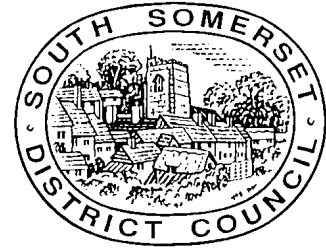


South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 9th September 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 **10.15am**.

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 1 September 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 **10.00 am**. Planning applications will not be considered before **10.15 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 SSSC council office, to see what executive/key decisions are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

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

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

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

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

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

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

Public Participation at Committees

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

Public Question Time

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

Planning Applications

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

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

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

The order of speaking on planning items will be:

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

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

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

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

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

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

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

Area East Committee

Wednesday 9 September 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 date of the next scheduled meeting of the committee will be at the Council Offices, Churchfield, Wincanton on 14th October 2015.

Items for Discussion

9. Area East Neighbourhood Policing Update (Page 8)

10. Streetscene Service Performance in Area East (Pages 9 - 12)

11. Area East Committee Forward Plan (Pages 13 - 14)

12. Items for information (Pages 15 - 16)

13. Schedule of Planning Applications to be Determined by Committee (Pages 17 - 18)

14. 15/03137/FUL Woodhouse Farm Limington - Boarding Kennels (Pages 19 - 26)

15. 15/03070/FUL - 15 Bridgwater Buildings Castle Cary - Erection of a conservatory (Pages 27 - 30)

16. 14/04966/LBC Karen Christensen Castle Cary - Re-paint exterior woodwork on shop front. (Pages 31 - 34)

17. **15/03475/R3C Primrose Hill Primary and Nursery School Cabot Road Yeovil**
- SSDC is a consultee- Area East Councillors views are sought (Pages 35 - 41)

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

Area East Neighbourhood Policing Update

Executive Portfolio Holder: Peter Gubbins, Community Safety
Head of Service: Helen Rutter, Area Development Manager
Lead Officer: Helen Rutter Area Development Manager
Contact Details: helen.rutter@southsomerset.gov.uk or (01963-435012)

Dean Hamilton and Tim Coombe of Avon and Somerset Police, the officers responsible for neighbourhood policing across Area East, will be attending the Area East Committee.

Members will be given a verbal overview of local policing pertaining to Area East

Recommendation

That members note and comment on the presentation.

Background Papers: Area East Police Progress Report

Agenda Item 10

Streetscene Service Performance in Area East

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

Purpose of the Report

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

Recommendation

Members are invited to comment on the report

Report

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

- Routine cleansing and grounds maintenance
- Highway weed control
- Rights of Way maintenance

Operational Works

The team continues to focus on the routine street cleansing and grounds maintenance across the Area.

We have recently finished the first spray of the highway weed killing operation. The quad bikes have performed very well and we have just started the second application in Yeovil. This change to the service has not only made the operation more efficient, but has made a visible difference to the look of the district. Some species of plants are showing resilience against the herbicide used and we are tasking out teams with manual removal of these. You may notice these growing in road drains and certain kerbsides, and without changing the chemicals used, we have no other practical way of removing them.

In association with these approaches, we are fitting weed removal brushes onto the road sweepers which will focus on removal of soil & weeds that have built up on kerbed areas of the roads around the Area. We aim to have made a notable impression into this work plan before the winter weather arrives.

During the spring, we had the pleasure of working with the Wincanton Town Team on the initiative to 'spruce up' the High Street area. The weekend involved a wide range of jobs carried out by residents, local shops workers and volunteers supported by the team, our equipment and made a notable difference to the look of the high street area.

We also supported Ilchester Youth Parish Council with a clean-up of their town and with residents of The Mead to assist them in setting up their own flood store arrangements.

Should other towns or villages wish to organise similar types of events, we would be delighted to work with them or simply offer resources to support their work. If members

would like more details about how to progress these kinds of ideas, please feel free to call me to discuss.

We also continue to focus on managing the number of flytips found in the district, the chart below shows the numbers of fly tips collected from Area East from April 2015 until July 2015.

In Area East we found that the levels of tipping between April to the end of July showed 65 instances of dumping compared to 85 reported fly tips for the same period last year. This is very encouraging and we continue to work to reduce these figures even further.

AREA EAST	April-15	May-15	June-15	July-15	TOTALS
Abbas & Templecombe	2		1		3
Alford					0
Babcary			1		1
Barton St David					0
Bratton Seymour		1			1
Brewham		1			1
Bruton	2	1			3
Castle Cary & Ansford					0
Charlton Horethorne					0
Charlton Mackrell	1				1
Charlton Musgrove					0
Chilton Cantelo					0
Compton Pauncefoot	1			1	2
Corton Denham					0
Cucklington					0
Henstridge		1			1
Holton					0
Horsington	1			1	2
Ilchester	2	4			6
Keinton Mandeville					0
Kingsdon		2	1	1	4
Kingweston					0
Limington			1		1
Lovington					0
Maperton			2	1	3
Marston Magna					0
Milborne Port	2	2			4
Mudford	3	1	3	1	8
North Barrow		1			1
North Cadbury			1	1	2
North Cheriton					0
Penselwood					0
Pitcombe	2	1			3
Queen Camel				1	1
Rimpton					0
Shepton Montague		1			1
South Barrow					0

South Cadbury				1	1
Sparkford		1		1	2
Stoke Trister	1	1			2
West Camel					0
Wincanton	4		3		7
Yarlington	0				0
Yeovilton	2		1	1	4
TOTAL AREA EAST	23	18	14	10	65

We believe that our approach toward clearing flytips as soon as they are found or reported, while working to maintain the area in the cleanest possible manner is deterring people from dumping their waste which reflects in these figures. We will of course monitor this trend to see if this pattern continues to improve.

As a service we constantly review the ways in which we deliver the service in order to improve the effectiveness and efficiency of it. Following recent discussions, we are looking to trial a night shift road sweeping round that will be focussed on sweeping the main roads around the district; while the remaining rounds will be re-worked to pick up the cleansing of the towns and villages. We believe that this potentially offers some savings in operating costs and will enable us to access areas of road that are difficult to clean during day time traffic levels.

This year the service was successful in a capital bid to replace its pavement sweepers and we have been considering the various models on the markets to find the best replacement. After various comparisons and field testing we have chosen the Green machine 636 model, and we expect to be receiving delivery of this equipment later in the month.

The Parish Rangers employed by the team have been very busy and feedback on the contribution they have made to their respective parishes has been very good. We aim to continue to develop the scheme with more parishes as requests are received.

Our horticultural teams are well into their grass cutting schedules, shrub bed maintenance operations and hedge cutting programmes. The season has gone well and the teams are on schedule as expected. We have as part of this work schedule, carried out a range of grounds maintenance, landscaping, arboricultural and deep cleansing one-off projects, for a number of town and parish councils, as contracted works. If any other parish councils are interested in securing the team to carry out works we would be delighted to discuss their requirements with them.

The service was successful in tendering for the maintenance of Public Rights of Way in South Somerset, and so far this year we have completed the first of the maintenance cuts, while the second of these is currently underway, as directed through the County Councils work programme.

What's coming next?

- Leaves! We are currently servicing the machinery in readiness for autumn and developing work programmes. If members have specific area that they would like us to focus on, please e-mail me the address at the head of the page.
- Main road litter control along the main roads and A303
- Delivering the second herbicide application of the highway weed control programme

- Trialling night time road sweeping
- Deployment of the new pavement sweepers

Financial Implications

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

Implications for Corporate Priorities

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

*Continue to support communities to minimise floodwater risks.

*Maintain street cleaning high performance across the district.

Background Papers

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

Agenda Item 11

Area East Committee Forward Plan

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

Purpose of the Report

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

Recommendation

Members are asked to:-

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

Area East Committee Forward Plan

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

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

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

To make the best use of the Area Committee, the focus for topics should be on issues where local involvement and influence may be beneficial, and where local priorities and issues raised by the community are linked to SSDC corporate aims and objectives.

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

Background Papers: None

Appendix A

Area East Committee Forward Plan

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
14 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
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 12

AREA EAST COMMITTEE

9th September 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.

There are no notifications of Appeals this month

- 1. Action List from Area East Committee**

ACTION LIST from Area East Committee -12th August 2015

Item	Action Requested	Action taken
4	The issue of a wind turbine appeal that was to be heard in Bristol rather than locally was to be followed up and contact to be made to the Planning Service to see if it could be remedied and request that all planning appeal hearings should take place locally rather than out of the area. ADM	This is a written representations appeal, and Planning are supporting local people to submit their views to the Inspectorate. The Ward Member and Chairman have been informed
4	Concerns about lack of consultation on planning applications members felt that the issue should be referred to Scrutiny Committee to ensure that due process was being followed. ADM	The matter has been referred to the Scrutiny Manager to see if it meets their criteria. A wider review of the Scheme of Delegation is underway with a report due at Scrutiny in November 2015
14	An evening workshop to be held on planning appeal procedures and the planning application process. ADM /DN	Date tbc following Counsel's advice on a recent appeal outcome

Agenda Item 13

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 10.15am

Members of the public who wish to **speak** about a particular planning item are recommended to arrive for 10.05 am.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
14	IVELCHESTER	15/03137/FUL	The erection of dog boarding kennels with office/feed room	Woodside Farm Ashington Lane Limington	Mr P Nesbit-Bell
15	CARY	15/03070/FUL	Erection of a conservatory	15 Bridgwater Buildings Castle Cary	Mr Terry Watson
16	CARY	14/04966/LBC	Re paint exterior woodwork on shop front in heritage grey	Karen Christensen Hair & Beauty Fore Street Castle Cary	Mrs Karen Christensen
17	IVELCHESTER	15/03475/R3C SSDC is a consultee; and AE Councillors views are sought on the application.	New primary school with nursery, new access road, car parking and playing fields	Primrose Hill Primary and Nursery School Cabot Road Yeovil	Somerset County Council

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

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

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 14

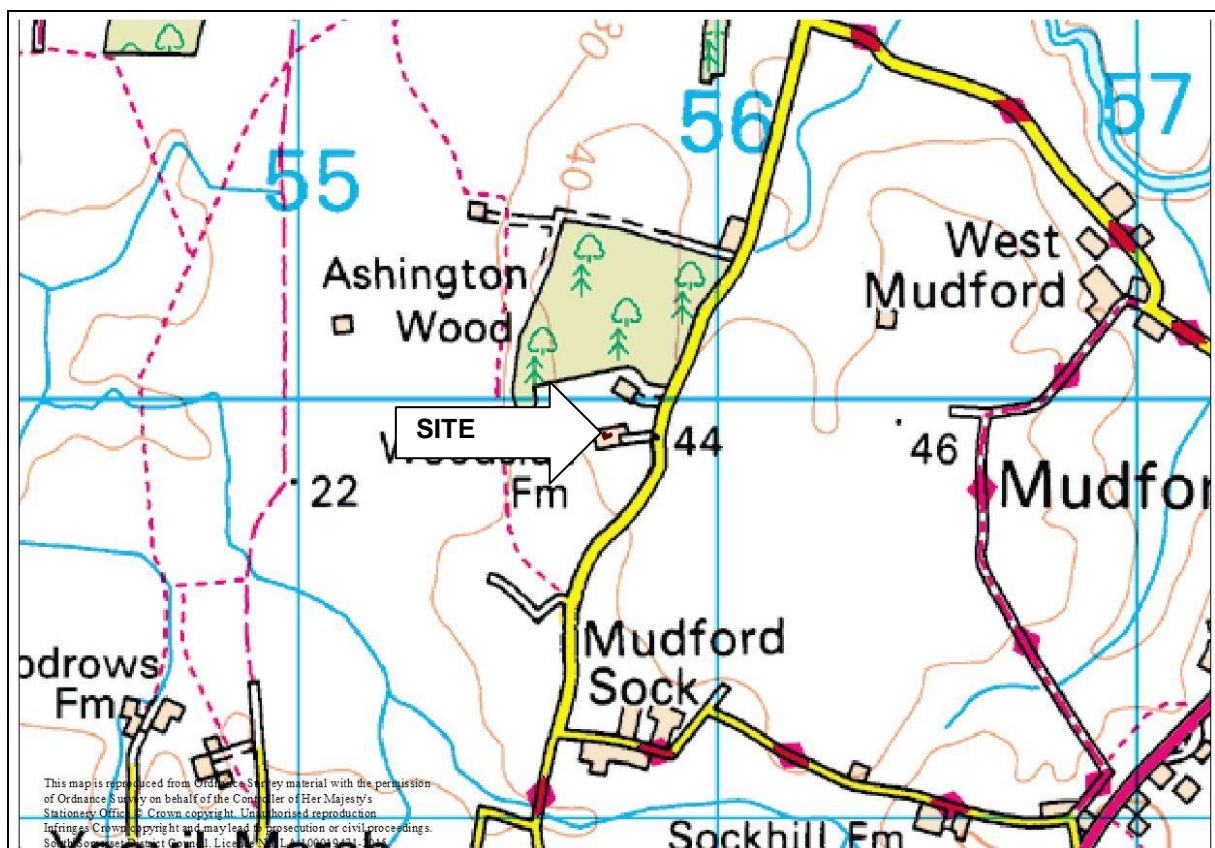
Officer Report on Planning Application: 15/03137/FUL

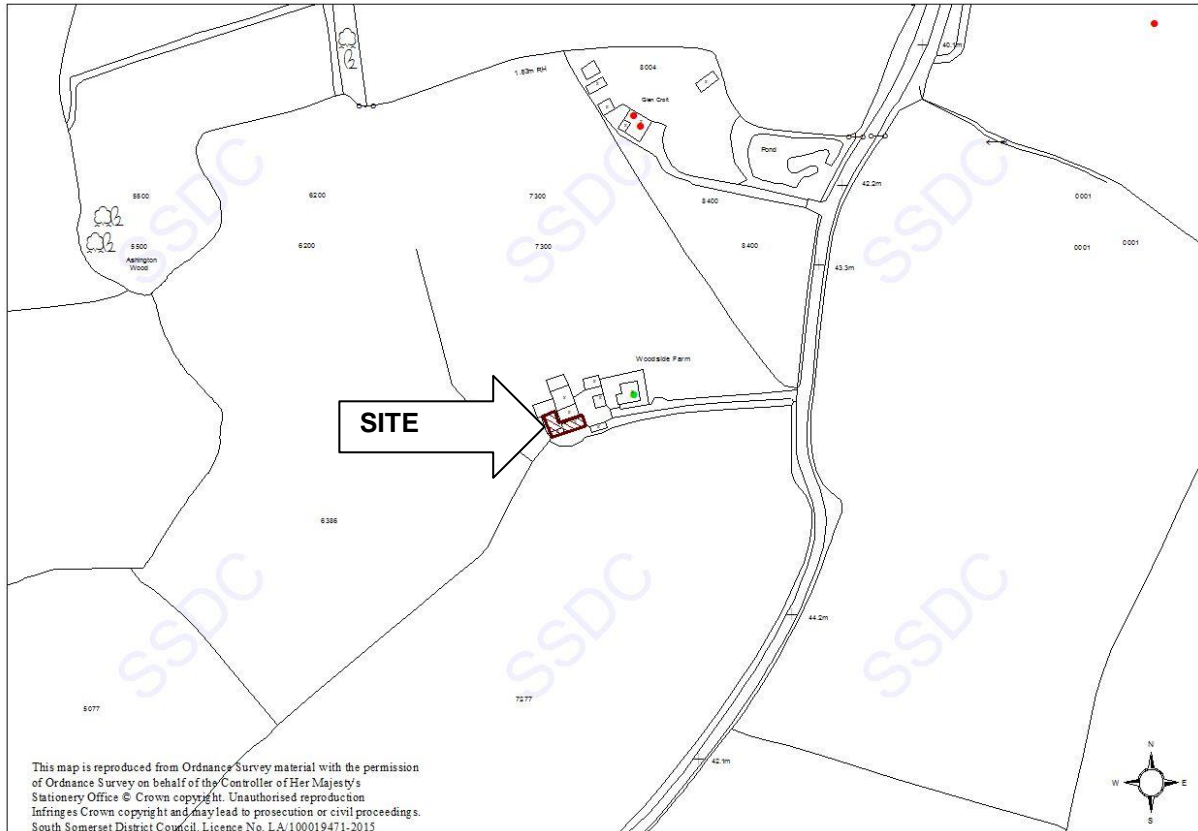
Proposal :	The erection of dog boarding kennels with office/feed room (GR 355773/119923)
Site Address:	Woodside Farm Ashington Lane Limington
Parish:	Mudford
IVELCHESTER Ward (SSDC Member)	Cllr Tony Capozzoli
Recommending Case Officer:	Mrs Jennie Roberts Tel: (01935) 462441 Email: jennie.roberts@southsomerset.gov.uk
Target date :	24th August 2015
Applicant :	Mr P Nesbit-Bell
Agent:	Paul Dance Foxgloves 11 North Street Stoke Sub Hamdon Somerset TA14 6QR
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

This application has been referred to the Area East Committee at the request of the Area Chair and the Ward Member due to enable local concerns to be debated.

SITE DESCRIPTION AND PROPOSAL





The site is a small farm, amounting to 5.4 hectares. It is located off a quiet country lane, in Ashington, to the west of Mudford. In addition to farmland, the farm comprises a bungalow and garage, together with a number of agricultural farm buildings. The nearest residential property to the site is Glen Croft, which lies more than 130m to the north east of the proposed development. The bungalow is subject to an agricultural tie, attached by condition to planning consent 20521, dated 25/07/1953:

"The building shall be occupied by members of the agricultural population only, this is to say persons whose employment or latest employment is or was employment in agriculture, as defined by Section 119 (1) of the Town and Country Planning Act, 1947, or in forestry or in an industry mainly dependent upon agriculture, and includes also the dependants of such persons aforesaid."

The agent has stated that until recently, the applicant's partner was employed in agriculture, thus complying with the planning condition.

This application proposes the erection of 9 dog boarding kennels, together with 2 isolation kennels and an office/feed room. The kennels will provide an inside sleeping/rest area for dogs with an outside run, together with walkways on either side of the accommodation. A Nissen hut store and open sided barn will be removed to make way for the kennels, whilst a garage and open end barn will remain. The kennels will be partly enclosed by an established boundary hedge. The exterior walls of the kennels will be stained timber boarding, together with wire mesh where the runs are external. The mainly flat roof will be constructed of corrugated sheeting. The roof of a small lean-to element of the development will be covered by solar panels.

The agent states that there is sufficient room to park two vehicles within the farm building yard and for them to turn and leave the site. The applicant anticipates that on average 4 kennels per week will be occupied, which are likely to generate 8 visits per week.

HISTORY

20521 - Erection of bungalow and services and dairy - conditional approval - 25/07/1953.

POLICY

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

South Somerset Local Plan (2006-2028)

SD1 (Sustainable Development)
SS1 (Settlement Strategy)
EP5 (Farm Diversification)
TA5 (Transport Impact of New development)
TA6 (Parking Standards)
EQ2 (General Development)
EQ7 (Pollution Control)

National Planning Policy Framework

Chapter 1 (Building a strong, competitive economy)
Chapter 3 (Supporting a prosperous rural economy)
Chapter 7 (Requiring good design)

National Planning Practice Guidance

Design
Noise

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

CONSULTATIONS

PARISH COUNCIL - Recommends refusal, due to access, parking, disposal of dog waste (effect on livestock) and noise.

COUNTY HIGHWAY AUTHORITY - No objection subject to conditions

SSDC HIGHWAYS CONSULTANT - *"Visibility to the south is adequate measuring in excess of 2.4m x 43m (the road alignment assists in encouraging low traffic speeds in the region of 25-30mph)*

- *In the opposite direction (to the north) a visibility splay of 2.4m x 30m is currently achievable to the centreline of the road, although additional trimming of the hedge could provide further visibility in this direction*
- *Ashington Lane is very lightly-trafficked*
- *The existing access is of a gravel/loose stone finish*
- *The position of the existing entrance gate does not allow a car to pull off from the*

highway for the gate to be opened

The proposal is for 11 kennels. As such, I do not consider the development proposal would generate significant levels of traffic on a daily basis. While the access is not to full standard, I consider the probability of a vehicle emerging from the site at the same time as a vehicle may be travelling along Ashington Lane to be low. Having a full standard visibility splay to the south assists when emerging from the access, and therefore on balance I do not believe a highway objection can reasonably be substantiated for such a low-key use." He also advises the following: "given the limitations of the existing access (particularly in respect of visibility in the northerly direction) I would recommend an 'informative' is attached to any consent, stating that should any future proposals be submitted that would lead to a further increase in traffic generation, such proposals would need to ensure that full visibility can be achieved in the northerly direction."

ENVIRONMENTAL PROTECTION - *"I am aware that local concerns have been raised regarding loss of amenity due to noise with regard to this application. Given the scale of the operation and the distances to the nearest residential properties I cannot substantiate an objection to this application however should the application be approved I would recommend that the following condition be applied. Before the development commences a scheme of acoustic attenuation shall be submitted to and agreed in writing by the Local Planning Authority that specifies the provisions to be made for the control of noise emanating from the site. The noise mitigation scheme shall be maintained and shall not be altered without the prior written approval of the Local Planning Authority. Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Local Planning Policy."*

NATIONAL GRID - No objection - has provided information for the applicant (see informative at end of this report)

SSDC LANDSCAPE ARCHITECT - No objections

SSDC ECOLOGIST - No objections

SSDC LICENSING - (verbal response) - confirmed that disposal of dog waste would be looked at as part of the licensing application

REPRESENTATIONS

Occupants of 28 properties have objected to the proposal.

Concerns raised include (these issues will be considered in the 'Considerations' section, below):

- Noise and disturbance to local residents from barking dogs
- Increase of traffic on a quiet, single-track lane
- Disturbance to wildlife
- Agricultural occupancy condition
- Is this actually farm diversification?
- Unwanted competition for other boarding kennels
- Disposal of dog waste and potential for spread of disease to farm animals
- Rumours that the applicant may wish to train dogs at the site at some point in the future

CONSIDERATIONS

Principle

A couple of contributors have questioned how this proposal can be considered to be farm diversification. Woodside Farm, at 5.4 hectares in size, is a small agricultural holding, which is not currently operating as a working farm. This application therefore does not relate to farm

diversification, but relates to a new business, which at this time is proposed to comprise dog boarding kennels [and at a later date beef and sheep farming]. As such, this application is not being assessed in relation to local or national farm diversification policies. This application proposes to change the use of a small area of land from agricultural to a sui generis use, demolish an existing redundant agricultural building and erect a dog boarding facility with 11no. kennels and associated exercise runs. The building would have 149.6 sqm of gross internal floorspace. It is considered that, subject to compliance with the Local Plan in relation to other issues (as described below), this small-scale change of use would not have any significant implications for the future operation of an agricultural business at Woodside Farm. As such, the principle of the development is considered to be acceptable.

Residential amenity/noise

The proposed kennels are located well away from neighbouring dwellings. The nearest residential property (other than the applicant's own bungalow), is Glen Croft, which is located more than 130m away to the north east of the application site. The next nearest residential property is more than half a kilometre to the north east of the site. As such, it is considered that the proposed building would not be overbearing upon neighbouring properties.

Several strong objections have been received from neighbours (and people further afield) in relation to noise from barking dogs, and the negative impact this would likely have on the residential amenity of those living near to the site. This concern was discussed with the Environmental Protection Officer, who also had conversations with a number of the objectors. It is acknowledged that there is likely to be some barking at times, but it is important to acknowledge that the Environmental Protection officer does not object to the kennels subject to the provision of further details of the specification of the kennels in terms of acoustic attenuation. A condition is recommended accordingly. It should be noted that there is provision to investigate complaints regarding noise under the Environmental Protection Act 1990 and as such, this matter could be dealt with by the Environmental Protection team, if future complaints should arise. Given the above, it is considered that the objections on noise grounds cannot be given sufficient weight to justify the refusal of planning permission.

With the above in mind, it is considered that the proposed development accords with policies EQ2 and EQ7 of the South Somerset Local Plan and the NPPF.

Visual amenity

Having regard to the small scale, the location, design and materials used, it is considered that the proposed development would not significantly impact on the landscape character of the area. In particular, it is considered that the siting and design of the proposed building would minimise its impact on the visual amenity of the surrounding area. The kennels would relate well to the existing group of small agricultural buildings on the site, and being single storey, they would not be readily visible from beyond the immediate site boundaries. This view is supported by SSDC's Landscape Architect, who raises no objection to the proposal. It is therefore considered that the proposed development accords with policy EQ2 of the South Somerset Local Plan and the NPPF.

Highways/parking

A number of objectors have voiced their concern about the potential for the proposal to cause congestion in Ashington Lane, which is a narrow, lightly-trafficked, single-track road.

SSDC's Highways Consultant raises no objections subject to conditions. Somerset County Highways Authority states that the proposed development is broadly in line with local and national policy, and they also raise no objections, subject to conditions.

Having regard to the above, and noting that the small-scale nature of the development would be unlikely to result in a significant level of additional traffic movements, it is considered that,

subject to conditions (see end of report) the proposal would have an acceptable impact on highway safety. The level of on-site parking provision is also considered to be acceptable. It is therefore considered that the proposed development accords with policies TA5 and TA6 of the South Somerset Local Plan and the NPPF.

Compliance with agricultural tie

The farm's bungalow is subject to an agricultural tie, attached by condition to planning consent 20521, dated 25/07/1953:

"The building shall be occupied by members of the agricultural population only, this is to say persons whose employment or latest employment is or was employment in agriculture, as defined by Section 119 (1) of the Town and Country Planning Act, 1947, or in forestry or in an industry mainly dependent upon agriculture, and includes also the dependants of such persons aforesaid."

The applicant's partner was until very recently full time employed in agriculture and plans to establish a herd of beef animals and a flock of sheep when she moves in; being last employed in agriculture enables the applicant and his partner to comply with the agricultural tie. Further clarification of details of her recent full time employment has been sought; Members will be updated with such details at the committee meeting. Nevertheless, on the basis that the Council is satisfied that the site's owners comply with the agricultural tie, it is considered that a dog boarding business of this scale could reasonably operate from the site without being in breach of the tie.

Other issues

A number of other issues have been raised by objectors in relation to the applications:

Impact on wildlife

Concerns were raised that barking dogs could impact negatively on local wildlife. SSDC's Ecologist does not consider that such disturbance would be a significant constraint nor issue. He states that the site and immediate surrounds are very unlikely to support any wildlife of significant conservation status that would be sensitive to such noise, and that whilst there is likely to be 'common' wildlife in the area, small impacts from noise are not sufficient justification to refuse the application. In any case, any such wildlife may well habituate to the noise. He also refers to the demolition of the Nissen hut to make way for the kennels, and concludes that it is not likely to be used for roosting by bats. He raises no objection to the proposal.

Competition for other boarding kennels

This is not a material planning consideration, and as such, is irrelevant in the consideration of this planning application.

Disposal of dog waste/potential for spread of disease

A concern has been raised regarding hygiene/spreading of disease to farm animals due to the disposal of dog faeces. This is not a material planning consideration and would be governed by other regulations outside of the planning system, including Licensing. Where there are other regulations that need to be complied with, it would be necessary for the applicant to address these independently of the planning application.

Possibility of future dog training

One objector believes the applicant may wish to run a dog training business from the site in the future. This does not relate to this application, and would require a separate planning application. As such, this concern is irrelevant in the consideration of this planning application.

Conclusion

In conclusion it is considered that, subject to conditions, the proposal broadly accords with the policies of the South Somerset Local Plan (2006-2028) and the NPPF. As such it is considered that the application is approved.

RECOMMENDATION

Grant permission for the following reason:

01. Having regard to the siting, location, access, parking, design, scale and nature of the proposal, it is considered that it has an acceptable impact on the visual amenity and landscape character of the surrounding area, the residential amenity of neighbouring properties and highway safety. As such, it accords with policies SD1, SS1, TA5, TA6, EQ2, EQ7 of the South Somerset Local Plan (2006-2028), the NPPF and the Somerset County Highways Standing Advice.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans (except where directed otherwise by the conditions below):

Drawing no: 3452/15/0, date-stamped 29/06/2015;
Drawing no: 3452/15/1, date-stamped 29/06/2015;
Drawing no: 3452/15/2A, date-stamped 29/06/2015;
Drawing no: 3452/15/3A, date-stamped 29/06/2015;
Drawing no: 3452/15/4A, date-stamped 29/06/2015;

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

03. No work shall commence on site unless a scheme of acoustic attenuation has first been submitted to and approved in writing by the Local Planning Authority that specifies the provisions to be made for the control of noise emanating from the site. The noise mitigation scheme shall be maintained and shall not be altered without the prior written approval of the Local Planning Authority.

In the interests of amenity, in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan (2006-2028).

04. Prior to first use of the development hereby approved:

1) The first 6m of the access from the carriageway edge shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

2) Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 6 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

3) 2no. parking spaces for the development and a properly consolidated and surfaced turning space for vehicles shall be provided and constructed within the site in

accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

4) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

05. The building hereby approved shall be used only as dog boarding kennels, and not for any other purpose.

Reason: To determine the scope of this permission and for the avoidance of doubt.

Informatives:

01. The applicant is advised to have regard to the information provided by the National Grid in its letter to the Local Planning Authority dated 23/07/2015, a copy of which can be viewed on the Council's website.

02. The applicant is advised of the following comment from the Council's Highway Consultant:

"Should any future proposals be submitted that would lead to a further increase in traffic generation, such proposals would need to ensure that full visibility can be achieved in the northerly direction" [as per the requirements of the Somerset County Highways Standing Advice 2012].

Agenda Item 15

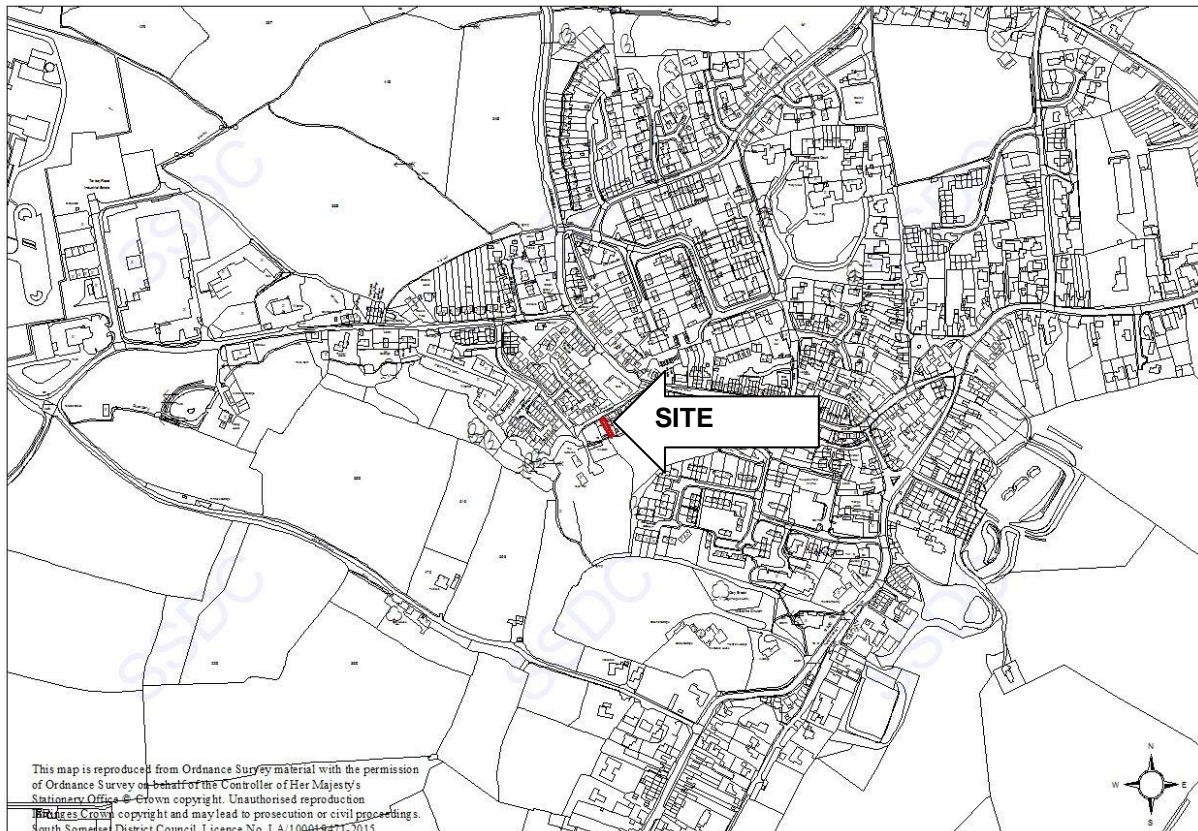
Officer Report on Planning Application: 15/03070/FUL

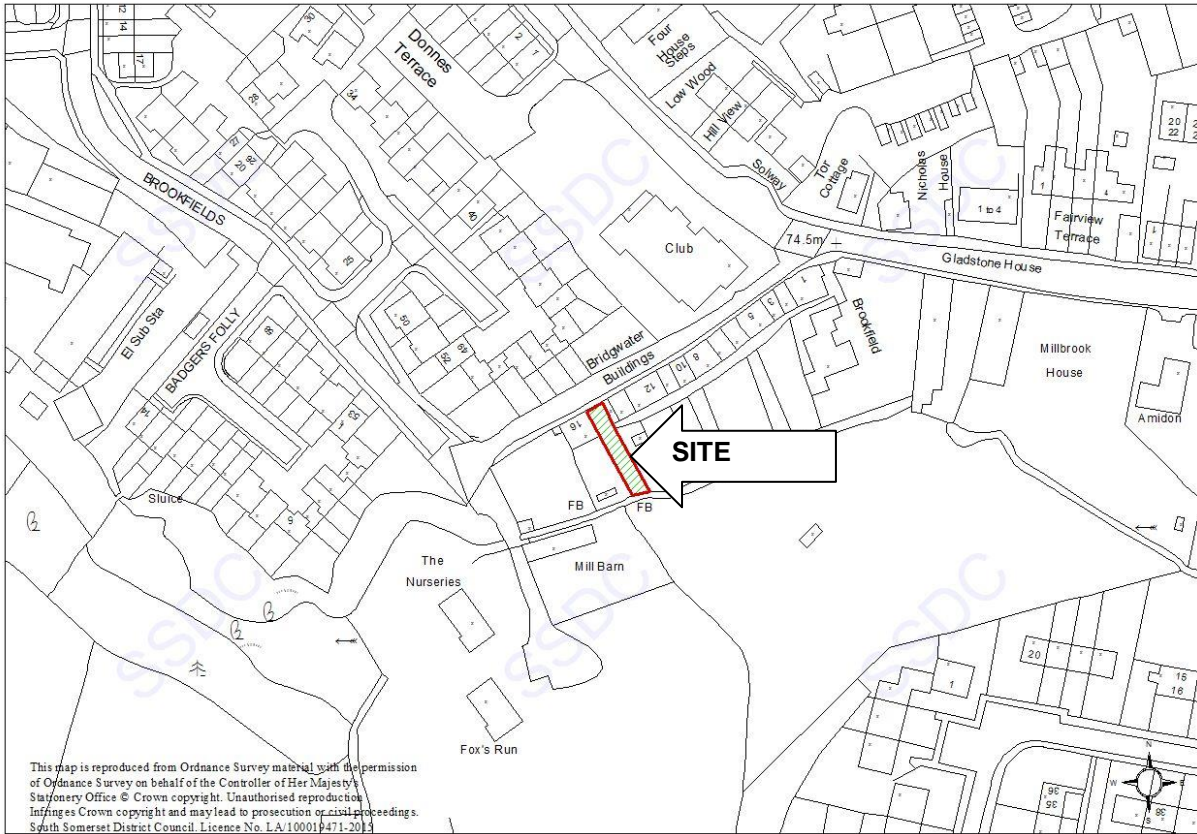
Proposal :	Erection of a Conservatory (GR 363676/132294).
Site Address:	15 Bridgwater Buildings Castle Cary Somerset
Parish:	Castle Cary
CARY Ward (SSDC Member)	Cllr Nick Weeks Cllr Henry Hobhouse
Recommending Case Officer:	Sam Fox Tel: 01935 462039 Email: sam.fox@southsomerset.gov.uk
Target date :	19th August 2015
Applicant :	Mr Terry Watson
Agent:	Mr Paul Knight Southern Conservatories North Perrott Garden Centre Crewkerne TA18 7SS
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

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

SITE DESCRIPTION AND PROPOSAL





The site is located to the east of the town off Station Road within the conservation area. Bridgwater Buildings is a narrow unclassified no through road providing access to a terrace of properties, including the subject building, and a development of 3 residential dwellings comprising two bungalows and one converted barn.

The property is a two-storey dwelling constructed of local natural stone with brick quoins under a tiled roof. The property fronts directly onto the highway to the north with no off road parking provision. Access is derived by all the properties within the terrace from the west by way of a communal walkway adjacent to the subject property. A small garden area leads onto the stream at the bottom with views across to the converted barn and the park beyond. There is currently a small lean to extension on the property with the majority of the properties within the terrace benefit from either a similar style extension or smaller traditional porch. This application seeks permission for the erection of a conservatory.

RELEVANT HISTORY

None relevant

POLICY

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan is the South Somerset Local Plan (2006-2028). On this basis the following policies are considered relevant:-

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

SD1 - Sustainable Development
SS1 - Settlement Strategy
Policy EQ2 - General Development
Policy EQ3 - Historic Environment

National Planning Policy Framework

7 - Requiring good design
12 - Conserving and enhancing the historic environment

Other Material Considerations

None

CONSULTATIONS

Castle Cary Town Council - reject the application on the following grounds:

- The materials and style are not in keeping with this conservation area
- The existing footprint should not be exceeded
- The footpath should not be compromised and should not encroach on a third party's land.

Highway Authority - No observations

Area Engineer - No comments received

SCC Archaeology - No objections

REPRESENTATIONS

Five letters of representation have been received raising the following issues:

Site map does not show footpath directly in front of 15 leading to number 16, proposal will cut off access to this footpath.

Plans do not show where footpath will be diverted.

Footpath will have to be diverted, this would mean taking down Cary stone pillar and part of low retaining wall. I would object to this as they are part of the early layout of the area and I value the pillar.

If it was smaller this would be avoided.

Concerned about materials, would prefer to see Cary stone and wooden framework.

SSDC guidance 'extra publicity given to applications affecting conservation are'. Only adjacent properties notified, other residents may welcome opportunity to comment.

Conservatory too big and not in keeping with character of conservation area.

Would be better as flat roof and built of wood.

Don't object provided footpath can be adjusted to the same width.

CONSIDERATIONS

Visual amenity

The proposal will measure approximately 3.2m deep and 3.7m wide, almost double the size of the existing lean to. However, this is still a modest addition to the property and in terms of size and scale is considered acceptable. The materials proposed are matching stone dwarf walls with UPVC glazing above. Whilst it is appreciated this form and size of extension is not present along this row of cottages, the existing extensions and porches do vary in size and appearance. Likewise, the use of UPVC already exists in the windows of the main dwelling. Although in a conservation area the building is not listed and the views of the proposal are relatively well contained to the rear of the site. On this basis it is not considered that it would

harm the character of the property or have a detrimental impact on the visual amenity of the conservation area.

Residential amenity

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

Neighbour comments

The comments of the neighbours have been noted. The main issue regarding the blocking of the path is a civil issue and not a planning matter, however, an informative can be used to draw the applicant's attention to the matter. Any planning approval issued would not over ride other legal matters regarding the path. The materials to be used are in keeping with the main dwelling in terms of matching stone and UPVC. The size of the proposal is relatively modest and considered to be an acceptable addition to the property. The diversion of the footpath is again a civil matter.

Conclusion

The proposal is considered to be acceptable in terms of visual and residential amenity. Accordingly the proposal is considered to comply with policies EQ2 and EQ3.

RECOMMENDATION

Grant permission subject to the following conditions

01. The proposal, by reason of its size, scale and materials, respects the character of the conservation area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028).

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Details and drawings received on 24 June 2015.

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

Informatives:

01. The applicant is reminded that the footpath access to the neighbouring property will need to be maintained.

Agenda Item 16

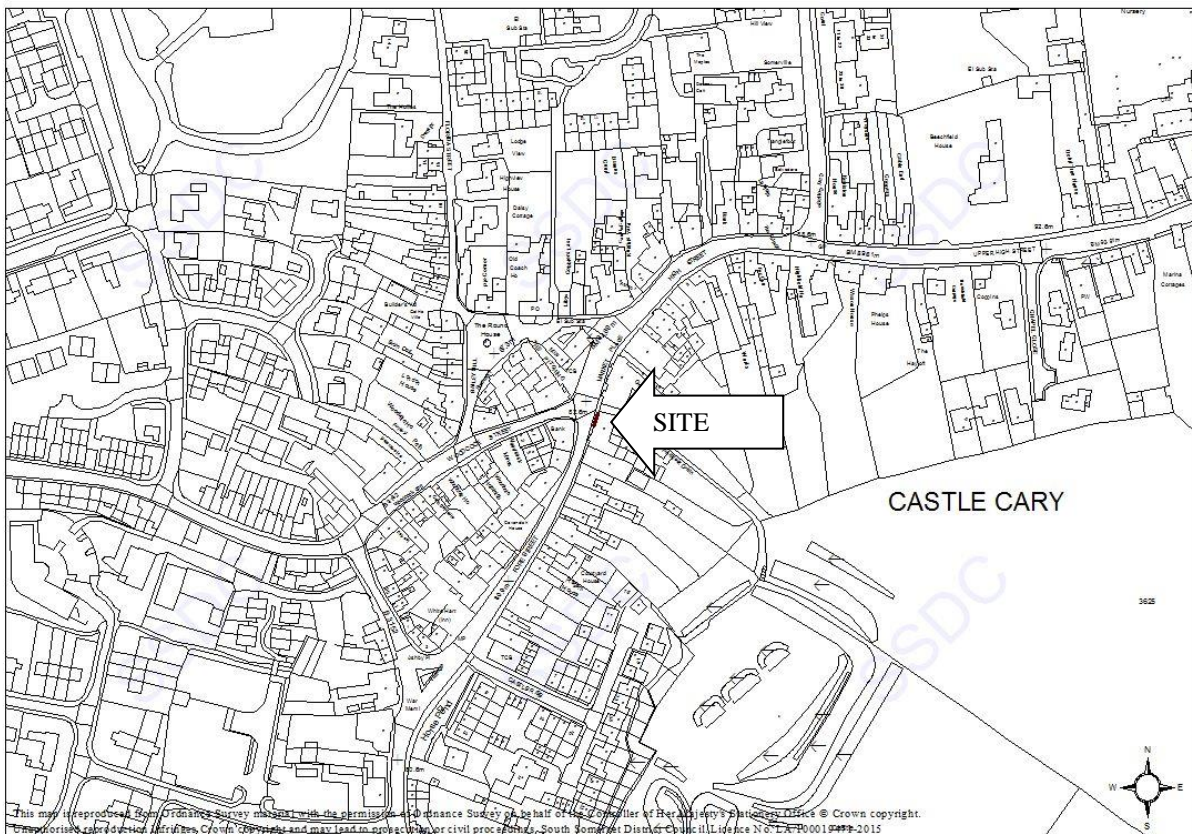
Officer Report on Planning Application: 14/04966/LBC

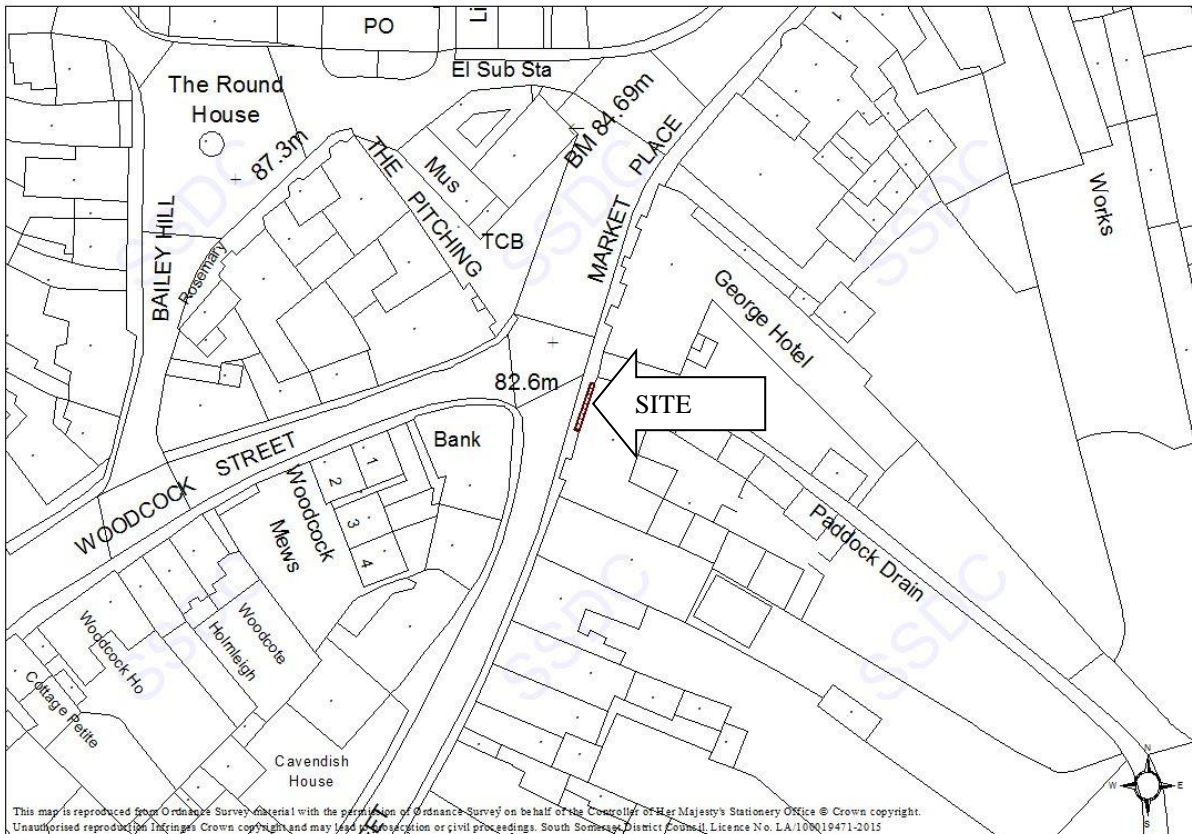
Proposal :	Re-paint exterior woodwork on shop front in heritage grey (application to regularise work carried out without consent) (GR: 364106/132344)
Site Address:	Karen Christensen Hair & Beauty Fore Street Castle Cary
Parish:	Castle Cary
CARY Ward (SSDC Member)	Cllr N Weeks Cllr H Hobhouse
Recommending Case Officer:	Sam Fox Tel: 01935 462039 Email: sam.fox@southsomerset.gov.uk
Target date :	10th August 2015
Applicant :	Mrs Karen Christensen
Agent: (no agent if blank)	
Application Type :	Other LBC Alteration

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the Area East Committee at the request of the Ward Member and Area Chair.

SITE DESCRIPTION AND PROPOSAL





The site is located in the town centre, within the conservation area.

The property is a two-storey Grade II listed building; previously a hardware store converted over 10 years ago to a contemporary hairdressing salon. The interior of the building has been considerably altered and renovated whilst the external shop front maintains its original form.

This application seeks consent for the repainting of the exterior shop front woodwork in heritage grey. The works have already been carried out.

HISTORY

None relevant

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.'

Saved policies of the South Somerset Local Plan (Adopted April 2006):
Policy EQ3 - Historic Environment

National Guidance
National Planning Policy Framework
7 - Requiring good design
12 - Conserving and enhancing the historic environment

South Somerset Sustainable Community Strategy
Goal 3 - Healthy Environments
Goal 4 - Services and Facilities
Goal 8 - High Quality Homes
Goal 9 - A Balanced housing Market

Other Relevant Considerations

CONSULTATIONS

Parish / Town Council - Councillors felt that the colour of the paintwork was not in keeping with the immediate area and was visually unattractive. This is a listed building in a conservation area therefore the appropriate permissions should have been sought prior to the work being carried out. The Town Council objects to retrospective applications. The application is not supported.

Conservation Officer - Grade 2 Listed Karen Christensen Hair and Beauty, formally White and Sons Iron Mongers and attached house, with a cut and squared Cary stone shop and house and the listing mentions a date of 1804. The application site is located at the south end of a cluster of Listed Buildings around the former market place. The Grade 2* Town Hall is located close to the west of the unit; on the other side of the road and the cobbled area in front of the Town Hall.

The Listing also mentions this shop front is of later 19th century origin. The shop front is noted as a particularly good twin unit with elliptical arched lights and attractive Art Nouveau tiles on the stall riser. As evidenced in the Conservation Area appraisal the Castle Cary, and particularly Fore Street, has a large number of fine 19th and 20th century shop fronts. These historic shop fronts do not appear uniform in design or colour and are occasionally interspersed with more modern units.

An application was required due to the change in colour scheme of the wooden elements from a cream colour to a dark heritage grey. I would note that the attractive historic tiles remain un-altered. There has been no loss of historic architectural features and heritage paint has been used. The change is also reversible. As such I do not consider there has been any detrimental impact on the Listed Building. As previously mentioned the Conservation Area is not characterised by a uniform design or colour of shop front and I do not consider there to be any demonstrable harm to the Conservation Area or the setting of Listed Buildings.

Area Engineer - No comments received

REPRESENTATIONS

None received

CONSIDERATIONS

As this is an application for listed building consent the main considerations are what impact the proposal will have on the character and setting of the listed building.

Visual amenity

Advice from the conservation officer regarding this application was sought and received. The conservation officer raised no objection to the proposal and considers the colour to be acceptable in terms of its impact on the character and setting of the listed building and the wider conservation area.

Parish comments

The comments of the parish council have been noted. The conservation officer has considered the application and raised no objection in terms of the impact on the listed building and the conservation area stating 'The main historic architectural features of the building have been retained and the conservation area is not characterised by a uniform design or colour of shop front'. Whilst their objection to retrospective applications is noted it is necessary to consider the application on its own merits.

The Conservation Officer is aware of the objection from the Town Council but has confirmed that he considers the decorating that has been carried out is totally appropriate for this important listed building located in a prominent location within the town . It is therefore considered that the application does not adversely affect the character and setting of this listed building in accordance with the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

RECOMMENDATION

Consent be granted subject to the following conditions:-

01. The proposal is of a design in terms of materials, detailing and scale, which does not adversely affect the character of the Listed Building and its setting, in accordance with the aims and objectives of Policy EQ3 of the South Somerset Local Plan 2006-2028.

SUBJECT TO THE FOLLOWING:

01. Notwithstanding the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 this consent shall be deemed to have been implemented on 15 June 2015 as prescribed by Section 8 of the above Act.

Reason - To comply with section 8 of the above Act

Agenda Item 17

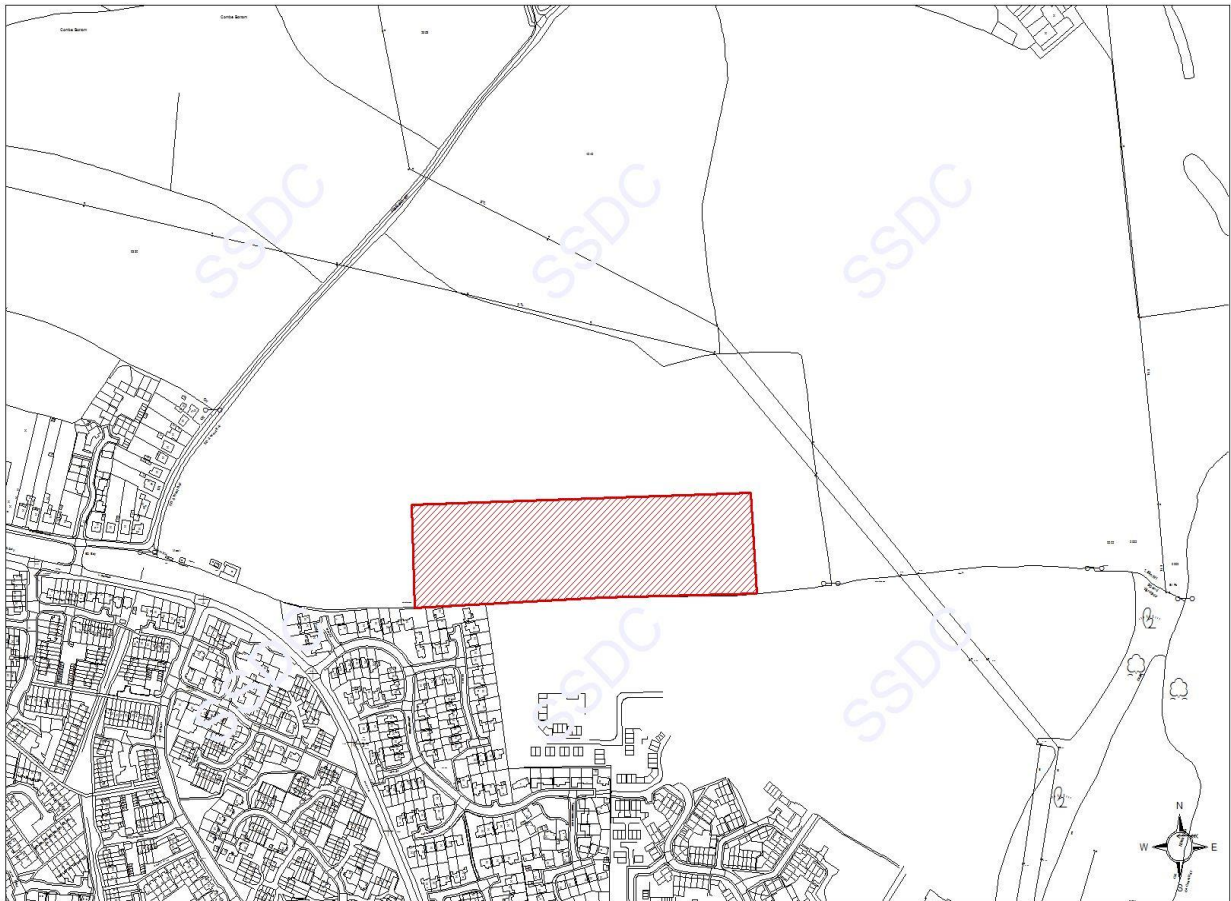
Officer Report on Planning Application: 15/03475/R3C

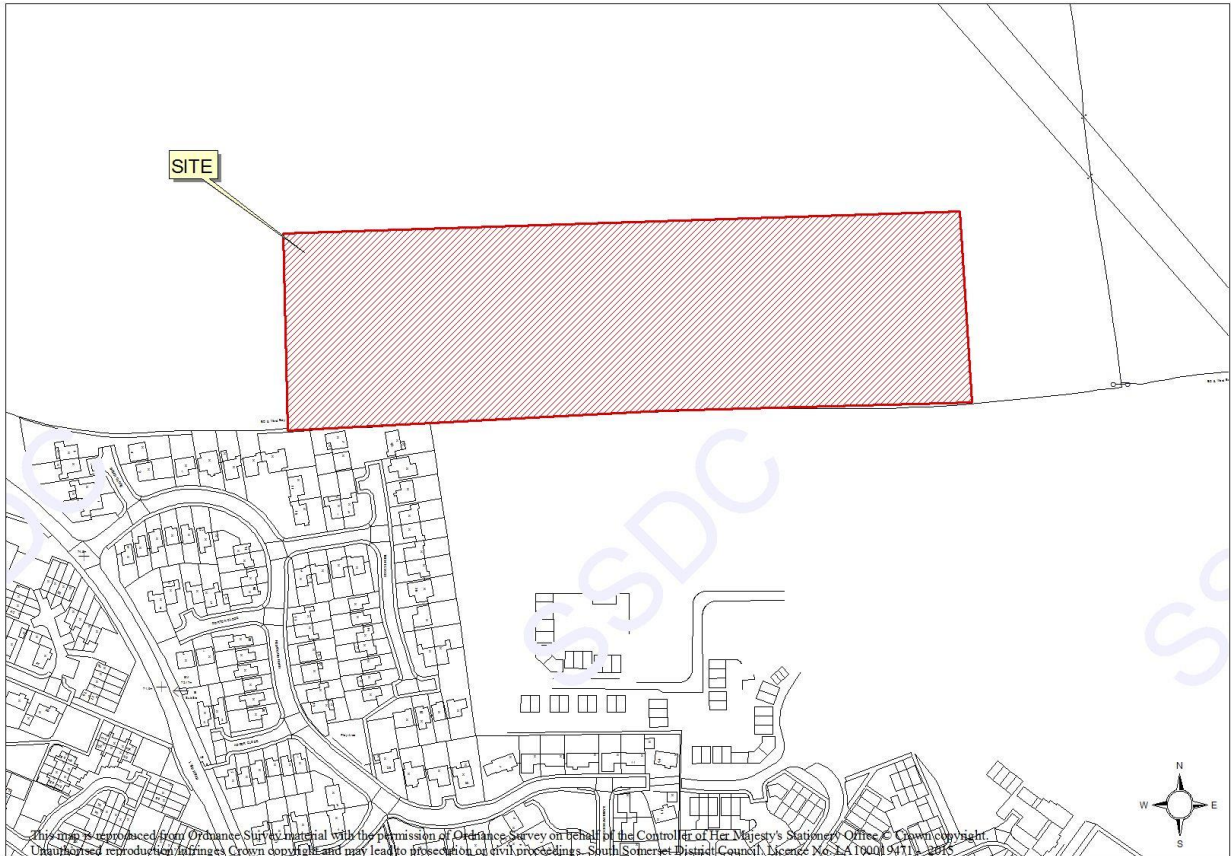
Site Address:	Primrose Hill Primary and Nursery School Cabot Road Yeovil
Ward :	IVELCHESTER
Proposal :	New primary school with nursery, new access road, car parking and playing fields
Recommending Case Officer:	Simon Fox – Area Lead Officer (South)
Target date :	19th August 2015
Applicant :	Somerset County Council
Type : 19	Non PS1 and PS2 return applications

REASON FOR REFERRAL

This application is referred for Committee consideration at the request of the Development Manager with the agreement of the Chairman, to consider the Council's response to this Somerset County Council planning consultation.

SITE DESCRIPTION AND PROPOSAL





The application site extends to approximately 2.64 hectares (6.5 acres) of agricultural land to the north east of Yeovil. The land lies within the parish boundary of Mudford (Area East), on the boundary with Yeovil Without PC (Area South).

The application site is bound to the south by the hedged boundary to Redwood Road, Trent Close, Collingwood Road and land allocated for a 7 classroom primary school at Wyndham Park. The hedge, which stretches from Primrose Lane to the River Yeo (approx. 650m long), contains several trees subject to Preservation Orders. Otherwise the application site is unbound forming part of a larger field that itself is defined by further hedgerows. On its long southern-side the site measures approx. 300m east to west; it projects 85m northwards.

The wider field slopes from south to north from the ridge of the escarpment to Up-Mudford. The application site itself has a fall of 5-6m from the south to its northern boundary. There is a slight dip in the middle of the site.

The site does however command long views over countryside towards Cadbury Castle Hillfort, RNAS Yeovilton, the A303 at Camel Hill and Trent, including its Church. Conversely, due to its northerly hillside aspect the site is visible from the north, northeast viewpoints.

There are no designated or non-designated heritage assets located on the application site. However, in the vicinity several designated heritage assets exist:

- Green Acres, C18 Farmhouse, Grade 2 listed (Ref 242, 6, 105). North of site boundary.
- Manor Farm House, 1630 Manor House, Grade 2* (Ref 242, 6, 106). Northeast of site boundary.
- Archaeological Site, Shrunken Village, Up Mudford

There is a known badger sett along the application site's boundary with Redwood

Road/Trent Close with further entrances and a latrine situated across the southern boundary of the proposed site.

There are no public footpaths through the site or in the immediate vicinity.

The proposal seeks to erect a combined primary school and nursery. The establishment would be known as Primrose Hill Primary and Nursery School. Phase 1 is a 7 classroom school with 26 nursery places with the provision to subsequently extend to a 14 classroom school with 52 nursery places in the future. The Design and access Statement states that the building has been designed to allow for out of hours community use should the need arise.

Access to the site will be by extending the existing road off The Circus at Wyndham Park, called Cabot Road, through the hedged boundary and then creating an access off into the school. All day-to-day traffic will access the school via Wyndham Park. There would be 12 parking spaces provided.

The building is single storey with a maximum height of 6.5m. The ground levels will be altered by a cut and fill approach by cutting in to the south (by up to 3m) to raise the northern edge (up to 2m) in order to create a more level site.

Materials include timber effect cladding, render with architectural blue and yellow coloured panels. The roof is to be an aluminium powder coated standing seam system in grey. A planting scheme has been submitted including native species. A 5m badger corridor is included along the southern boundary.

The application is accompanied by a number of reports as follows:

- Design and Access Statement
- Transport Statement
- School Travel Plan
- Flood Risk Assessment and Drainage Strategy
- Noise Impact Assessment
- Geo-environmental and Geotechnical Assessment
- Land Quality Statement
- Badger Mitigation Strategy
- Arboricultural Constraints Report
- Archaeological Evaluation Assessment Report

HISTORY

14/02554/OUT: Outline application for development of Sustainable Urban Extension to comprise up to 765 dwellings, 65 bed care home, employment land (Use Class B1), retail units (Use Classes A1, A2, A3, A5), primary school, community building, health care facility, landscaping, open space and drainage infrastructure, access and associated highway works: Pending Consideration

POLICY

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

On 5th March 2015 South Somerset District Council, as Local Planning Authority, adopted its Local Plan to cover the period 2006 to 2028.

On this basis the following policies are considered relevant:-

South Somerset Local Plan (2006-2028):

SD1 - Sustainable Development
SS1 - Settlement Hierarchy
SS6 - Infrastructure Delivery
EP9 - Retail Hierarchy
YV2 - Yeovil Sustainable Urban Extensions
YV5 - Delivering Sustainable Travel at the Yeovil Sustainable Urban Extensions
EP15 - Protection and Provision of Local Shops, Community Facilities and Services
TA3 - Sustainable Travel at Chard and Yeovil
TA4 - Travel Plans
TA5 - Transport Impact of New Development
TA6 - Parking Standards
EQ1 - Addressing Climate Change in South Somerset
EQ2 - Design & General Development
EQ4 - Biodiversity
EQ5 - Green Infrastructure
EQ7 - Pollution Control

National Guidance - National Planning Policy Framework:

Chapter 1 - Building a Strong, Competitive Economy
Chapter 2 - Ensuring the Vitality of Town Centres
Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 8 - Promoting Healthy Communities
Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment

Other

Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

This application has been submitted by Somerset County Council to Somerset County Council, given the proposal concerns infrastructure for the education authority.

SSDC has been consulted on the application and this report serves to collate and provide as comprehensive response as possible, hence referral to both Area South and Area East Planning Committees.

The following bodies/organisations have been consulted by SCC:

Mudford PC

Yeovil Without PC

Yeovil Town Council

County Highway Authority

National Grid

HSE

Wessex Water

Police

SCC Division Members (Cllrs Lewis and Lock) and Cabinet Member for Education (Cllr Nicholson)

In order that other bodies and organisations be made aware of the application SSDC also notified:

Queen Thorne PC (Dorset)

West Dorset DC (Planning)
English Heritage
Yeovil Chamber of Commerce

These bodies have been advised to direct comments to SCC.

Officers from various internal departments were notified to aid the response from SSDC:
Area Development
Landscape Architect
Conservation Manager
Ecologist
Tree Officer
Environmental Protection Officer

Any additional consultation responses received will be orally updated.

The respective Ward Members for Ivelchester (Cllr Capozzoli) and Yeovil Without (Cllrs Lock, Dibben and Oakes), the two Area Chairs (Cllrs Gubbins and Weeks) and the Leader have also been notified.

REPRESENTATIONS

Neighbouring properties to the site have been notified in writing by Somerset County Council and 4 site notices have been displayed in the locality and a press advert placed.

Local residents wishing to make comments/representations will do so directly to SCC.

CONSIDERATIONS

The considerations raised by this application are numerous. As such a draft response has been prepared outlining these matters for SCC to consider in making the final decision.

RECOMMENDATION

SSDC is consultee on this application. SCC is the determining authority.

As such the recommendation is:

1. That Member's views are sought on the application.
2. That Member's may consider sending the attached draft response to SCC as a formal consultation response to application 15/03475/R3C.

Draft proposed response to SCC

Somerset County Council is advised that in principle South Somerset District Council raises *no objection* to the proposed combined Primary School and Nursery, but there are issues that need addressing before planning permission is granted.

SCC is aware that the proposed application site forms part of the north-east area direction of growth for the location of one of two planned Sustainable Urban Extensions. This was validated by the adoption of the Local Plan (2006-2028) in March 2015; policies YV1 and YV2 apply. The Sustainable Urban Extension policy (YV2) includes the requirement for a primary school.

SSDC is currently considering application 14/02554/OUT which seeks planning permission for a Sustainable Urban Extension amounting to some 765 homes and the inclusion of one primary school.

As such the provision of a primary school is in accordance with the aspirations of policy YV2 and furthermore the current indicative masterplan submitted as part of application

14/02554/OUT shows that school to be located in the area now subject to this SCC application.

It is worth noting the context in which this application is seemingly submitted. With the prospect of the Sustainable Urban Extension creating greater demand for school places in the future, the currently allocated 7 classroom school site on Wyndham Park, off the Circus, was not considered large enough to be able to be upgraded with a further 7 classrooms plus the necessary outside play court and playing fields. The move northwards of the hedged boundary into land covered by policy YV2 provides the opportunity to provide a site future proofed to cater for increased future demand. It is also envisaged that the 7 classroom school site on Wyndham Park could then become a potential site for a community hall and enhanced recreational/community facilities subject to the agreement and cooperation of Barratt/David Wilson Homes.

A decision on the Sustainable Urban Extension is unlikely to be made in 2015. As such at this time SSDC can only comment on the proposal for the 14 classroom primary and nursery school based on the plans now submitted. In doing so reference is made to policy YV2 and the issues raised so far during public consultation and through consultations responses in that application.

SSDC considers the most significant issues to assess are landscape, impact on heritage assets, design, ecology (in particular badgers), drainage, contaminated land, archaeology and highways. These issues may need to be balanced against the need for school places which should be given the appropriate weight as a material planning consideration.

Generally the proposal is acceptable in terms of landscape impact and design. Further single specimen trees should be planted along the south boundary to complement those skyline features and provide a robust backdrop to the development. In terms of the materials palette the use of 'azurite blue', pale render and the timber effect cladding should all be carefully considered.

Whilst the school site itself is reasonably catered for it is considered the spur road being proposed to provide vehicular access to the school would be left relatively exposed visually outside those landscaped school boundaries. The levels indicate the road will be circa 500mm above ground level at its northern edge with vehicle movements and headlights left to wider view until such time as the Sustainable Urban Extension extends to this area. As such it should be strongly considered to include an element of robust, but ultimately sacrificial, landscaping around the north-east corner of the spur road.

A full and detailed landscaping proposal should be drawn up with involvement from SSDC. The application does not contain a great deal of information concerning tree protection, given the presence of protected trees, and so a scheme is necessary.

SCC is also reminded to seek the views of English Heritage on the impact on designated heritage assets.

The application contains a specific report concerning the resident badger population and proposed mitigation measures given in Section 3 ('Mitigation and Management Strategy') of the report are generally supported.

Surface Water Drainage has been raised as an issue in considering the Direction of Growth during the Local Plan process and throughout the application consideration. It is strongly advised that SCC take the advice of the Lead Local Flood Authority Service Manager and the Environment Agency on this matter.

The means of access for the construction phase should be carefully considered in terms of traffic volume plus its impact on residential amenity. Day-to-day operational school traffic through Wyndham Park should also be assessed incl. arrangements for the dropping-off and collection of children so as not to impact local residents or the estate roads of Wyndham Park, plus promotion of walking and cycling through the travel plan. Consideration should also be given to coach/bus access to the site and which route this should take through Wyndham Park. The Highway Authority's view on this application is awaited.

Concerns regarding contaminated land, especially the potential for anthrax contamination have been raised. Whilst the school application site has not been explicitly referenced by local residents as a potential hotspot, the Council is looking at the matter proportionally on the wider Sustainable Urban Extension site. To date a number of samples to the west of Primrose Lane have been taken, under supervision and consultation with SSDC Environmental Health, and as of yet no evidence of contamination has been found. The latest tests were in February 2015. The investigation process is ongoing and will include further sampling.

We are content that comments regarding archaeology will be sought from the Senior Historic Environment Officer at the Somerset Heritage Centre.

SSDC Planning Officers have consistently requested that space be left for a linkage in the south west corner of the site to safeguard the opportunity to link the proposed neighbourhood centre at the Sustainable Urban Extension to the potential community facility at Wyndham Park. This link should be 3m wide for a combined cycle/pedestrian path. Current fencing plans do not show allowance of this provision. The proposed buffer planting on the southern boundary of the school site should also take into account this link so as to maintain security and safety.

SSDC Officers remain available to assist SCC with resolution of these matters.