have expressed concerns relating to the effect of the proposal on biodiversity, the Appellant has submitted a comprehensive ecological impact assessment that supports the scheme. Its conclusions have not been challenged effectively by cogent evidence and I find no significant conflict with LP Policy EQ4 in this regard. A number of interested parties contend that more suitable sites are available elsewhere on the periphery of Wincanton. However, in the light of the development plan's permissive approach there is no requirement for a comparative site selection process to be followed.
99. I have been referred to a recent appeal decision relating to housing development in Crewkerne with particular reference to questions of housing land supply and sustainability (ref no APP/R3325/A/13/2210545). However, each proposal falls to be assessed primarily on its own merits and, although the Council and certain interested parties perceive similarities between the two locations, it is apparent that there are also significant differences. In any event, that scheme was markedly larger in scale than that before me. Questions of precedent, raised by some in relation to the implications that a planning permission pursuant to this appeal might have for adjacent land, fall to be considered in the same way and thus carry little weight.
100. During the Inquiry, Mr Tindal presented compelling video evidence of existing flooding issues. However, I am mindful that it is not the role of the developer to remedy ongoing drainage problems, but merely to ensure that the proposed development is safe in those terms and does not worsen the prevailing situation. The Appellant's flood risk assessment and drainage strategy is comprehensive and has not been effectively challenged by means of conflicting and cogent technical evidence, notwithstanding the misgivings expressed by some.
101. I have noted the drainage-related comments of one of the Council's engineers, Mr Meecham, in response to a later planning application for development on the appeal site (ref no 14/04234/OUT). However, nothing before me suggests that the matters he refers to could not be addressed adequately by conditions. I therefore find no significant conflict with LP Policy EQ1. Issues relating to riparian water rights must be addressed separately from any planning permission and are not matters for me.
102. Although several properties that back onto the appeal site are not adequately screened at present along their rear boundaries, I am satisfied that there is ample scope for securing a detailed layout at the reserved matters stage that would not impinge unduly on the living conditions of

neighbouring residents. It is also clear that an architectural approach in keeping with the surrounding area could be devised.

103. I have taken into account the Cheshire East appeal decisions cited by the Council (ref nos APP/R0660/A/13/2209335, 2197529 & 2197532) and the content of the PPG insofar as these are relevant. However, nothing therein nor any other matter is of such significance as to outweigh the considerations that have led to my conclusions on the main issues. I am therefore minded to grant outline planning permission subject to conditions.

Conditions

104. I have considered the conditions suggested by the Council and the Appellant in the Statement of Common Ground and discussed at the Inquiry, having regard to the advice set out in the relevant section of the PPG. In some cases I have subdivided or combined conditions and edited the suggested wording to reflect that advice. In doing so I have removed all suggested clauses that would provide an informal mechanism for departing from the fundamental requirements of conditions (eg '...unless otherwise agreed with the local planning authority'), as these would undermine the democratic nature of the planning process.
105. I have attached a condition listing the approved drawings in order to facilitate applications for minor material amendments. Conditions limiting the approved scheme to no more than 25 dwellings, protecting peripheral trees and vegetation and imposing a 'no build zone' safeguarded from most development are necessary in the interests of visual and residential amenity and the settings of the adjacent listed buildings. The approval and implementation of a surface water drainage scheme and the subsequent management thereof is required to protect the water environment and guard against flooding.
106. The need to safeguard ecological interests justifies requirements relating to the approval and implementation of measures for the enhancement of biodiversity, monitoring of badger setts and management/enhancement of the 'no build zone'. Conditions to secure the construction of means of vehicular access and parking facilities to each dwelling at the appropriate times are necessary in the interests of highway safety. Adherence by the developers to an approved Construction Management Plan during the construction period is required to protect both residential amenity and highway safety.

Conclusion

107. For the reasons given above I conclude that the appeal should be allowed and outline planning permission granted subject to conditions.

Alan Woolnough

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

David Fletcher	Of Counsel, instructed by South Somerset District Council
He called	
Mr M Baker BSc MICE CEng FCIT FCILT EurIng	Director, Mark Baker Consulting Limited
Mr M Muston BA(Hons) MPhil MRTPI	Director, Muston Planning
Ms L Pincombe BA(Hons) MCMi	Community Health and Leisure Manager, South Somerset District Council

FOR THE APPELLANT:

Giles Cannock	Of Counsel, instructed by Mr N Jillings, Jillings Hutton Planning
He called	
Mr J McKechnie BA(Hons) PGDip CMILT MCIHT	Transportation Director, Hydrock Consultants Ltd
Mr N Jillings BSc(Hons) MA MRTPI	Director, Jillings Hutton Planning

INTERESTED PERSONS:

Cllr N Colbert	Ward Councillor, South Somerset District Council
Mr T Carroll	Former Deputy Leader of South Somerset District Council
Cllr C Winder	Ward Councillor, South Somerset District Council
Mrs S Brennan	Local resident
Mr R Tindal	Local resident
Mr R Pratt	Local resident

DOCUMENTS SUBMITTED OR SUPPLIED AT THE INQUIRY OR DURING THE ADJOURNMENT

- 1 List of documents put in on Days 1 and 2 of the Inquiry, supplied by the Council
- 2 Amendment to Ms Pincombe's proof, submitted by the Council
- 3 Revised draft and executed copies of unilateral undertaking, submitted by the Appellant
- 4 Full copy of the South Somerset Local Plan 2011-2018 (adopted March 2015), supplied by the Council
- 5 Appeal decisions ref nos APP/R0660/A/13/2209335, 2197529 & 2197532, submitted by the Council
- 6 Statement by Mr T Carroll, submitted by Mr Carroll
- 7 Statement by Cllr N Colbert, submitted by Cllr Colbert
- 8 Statement by Cllr C Winder and addendum thereto, submitted by Cllr Winder
- 9 Statement by Mrs S Brennan, submitted by Mrs Brennan
- 10 Notification/consultation letters dated 20 August 2014, supplied by the Council
- 11 Extract from *Estate Roads in Somerset: Design Guidance Notes*, supplied by the Appellant
- 12 Discussion paper and minutes dated 5 July 2011 concerning direction of growth for Wincanton, submitted by the Council
- 13 Extracts from and full copies of Transport Statements associated with appeal ref nos APP/R3325/A/12/2170082 & 14/2222697, submitted by the Council
- 14 Letter dated 15 April 2015 from Shakespeares Legal LLP, submitted by the Appellant
- 15 Email dated 16 April 2015 from Mr D Clews to Ms S Hickey, submitted by the Council
- 16 Email dated 14 May 2015 from Mr D Clews to the Planning Inspectorate, submitted by the Council
- 17 Statement by Mr R Pratt with attachments, submitted by Mr Pratt
- 18 Copy of Tree Preservation Order ref no WRDC (Wincanton No 2) 1971, supplied by the Council
- 19 Letter dated 1 June 2015 from Mrs S Trott, submitted by Mrs Trott
- 20 Statement by Mr R Tindal with attachments, submitted by Mr Tindal
- 21 Officer reports relating to planning application ref no 14/00479/FUL, identifying a five year housing land supply in South Somerset, submitted by Mr Carroll
- 22 Appeal decision ref no APP/R3325/A/14/2223834, relating to land south of Bayford Hill, Wincanton and dated 27 January 2015, submitted by Mr Carroll
- 23 Letter dated 2 June 2015 from Shakespeares Legal LLP, submitted by the Appellant
- 24 Decision notice for refusal of planning permission ref no 14/02107/OUT, relating to windmill Farm, Wincanton and dated 23 September 2014, supplied by the Council
- 25 Written costs application, submitted by the Appellant

PLANS

- A.1 to A.4 Application drawings comprising location plans at 1:2500 and 1:5000 scale, drawing no 1174/03 dated 30 July 2014 and drawing no 13780/T04
- B Superseded application drawing no 1174/03 dated 12 March 2014
- C Extract from *Cycling and Walking in Wincanton*, submitted by the Appellant
- D Accessibility Plan ref no 13780/T02A, submitted by the Appellant
- E Draft Core Strategy Preferred Options Inset Map 13 Wincanton, submitted by the Appellant
- F Results of Land Drainage Site Investigations, ref no 13780-SKC100A, submitted by the Appellant

SCHEDULE OF CONDITIONS

The outline planning permission hereby granted is subject to the following 14 conditions:

- 1) Details of the appearance, landscaping, layout, and scale of the development hereby permitted (hereinafter 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.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans, subject to any departure therefrom required by other conditions attached to this permission: location plans at 1:2500 and 1:5000 scales and drawing no 13780/T04 dated 15 April 2014.
- 4) The development hereby approved shall comprise no more than 25 dwellings.
- 5) The development hereby permitted shall not commence until such time as a surface water drainage scheme (to include a full drainage masterplan, associated drainage calculations and a management plan governing future responsibility for and maintenance of the scheme) has been submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained and managed in accordance with the timing/phasing arrangements and management plan embodied within it.
- 6) As part of a reserved matters application, details of a 'no build zone' shall be submitted in plan form to and approved in writing by the local planning authority. The 'no build zone' shall correspond closely to the area shown as undeveloped on illustrative layout site layout plan ref no 1174/03 dated 30 July 2014. No development shall take place within the 'no build zone' other than any that may be required in association with any approved drainage scheme.
- 7) As part of a reserved matters application, details of measures for the enhancement of biodiversity, to include a landscape and ecology enhancement and management plan relating specifically to the 'no build zone', shall be submitted to and approved in writing by the local planning authority. These measures shall be implemented in accordance with the approved details.
- 8) Prior to, and within 2 months of, the commencement of each significant stage of ground works, an update survey for badger setts shall be undertaken by a competent person, the identity of whom shall first be submitted to and approved in writing by the local planning authority. A schedule of the said significant stages shall be submitted to and approved in writing by the local planning authority before any development commences. If any badger setts are found to be present within 30 metres (including on adjoining land) of any area of activity, the works shall not proceed until a method statement for the protection of badgers has been submitted to and approved in writing by the local planning authority and any necessary Natural England licences have been obtained. Any method statement thus approved shall be implemented in full in the approved manner.

- 9) No work shall commence on the site until the works within the public highway shown on drawing no 13780/T04 dated 15 April 2014 have been fully implemented. A detailed design and specification for those works shall be submitted to and approved in writing by the local planning authority before any works take place and shall thereafter be adhered to in full.
- 10) Any proposed roads approved at the reserved matters stage, 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 constructed to at least base course level between the dwelling and the existing public highway of Dancing Lane. The roads shall subsequently be completed in accordance with an approved timetable. The timetable shall be submitted to and agreed in writing by the local planning authority before any dwelling so served is first occupied.
- 11) Before each dwelling hereby permitted is first occupied, a properly consolidated and surfaced access linking it to the relevant access road shall be constructed in accordance with details which shall first be submitted to and approved in writing by the local planning authority. These accesses shall not be surfaced in loose stone or gravel.
- 12) As part of a reserved matters application, a plan showing parking spaces in accordance with the Somerset County Council Parking Strategy shall be submitted to and approved in writing by the local planning authority. Each parking space shall be properly consolidated in the approved manner before any dwelling it is intended to serve is first occupied and shall thereafter be made available at all times solely for the parking of vehicles in association with those dwellings.
- 13) The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of construction vehicle movements, construction operation hours, construction vehicular routes to and from the site, construction delivery hours, expected numbers of construction vehicles per day, vehicle parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of compliance with the Environmental Code of Construction Practice and a scheme to encourage the use of public transport by contractors. The plan as approved shall be fully adhered to at all times throughout the construction period.
- 14) The development hereby permitted shall not commence until details of a scheme for the protection of trees and vegetation around the periphery of the site, and specifically in the vicinity of Verrington Lodge, has been submitted to and approved in writing by the local planning authority. The scheme as approved shall be adhered to in full throughout all phases of construction activity relevant thereto.

END OF SCHEDULE

Costs Decision

Inquiry opened on 15 April 2015

Site visit made on 3 June 2015

by Alan Woolnough BA(Hons) DMS MRTPI

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

Decision date: 6 July 2015

Costs application in relation to Appeal Ref: APP/R3325/A/14/2224654 Land off Dancing Lane, Wincanton, Somerset BA9 9DE

- The application is made under the Town and Country Planning Act 1990 as amended, sections 78, 320 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Oxford Law Ltd for a full award of costs against South Somerset District Council.
 - The Inquiry was in connection with an appeal against the failure of the Council to issue a notice of its decision within the prescribed period on an application seeking outline planning permission for the erection of up to 25 dwellings.
-

Formal Decision

1. The application for an award of costs is allowed in part in the terms set out below.

The Submissions for Oxford Law Ltd

2. The application is made with reference to paragraphs 029, 031, 032 and 048 of the costs guidance contained in the DCLG's Planning Practice Guidance (PPG). However, it is readily apparent that the references intended by the Applicant are, in fact, paragraphs 028, 030, 031 and 047. It seeks a full award of costs in relation to the Council's perceived unreasonable behaviour in failing to determine the subject planning application and subsequently opposing the proposed development on appeal. It also seeks a partial award in the event that I find only part of the Council's behaviour to have been unreasonable.
3. As the application was made in writing and was not supplemented orally at the Inquiry I will not summarise its content here. The Applicant's final comments on the Council's response to the application reiterated the case for the appeal site occupying a sustainable location and placed emphasis on the provisions of Policy SS5 of the South Somerset Local Plan 2006-2028 (LP). They also clarified that the Applicant had stated that Members had no reason to refuse planning permission, rather than saying that they were obliged to grant it.

The Response by the Council

4. A costs application of this kind must be based on one of the grounds set out in the relevant guidance. The Applicant asserts that the Council has failed to substantiate its reasons for contesting the appeal and that these are immaterial. However, the essence of the case for costs is not, in fact, based on

- an argument that reasoning was not explained in evidence or adequate witnesses not produced.
5. Rather, the essence of the Applicant's case is that, according to LP Policy SS5, land on edge of Wincanton should be treated as accessible and sustainable. If this was correct, the Council would have been obliged to say that the appeal could not be dismissed on accessibility grounds as the site location must be regarded as sustainable in principle. However, that would verge on the absurd as an interpretation of policy.
 6. The 'permissive approach' prescribed by LP Policy SS5 means that, in principle, planning permission may be granted on this site for housing development. However, it does not mean that it *should* be granted. Nor does the policy say that, pending adoption of the Council's Site Allocations Development Plan Document, *all* greenfield sites on the edge of Wincanton should be developed for housing. Rather, it confirms that housing development is acceptable as long as there is no conflict with other planning objectives.
 7. With regard to the latter, the Council's reasoning to the effect that there is overriding conflict is rational and sustained. Concerning the issue of historic heritage, there is nothing to show that the Applicant has met the relevant policy tests, despite undertaking a redesign. Outstanding design and layout issues should be addressed now and not at the reserved matters stage. Loss of agricultural land is a minor matter. Even if it is found that this is not a useable agricultural site, this in itself could not justify a grant of planning permission. The Council's case on highway safety was supported by professional evidence, substantiated and fully explained.
 8. As for sustainability, the Applicant points out that that this was a Members' decision taken against officers' advice. Nonetheless, the overriding position is that Members are entitled to conclude on this issue for themselves, irrespective of professional advice. They know the site and its accessibility and frequently do take a different view to officers. That is the whole point of the democratic process. The Applicant says that Members were obliged to grant planning permission on this site. However, this is incorrect. The position is simply that there was a justifiable difference of opinion between Members and officers. Even if the Inspector reaches a different conclusion to Members, that is not a reason for an award of costs.
 9. Accordingly, there is no fundamental error of law in way this decision was approached by the Council. Members were entitled to exercise their own personal judgment and have supported all components of that judgment with evidence. Unreasonable behaviour leading to unnecessary or wasted expense has not therefore occurred.

Reasoning

10. The PPG advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. The essence of the Applicant's claim is that the Council failed to produce evidence which provides a respectable basis for its opposition to the appeal.

11. With regard to housing need, it is common ground between the main parties that the requirement to provide a five year supply of housing land in the District is currently just about met, the Appellant having chosen not to pursue an argument to the effect that the 20% buffer requirement prescribed by the National Planning Policy Framework should be applied to the backlog in supply. This arises primarily from the Council's evidence, which I find to substantiate the agreed stance. For the reasons set out in my decision on the appeal, I find the Council's marginal housing land supply position to be reflected in the 'permissive approach' prescribed by LP Policy SS5. The Council was not therefore obliged to attribute additional weight to it.
12. I have not ultimately agreed with the Council that the appeal proposal is so unsustainable that dismissal of the appeal would be justified on those grounds. Nonetheless I am satisfied that, in presenting evidence on that issue, it had regard to all aspects of sustainable development. The economic benefits of the scheme were addressed adequately by the relevant Council witness at the Inquiry. Findings on the question of locational sustainability and accessibility are essentially matters of fact and degree that are open to interpretation and on which judgments must be reached, having regard to factors such as distances to essential facilities, local topography and the Applicant's Travel Plan Statement.
13. Although I have reached a different conclusion to the Council in relation to some of those matters, I acknowledge that it was entitled to conclude otherwise and was able to substantiate its stance with reference to cogent evidence. The influence of topography on walking and cycling habits is particularly difficult to calibrate in an objective way and, consequently, this alone justifies contrary findings. Unlike the Applicant I have not given significant weight to the aging sustainability appraisal, for the reasons set out in my appeal decision.
14. The Council's case on highway safety was supported by substantial professional evidence. Whilst I have found the Applicant's arguments to the contrary more persuasive, I am nonetheless satisfied that the Council was able to justify taking a different view by reference to relevant guidance which, again, is open to a degree of interpretation and flexibility in application. Contrary to the Applicant's contention it did present, albeit unsuccessfully, an arguable case.
15. Technical evidence is not essential to reach a view on the effect that the appeal proposal might have on the setting of Verrington Lodge. This again is largely a matter of individual judgment and there is nothing wrong in principle with Members reaching a different conclusion to their conservation officer. The reasons for that conclusion were explained competently and succinctly by the relevant witness and, even though I have not endorsed that assessment, I find that the Council was able to substantiate its stance in that regard. Nothing before me suggests that it somehow neglected to have regard to the relevant legal and policy tests.
16. I therefore find that the Council's behaviour in relation to the above matters was not contrary to paragraph 047 of the relevant section of the PPG or in conflict with case law arising from the judgment in *R v SSE ex parte North Norfolk DC* [1994] 2 PLR 78 and, accordingly, was not unreasonable. However, notwithstanding this, I take a less favourable view in relation to the question of the potential loss of best and most versatile agricultural land. The Council's

case in this regard was particularly weak. It is a matter of fact that the appeal site contains Grade 1 and 3a agricultural land, but the crucial questions in relation to this issue are whether, irrespective of soil quality, the land as a whole is suitable for farming in practice and whether the 'no build zone' would present realistic agricultural options should the appeal proposal be built out.

17. These are again issues that are open to interpretation, having regard to factors such as the size, shape and topography of the site, in relation to which there is legitimate scope for differing judgments to be reached. However, the Council's written evidence was sparse in this regard and concessions were made by the relevant witness during cross-examination to the effect that there was no conflict with national or local policy in this respect. Inevitably, this raises the question of why this reason for opposing the appeal was pursued in the first place. It was unreasonable in the terms of paragraph 047 of the relevant section of the PPG for the Council to do so and the Applicant will have incurred unnecessary expense in addressing the issue in written and oral evidence.

Conclusion

18. I conclude that the Council did not, as alleged, produce vague, generalised or inaccurate assertions about the proposal's impact or fail to review its case promptly following the appeal, other than in relation to the issue of agricultural land. It did not therefore, without good reason, prevent and delay development that should clearly have been permitted. Moreover, Members were entitled to reach a different view to their professional officers and, for the most part, the Council was able to substantiate that decision.
19. Accordingly, I further conclude that unreasonable behaviour on the part of the Council resulting in unnecessary or wasted expense has been demonstrated only in respect of the issue of agricultural land. A partial award of costs is therefore justified in relation to that issue alone.

Costs Order

20. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that South Somerset District Council shall pay to Oxford Law Ltd the costs of the appeal proceedings described in the heading of this decision, limited to those costs arising from references made in evidence on the Council's behalf to the loss of best and most versatile agricultural land as a consequence of the appeal development, both at the Inquiry and in written submissions.
21. Oxford Law Ltd is now invited to submit to the Council, to which a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Alan Woolnough

INSPECTOR

Appeal Decision

Site visit made on 2 July 2015

by Paul Griffiths BSc(Hons) BArch IHBC

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

Decision date: 15 July 2015

Appeal Ref: APP/R3325/W/15/3004449

Land off Higher Kingsbury Close, Milborne Port DT9 5JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr I Skinner against the decision of South Somerset District Council.
 - The application Ref.14/04927/OUT, dated 31 October 2014, was refused by notice dated 2 February 2015.
 - The development proposed is described as 'revised outline planning application for 10 dwellings with all matters reserved except for means of access, layout and scale'.
-

Preliminary Matters

1. The originating application was made in outline with appearance and landscaping reserved for future determination. I have dealt with the appeal on the same basis.

Decision

2. The appeal is dismissed.

Main Issues

3. These are the effect of the proposal on (1) the living conditions of occupiers of Nos.4 and 5 Higher Kingsbury Close through noise and general disturbance; and (2) highway safety.

Reasons

Living Conditions

4. Nos.4 and 5 straddle one leg of the turning head at the end of Higher Kingsbury Close. This turning head would be extended into the appeal site to act as the access to 10 new dwellings.
5. LP¹ Policy EQ2 sets out that development proposals will be considered against, amongst other things, the creation of quality places, and respect for local context, and should protect the residential amenities of neighbouring properties. All that chimes with the core principle of the Framework² that a good standard of amenity should always be sought for all existing and future occupants of land and buildings.

¹ The South Somerset Local Plan (2006-2028) adopted March 2015

² The National Planning Policy Framework

6. The appellant produced an 'Assessment of Potential Noise Impact' which concluded that there is no evidence to suggest that vehicles using the access road would result in unacceptable noise impact on the residential amenity of existing residential properties. That may well be a reasonable conclusion to draw, in noise terms alone, but the issue is not noise, in itself, but the noise and disturbance caused by vehicles that would be using the access road.
7. At present, the occupiers of Nos.4 and 5 experience little in the way of passing traffic. Running an access road between them, serving 10 new dwellings would lead to a significant increase in passing traffic and associated noise, and more importantly, disturbance. That is especially so because the existing turning head is quite narrow so vehicles would be passing Nos.4 and 5 at very close quarters. The inclusion of a parking area that would require reversing manoeuvres to the rear of No.4 would exacerbate impacts on that property. On top of all that, at night-time, No.4 and especially No.5, would be affected by headlights of cars using the new access, shining into habitable room windows.
8. In my view, this combination of impacts would have a significant detrimental impact on the living conditions of the occupiers of Nos.4 and 5. This means that the proposal falls contrary to LP Policy EQ2 and the core principle of the Framework referred to.

Highway Safety

9. The Council believes that the tension between car parking spaces and turning areas in the proposed layout would have implications for the living conditions of occupiers of the proposed development. However, I agree with the appellant that to a large extent, this is a highway safety issue. The layout is relatively constrained but it seems to me that there would be sufficient space available to avoid any significant conflict between vehicles and pedestrians. I see no divergence from the requirements of LP Policy EQ2 or the Framework in this regard, therefore.

Final Conclusion

10. While the proposal would have no great impact in terms of highway safety, it would have a significant detrimental impact on the living conditions of the occupiers of Nos.4 and 5 Higher Kingsbury Close through noise and general disturbance. Notwithstanding what has been termed the 'permissive approach' to new housing in Milborne Port, in the LP, and other matters raised by the appellant in support of the proposal, this harmful impact would be of such a degree that it outweighs all other considerations in this case.
11. For the reasons given above I conclude that the appeal should be dismissed.

Paul Griffiths

INSPECTOR

Agenda Item 16

Schedule of Planning Applications to be Determined by Committee

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

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 10.45am

Members of the public who wish to speak about a particular planning item are recommended to arrive for 10.30am

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
17	WINCANTON	15/01314/FUL	Erection of a natural stone wall to divide garden. Formation of vehicular access through existing wall and pedestrian access onto Angel Lane. Replace rendered wall to natural stone	Acorn House, 7 Lansdowne Place, Wincanton.	Mr and Mrs D Smith
18	WINCANTON	15/01315/LBC	Erection of a natural stone wall to divide garden. Formation of vehicular access through existing wall and pedestrian access onto Angel Lane. Replace rendered wall to natural stone	Acorn House, 7 Lansdowne Place, Wincanton.	Mr and Mrs D Smith

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

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

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 17

Officer Report On Planning Application: 15/01314/FUL

Proposal :	Erection of a natural stone wall to divide garden. Formation of vehicular access through existing wall and pedestrian access onto Angel Lane. Replace rendered wall to natural stone (GR 371388/128562)
Site Address:	Acorn House, 7 Lansdowne Place, Wincanton.
Parish:	Wincanton
WINCANTON Ward (SSDC Members)	Cllr N Colbert Cllr C Winder
Recommending Case Officer:	Emma Meecham Tel: 01935 462159 Email: emma.meecham@southsomerset.gov.uk
Target date :	20th May 2015
Applicant :	Mr And Mrs D Smith
Agent: (no agent if blank)	Mr G Adlem, Little Hains, Hains Lane, Marnhull, Dorset DT10 1JU
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the request of the Ward Member with the agreement of the Chairman to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The site is located in the middle of Wincanton and is a Grade II listed building. It is close to a church which is also Grade II listed. The property is within a conservation area.

The dwelling is constructed of stone rubble with freestone dressings and the roof is constructed of Clay Bridgwater tiles with coped gable ends.

The applicant has recently purchased some land to the north east of their property for use as a general amenity area for their property and the proposed works are to allow access to and the enjoyment of this amenity area.

This application originally sought full consent for the formation of a pedestrian access onto Angel Lane, the formation of a vehicular access from Acorn House to the recently purchased land to the rear, replacement of the rendered wall to the front of the dwelling with a natural stone wall, erection of a dividing wall at the boundary of the new land and the erection of a triple garage.

Amended plans have been received in response to representations that have removed the proposed garage and pedestrian access to Angel Lane.

This application has a full planning application and a listed building consent running parallel to one another.

RELEVANT HISTORY

- 08/02636/LBC The replacement of certain existing flat iron casement windows on south elevation and the installation of an air vent on east elevation.
- 07/01374/LBC The installation of shelving (retrospective application) - Permitted with conditions.

- 04/00085/LBC The conversion of upper two floors into parish flat with access in accordance with existing planning permission (02/00198/FUL) - Permitted with conditions (the lower two floors remained as meeting rooms and supporting service accommodation)
- 03/02196/LBC The demolition of garages and the conversion of part of priory to provide two no dwellings - Permitted with conditions.
- 02/00198/FUL The conversion of Priory House into 3 no. houses and the erection of 15 no. houses with parking, new presbytery garage and improved access to South Street - Permitted with conditions. Subsequent to this application an amendment was received on 11 October 2004 to include a gated access and parking to 7 Lansdowne Place which was agreed.

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.

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.

On this basis the following policies are considered relevant:-

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

Policy SS1 - Settlement Strategy

Policy SD1 - Sustainable Development

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

National Planning Policy Framework (2012)

Chapter 7 - Requiring Good Design

Chapter 12 - Conserving and enhancing the historic environment

CONSULTATIONS

Wincanton Town Council - Initially the town council recommended refusal as they considered the proposal was not in keeping with policy EQ3 - Historic Environment.

Following the amended plans the Town Council recommended refusal for the following reasons:

EQ2 General Development

Failed to conserve and enhance the landscape character of the area. Failed to reinforce local distinctiveness and respect local content.

EQ3 Historic Environment

Failed to safeguard or enhance the significant character setting and local distinctiveness of the historic assets. Failed to make a positive contribution to it's character through a high standard of design which reflect and compliment it through the use of appropriate materials and techniques.

County Highways - Standing Advice applies: for a house this size there is a requirement for three parking spaces, which must comply with the prescribed dimensions (4.8 metres by 2.4 metres); an area in which vehicles can turn to enable them to enter and exit the site in forward gear and the creation of an access (minimum 3 metres wide).

SSDC Highways Consultant - No significant highways issues - no objection.

SSDC Tree Officer - Notes the concerns expressed regarding the Weeping Ash tree, but has no arboricultural objections.
An informative is suggested

County Archaeology - Initially there was a requirement for an archaeological survey, following the amended plans no further comments have been received.

Conservation Officer - The initial comments from the Conservation Officer indicated that in principle he could see no harm in the proposals. The opening to be created is considered modest by the Conservation Officer and as such acceptable; it is considered that the remaining wall will mean the two spaces will remain defined as separate entities. The Conservation Officer considered the replacement of the render wall with a natural stone wall will work in isolation as it will be read against the existing building as its backdrop. Following the submission of the amended plan the Conservation Officer noted that the elevation drawings of the new boundary wall, as revised, show an appropriate solution that will enhance the setting of the listed building. The new garden wall between the newly formed garden and the remaining garden to Ash House is now shown as stone faced on both sides. It is confirmed that he supports the development subject to conditions to agree the details.

REPRESENTATIONS

2 representations of support were received, in summary the points are:

- The materials and proposed works will enhance the area and should be encouraged
- Confident that the integrity and character of the area will be maintained

15 representations of objection to the proposal were received, in summary the objections are:

- Concerns over rights of access and covenants
- The impact on the street scene of the materials
- The impact on the historic environment
- Traffic related concerns

Following the submission of the amended plans a further 7 representations of objection were received reiterating the concerns originally raised.

CONSIDERATIONS

Amended plans have been received which have removed the proposed garage and the pedestrian access to Angel Lane. The proposed area of hardstanding does not require

planning permission, the alterations to the boundary wall to access the acquired land does require permission, as does the replacement of the block and render wall at the front of the property with a local natural stone wall and the erection of a new boundary wall between the acquired land and the land to the rear of Ash House, constructed from natural stone.

As such this planning application is for -

- The alterations to the wall to create access to the acquired land
- The alterations to the front boundary wall
- The erection of a new boundary wall between the acquired land and the land to the rear of Ash House

There have been several objections to the proposal, most of the comments made relate to the impact on the visual amenity and the historic environment and as such these will be the main considerations for this application.

Visual Amenity

The proposed vehicular access would be approximately 3000mm wide and includes the installation of an electric sliding black iron gate. The detailing for the sliding gates is yet to be confirmed with the Conservation Officer and as such will be conditioned accordingly, but it is considered that the use of black metal railing type gate would be appropriate as black metal railings are visible elsewhere within the estate.

The existing wall to the front of No 6 and No 7 Lansdowne Place is constructed of rendered block work and is approximately 500mm high outside No 6, stepping several times to a height of approximately 1930mm at the junction with the gates, the wall continues on the other side of the gates, stepping twice more to a final height of approximately 2300mm. The proposed replacement natural stone wall to the front of the property would be approximately 900mm high outside No 6 Lansdowne Place, with a sweep up to approximately 1930mm where it would meet with the gates, on the other side of the gates the wall would continue with a further sweep up to a maximum height of 2300mm where it would meet the natural stone original wall to the north east.

The new dividing wall would be constructed of natural stone and would run West-East at a height of approximately 1660mm and would divide the acquired land from the land still belonging to Ash House. The wall would be capped off using square edge natural stone copings overhanging the wall by 30mm either side.

It is considered that the materials for the replacement front boundary wall and the new boundary wall are such that they will blend well with the surrounding area, particularly considering the building itself is constructed of natural stone, as are the walls either side of the entrance to Lansdowne Place.

The planting to happen in the new garden area is also to be confirmed at a later date and will also be conditioned accordingly.

Due to the design and materials proposed it is considered that there will be no substantial adverse affect on visual amenity in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028).

Historic Environment

The plot is a listed building in a conservation area and accordingly advice has been sought

from the Conservation Officer. He is content that the historic environment has not been harmed with the proposals and has been involved in preapp discussions with the applicant regarding the various aspects of this application and has taken the numerous comments received into account when making his recommendations. The applicant has supplied details regarding the height of the proposed wall to the front of the property, which is not significantly different to the existing wall and has agreed to the changes suggested by the Conservation Officer regarding the design of this wall and the materials to be used for the new boundary wall to be erected in the garden.

Accordingly it is considered that there would be no substantial adverse effect on the historic environment in accordance with policy EQ3 of the South Somerset Local Plan (2006-2028).

Other issues

Some of the comments made are considered to be of a civil nature so therefore cannot form part of the considerations of this application; these comments include those referencing rights of access across land and local covenants, however, whilst considering this application research into the original permission has discovered that there is permission for vehicle access to the current parking area. Other comments received which are not considered relevant to this application include previous works done on the property or the development of the estate, including any conditions that may have been applied, and mapping issues where property names are written in the wrong place. With regard to the comments received regarding policies ST4, ST5 and EH5 these policies were from the old South Somerset Local Plan and have been replaced, as noted the policies to consider in this application are EQ2, EQ3, SS1, SD1, TA5 and TA6 of the South Somerset Local Plan (2006-2028).

Several of the comments received relate to residential amenity concerns, although most of these have been addressed by the removal of both the garage and the pedestrian access onto Angel Lane. The size of the plot and any attached concerns regarding future development of the site should not be a concern when addressing this application, any future development applications would be assessed separately on their own merits. It has been confirmed that there was a mistake in the Design and Access statement, the opening in the wall is to be approximately 3 metres wide once complete, not the 4 metres as mentioned in the statement. Accordingly it is considered that there will be no substantial adverse affect on residential amenity.

The Highway Authority has advised that Standing Advice applies to this application. The current parking for the property provides two spaces which is not sufficient for a property of this size, the proposals supply a parking and turning area of approximately 19.4 metres by 12 metres, this area is sufficiently large to address the issue, providing plenty of parking for three or more cars to turn around and park, thus allowing them to enter and exit in a forward gear. The opening in the wall is to be 3 metres wide which is the minimum as required by the Highway Authority. It is considered that the proposals adhere to Standing Advice from the Highway Authority. Accordingly it is considered that there will be no substantial adverse effect on Highway Safety and the application is compliant with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

Conclusion:

The proposal by virtue of scale, location, design and materials does not adversely affect the historic environment, visual or residential amenity or highway safety in accordance with policies EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the NPPF Chapters 7 and 12.

RECOMMENDATION

Approve with conditions

01. The proposal by virtue of scale, location, design and materials does not adversely affect the historic environment, visual or residential amenity or highway safety in accordance with policies EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the NPPF Chapters 7 and 12.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the approved plans Nos 14.03, 14.04A, 14.01C.

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

03. No work shall be carried out to fit any gates unless details of the design, materials and external finish of these elements have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the saved policy EQ3 of the South Somerset Local Plan (2006-2028).

04. No work shall be carried out on site unless particulars and details of the materials (including the provision of samples where appropriate) for the following are supplied. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

- Full details of the new boundary walls, including details of the making good and the materials, coursing, bonding and coping; mortar profile, colour, and texture along with a written detail of the mortar mix.
- Hard standing.

Reason: in the interests of the special architectural and historic interests of the listed building

05. Prior to the commencement of the development hereby permitted a scheme of tree and shrub planting shall be submitted and agreed in writing by the local planning authority. Upon completion of the hereby permitted development the approved planting scheme shall be implemented in the next planting season and should, within a period of five years from the completion of the development, any of the trees or shrubs planted in accordance with this condition, or any tree or shrub planted as a replacement for any of those trees or shrubs, is cut down, removed, damaged or dies another tree or shrub of the same species shall be planted at the same location, at a time agreed in writing by the Local Planning Authority unless the Local Planning Authority agrees in writing to dispense with or vary the requirement.

Reason: In the interests of visual amenity and landscape character and to accord with Policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028).

Informatives:

01. You are advised of the need to ensure that construction activities do not adversely affect the protected Weeping Ash tree in the adjoining garden.
-

Agenda Item 18

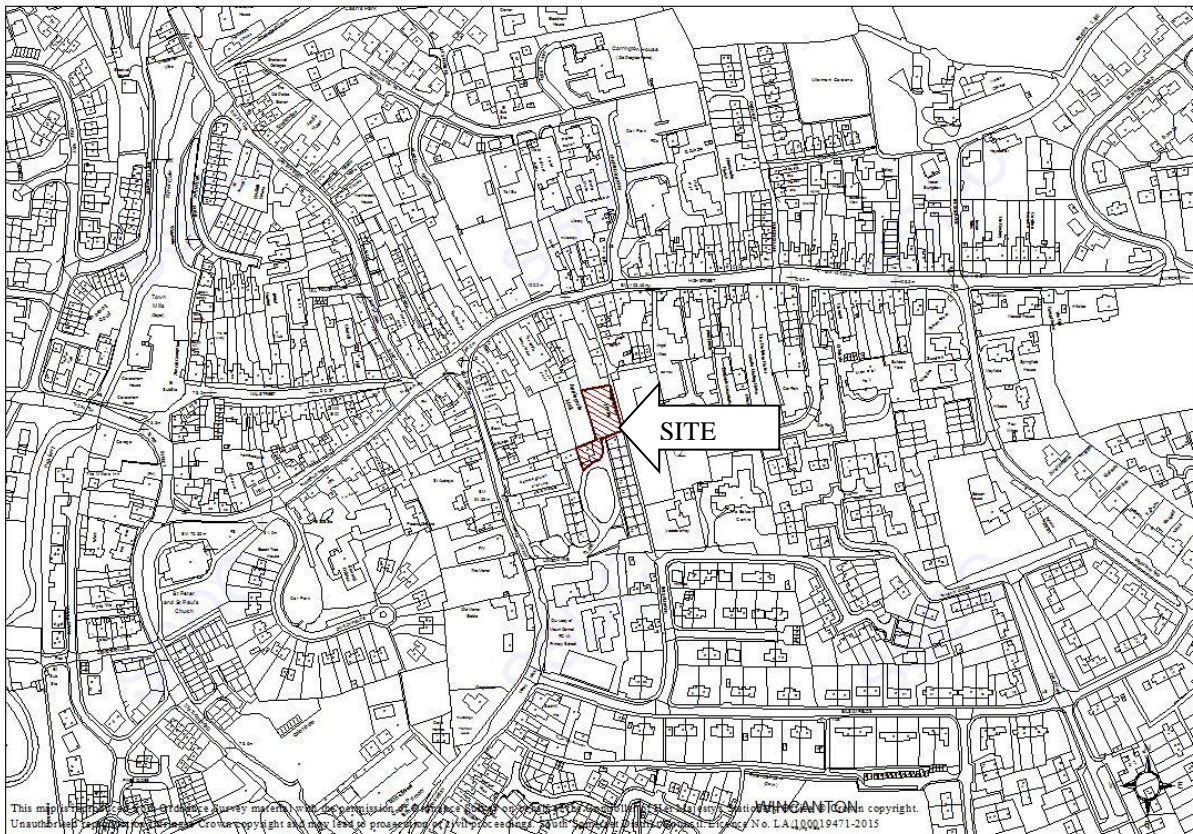
Officer Report On Planning Application: 15/01315/LBC

Proposal :	Erection of a natural stone wall to divide garden. Formation of vehicular access through existing wall and pedestrian access onto Angel Lane. Replace rendered wall to natural stone (GR 371388/128562)
Site Address:	7 Lansdowne Place, Wincanton, Somerset.
Parish:	Wincanton
WINCANTON Ward (SSDC MemberS)	Cllr N Colbert Cllr C Winder
Recommending Case Officer:	Emma Meecham Tel: 01935 462159 Email: emma.meecham@southsomerset.gov.uk
Target date :	20th May 2015
Applicant :	Mr And Mrs D Smith
Agent: (no agent if blank)	Mr G Adlem, Little Hains, Hains Lane, Marnhull, Dorset DT10 1JU
Application Type :	Other LBC Alteration

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the request of the Ward Member with the agreement of the Chairman to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The site is located in the middle of Wincanton and is a Grade II listed building. It is close to a church which is also Grade II listed. The property is within a conservation area.

The dwelling is constructed of stone rubble with freestone dressings and the roof is constructed of Clay Bridgwater tiles with coped gable ends.

The applicant has recently purchased some land to the north east of their property for use as a general amenity area for their property and the proposed works are to allow access to and the enjoyment of this amenity area.

This application originally sought full consent for the formation of a pedestrian access onto Angel Lane, the formation of a vehicular access from Acorn House to the recently purchased land to the rear, replacement of the rendered wall to the front of the dwelling with a natural stone wall, erection of a dividing wall at the boundary of the new land and the erection of a triple garage.

Amended plans have been received in response to representations that have removed the proposed garage and pedestrian access to Angel Lane.

This application has a full planning application and a listed building consent running parallel to one another.

RELEVANT HISTORY

- 08/02636/LBC The replacement of certain existing flat iron casement windows on south elevation and the installation of an air vent on east elevation.
- 07/01374/LBC The installation of shelving (retrospective application) - Permitted with conditions.

- 04/00085/LBC The conversion of upper two floors into parish flat with access in accordance with existing planning permission (02/00198/FUL) - Permitted with conditions (the lower two floors remained as meeting rooms and supporting service accommodation).
- 03/02196/LBC The demolition of garages and the conversion of part of priory to provide two no dwellings - Permitted with conditions.
- 02/00198/FUL The conversion of Priory House into 3 no. houses and the erection of 15 no. houses with parking, new presbytery garage and improved access to South Street - Permitted with conditions. Subsequent to this application an amendment was received on 11 October 2004 to include a gated access and parking to 7 Lansdowne Place which was agreed.

POLICY

Section 16 of the Listed Building and Conservation Areas Act is the starting point for the exercise of listed building control. This places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

NPPF: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building; park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

Whilst Section 38(6) of the 2004 Planning Act is not relevant to this listed building application, the following policies should be considered in the context of the application:

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

CONSULTATIONS

Wincanton Town Council - Initially the town council recommended refusal as they considered the proposal was not in keeping with policy EQ3 - Historic Environment.

Following the amended plans the Town Council recommended refusal for the following reasons:

EQ2 General Development

Failed to conserve and enhance the landscape character of the area. Failed to reinforce local distinctiveness and respect local content.

EQ3 Historic Environment

Failed to safeguard or enhance the significant character setting and local distinctiveness of the historic assets. Failed to make a positive contribution to it's character through a high standard of design which reflect and compliment it through the use of appropriate materials and techniques.

County Archaeology - Initially there was a requirement for an archaeological survey, following the amended plans no further comments have been received.

Conservation Officer - The initial comments from the Conservation Officer indicated that in principle he could see no harm in the proposals. The opening to be created is considered modest by the Conservation Officer and as such acceptable, it is considered that the remaining wall will mean the two spaces will remain defined as separate entities. The Conservation Officer considered the replacement of the render wall with a natural stone wall will work in isolation as it will be read against the existing building as its backdrop. Following the submission of the amended plan the Conservation Officer noted that the elevation drawings of the new boundary wall, as revised, show an appropriate solution that will enhance the setting of the listed building. The new garden wall between the newly formed garden and the remaining garden to Ash House is now shown as stone faced on both sides. I can confirm that I am now happy to support the proposal. I suggest the use of appropriate conditions.

REPRESENTATIONS

2 representations of support were received, in summary the points are:

- The materials and proposed works will enhance the area and should be encouraged
- Confident that the integrity and character of the area will be maintained

15 representations of objection to the proposal were received, in summary the objections are:

- Concerns over rights of access and covenants
- The impact on the street scene of the materials
- The impact on the historic environment
- Traffic related concerns

Following the submission of the amended plans a further 7 representations of objections were received reiterating the concerns originally raised.

CONSIDERATIONS

The sole consideration in this case relates to the impact on character/appearance of the listed building and its setting

Amended plans have been received which have removed the proposed garage and the pedestrian access to Angel Lane. The proposed area of hardstanding does not require permission, the alterations to the boundary wall to access the acquired land does require Listed Building Consent, as do the replacement of the block and render wall at the front of the property with a local natural stone wall and the erection of a new boundary wall between the acquired land and the land to the rear of Ash House, constructed from natural stone.

As such this Listed Building Consent application is for -

- The alterations to the wall to create access to the acquired land
- The alterations to the front boundary wall
- The erection of a new boundary wall between the acquired land and the land to the rear of Ash House

There have been several objections to the proposal, of these comments the ones which relate

to the impact on the visual amenity and the residential amenity of the proposals are not considered relevant to this Listed Building Consent application. Some of the comments are considered to be of a civil nature so therefore cannot form part of the considerations of this application; these comments include those referencing rights of access across land and local covenants, however, whilst considering this application research into the original permission has discovered that there is permission for vehicle access to the current parking area. Other comments received which are not considered relevant to this application include comments relating to previous works done on the property or the development including any conditions that may have been applied and mapping issues where property names are written in the wrong place. With regard to the comments received regarding policies ST4, ST5 and EH5 these policies were from the old South Somerset Local Plan and have been replaced, the policy to consider in this application is EQ3 of the South Somerset Local Plan (2006-2028).

There were some anomalies between the drawn scale plans and the Design and Access statement, the size of the opening has been clarified as being 3 metres.

Historic Environment:

The Conservation Officer is content that the setting of the listed building and the conservation area have not been harmed with the proposals. It is considered that the materials for the replacement front boundary wall and the new boundary wall are such that they would blend well with the surrounding area particularly considering the building itself is constructed of natural stone and the walls to the entrance of Lansdowne Place are also constructed of natural stone. The Conservation Officer has been involved in preapp discussions with the applicant regarding the various aspects of this application and the Conservation Officer has taken the comments received into account when making his recommendations. The applicant has supplied details regarding the height of the proposed wall to the front of the property, which would not be greatly different to the existing wall and has agreed to the changes suggested by the Conservation Officer regarding the new boundary wall to be erected in the garden.

The vehicular access would be approximately 3000mm wide and would include the installation of an electric sliding black iron gate. The detailing for the sliding gates is yet to be confirmed with the Conservation Officer and as such will be conditioned accordingly, but it is considered that the use of a black metal railing type gate would be appropriate as black metal railings are visible elsewhere within the estate.

The existing wall to the front of No 6 and No 7 Lansdowne Place is constructed of rendered block work and is approximately 500mm high outside No 6, stepping several times to a height of approximately 1930mm at the junction with the gates, the wall continues on the other side of the gates, stepping twice more to a final height of approximately 2300mm. The proposed replacement natural stone wall to the front of the property would be approximately 900mm high outside No 6 Lansdowne Place, with a sweep up to approximately 1930mm where it would meet with the gates, on the other side of the gates the wall would continue with a further sweep up to a maximum height of 2300mm where it would meet the natural stone original wall to the north east.

The new dividing wall would be constructed of natural stone and would run West-East at a height of approximately 1660mm and would divide the acquired land from the land still belonging to Ash House. The wall would be capped off using square edge natural stone copings overhanging the wall by 30mm either side.

Due to the design and materials it is considered that there would be no substantial adverse affect to the historic environment in accordance with policy EQ3 of the South Somerset Local Plan (2006-2028).

Conclusion:

The proposal by virtue of scale, location, design and materials does not substantially adversely affect the historic environment in accordance with policy EQ3 of the South Somerset Local Plan (2006-2028) and the NPPF Chapter 12.

RECOMMENDATION

That Listed Building Consent be granted.

01. The proposed works, by reason of their design, location and extent, are considered to respect the special historic and architectural interests of this listed building and not adversely affect its character or setting in accordance with policy EQ3 of the South Somerset Local Plan (2006-2028) and would accord with Chapter 12 of the National Planning Policy Framework (2012).

SUBJECT TO THE FOLLOWING:

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02. The works hereby permitted shall be carried out in accordance with the approved plans Nos 14.03, 14.04A, 14.01C.

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

03. No work shall be carried out to fit the gate unless details its design, materials and external finish has been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the saved policy EQ3 of the South Somerset Local Plan (2006-2028).

04. No work shall be carried out on site unless particulars and details of the materials (including the provision of samples where appropriate) for the following are supplied. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

- Full details of the boundary walls, including details of the making good and the materials, coursing, bonding and coping; mortar profile, colour, and texture along with a written detail of the mortar mix.
- Hard standing.

Reason: in the interests of the special architectural and historic interests of the listed building