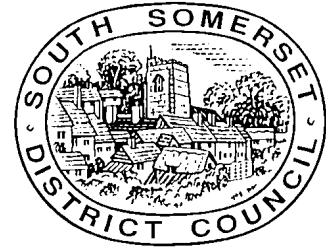


South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 14th October 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 from 9.15am as the first item will be taken in confidential session.

Please note: Consideration of planning applications will commence no earlier than **10.45am or 1.45pm (Please see Planning schedule Item 16 for more information).**

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, Jo Boucher , website: www.southsomerset.gov.uk

This Agenda was issued on Tuesday 6 October 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 **10.45am or 1.45pm** 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 14 October 2015

Agenda

Preliminary Items

Confidential Item

1. **Exclusion of Press and Public** (Page 8)
2. **Historic Buildings at Risk (Confidential)** (Pages 9 - 10)

Preliminary Items

3. **Minutes of Previous Meeting**

To approve as a correct record the minutes of the previous meeting held on 9th September 2015.

4. **Apologies for absence**
5. **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.

6. 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.

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

8. Feedback on Reports referred to the Regulation Committee

9. Chairman Announcements

10. Date of Next Meeting

The next scheduled meeting of Area East Committee will be held at The Council Offices Churchfield Wincanton on Wednesday 11th November 2015 at 9.00am.

Items for Discussion

11. Section 106 Obligations (Pages 11 - 29)

12. South Somerset Careline Annual Report 2014/15 (Pages 30 - 31)

13. Work Hubs (Executive Decision) (Pages 32 - 38)

14. Area East Committee Forward Plan (Pages 39 - 40)

15. **Items for information** (Pages 41 - 42)
16. **Schedule of Planning Applications to be Determined by Committee** (Pages 43 - 45)
17. **15/02187/FUL - Land OS 2269 Old Bowden Way Milborne Port** (Pages 46 - 56)
18. **15/02718/FUL - Land OS 0034 Bowden Lane Henstridge** (Pages 57 - 71)
19. **15/02933/OUT - Land between Bankside and the Piggery Lily Lane Templecombe** (Pages 72 - 77)
20. **14/15/02347/OUT - Land OS 1445 Part Torbay Road Castle Cary** (Pages 78 - 102)
21. **15/02388/OUT - Land At Station Road Castle Cary** (Pages 103 - 122)
22. **15/02415/OUT - Land OS 4700 Station Road Ansford** (Pages 123 - 140)
23. **15/04066/OUT - Wayside Farm Station Road Ansford** (Pages 141 - 159)

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 1

Exclusion of Press and Public

The Committee is asked to agree that the following item (agenda item 2) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 3: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)." It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

Agenda Item 2

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Agenda Item 11

Section 106 Obligations

Strategic Director: Rina Singh (Place & Performance)
Assistant Director: Martin Woods (Economy)
Service Manager: David Norris (Development Manager)
Lead Officer: Neil Waddleton
Contact Details: Neil.Waddleton@southsomerset.gov.uk or (01935) 462603

Purpose of the Report

Section 106 Officer to provide information on signed Section 106 agreements relating to development within Area East. Agreements containing financial contributions will be presented within the monitoring report (Appendix A), however if any further detail was required on any other agreement it was agreed that this would be undertaken directly with the officer.

Public Interest

Section 106 Obligations are a key aspect of most major planning development approvals granted by the Authority however they are also necessary to provide additional control in relation to smaller schemes. The items captured within Section 106 Obligations usually deal with the additional infrastructure costs that will be incurred within the area of the Authority arising from the completion of a development. Depending on the scale of the proposed development the sums of money associated with a Section 106 Obligations can be considerable.

This may take the form of changes to highways, contributions toward increased schools provision, creation/maintenance of open spaces, recreational areas and so on. The costs arising from these are often significant and require negotiation and settlement between officer and the developer, through the use of nationally agreed formulae.

There is a variety of ways in which these requirements can be delivered. Normally the developer makes a payment to allow the relevant authority to provide the requirement e.g. Schools or Play areas. Alternatively, the developer may be charged with completing the work directly for example a new highway junction.

By their very nature Section 106 Obligations require specified actions/payments to take place within a pre-defined timescale or event (known as 'triggers') and it is essential that the Section 106 officer has a system and processes in place that ensures the agreements are effectively managed.

Members will appreciate that the level of contribution that was secured from each development was dependent upon several factors, particularly the 'formula' that was being used for calculating the Sports, Arts and Leisure, Education and Highway contributions at the time of each application. It is also important to emphasise that it is very difficult to make meaningful comparisons between obligations that were sought on different developments, as each scheme has to be considered on its own merits.

Recommendation:

Members note and comment on the report and verbal update and endorse the actions taken in respect of the monitoring and managing of Section 106 Planning Obligations.

Background

A Section 106 Officer was appointed on 1 April 2010. This post sits within the planning team with the specific responsibility for ensuring that all requirements of S106 obligations, including the collection and spending of financial contributions are monitored and managed.

Additional Information

Since my last report there have been two significant legislation changes that will affect the way that we are able to seek financial planning obligations in the future:

Contributions from schemes of 10 dwellings or less

National Planning Policy Guidance was released in November 2014 stated that financial planning contributions should not be sought from developments of 10 units or less, and which have a combined gross floor space of no more than 1000sqm. Some planning obligations may still be required to make a development acceptable in planning terms. For schemes where a threshold applies, planning obligations should not be sought to contribute to affordable housing or to pooled funding "pots" intended to fund the provision of general infrastructure in the wider area. Authorities can still seek obligations for site specific infrastructure, such as improving road access and the provision of adequate street lighting where this is appropriate to make a site acceptable in planning terms. There is also potential to request specific items of play and youth facility equipment if it can be clearly evidenced and demonstrated that it can be delivered solely by that scheme.

CIL Regulations (2011, amended 2013 & 2014)

From April 2015, no more contributions may be sought/collected in respect of a specific infrastructure project or a type of infrastructure through a S106 agreement if 5 or more obligations have been entered into since April 2010 and it is a type of infrastructure that is capable of being funded by CIL.

In Area East this legislation change will mean that no more contributions will be sought for swimming pool enhancements at Wincanton Sports Centre or funding towards a new AGP in Wincanton through future application processes.

Projects

Members may wish to note that the main projects delivered/under way or priorities as a result of appropriate collected S106 monies are:

Bruton

- Play Area at Frome Road, land adopted July 2015.
- Project to improve youth facilities at Jubilee Park.
- Monies spent on drainage of senior football pitch at Jubilee Park and future plans progressing to level and drain youth pitches and provide new changing facilities.

Milborne Port

- New cricket pavilion opened July 2014

Ansford/Castle Cary

- Town Council and CHL progressing plans to deliver new changing cricket/football changing facilities at Donald Pither playing fields. Monies also received to enhance play and youth facilities at the same location.
- Project to support new floodlighting at Castle Cary RFC ongoing,

Henstridge

- Henstridge Parish Council currently developing a project proposal for the improvement to the changing facilities at the Ash Walk Recreation Ground.
- Parish Council in receipt of monies to refurbish youth facilities at the local recreation ground.

Templecombe

- Improvements/enhancements to the equipped play facilities at the recreation ground.

Barton St David

- Improvements and enhancements to the play area and village hall.

Babcary

- Monies received for the youth and “the hut” project.

Financial Implications

No direct financial implications from this report however members will be aware that ineffective management of planning obligations does have the potential to require the district council to refund contributions to developers.

Corporate Priority Implications

The effective management of planning obligations will be beneficial in achieving all of the Councils Corporate Priorities

Carbon Emissions & Adapting to Climate Change Implications (NI188)

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby contributing to a reduction in carbon emissions and helping to adapt to climate change.

Equality and Diversity Implications

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby ensuring access to facilities, homes and services for all members of our community.

Background Papers: None

Area East Section 106 Monitoring Report 14th October 2015

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: BLACKMOOR VALE</p> <p>12/01887/OUT Parish Henstridge</p> <p>Land At Furge Lane Henstridge Templecombe Somerset BA8 0RS</p> <p>Residential development with access, open space and associated garaging and parking areas (GR 372366/119606)</p> <p>Agreement Date: 13/05/2013</p> <p style="text-align: center; font-size: 2em;">Page 14</p>	<p>Sports and Leisure</p> <p>Equipped Play Contribution: £23,304.58 means £14,857.69 towards the enhancement of the existing play area at Ash Walk Recreation Ground, Henstridge & £8,446.89 for long term maintenance of those facilities.</p> <p>Youth Facilities Contribution: £3,978.99 means £2,917.37 towards enhancing of youth facilities at Ash Walk Recreation Ground, Henstridge & £1,061.62 for the long term maintenance of those facilities.</p> <p>Changing Room Contribution: £15,042.41 means £13,940.60 towards extending the changing room provision at Ash Walk Recreation Ground, Henstridge & £1,101.81 for the long term maintenance of those facilities.</p> <p>Strategic Leisure Contribution £27, 310.27 designated as follows: £6,286.64 for provision of a new learner pool at Wincanton Sports Centre £4,029.37 for the provision of a new indoor tennis centre in Yeovil likely to be within the Yeovil Sports Zone. £10,305.64 towards the development of a centrally based 8 courts competition sports hall in Yeovil. £5,321.75 for the enhancement/expansion of the Octagon Theatre, Yeovil. £1,366.87 for AGP in Wincanton.</p> <p>Affordable Housing: Units Agreed: 6</p>					<p>Status: Not Commenced</p>	<p>Fresh application submitted.</p>

Area East Section 106 Monitoring Report 14th October 2015

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: BLACKMOOR VALE</p> <p>07/05552/FUL Parish Henstridge</p> <p>Land And Houses at Woodhayes Henstridge Templecombe Somerset</p> <p>Demolition of existing houses and the erection of 32 dwelling houses and 2 flats plus the modification of existing highway (GR 372419/119538)</p> <p>Agreement Date: 08/09/2008</p>	<p>Sports and Leisure</p> <p>Equipped Play Contribution: £11,500 to include commuted sum to provide long term maintenance. Secured for the Furge Lane Play Area or near by area as directed by the Council.</p> <p>Strategic Leisure Contribution: £8,880 towards both or any of the following, Wincanton Sports Centre & the provision of a MUGA on land in Henstridge.</p> <p>Playing Pitch Contribution: towards costs and expenses incurred or to be incurred facility located within parish of Henstridge.</p> <p>Affordable Housing: Units Agreed: 34 Scheme represents PRC units with additional uplift of 12 units.</p>		<p>Sports and Leisure:</p> <p>£40,727.00</p>			<p>Status: Development Completed</p> <p>Monies paid to Parish Council (Sept 12) for improvements to Ash Walk play area.</p> <p>Changing room project being developed.</p>	<p>Financial Contributions paid 09/07/2009</p>
<p>Ward: BLACKMOOR VALE</p> <p>98/00103/FUL Parish Abbas/Templecombe</p> <p>Thomson Marconi Sonar Ltd Throop Road Templecombe Somerset</p> <p>The erection of an office building and the construction of a car park(gr 710/232)</p> <p>Agreement Date: 09/09/1998</p>	<p>Highways:</p> <p>£100,000 for highway works as detailed within schedule of agreement</p>					<p>Status: Development Completed</p>	<p>Traffic scheme delivered.</p>

Area East Section 106 Monitoring Report 14th October 2015

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: BLACKMOOR VALE</p> <p>09/03037/FUL Parish Abbas/Templecombe</p> <p>Land Rear Of 18 To 24 Westcombe Templecombe Somerset BA8 0LH</p> <p>The erection of thirteen dwellings (GR 370685/122048)</p> <p>Agreement Date: 14/04/2010</p>	<p>Sports and Leisure</p> <p>Off-Site Recreation Contribution: £9,025 To be used for the provision of informal play, recreation, leisure and sports at Templecombe Parish Recreation Ground, off Vine Street, Templecombe.</p> <p>Equipped Play Contribution: £11,362 for the acquisition and installation of equipment. £4,462 for youth facilities. £6,459 & £1,624 provide respectively for the long term maintenance of the play equipment and youth facility at Templecombe Parish Recreation Ground.</p> <p>Strategic Facilities Contribution: £19,839 for the Octagon Theatre and/or District recreational needs.</p>	<p>Occupation of any dwelling.</p>		<p>Sports and Leisure:</p> <p>£52,771.00</p>		<p>Status</p> <p>Not Commenced</p>	<p>Need to check status of the scheme?</p>
<p>Ward: BLACKMOOR VALE</p> <p>08/05323/FUL Parish Abbas/Templecombe</p> <p>Land At Hillcrest Road Templecombe Somerset BA8 0LQ</p> <p>Demolition of existing structures and the erection of 39 dwellings (GR 370563/122175)</p> <p>Agreement Date: 22/04/2009</p>	<p>Sports and Leisure:</p> <p>Play Space Contribution: £22,340 in lieu of on site.</p> <p>Strategic Community Facilities Contribution: £10,766.27 to be used towards enhancements/expansion of the Wincanton Sports Centre and the Octagon Theatre, Yeovil.</p> <p>Equipped Play Contribution to include sum £17,314 to provide long term maintenance of the equipment. (No specific site detailed)</p> <p>Affordable Housing: Units Agreed: 39</p>					<p>Status:</p> <p>Development Completed</p>	<p>Equipped play area enhanced Monies spent July'15</p>

Area East Section 106 Monitoring Report 14th October 2015

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: BRUTON</p> <p>08/04305/FUL Parish Bruton</p> <p>Land at Coxs Close Bruton Somerset BA10 0NA</p> <p>Demolition of existing housing and the erection of 34 flats and houses (GR 368183/134424)</p> <p>Agreement Date: 23/12/2009</p>	<p>Sports and Leisure</p> <p>Off-Site Recreation: Improvement of sports pitches in Bruton. Commuted sum for long term maintenance.</p> <p>Strategic Communities Facilities Contribution: £11,249.00 - towards improvements of sports halls & swimming pools within the District and/or enhancement of the Octagon Theatre, Yeovil.</p> <p>Equipped Play Contribution: acquisition & installation of equipment for the Jubilee Park Play Area. Contribution towards improvements to youth facilities in vicinity of Jubilee Park. Commuted Sums to provide maintenance for both of these facilities.</p> <p>Highways: Section 278 Agreement for Highway works.</p> <p>Affordable Housing: Units Agreed: 26</p>					<p>Status: Development Completed</p> <p>Drainage and improvements to pitches at Jubilee Park.</p> <p>Enhancement to play and youth facilities at Jubilee Park.</p>	
<p>Ward: BRUTON</p> <p>11/08211/FUL Parish Bruton</p> <p>New House Farm Burrowfield Bruton Somerset BA100HR</p> <p>The demolition of existing dwelling and separate floor slab and the erection of 9 dwellings with garages and parking (GR: 368667/135575)</p> <p>Agreement Date: 18/11/2012</p>	<p>Sports and Leisure</p> <p>Equipped Play Contribution: £9,596 means the sum of £6,118 for enhancing the play area at Eastfields Park, Bruton and £3,478 for the long term maintenance of those facilities.</p> <p>Playing Pitch Contribution: £5,606 means the sum of £3,624 towards the pitches at Jubilee Park, Bruton and £1,982 for maintenance of those pitches.</p> <p>Changing Room Contribution: £13,178 means the sum of £11,817 towards the new provision of changing rooms at Jubilee Park, Bruton & £1,361 towards the long term maintenance of those facilities.</p> <p>Youth Facilities Contribution: £1,638 means the sum of £1,201 towards provision or enhancement of youth facilities at Jubilee Park, Bruton & £437 towards the long term maintenance of those facilities.</p> <p>Strategic Facilities Contribution: £7,002 towards each of the following projects: £2,589 for the provision of a new learner pool at Wincanton Sports Centre or an 8 lane swimming pool located in the District. £1,659 for an indoor tennis centre as part of the Council's proposed Yeovil Sports Zone. £563 for the provision of a 3G sports pitch in Wincanton. £2,191 for the enhancement/expansion of the Octagon Theatre, Yeovil.</p>	<p>Equipped Play & Youth Facilities Contributions to be paid on first Occupation</p> <p>Playing Pitches and Changing Room Contributions to be paid on fourth Occupation.</p> <p>Strategic Leisure Facilities Contribution to be paid on seventh Occupation.</p>		<p>Sports and Leisure: £37,020.</p>		<p>Status: Not Commenced</p>	<p>S73 Application being determined.</p>

Area East Section 106 Monitoring Report 14th October 2015

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: BRUTON</p> <p>06/03915/OUT Parish Bruton</p> <p>Land To The North Of Eastfield Bruton Somerset</p> <p>Residential development together with formation of access and provision of Play Area (outline) (GR 368762/13650)</p> <p>Agreement Date: 26/09/2007</p>	<p>Sports and Leisure: Recreation Area & LEAP provision (£99,000)</p> <p>Youth Facilities Contribution: for improvements of youth facilities at Jubilee Park, Bruton or construction of new youth facilities serving the Bruton area at some location within radius of two miles of the site.</p> <p>Sports Hall Contribution: for improvements to Wincanton Sports Centre or the construction of new sports hall serving the Bruton Area built within a 5 mile radius of this site.</p> <p>Swimming Pool Contribution: for existing swimming pool & related wet facilities at the Wincanton Sports Centre or the construction of new facility serving the Bruton Area built within a 5 mile radius of this site.</p> <p>Affordable Housing: Units Agreed: 21</p> <p>Miscellaneous Gains: Footpath Contribution</p>					<p>Status: Underway</p> <p>Feasibility project being undertaken for possible mezzanine flooring and Wincanton Sports Centre</p> <p>Play area progressing in partnership with TC.</p> <p>Potential refurbishment projects of tennis/netball courts/new MUGA</p>	<p>Landscaping details & LEAP negotiations complete and adopted.</p>
<p>Ward: CAMELOT</p> <p>10/03926/FUL Parish Sparkford</p> <p>The Old Coal Yard Sparkford Road Sparkford Somerset extend the time limit for implementation</p> <p>Agreement Date: 03/05/2011</p>	<p>Sports and Leisure: Off-site Leisure & Recreation provision.</p>		<p>Sports and Leisure: £36,761</p>			<p>Status: Development Completed.</p>	<p>Monies received Sept 15</p>

Area East Section 106 Monitoring Report 14th October 2015

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CARY</p> <p>10/04370/FUL Parish Castle Cary</p> <p>1-16 Cumnock Crescent Ansford Castle Cary Somerset</p> <p>The demolition of existing properties and the creation of new entrance and the erection of 28 dwellings and replacement store (GR: 364440/132598) Agreement Date: 21/03/2012</p>	<p>Sports and Leisure: Equipped Play Contribution: £10,488 for the acquisition/installation of play equipment to be installed in the parishes of Ansford or Castle Cary.</p> <p>Youth Facilities Contribution: £2,059 towards provision of youth facilities in either the parish of Ansford or Castle Cary.</p> <p>Off-site Recreation Contribution: £16,053 comprised of £9,840 towards enhancement/improvements of changing rooms in either Ansford or Castle Cary. £6,213 towards costs/expenses incurred in connection with enhancement/improvements of community playing pitches in either Ansford or Castle Cary.</p> <p>Affordable Housing: Units Agreed: 28</p>					<p>Status: Development Completed</p> <p>CH&L and the Town Council refining projects for play, youth, pitch and changing room at Donald Pither Memorial Ground.</p> <p>Project identified for floodlighting at Castle Cary RFC.</p>	
<p>Ward: CARY</p> <p>11/04328/FUL Parish Bab Cary</p> <p>Chapel Yard Main Street Bab Cary Somerton Somerset TA11 7DZ</p> <p>Conversion of barns to form 7 no. dwellings and construction of vehicular access thereto (Revised Application) (GR: 356247/128722) Agreement Date: 05/12/2012</p>	<p>Sports and Leisure: Changing Room Contribution: £5,301.30 means £4,913.0 towards the enhancement of the "Hut" at Bab Cary Playing Fields and £388.30 towards the long term maintenance of the facility.</p> <p>Youth Facilities Contribution: £935.70 means £686 towards new youth facilities at Bab Cary Playing Fields together with £249.79 to provide long term maintenance of those facilities.</p> <p>Strategic Community Facilities Contribution: £5,993 towards the following projects: £2,216 towards provision of a new learner swimming pool at Wincanton Sports Centre. £1,420 towards the provision of new indoor tennis facilities in Yeovil £1,875 towards the enhancement or expansion of the Octagon Theatre in Yeovil £482 towards the enhancement of 3G pitch and Wincanton Sports Ground or towards the provision of a new sand based synthetic pitch in Yeovil.</p>		<p>Sports and Leisure: £12,379.78</p>			<p>Status: Underway</p> <p>Youth & "Hut" project ongoing. T Cook to provide update.</p>	

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CARY</p> <p>14/00951/OUT Parish South Cadbury And Sutton Montis</p> <p>Land Adjoining Chapel Rod South Cadbury Yeovil</p> <p>Outline application for the erection of 5 dwellings, provision of car and coach parking for users of the Village Hall/Recreational Ground and visitors to the Hill Fort of Camelot</p> <p>Agreement Date: 02/12/2014</p>	<p>Sports and Leisure</p> <p>Youth Facilities Contribution: £1,162 comprised of (£848 Capital & £314 Revenue as a commuted sum) towards the provision of youth facilities at South Cadbury recreation Ground.</p> <p>Strategic Community Facilities Contribution: £7,130.</p> <p>CH & L Admin Fee: £83</p>	<p>Prior occupation of 25% of the dwellings: Youth Contribution & CHL Admin Fee</p> <p>Prior Occupation of 75% of the dwellings: Strategic Facilities Contribution.</p>		<p>Sports and Leisure:</p> <p>£8,375.00</p>		<p>Status: Not Commenced</p>	
<p>Ward: CARY</p> <p>13/00993/OUT Parish Ansford</p> <p>Land Off Station Road Lower Ansford Ansford Castle Cary Somerset</p> <p>Outline application for residential development with associated vehicular access arrangements (GR:363695/132833)</p> <p>Agreement Date: 26/01/2015</p>	<p>Sports and Leisure</p> <p>Changing Room Contribution: £31,906.63 comprised of (£29,530.94 Capital and £2,375.69 Revenue as a commuted sum) towards provision of new or enhancing of existing changing rooms in Ansford/Castle Cary.</p> <p>Community Halls Contribution: £19,056.41 towards enhancements of existing community hall provision in Ansford/Castle Cary.</p> <p>Equipped Play Contribution: £46,141.19 comprised of (£29,247.42 Capital and £16,893.77 Revenue as a commuted sum) towards enhancing the existing play area at Donal Pithers Memorial Playing Fields.</p> <p>Playing Pitch Contributions: £24,923.61 comprised of (£14,545.03 Capital and £10,378.58 Revenue as a commuted sum) towards the provision of new pitches or enhancement of existing community pitches in Ansford/Castle Cary.</p> <p>Youth Facilities Contribution: £7,866.07 comprised of (£5,742.84 Capital and £2,123.23 Revenue as a commuted sum) towards the provision of Youth Facilities in Ansford/Castle Cary.</p> <p>Strategic Facilities Contribution: £29,820.48</p> <p>CH&L Admin Fee: £1,597.14 Affordable Housing: Units Agreed: 13</p>	<p>Equipped Play, Youth Facilities & CH&L Admin Fee payable upon occupation of 10th dwelling.</p> <p>Playing Pitch, Changing Room & Community Halls contributions payable upon occupation of 19th dwelling.</p> <p>Strategic Community Facilities contribution payable upon occupation of 29th dwelling</p>		<p>Sports and Leisure:</p> <p>£161,311.53</p>		<p>Status: Not Commenced</p>	<p>Reserve Matters Application currently being determined.</p>

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: IVELCHESTER</p> <p>09/01425/FUL Parish Mudford</p> <p>Longcroft Farm Stone Lane Yeovil Somerset</p> <p>The erection of a farm shop and tea room with ancillary car parking</p> <p>Agreement Date: 03/11/2009</p>	<p>Highways</p> <p>Traffic Monitoring Contribution: £21,000. To be collected as follows: £3,000 within 10 days of completion of Development. £3,000 on each anniversary for a period of 6 Years.</p>			<p>Highways £21,000</p>		<p>Status: Underway</p>	<p>Check with DM at SCC status of scheme.</p>
<p>Ward: MILBORNE PORT</p> <p>14/03724/FUL Parish Milborne Port</p> <p>Wheatmill Lane Nurseries Wheatmill Lane Milborne Port</p> <p>Demolition of existing buildings and residential development of 36 dwellings together with the formation of new vehicular and pedestrian access (GR 368132/119080)</p> <p>Agreement Date: 05/03/2015</p>	<p>Sports and Leisure</p> <p>Equipped Play Contribution: £44,982 comprised of (£28,513 Capital & £16,469 Revenue) towards the improvements and enhancements to the play area at the Memorial Playing Fields at Springfield Road, Milborne Port.</p> <p>Changing Room Contribution: £30,585 comprised of (£28,308 Capital & £2,277 Revenue) towards the improvements of existing or providing of new changing rooms at the Memorial Playing Fields at Springfield Road, Milborne Port.</p> <p>Playing Pitch Contribution: £23,892 comprised of (£13,943 Capital & £9,949 Revenue) towards enhancement, improvement or expansion of any of the existing community pitches at the Memorial Playing Fields at Springfield Road, Milborne Port.</p> <p>Youth Facilities Contribution: £7,669 comprised of (£5,599 Capital & £2,070 Revenue) enhancement or improvement of youth facilities at the Memorial Playing Fields at Springfield Road, Milborne Port.</p> <p>Strategic Leisure Contribution: 49,886 towards the following projects; £10,999 - Octagon Theatre £2,825 - AGP at Wincanton Sports Centre £6,433 - towards a new learner pool in Wincanton or centrally based competition pool in Yeovil £8,328 - new indoor tennis centre in Yeovil £21,301 - towards new 8 court competition sports hall in Yeovil or enhancements to existing sports halls in Yeovil.</p> <p>CH & L Admin fee: £1,570 Affordable Housing: Units Agreed: 13</p>	<p>Equipped Play, Youth and CH&L Admin fee payable not later than the occupation of 25% of the dwellings.</p> <p>Playing Pitches & Changing Room contributions payable not later than the occupation of 50% of the dwellings.</p> <p>Strategic Contributions payable not later than 75% of the dwellings.</p>		<p>Sports and Leisure: £158,584 .00</p>		<p>Status: Commenced</p>	

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: MILBORNE PORT</p> <p>09/04978/OUT Parish Milborne Port</p> <p>Land And Buildings Wheathill Lane Milborne Port Sherborne Dorset DT9 5EZ</p> <p>Residential development of land by the erection of 20 No. houses and the formation of vehicular and pedestrian access (GR 368015/119005)</p> <p>Agreement Date: 24/12/2012</p>	<p>Sports and Leisure: Equipped Play: £22,567 which equates to £15,000 for acquisition and installation of play equipment and £7,467 towards the long term maintenance of the facilities at The Playing Fields. Off-Site Recreation Contribution: £32,667 towards the enhancement or improvement of the changing rooms at The Playing Fields. Strategic Leisure Contribution: £32,127 towards one or more of the following projects: * A new or enhanced swimming pool * A new or enhanced sports hall * A theatre or arts provision * The provision of AGP * The provision of an indoor tennis centre.</p>	<p>25% of Off-site contribution on grant of permission.</p> <p>75% of Off-site contribution once provision of project in Milborne Port about to commence or 12 Occupations of scheme.</p> <p>Others contributions upon 12 occupations.</p>		<p>Sports and Leisure:</p> <p>To be calculated</p>		<p>Status: Commenced</p> <p>New Cricket Pavilion opened July 2014</p>	<p>Balance to be confirmed</p>
<p>Ward: MILBORNE PORT</p> <p>06/00952/FUL Parish Milborne Port</p> <p>The Tannery & The Old Gasworks Higher Kingsbury Milborne Port Sherborne Dorset DT9 5EB</p> <p>The erection of 76 dwellings, together with associated highway works and open space RSL (GR 367558/118953)</p> <p>Agreement Date: 12/04/2007</p>	<p>Sports and Leisure: LEAP to be provided and Management Company assigned to design maintain play space.</p> <p>Education: Education Contribution: £42,700 for additional facilities at Milborne Port County Community Primary School.</p> <p>Affordable Housing: Units Agreed: 15</p>	<p>Education Contribution: two instalments of £21,350 on the sale of the 20th & 40th open market dwellings.</p>				<p>Status:</p>	

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: NORTHSTONE</p> <p>14/01333/OUT Parish Keinton Mandeville</p> <p>Lake View Quarry Chistles Lane Keinton Mandeville</p> <p>Outline application for the redevelopment and restoration of Lakeview Quarry to provide 42 dwellings, 1,000 sq metres workspace for B1 use and associated community and recreation facilities (GR:354790/130557)</p> <p>Agreement Date: 27/07/2015</p>	<p>Sports and Leisure Equipped Play Contribution: £864 Capital per dwelling 2-bed or greater towards enhancing the equipped play area at Keinton Mandeville Village Hall. In addition £499 Revenue as a commuted sum per dwelling 2-bed or greater for the long term maintenance of these facilities.</p> <p>Changing Room Contribution: £809 per dwelling 2-bed or greater and £535 per 1-bed dwelling Capital towards enhancing changing facilities at Keinton Mandeville Playing Field or providing new changing facilities at the Village Hall. In addition £65 per dwelling 2-bed or greater or £43 per 1-bed dwelling Revenue for the long term maintenance of these facilities.</p> <p>Community Hall Contribution: £1,549 per dwelling 2-bed or greater and £1,024 per 1-bed dwelling towards the enhancement of the existing village hall in Keinton Mandeville.</p> <p>Swimming Pool Contribution: £184 per dwelling 2-bed or greater and £122 per 1-bed dwelling towards the development of an indoor swimming pool in the Langport/Hush Episcopi Area. CH&L Admin Fee: £40 per dwelling 2-bed or greater and £17 per 1-bed dwelling. Village Green & Recreation Land Allotments</p> <p>Education</p> <p>Education Contribution: £102,959 for the provision of primary school education, including equipment and facilities within or serving Keinton Mandeville.</p> <p>Pre School Facility Contribution: £75,000 towards the provision of pre-school facilities in Keinton Mandeville</p>	<p>50% of the Education contribution payable prior to first occupation and remainder payable before the occupation of the 21st dwelling.</p> <p>Pre-School contribution payable upon commencement of the development.</p> <p>Equipped Play contribution & CHL Admin Fee payable upon occupation of 25% of the dwellings.</p> <p>Community Hall and Changing Room contributions payable upon occupation of 50% of the dwellings.</p> <p>Swimming Pool contribution payable upon occupation of 75% of the dwellings.</p>		<p>Sports and Leisure: To be calculated as detailed upon application.</p> <p>Education: £102,959</p> <p>Pre-school £75,000</p>		<p>Status: Not Commenced</p>	

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: NORTHSTONE</p> <p>12/03098/FUL Parish Kingsdon</p> <p>Kingsdon Manor School Kingsdon Somerton TA11 7JZ</p> <p>The conversion of existing school into 5 dwellings, the extension and alteration of 4 existing dwellings, the erection of 11 new dwellings and one replacement dwelling. The demolition of existing buildings, the provision of associated access roads and alterations to existing accesses</p> <p>Agreement Date: 25/03/2014</p>	<p>Sports and Leisure:</p> <p>Equipped Play Contribution: £14,928.03 (£9,462.40 capital & £5,465.63 revenue as a commuted sum) towards enhancements/improvements to the equipped play area at Kingsdon Playing Field, Kingsdon.</p> <p>Youth Facilities: £2,544.91 (£1,857.98 capital & £686.93 revenue as a commuted sum) towards provision of youth facilities at Kingsdon Playing Field, Kingsdon.</p> <p>Community Hall Contribution: £16,964.06 towards enhancing community hall facilities in Kingsdon.</p> <p>Strategic Facilities Contribution: £17,671.36</p>	<p>Contributions payable on occupation of third dwelling.</p>		<p>Sports and Leisure:</p> <p>£52,306.78</p>		<p>Status: Commenced</p>	
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: NORTHSTONE</p> <p>14/02896/OUT Parish Keinton Mandeville</p> <p>Land North of the Light House Barton Road Keinton Mandeville Somerton Somerset</p> <p>Residential development of land for up to six dwellings</p> <p>Agreement Date: 26/11/2014</p>	<p>Sports and Leisure</p> <p>AGP Contribution: £485 towards AGP at Huish Episcopi Academy School</p> <p>Changing Room Contribution: £5,246 comprised of (£4,855 Capital & £391 Revenue) towards enhancements of existing or providing of new changing room facilities at Keinton Mandeville Playing Fields.</p> <p>Community Halls Contribution: £9,294 towards enhancing existing village hall in Keinton Mandeville.</p> <p>Equipped Play Contribution: £8,178 comprised of (£5,184 Capital & £2,994 Revenue) towards enhancing the play area at Keinton Mandeville Playing Fields.</p>	<p>Equipped Play Contribution payable prior to occupation of 2nd dwelling.</p> <p>AGP, Changing Room & Community Hall Contributions payable prior to the occupation of the 3rd dwelling.</p>		<p>Sports and Leisure:</p> <p>£23,203.00</p>		<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: NORTHSTONE</p> <p>14/05374/FUL Parish Barton St David</p> <p>Laurel Farm Mill Road Barton St David</p> <p>Redevelopment of farmyard with the erection of six dwellings (Revised application) (GR 354422/132182)</p> <p>Agreement Date: 25/02/2015</p>	<p>Sports and Leisure</p> <p>Off-Site Recreational Contribution: £26,210.82</p>					<p>Status: Commenced</p> <p>Projects to refurbish play area and village hall.</p>	Monies paid
<p>Ward: NORTHSTONE</p> <p>14/03788/FUL Parish Keinton Mandeville</p> <p>Land North Of Coombedene Coombe Hill Keinton Mandeville Somerton Somerset TA11 6DY</p> <p>Erection of 8 dwellings (GR:354922/131095)</p> <p>Agreement Date: 19/01/2015</p>	<p>Sports and Leisure</p> <p>Equipped Play Contribution: £10,905.04 comprised of (£6,912 Capital & £3,993.04 Revenue as a commuted sum) towards enhancing the play area at Keinton Mandeville Playing Area.</p>	Prior to occupation of 2nd dwelling.		<p>Sports and Leisure:</p> <p>£10,905.04</p>		<p>Status: Commenced</p>	

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WINCANTON</p> <p>13/03318/OUT Parish Wincanton</p> <p>Land South Of BayfordHill Wincanton Somerset</p> <p>Outline application for the erection of up to 47 dwellings, provision of public open space, access and other ancillary development (GR: 371871/128651)</p> <p>Agreement Date: 30/10/2014</p>	<p>Sports and Leisure</p> <p>Changing Room Contribution: £870.46 per dwelling comprised of (£805.65 Capital & £64.81 Revenue) towards enhancements of the changing rooms at Wincanton Sports Ground together with commuted sum.</p> <p>Equipped Play Contribution: £1,357.10 per dwelling comprised of (£860.22 Capital & £496.88 Revenue) towards the enhancements/acquisition of play equipment for the project at Cale Park, Wincanton together with commuted sum.</p> <p>Leisure Admin Contribution: £45.59 per dwelling</p> <p>Playing Pitch Contribution: £679.95 per dwelling comprised of (£396.81 Capital & £283.14 Revenue) towards enhancing existing playing pitches at Wincanton Sports Ground or such other location in Wincanton together with commuted sum.</p> <p>Youth Facilities Contribution: £231 per dwelling comprised of (£168.91 Capital & £62.45 Revenue) towards the provision of youth facilities and commuted sum at the Cale Park project.</p> <p>Strategic Facilities Contribution: £1,419.75 per dwelling</p> <p>Education: Education Contribution: £2,347.08 per dwelling.</p>	<p>Equipped Play, Youth and Leisure Admin Fee payable prior to occupation of 25% of the dwellings.</p> <p>Changing Room & Playing Pitch Contributions payable prior to occupation of £50% of the dwellings.</p> <p>Strategic Facilities Contribution payable on or before occupation of 75% of the dwellings.</p> <p>Education Contribution, 50% payable prior to first occupation and remainder payable prior to occupation of 50% of the dwellings.</p>		<p>Sports and Leisure:</p> <p>To be calculated as detailed upon application.</p> <p>Education:</p> <p>To be calculated as detailed upon application.</p>		<p>Status:</p> <p>Not Commenced</p>	

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WINCANTON</p> <p>05/00960/OUT Parish Wincanton</p> <p>Land At New Barns Lawrence Hill Wincanton Somerset BA9 9RT</p> <p>The provision of a mixed use development comprising residential, employment, education and community uses with approximately 250 no. dwellings (gr 370400/127917)</p> <p>Agreement Date: 22/12/2006</p>	<p>Sports and Leisure: Includes detail of planting of each area, street trees & play equipment (LAPS) 5 Years of maintenance of landscaping. Transfer of land on request Commuted sum for maintenance – LAPS & LEAP based on cost schedule provided. 1 x LEAP = £91,955 including maintenance.</p> <p>Highways: Residential & Employment Travel Plans Bus Service Improvements: £50,000 Sustainable Travel Incentive: £50,000 RH Turn from West Hill: £100,000 Toucan Crossing on West Hill: £120,000 Other Off-Site works detailed: £280,000 Mini Roundabout at Southgate</p> <p>Education: Pre-School Contribution: £121,800.00 Primary School Contribution: £442,800 Temp Classroom Contribution: £81,000</p> <p>Affordable Housing: Units Agreed: 114</p> <p>Miscellaneous Gains: Extension to existing cemetery.</p>	<p>1 x LEAP = £91,955 including maintenance, Occupation of 50th dwelling within housing phase B Extension to existing cemetery, transfer to the Town Council on occupation of 200th dwelling. Pre-School Contribution, prior occupation of 101st dwelling. Primary School Contribution, prior occupation of 101st dwelling. Temp Classroom Contribution, upon request from SCC (evidence of lease for classroom required) Bus Service Improvements, 10k before occupation, 20k on 100th occupation & 20k on 200th occupation. Sustainable Travel Incentive, 25k before occupation & 25k on 100th occupation. RH Turn from West Hill, prior to use by any construction traffic or development use off West Hill for vehicular traffic.</p> <p>Toucan Crossing on West Hill, prior Occupation.</p> <p>Other Off-Site works detailed various but all to be complete by occupation of 72nd dwelling. (Variation requested for some works, to be agreed).</p> <p>Mini Roundabout at Southgate Street, occupation of 100 dwellings.</p>		<p>Miscellaneous Gains:</p> <p>Extension to existing cemetery.</p>		<p>Status: Underway</p>	<p>Rh Turn from West Hill - Underway Off- Site Works - Trigger point varied.</p> <p>SSC received first Bus Service Contribution payment (10k)</p> <p>Awaiting update from SCC Highways on status of scheme at performance against agreement.</p>

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<p>Ward: WINCANTON</p> <p>08/02183/FUL Parish Wincanton</p> <p>Land Off Deanesley Way Wincanton Somerset BA9 9RG</p> <p>The erection of 212 dwellings/apartments together with new estate roads and footpaths (GR 372123/128558)</p> <p>Agreement Date: 07/01/2009</p> <p style="text-align: center; font-size: 2em;">Page 28</p>	<p>Highways: Cycleway Contribution: £30,000 For the provision of a cycleway/footway/footpath link along the northern side of Deanesley Way. Traffic calming contribution: £150,000 Provision of traffic calming measures on Common Road. Traffic calming contribution £12,000 Provision of traffic calming measures on Deanesley Way. Off-Site Traffic Calming Contribution: £10,000 Towards traffic calming works at Balsam Fields, Wincanton Junction Common Road/Bayford Hill Contribution: £25,000 Improvements to the above junction Zebra Crossing Contribution: £20,000 Towards the provision of a zebra crossing associated footway alignment works on Bayford Hill. Green Travel Voucher: A voucher/s worth a maximum sum of £400 per Dwelling provided by the Developer in accordance of the Residential Travel Plan to encourage the use by Residents of the Development to use sustainable transport modes and/or internet/home working which could include a contribution towards the costs associated with the use of public transport cycling or walking and/or home working and which shall be included in the Sustainable Transport Pack distributed under the provisions of the Residential Travel Plan.</p> <p>Education: Pre-School Education Contribution: £69, 126 Primary School Education Contribution: £253,462</p> <p>Affordable Housing: Units Agreed: 38</p>					<p>Status: Underway</p>	<p>LEAP specification and new levels approved Sept 15</p> <p>Town Council & TW working through plans for footpath/cycleway before further discussions with SCC.</p>

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<p>Ward: WINCANTON</p> <p>14/01704/OUT Parish Wincanton</p> <p>Land At Dancing Lane Wincanton</p> <p>Outline application for residential development with approval for means of access sought and all other matters reserved for future consideration (GR:370409/128841)</p> <p>Agreement Date: 02/06/2015</p>	<p>Sports and Leisure Changing Room Contribution: £809 or £535 Capital per dwelling depending on size & £65 or £43 Revenue per dwelling as a commuted sum towards the enhancement of changing facilities at Wincanton Sports Ground.</p> <p>Equipped Play Contribution: £864 Capital per dwelling for which is 2-bed and greater for the existing play area at Cale Park, Wincanton or suitably located to serve development. In addition £499 Revenue per dwelling which is 2-bed or greater as a commuted sum for the long term maintenance of those facilities.</p> <p>Playing Pitch Contribution: £399 Capital per dwelling for which is 2-bed and greater and £263 per 1-bed dwelling to be used towards enhancing of existing community playing pitches at Wincanton Sports Ground. In addition £284 per dwelling for which is 2-bed and greater and £188 per 1-bed dwelling Revenue as a commuted sum for long term maintenance.</p> <p>Youth Facilities Contribution: £170 per dwelling 2-bed and greater Capital towards enhancements of Youth Facilities at Cale Park, Wincanton. In addition £63 per dwelling 2-bed and greater Revenue as a commuted sum for long term maintenance.</p> <p>Strategic Facilities Contribution: £184 per dwelling 2-bed and greater and £122 1-bed dwellings towards the provision of a learner pool at Wincanton Sports Centre.</p> <p>Highways: Travel Plan Fee Green Travel Voucher</p> <p>Education: Education Contribution: £2,451.40 per dwelling towards the cost of providing additional capacity at Wincanton Primary School</p>	<p>Equipped Play & Youth Facilities Contributions payable on or before occupation of 25% of the dwellings.</p> <p>Changing Rooms & Playing Pitch Contributions payable on or before occupation of 50% of the dwellings.</p> <p>Strategic Facilities Contribution payable on or before occupation of 75% of the dwellings.</p>		<p>Sports and Leisure:</p> <p>To be calculated as detailed upon application.</p> <p>Highways:</p> <p>To be calculated as detailed upon application.</p> <p>Education:</p> <p>To be calculated as detailed upon application.</p>		<p>Status:</p> <p>Not Commenced</p>	

Agenda Item 12

South Somerset Careline Annual Report 2014/15

Strategic Director: Vega Sturgess, Strategic Director (Operations and Customer Focus)
Assistant Director: Steve Joel, Assistant Director (Health and Well Being)
Service Manager: Alice Knight, Careline & Welfare Manager
Contact Details: Alice.Knight@southsomerset.gov.uk Tel: 01935 462943

Purpose of the Report

Alice Knight, Careline & Welfare Manager will attend the meeting to give a presentation and update members on the South Somerset Careline service. A copy of the South Somerset Careline Annual Report 2014/15 has been circulated to members prior to committee. (Hard copies will be available at committee).

Background

South Somerset Careline is run by SSDC's Housing & Welfare team based at Petter's House. Work undertaken includes:

- Currently supporting **2,050** people across South Somerset to remain living independently at home.
- Careline provides clients with an emergency alarm pendant which links directly through to our 24-hour care centre, based at Sedgemoor District Council.
- When a client needs help, we are able to summon help immediately, through a friend, neighbour, relative or the emergency services.
- We also offer a range of Telecare equipment such as falls detectors, epilepsy sensors and bed sensors, linked to customers Careline alarms
- In 2014, our care centre took **38,556** calls for South Somerset Careline clients.
- We take approximately **50** new referrals a month from carers, social services, Occupational Therapists, GP's, fire service, family members and individuals.
- In 2014/15 we installed **508** alarms, averaging **42.3** new service users a month.
- **98.5%** of Careline customers are very satisfied or satisfied with the service.
- In 2014/15, the service cost **£207,931** to run; in the same year the service generated **£357,798** income for SSDC.

Recommendation

That members note the South Somerset Careline Annual Report 2014/15.

Financial Implications

None

Corporate Priority Implications

- To make optimum use of resources for home adaptations every year to enable people to live independently.
- To support communities which are healthy, self-reliant and have individuals that are willing to help each other

Carbon Emissions & Climate Change Implications

None

Equality and Diversity Implications

Our service provides support for people to remain living independently in their own homes. The majority of our customers are elderly – 75% of our customers are aged 80 or over. However there is no age limit for our service and we support many customers who have physical and/or mental disabilities.

Agenda Item 13

Work Hubs (Executive Decision)

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

Purpose of the Report

To update Members on work towards the development of a work hub in Area East.

Public Interest

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

Recommendations:

- (1) To note discussions on a joint venture with potential third party partners
- (2) To approve the allocation of the £8,000 ring fenced funding as follows:
 - Up to £1,000 for the provision of hot desk facilities at Churchfield
 - Up to £5,000 for research into the viability a work hub in Area East
 - Up to £2,000 to support creative art work/show room space in Wincanton

Background

In March 2015 Members agreed an allocation of £8,000 from the Members Discretionary budget towards the development of a work hub, subject to a worked up proposal being brought back to Committee for approval. Members were aware that this would form part of ongoing work to support businesses particularly in town centres through schemes like the Retail Support Initiative.

At the end of last year visits were made to business hubs in Wells, Frome and Langport, with a view to developing a proposal for the vacant office space at Churchfield - this was part of a wider, corporate look at how to support micro and small businesses through the provision of office space, with good broadband speeds and other business support services.

The Frome business hub is generally regarded as an exemplar. It is an entrepreneurial lead facility, which offers flexibility, altruistic approach, central location and vibrant atmosphere. At the time of the report, preliminary discussions had just taken place with the owner of the Old Health Centre, Wincanton - the preferred location for a work hub in the town. A successful work hub operating from that site would give a much needed boost to town centre footfall.

In March Members prioritised work to bring forward a work hub in town centre locations as follows:

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

Members were advised that to develop a work hub, similar to the Frome model, in the vacant space at Churchfield would be difficult because it is predominantly a public service/service sector building and the (relatively) small amount of remaining accommodation would struggle to capture the vibrancy of the Frome Work Hub. Additionally, the preferred approach would have been to facilitate something with a commercial provider at the Old Health Centre site because of its very central location, utilisation of a redundant building and potential to attract third party funding - Heart of Wessex Local Action Group (HofW).

Progress Update – Work hubs

The advice from established Work hubs is that it is problematic to get an accurate estimate of demand for the facility until the hub is open/occupied. This means that there is an element of speculative investment in commercially operated hubs. To attract significant funds from either the District Council (as a joint venture) or the Heart of Wessex LAG it will be necessary to build a business case which would include a demand survey. There has recently been a tender for similar research into the potential demand in Yeovil and Chard. A copy of the invitation to tender is attached at Appendix A. Members may wish to consider embarking on a similar piece of work for the 3 towns in Area East.

There has been a lack of tangible progress with the preferred site in Wincanton. In the meantime the new owners of the Constitutional Club in Castle Cary had indicated that they would be willing to sell the building which they acquired for development in March 2015. As the discussions around this site are commercially sensitive, a fuller explanation has been provided for members by a separate confidential briefing note. Similarly, a separate confidential briefing note about the Old Health Centre, Wincanton has also been circulated.

Both the interested business in Castle Cary and the owner of Wincanton Health Centre have been made aware of the potential for Heart of Wessex LAG funding but both would need to build a business case as part of any application. Members may wish to consider an allocation of up to £5,000 to assist with identifying potential demand. This would also assist any subsequent bid for District Council investment funding corporately, should a joint venture be welcomed.

Drop-in Workspace at Churchfield

Whilst the letting of the remaining office space at Churchfield is a high priority, there is an opportunity to do some market testing with the “meanwhile” use of the Lime Room (former Registrar’s office) on the first floor as hot desk space. Anecdotally we are told there is a market for this type of space on “easy in - easy out” terms and work hubs elsewhere do offer bookable desk space on flexible terms. Previously this sort of arrangement has been difficult to accommodate because the District Council has sought a licence, which required payment up-front and three months’ written notice. (This was in 2010 when a Development Worker for a national charity, who lived locally, shared office space in the Area Development Team)

The basis of this arrangement was:

- Access was during normal office hours (out of hours by arrangement)
- Photocopying/postage was re-charged to the Charity
- The Charity’s public liability insurance applied and no additional insurance provision was made
- Use of meeting rooms would be charged
- Web and telephone lines were the Charity’s responsibility

Provision has recently made available for internet access via wifi ‘hotspots’ in the building. We are awaiting confirmation on whether it will be necessary to provide an additional wifi ‘hotspot’ in the Lime Room or if adequate coverage could be gained through the newly activated ‘hotspots’ in the main meeting room and reception. As most businesses are fully mobile, initially it is not suggested that computers are supplied or telephone lines installed.

The District Council would normally expect approx. £1,700 per annum (inclusive of service charge) from this space.

The low tariffs at other hubs, work out around £2.50/£3.00 per hour but these are packaged and usually include other benefits such as a mailbox service, registered business address, parcel receiving, newsletter, café use, fax facilities and are usually purchased as a bundle and invoiced monthly. As a pilot, until a longer term tenancy is in place, a simple “pay as you go” arrangement is proposed at Churchfield. A minimum usage would probably need to be applied (eg: 10 hours) because there is a real cost associated with raising invoices, a refundable deposit could be charged (c£25) on first use. Charges would (initially) be invoiced monthly although an e-booking + pay system which could be established if there was sufficient demand.

Charges for printing and meeting room use would be invoiced as above. This approach would also make more people aware that meeting rooms are available for external hire.

As this is a “meanwhile” use it is being undertaken “at risk” for a 6-month trial, a conventional tenancy would equate to around £850 (of which around £250 would be service charge). For a six month trial only the service charge would be levied, this would be recharge at end of period when we will review income generated to inform future plans. It is suggested that up to £1,000 is allocated to facilitating use of the Lime Room for a 6-month period starting in January 2016. Two work stations could be created using surplus furniture stored at Churchfield.

There are additional administrative implications associated with running a pilot scheme but this can be accommodated within the Community Support Team assuming a 6-month pilot with 2 desks. Access to the building would usually need to be between 9:00am–1:00pm, with users parking in the public car park.

Marketing the space will be critical and it is suggested that a combination of social media, The Window, business network e-groups as well as traditional mediums are used proactively to market this.

A full evaluation of uptake, income, cost would be brought back to Members in June 2016. If, in the interim, a suitable long-term tenant wanted to take up the space then the work station occupants would be given 4-weeks’ advice.

Progress Update – Retail Incubators

When the update on the Retail Support Initiative was presented to Members in June the report included a table showing town centre retail unit occupancy, this table is updated below:

Town	Number of open retail units	Number of closed retail units March 2015	Number of closed retail units September 2015
Wincanton	84	12	6

Castle Cary	61	3	6
Bruton	30	2	3

The number of vacant units had been consistently higher in Wincanton and therefore this is the preferred town to bring forward a scheme. There had been interest in the old Alldays building in the High Street for an ‘emporium’ some years ago, but this had not come to fruition because the private individual promoting the scheme could not agree terms. There has been some interest in the former Green Dragon unit although this hasn’t translated to occupancy (the art installations in the window have provoked comment). There is still turnover but some of the previously vacant units have now been occupied and the new retail unit on the corner of Carrington Way is also occupied. The former Alldays unit still represents the greatest challenge, not least because of its size and the reducing term of lease which can mean more onerous obligations for a tenant.

The Town Team has been keen to bring something forward in these premises for some years and supported the ‘emporium’ idea. Following negotiations with the agents for the Co-op (who hold the lease) it would seem that there is a willingness to consider a “meanwhile use” as a creative centre with art and craft activities. Although the aim of the project is to make it self-sustaining, this is a large unit, with higher costs so it will be harder to achieve financial viability. Terms need to be agreed with the Co-op but these would include a vacant possession clause within 4-6 week if a commercial end user came forward - the premises would continue to be marketed during this time. There is likely to be a need to pump prime this initiative, in which case Members are asked whether they would wish to provide up to £2,000 towards a creative centre with art and craft activities subject to the sign off of a worked up proposal by the Ward Members and Chairman. As a principle, this sum should not represent more than 40% of the cost with at least 30% of the remaining funds having been contributed by private investment (not generated by rental income from the flat above). If a longer arrangement was entered into it would not preclude the premises also being considered for a Retail Support Initiative grant.

Financial Implications

Within the Members Discretionary budget there is a ring fenced allocation of £8,000 towards work hubs. If the schemes outlined in this report are supported this would be broadly allocated as follows:

- Up to £1,000 for the provision of hot desk facilities at Churchfield
- Up to £2,000 to support creative art work/show room space
- Up to £5,000 to research demand for a work hub

For information there is currently an unallocated sum of £6,320 remaining in the Members Discretionary Budget.

Implications for Corporate Priorities

A well supported business community

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

A vibrant and sustainable Yeovil, Market Towns and Rural Economy

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

Other Implications

Included within the Area Development Plan

Background Papers: Area East Committee Agenda & Minutes March 2015

Appendix A

Invitation to quote

Work space demand study – Yeovil and Chard

South Somerset District Council is seeking to undertake a study into the demand for serviced workspace in the District, specifically for Yeovil and Chard.

Robustly establishing the demand for serviced workspace is an important precursor to a wider project that will see SSDC provide serviced workspace if there is proven and sufficient demand. This is to ensure that the council's investment is based on a sound understanding of the likely future demand for business accommodation in the District.

It is important that this assessment is based on the South Somerset economy. There will need to be separate elements for each Yeovil and Chard so demand in each of these areas can be determined before the council proceeds with the project. Should demand be determined then the wider project will be progressed with a further detailed appraisal of costs, suitability of sites etc.

Project requirements

In order to identify whether investment in serviced office space would be successful, an in-depth assessment of market demand is required.

It is anticipated that the study will include 3 elements of work:

1. Socio-economic context of South Somerset
This would provide an overview our historic record of business start-up; where possible a demographic profile of those business start-up figures; sectoral changes and trends; the likely commuting patterns generated by serviced workspace. Recent market trends within key sectors will provide some indication of the types of workspace that will be required
2. Demand analysis:
A better understanding of the key target groups in the South Somerset area and their likely future demand for business accommodation focusing on the nature of current workspace in South Somerset, how much business space will be needed in the future (and what type), at which locations additional workspace will be required, what types of facilities firms desire in a workspace and their preferred lease terms for commercial property. This to include, but not limited to, the views of:
 - Entrepreneurs
 - Home-based businesses
 - Those considering starting a business
 - Existing micro enterprises
 - Business advisory organisations

Local property agents should also be consulted in order to establish whether they have had enquiries for office space and what the clients requested

3. Supply analysis:

This will involve examining the existing provision of workspace in South Somerset which includes the characteristics of the local property market, checking the current commercial databases and cross checking this with property agents in the area. It is also important to get an indication of vacancy rate within the overall stock of premises because that will impact on the success of the new workspace to the market and therefore a key consideration

The final report must include:

- Assessment/ overview of the socio-economic context of South Somerset
- Separate analysis of demand for workspace in the preferred locations Yeovil and Chard
- Analysis of the existing provision of work space in South Somerset
- A business database of potential serviced office space users should be created and shared with SSDC
- Any other aspects that are considered essential and subject to discussion between the provider of this work and SSDC

Agenda Item 14

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
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
9th December 15	Update of the Citizens Advice South Somerset	To update members on the service.	David Crisfield Third Sector and Partnerships Co-ordinator
9th December 15 TBC	<i>Provision of Medical Care in Area East</i>	<i>Update report regarding Provision of Medical Care in Area East</i>	<i>Clinical Commissioning Group/ADM</i>
9th December 15	Community & Leisure Grant applications	6 monthly update	Tim Cook, Pam Williams, SSDC
9th December 15	<i>Countryside Service</i>	<i>Annual update</i>	<i>Katy Menday</i>
9th December 15	<i>Retail Support Initiative update</i>	<i>6 monthly Outturn report</i>	<i>Pam Williams</i>
9th December 15	<i>Funding award the LEADER Programme for rural Economic Development</i>	<i>The outcome of applications for funding the LEADER Programme for Rural Economic Development</i>	<i>Helen Rutter AD Communities</i>

Agenda Item 15

AREA EAST COMMITTEE

14th October 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, dismissed or allowed as listed below.

Appeals Lodged

Parish/Town	Application No.	Description and Location	Applicant(s)	Officer's Recommendation	Committee Decision
Stoke Trister	15/02961/PAMB	Prior approval for the change of use of agricultural building to dwelling (Revised Scheme) (GR:374565/129492) Barn On Land OS 5953 Beech Lane Stoke Trister Wincanton Somerset BA9 9PQ	Mrs Lynn Cockerill	Refusal	N/A

Financial Implications

None

Background Papers

Planning Application files

Agenda Item 16

Schedule of Planning Applications to be Determined by Committee

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

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications 15/02187/FUL, 15/02718/FUL and 15/02933/OUT will be considered no earlier than 10.45am. Members of the public who wish to speak about these planning applications are recommended to arrive at 10.35am.

Planning Applications 15/02347/OUT, 15/02388/OUT, 15/02415/OUT, and 15/04066/OUT will be considered no earlier than 1.45pm. Members of the public who wish to speak about these planning applications are recommended to arrive at 1.35pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
17	MILBORNE PORT	15/02187/FUL	Proposed development of Solar Photovoltaic Modules including access track, associated works and infrastructure including underground cable.	Land OS 2269 Old Bowden Way Milborne Port	Big60Million Ltd
18	BLACKMOOR VALE	15/02718/FUL	Construction of a Photovoltaic Park with associated equipment including access track and cable route.	Land OS 0034 Bowden Lane Henstridge	Bowden Lane Solar Park Ltd
19	BLACKMOOR VALE	15/02933/OUT	Erection of 2 detached dwellings and formation of vehicular access	Land between Bankside and the Piggery Lily Lane Templecombe	Mr & Mrs R Saunders

			thereto (re-submission of Application Number 15/00098/OUT).		
Please note the following planning applications will be considered no earlier than 1.45pm.					
20	CARY	14/15/02347/OUT	Outline Planning Application (All Matters Reserved Except for Access) for up to 165 houses, up to 2 Ha of Employment Land, a Road Linking Torbay Road with Station Road, a Safeguarded Site for a New Primary School and Green Infrastructure on Land Between Torbay Road and Station Road, Castle Cary, Somerset	Land OS 1445 Part Torbay Road Castle Cary	Donne Holdings & Somerset County Council
21	CARY	15/02388/OUT	Residential development of up to 75 dwellings, with associated means of access with all other matters reserved	Land at Station Road Castle Cary	The Silverwood Partnership
22	CARY	15/02415/OUT	Residential development of up to 75 dwellings, with associated means of access with all other matters reserved (appearance, landscaping, layout and scale)	Land OS 4700 Station Road Ansford	The Silverwood Partnership
23	CARY	15/04066/OUT	Outline planning application for the demolition of all existing structures (including the farmhouse and agricultural buildings) and development to provide up to 125 residential units (including 35% affordable housing),	Wayside Farm Station Road Ansford	Mr Gerry Keay

			associated landscaping, access and infrastructure (Revised Application)		
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Further information about planning applications is shown below and at the beginning of the main agenda document.

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

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 17

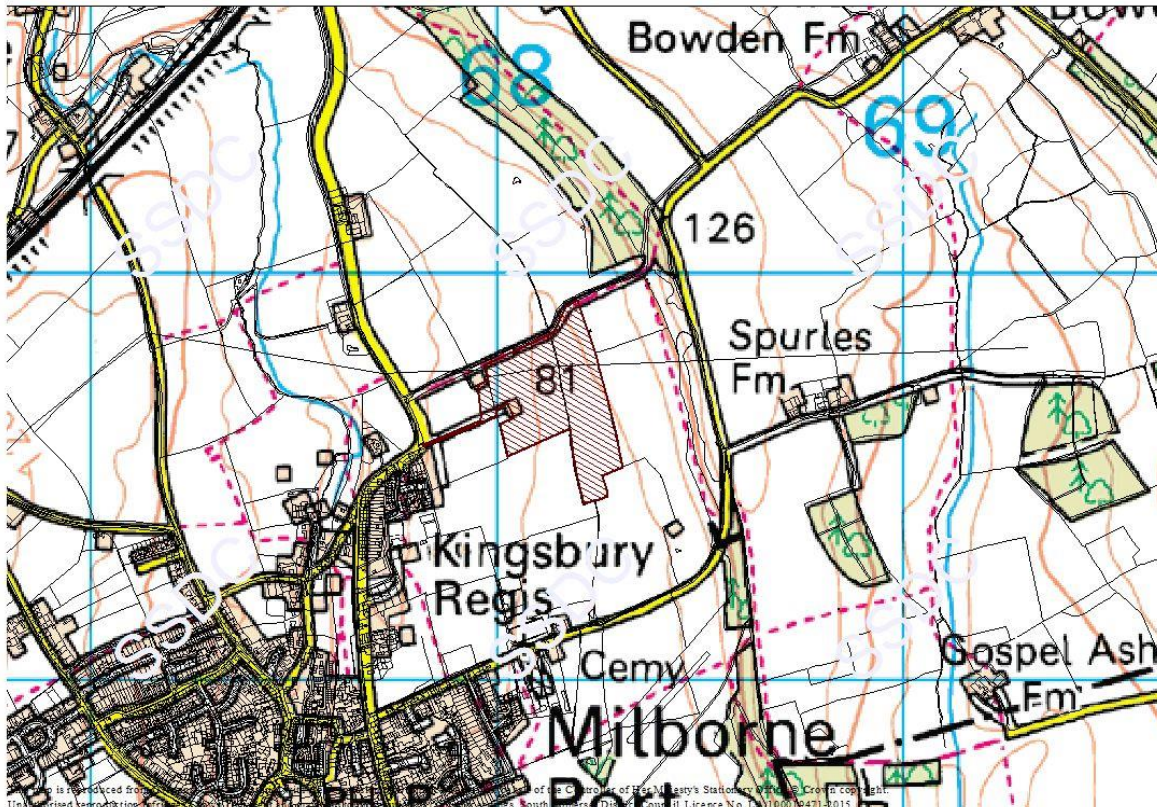
Officer Report On Planning Application: 15/02187/FUL

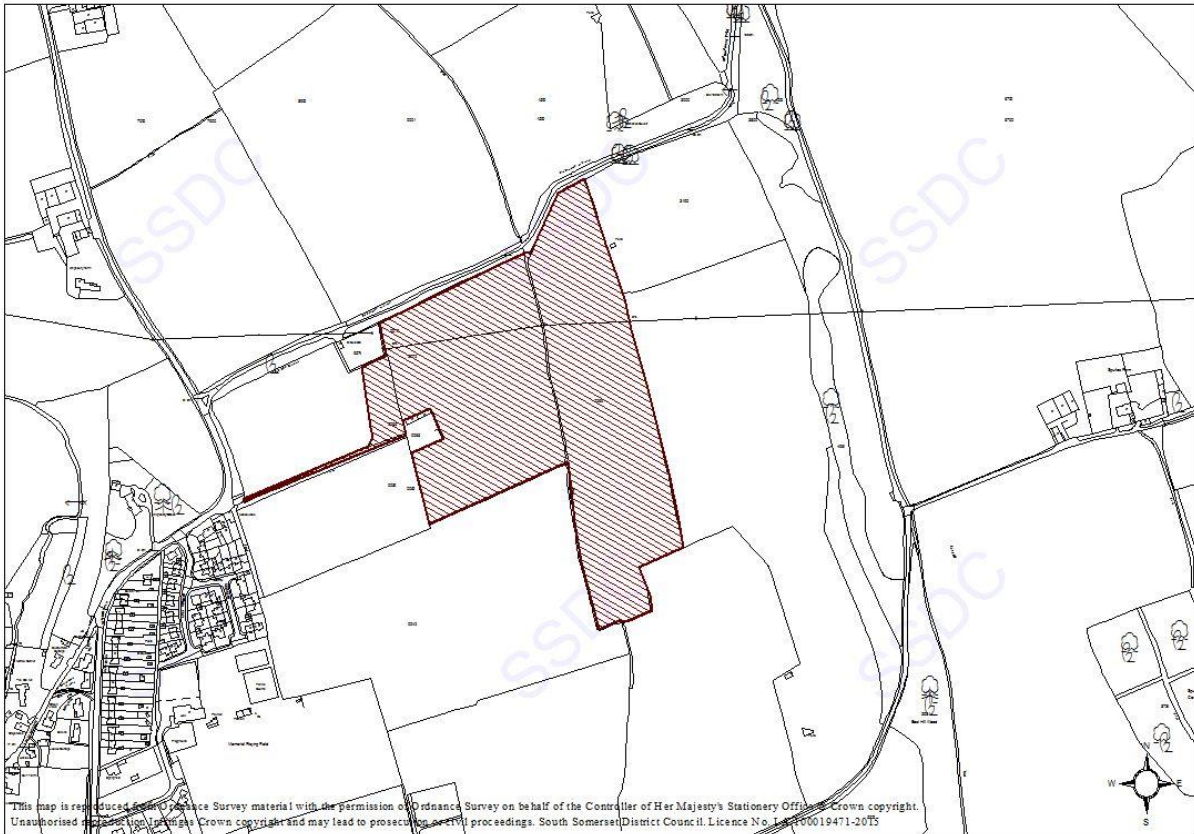
Proposal :	Proposed development of Solar Photovoltaic Modules including an access track leading from Station Road; Temporary Construction Compound; Double Inverter Platforms; Transfer Station; Collecting Station; Security Fencing; CCTV cameras and poles; landscaping; and associated works and infrastructure including underground cable along Old Bowden Way and related equipment to allow connection to the electricity distribution network (GR 368218/119662).
Site Address:	Land OS 2269 Old Bowden Way Milborne Port
Parish:	Milborne Port
MILBORNE PORT Ward (SSDC Member)	Cllr S Dyke-Bracher
Recommending Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Case	Lee Walton
Target date :	17th August 2015
Applicant :	Big60Million Ltd
Agent: (no agent if blank)	Mr Cliff Lane Wessex House, Priors Walk, East Borough Wimborne, Dorset BH21 1PB
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee as a large scale major development that is recommended for approval.

SITE DESCRIPTION AND PROPOSAL





The application site is located north-east of Milborne Port. The site is bounded on its north side by an unrestricted byway, Old Bowden Way, and extends across 2 (no.) hedgerow enclosed fields. The site extends to 5.38 hectares having been reduced in size from its original 8.85 hectares following receipt of amended drawings that establishes a squarer footprint having removed the southward projection of the site.

Located in a low lying part of the landscape the western field slopes gently upwards to the east, both fields slope southwards but immediately to the east the landscape rises more steeply and abruptly that forms a ridge behind which is aligned the public highway on which is located the 'millennium' vantage point that offers seating and an observation point from which to take in the surrounding landscape. Other footpaths also access this higher ground from where the application site is overlooked, as is Milborne Port.

As noted above, the scheme has been amended to reduce the site area that now comprises a little more than half the site being classified grade 3a - eastern field and therefore 'best and most versatile land' and the western field grade 3b.

The proposal seeks the erection of a 3.036MW solar farm to generate electricity for a period of 25 years.

The works include:

- Solar modules and supporting 'tables' 2.5m to 2.7m in height with up-right supports secured in excavated holes 1.2m deep by 0.6m wide secured by post grout that is poured in and sets enabling the support structures to be removed following the cessation of the solar farm.
- 3(no.) double inverter platforms measuring 11.2m by 2m by 3m high to accommodate

- the 6(no.) inverters and 3(no.) transformers.
- 2 Energy storage containers
 - Collecting station 8.3m by 3.1m by 2.9m high
 - Transfer station 10.2m by 3.4m and 3.5m high
 - Access arrangements
 - Communication and Security equipment including a general storage container 12.2m by 2.4m by 2.6m high
 - 2m high security fencing
 - CCTV on 3m high pole mounted.

The structures proposed would have dark green/moss green finishes. A temporary Construction Compound would be established. This will occupy an area of approximately 3,266 square metres and will be used for the duration of the estimated 12 week construction phase. It will be located on the western area of the site next to the site access point.

The application is supported by the following documents:

- Site Selection and Justification Report
- Planning, Design and Access Statement
- Habitat Management Plan
- Flood Risk Assessment
- Decommissioning Method Statement
- Construction Method Statement
- Arboricultural Impact Assessment
- Environmental Report
- Agricultural Use and Quality Report
- Construction Traffic Management Statement
- Statement of Community Involvement

RELEVANT HISTORY:

14/02468/EIASS - Request for a screening opinion in respect to the proposed installation of photovoltaic arrays - EIA not required 12/06/2014.

POLICY

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

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

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

SD1 - Sustainable Development

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 - Historic Environment

EQ4 - Biodiversity

EQ5 - Green Infrastructure

EQ7 - Pollution Control

EP5 - Farm Diversification

TA5 - Transport Impact of new development.

National Planning Policy Framework - March 2012:

Chapter 1 - Building a strong, competitive economy

Chapter 3 - Supporting a prosperous rural economy

Chapter 7 - Requiring good design

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

Chapter 11 - Conserving and enhancing the natural environment

The NPPF (para.98) advises that when determining planning applications, local planning authorities should:

not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions;

and

Approve the application if its impacts are (or can be made) acceptable.

Other Material Considerations:

An EIASS application has been considered covering the site. This determined that an EIA was not required and the overall scale of the site is subsequently reduced following the receipt of amended drawings.

CONSULTATIONS

Milborne Port Parish Council - No Objections, although there is concern regarding the amount of planning applications for Photovoltaic Parks in and around Milborne Port. Although the Council recognises the need for renewable energy, and singularly do not object to each application, they are very concerned about the number of proposed sites within a very small area. There are currently two applications in.

Charlton Horethorne Parish Council (adjacent) - the Parish Council, in general, supports the principle of expanding renewable energy but do not think solar photovoltaic modules, and all the associated works/construction etc., such as this, should be located on prime agricultural land and has a preference for using brownfield sites.

Horsington Parish Council (adjacent) - resolved to support.

County Highway Authority - No objection, subject to conditions requiring a condition survey of the public highway, Construction Environmental Management Plan to be agreed, details of vehicle's wheel cleaning to be agreed.

SSDC Ecologist - I've noted the ecology chapter of the Environmental Report and I've also undertaken a site visit. These haven't identified any particularly significant issues. I recommend a condition requiring implementation of the Habitat Management Plan submitted with the application.

Somerset Wildlife Trust - We fully support the proposed Ecological Enhancement Measures as well as the Habitat Management proposals. We therefore fully agree with your Ecologist Mr Franklin and request that, if it is decided to grant Planning Permission, a Condition is included requiring full implementation of the Habitat Management Plan.

SSDC Conservation - There are a number of heritage assets in the vicinity of the proposal

and these are comprehensively identified in the submitted Environmental Report and I am broadly in agreement with the conclusions in the Chapter 6 on Cultural Heritage. No assets would be directly impacted but some settings are potentially affected. The conservation area and listed buildings within the built up area of Milborne Port will not be affected to any degree.

In the submitted Environmental Report on Cultural Heritage consideration does not include fully assessing the intervisibility between the site and Ven House although it does note that the house can be seen from the site. In my view intervisibility is very definitely an issue that can affect the character of a historic asset in spite of assertions sometimes made that it does not impact 'significance' unless it is to a 'designed view'. Having visited Ven House it was thus possible to assess the extent that the site is visible from the house and the degree to which it might impact the setting. This is in my opinion a minor impact since only a very small sector of the site is visible and moreover this is as viewed from the upper floors, these rooms arguably being of a lesser significance than the principle rooms on the ground floor.

SSDC Landscape Architect - (Amended Drawings) I had initially concluded that whilst the array is sited within a low point in the local valley; contained within the local landscape pattern as defined by the enclosure fields; and does not unduly impact upon local village amenity; which are positive elements in its favour, conversely its incongruity of character is notable as viewed from the head and upper sides of East Hill, where the array will be seen within the setting of Venn HP&G; and from within the historic park looking across its main tree avenue. On balance I considered the impact of the array relative to those receptors to be sufficiently adverse, to provide landscape grounds for refusal.

The revised scheme has reduced the southward extent of the east field, so that it no longer projects beyond the southern boundary of the west field. Additional planting is included to define this amended boundary; to contain the extent of the array; and to screen the array from low-level vantage points to the south. This provides a more compact arrangement, which is better contained in the wider landscape pattern, with greater separation from the line of view toward Milborne Port when viewed from the millennium viewpoint, similarly so from Venn HP&G. Whilst the effects of array development upon local landscape character can be viewed as remaining negative, I do not consider them to be of sufficient magnitude to provide a landscape case for refusal.

Historic England - The site forms part of the wider agricultural landscape setting in which Ven House and its associated Park and Garden are situated and experienced. Ven House is a Grade I listed heritage asset that sits within a Grade II registered Park and Garden.

(Amended Plans) The removal of the field from the southern edge of the site and the improved boundary screening will go quite some way to minimising the impact of the proposal on the setting of both the house and park. If the council's conservation officer is content that the alterations to the site plan will minimise the impact to an acceptable degree then the application should be determined without the further assessments requested by Historic England.

Somerset Garden Trust - The importance of Ven House is clearly indicated by its Grade I designation. The Park and Garden are in turn highly significant and important to the setting of Ven. We would endorse your Landscape Architect's observation that the array would lie within the designated setting of the Ven HP&G and within the sightlines towards Ven House and its Park. In our view, the nature of the solar array would impose harsh features on the otherwise gentle, pastoral landscape as described in the SHER.

Sherborne And District CPRE - Object. We contend that this is the wrong location and will have an adverse impact on the landscape, on that out skirts of the village and views from

above it. Its development is not justified in this location.

Somerset CPRE - The proposal to bury the underground cable connecting to the grid under Old Bowden Road would cause huge damage to wildlife, trees and hedges. There are likely to be archaeological remains beneath the surface of the track which would be destroyed. The whole area of the proposed solar park would be visible from the viewpoint on the ridge which gives views of a magnificent landscape. This would be severely damaged by a sea of solar panels in the foreground.

County Archaeology - The geophysical survey shows that there are some limited archaeological remains on the site that should be investigated prior to development. For this reason I recommend that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of condition.

SSDC Climate Change Mitigation Officer - I have no objections to this application.

SSDC Environmental Protection Officer - No comments.

REPRESENTATIONS:

There have been 26 householder notification letters received objecting to the proposed development concerned that:

- Milborne Port is in a valley, the siting of these solar panels is visible from many of the surrounding hills
- The viewing area at the summit of East Hill will be completely ruined a very lovely panoramic view. This is a much loved feature of Milborne Port.
- The impact on the landscape and the setting of the valley setting north of the settlement will be unacceptably damaged.
- the 180 degree vista would be tarnished
- Complete destruction of the area visually.
- No consideration appears to have been given to the great impact the construction would have on the amazing views from the ridge above East Hill.
- This field is a major part of a most attractive view, the installation would be extremely intrusive
- Eyesore
- Blot on the landscape
- It is too near to the village
- Industrial site in an otherwise rural area and, as such, is totally inappropriate.
- Renewables must be balanced with the environment and not unbalance the aesthetic qualities of it.
- No direct benefit for the village
- What has been done with all the responses to the consultation that was held in the village hall? A lot of people were invited and attended, and a lot expressed their disapproval of the plans.
- Access point on blind bend - highway safety
- There are plenty of wildlife benefits to the current land use, and there would certainly be no enhancements by covering the habitat with solar panels.
- Good agricultural land

CONSIDERATION

Principle of development:

The National Planning Policy Framework (NPPF) states that local authorities should have a

positive strategy to promote energy for renewable and low carbon sources, and design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts. The expectation should always be that an application should be approved if the impact is (or can be made) acceptable (para.98 of the NPPF).

Local Plan Policy EQ1 is applicable in considering renewable energy proposals. Bullet point 3 states that 'Development of renewable and low carbon energy generation will be encouraged and permitted, providing there are no significant adverse impacts upon residential and visual amenity, landscape character, designated heritage assets, and biodiversity.' Policy EQ2 also refers to the need to safeguard landscape character of the area and visual appearance is clearly a weighty matter in considering environmental harm.

While it might be preferable for brown field sites to be considered before green field agricultural land there is no requirement for developers to consider brown field sites in the first instant. The supporting information indicates that half the amended application site is Grade 3a good quality agricultural land, and half grade 3b moderate quality. Para.112 of the NPPF states development 'should seek to use areas of poorer quality land in preference to that of a higher quality'. This also requires LPAs should take into account the economic and other benefits of such land. The land is proposed to be grazed by sheep and continues in agricultural use. In their written statement (25 March 2015) the then Minister Eric Pickles states proposal for solar farms 'involving the best and most versatile agricultural land would need to be justified by the most compelling evidence' but this continues: 'Of course,... every application needs to be considered on its individual merits... in light of the relevant material considerations.' This effectively rules out an approach that would seek refusal on the basis that part of the land is 'best quality'. We are in essence drawn back to scale and the on-going agricultural use made of the land.

The proposal seeks the installation of PV panels in arrays supported on posts in holes excavated to a depth of 1.2m by 0.6m wide and fixed by post grouts. The land would remain available to agriculture. Any permission would be for a long-term but temporary basis for a period of 25-years. A condition can be imposed to require the site's restoration following cessation of its approved use should the site become redundant. A further condition seeks to identify the concrete post bases for later removal. On the basis of the development's temporary nature the principle of the use of this agricultural land for the purpose of a solar farm is considered acceptable. Accordingly the main considerations for this application relate to landscape character and visual appearance, impact on heritage assets, highway safety, and residential amenity.

Landscape character and Visual Appearance:

The amended plans have reduced the overall area covered by the solar array that makes for a more compact site and importantly removes the array further from the adjacent ridge and viewing point, also aiding visual separation between the site and built edge of Milborne Port. While the Landscape Officer is now more accepting of the proposal, local objections largely remain because of the physical overlooking caused by the site's proximity to the adjacent ridge from where viewers can take in the wider valley setting and the strong north- south alignment into which the settlement of Milborne Port competes with the proposed solar array site that is considered by objectors would have an over prominence to the detriment of character and appearance. This said the Landscape Officer no longer opposes the application although acknowledging the effects of array development upon local landscape character can be viewed as remaining negative, but having considered this, he has not thought this of sufficient magnitude to warrant a landscape reason for refusal.

Impact on Heritage Assets:

It is considered that the arrays' removal from the southern projection and the improved boundary screening makes for a more acceptable scheme. This goes some way to minimising the impact of the proposal on the setting of both Ven House and Park. The Council's conservation manager having viewed the site from inside Ven House was not of the opinion that the array as originally laid out had any particular concern, although its effect from the edge of the park on higher ground was of greater concern. With the reduction in area it is considered that the previous concerns with the scheme's impact on heritage assets are resolved.

Highway Safety:

The proposal seeks use of the existing field access point off the bend on approaching Milborne Port. This would be for a temporary but busy period during the construction phase and thereafter very limited annual traffic should be expected. The Highway Authority do not object, subject to the use of conditions that would be attached to any permission.

Residential amenity:

There are no dwellings in close proximity to the site whose use is considered would result in harm for the amenity of occupants.

Neighbour responses:

All neighbour responses have been considered, mostly under the relevant sub-headings of the officer report. One that is not refers to the public consultation undertaken by the applicant prior to submission of their application and the evidence for local objection at that time not submitted with the current application. There is no requirement, given the scale of the development for the applicant to submit their findings as part of the application for planning permission.

Other Matters:

The application has been accompanied by detailed assessments of ecological impacts. These have been assessed by the Council's Ecologist, who raises no objections. A condition is proposed to ensure the proposed works are carried out.

The proposed development is located in low probability flood zone 1 and no significant flood risks to the site have been identified.

Grid connection direct to adjacent electricity substation (northwest corner) confirmed by the operation it is feasible to connect to grid and a viable grid offer has been secured by the applicants.

Conclusion:

Government advice is clear. Planning Authorities should approve applications for renewable energy projects where impacts are (or can be made) acceptable (NPPF Para 98). Importantly, the courts have established that national policy promoting the use of renewable resources does not negate the local landscape policies or must be given 'primacy' over them but is subject to a balancing exercise.

The solar park is clearly overlooked in close proximity from the ridge and in particular the 'millennium' viewing area wherefrom the built form of Milborne Port is seen in context with its valley setting. The extent of the solar park is considered would be prominent but having removed the southerly projection resulting in a more compact form that little bit further removed from the millennium viewing area that is considered sufficiently removed to mitigate for the solar park's presence. Heritage and highway comments are otherwise favourable and with no outstanding environmental concerns no adverse harm arises, and with the government's position towards sustainable energy the proposal should be approved.

RECOMMENDATION:

Approve.

01. Notwithstanding local concerns it is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact of the proposed PV panels on the local landscape character, visual appearance and heritage assets. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, and Policies SD1, EQ1, EQ2, EQ3, EQ4 and TA5 of the South Somerset Emerging 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:

PO4_DI_RevB,
PO6_SA_RevB,
PO7_TS_RevB,
PO8_C8_RevB,
P11_SC_RevB,
P18_FGE_RevB,
P19_CCTV1_RevB, and
P20_CCTV2_RevB, received 13 May 2015, and
PO2_SP_RevC,
PO3_CC_RevC,
P12_PC_RevC,
P13_PE_RevC, and
P14_DNO_RevC; received 10 September 2015, and
P15_MB_RevB,
P16_AT_RevC,
P17_Sensors_RecC, and
4.10 RevD, received 23 September 2015

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

03. The development hereby permitted shall be undertaken in accordance with the implementation of the Habitat Management Plan (30.04.2015) submitted with the application.

Reason: For the conservation and enhancement of biodiversity in accordance with NPPF and Local Plan Policy EQ4.

04. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological

work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: In the interests of archaeology further to Policy EQ3 of the South Somerset Local Plan 2006- 2028.

05. The development hereby permitted shall be removed and the land restored to its former condition within 25 years of the date of this permission or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.

Reason: In the interests of character and appearance further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

06. Prior to the commencement of development a Construction Environmental Management Plan providing details on: construction vehicle movements; construction operation hours; construction vehicular routes to and from site; Construction delivery hours; expected number of construction vehicles per day; car parking for contractors; specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice; a scheme to encourage the use of Public Transport amongst contractors; and measures to avoid traffic congestion impacting upon the Strategic Road Network shall be submitted to and approved in writing by the Local Planning Authority and fully implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety further to policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

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

Reason: In the interests of highway safety further to Policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

08. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to the commencement of work and thereafter maintained until the use of the site discontinues.

Reason: In the interests of highway safety further to Policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

09. The approved on-site planting scheme (4.10 Rev D received 23 September 2015) shall be implemented in the first planting season following the completion of the development. Any trees or plants which die, are removed or become seriously damaged or diseased

shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and landscape character further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

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

Reason: In the interests of landscape character and visual appearance further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

11. Prior to first operational use of the development hereby permitted the extent and precise location of the use of concrete bases for the solar arrays following their provision on site as part of the permitted development shall be submitted in writing to the Local Planning Authority

Reason: In the interests of character and appearance further to policy EQ2 of the South Somerset Local Plan 2006-2028.

12. No development hereby permitted shall be commenced unless a site management plan for tree, hedge and grass maintenance of the site has been submitted to and approved in writing by the Local Planning Authority. Such management plan, once agreed, shall be fully implemented for the duration of the use hereby permitted, unless any variation is agreed in writing with the Local Planning Authority.

Reason: In the interests of character and visual amenity further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

13. No CCTV equipment or other cameras shall be installed on the site other than that shown on the submitted layout plan ref. P02_SP_RevC, in accordance with the CCTV design details submitted with the application.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the landscape in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

Agenda Item 18

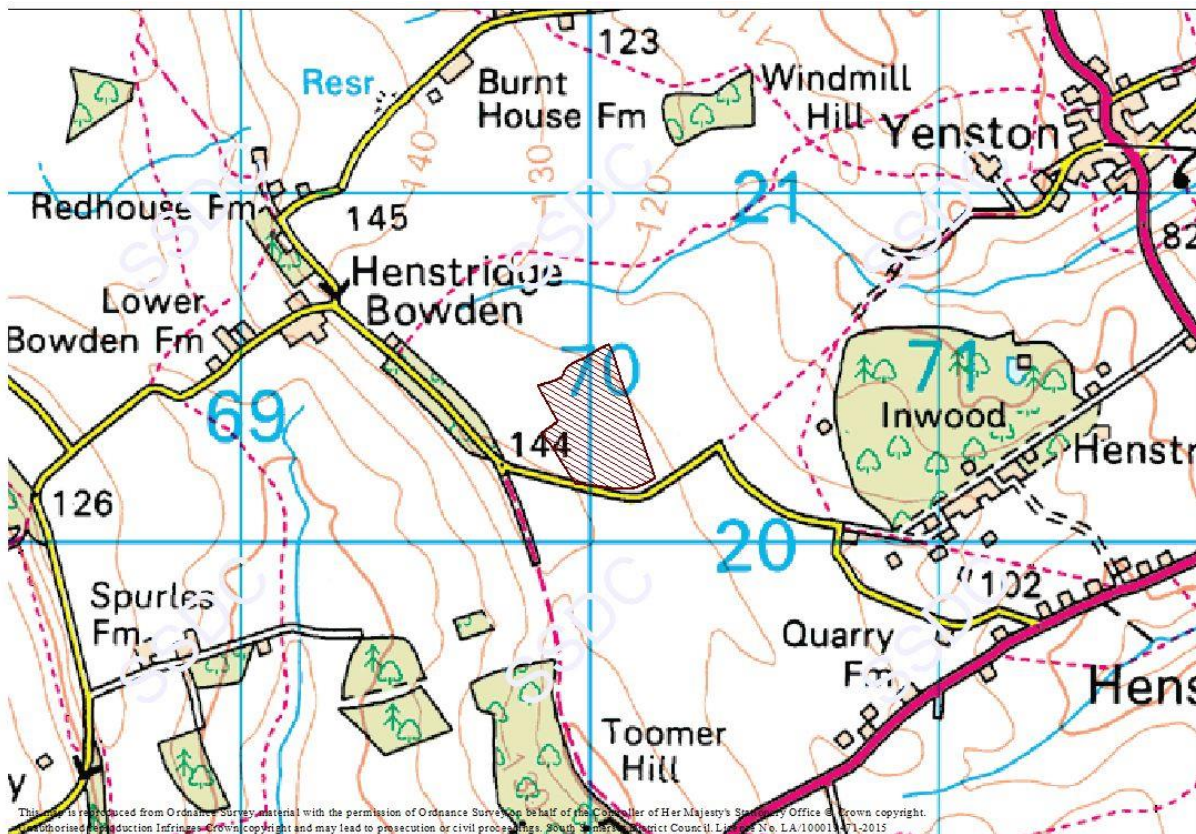
Officer Report On Planning Application: 15/02718/FUL

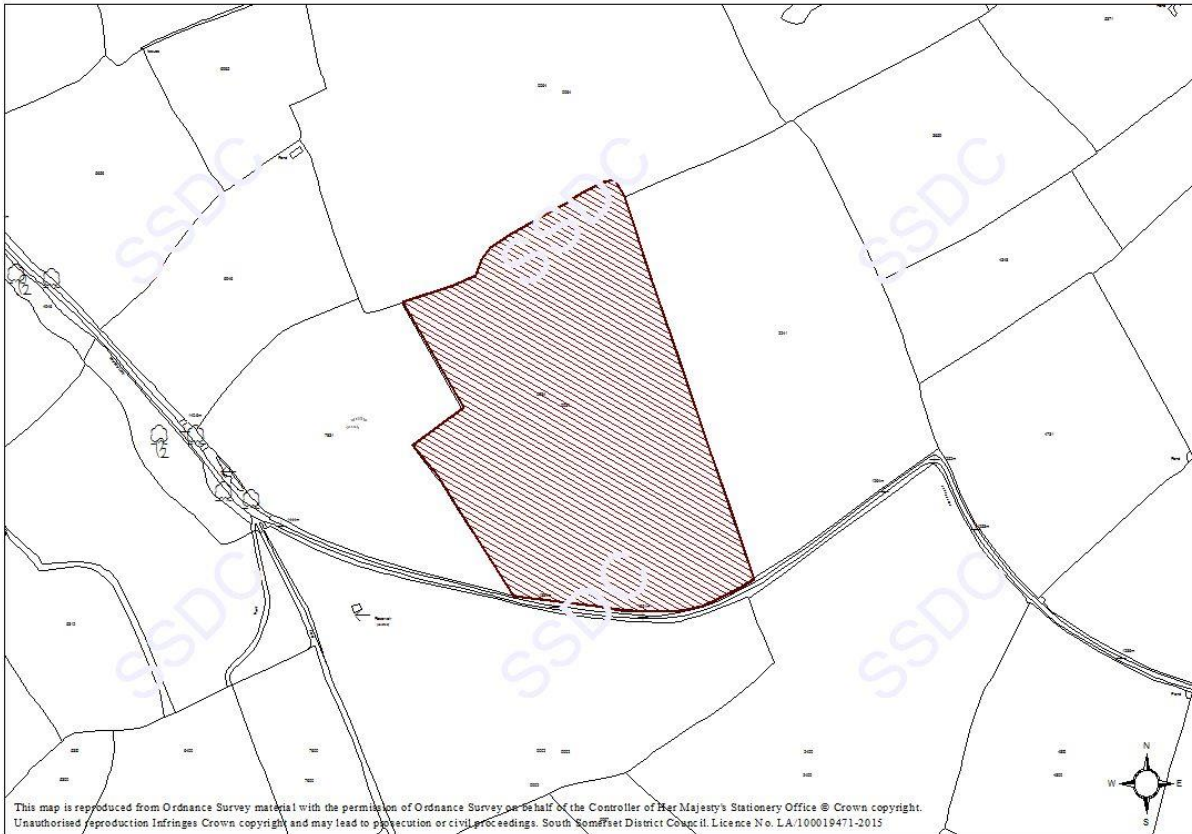
Proposal :	Construction of a Photovoltaic Park with associated equipment including access track and cable route (GR: 370008/120305)
Site Address:	Land OS 0034 Bowden Lane Henstridge
Parish:	Henstridge
BLACKMOOR VALE Ward (SSDC Member)	Cllr T Inglefield Cllr W Wallace
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	15th September 2015
Applicant :	Bowden Lane Solar Park Ltd
Agent: (no agent if blank)	Mark Cullen Alder King Planning Consultants Pembroke House 15 Pembroke Road Clifton Bristol BS8 3BA
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The application relates to a 'large scale' major development which, due to its size, must be referred to Committee for determination if the case officer is recommending approval of the application, which is the case in this instance.

SITE DESCRIPTION AND PROPOSAL





The 9 Ha site is located 1.8Km to the south-west of the village of Templecombe, and 1.9Km north-west of Henstridge in open countryside. It comprises a single large field currently under arable cultivation. The nearest dwellings to the north and north-west are more than 500m from the site edges. The land slopes gently northwards from the highway access onto Bowden Lane, which forms the southern boundary. On three sides, the site is bounded by mature hedging.

Permission is sought for the installation of a solar array across most of the field, aimed at generating 5 MW of power to be connected to the general electricity grid, together with associated inverter stations, switch housing, access track, security fencing and cameras.

SUBMITTED DOCUMENTS

The following documents were submitted with the application:

- Planning Design and Access Statement
- Landscape and Visual Impact Assessment
- Archaeological and Heritage Assessment
- Ecological Assessment
- Flood Risk Assessment and Drainage Strategy
- Construction Traffic Management Plan
- Agricultural Land Classification Report

HISTORY

15/01771/EIASS - Request for screening opinion in respect of proposed Photovoltaic Park - EIA Not Required

POLICY

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

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

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

SD1 - Sustainable Development

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 - Historic Environment

EQ4 - Biodiversity

EQ7 - Pollution Control

International and European Policy Context

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

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

The draft European Renewable Energy Directive 2008 states that, in 2007, the European Union (EU) leaders had agreed to adopt a binding target requiring 20% of the EU's energy (electricity, heat and transport) to come from renewable energy sources by 2020. This Directive is also intended to promote the use of renewable energy across the European Union. In particular, this Directive commits the UK to a target of generating 15% of its total energy from renewable sources by 2020.

National Policy Context

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

The 2003 Energy White Paper provides a target of generating 40% of national electricity from renewable sources by 2050, with interim targets of 10% by 2010 and 20% by 2020. The 2007 Energy White Paper contains a range of proposals which address the climate change and

energy challenge, for example by securing a mix of clean, low carbon energy sources and by streamlining the planning process for energy projects. The Planning and Energy Act 2008 is also relevant in that it enables local planning authorities (LPAs) to set requirements for energy use and energy efficiency in local plans.

UK Solar Strategy Part 2: Delivering a Brighter Future (April 2014)

Sets out advice in relation to large scale ground-mounted solar PV farms and suggests that LPAs will need to consider:-

- encouraging the effective use of land by focusing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 4 - Promoting sustainable transport

Chapter 7 - Requiring good design

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

Chapter 11 - Conserving and enhancing the natural environment

Chapter 12 - Conserving and enhancing the historic environment

Technical Guidance to the National Planning Policy Framework - Flood Risk

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

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects

- provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

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

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

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

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

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

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

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

considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

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

Other Relevant Guidance and Material Considerations:

The UK Renewable Energy Strategy (July 2009)
National Planning Practice Guidance - Department of Communities and Local Government, 2014:

Climate change
Conserving and enhancing the historic environment
Design
Determining a planning application
Environmental Impact Assessment
Flood Risk and Coastal Change
Light pollution
Local Plans
Minerals
Natural Environment
Noise
Renewable and low carbon energy
Use of Planning Conditions

South Somerset Sustainable Community Strategy(2008-2026):

Goal 1 - Safe and Inclusive
Goal 3 - Healthy Environments
Goal 4 - Quality Public Services
Goal 5 - High Performance Local Economy
Goal 7 - Distinctiveness
Goal 8 - Quality Development
Goal 10 - Energy
Goal 11 - Environment

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

CONSULTATIONS

Henstridge Parish Council: The PC supports the application.

Milborne Port Parish Council: *No Objection. However, the Parish Council is growing increasingly concerned about the amount of proposed Photovoltaic Parks in a small area. There are two applications currently in, and a third soon to be considered. The Parish Council are concerned about the visual impact this will have on the local area and the potential loss of visual amenity.*

North Dorset District Council: No objection.

Highways Authority: No objection, subject to conditions.

SSDC Highways Consultant: *I would recommend the production of a Construction Traffic Management Plan (CTMP) within which all the transport and highways issues can be investigated, assessed and mitigation measures proposed to facilitate the development. That way the measures and highway improvements within the CTMP can be secured by condition or made the subject of a legal agreement.*

SSDC Environmental Protection Officer: No comment.

SSDC Landscape Officer: *This application is sited within open farmland, circa 2km west of Henstridge Ash and circa 1 km north of the A30 at Toomer Hill. It lays at a general elevation of 135 metres AOD, toward the head of a watershed ridge that separates the Yeo and Cale catchments. A local lane linking Henstridge Bowden and Inwood runs along the site's south boundary.*

The proposal seeks consent for a 5 MW solar array over an area of 8.63ha. and I consider the prime landscape concerns to be;

- 1) the impact upon landscape character, particularly relative to the scale and pattern of the local landscape;*
- 2) the potential visibility of the proposal, especially as viewed from sensitive receptors;*
- 3) the potential for cumulative impacts to arise, and;*
- 4) achieving a site layout and design that is landscape-sympathetic.*

This application includes a detailed landscape and visual appraisal (LVA) which considers the extent of likely landscape and visual impacts that may arise from the installation of the array upon its context. Turning to the proposal detail, and with the LVA to hand;

(1) The application site lays toward the head of a gently sloping east-facing dip slope, and is a single, broadly rectilinear field within an agricultural surround. The nearest dwelling lays at least 0.5km from the site, and there is minimal development form in the vicinity. The field is defined by managed hedgerows to 3 sides (the east boundary aside) which offer a degree of enclosure, and is typical of the general scale and open-ness of the field network on this raised ground, to go some way toward enabling the site's assimilation into the local landscape pattern.

The form of the proposal disrupts neither the fabric nor the pattern of the landscape, and the few landscape components within and defining the site will remain undisturbed. By laying at a comparable level to its surround, the array reposes within the hedgerow framework without disruption of landform, or encroachment into a different landscape type. There is also the general point that an array is a passive element in the landscape, generating neither sound nor movement, and I view these elements of the proposal as positive. However, PV panel forms and associated structures can be viewed as being 'industrial' in character, and such character is at variance with its host landscape setting, which has a strong rural character - as expressed by the pattern of the hedgerow network; the open farmland; and the lack of a development presence. The scattered farmsteads within the local landscape are typically of agricultural scale, hence there is some incongruity of development scale when considered alongside this 8.63 ha array area.

(2) I have reviewed the findings of the visual assessment, with which I concur. The LVA indicates a visual envelope (fig 7) that indicates contained intervisibility to the west, whilst theoretical visibility elsewhere is noted by the assessment to be primarily limited by the undulating landform, and enclosure provided by mature woody vegetation in both the immediate and wider landscape. The visual effect upon local settlement and individual properties is evaluated to be neutral. It is primarily from the local footpath network to the north and northeast where there is low-trajectory and limited vantage toward the site, with the raised

ground of Windmill Hill (v/point 3, fig.11) to the northeast having the greatest prospect. From this receptor, the likely magnitude of effect is evaluated as moderate, reducing to medium-low once mitigation is in place.

To counter the effects of array presence, the LVA proposes a mitigation package that includes a new hedgerow to provide containment of the east boundary; a woodland copse to the north corner to provide screening from adjacent rights of ways; and a heightened management regime for the containing hedgerows, as the prime mitigation items, which I consider commensurate and appropriate.

(3) A planning application for a similarly-scaled array is current on land to the west of this application site, below East Hill at Milborne Port, little more than 1.75km distant. Whilst in close proximity, the sites are separated by the parallel ridges associated with East and Toomer Hills, and are located in separate catchments, hence they will not be seen in association with each other. Whilst not formally evaluated, I do not envisage a sense that array proliferation within the locality is at a point where it is adversely impacting upon local character, and given the topographic and visual separation of the sites, it is not anticipated that cumulative impact will be an issue with this application.

(4) Turning to site detail, I note that the array will stand circa 2.4 metres max height above ground level, a little above the current elevation of hedge height prevalent in the locality. The intent to raise the profile of the hedge to better effect screening is noted. PV mounting is limited to a steel support frame with its toes driven into the ground. A 2.00 metre deer fence along with imaging cameras (but no lighting) provides site security. Transformer and similar structures are located adjacent the site boundaries, and are to be finished in suitable dull tones to thus minimise visual impact. Grid connection is relatively local. The field surface will continue as grassland, management by sheep grazing is inferred but not specific. With the correct use of materials and finish tones, I consider this PV installation to be capable of being accommodated without undue impact upon the site's fabric and landscape context.

National planning policy supports the development of renewable energy projects, providing there is no unacceptable adverse impact upon the landscape. Recent appeal decisions within the district have placed an emphasis upon containment of the visual profile of solar sites when determining the appeals. Looking at this application overall, whilst the array is at a raised elevation, it is well-contained by the local landscape network of hedgerows and woods; will have minimal visibility once mitigation takes effect; and is at a scale that relates to the landscape pattern. Whilst there is a clear incongruity of character in the appearance of solar panels within rural fields, given the lack of visual impact, and the negligible impact upon the fabric of the site's surrounds, I do not consider the landscape/visual impact to be sufficiently weighty to enable a landscape objection to provide a basis for refusal.

SSDC Ecologist: No objection, subject to a condition relating to provision of a scheme of measures for wildlife enhancement.

SSDC Conservation Manager: I have no reason to disagree with the findings of the Heritage Assessment although I have not visited the site to verify its conclusions. It appears that any intervisibility between the site and heritage assets is quite minor and would not have any impact upon their significance.

SSDC Climate Change Officer: No objection. The UK has a target to meet 20% of energy needs from renewables by 2020. Currently, installed and permitted renewable electricity installations in the district will be generating 16 % of the districts electrical requirement on an annualised basis. This proposed large PV array will be one of several installed in the district recently making a significant impact on reducing carbon dioxide emissions.

The site chosen is very suitable because it lies almost equidistant between Templecombe and Henstridge with a total of around 1500 households. This will minimise grid losses and is just the type of application that this council should encourage.

I calculate that the installation will generate over the course of a year, electricity equivalent to that used by 1014 households, based on the average household consumption of 4961 kWh/yr per household for the district (DECC statistical report 2012), which is around two thirds of the two adjacent parishes household demand.

Lead Local Flood Authority (Somerset County): No objection.

Environment Agency: No comment (outside of the EA's consultation list as the site is in Flood Zone 1).

Natural England: No comments.

Somerset Wildlife Trust: No objection is raised. The ecological report submitted with the application is supported, and measures for wildlife enhancement are recommended.

MOD: No safeguarding objections.

County Archaeologist: A field evaluation (geophysical survey) was required. Details have been submitted and considered by the County Archaeologist, who advises that *The geophysical survey results indicate that there are likely to only be limited archaeological remains on the site. There is a need to investigate these features but this can be dealt with through trenching either just prior to, or even during development of the site.* . Subject to a condition.

County Minerals and Waste Officer: The site falls within a Minerals Safeguarding Area. However, the proposal would not have a harmful impact on the viability of mineral resources. No objection.

Wessex Water: It is pointed out that there is a water main crossing the site. After discussion with the applicant, Wessex Water is satisfied that the scheme can be implemented without harm to the water main.

REPRESENTATIONS

Two letters of representation have been received, objecting to the application. The following main issues are raised:

- Government renewable targets have been substantially met
- ministerial statements are referred to, suggesting that solar farms were unwelcome and subsidies likely to change
- solar power is inefficient and costly
- the site is of exceptional character on which the intrusion of a solar park would have a negative impact

CONSIDERATIONS

This application is seeking planning permission to erect a 5 MW solar farm on a 8.63 hectare site comprising a single agricultural field in the open countryside. The solar farm comprises the erection of solar arrays, inverter stations, switch housing, access track, security fencing and cameras and is sought for a 25-year period.

The main considerations for this application are considered to relate to landscape character and visual amenity, impact upon ecology, residential amenity of nearby residential properties, impact upon archaeology, flooding and drainage and highway safety.

Principle of Development

Part 10 of the National Planning Policy Framework (NPPF) states that local authorities should "have a positive strategy to promote energy for renewable and low carbon sources" and "design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts".

The application site is greenfield, agricultural land (graded partially 3b, partially 4) located in the open countryside. The solar park is sought for a 25 year period after which time the site will be restored to its former status. The applicant refers to the potential, during this time, of the site becoming an important habitat for wildlife and small animals, although the potential to graze sheep is a possibility. On this basis it is accepted that the proposal will not result in the significant loss of best and most versatile agricultural land and is broadly in compliance with the Renewable and Low Carbon Planning Practice Guidance paragraph 013 (Reference ID: 5-013-20150327). As such the proposal is considered to be acceptable in principle.

Landscape Character and Visual Amenity

The application site comprises a single agricultural field bounded on three sides by native hedgerows and other vegetation. There are few local developments. The Council's Landscape Officer has submitted a detailed assessment of the landscape impact (see above) and forms the view that the proposed development is well contained by the local landscape network of hedgerows and woods; will have minimal visibility once mitigation measures take effect; and is at a scale that relates well to the landscape pattern. Subject to appropriate conditions, therefore, the proposal is considered acceptable from a landscape and visual amenity point of view.

The site is approximately 1.75km from another solar installation being considered near Milborne Port. There are no other solar park sites within a reasonable distance. The Landscape Officer has again dealt with this issue, and it is considered that there is no concern relating to a possible cumulative impact of multiple solar parks raised by this application.

Connection to the grid will be by underground cable across the Lane and private land to a point south of the site.

The proposed development is considered to raise no substantial landscape or visual amenity concerns that would indicate a refusal of the application.

Impact on Residential Amenity

The closest residential properties are located more than 0.5Km from the site. Given the relatively low profile of the proposed development and inanimate nature of the development it is not anticipated that the proposal will cause any demonstrable harm to amenity of nearby residents. The Council's EPU Officer raises no objection.

Access and Highway Safety

Whilst traffic generation in association with the solar park will be very limited once it is

operational it is anticipated that the initial construction phase will result in some traffic that could cause disruption and possible highway safety issues. The Highways Officer, and the Council's Highway Consultant have given the proposal detailed consideration, and recommend measures to control the traffic generated by construction traffic, so as to minimise disruption, dust, noise and any highway safety issues.

Access to the site will be via the existing farm access point, off Bowden Lane, which carries low levels of traffic.

Whilst the level of construction traffic will exceed normal traffic activity on these roads, the highway authority is satisfied that the local road network can accommodate this level of traffic without resulting in significant highway safety concerns. This level of traffic would only apply for the brief construction phase with little traffic arising once the development is operational. It is therefore considered that the impact it will have upon the rural amenities of the local area will be limited and that this element of the proposal is acceptable.

Ecology

Natural England has raised no concerns. The council's Ecologist is satisfied with the findings and conclusions of the submitted ecological appraisal, but points out the general requirement in the NPPF for developments to deliver some enhancement in relation to biodiversity (e.g. native species planting, bird and bat boxes). Subject to a condition requiring this, the proposal is considered to be acceptable from an ecological point of view.

Archaeology

A geophysical survey of the site has been undertaken, and the County Archaeologist is satisfied that there are limited remains of significance on the site. It is his view that development can proceed, subject to a condition requiring a written scheme of investigation of the site prior to commencement.

Drainage and Flooding

The site falls within Flood Zone 1, and there is no inherent serious flood risk. The proposal has been considered by the Lead Local Flood Authority (Somerset County) which raises no objection. The proposal is not considered to raise any surface water drainage harm.

Concerns Raised by Parish Council

Milborne Port PC has raised a concern about cumulative impact. The concern is noted, and is well covered by policy advice and in this Authority's general approach to large solar farm installations. It has been considered in this instance (see above) and discounted as a possible reason for refusal.

Letters of Representation

It is not agreed that the letters submitted represent an accurate account of current Government policy - which is set out in detail in the body of the report. The opposition to the proposal, and to solar power in general, whilst noted, is not considered to carry significant weight in reaching a recommendation on this application. The landscape impact is assessed in detail and is not considered to be a reason to refuse the application.

EIA Regulations

The site was the subject of a Screening Opinion under the EIA Regulations, and it was determined that an impact assessment was not required.

Conclusion

The proposed solar farm accords with the government objective to encourage the provision of renewable energy sources and raises no substantive amenity, landscape harm or other concerns. In all other respects the proposal is considered to be acceptable and, notwithstanding two letters of objection, it is recommended for approval.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Grant permission.

01. Notwithstanding local concerns it is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact the proposal will have on the local landscape character. As such the proposal accords with the aims and objectives of Policies SD1, TA5, TA6, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. 1253 numbers 0201-01, 0204-00, 0205-03, 0206-09, 0207-16, 0207-40, 0208-10, 0208-54 and 0208-71.

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

03. The development hereby permitted shall be removed and the land restored to its former condition within 25 years of the date of this permission or within six months of the cessation of the use of the solar farm for the generation of electricity whichever is the sooner in accordance with a restoration plan to be submitted to and approved in writing by the Local Planning Authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all structures, materials and any associated goods and chattels from the site.

Reason: In the interests of landscape character and visual amenity in accordance with the aims of the NPPF and Policies SD1, EQ1 and EQ2 of the South Somerset Local Plan.

04. No development hereby permitted shall be commenced unless a site management plan for tree, hedge and grass maintenance of the site has been submitted to and approved in writing by the Local Planning Authority. Such management plan, once agreed, shall be

fully implemented for the duration of the use hereby permitted, unless any variation is agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the landscape in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

05. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and planting, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be completely carried out within the first available planting season from the date of commencement of the development. For the duration of this permission the trees and shrubs shall be protected and maintained, and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and landscape character in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

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

Reason: In the interests of visual amenity and to safeguard the character and appearance of the landscape in accordance with the aims of the NPPF and Policies EQ2 and EQ7 of the South Somerset Local Plan.

07. No CCTV equipment or other cameras shall be installed on the site other than that shown on the submitted layout plan ref. 1253-0201-01, in accordance with the CCTV design details submitted with the application.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the landscape in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

08. No form of audible alarm shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity and to safeguard the rural character of the setting in accordance with the aims of the NPPF and Policies EQ2 and EQ7 of the South Somerset Local Plan.

09. No development hereby permitted shall be commenced unless details of the means of connection to the electricity grid from the site have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

10. No development hereby permitted shall be commenced unless a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning

Authority. Such Plan shall seek to regulate, in terms of best practice, hours of operation, deliveries, and impacts of noise, dust, fumes, vibration, traffic, delivery routes etc., during construction, in the interests of traffic management and amenity. Any alterations to the vehicular access shall be submitted to and approved in writing by the Local Planning Authority (and Local Highway Authority) and fully implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, traffic management and amenity, in accordance with the aims of the NPPF and Policies EQ2 and TA5 of the South Somerset Local Plan.

11. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to start of construction, and thereafter maintained for the duration of the construction phase.

Reason: In the interest of highway safety to accord with TA5 of the South Somerset Local Plan.

12. Prior to the commencement of development, details of measures for the benefit of wildlife (e.g. bat and bird boxes, wildflower sowing and management) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with NPPF and Local Plan Policy EQ4.

13. No works in respect of the solar park hereby permitted unless details of the finished colour of the security fencing and the finished colour and position of the CCTV equipment has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.

Reason: In the interest of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

14. The supporting posts to the solar array shall not be concreted into the ground.

Reason: In the interest of sustainable construction and to accord with part 10 of the National Planning Policy Framework.

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

Reason: To safeguard archaeological remains on the site and to accord with the NPPF and Policy EQ3 of the South Somerset Local Plan.

16. No development hereby permitted shall be commenced unless details of the access to the site, including visibility splays, layout and surfacing materials, have been submitted

to and approved in writing by the Local Planning Authority. Such details shall be fully implemented prior to commencement of the installation of solar panels and equipment, and shall thereafter be retained and maintained for the lifetime of the permission.

Reason: In the interests of highway safety, and to accord with the NPPF and Policy TA5 of the South Somerset Local Plan.

Informatives:

01. The applicant is advised to contact the Highway Authority with a view to carrying out condition surveys of the roads in the vicinity of the site to be used for access purposes during construction, and to agree the scope of repairs required. Section 59 of the Highways Act 1980 allows the Highway Authority to recover certain expenses incurred in maintaining highways, where the average cost of maintenance has increased by excessive use. The condition survey will be used as evidence should damage to the highway network occur during the construction phase of the development.

The Area Highway Office in Yeovil can be contacted on 0845 3459155 to arrange for the condition survey to be carried out.

Agenda Item 19

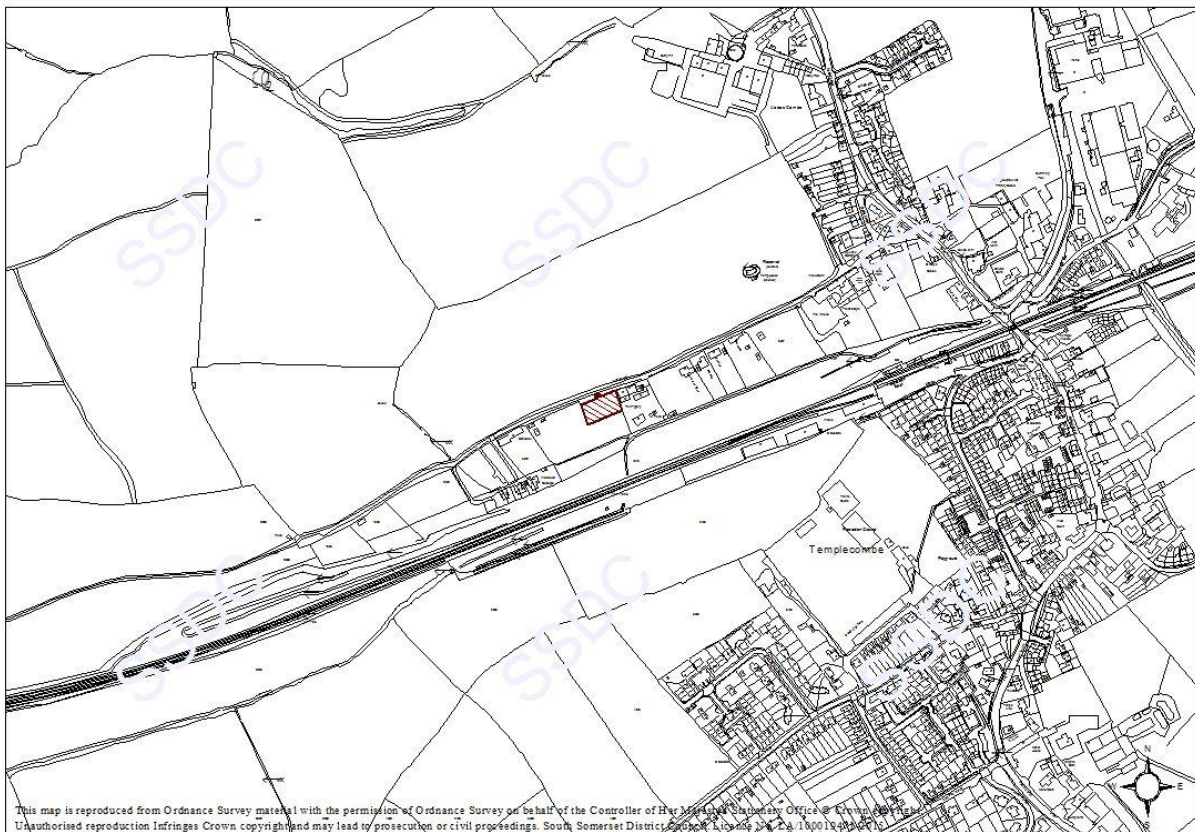
Officer Report On Planning Application: 15/02933/OUT

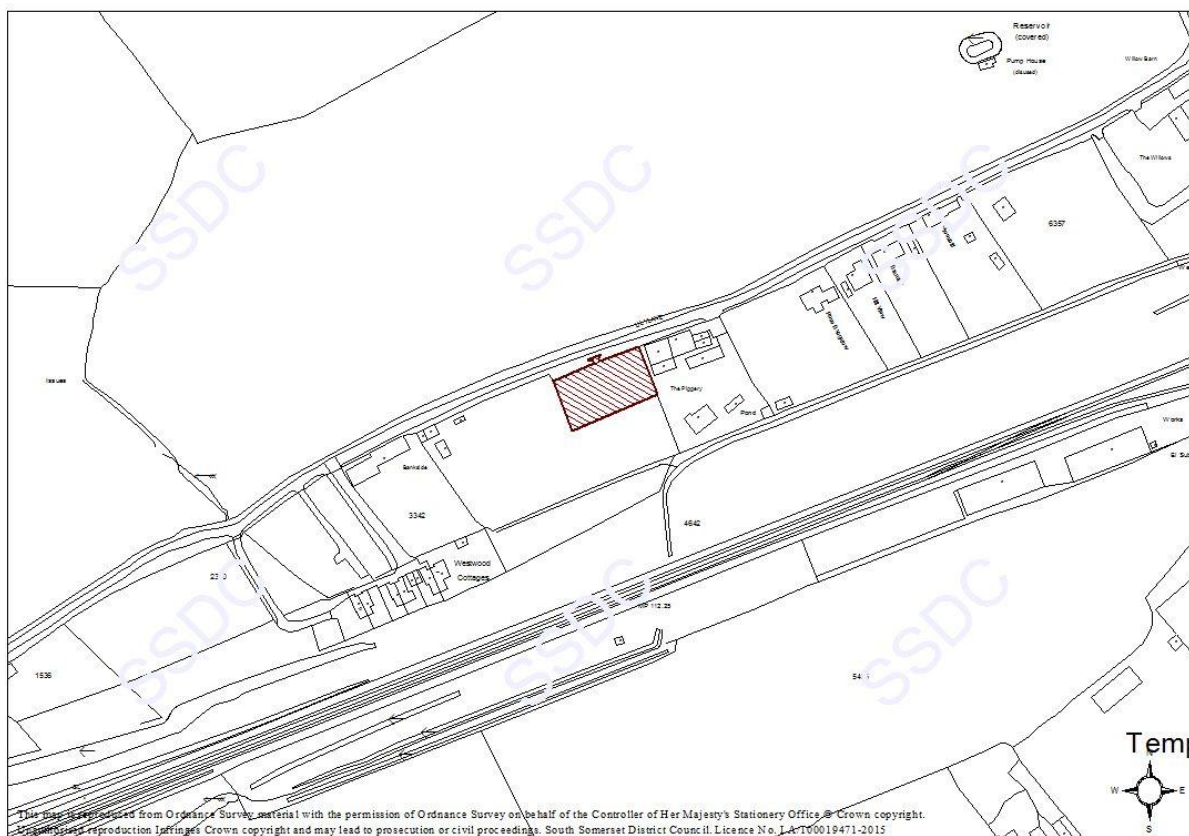
Proposal :	Erection of 2 detached dwellings and formation of vehicular access thereto (re-submission of Application Number 15/00098/OUT).(GR 370459/122480).
Site Address:	Land Between Bankside And The Piggery Lily Lane Templecombe
Parish:	Abbas/Templecombe
BLACKMOOR VALE Ward (SSDC Member)	Cllr T Inglefield Cllr W Wallace
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	19th August 2015
Applicant :	Mr & Mrs R Saunders
Agent: (no agent if blank)	Mrs Janet Montgomery Wessex House High Street Gillingham Dorset SP8 4AG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

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

SITE DESCRIPTION AND PROPOSAL





The application site is just under 0.12 of an hectare and is adjacent to the western end of roadside consolidated ribbon development that extends out from Templecombe's built form. The site is one of the few remaining roadside gaps south of Lily Lane, a no through road, and performs an important function separating the development to the east from the more sporadic development to the west. These aspects, together with the presence of fields to the north and presence of woodland appearance create a distinctive rural character. South of Lily Lane the land slopes away from the roadside with views across the valley towards the railway track and Templecombe's centre.

The proposal seeks outline planning permission for the erection of 2(no.) detached dwellings and formation of vehicular access. The application reserves all matters, namely, Access, Appearance, Landscaping, Layout and Scale, although there is an illustrative site layout accompanying the application for outline planning permission.

RELEVANT HISTORY

15/00098/OUT - Erection of 2 detached dwellings and formation of vehicular accesses thereto, Withdrawn.

02/02119/OUT - The Erection of 2 Dwellings. Refused and Appeal dismissed.

02/00905/OUT - The Erection of 6 Dwellings. Refused.

00/00919/OUT - The Erection of a bungalow and garage. Refused and Appeal Withdrawn.

97/02872/OUT - The Erection of 2 bungalows and garages. Refused.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be determined in accordance with the

development plan unless material considerations indicate otherwise.

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

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS2 - Development in Rural Settlements

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General development

National Planning Policy Framework (March 2012):

Chapter 1 - Building a strong competitive economy

Chapter 3 Supporting a Prosperous Rural Economy

Chapter 4 - Promoting sustainable transport

Chapter 7 - Requiring Good Design

National Planning Practice Guidance

Other Relevant Documents

Somerset County Council Parking Standards

CONSULTATIONS

Abbas And Templecombe Parish Council - Members had no objections to the application with the proviso that the adjacent hedge should be sufficiently cut back and any damage caused to the road by further construction works was made good and resurfaced if necessary.

County Highway Authority - Standing advice considers visibility, parking and turning.

Landscape Architect - I note this to be an amended scheme of application ref: 15/00098. The area allied to the potential plots is now reduced, and contained to the northeast corner, with orchard planting offered which I view as a clear improvement over the original proposal. However, I continue to consider this open field as clearly demarcating the edge of the general 'ribbon' arrangement of the properties to the east; and providing clear separation of this ribbon, from the singular cluster of dwellings to the west, as is set out in my earlier response, namely, the plot lays within the scope of the peripheral landscape study of the settlement of Templecombe, which was undertaken during October 2008. This study reviewed the settlement's immediate surrounds with the objective of identifying land that has a capacity for development, looking both at the character of the town's peripheral landscape, and the visual profile and relationship of open land adjacent the town's edge. The outcome of the study is represented by 'figure 5 - landscape capacity', which is a graphic summary of the preceding evaluation. Fig 5 indicates that the plot that is the subject of this application is evaluated as having a moderate capacity to accommodate built development. This was a grading that neither favoured development, nor told against it. It is pertinent to note however, that land in close proximity to the west and northwest, is graded moderate-low and low capacity for development, which indicates a greater level of landscape sensitivity at this western end of the lane.

Turning to the detail of the site, I note that it lays west of the current extent of continuous individual and fill plots that characterise Lily Lane at its east end, and is of agricultural origin,

with hedgerow containment. It should also be noted that (i) Lily Lane is characterised by its intervening open spaces between properties, the further it becomes removed from the village; (ii) this lane is not characterised by a continuous line of development; (iii) the site is removed from the core of the village, and (iv) the small cluster of late-Victorian railway cottages to the west has a separate identity (which is not substantively eroded by the presence of 'Bankside' alone) to thus lay beyond the current continuous westward extent of residential Templecombe along this lane. As such, the proposal would extend the residential boundary of village form beyond its current and historic extent, and erode the pattern of Lily Lane's development, and its character, an erosion likely to be exacerbated by the loss of part of its hedging containment in enabling vehicular access. Hence on balance, I continue to view this proposal as eroding local landscape character, contrary to the objectives of LP policy EQ2.

REPRESENTATIONS

There have been two neighbour objections:

- Outside development limits, no satisfactory case in made for an exception to be made.
- No credible case made using Policy SS2 as a justification
- Lily Lane is totally unsuited to further traffic, any development could prejudice road safety
- The site is not easily walkable to the village facilities
- 'The lane presents a rural scene of a mix of scattered development interspersed with open areas. It has a pleasant rural feel quite different in character to the rest of the village.'
- More infilling would destroy this unique part of Templecombe.
- The whole character of Lily Lane would be severely damaged by further new properties
- Impact on wildlife
- The development could act as a precedent

CONSIDERATIONS

Principle of Development:

The council does not have a five year housing land supply and in consequence the local plan housing policies are deemed 'out of date' (para.49 of the NPPF) and attract less status in the decision-making. Paragraph 14 of the NPPF therefore requires for decision taking that this means granting planning permission unless

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or
- specific policies in the Framework indicate development should be restricted.

The site is located some 300m west of what was formerly identified as the development boundary of Templecombe, a rural settlement designated by the current local plan to be in the countryside, with few local facilities and services. A 2003 appeal (APP/R3325/A/03/1109034) for two houses for this site was dismissed noting the location was within the open countryside and that the proposal would cause unacceptable harm to the form of development along Lily Lane leading to a consolidation of ribbon development and cause unacceptable harm to the character and appearance of the area. That decision anticipated the more recent development that has taken place in Lily Lane towards the centre of Templecombe. A more recent appeal decision (APP/R3325/W/15/3003176) 100 metres further west of the application site was dismissed having considered that proposal would not meet the environmental dimension of sustainable development.

Under Policy SS2 of the Local Plan, development is strictly controlled, and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or

- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing.

The proposal would not provide (other than in the short term for the construction industry) employment opportunities with any relationship to the settlement. The occupants of these dwellings might use the services of the local Pub, for example, but this cannot be viewed to any significant degree as enhancing local services or facilities. Likewise the development would also not create or enhance community facilities.

While the Parish Council do not object to the proposal, the proposal is not considered to be in the spirit of the Policy to meet an identified, namely, locally endorsed housing need (the best example of which would be affordable housing). Critically, Policy SS2 requires any development to:

- be commensurate with the scale and character of the settlement; and
- increase the sustainability of the settlement in general.

On the basis of the above the principle for the erection of two new dwellings is not accepted, and the proposal is considered contrary to Policy SS2 of the Local Plan.

Character and Appearance:

Lily Lane is rural in character despite the consolidation that has taken place more recently in Lily Lane towards Templecombe. The Landscape Officer sees this open field as clearly demarcating the edge of the general 'ribbon' arrangement of the properties to the east; and provides clear separation of this ribbon development, from the singular cluster of dwellings to the west. The proposal acts to erode and undermine this gap. While the proposal clearly seeks to associate itself alongside the existing built form immediately to the east, however this leaves a diminished roadside gap that is capable of infill which was indeed acknowledged by the 2003 inspector in considering development on the same site who opined development 'could result in pressure for further development alongside the road frontage which would lead to consolidation of the ribbon development along the south side of Lily Lane projecting as an urban extension of Templecombe into the countryside'. As is apparent from the recent developments to the east that has seen infill this concern has subsequently become reality that has also acted to distinguish the more urban presence at the eastern end of Lily Lane with the more rural as one moves westward. There is a very strong sense that the application site and the adjoining gap should form a definitive 'edge of' location requires protection from further development.

Further, the impact of development is considered exacerbated by the breach of the roadside hedgerow and part screening of the site for vehicular access which would open up views and associated domestic paraphernalia which would appear intrusive. The Landscape Officer notes that there is no environmental enhancement in displacing woody vegetation and grassland with a substantive development foot print inclusive of hard-standing. The proposal therefore is considered acts to erode rural character and appearance that gives rise to unacceptable harm contrary to the objectives of Policy EQ2.

Highway Safety:

It is considered that the access can accommodate the required visibility; offers an acceptable level of parking on site, and provides a sufficient turning area that generally accords with highways' standing advice. Lily Lane is accessed via a sharp bend towards Slades Hill, however with regard to this development, the general scale of development in Lily Lane, despite the recent permissions, is considered would not have any significantly detrimental effect for users.

Neighbour Amenity:

While subject to the finalised details as part of the reserved matters application, it should be possible for the detailed arrangements to make for an acceptable scheme without unacceptably harming the residential amenity of occupiers of adjacent properties by disturbing, interfering with or overlooking such properties.

Concluding Remarks:

Notwithstanding the modest benefits engaged by the proposal that would involve two additional houses, mindful of the council's lack of a five year housing land supply, these should not outweigh the adverse harm that is identified, being contrary to the NPPF and Policy SS2 and EQ2 of the South Somerset Local Plan 2006- 2028.

RECOMMENDATION:

Refuse.

FOR THE FOLLOWING REASON:

01. The proposed development is located beyond the current westward extent of residential development associated with Lily Lane, and would extend the built form of the village beyond its current and historic extent, and fails, in terms of its location and layout, to preserve and complement the character and appearance of the location and its rural setting having a detrimental impact contrary to the National Planning Policy Framework, and Policies SS2 and EQ2 of the South Somerset Local Plan 2006- 2028.

Agenda Item 20

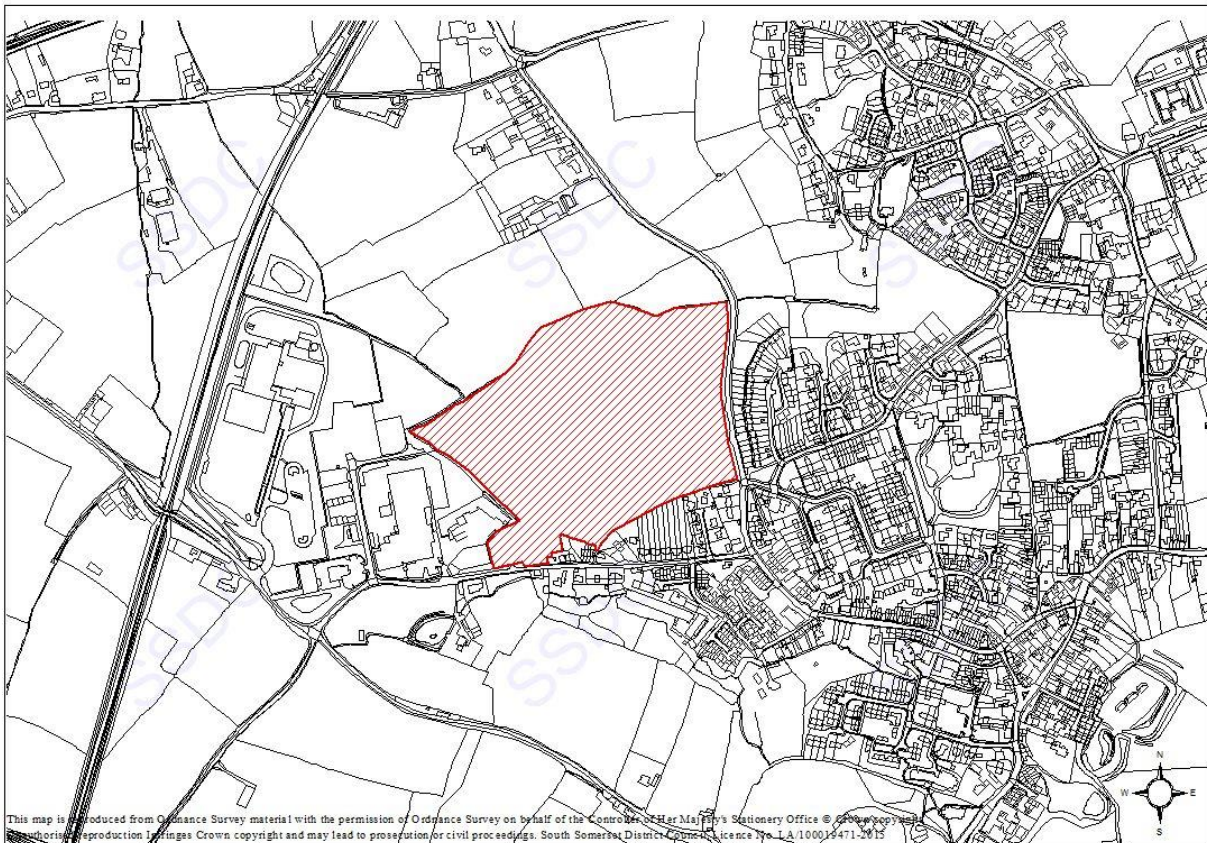
Officer Report On Planning Application: 14/15/02347/OUT

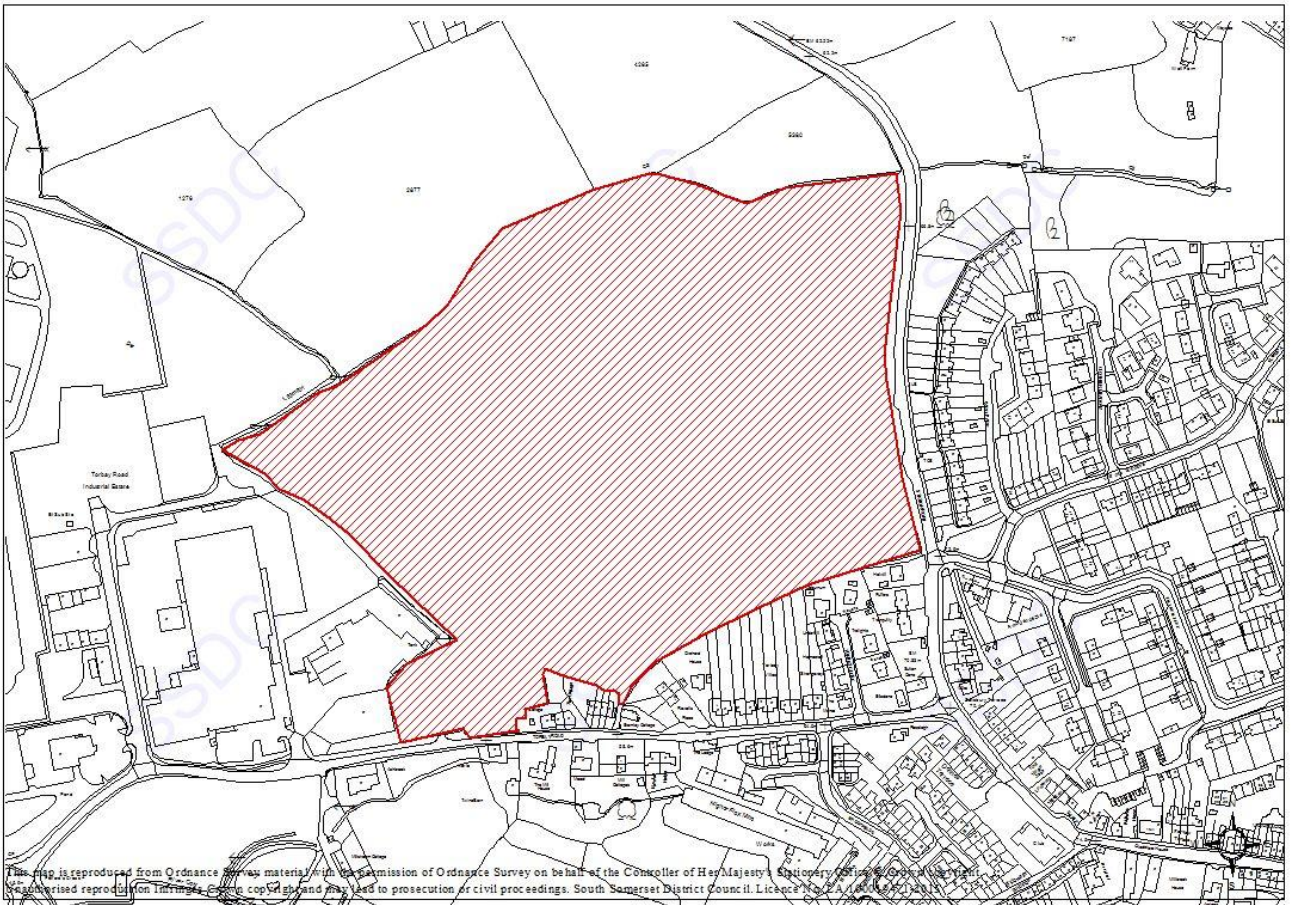
Proposal :	Outline Planning Application (All Matters Reserved Except for Access) for up to 165 houses, up to 2 Ha of Employment Land, a Road Linking Torbay Road with Station Road, a Safeguarded Site for a New Primary School and Green Infrastructure on Land Between Torbay Road and Station Road, Castle Cary, Somerset (GR:363260/132575)
Site Address:	Land Os 1445 Part Torbay Road Castle Cary
Parish:	Castle Cary
CARY Ward (SSDC Member)	Cllr Nick Weeks Cllr Henry Hobhouse
Recommending Case Officer:	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date :	27th August 2014
Applicant :	Donne Holdings & Somerset County Council
Agent:	James McMurdo, Jones Lang LaSalle, Keble House, Southernhay Gardens, Exeter EX1 1NT
Application Type :	Major Dwlg 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the suggestion of the Development Manager with the agreement of the Chair to enable the local issues raised to be debated and for Members to (a) determine this application and (b) make a resolution with respect to the appeal against the refusal of the previous application on this site.

SITE DESCRIPTION AND PROPOSAL





This 10.7 hectare site lies between Station Road and the Torbay Road Industrial Estate and is to the rear of residential properties on Torbay Road/Torbay Close. The site slopes from Station Road to the west and is currently in agricultural use, comprising 2 fields. There are public footpaths along to south and southwest sides of the site. The site is within the 'Direction of Growth' (DoG) for the town as set out in Policy LMT1 of the South Somerset Local Plan (2006 – 2028).

The proposal, which is an identical resubmission of a previous application (14/02020/OUT), seeks outline permission for up to 165 house houses, 2 hectares of employment land, a school and associated open space. Detailed approval is sought for two points of access, one from Station Road the other from Torbay Road; these would be linked by a new road through the site. Torbay Road would be re-aligned so that the western part would in effect be an extension of the new road through the site. The eastern part of Torbay Road would then terminate a new give way junction where it meets the new road. Off-site works (footpath widening and pedestrian crossing point on Brookfields) are proposed Torbay road to the east of the new junction and th existing footpath from the site to Torbay Bay Road adjacent to Bramley Cottage would become a footpath/cycle link

At Station Road the new junction would comprise re-alignments to Station Road to include a new right turn lane, traffic islands, uncontrolled pedestrian crossing, new bus stop and associated visibility splays. The existing footpath from station Road along the southeast side of the side would be diverted within the site to move away from the backs of existing properties.

The application is a resubmission of a previous, identical proposal that was refused in April this year and is supported by:-

- Illustrative Masterplan
- Detailed drawing of the proposed accesses
- Planning Statement
- Design and Access Statement
- Transport Assessment
- Travel Plan
- Statement of Community Involvement
- Archaeological Gradiometer Survey
- Historic Environment Assessment
- Flood Risk Statement
- Geo-environmental Desk Study
- Aborigicultural Impact Assessment Report
- Ecological Survey and Assessment Report
- Ecological Impact Assessment Report
- Ecology Mitigation and Enhancement Plan
- Environment Noise Assessment
- Odour assessment

PLANNING HISTORY:

14/02020/OUT Outline planning permission refused:-

It has not been adequately demonstrated that the local road network can satisfactorily accommodate the level of traffic likely to be generated by this development without severe adverse impact on highways safety. As such the proposal is contrary to policy TA5 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

An appeal has been lodged against this refusal. At the time of writing this has not been validated.

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

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

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

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

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

OTHER RELEVANT SCHEMES

There are a number of schemes for residential development within the Castle Cary Direction of Growth, namely

13/03593/OUT Outline approval for residential development at Well Farm, Lower Ansford. An application for the approval of reserved matters for up to 40 dwellings has now been submitted (15/03441/REM).

14/02906/OUT Up to 75 dwellings on land to the west of Station Road, Castle Cary. Appeal lodged against non-determination. A resubmission has been lodged with the Council (15/02388/OUT), decision pending.

14/05623/OUT Up to 125 dwellings at Wayside Farm, Station Road, Castle Cary. Appeal lodged against non-determination. A resubmission has been lodged with the Council (15/04066/OUT) decision pending.

15/00519/OUT Up to 75 dwellings on land east of Station Road. Appeal lodged against non-determination. A resubmission has been lodged with the Council (15/02415/OUT, decision pending).

The Planning Inspectorate have agreed to a co-joined public inquiry (at a date to be confirmed) to consider all 4 appeals within the Direction of Growth.

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

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

15/00372/CPO County resolution to approve a waste transfer station at Dimmer Waste Management Centre subject to s106.

POLICY

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

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

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

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

SS3 – Delivering New Employment Land – sets out a need for 18.97 hectares of employment land for Ansford/Castle Cary over the plan period. To date 10.07 ha have been delivered with the remaining 8.9ha to be delivered between now and 2028.

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

SS5 – Delivering New Housing Growth – sets out a need for at least 374 houses in Ansford/Castle Cary over the plan period. As at March 2015 59 dwellings had been completed in the first 9 years of the plan period, with a further 99 committed (i.e. under construction or with extant permission), meaning that there is a need for at least further 216 dwellings to be delivered by 2028.

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

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

SD1- Sustainable Development

SS6 – Infrastructure Delivery

SS7 – Phasing of Previously Developed Land

HG3 – Provision of affordable Housing

HG5 – Achieving a Mix of Market Housing

TA1 – Low carbon travel

TA4 – Travel Plans

TA5 – Transport Impact of New development

TA6 – Parking Standards

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

EQ1 – Addressing Climate Change in South Somerset

EQ2 – General development

EQ3 – Historic Environment

EQ4 – Biodiversity

EQ5 – Green Infrastructure

EQ7 – Pollution Control

National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting Healthy Communities

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

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

Other Material Considerations

On 3 September 2015 a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land as required by paragraph 47 of the NPF. In such circumstances paragraph 49 is engaged, this states:-

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

CONSULTATIONS

Castle Cary Town Council: initially raised concerns regarding consideration of the bigger picture in terms of:-

- Size and concept
- Roads and Access
- Density
- Erosion of Countryside.
- Infrastructure
- Employment
- School
- 106 monies

Subsequently the Town council has reviewed its position and provided the following statement:-

“There have been five outline planning applications (480 houses in total) within the area around Station Road and Torbay Road that have been submitted to Castle Cary Town Council and Ansford Parish Council for their approval during the past five months. However because four of these have not been supported, they have all been taken to appeal.

“Government policy (National Planning Policy Framework) dictates that Planning Inspectors should support development unless there is a clear and defensible reason for not doing so. Furthermore, South Somerset District Council is unable to demonstrate that they have a 5year supply of housing land as required by the NPPF. As such, the council is in a weaker position to resist housing schemes that do not have a significant adverse impact. This means that Castle Cary could end up with far more dwellings than the 378 we are required to have built between 2009 and 2028 according to the South Somerset District Council local plan.

“If the Planning Inspectorate approves the applications, the houses will be built and the ability for the community to influence the development will be severely restricted if not totally eroded.

“Castle Cary Town Council recognises that some development is necessary for the town and with this in mind the planning committee met to discuss and reconsider their previous decisions on the planning applications for the land south of Station Road and west of Torbay Road.

“The first application (reference 15/02347/OUT) to build 165 houses, provide employment land and possibly build a new Primary school has been resubmitted by Jones Lang LaSalle Ltd on behalf of Donne Holdings and Somerset County Council. There have been ongoing negotiations with the agent, Mr James McMurdo which have recently resulted in some agreed conditions that have enabled Castle Cary Town Council to support this outline application. It will now proceed to Area East in October.

“The second application (reference 15/02388/OUT) to build 75 houses again resulted in

negotiations with Mr Kevin Bird of the Silverwood Partnership and the agreed conditions have meant that Castle Cary Town Council will support the application and it too will proceed to Area East.

“We believe that supporting and influencing these two initial applications is the only way we can defend Castle Cary against other inappropriate applications which have been submitted and limit the size of housing developments to a more acceptable level for the town.”

Ansford Parish Council (adjacent): resolved to recommend REFUSAL, noting that although this application is stated as being within the parish of Castle Cary a slim part of the northern boundary is actually within the parish of Ansford.

The concerns raised related mainly to the inability of the local road network to cope with the potential increase in traffic, the impact of any proposed new road on the surrounding area, the over development of the local community - the unique nature of Ansford and its community being swamped by the imposition of a large development. Lack of good footpath, cycle links and road crossings to the existing facilities within Ansford

County Highways: identifies no highway reason why permission could not be granted subject to the S106 obligations and conditions.

Planning Policy – comment as follows:-

The starting point for decision-making remains the statutory development plan, which is the South Somerset Local Plan (2006 – 2028).

In reaching a conclusion on whether the proposal is or is not in accordance with the development, having regard to material considerations, the decision-maker will have to take account of the following points:

- Policy SS1 identifies Ansford/Castle Cary as a ‘Local Market Town’. It sets out Ansford/Castle Cary’s position in the settlement strategy relative to the other larger and smaller settlements in the district. Policy SS1 sets the framework for achieving the levels of growth set out in Policy SS3 and Policy SS5, and the settlement-specific policies elsewhere in the local plan, namely for this proposal, Policy LMT1.
- Policy SS3 includes a requirement for an additional 8.9 hectares of employment land at Ansford/Castle Cary. The proposal proposed the delivery of 2ha of employment land and is therefore in conformity with Policy SS3.
- Policy SS5 sets out the overall housing requirement for South Somerset, and the specific housing targets for each main settlement. For Ansford/Castle Cary it advocates the delivery of at least 374 dwellings over the plan period and outlines a ‘permissive approach’ (prior to the adoption of the Site Allocations Development Plan Document) for the consideration of planning applications in the ‘Direction of Growth’. The permissive approach is a policy mechanism to facilitate development applications to come forward and be considered in the context of the policy framework established in the local plan.
- Policy SS5 is clear that the scale of growth established for each settlement and the wider policy framework will be key considerations in carrying out the permissive

approach, with an emphasis upon maintaining the established settlement hierarchy and ensuring sustainable levels of growth for all settlements. As such, the overall scale of growth identified for Ansford/Castle Cary and its role as a 'Local Market Town' in the context of the other settlements in the district, and specifically the 'Primary Market Towns' and 'Rural Centres' is a critical determinant.

- Policy LMT1 and Local Plan Inset Map 1 identify the 'Direction of Growth' for Ansford /Castle Cary. Policy LMT1 states that development for housing, employment and education will be north of Torbay Road and East and West of Station Road. As part of any growth proposal a road will be expected to be provided between Station Road and Torbay Road prior to the completion of the expansion. It is noted that the proposal is within the Direction of Growth, does provide land for employment and education. The scheme proposed will provide a dedicated link between Station Road and Torbay Road.

The NPPF is a material consideration in decision-making. The NPPF, at Paragraph 49, states that housing applications should be considered in the context of the presumption of in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites.

As noted above, the Council is currently unable to demonstrate a five-year supply of housing sites. Accordingly, those policies relevant to the supply of housing should not be considered up-to-date.

In this circumstance, Paragraph 14 of the NPPF states that for decision taking the presumption in favour of sustainable development means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

However, this is not the end of the matter. The recent High Court ruling by Justice Holgate (*Woodcock Holdings Ltd, CO/4594/2014*) (May 2015) confirms that regard still needs to be had to policies deemed to be out-of-date, and they are not simply to be ignored or disavowed. The ruling also re-iterates that the weight that should be attributed to policies relevant to the supply of housing, which are not up-to-date by effect of Paragraph 49 of the NPPF, is not defined. The ruling goes on to state that the weight which should be assigned to policies is a matter for the decision-maker to reach a conclusion on, based upon the severity of the shortfall, the reasons for the shortfall, and other relevant circumstances e.g. action being taken by the LPA to release land for housing to address the shortfall.

In reaching a conclusion on this proposal, it will be important for the decision-maker to consider the effect of Paragraph 49 and Paragraph 14 of the NPPF, and therefore what weight should be attributed to the policies relevant to the supply of housing in order to judge the degree of conflict with those policies.

Considering the application individually, and on its merits, the scale of development proposed (165 dwellings) is in accordance with Policy SS1 and Policy SS5. The proposal is within the Direction of Growth identified for Ansford/Castle Cary, and makes provision for land for employment and education. It also facilitates a link between Torbay Road and Station Road, and is therefore in accordance with Policy LMT1.

The decision-maker should be mindful of the cumulative impact of this proposal in conjunction with the other development proposals currently being considered in Ansford/Castle Cary. Having regard to previous completions, existing developments with planning permission, and those under consideration; the effect of this proposal would be to take the proposed scale of growth in Ansford/Castle Cary to 598 dwellings. This would represent a 60% increase over and above the planned level of growth for Ansford/Castle Cary as set out in Policy SS5 of the local plan. This cumulative level of growth would represent a substantial departure from Policy SS5 and would serve to undermine the balanced sustainable growth strategy set out in both Policy SS5 and Policy SS1.

It is accepted that the concept of “at least” within Policy SS5 implies a degree of variance to the target figure of 374 dwellings for Ansford/Castle Cary. However, the figure is intended to cover the whole plan period and to confirm the proposed cumulative level of growth would mean that Ansford/Castle Cary is subject to development that exceeds its overall requirement by 224 dwellings or 60%, after only nine years of the local plan period.

Any notion that a greater proportion of housing within Ansford/Castle Cary can assist in making up shortfalls in housing provision elsewhere in the district would appear to undermine the strategy of directing large-scale growth towards the main settlements in the district as founded in Policy SS1 and Policy SS5. To do so would place in jeopardy the sustainable growth strategy clearly set out in Policy SS1 and would therefore be contrary to the

development plan, and contrary to the core principle of the NPPF which supports the plan-led system.

It is advocated therefore, but only on a cumulative basis, that the harms generated by this development, in terms of its contribution to the substantial increase in development, over and above the figures set out in Policy SS5, would lead to the disruption and dilution of the strategy set out in Policy SS1, and in so doing would significantly and demonstrably outweigh the benefits of the proposal.

Economic Development – no objection raised. In detail the following comments are provided:-

Economic Development are broadly supportive of this application as it is recognised that the proposed mixed use development will enable approximately 2 Ha of new employment land adjacent to the established employment land in this location.

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

Our specific comments are made on the configuration (rather than the amount) of employment land outlined within the application. Our observations relate to:

- *Maintaining an adequate buffer zone between the proposed residential land and employment land*
- *Ensuring that the current design offers access to potential/ future employment land provision.*

A suggested layout is attached on the basis that the configuration of different land uses may be discussed prior to a full planning application being submitted.

On this basis we have no objection to this application for Change of use.

Area Development – no comments received.

Landscape Officer: no objections. Notes that:-

1. *Employment land is sited adjacent the existing town employment site, contained by a retained hedgeline and on the lower ground within the site – I consider this to be appropriate siting.*
2. *The most elevated part of the site is also that demonstrating the steepest gradient (by Station Road) as identified in the D&AS. The plan intends to devote much of this area to green infrastructure, and again I consider this the correct approach.*
3. *Road access off Station Road is going to be difficult, for the land falls away to the west at 1:6 max, whilst the road gradient cannot exceed 1:14, which will result in the road corridor being elevated above the proposed housing, and potentially dominant. The m/plan indicates a degree of spatial and planting separation, and if approved, will require further design work at REM.*
4. *A landscape and open space strategy is set out in section 6.8 of the D&AS, along with an illustrative landscape masterplan, which I consider to achieve a satisfactory*

balance between the retention and management of the site's best landscape features, along with positive proposals for landscape enhancement. With the D&AS material outlining an acceptable development and landscape approach, and recognising that Castle Cary is intended for further growth in the forthcoming plan period, I have no landscape objections to the proposal before us.

Conservation Manager – No objection:-

The submitted outline master plan indicates to me a sound approach to the layout that addresses the constraints and opportunities presented by the site. The steeper slopes have largely been allocated for green areas although the arrangement of access roads and building orientation where the built form adjoins may be better changed in the final design to lie more comfortably with the contours. The layout indicates the potential to create some attractive, legible places and makes good use of existing site features.

SSDC Tree Officer – notes provision TPO on most valuable trees. Raises no objection subject to condition to agree tree protection measures

SSDC Housing Officer – requests that 35% (rounded up to next whole number) should be provided as affordable housing with a minimum of two thirds (rounded up to next whole number) to be 'social' rent. Remainder could be other forms of affordable housing e.g. shared equity, market rent etc. Minimum space standards and pepper potting throughout site should be agreed. Where flats are to be provided they should have the outward appearance of houses, not monolithic blocks. Based on the current Housing Need Register data and existing social housing stock levels in Castle Cary the mix of units to be provided is:-

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

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

Leisure Policy: Note that there are 4 applications within the Direction of Growth and suggest that the following contributions are sought:-

- 15/02347/OUT Torbay Road 165 dwellings – on site large LEAP play area, on or off site youth facilities, all other obligations off site
- 15/04066/OUT Wayside Farm 125 dwellings - on site large LEAP play area, on or off site youth facilities, all other obligations off site
- 15/02388/OUT Land west of Station Road 75 dwellings - on site LEAP play area, on or off site youth facilities, all other obligations off site
- 15/02415/OUT Land east of Station Road 75 dwellings - on site LEAP play area, on or off site youth facilities, all other obligations off site

Also in this area is the approved application 13/03593/OUT Well Farm for 38 dwellings from which we sought off site contributions.

Ideally, we would like to be able to agree a single masterplan covering whichever sites are approved, so we can plan the location of the on-site facilities. For example if all the

applications were approved, based on a total of 478 dwellings, we would aim to have a smaller number of larger on site facilities, particularly the equipped play and youth facilities in locations that serve one or more of the sites as follows:

- Equipped play areas – 2 large play areas, 1 x NEAP and 1 x LEAP to cover the Station Road area
- Youth facilities – 1 youth facility such as a MUGA or skate park centrally located to cover this area
- Playing pitches and changing rooms – a scheme of nearly 500 dwellings could warrant some on site provision – approximately 2 senior football pitches and associated changing rooms, located on a single site, or off site contributions – this would require further consultation locally.
- Community halls – We would probably still seek off site contributions to improve existing provision in Castle Cary/Ansford, rather than a new hall

This would also apply if for example 2 of the sites were approved, then again it would be preferable to be able to masterplan the on-site provision to best serve these 2 sites, rather than looking at each site individually.

The strategic distribution of facilities would either require us to plan the position of the on-site facilities at the edges of adjoining sites so that each site provides the required land and these are joined together to create a larger facility, centrally located to serve both developments. Alternatively, one or two sites give up more land to provide these larger facilities, and in order to compensate for this, we would seek land acquisition costs from the other sites in addition to the capital and commuted sum contributions.

Looked at in isolation it is suggested that this scheme provides an on-site LEAP of at least 734m² with 30m buffer zone. Contributions towards off-site mitigation measures to address increased demand for sport and recreation facilities are sought as follows:

- £27,500 towards provision of new youth facilities in Castle Cary/Ansford;
- £64,605 towards enhancement of existing pitches or provision of new grass or artificial pitches in Castle Cary/Ansford;
- £131,167 towards enhancement of existing changing rooms or provision of new changing rooms in Castle Cary/Ansford;
- £84,643 towards enhancement of existing community hall facilities in Castle Cary/Ansford.;
- £66,818 as a commuted sum towards the local facilities.
- Monitoring fee based on 1% of total

In the event that the District Council were to provide and subsequently adopt the on-site LEAP it is suggested that the cost of provision would be £140,052 and that a commuted sum of £80,896 should be provided.

SSDC Open Spaces - no objection:-

The plans provided on the 'Illustrative Masterplan' identify 1.5 hectares of informal open space, a provision in excess of that required by SSDC.

We're very encouraged by the inclusion of the green entrance to the development; it's well designed taking the local topography into consideration. We need to ensure, however, that the sloped grass areas are still maintainable; could the developer please indicate what angle/degree these slopes are and check with the "SSDC Design Guide

and its Addendum”?

Whilst the western side of the development is served by sufficient Open Space, the eastern/southern part has little available Open Space. We would like to see the developer enlarge the Formal Play Space (no.21) to include Informal Open Space to provide a more central feature for the southern/eastern parts of the development.

Network Rail: no objection.

Rights of Way Officer: no objection subject to informative to remind developer to ensure rights of way or not blocked and that any necessary diversion orders are agreed.

SCC Drainage (as LLFA): comments awaited. It is noted that previously no drainage concerns were raised by previous consultees.

Wessex Water: Confirms that there is capacity in the sewage treatment to accommodate predicted flows. Whilst there is limited capacity in the existing water supply network, this can be addressed by a Section 41 Agreement under the Water Industry Act. Notes that there are public foul sewers crossing the site and advises that there should be no building within 3m or tree planting with 6m of these. No objection subject to conditions to agree detail of foul water and surface water, the technical detail of which would also be looked at through Wessex Water's adoption procedures.

Wales & West Utilities – no objection in relation gas pipes.

Police Architectural Liaison Officer – no objection subject to detailed consideration at reserved matters stage.

SSDC Environmental Protection Officer: no objection subject to a condition to secure an appropriate investigation of any potential land contamination. No objections have been raised with regard to the proximity of the petfood factory. It is considered that the indicative layout would ensure that the proposed employment area would provide both a buffer and a barrier to the existing noise from the industrial estate. It is suggested that a more detailed acoustic assessment be undertaken. (this could be a conditioned).

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

Natural England: No objection

Somerset Wildlife Trust – no objection subject to safeguarding conditions.

SSDC Ecologist: No objection, subject to safeguarding conditions in relation to nest birds, badges and measures to increase biodiversity.

County Archaeology: no objection subject to safeguarding condition

REPRESENTATIONS

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

- This proposal does not address previous objections and reason for refusal
- Cumulative impacts on character of town

- Development is too big in one go for the town – it should be properly planned over time
- Development is too large and dense
- Landscape and visual impact
- Loss of green space
- Over development of site with a lack of garden and play space.
- Existing brownfield sites (e.g. BMI) should be developed first
- Local infrastructure (doctors, dentists, etc.) cannot cope
- Existing infrastructure (schools, medical etc.) need careful expansion plans
- Limited employment opportunities
- Future residents would have to commute elsewhere to work
- Increased traffic on Station Road.
- Torbay Road, with numerous exit points and pinch points, couldn't cope with additional traffic
- Increase parking in Torbay Road
- Impact of additional traffic on surrounding road network, particularly the B3153 and roads that are little more than country lanes
- Noise impacts of additional traffic
- Safety issues with the increase traffic for children and pedestrians
- Cumulative highways impacts, including possible gridlock and 'rat-running',
- No need for link road
- Lack of safe crossing points,
- Poor pedestrian and cycle links
- Impact on footpaths
- Impact on character of town
- Possible loss of on street parking in Torbay Road
- Unsafe access onto Station Road
- School should not move out of town centre
- Limited demand for new houses and business space
- No independent traffic assessment has been carried out
- No account has been taken of network rail's intention to rebuild bridges at A371/B3153 junction.
- The emerging Neighbourhood Plan will provide for gradual expansion of the town
- Somerset County Council have a vested interest and should not be involved in the decision.
- Increase surface water run-off and resultant flood risk.
- Impact on badger setts
- Ecology report does not address potential for great crested newt
- Developer profit
- Poorly presented application lacking in detail

Care4Cary, a local group, has objected to the nature of the link road which would not achieve the objectives of the local plan as set out a paragraph 7.120, namely that the new road between station road and Torbay road "*will be expected....to improve access and egress to new and existing employment and better integration of the development within the town.*" Concern is also raised that the position of then proposed employment land would stymie future expansion.

CONSIDERATIONS

This application has been submitted to invite the District Council to reconsider the previous reason for refusal. The application is identical to that previously provided. As such the

previous considerations apply. The current inability of the Council to demonstrate a deliverable 5 year housing land supply is a material change in circumstances and is considered below.

Principle

As set out above, the starting point for decision-making is the statutory development plan, which is the South Somerset Local Plan (2006 – 2028). Adopted in March 2015, this provides the policy framework through which to make decisions on whether or not to grant planning permission for development in the district.

The lack of a five-year housing land supply means that relevant policies relating to the supply of housing should not be considered up-to-date. As such, proposals fall to be determined in light of Paragraph 14 which states that where development plan policies are out-of-date planning permission should be granted unless:-

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

According to the recent High Court decision (Woodcock Holdings Ltd) in reaching a conclusion, the relative weight to be attached to policies relevant to the supply which are no longer up-to-date needs to be borne in mind; and used in addition to whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

In this instance, the site is within the Direction of Growth (identified by Policy LMT1). As such, whatever weight is to be attributed to Policy LMT1 due to the lack of a five-year housing land supply, the principle of development in this location is not disputed.

Based upon the comments provided above, on an individual basis the proposal is not contrary to Policy SS1 or Policy SS5.

However, it is important to have regard to the cumulative impact of the proposed scale of growth in Ansford/Castle Cary. On this basis, the proposed 4 schemes, if all were to be approved, would give rise to conflicts with Policy SS5 by virtue of generating a scale of development which is 60% higher than envisaged; and with Policy SS1 as it would threaten the overall settlement strategy for delivering growth across the district.

Nevertheless the benefits in terms of delivering 165 additional dwellings must be afforded considerable weight in the 'planning balance' to be struck between any harmful impacts stemming from this proposal and the acknowledged benefits.

Notwithstanding local concerns it is accepted that no technical consultee has raised an objection to this proposal, in its own right or cumulatively with the other schemes pending determination within the Direction of Growth, in terms of highways impact, drainage, ecology or archaeology. Furthermore no infrastructure provider has objected to the scheme.

Accordingly subject to appropriate conditions and a S106 agreement to secure planning obligations in relation to education, affordable housing and leisure it is considered that no significant harm would arise in respect to these areas of concern.

Concerns have been raised with regard to the cumulative levels of development proposed within Castle Cary/Ansford and to the landscape impact of this proposal. There is also

considerable local concern over the highways impact of the proposals with the Do. Notwithstanding the foregoing, this warrants specific consideration.

5 Year Housing Land Supply

Without a 5 year housing land supply paragraph 49 of the NNPF states that "*policies for the supply of housing should not be considered up-to-date*". In this instance it is accepted that policy LMT1, which seeks to direct housing development in Castle Cary Direction to the Direction of Growth, is affected, with further implications for the interpretation of policies SS1 and SS5. As such proposals fall to be determined in light of paragraph 14 which states that where development plan policies are out-of-date planning permission should be granted unless:-

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

In this instance the site is within the Direction of Growth (DoG) allocated in the local plan for Ansford/Castle Cary. As such with or without a 5 years housing land supply the principle of development is not disputed. Nevertheless the benefits in terms of delivering 165 additional housing must be afforded considerable weight in the 'planning balance' to be struck between any harmful impacts stemming from this proposal and the acknowledged benefits.

Cumulative Impact of Level of Development in Castle Cary/Ansford

Policies SS1 and SS5 set the settlement strategy and levels of growth respectively. It is not considered that these policies are automatically rendered out-of-date by the lack of a five year housing land supply. SS1, in designating Castle Cary/Ansford a 'Market Town' within the hierarchy of settlements, has taken into account:-

"...the range of important roles a settlement fulfills in their local setting, in particular, where they provide jobs and services for their residents, and the residents of the surrounding areas and elsewhere. These towns are the focal points for locally significant development including the bulk of the district's housing provision outside Yeovil. This growth aims to increase the self- containment of these settlements and enhance their service role, reflecting the aspirations of national policy in promoting stronger communities." (para. 5.19, SSLP 2006-28)

Neither this proposal, nor any of the proposals within the DoG ,would change the services and facilities available in Castle Cary/Ansford beyond what is allocated in the local plan for this Local Market Town. Accordingly it is not considered that there is any justification to re-designate the town to a higher tier within the hierarchy of settlements simply because the Council cannot currently designate a 5 year housing land supply.

The level of growth across the District is set out in Policy SS5. The figure of 374 for Castle Cary/Ansford is a minimum and any growth above this should be assessed on its merits. The current lack of a 5 year housing land supply is a material consideration of considerable weight however, it does not negate the local plan figure, or the permissive approach to applications within the DoG, which are considered to still have weight.

As at March 2015, 59 dwellings had been completed over the first 9 years of the plan period. A further 99 dwellings are committed, leaving at least 216 to be delivered over the remainder of the plan period. If permission were to be granted for all current proposals it would take the total number of houses committed in Ansford/Castle Cary to 598, 60% higher than that set

out in Policy SS5. This is in excess of Ilminster's expected housing requirement figure (496 dwellings), even though Ilminster is categorised as a Primary Market Town.

Notwithstanding the lack of infrastructure concerns, as noted by the policy officer, the overall scale of growth may lead to a scale of housing growth that could threaten the settlement hierarchy and lead to an unsustainable pattern of growth. The level and pattern of growth and identified in the local plan has been subject to a detailed sustainability appraisal. Development fundamentally at odds with this plan has the potential to cause issues such as perpetuating out-commuting, deficits in infrastructure capacity and harm to the character of the settlement.

The submission of 4 separate applications, with no phased linkages, complicates consideration of the cumulative impact. As identified above there are clear concerns regarding the potential impacts should all 4 current schemes be approved. However, there are no guarantees that all approved schemes would be implemented. The local planning authority must therefore consider what would be a reasonable approach to the assessment of the potential cumulative impact.

Of the current proposals applications this proposal and the adjacent scheme (15/02388/OUT) have the advantage of being best located adjacent to the existing limits of development, bringing forward the range and type of development commensurate with policy LMT1 and proposing a level of residential development (240) that would only moderately exceed the level of envisaged by SS5. The proposal on the east side of station Road (15/02415/OUT) and that at Wayside Farm 15/04066/OUT do not relate well to the existing built form of Castle Cary/Ansford.

Accordingly it is considered that this proposal, which sits adjacent to the built edge of Castle Cary, and delivers a site for a new school, employment land, a link road and a level of development commensurate with that envisaged by policy LMT1 is acceptable subject to consideration of the detailed impacts. Other applications, further out into the DoG would need to be determined on the basis of their merits.

Impact on local landscape and visual amenity:

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

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

Residential Amenity

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

Highway Issues

Clearly there is significant local concern that traffic from this development may have a serious impact on the local road network. The applicant has provided a full transport statement, supplemented with additional information in response to the issues raised in the context of the previous submission and to address possible cumulative impacts identified by the screening process. Furthermore there are, in total, 3 traffic assessments submitted with the current applications in the Direction of Growth.

The County highways authority has looked at all three assessments and raises no objection to the detail of either point of access for which full approval is currently sought, nor have they objected to the wider impacts of additional traffic movements for example within the town or on South Cary Lane or along the A3153. Whilst the Committee did not previously accept this position it is not considered that there is any evidence that points to a 'severe' impact on highways safety or capacity and as such it is not considered that a refusal on these grounds could be sustained.

On this basis, subject to the conditions suggested by the highways authority it is considered that the highways impacts of the proposal would not be severe and as such the scheme complies with policies LMT1, TA5 and TA6 and the policies contained within the NPPF.

With regard to the link road, whilst there may be an aspiration for a new road to directly link the existing employment area to Station Road is this not specified by policy LMT1 which simply states that a link between Torbay Road and Station Road should be provided. The county highway authority does not require an alternative to Blackworthy Road as a means of access to the industrial area and there is no evidence that the existing road network could not accommodate additional HGV movements on the existing routes to and from the Torbay Road industrial area.

The applicant points to the need for improvements to the junction of Station Road and the A371 should HVG traffic be directed towards Station Road. Such works would require third party land which is not in the ownership of either the applicant or the highway authority. Additionally any HGV access to Station Road would require a new junction to the north on the bend on Station Road as the alignment of the road prevents two HGVs passing safely. This land is not in the applicant's ownership. Finally there is a ransom strip between the existing employment land and the site which makes the delivery of a road in this position unviable.

Other Issues

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

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

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

reserved matters stage.

Planning Obligations

The proposed development will result in an increased demand for outdoor play space, sport and recreation facilities and in accordance with policies HW1 an off-site contribution towards the provision and maintenance of these facilities is requested along with an on-site LEAP equating to an overall total of £601,637 or £3,646 per dwelling.

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

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

Conclusion:

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

No adverse impacts on highways safety, archaeology landscape, ecology, drainage or residential amenity have been identified that justify withholding planning permission. On this basis, and with or without a 5 years housing land supply the proposal is considered to be an acceptable form of development that would deliver much needed housing in accordance with the policies of the Local Plan, and the aims and provisions of the NPPF.

RECOMMENDATION

- (a) That, application reference 14/02020/OUT be approved subject to the prior completion of a section 106 planning agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to secure:-
- (i) Contributions towards offsite recreational infrastructure, to the satisfaction of the Assistant Director (Wellbeing) broken down as:
- £27,500 towards provision of new youth facilities in Castle Cary/Ansford;
 - £64,605 towards enhancement of existing pitches or provision of new grass or artificial pitches in Castle Cary/Ansford;
 - £131,167 towards enhancement of existing changing rooms or provision of new changing rooms in Castle Cary/Ansford;
 - £84,643 towards enhancement of existing community hall facilities in Castle Cary/Ansford.;
 - £66,818 as a commuted sum towards the local facilities.
 - Monitoring fee based on 1% of total

- (ii) The provision of an on-site LEAP to the satisfaction of the Assistant Director (Wellbeing) or the provision of land and contribution of £140,052 and a commuted sum of £80,896 to enable the District Council provide and subsequently maintain the LEAP.
- (iii) At least 35% of the dwellings as affordable dwellings of a tenure and mix that is acceptable to the Corporate Strategic Housing Manager.
- (iv) an education contribution of £404,481 to the satisfaction of the Development Manager in consultation with the County Education Authority
- (v) Travel Planning measures to the satisfaction of the Development Manager in consultation with the County Highways Authority

and the following conditions.

- (b) That no evidence be offered in relation to the appeal against the refusal of application 14/02020/OUT subject to the completion of a S106 agreement as outlined above.

Justification:

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

Subject to the following conditions:

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

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

- 02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin not later than 3 years from the date of this permission or not later than 2 years from the approval of the last “reserved matters” to be approved.

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

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

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

- 04. No development hereby approved shall commence until a detailed surface water

drainage scheme for the site, generally in accordance with the submitted Flood Risk Assessment by Pell Frischmann has been submitted to and approved in writing by the local planning authority. Such scheme shall include measure to prevent the run-off of surface water from private plots onto the highways. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

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

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

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

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

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

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

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

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

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

09. Prior to the commencement of the dwellings hereby approved details of measures for the enhancement of biodiversity, which shall include the provision of bat, swallow and swift boxes, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

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

10. The development hereby permitted shall not begin until a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:
- a) A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175 : 2011 Investigation of Potentially Contaminated Sites – Code of Practice. (Completed)
 - b) A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report should include a detailed quantitative human health and environmental risk assessment.
 - c) A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation should be stated, such as site contaminant levels or a risk management action, and how this will be validated. Any on-going monitoring should also be outlined.
 - d) If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority.
 - e) A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

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

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

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

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

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

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

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

15. The development hereby permitted shall not commence unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction operation hours, construction vehicular routes to and from site, construction delivery hours, car parking for contractors and specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. Once approved the development shall be carried out in accordance with the approved Construction Management Plan.

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

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

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

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

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

18. No works shall commence on the development hereby permitted until details of the off-site highway works shown on the submitted drawings have been submitted to and approved in writing by the Local Planning Authority. Such works shall then be fully constructed in accordance with the approved plan to an agreed specification before the development is first brought into use.

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

19. There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of both accesses and extending to points on the nearside carriageway 43m either side of the accesses. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

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

20. The commercial buildings hereby approved shall only be used for uses falling within B1 or B8 of the Use Classes Order.

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

21. The development hereby permitted shall not be commenced until there has been submitted to, and approved in writing by the Local Planning Authority, the details of the phasing of the development hereby approved. Such phasing shall take into account any other development within the Direction of Growth for which planning permission has been granted or for which there is a resolution to approve.

Reason: In the interest of securing the proposal phased and planned growth of Castle Cary in accordance with policy LMT1 and the policies contained within the National planning Policy Framework.

Informatives

1. You are reminded that development, insofar as it affects a right of way should not be started and the right of way should be kept open for public use until the necessary diversion/stopping up order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.
2. You are reminded that the submitted layout is indicative only and that objections have been raised to it from the Council's economic development officer and climate change officer. The layout of the reserved matters application should be informed by their comments. You are urged to discuss these concerns with the local planning authority at an early stage.
3. You are reminded that there should be no removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, ivy or other climbing plants) nor works to or demolition of buildings or structures that may be used by nesting birds, shall be carried out between 1st March and 31st August inclusive in any year, unless previously checked by a competent person for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have left the nest.
4. You are reminded that parking provision should be in line with the Somerset County Council Parking Strategy.

5. It is suggested that a Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
6. You are reminded that no work should commence on the development site until the appropriate rights of discharge for surface water have been obtained.

Agenda Item 21

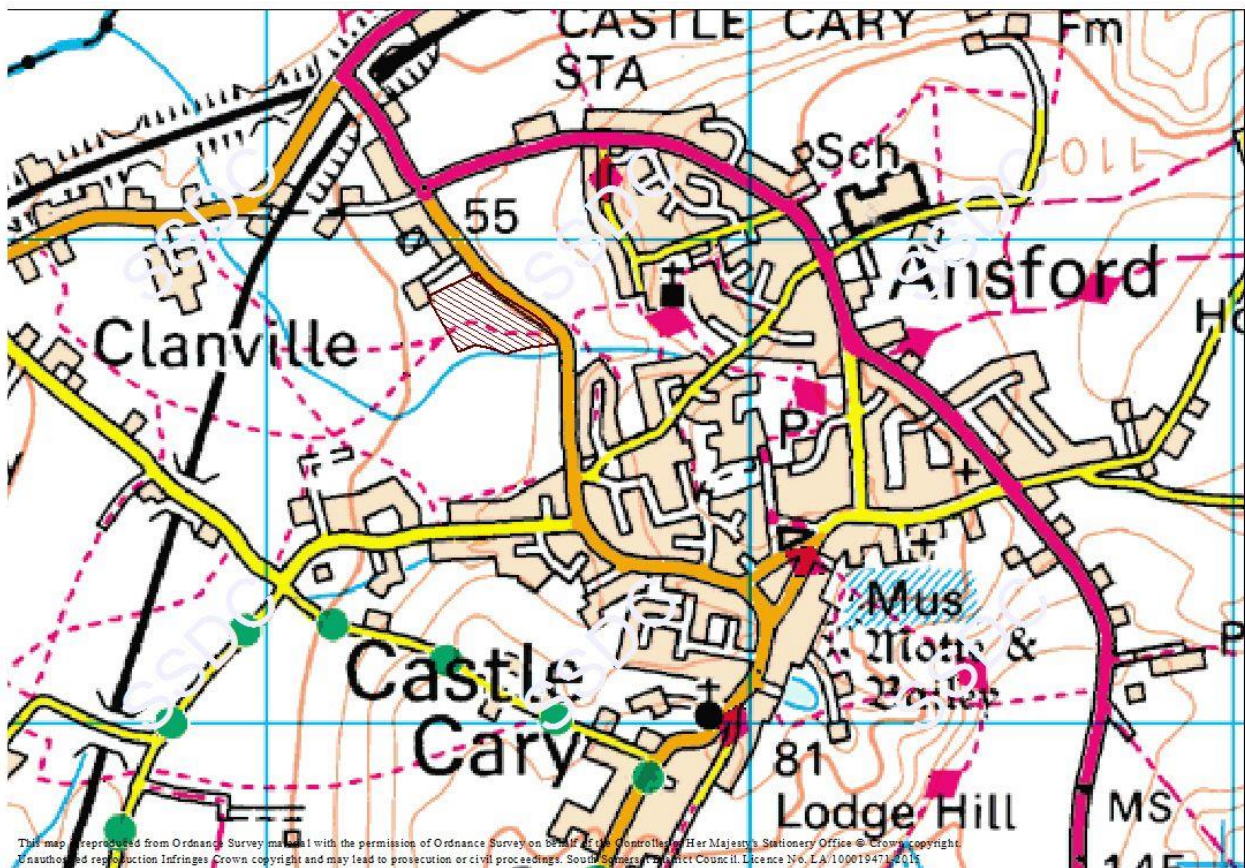
Officer Report On Planning Application: 15/02388/OUT

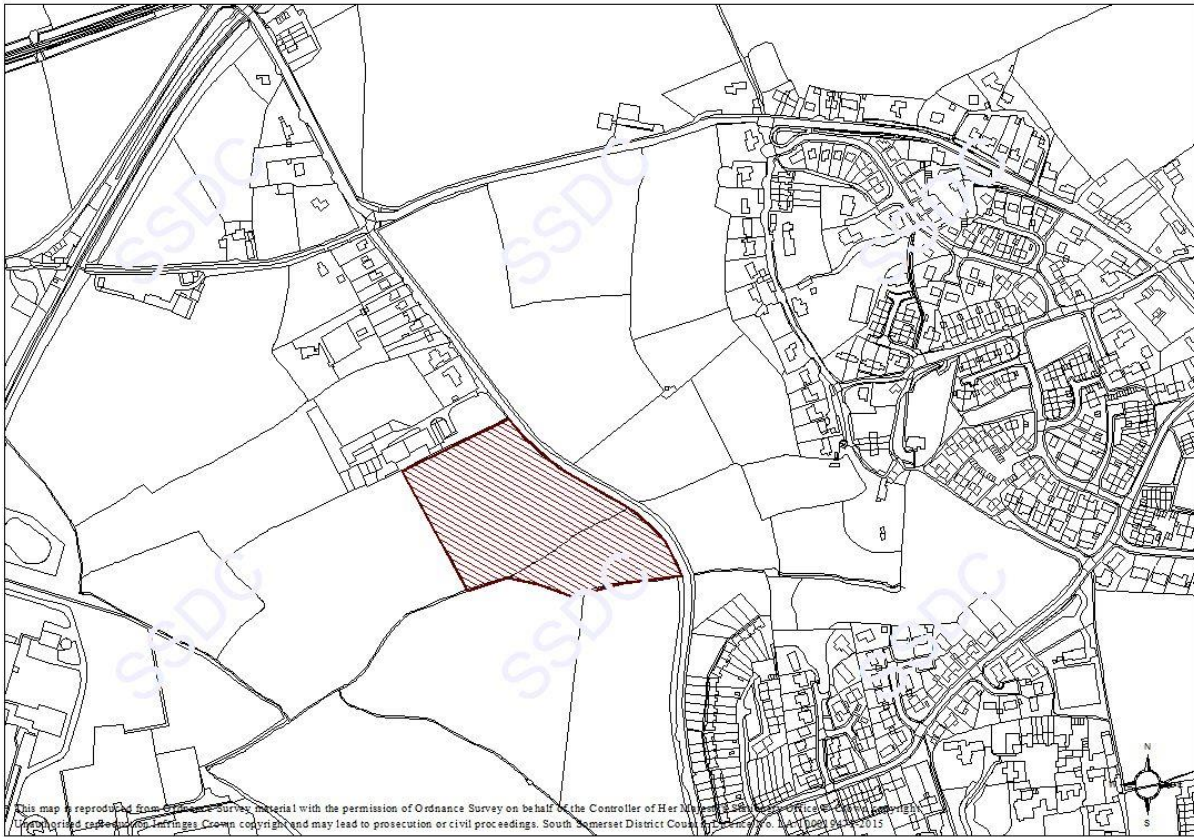
Proposal :	Residential development of up to 75 dwellings, with associated means of access with all other matters reserved (GR: 363426/132833)
Site Address:	Land At Station Road Castle Cary
Parish:	Ansford
CARY Ward (SSDC Member)	Cllr Nick Weeks Cllr Henry Hobhouse
Recommending Case Officer:	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date :	10th August 2015
Applicant :	The Silverwood Partnership
Agent: (no agent if blank)	Laura Wilkinson D2 Planning, Suites 3 And 4, Westbury Court, Church Road, Westbury On Trym, Bristol, BS9 3EF
Application Type :	Major Dwlgs 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the suggestion of the Development Manager with the agreement of the Chair to enable the local issues raised to be debated and for Members to (a) determine this application and (b) make a resolution with respect to the appeal against the non-determination of the previous application on this site.

SITE DESCRIPTION AND PROPOSAL





This 2.5 hectare site lies on the west side of Station Road and comprises 2 fields, with hedgerow boundaries, in agricultural use (grades 1 and 3a) within the Castle Cary Direction of Growth for the town as set out in Policy LMT1 of the South Somerset Local Plan (2006 – 2028). The land slopes gently to the west and is bounded by agricultural land (also within the Direction of Growth) to the south and west, the buildings at Wayside Farm to the north and Station Road to the east. Residential development has been approved on the opposite side of the road at Well Farm.

There is a public right of way across the site running east/west parallel to the southern boundary and leads to an uncontrolled footcrossing over the Weymouth/Bristol rail line to the west.

The proposal, which is an identical resubmission of a previous application (14/02906/OUT), seeks outline permission for up to 75 with an access from Station Road positioned in towards the northern end of the road frontage. All other matters are 'reserved'.

The application is supported by:-

- Design and Access Statement
- Planning Statement
- Transport Assessment
- Cumulative Traffic Assessment
- Statement of Community Engagement
- Preliminary Landscape and Visual Appraisal
- Affordable Housing Statement
- Ecological Appraisal and Protected Species Survey
- Surface Water Drainage and Flood Risk assessment
- Odour assessment

- Detailed drawing of the proposed access

Draft heads of terms have been submitted in anticipation of planning obligations in respect of affordable housing, education, open space and highways. An additional briefing note has been provided (04/06/15) in response to suggestions that an HGV route be provided from the Torbay Road industrial area to Station Road.

PLANNING HISTORY:

14/02906/OUT Up to 75 dwellings on land to the west of Station Road, Castle Cary. Appeal lodged against non-determination.

15/00461/EIASS Negative Screening Opinion given (13/02/15), this concluded that:-

“the proposed development of up to 75 houses would not, on its own or when considered cumulatively with other developments in the locality, have significant environmental effects beyond the locality. Such local impacts would not be of such significance that an environmental impact assessment under the above regulations is required. Accordingly an environmental statement is not required for the purposes of environmental impact assessment.”

OTHER RELEVANT SCHEMES

There are a number of schemes for residential development within the Castle Cary Direction of Growth, namely

13/03593/OUT Outline approval for residential development at Well Farm, Lower Ansford. An application for the approval of reserved matters for up to 40 dwellings has now been submitted (15/03441/REM).

14/02020/OUT Outline planning permission refused:-

It has not been adequately demonstrated that the local road network can satisfactorily accommodate the level of traffic likely to be generated by this development without severe adverse impact on highways safety. As such the proposal is contrary to policy TA5 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

An appeal has been lodged against this refusal. At the time of writing this has not been validated, however a resubmission to the Council is pending determination (15/02347/OUT).

14/05623/OUT Up to 125 dwellings at Wayside Farm, Station Road, Castle Cary. Appeal lodged against non-determination. A resubmission has been lodged with the Council (15/04066/OUT) – decision pending.

15/00519/OUT Up to 75 dwellings on land east of Station Road. Appeal lodged against non-determination. A resubmission has been lodged with the Council (15/02415/OUT) – decision pending.

The Planning Inspectorate have agreed to a co-joined public inquiry (at a date to be confirmed) to consider all 4 appeals within the Direction of Growth.

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

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

15/00372/CPO County resolution to approve a waste transfer station at Dimmer Waste Management Centre subject to s106.

POLICY

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

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

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

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

SS3 – Delivering New Employment Land – sets out a need for 18.97 hectares of employment land for Ansford/Castle Cary over the plan period. To date 10.07 ha have been delivered with the remaining 8.9ha to be delivered between now and 2028.

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

SS5 – Delivering New Housing Growth – sets out a need for at least 374 houses in Ansford/Castle Cary over the plan period. As at March 2015 59 dwellings had been completed in the first 9 years of the plan period, with a further 99 committed (i.e. under construction or with extant permission), meaning that there is a need for at least further 216 dwellings to be delivered by 2028.

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

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

SD1- Sustainable Development

SS6 – Infrastructure Delivery

SS7 – Phasing of Previously Developed Land

HG3 – Provision of affordable Housing

HG5 – Achieving a Mix of Market Housing

TA1 – Low carbon travel

TA4 – Travel Plans

TA5 – Transport Impact of New development

TA6 – Parking Standards

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

EQ1 – Addressing Climate Change in South Somerset
EQ2 – General development
EQ3 – Historic Environment
EQ4 – Biodiversity
EQ5 – Green Infrastructure
EQ7 – Pollution Control

National Planning Policy Framework

Part 1 - Building a strong, competitive economy
Part 4 - Promoting sustainable transport
Part 6 - Delivering a wide choice of high quality homes
Part 7 - Requiring good design
Part 8 - Promoting Healthy Communities
Part 10 - Meeting the challenge of climate change, flooding and coastal change
Part 11 - Conserving and enhancing the natural environment
Part 12 - Conserving and enhancing the historic environment

Other Material Considerations

On 3 September 2015 a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land as required by paragraph 47 of the NPF. In such circumstances paragraph 49 is engaged, this states:-

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

CONSULTATIONS

Ansford Parish Council – initially recommended refusal:-

- *Traffic & Highway safety - Concern were raised re the access for the proposed development out onto the already busy Station Road - with regard to both safety at the location of the proposed access and overloading of the existing local traffic infrastructure.*
- *Overloading of existing drainage & sewerage infrastructure*
- *This application is not consistent with the development plan for the area - Proposed development is outside of the existing development boundary and a greenfield site isolated at some distance to the centre of the village of Ansford.*
- *Scale of the development - A development of up to 75 dwellings is too large for a village the size of Ansford.*
- *No Ansford specific housing needs survey has taken place and concerns were raised with regard to there being enough industry within the local area to support this level of growth along with queries that no information as to proposed levels of affordable housing being provided.*

Concerns raised that the housing land supply required for the area would be 112 whereas the current total for applications reached 325 homes - therefore this application would increase the oversupply for the area.

Castle Cary Town Council (adjoining) – originally objected on the grounds of an inaccurate

traffic assessment, lack of employment provision, lack of necessary infrastructure and risk to road safety. Concerns also raised regarding the character of the land and area. Following discussions with the developer the Town Council consider:-

Subsequently the Town council has reviewed its position and provided the following statement:-

“There have been five outline planning applications (480 houses in total) within the area around Station Road and Torbay Road that have been submitted to Castle Cary Town Council and Ansford Parish Council for their approval during the past five months. However because four of these have not been supported, they have all been taken to appeal.

“Government policy (National Planning Policy Framework) dictates that Planning Inspectors should support development unless there is a clear and defensible reason for not doing so. Furthermore, South Somerset District Council is unable to demonstrate that they have a 5year supply of housing land as required by the NPPF. As such, the council is in a weaker position to resist housing schemes that do not have a significant adverse impact. This means that Castle Cary could end up with far more dwellings than the 378 we are required to have built between 2009 and 2028 according to the South Somerset District Council local plan.

“If the Planning Inspectorate approves the applications, the houses will be built and the ability for the community to influence the development will be severely restricted if not totally eroded.

“Castle Cary Town Council recognises that some development is necessary for the town and with this in mind the planning committee met to discuss and reconsider their previous decisions on the planning applications for the land south of Station Road and west of Torbay Road.

“The first application (reference 15/02347/OUT) to build 165 houses, provide employment land and possibly build a new Primary school has been resubmitted by Jones Lang LaSalle Ltd on behalf of Donne Holdings and Somerset County Council. There have been ongoing negotiations with the agent, Mr James McMurdo which have recently resulted in some agreed conditions that have enabled Castle Cary Town Council to support this outline application. It will now proceed to Area East in October.

“The second application (reference 15/02388/OUT) to build 75 houses again resulted in negotiations with Mr Kevin Bird of the Silverwood Partnership and the agreed conditions have meant that Castle Cary Town Council will support the application and it too will proceed to Area East.

“We believe that supporting and influencing these two initial applications is the only way we can defend Castle Cary against other inappropriate applications which have been submitted and limit the size of housing developments to a more acceptable level for the town.”

SCC Highways Officer - has reviewed the submission and considered the overall benefits and dis-benefits of this proposal and concludes that there is no highway reason why permission could not be granted subject to the S106 obligations to secure the off-site highways works and travel plan measures and conditions to safeguard highways safety.

SSDC Policy Officer – offers the following comments:-

The starting point for decision-making remains the statutory development plan, which is the

South Somerset Local Plan (2006 – 2028).

In reaching a conclusion on whether the proposal is or is not in accordance with the development, having regard to material considerations, the decision-maker will have to take account of the following points:

- Policy SS1 identifies Ansford/Castle Cary as a 'Local Market Town'. It sets out Ansford/Castle Cary's position in the settlement strategy relative to the other larger and smaller settlements in the district. Policy SS1 sets the framework for achieving the levels of growth set out in Policy SS3 and Policy SS5, and the settlement-specific policies elsewhere in the local plan, namely for this proposal, Policy LMT1.
- Policy SS3 includes a requirement for an additional 8.9 hectares of employment land at Ansford/Castle Cary. The proposal does not include any provision for land for economic development.
- Policy SS5 sets out the overall housing requirement for South Somerset, and the specific housing targets for each main settlement. For Ansford/Castle Cary it advocates the delivery of at least 374 dwellings over the plan period and outlines a 'permissive approach' (prior to the adoption of the Site Allocations Development Plan Document) for the consideration of planning applications in the 'Direction of Growth'. The permissive approach is a policy mechanism to facilitate development applications to come forward and be considered in the context of the policy framework established in the local plan.
- Policy SS5 is clear that the scale of growth established for each settlement and the wider policy framework will be key considerations in carrying out the permissive approach, with an emphasis upon maintaining the established settlement hierarchy and ensuring sustainable levels of growth for all settlements. As such, the overall scale of growth identified for Ansford/Castle Cary and its role as a 'Local Market Town' in the context of the other settlements in the district, and specifically the 'Primary Market Towns' and 'Rural Centres' is a critical determinant.
- Policy LMT1 and Local Plan Inset Map 1 identify the 'Direction of Growth' for Ansford /Castle Cary. Policy LMT1 states that development for housing, employment and education will be north of Torbay Road and East and West of Station Road. As part of any growth proposal a road will be expected to be provided between Station Road and Torbay Road prior to the completion of the expansion. It is noted that the proposal is within the Direction of Growth, but does not provide for any land for employment or education. It can help facilitate a link between Torbay Road and Station Road through collaboration with the landowner to the south.

The NPPF is a material consideration in decision-making. The NPPF, at Paragraph 49, states that housing applications should be considered in the context of the presumption of in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites.

As noted above, the Council is currently unable to demonstrate a five-year supply of housing sites. Accordingly, those policies relevant to the supply of housing should not be considered up-to-date.

In this circumstance, Paragraph 14 of the NPPF states that for decision taking the presumption in favour of sustainable development means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

However, this is not the end of the matter. The recent High Court ruling by Justice Holgate (*Woodcock Holdings Ltd, CO/4594/2014*) (May 2015) confirms that regard still needs to be had to policies deemed to be out-of-date, and they are not simply to be ignored or disavowed. The ruling also re-iterates that the weight that should be attributed to policies relevant to the supply of housing, which are not up-to-date by effect of Paragraph 49 of the NPPF, is not defined. The ruling goes on to state that the weight which should be assigned to policies is a matter for the decision-maker to reach a conclusion on, based upon the severity of the shortfall, the reasons for the shortfall, and other relevant circumstances e.g. action being taken by the LPA to release land for housing to address the shortfall.

In reaching a conclusion on this proposal, it will be important for the decision-maker to consider the effect of Paragraph 49 and Paragraph 14 of the NPPF, and therefore what weight should be attributed to the policies relevant to the supply of housing in order to judge the degree of conflict with those policies.

Considering the application individually, and on its merits, the scale of development proposed (75 dwellings) is in accordance with Policy SS1 and Policy SS5. The proposal is within the Direction of Growth identified for Ansford/Castle Cary, but does not make provision for land for employment or education. It does help facilitate a link between Torbay Road and Station Road through collaboration with the landowner to the south, and is therefore broadly in accordance with Policy LMT1.

The decision-maker should be mindful of the cumulative impact of this proposal in conjunction with the other development proposals currently being considered in Ansford/Castle Cary. Having regard to previous completions, existing developments with planning permission, and those under consideration; the effect of this proposal would be to take the proposed scale of growth in Ansford/Castle Cary to 598 dwellings. This would represent a 60% increase over and above the planned level of growth for Ansford/Castle Cary as set out in Policy SS5 of the local plan. This cumulative level of growth would represent a substantial departure from Policy SS5 and would serve to undermine the balanced sustainable growth strategy set out in both Policy SS5 and Policy SS1.

It is accept that the concept of “at least” within Policy SS5 implies a degree of variance to the target figure of 374 dwellings for Ansford/Castle Cary. However, the figure is intended to cover the whole plan period and to confirm the proposed cumulative level of growth would mean that Ansford/Castle Cary is subject to development that exceeds its overall requirement by 224 dwellings or 60%, after only nine years of the local plan period.

Any notion that a greater proportion of housing within lower tier settlements can assist in making up shortfalls in housing provision elsewhere in the district would appear to undermine the strategy of directing large-scale growth towards the main settlements in the district as founded in Policy SS1 and Policy SS5. To do so would place in jeopardy the sustainable

growth strategy clearly set out in Policy SS1 and would therefore be contrary to the development plan, and contrary to the core principle of the NPPF which supports the plan-led system.

It is advocated therefore, but only on a cumulative basis, that the harms generated by this development, in terms of its contribution to the substantial increase in development, over and above the figures set out in Policy SS5, would lead to the disruption and dilution of the strategy set out in Policy SS1, and in so doing would significantly and demonstrably outweigh the benefits of the proposal.

Area Development – no comments received.

SCC Drainage (as LLFA): comments awaited. It is noted that previously no drainage concerns were raised by previous consultees.

SDDC Landscape Architect – no objection:-

“The issue of cumulative impact has been raised. I note that the emerging local plan sets out a minimum target of 374 houses for the (combined) settlement within the plan period, and the last advice I had received was that once current residential commitments are factored in, there remains a shortfall of 218 houses (though this figure may have changed in recent weeks). There is a current application to the immediate south of this site, i.e; app no. 15/02347 - Land off Torbay road, which also lays within the D-O-G and offers the potential delivery of 165 houses. In tandem with this site, the shortfall of housing is potentially reached and slightly exceeded. Whilst the two sites together is a substantial development footprint for the town to accommodate, there is also advantage in concentrating development growth in a single area, to thereby leave other arguably more sensitive margins of the settlement undisturbed. Consequently I do not raise landscape grounds as a basis for refusal to the principle of development of this site, though should this proposal proceed to a reserved matters application, I would wish to see a sympathetic relationship developed along the interface of the two sites.”

SCC Education Officer – notes other proposals in Castle Cary and considers that

“The local primary school will not have sufficient capacity to cater for these developments, so it will therefore be necessary to secure financial contributions through Section 106 of the Planning Act to provide enhanced educational facilities.

“A development of 75 dwellings creates the need for 15 school places, with a notional cost per place of £12,257, so contributions totalling £183,855 should be sought in this case in the event that the application is approved.”

SDDC Housing Officer – requests that 35% (rounded up to next whole number) should be provided as affordable housing with a minimum of two thirds (rounded up to next whole number) to be ‘social’ rent. Remainder could be other forms of affordable housing e.g. shared equity, market rent etc. Minimum space standards and pepper potting throughout site should be agreed. Where flats are to be provided they should have the outward appearance of houses, not monolithic blocks. Based on a schem of 75 houses the following mix of units is suggested:-

- 10 x 1 bed
- 10 x 2 bed
- 5 x 3 bed
- 1 x 4 bed

Leisure Policy: Note that there are 4 applications within the Direction of Growth and suggest that the following contributions are sought:-

- 15/02347/OUT Torbay Road 165 dwellings – on site large LEAP play area, on or off site youth facilities, all other obligations off site
- 15/04066/OUT Wayside Farm 125 dwellings - on site large LEAP play area, on or off site youth facilities, all other obligations off site
- 15/02388/OUT Land west of Station Road 75 dwellings - on site LEAP play area, on or off site youth facilities, all other obligations off site
- 15/02415/OUT Land east of Station Road 75 dwellings - on site LEAP play area, on or off site youth facilities, all other obligations off site

Also in this area is the approved application 13/03593/OUT Well Farm for 38 dwellings from which we sought off site contributions.

Ideally, we would like to be able to agree a single masterplan covering whichever sites are approved, so we can plan the location of the on-site facilities. For example if all the applications were approved, based on a total of 478 dwellings, we would aim to have a smaller number of larger on site facilities, particularly the equipped play and youth facilities in locations that serve one or more of the sites as follows:

- *Equipped play areas – 2 large play areas, 1 x NEAP and 1 x LEAP to cover the Station Road area*
- *Youth facilities – 1 youth facility such as a MUGA or skate park centrally located to cover this area*
- *Playing pitches and changing rooms – a scheme of nearly 500 dwellings could warrant some on site provision – approximately 2 senior football pitches and associated changing rooms, located on a single site, or off site contributions – this would require further consultation locally.*
- *Community halls – We would probably still seek off site contributions to improve existing provision in Castle Cary/Ansford, rather than a new hall*

This would also apply if for example 2 of the sites were approved, then again it would be preferable to be able to masterplan the on-site provision to best serve these 2 sites, rather than looking at each site individually.

The strategic distribution of facilities would either require us to plan the position of the on-site facilities at the edges of adjoining sites so that each site provides the required land and these are joined together to create a larger facility, centrally located to serve both developments. Alternatively, one or two sites give up more land to provide these larger facilities, and in order to compensate for this, we would seek land acquisition costs from the other sites in addition to the capital and commuted sum contributions.

Looked at in isolation it is suggested that this scheme provides an on-site LEAP of at least 500m² with 30m buffer zone to be provided and maintained by the developer. Contributions towards off-site mitigation measures to address increased demand for sport and recreation facilities are sought as follows:

- £12,500 towards provision of new youth facilities in Castle Cary/Ansford;
- £29,366 towards enhancement of existing pitches or provision of new grass or artificial pitches in Castle Cary/Ansford;
- £59,622 towards enhancement of existing changing rooms or provision of new changing rooms in Castle Cary/Ansford;

- £38,474 towards enhancement of existing community hall facilities in Castle Cary/Ansford.;
- £30,372 as a commuted sum towards the local facilities.
- Monitoring fee based on 1% of total

SDDC Ecologist – no objection subject to a condition to secure enhancements to biodiversity.

SDDC Climate Change Officer – no objection subject to consideration solar orientation and the use of photovoltaics at the reserved matters stage.

SDDC Tree Officer – no objection subject to serving a provisional TPO on the most ‘valuable’ trees and a condition to agree tree protection measures.

SDDC Environmental Protect Officer – no objection subject to safeguarding conditions to minimise disruption during the construction phase.

SDDC Open Spaces Officer – no objection subject to consideration of the on-site open space at the reserved matters stage.

SCC Rights of Way – no objection subject to an informative to remind developer not to obstruct the rights of way and to secure an necessary diversion order.

SCC Archaeologist – accepts that there are limited or no archaeological implications and raises no objection.

Wessex Water: Confirms that there is capacity in the sewage treatment to accommodate predicted flows. Whilst there is limited capacity in the existing water supply network, this can be addressed by a Section 41 Agreement under the Water Industry Act. Notes that there are public foul sewers crossing the site and advises that there should be no building within 3m or tree planting with 6m of these. No objection subject to conditions to agree detail of foul water and surface water, the technical detail of which would also be looked at through Wessex Water’s adoption procedures.

Wales & West Utilities – no objection in relation gas pipes.

Somerset Wildlife Trust – accepts the findings and recommendation of Ecological Appraisal and Protected Species Survey, recommends the inclusion bird boxes, appropriate landscaping and measures to minimise light pollution.

Network Rail – no objection or further observations to make.

REPRESENTATIONS

8 letters have been received raising the following concerns:-

- Inadequate traffic assessments
- Loss of high quality agricultural land/countryside
- Brownfield land should be used first
- Loss of habitat
- Lack of employment land
- Poor access arrangements
- Traffic impact on town centre

- Inadequate road network in Castle Cary/Ansford, particularly the B3153
- Impact on overstretched local services
- The town needs to grow but there too many houses proposed
- A neighbourhood plan should be produced first
- 'New villages' should be built

CONSIDERATIONS

This application has been submitted to invite the District Council to reconsider the proposal. The application is identical to that previously provided. The current inability of the Council to demonstrate a deliverable 5 year housing land supply is a material change in circumstances and is consider below.

Principle

As set out above, the starting point for decision-making is the statutory development plan, which is the South Somerset Local Plan (2006 – 2028). Adopted in March 2015, this provides the policy framework through which to make decisions on whether or not to grant planning permission for development in the district.

The lack of a five-year housing land supply means that relevant policies relating to the supply of housing should not be considered up-to-date. As such, proposals fall to be determined in light of Paragraph 14 which states that were development plan policies are out-of-date planning permission should be granted unless:-

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

According to the recent High Court decision (Woodcock Holdings Ltd) in reaching a conclusion, the relative weight to be attached to policies relevant to the supply which are no longer up-to-date needs to borne in mind; and used in addition to whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

In this instance, the site is within the Direction of Growth (identified by Policy LMT1). As such, whatever weight is to be attributed to Policy LMT1 due to the lack of a five-year housing land supply, the principle of development in this location is not disputed.

Based upon the comments provided above, on an individual basis the proposal is not contrary to Policy SS1 or Policy SS5.

However, it is important to have regard to the cumulative impact of the proposed scale of growth in Ansford/Castle Cary. On this basis, the proposed 4 schemes, if all were to be approved, would give rise to conflicts with Policy SS5 by virtue of generating a scale of development which is 60% higher than envisaged; and with Policy SS1 as it would threaten the overall settlement strategy for delivering growth across the district.

Nevertheless the benefits in terms of delivering 75 additional dwellings must be afforded considerable weight in the 'planning balance' to be struck between any harmful impacts stemming from this proposal and the acknowledged benefits.

Notwithstanding local concerns it is accepted that no technical consultee has raised an objection to this proposal, in its own right or cumulatively with the other schemes pending

determination within the Direction of Growth, in terms of highways impact, drainage, ecology or archaeology. Furthermore no infrastructure provider has objected to the scheme.

Accordingly subject to appropriate conditions and a S106 agreement to secure planning obligations in relation to education, affordable housing and leisure it is considered that no significant harm would arise in respect to these areas of concern.

Concerns have been raised with regard to the cumulative levels of development proposed within Castle Cary/Ansford and to the landscape impact of this proposal. There is also considerable local concern over the highways impact of the proposals with the Do. Notwithstanding the foregoing, this warrants specific consideration.

5 Year Housing Land Supply

Without a 5 year housing land supply paragraph 49 of the NNPF states that "*policies for the supply of housing should not be considered up-to-date*". In this instance it is accepted that policy LMT1, which seeks to direct housing development in Castle Cary Direction to the Direction of Growth, is affected, with further implications for the interpretation of policies SS1 and SS5.

As such proposals fall to be determined in light of paragraph 14 which states that were development plan policies are out-of-date planning permission should be granted unless:-

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

In this instance the site is within the Direction of Growth (DoG) allocated in the local plan for Ansford/Castle Cary. As such with or without a 5 years housing land supply the principle of development is not disputed. Nevertheless the benefits in terms of delivering 75 additional housing must be afforded considerable weight in the 'planning balance' to be struck between any harmful impacts stemming from this proposal and the acknowledged benefits.

Cumulative Impact of Level of Development in Castle Cary/Ansford

Policies SS1 and SS5 set the settlement strategy and levels of growth respectively. It is not considered that these policies are automatically rendered out-of-date by the lack of a five year housing land supply. SS1, in designating Castle Cary/Ansford a 'Market Town' within the hierarchy of settlements, has taken into account:-

"...the range of important roles a settlement fulfills in their local setting, in particular, where they provide jobs and services for their residents, and the residents of the surrounding areas and elsewhere. These towns are the focal points for locally significant development including the bulk of the district's housing provision outside Yeovil. This growth aims to increase the self- containment of these settlements and enhance their service role, reflecting the aspirations of national policy in promoting stronger communities." (para. 5.19, SSLP 2006-28)

Neither this proposal, nor any of the proposals within the DoG ,would change the services and facilities available in Castle Cary/Ansford beyond what is allocated in the local plan for this Local Market Town. Accordingly it is not considered that there is any justification to re-designate the town to a higher tier within the hierarchy of settlements simply because the Council cannot currently designate a 5 year housing land supply.

The level of growth across the District is set out in Policy SS5. The figure of 374 for Castle

Cary/Ansford is a minimum and any growth above this should be assessed on its merits. The current lack of a 5 year housing land supply is a material consideration of considerable weight however, it does not negate the local plan figure, or the permissive approach to applications within the DoG, which are considered to still have weight.

As at March 2015, 59 dwellings had been completed over the first 9 years of the plan period. A further 99 dwellings are committed, leaving at least 216 to be delivered over the remainder of the plan period. If permission were to be granted for all current proposals it would take the total number of houses committed in Ansford/Castle Cary to 598, 60% higher than that set out in Policy SS5. This is in excess of Ilminster's expected housing requirement figure (496 dwellings), even though Ilminster is categorised as a Primary Market Town.

Notwithstanding the lack of infrastructure concerns, as noted by the policy officer, the overall scale of growth may lead to a scale of housing growth that could threaten the settlement hierarchy and lead to an unsustainable pattern of growth. The level and pattern of growth and identified in the local plan has been subject to a detailed sustainability appraisal. Development fundamentally at odds with this plan has the potential to cause issues such as perpetuating out-commuting, deficits in infrastructure capacity and harm to the character of the settlement.

The submission of 4 separate applications, with no phased linkages, complicates consideration of the cumulative impact. As identified above there are clear concerns regarding the potential impacts should all 4 current schemes be approved. However, there are no guarantees that all approved schemes would be implemented. The local planning authority must therefore consider what would be a reasonable approach to the assessment of the potential cumulative impact.

Of the current proposals applications this proposal and the adjacent scheme (15/02347/OUT) have the advantage of being best located adjacent to the existing limits of development, bringing forward the range and type of development commensurate with policy LMT1 and proposing a level of residential development (240) that would only moderately exceed the level of envisaged by SS5. The proposal on the east side of station Road (15/02415/OUT) and that at Wayside Farm 15/04066/OUT do not relate well to the existing built form of Castle Cary/Ansford.

Accordingly it is considered that this proposal, which sits adjacent to the built edge of Castle Cary, and delivers a site for a new school, employment land, a link road and a level of development commensurate with that envisaged by policy LMT1 is acceptable subject to consideration of the detailed impacts. Other applications, further out into the DoG would need to be determined on the basis of their merits.

Impact on local landscape and visual amenity:

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

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

Residential Amenity

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

Highway Issues

Clearly there is significant local concern that traffic from this development may have a serious impact on the local road network. The applicant has provided a full transport statement, supplemented with additional information in response to the issues raised in the context of the previous submission and to address possible cumulative impacts identified by the screening process. Furthermore there are, in total, 3 traffic assessments submitted with the current applications in the Direction of Growth.

The County highways authority has looked at all three assessments and raises no objection to the detail of either point of access for which full approval is currently sought, nor have they objected to the wider impacts of additional traffic movements for example within the town or on South Cary Lane or along the A3153. Whilst the Committee have not previously accepted this position it is not considered that there is any evidence that points to a 'severe' impact on highways safety or capacity and as such it is not considered that a refusal on these grounds could be sustained.

On this basis, subject to the conditions suggested by the highways authority it is considered that the highways impacts of the proposal would not be severe and as such the scheme complies with policies LMT1, TA5 and TA6 and the policies contained within the NPPF.

With regard to the link road, whilst there may be an aspiration for a new road to directly link the existing employment area to Station Road is this not specified by policy LMT1 which simply states that a link between Torbay Road and Station Road should be provided. The county highway authority does not require an alternative to Blackworthy Road as a means of access to the industrial area and there is no evidence that the existing road network could not accommodate additional HGV movements on the existing routes to and from the Torbay Road industrial area.

The applicant points to the need for improvements to the junction of Station Road and the A371 should HGV traffic be directed towards Station Road. Such works would require third party land which is not in the ownership of either the applicant or the highway authority. Additionally any HGV access to Station Road would require a new junction to the north on the bend on Station Road as the alignment of the road prevents two HGVs passing safely. This land is not in the applicant's ownership. Finally there is a ransom strip between the existing employment land and the site which makes the delivery of a road in this position unviable.

Other Issues

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

The preference to retain the school in the town centre is understanding. However it is a constrained site where there are limited options to expand. As the chair of governors notes

there may come a time when children's education may suffer, at which point alternatives would have to be considered. The approval of this application would simply create the option to move the school to this site. There would of course be a range of other (non-planning) factors to be considered before the final decision could be made.

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

Planning Obligations

The proposed development will result in an increased demand for outdoor play space, sport and recreation facilities and in accordance with policies HW1 an off-site contribution towards the provision and maintenance of these facilities is requested along with an on-site LEAP equating to an overall total of £172,036 or £2,294 per dwelling.

The county council requests an education contribution of £183,855 together with Travel Planning measures.

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

Conclusion:

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

No adverse impacts on highways safety, archaeology landscape, ecology, drainage or residential amenity have been identified that justify withholding planning permission. On this basis, and with or without a 5 years housing land supply the proposal is considered to be an acceptable form of development that would deliver much needed housing in accordance with the policies of the Local Plan, and the aims and provisions of the NPPF.

RECOMMENDATION

- (a) That, application reference 15/02388/OUT be approved subject to the prior completion of a section 106 planning agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to secure:-
 - (i) Contributions towards offsite recreational infrastructure, to the satisfaction of the Assistant Director (Wellbeing) broken down as:
 - £12,500 towards provision of new youth facilities in Castle Cary/Ansford;
 - £29,366 towards enhancement of existing pitches or provision of new grass or artificial pitches in Castle Cary/Ansford;
 - £59,622 towards enhancement of existing changing rooms or provision of new changing rooms in Castle Cary/Ansford;

- £38,474 towards enhancement of existing community hall facilities in Castle Cary/Ansford.;
 - £30,372 as a commuted sum towards the local facilities.
 - Monitoring fee based on 1% of total
- (ii) The provision of an on-site LEAP to the satisfaction of the Assistant Director (Wellbeing).
- (iii) At least 35% of the dwellings as affordable dwellings of a tenure and mix that is acceptable to the Corporate Strategic Housing Manager.
- (iv) an education contribution of £183,855 to the satisfaction of the Development Manager in consultation with the County Education Authority
- (v) Travel Planning measures to the satisfaction of the Development Manager in consultation with the County Highways Authority

and the following conditions.

- (b) That no evidence be offered in relation to the appeal against the non-determination of application 14/02906/OUT, subject to the completion of a S106 agreement as outlined above.

Justification:

Notwithstanding the local concerns, by reason of the range of services and facilities to be found in the locality this is considered to be a sustainable location in principle for appropriate development. The erection of up to 75 dwellings would make provision for enhancements to community facilities and would contribute to the supply of local housing without undue impacts in terms of landscape, residential amenity, ecology, drainage or highway safety impacts and would respect the setting of nearby heritage assets. As such the proposal accords with the policies of the South Somerset Local Plan 2006 - 2028 and the provisions of the National Planning Policy Framework.

Subject to the following conditions:

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

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

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin not later than 3 years from the date of this permission or not later than 2 years from the approval of the last “reserved matters” to be approved.

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

03. The development hereby permitted shall be carried out on the land identified on the location plan submitted with the application received 11/05/15.

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

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

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

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

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

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

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

07. Prior to the commencement of the dwellings hereby approved details of measures for the enhancement of biodiversity, which shall include the provision of bat, swallow and swift boxes and a time scale for delivery of all such measures, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

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

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

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

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

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

10. The development hereby permitted shall not commence unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction operation hours, construction vehicular routes to and from site, construction delivery hours, car parking for contractors and specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. Once approved the development shall be carried out in accordance with the approved Construction Management Plan.

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

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

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

12. The access to the site shall be formed generally in accordance with the details shown on drawing 01, the full details of which shall be submitted to and approved in writing by the local planning authority prior to its commencement.

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

13. No works shall commence on the development hereby permitted until details of the off-site highway works shown on the submitted drawings have been submitted to and approved in writing by the Local Planning Authority. Such works shall then be fully constructed in accordance with the approved plan to an agreed specification before the development is first brought into use.

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

14. There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of both accesses and extending to points on the nearside carriageway 43m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

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

15. The development hereby permitted shall not be commenced until there has been submitted to, and approved in writing by the Local Planning Authority, the details of the phasing of the development hereby approved. Such phasing shall take into account any other development within the Direction of Growth for which planning permission has been granted or for which there is a resolution to approve.

Reason: In the interest of securing the proposal phased and planned growth of Castle Cary in accordance with policy LMT1 and the policies contained within the National planning Policy Framework.

Informatives

1. You are reminded that development, insofar as it affects a right of way should not be started and the right of way should be kept open for public use until the necessary diversion/stopping up order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.
2. You are reminded that there should be no removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, ivy or other climbing plants) nor works to or demolition of buildings or structures that may be used by nesting birds, shall be carried out between 1st March and 31st August inclusive in any year, unless previously checked by a competent person for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have left the nest.
3. You are reminded that parking provision should be in line with the Somerset County Council Parking Strategy.
4. It is suggested that a Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
5. You are reminded that no work should commence on the development site until the appropriate rights of discharge for surface water have been obtained.

Agenda Item 22

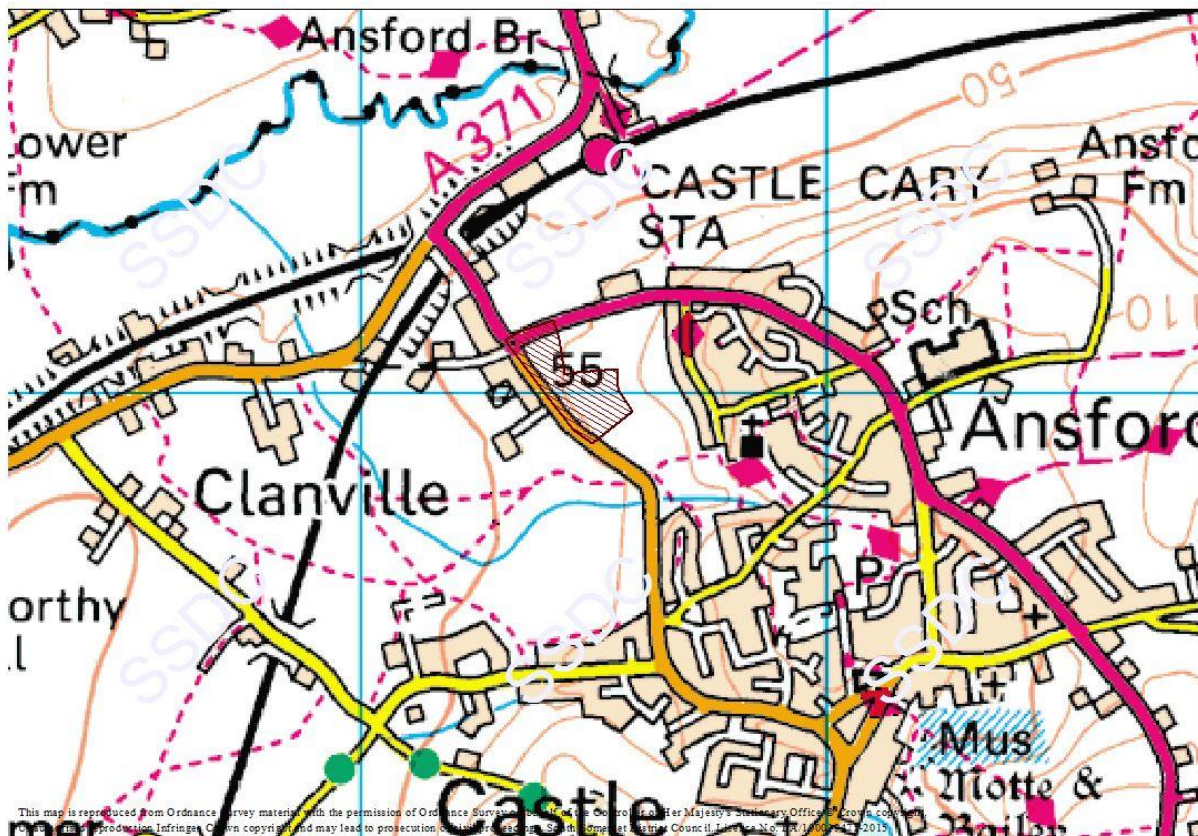
Officer Report On Planning Application: 15/02415/OUT

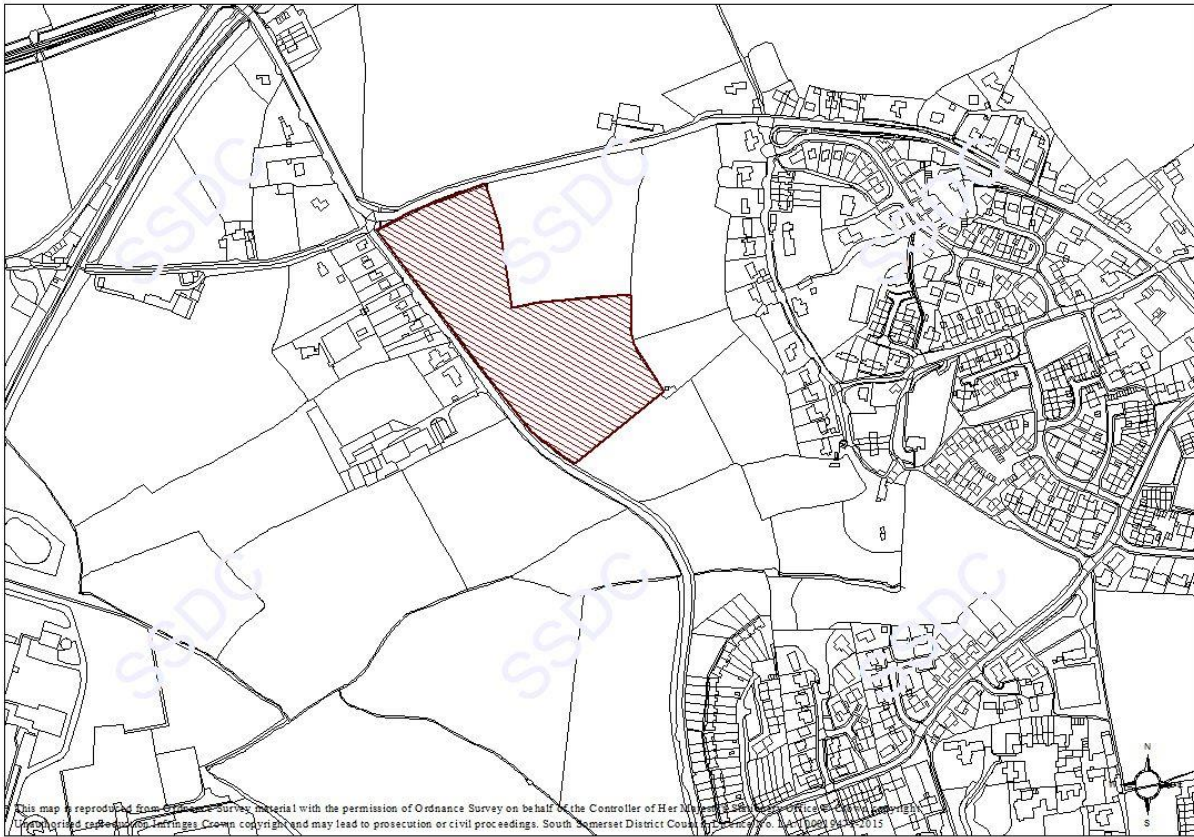
Proposal :	Residential development of up to 75 dwellings, with associated means of access with all other matters reserved (appearance, landscaping, layout and scale)
Site Address:	Land OS 4700 Station Road Ansford
Parish:	Ansford
CARY Ward (SSDC Member)	Cllr N Weeks Cllr H Hobhouse
Recommending Case Officer:	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date :	25th August 2015
Applicant :	The Silverwood Partnership
Agent: (no agent if blank)	D2 Planning, Suites 3 And 4, Westbury Court, Church Road, Westbury On Trym, Bristol, BS9 3EF
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the suggestion of the Development Manager with the agreement of the Chair to enable the local issues raised to be debated and for Members to (a) determine this application and (b) make a resolution with respect to the appeal against the non-determination of the previous application on this site.

SITE DESCRIPTION AND PROPOSAL





This 2.9 hectare site lies on the east side Station Road just short of the junction with the A371. It is bounded by Station Road and the A371 to the west and north respectively and agricultural land to the south and east. There is a linear group of residential properties on the west side of Station Road. The site is currently a single field (grade 2 agricultural land) in agricultural use, and is within the 'Direction of Growth' (DoG) for the town as set out in Policy LMT1 of the South Somerset Local Plan (2006 – 2028).

The proposal, which is an identical resubmission of a previous application (15/00519/OUT), seeks outline permission for up to 75 with an access from Station Road positioned in the middle of the west side of the site. All other matters are 'reserved'.

The application is a resubmission of a previous, identical proposal. That earlier application is now subject to an appeal against non-determination.

The application is supported by:-

- Design and Access Statement
- Planning Statement
- Transport Assessment
- Cumulative Traffic Assessment
- Statement of Community Engagement
- Preliminary Landscape and Visual Appraisal
- Ecological Appraisal
- Surface Water Drainage and Flood Risk assessment
- Odour assessment
- Detailed drawing of the proposed access

Draft heads of terms have been submitted in anticipation of planning obligations in respect of affordable housing, education, open space and highways. An additional briefing note has been provided (04/06/15) in response to suggestions that an HGV route be provided from the Torbay Road industrial area to Station Road.

PLANNING HISTORY:

53065a Permission refused for residential development and access (23/06/61).

53065/B Permission refused for residential development (13/07/61).

These refusals covered a larger site. Subsequently this site was omitted and approvals were given covering the land to the east.

15/00519/OUT Up to 75 dwellings on land east of Station Road - appeal lodged against non-determination.

15/00784/EIASS Negative Screening Opinion given (13/02/15), this concluded:-

“...the Council is of the opinion that the proposed development of up to 75 houses would not, when considered cumulatively with other developments in the locality, have significant environmental effects beyond the locality. Such local impacts would not be of such significance that an environmental impact assessment under the above regulations is required. Accordingly an environmental statement is not required for the purposes of environmental impact assessment.”

OTHER RELEVANT SCHEMES

There are a number of schemes for residential development with the Castle Cary Direction of Growth, namely:-

13/03593/OUT Outline approval for residential development at Well Farm, Lower Ansford. An application for the approval of reserved matters for up to 40 dwellings has now been submitted (15/03441/REM).

14/02020/OUT Outline planning permission refused:-

It has not been adequately demonstrated that the local road network can satisfactorily accommodate the level of traffic likely to be generated by this development without severe adverse impact on highways safety. As such the proposal is contrary to policy TA5 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

An appeal has been lodged against this refusal. At the time of writing this has not been validated, however a resubmission to the Council is pending determination (15/02347/OUT).

14/02906/OUT Up to 75 dwellings on land to the west of Station Road, Castle Cary. Appeal lodged against non-determination. A resubmission has been lodged with the Council (15/02388/OUT), decision pending.

14/05623/OUT Up to 125 dwellings at Wayside Farm, Station Road, Castle Cary. Appeal lodged against non-determination. A resubmission has been lodged with the Council (15/04066/OUT) decision pending.

The Planning Inspectorate have agreed to a co-joined public inquiry (at a date to be confirmed) to consider all 4 appeals within the Direction of Growth.

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

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

15/00372/CPO County resolution to approve a waste transfer station at Dimmer Waste Management Centre subject to s106.

POLICY

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

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

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

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

SS3 – Delivering New Employment Land – sets out a need for 18.97 hectares of employment land for Ansford/Castle Cary over the plan period. To date 10.07 ha have been delivered with the remaining 8.9ha to be delivered between now and 2028.

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

SS5 – Delivering New Housing Growth – sets out a need for at least 374 houses in Ansford/Castle Cary over the plan period. As at March 2015 59 dwellings had been completed in the first 9 years of the plan period, with a further 99 committed (i.e. under construction or with extant permission), meaning that there is a need for at least further 216 dwellings to be delivered by 2028.

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

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

SD1- Sustainable Development

SS6 – Infrastructure Delivery

SS7 – Phasing of Previously Developed Land

HG3 – Provision of affordable Housing

HG5 – Achieving a Mix of Market Housing
TA1 – Low carbon travel
TA4 – Travel Plans
TA5 – Transport Impact of New development
TA6 – Parking Standards
HW1 – Provision of open space, outdoor playing space, cultural and community facilities in new development
EQ1 – Addressing Climate Change in South Somerset
EQ2 – General development
EQ3 – Historic Environment
EQ4 – Biodiversity
EQ5 – Green Infrastructure
EQ7 – Pollution Control

National Planning Policy Framework

Part 1 - Building a strong, competitive economy
Part 4 - Promoting sustainable transport
Part 6 - Delivering a wide choice of high quality homes
Part 7 - Requiring good design
Part 8 - Promoting Healthy Communities
Part 10 - Meeting the challenge of climate change, flooding and coastal change
Part 11 - Conserving and enhancing the natural environment
Part 12 - Conserving and enhancing the historic environment

Other Material Considerations

On 3 September 2015 a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land as required by paragraph 47 of the NPF. In such circumstances paragraph 49 is engaged, this states:-

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

CONSULTATIONS

Ansford Parish Council: Recommend refusal on the grounds:-

- *This is a **grazed greenfield site** and located at a distance from the local community facilities within Ansford and Castle Cary*
- ***Overloading of local infrastructure** - with particular concerns being raised with regard to the **local sewerage system** and the **capacity of roads** in the area - a cumulative impact assessment is required due to the number of developments being proposed for this area and should be requested prior to any decision being made.*
- *This application will add to an **over development of the parish** which will cause it to exceed the numbers outlined within the local five year housing supply plan. [The number listed as required is 112, and although this application is for 75 there are applications in the system for well over 300 homes already.] Ansford has approximately 450 occupied homes in total at present - the impact on the local **community** needs to be taken into consideration.*

Castle Cary Town Council (adjacent): do not support the application as *“it represents a further serious overdevelopment.”*

Subsequently the Town Council has reviewed its position and provided the following statement:-

“There have been five outline planning applications (480 houses in total) within the area around Station Road and Torbay Road that have been submitted to Castle Cary Town Council and Ansford Parish Council for their approval during the past five months. However because four of these have not been supported, they have all been taken to appeal.

“Government policy (National Planning Policy Framework) dictates that Planning Inspectors should support development unless there is a clear and defensible reason for not doing so. Furthermore, South Somerset District Council is unable to demonstrate that they have a 5year supply of housing land as required by the NPPF. As such, the council is in a weaker position to resist housing schemes that do not have a significant adverse impact. This means that Castle Cary could end up with far more dwellings than the 378 we are required to have built between 2009 and 2028 according to the South Somerset District Council local plan.

“If the Planning Inspectorate approves the applications, the houses will be built and the ability for the community to influence the development will be severely restricted if not totally eroded.

“Castle Cary Town Council recognises that some development is necessary for the town and with this in mind the planning committee met to discuss and reconsider their previous decisions on the planning applications for the land south of Station Road and west of Torbay Road.

“The first application (reference 15/02347/OUT) to build 165 houses, provide employment land and possibly build a new Primary school has been resubmitted by Jones Lang LaSalle Ltd on behalf of Donne Holdings and Somerset County Council. There have been ongoing negotiations with the agent, Mr James McMurdo which have recently resulted in some agreed conditions that have enabled Castle Cary Town Council to support this outline application. It will now proceed to Area East in October.

“The second application (reference 15/02388/OUT) to build 75 houses again resulted in negotiations with Mr Kevin Bird of the Silverwood Partnership and the agreed conditions have meant that Castle Cary Town Council will support the application and it too will proceed to Area East.

“We believe that supporting and influencing these two initial applications is the only way we can defend Castle Cary against other inappropriate applications which have been submitted and limit the size of housing developments to a more acceptable level for the town.”

County Highways: confirms that they have reviewed the submission and considered the overall benefits and dis-benefits of this proposal and recommends that there is no highway reason why permission could not be granted subject to the S106 obligations and conditions. However the TA is considered poor, although traffic is unlikely to result in a “severe” impact on the highway. Clarification of the potential impacts is requested.

Planning Policy: the following comments are provided:-

The starting point for decision-making remains the statutory development plan, which is the South Somerset Local Plan (2006 – 2028).

In reaching a conclusion on whether the proposal is or is not in accordance with the development, having regard to material considerations, the decision-maker will have to take account of the following points:

- Policy SS1 identifies Ansford/Castle Cary as a 'Local Market Town'. It sets out Ansford/Castle Cary's position in the settlement strategy relative to the other larger and smaller settlements in the district. Policy SS1 sets the framework for achieving the levels of growth set out in Policy SS3 and Policy SS5, and the settlement-specific policies elsewhere in the local plan, namely for this proposal, Policy LMT1.
- Policy SS3 includes a requirement for an additional 8.9 hectares of employment land at Ansford/Castle Cary. The proposal does not include any provision for land for economic development.
- Policy SS5 sets out the overall housing requirement for South Somerset, and the specific housing targets for each main settlement. For Ansford/Castle Cary it advocates the delivery of at least 374 dwellings over the plan period and outlines a 'permissive approach' (prior to the adoption of the Site Allocations Development Plan Document) for the consideration of planning applications in the 'Direction of Growth'. The permissive approach is a policy mechanism to facilitate development applications to come forward and be considered in the context of the policy framework established in the local plan.
- Policy SS5 is clear that the scale of growth established for each settlement and the wider policy framework will be key considerations in carrying out the permissive approach, with an emphasis upon maintaining the established settlement hierarchy and ensuring sustainable levels of growth for all settlements. As such, the overall scale of growth identified for Ansford/Castle Cary and its role as a 'Local Market Town' in the context of the other settlements in the district, and specifically the 'Primary Market Towns' and 'Rural Centres' is a critical determinant.
- Policy LMT1 and Local Plan Inset Map 1 identify the 'Direction of Growth' for Ansford /Castle Cary. Policy LMT1 states that development for housing, employment and education will be north of Torbay Road and East and West of Station Road. As part of any growth proposal a road will be expected to be provided between Station Road and Torbay Road prior to the completion of the expansion. It is noted that the proposal is within the Direction of Growth, but does not provide for any land for employment or education. The scheme does facilitate a link between Station Road and Torbay Road.

The NPPF is a material consideration in decision-making. The NPPF, at Paragraph 49, states that housing applications should be considered in the context of the presumption of in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites.

As noted above, the Council is currently unable to demonstrate a five-year supply of housing sites. Accordingly, those policies relevant to the supply of housing should not be considered up-to-date.

In this circumstance, Paragraph 14 of the NPPF states that for decision taking the presumption in favour of sustainable development means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

However, this is not the end of the matter. The recent High Court ruling by Justice Holgate (*Woodcock Holdings Ltd, CO/4594/2014*) (May 2015) confirms that regard still needs to be had to policies deemed to be out-of-date, and they are not simply to be ignored or disavowed. The ruling also re-iterates that the weight that should be attributed to policies relevant to the supply of housing, which are not up-to-date by effect of Paragraph 49 of the NPPF, is not defined. The ruling goes on to state that the weight which should be assigned to policies is a matter for the decision-maker to reach a conclusion on, based upon the severity of the shortfall, the reasons for the shortfall, and other relevant circumstances e.g. action being taken by the LPA to release land for housing to address the shortfall.

In reaching a conclusion on this proposal, it will be important for the decision-maker to consider the effect of Paragraph 49 and Paragraph 14 of the NPPF, and therefore what weight should be attributed to the policies relevant to the supply of housing in order to judge the degree of conflict with those policies.

Considering the application individually, and on its merits, the scale of development proposed (75 dwellings) is in accordance with Policy SS1 and Policy SS5. The proposal is within the Direction of Growth identified for Ansford/Castle Cary, but does not make provision for land for employment or education, and does not facilitate a link between Torbay Road and Station Road. As such, it is therefore not fully in accordance with Policy LMT1.

The decision-maker should be mindful of the cumulative impact of this proposal in conjunction with the other development proposals currently being considered in Ansford/Castle Cary. Having regard to previous completions, existing developments with planning permission, and those under consideration; the effect of this proposal would be to take the proposed scale of growth in Ansford/Castle Cary to 598 dwellings. This would represent a 60% increase over and above the planned level of growth for Ansford/Castle Cary as set out in Policy SS5 of the local plan. This cumulative level of growth would represent a substantial departure from Policy SS5 and would serve to undermine the balanced sustainable growth strategy set out in both Policy SS5 and Policy SS1.

It is accept that the concept of “at least” within Policy SS5 implies a degree of variance to the target figure of 374 dwellings for Ansford/Castle Cary. However, the figure is intended to cover the whole plan period and to confirm the proposed cumulative level of growth would mean that Ansford/Castle Cary is subject to development that exceeds its overall requirement by 224 dwellings or 60%, after only nine years of the local plan period.

Any notion that a greater proportion of housing within lower tier settlements can assist in making up shortfalls in housing provision elsewhere in the district would appear to undermine the strategy of directing large-scale growth towards the main settlements in the district as founded in Policy SS1 and Policy SS5. To do so would place in jeopardy the sustainable growth strategy clearly set out in Policy SS1 and would therefore be contrary to the

development plan, and contrary to the core principle of the NPPF which supports the plan-led system.

It is advocated therefore, but only on a cumulative basis, that the harms generated by this development, in terms of its contribution to the substantial increase in development, over and above the figures set out in Policy SS5, would lead to the disruption and dilution of the strategy set out in Policy SS1, and in so doing would significantly and demonstrably outweigh the benefits of the proposal.

SSDC Landscape Officer – considers there to be landscape grounds for refusal:-

“The fields lay within the scope of the peripheral landscape study (PLS) of Castle Cary (and Ansford) which was undertaken during May 2008. This study reviewed the settlement’s immediate surrounds with the objective of identifying land that has a capacity for development, looking both at the character of the town’s peripheral landscape, and the visual profile and relationship of open land adjacent the town’s edge.

“The outcome of the study is represented by ‘figure 5 – landscape capacity’, which is a graphic summary of the preceding evaluation. Fig 5 indicates that the fields that are the subject of this application are evaluated as having a moderate capacity to accommodate built development. Whilst this evaluation indicates some potential limited scope for development, the application site was not identified as the favoured location for development presence adjacent the town by the PLS. It does however, lay within the direction of growth (D-O-G) proposed by the newly adopted local plan, which would infer that an appropriately balanced development proposal may be permissible to meet the scale of development proposed for Castle Cary (& Ansford) by the local plan.

“The emerging local plan sets out a minimum target of 374 houses for the settlement within the plan period, and I am advised that once current residential commitments are factored in, there remains a shortfall of 218 houses. There are currently three applications to the south of this site, and west of Station Road, i.e; app no. 14/02020 - Land off Torbay road; app. 14/02906 - Land W of Station Road, and app. 14/05623 – Wayside farm, Ansford, which all lay within the D-O-G and offer the potential delivery of a further 355 houses. As such, the shortfall of housing is potentially both reached and substantially exceeded. This site lays beyond (to the north) of these earlier applications, and by comparison is not well-related to the town’s edge. Taken in tandem with the earlier applications, it would contribute to a scale of development that is at variance with the scale of the current settlement, and nowhere do we have a cumulative impact assessment before us, which include the three sites to the south/southeast, to argue to the contrary. Given the site’s poor relationship with the core of Castle Cary; its limited relationship with those areas where built development is anticipated; and its projection into open farmland; along with the potential adverse effect of cumulative development impact, I consider there to be landscape grounds for refusal.”

SCC Drainage (as LLFA): comments awaited. It is noted that previously no drainage concerns were raised by previous consultees.

Leisure Policy: Note that there are 4 applications within the Direction of Growth and suggest that the following contributions are sought:-

- 15/02347/OUT Torbay Road 165 dwellings – on site large LEAP play area, on or off site youth facilities, all other obligations off site
- 15/04066/OUT Wayside Farm 125 dwellings - on site large LEAP play area, on or off site youth facilities, all other obligations off site

- 15/02388/OUT Land west of Station Road 75 dwellings - on site LEAP play area, on or off site youth facilities, all other obligations off site
- 15/02415/OUT Land east of Station Road 75 dwellings - on site LEAP play area, on or off site youth facilities, all other obligations off site

Also in this area is the approved application 13/03593/OUT Well Farm for 38 dwellings from which we sought off site contributions.

Ideally, we would like to be able to agree a single masterplan covering whichever sites are approved, so we can plan the location of the onsite facilities. For example if all the applications were approved, based on a total of 478 dwellings, we would aim to have a smaller number of larger on site facilities, particularly the equipped play and youth facilities in locations that serve one or more of the sites as follows:

- Equipped play areas – 2 large play areas, 1 x NEAP and 1 x LEAP to cover the Station Road area
- Youth facilities – 1 youth facility such as a MUGA or skate park centrally located to cover this area
- Playing pitches and changing rooms – a scheme of nearly 500 dwellings could warrant some on site provision – approximately 2 senior football pitches and associated changing rooms, located on a single site, or off site contributions – this would require further consultation locally.
- Community halls – We would probably still seek off site contributions to improve existing provision in Castle Cary/Ansford, rather than a new hall

This would also apply if for example 2 of the sites were approved, then again it would be preferable to be able to masterplan the on site provision to best serve these 2 sites, rather than looking at each site individually.

The strategic distribution of facilities would either require us to plan the position of the on site facilities at the edges of adjoining sites so that each site provides the required land and these are joined together to create a larger facility, centrally located to serve both developments. Alternatively, one or two sites give up more land to provide these larger facilities, and in order to compensate for this, we would seek land acquisition costs from the other sites in addition to the capital and commuted sum contributions.

Looked at in isolation it is suggested that this scheme provides an on-site LEAP of at least 500m² with 30m buffer zone to be provided and maintained by the developer. Contributions towards off-site mitigation measures to address increased demand for sport and recreation facilities are sought as follows:

- £12,500 towards provision of new youth facilities in Castle Cary/Ansford;
- £29,366 towards enhancement of existing pitches or provision of new grass or artificial pitches in Castle Cary/Ansford;
- £59,622 towards enhancement of existing changing rooms or provision of new changing rooms in Castle Cary/Ansford;
- £38,474 towards enhancement of existing community hall facilities in Castle Cary/Ansford.;
- £30,372 as a commuted sum towards the local facilities.
- Monitoring fee based on 1% of total

SSDC Housing Officer – requests that 35% (rounded up to next whole number) should be provided as affordable housing with a minimum of two thirds (rounded up to next whole

number) to be 'social' rent. Remainder could be other forms of affordable housing e.g. shared equity, market rent etc. Minimum space standards and pepper potting throughout site should be agreed. Where flats are to be provided they should have the outward appearance of houses, not monolithic blocks. The following mix is requested (on the basis of 75 units):-

- 8 x 1 bed
- 10 x 2 bed
- 7 x 3 bed
- 1 x 4 bed

County Education: A development of 75 dwellings would require 15 primary school places, with a notional cost of £12,257 per place, so contributions totalling £183,855 should be secured in this instance

SSDC Tree Officer – The major hedgerow Ash trees and the x 2 Oaks in the middle of the site have all been made the subject of a Tree Preservation Order. Provided that these protected trees can be accommodated into a future layout in a sustainable manner and subject to a condition to agree tree protection measures, no objections are raised.

SSDC Open Spaces Officer – no objection subject to consideration of the detail of the on-site open space at the reserved matters stage.

Wessex Water: Confirms that there is capacity in the sewage treatment to accommodate predicted flows. Whilst there is limited capacity in the existing water supply network, this can be addressed by a Section 41 Agreement under the Water Industry Act. Notes that there are public foul sewers crossing the site and advises that there should be no building within 3m or tree planting with 6m of these. No objection subject to conditions to agree detail of foul water and surface water, the technical detail of which would also be looked at through Wessex Water's adoption procedures.

Natural England - no objection subject to application of standing advice

SSDC Ecologist – notes the Ecological Appraisal (Crossman Associates, Nov 2014) and has visited the site. Raises no objection subject a layout being agreed at the reserved matters stage that retains the mature trees (2 oaks and 4 ashes are identified) and conditions to ensure updates bat and badger surveys are provided in support of subsequent reserved matters application.

County Archaeology: No objection.

REPRESENTATIONS

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

- Loss of greenfield/agricultural land;
- Previously used land should be developed first;
- Impact on wildlife;
- Impact on and loss of trees/hedges
- Cumulative impact of some 450 dwellings
- School cannot cope
- Poor access onto Station Road which is ill-suited to accommodate higher usage;
- Wider traffic impacts of additional usage;
- Noise from petfood factory

CONSIDERATIONS

This application has been submitted to invite the District Council to reconsider the proposal. The application is identical to that previously provided. The current inability of the Council to demonstrate a deliverable 5 year housing land supply is a material change in circumstances and is consider below.

Principle

As set out above, the starting point for decision-making is the statutory development plan, which is the South Somerset Local Plan (2006 – 2028). Adopted in March 2015, this provides the policy framework through which to make decisions on whether or not to grant planning permission for development in the district.

The lack of a five-year housing land supply means that relevant policies relating to the supply of housing should not be considered up-to-date. As such, proposals fall to be determined in light of Paragraph 14 which states that were development plan policies are out-of-date planning permission should be granted unless:-

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

According to the recent High Court decision (Woodcock Holdings Ltd) in reaching a conclusion, the relative weight to be attached to policies relevant to the supply which are no longer up-to-date needs to borne in mind; and used in addition to whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

In this instance, the site is within the Direction of Growth (identified by Policy LMT1). As such, whatever weight is to be attributed to Policy LMT1 due to the lack of a five-year housing land supply, the principle of development in this location is not disputed.

Based upon the comments provided above, on an individual basis the proposal is not contrary to Policy SS1 or Policy SS5.

However, it is important to have regard to the cumulative impact of the proposed scale of growth in Ansford/Castle Cary. On this basis, the proposed 4 schemes, if all were to be approved, would give rise to conflicts with Policy SS5 by virtue of generating a scale of development which is 60% higher than envisaged; and with Policy SS1 as it would threaten the overall settlement strategy for delivering growth across the district.

Nevertheless the benefits in terms of delivering 75 additional dwellings must be afforded considerable weight in the 'planning balance' to be struck between any harmful impacts stemming from this proposal and the acknowledged benefits.

Notwithstanding local concerns it is accepted that no technical consultee has raised an objection to this proposal, in its own right or cumulatively with the other schemes pending determination within the Direction of Growth, in terms of highways impact, drainage, ecology or archaeology. Furthermore no infrastructure provider has objected to the scheme.

Accordingly subject to appropriate conditions and a S106 agreement to secure planning obligations in relation to education, affordable housing and leisure it is considered that no significant harm would arise in respect to these areas of concern.

Concerns have been raised with regard to the cumulative levels of development proposed within Castle Cary/Ansford and to the landscape impact of this proposal. There is also considerable local concern over the highways impact of the proposals with the Do. Notwithstanding the foregoing, this warrants specific consideration.

5 Year Housing Land Supply

Without a 5 year housing land supply paragraph 49 of the NNPF states that "*policies for the supply of housing should not be considered up-to-date*". In this instance it is accepted that policy LMT1, which seeks to direct housing development in Castle Cary Direction to the Direction of Growth, is affected, with further implications for the interpretation of policies SS1 and SS5. As such proposals fall to be determined in light of paragraph 14 which states that where development plan policies are out-of-date planning permission should be granted unless:-

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

In this instance the site is within the Direction of Growth (DoG) allocated in the local plan for Ansford/Castle Cary. As such with or without a 5 years housing land supply the principle of development is not disputed. Nevertheless the benefits in terms of delivering 75 additional housing must be afforded considerable weight in the 'planning balance' to be struck between any harmful impacts stemming from this proposal and the acknowledged benefits.

Landscape Impact

Whilst it is accepted that this site is within then Direction of Growth it does not follow that all the of the DoG should be developed. Clearly the overall size of the DoG is far greater than in necessary to deliver the minimum level of growth envisaged by policy LMT1. Clearly that within the DoG there would be provision for employment land and educational facilities as proposed by LMT1 as well as open space as would be necessary to achieve a satisfactory layout of development. Such provision of open space would also be necessary to soften the edge of the built form where the new edge of the town meets the surrounding countryside. It will also necessary to provide open space to maintain the 'green gap' between to two distinct components of Castle Cary and Ansford.

The application provides no detail as to the layout of the development nor does it provide any certainty that the development could be linked or phased in any way with other developments within the DoG. It has been repeatedly suggested to all applicants within the DoG that a comprehensive approach should be adopted but none are willing to work together. Accordingly there can be no certainty about the phasing of any approved scheme. Whilst this may be less of a problem for sites that abut existing development, it creates a fundamental problem for sites such as this at the far end of the DoG where development in isolation would not normally be acceptable.

In this respect it is considered that this small pasture field is sensitive as it comprises part of an intricate small-scale field pattern of anciently (pre-17th century) enclosed land that has historic landscape value. Furthermore it forms part of the 'green infrastructure' corridor that separates the low-laying area of Station Road and its west-side dwellings, from the core of Ansford village on more elevated land. As such it provides visual separation of these two development areas.

Development of this site would result in the loss of some hedgerow boundary and would erode its function as a green corridor, potentially leading to a closer coalescence of Ansford with the

area of outlying development that lays to the west of Station road and separate from both settlements (Castle Cary and Ansford). Combined these factors could lead to an erosion of local distinctiveness.

Whilst the site lies within the DoG indicated by the local plan, DoGs are not indicative of development alone, and will incorporate green space, which needs to be planned as strategic green infrastructure, and presented as part of a development masterplan for the settlement. Without the re-assurance of a masterplan, then there is the potential that development of this site would adversely impact upon the character of both Ansford and Castle Cary and the open setting of their surrounds, contrary to policies EQ2 and EQ5.

In this instance it is considered that a development of 75 dwellings, isolated from the built form of Castle Cary and with clear separation from the only other approved scheme in the DoG at Well Farm, would have an unacceptable landscape impact. On this basis, and in the absence of an indicative layout and a proposal or mechanism to ensure a properly phased delivery, it cannot be concluded that the development would have an acceptable landscape impact. As such the proposal is contrary to policies EQ5 and EQ2.

This policy conflict should be balanced against the benefits in terms of the delivery of much need housing (including affordable housing) towards the Council's 5 year housing land supply. If delivered in isolation this proposal would constitute an alien and incongruous development set apart from the built form of the settlement. It is not considered that this clear harm would be outweighed by the benefits stemming from housing delivery to meet the Council's housing shortfall.

Cumulative Impact of Level of Development in Castle Cary/Ansford

Policies SS1 and SS5 set the settlement strategy and levels of growth respectively. It is not considered that these policies are automatically rendered out-of-date by the lack of a five year housing land supply. SS1, in designating Castle Cary/Ansford a 'Market Town' within the hierarchy of settlements, has taken into account:-

"...the range of important roles a settlement fulfills in their local setting, in particular, where they provide jobs and services for their residents, and the residents of the surrounding areas and elsewhere. These towns are the focal points for locally significant development including the bulk of the district's housing provision outside Yeovil. This growth aims to increase the self- containment of these settlements and enhance their service role, reflecting the aspirations of national policy in promoting stronger communities." (para. 5.19, SSLP 2006-28)

Neither this proposal, nor any of the proposals within the DoG ,would change the services and facilities available in Castle Cary/Ansford beyond what is allocated in the local plan for this Local Market Town. Accordingly it is not considered that there is any justification to re-designate the town to a higher tier within the hierarchy of settlements simply because the Council cannot currently designate a 5 year housing land supply.

The level of growth across the District is set out in Policy SS5. The figure of 374 for Castle Cary/Ansford is a minimum and any growth above this should be assessed on its merits. The current lack of a 5 year housing land supply is a material consideration of considerable weight however, it does not negate the local plan figure, or the permissive approach to applications within the DoG, which are considered to still have weight.

As at March 2015, 59 dwellings had been completed over the first 9 years of the plan period. A further 99 dwellings are committed, leaving at least 216 to be delivered over the remainder of

the plan period. If permission were to be granted for all current proposals it would take the total number of houses committed in Ansford/Castle Cary to 598, 60% higher than that set out in Policy SS5. This is in excess of Ilminster's expected housing requirement figure (496 dwellings), even though Ilminster is categorised as a Primary Market Town.

Notwithstanding the lack of infrastructure concerns, as noted by the policy officer, the overall scale of growth may lead to a scale of housing growth that could threaten the settlement hierarchy and lead to an unsustainable pattern of growth. The level and pattern of growth and identified in the local plan has been subject to a detailed sustainability appraisal. Development fundamentally at odds with this plan has the potential to cause issues such as perpetuating out-commuting, deficits in infrastructure capacity and harm to the character of the settlement.

The submission of 4 separate applications, with no phased linkages, complicates consideration of the cumulative impact. As identified above there are clear concerns regarding the potential impacts should all 4 current schemes be approved. However, there are no guarantees that all approved schemes would be implemented. The local planning authority must therefore consider what would be a reasonable approach to the assessment of the potential cumulative impact.

As noted in the consideration of the landscape impacts, of the current proposals applications 15/02347/OUT and 15/02388/OUT have the advantage of being best located adjacent to the existing limits of development, bringing forward the range and type of development commensurate with policy LMT1 and proposing a level of residential development (240) that would only marginally exceed the level of envisaged by SS5.

It has been noted this proposal does not relate well to the existing built form of Castle Cary/Ansford. Accordingly, it is logical to take the view that this scheme, to be acceptable in landscape terms should only come forward as part of, or subsequent to 15/02347/OUT and 15/02388/OUT. If that view is taken the 'cumulative' assessment is of up to 473 dwellings in Castle Cary/Ansford – i.e. the 75 dwelling proposed by this application plus the 158 built/committed and the 240 proposed by applications 15/02347/OUT and 15/02388/OUT. This would be 99, or 26.5%, over the minimum identified. On this basis it is not considered that it could reasonably be argued that the delivery of an additional 75 much needed houses (including affordable homes) is so at odds with the level of development envisaged by policy SS5 that permission should be withheld.

Highways Impact

Clearly there is significant local concern that traffic from this development may have a serious impact on the local road network. The applicant has provided a full transport statement and includes a detailed consideration of the cumulative impact of all development proposals within the DoG. Furthermore there are, in total, 3 traffic assessments submitted with the current applications in the Direction of Growth.

The County highways authority has looked at all three assessments and raises no objection to the detail of the point of access for which full approval is currently sought, nor have they objected to the wide impacts of additional traffic movements for example within the town or on South Cary Lane or along the A3153. It is not considered that there is any evidence that points to a 'severe' impact on highways safety or capacity and as such it is not considered that a refusal on these grounds could be sustained.

On this basis, subject to the conditions suggested by the highways authority, it is considered that the highways impacts of the proposal would not be served and as such the proposal complies with policies TA5 and TA6.

Accessibility

Whilst it is accepted that Castle Cary/Ansford is a sustainable location in principle for further development there is a concern that this site, looked at in isolation, not a sustainable location for residential development on the scale proposed. No travel plan has been provided to demonstrate how future residents might be encouraged to use alternative modes of transport to the private motor car. The site entrance is c. 1,200m from most services and facilities available in the town and about 1.4km from the existing primary school. The far sides of the site are c.150m from the site entrance and it is therefore considered that the distances involved are such that walking via Station Road to the town centre is likely to be an unattractive option, especially given the stretches of narrow pavements involved.

Without meaningful evidence to demonstrate otherwise, it is considered that there would be a lack of choice of modes of transport which raises a number of sustainability concerns. Firstly it is not socially sustainable or inclusive for new development to only be available to those who own and are able to drive cars. Secondly by excluding those who are unable to drive or do not own a car the economic and employment opportunities of future residents are being limited. Finally by effectively forcing residents to rely on the private motor car greenhouse gas emissions are increased and additional traffic is forced into the road to the detriment of the environment.

The lack of a comprehensive approach is extremely unhelpful and is it is noted that no new footpaths or cycle-ways are be provided to create attractive, traffic free links from the site to the town centre. This is compounded by the absence of a travel plan. On this basis it is not considered that the development of this site would offer future residents any realistic alternative to travel by means other than the private motorcar. As such the proposal constitutes unsustainable development contrary to policies SD1, TP4 and EQ2.

Other Issues

Loss of Agricultural Land

It is noted that the site comprises grade 2 agricultural land, i.e. the 'best and most versatile (BMV) land. The NPPF (para. 112) advises that:-

Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

The implication of this was one of the many factors weighed in the 'planning balance' when the allocation of this site was balanced against other considerations and constraints facing alternative sites when the DoG was allocated. It would not be reasonable to now seek to effectively overturn an allocation within the adopted local plan on the grounds of the loss of BMV agricultural land.

Impact of the Petfood Factory

The application is supported by an odour assessment, the findings of which are accepted by the Council's Environmental Protection Officer

Residential Amenity

Subject to agreeing appropriate siting and design of houses at the reserved matter stage there is no reason why the development of this site would be inherently harmful to the amenities of existing residents or prejudicial to the amenities of future occupiers of the development. On this basis the proposal complies with the requirements of policy EQ2.

Planning Obligations

The proposed development will result in an increased demand for outdoor play space, sport and recreation facilities and in accordance with policy HW1 an off-site contribution towards the provision and maintenance of these facilities is requested equating to an overall total of £172,036. An on-site LEAP would also need to be provided.

The County Council requests an education contribution of £183,855 together with Travel Planning measures.

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

Conclusion

Notwithstanding that this site is within the allocated Direction of Growth for Ansford/Castle Cary it is considered that, in absence of any masterplan or indicative layout, this proposal for 75 houses, to be delivered without any link to other proposals within the DoG, would give rise to significant adverse impacts in terms of landscape and visual impact. The considerable benefit in terms of the delivery of additional housing to meet the council's 5 year housing land supply is noted, however this is not considered sufficient to outweigh the potential harm in terms of landscape impact. As such the proposal is contrary to policies EQ2 and EQ5.

RECOMMENDATION

(a) That planning permission be refused for the following reasons:

- 1) This proposal for up to 75 dwellings is at the northern end of the Direction of Growth that does not directly abut the existing edge of development and is within the gap between Castle Cary and Ansford. No indicative layout is provided and there is no mechanism that could reasonably secure a phased development with other schemes currently proposed within the Direction of Growth. Accordingly the proposed development, which might be achieved in isolation, would appear as an alien and intrusive urban form development in an otherwise rural setting to the detriment to the landscape character of the area and the amenities of the locality. Furthermore it has not been demonstrated that green infrastructure, in the form of the gap between Ansford and Castle Cary, would be maintained and enhanced. As such the proposal is contrary to policies EQ2 and EQ5 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework
- 2) In the absence of a mechanism to ensure the phased development of this site with other sites to within the Direction of Growth that could link the proposed development to the town, future residents of these dwellings the proposed development would not be within reasonable walking distance of primary schools, employment opportunities and the services and facilities available in the town centre. As such future residents would have

no realistic alternative to the private motor car to access services and facilities necessary for daily life.

No travel plan has been provided to 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, which is not outweighed by any benefits arising from the development. Accordingly the proposal is contrary to the policies SD1, TP4 and EQ2 of the South Somerset Local Plan 2006- 2028 and the policies contained within the National Planning Policy Framework.

- (b) That the same putative reason for refusal be defended in relation to the appeal against the non-determination of 15/00519/OUT

Agenda Item 23

Officer Report On Planning Application: 15/04066/OUT

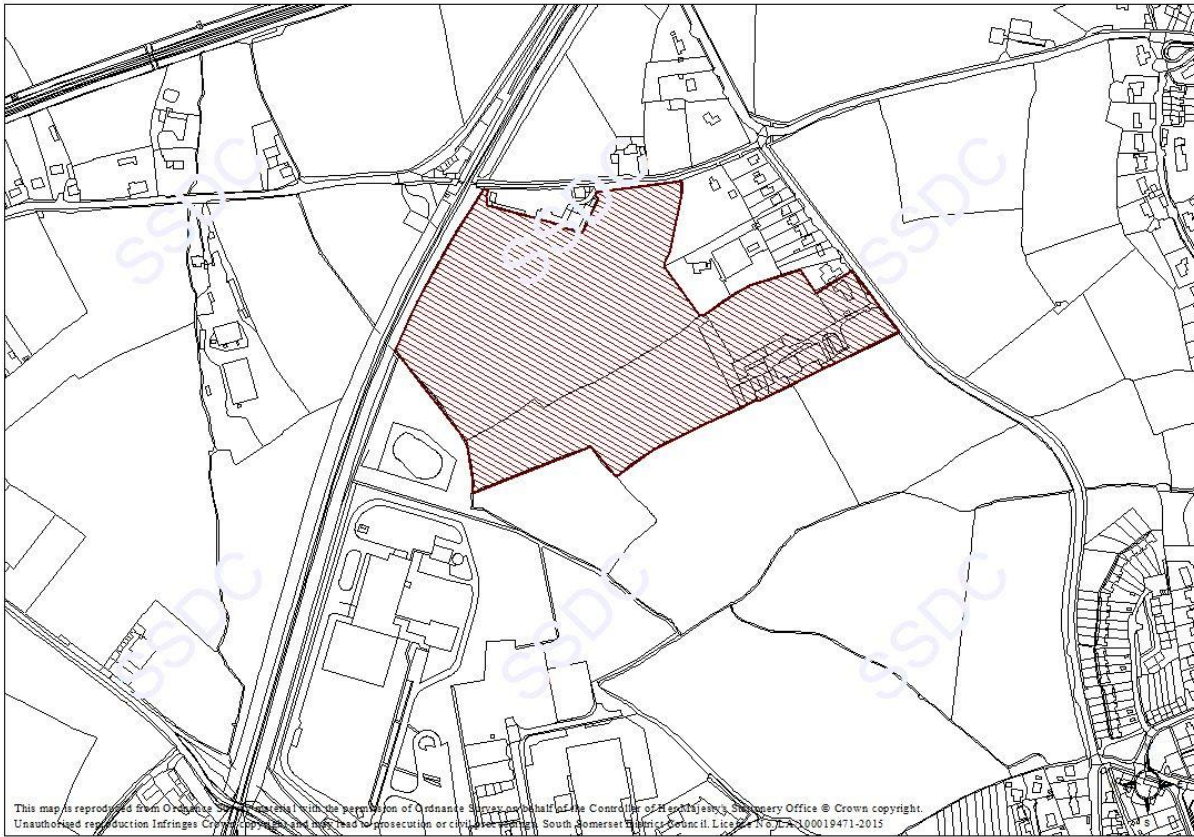
Proposal :	Outline planning application for the demolition of all existing structures (including the farmhouse and agricultural buildings) and development to provide up to 125 residential units (including 35% affordable housing), associated landscaping, access and infrastructure (Revised Application) (GR:363386/132973)
Site Address:	Wayside Farm Station Road Ansford
Parish:	Ansford
CARY Ward (SSDC Member)	Cllr Nick Weeks Cllr Henry Hobhouse
Recommending Case Officer:	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date :	7th December 2015
Applicant :	Mr Gerry Keay
Agent: (no agent if blank)	Mr Mark Scoot Maypool House, Maypool, Brixham, Devon TQ5 0ET
Application Type :	Major Dwlg 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the suggestion of the Development Manager with the agreement of the Chair to enable the local issues raised to be debated and for Members to (a) determine this application and (b) make a resolution with respect to the appeal against the non-determination of the previous application on this site.

SITE DESCRIPTION AND PROPOSAL





This 7.57 hectare site lies to the rear of the row of dwellings at the northern end Station Road and its junction with the A371. It comprises two agricultural fields (grade 3b) and the farm house and buildings of wayside Farm and is bounded by the railway line to the west, an unclassified green land to the north, Station Road to the east and agricultural land to the south. It is within the 'Direction of Growth' (DoG) for the town as set out in Policy LMT1 of the South Somerset Local Plan (2006 – 2028).

The proposal seeks outline permission for up to 125 house houses together with associated landscaping, access and infrastructure. Detailed approval is sought for a single point of access from Station Road in roughly the same position as the existing access to Wayside Farm, with an emergency only point of access via the lane to the north of the site. The application is a resubmission of a previous, identical proposal (14/05623/OUT) that is currently subject to an appeal against non-determination.

The application is supported by:-

- Illustrative Masterplan
- Planning Statement
- Design and Access Statement
- Transport Assessment
- Travel Plan
- Heritage Assessment
- Flood Risk and Drainage Statement
- Land condition study
- Ecological Appraisal

PLANNING HISTORY:

53065a Permission refused for residential development and access
(23/06/61).

This refusal covered a larger site. Subsequently this site was omitted and approvals were given covering the land to the east.

821360 & 822083 Outline and reserved matters approval for an agricultural workers bungalow

14/05623/OUT Up to 125 dwellings at Wayside Farm, Station Road, Castle Cary. Appeal lodged against non-determination.

15/00043/EIASS Negative Screening Opinion given – Environmental Impact Assessment not required this concluded:-

“the proposed development of up to 125 houses would not, on its own or when considered cumulatively with other developments in the locality, have significant environmental effects beyond the locality. Such local impacts would not be of such significance that an environmental impact assessment under the above regulations is required. Accordingly an environmental statement is not required for the purposes of environmental impact assessment”.

An assessment of potential cumulative traffic impact requested to support the application.

OTHER RELEVANT SCHEMES

There are a number of schemes for residential development within the Castle Cary Direction of Growth, namely:-

13/03593/OUT Outline approval for residential development at Well Farm, Lower Ansford. An application for the approval of reserved matters for up to 40 dwellings has now been submitted (15/03441/REM).

14/02020/OUT Outline planning permission refused:-

It has not been adequately demonstrated that the local road network can satisfactorily accommodate the level of traffic likely to be generated by this development without severe adverse impact on highways safety. As such the proposal is contrary to policy TA5 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

An appeal has been lodged against this refusal. At the time of writing this has not been validated, however a resubmission to the Council is pending determination (15/02347/OUT).

14/02906/OUT Up to 75 dwellings on land to the west of Station Road, Castle Cary. Appeal lodged against non-determination. A resubmission has been lodged with the Council (15/02388/OUT), decision pending.

15/00519/OUT Up to 75 dwellings on land east of Station Road. Appeal lodged against non-determination. A resubmission has been lodged with the Council (15/02415/OUT, decision pending).

The Planning Inspectorate have agreed to a co-joined public inquiry (at a date to be confirmed) to consider all 4 appeals within the Direction of Growth.

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

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

15/00372/CPO County resolution to approve a waste transfer station at Dimmer Waste Management Centre subject to s106.

POLICY

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

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

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

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

SS3 – Delivering New Employment Land – sets out a need for 18.97 hectares of employment land for Ansford/Castle Cary over the plan period. To date 10.07 ha have been delivered with the remaining 8.9ha to be delivered between now and 2028.

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

SS5 – Delivering New Housing Growth – sets out a need for at least 374 houses in Ansford/Castle Cary over the plan period. As at March 2015 59 dwellings had been completed in the first 9 years of the plan period, with a further 99 committed (i.e. under construction or with extant permission), meaning that there is a need for at least further 216 dwellings to be delivered by 2028.

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

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

SD1- Sustainable Development

SS6 – Infrastructure Delivery

SS7 – Phasing of Previously Developed Land

HG3 – Provision of affordable Housing

HG5 – Achieving a Mix of Market Housing
TA1 – Low carbon travel
TA4 – Travel Plans
TA5 – Transport Impact of New development
TA6 – Parking Standards
HW1 – Provision of open space, outdoor playing space, cultural and community facilities in new development
EQ1 – Addressing Climate Change in South Somerset
EQ2 – General development
EQ3 – Historic Environment
EQ4 – Biodiversity
EQ5 – Green Infrastructure
EQ7 – Pollution Control

National Planning Policy Framework

Part 1 - Building a strong, competitive economy
Part 4 - Promoting sustainable transport
Part 6 - Delivering a wide choice of high quality homes
Part 7 - Requiring good design
Part 8 - Promoting Healthy Communities
Part 10 - Meeting the challenge of climate change, flooding and coastal change
Part 11 - Conserving and enhancing the natural environment
Part 12 - Conserving and enhancing the historic environment

Other Material Considerations

On 3 September 2015 a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land as required by paragraph 47 of the NPF. In such circumstances paragraph 49 is engaged, this states:-

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

CONSULTATIONS

Ansford Parish Council – strongly recommend refusal citing the following concerns:

- *Access - There is a single vehicular access onto station road for the total 125 dwellings proposed. There are continued concerns with regard to the potential increase of traffic onto this road with regard to both safety and the ability of the existing local network to cope.*
- *Housings numbers - Applications within the area of Ansford [& cary] are already in excess of the total housing numbers allocated within the District Local Plan and this is an unnecessary development with the potential to create an oversupply.*
- *The Station Road Area requires a sustainable & co-ordinated development approach and council requests that a CUMULATIVE environmental impact assessment is produced*
- *This development would result in the loss of a potential employment area.*
- *This would be an isolated development far from the existing community provisions of Ansford and the local market town.*
- *The topography of the site has not been fully taken into consideration*

- *The capacity of the existing main sewer drainage needs to be fully investigated*
- *The proposed sustainable urban drainage system - Should any development proceed at this site it is **essential** that a condition be placed **with the developer** for the ongoing maintenance and upkeep of **any** sustainable urban drainage system **in perpetuity**.*
- *Proposed layout provides insufficient amenity space in relation to the number of homes.*
- *Proposed layout is sprawling and full of scattered 'cul de sac's' - not good for security or neighbourliness.*
- *Clear and well surfaced separate cycleways and footpaths are required.*
- *The road layout appears to be the main decider of the design and not appropriate*
- *Parking is unclear*
- *Overall the proposed development does not comply with the South Somerset District Council Guidelines for housing developments with regard to the relationship of houses to each other and the surrounding area.*

Castle Cary Town Council (adjoining) – have provided the following statement in relation to the current proposals in Castle Cary/Ansford:-

“There have been five outline planning applications (480 houses in total) within the area around Station Road and Torbay Road that have been submitted to Castle Cary Town Council and Ansford Parish Council for their approval during the past five months. However because four of these have not been supported, they have all been taken to appeal.

“Government policy (National Planning Policy Framework) dictates that Planning Inspectors should support development unless there is a clear and defensible reason for not doing so. Furthermore, South Somerset District Council is unable to demonstrate that they have a 5year supply of housing land as required by the NPPF. As such, the council is in a weaker position to resist housing schemes that do not have a significant adverse impact. This means that Castle Cary could end up with far more dwellings than the 378 we are required to have built between 2009 and 2028 according to the South Somerset District Council local plan.

“If the Planning Inspectorate approves the applications, the houses will be built and the ability for the community to influence the development will be severely restricted if not totally eroded.

“Castle Cary Town Council recognises that some development is necessary for the town and with this in mind the planning committee met to discuss and reconsider their previous decisions on the planning applications for the land south of Station Road and west of Torbay Road.

“The first application (reference 15/02347/OUT) to build 165 houses, provide employment land and possibly build a new Primary school has been resubmitted by Jones Lang LaSalle Ltd on behalf of Donne Holdings and Somerset County Council. There have been ongoing negotiations with the agent, Mr James McMurdo which have recently resulted in some agreed conditions that have enabled Castle Cary Town Council to support this outline application. It will now proceed to Area East in October.

“The second application (reference 15/02388/OUT) to build 75 houses again resulted in negotiations with Mr Kevin Bird of the Silverwood Partnership and the agreed conditions have meant that Castle Cary Town Council will support the application and it too will proceed to Area East.”

SSDC Landscape Architect – does not support:-

“In terms of landscape context, the fields lay within the scope of the peripheral landscape study (PLS) of Castle Cary (and Ansford) which was undertaken during May 2008. This study reviewed the settlement’s immediate surrounds with the objective of identifying land that has a capacity for development, looking both at the character of the town’s peripheral landscape, and the visual profile and relationship of open land adjacent the town’s edge.

“The outcome of the study is represented by ‘figure 5 – landscape capacity’, which is a graphic summary of the preceding evaluation. Fig 5 indicates that the fields that are the subject of this application are evaluated as having both a moderate capacity to accommodate built development, and a lesser area with moderate to low capacity. Whilst this evaluation indicates some limited scope for development, the application site was not identified as the favoured location for development presence adjacent the town by the PLS. It is acknowledged however, that the site is a field’s distance from the area highlighted as having potential for development by the peripheral landscape study, and it lays within the direction of growth (DoG) proposed by the emerging local plan, which could be taken to infer that an appropriately balanced development proposal might be permissible to meet the scale of development proposed for Castle Cary (& Ansford) by the local plan. However, D’soG are not indicative of built development alone, and without the re-assurance of a masterplan or cumulative impact assessment for the DoG, there is the potential that development of this site could adversely impact upon the character of both Ansford and Castle Cary and the open setting of their surrounds.

“The application’s design and access statement includes a brief landscape appraisal, which notes that the fields are low-laying; adjacent urbanising features – primarily the pet food factory to the southwest - and considered to be of low visual sensitivity. I would agree that the site’s visibility is relatively low profile, given its vale base location, however, the site is divorced from the town’s current edge, and lays below Ansford’s general elevation, and in that respect, it is not currently well-related to the town’s form. Should the two adjacent sites gain a consent and be built out, then there becomes a relationship of new build with this site, albeit tenuous, for whilst all 3 sites lay within the same landscape setting, it is noted that the sites only abutt along a short stretch of the south-eastern boundary, and this proposal provides a substantial cluster of new build in a location that lays aside from Ansford village, and beyond the north tip of potential urban form spreading north from Castle Cary.

“This is not a straightforward site to evaluate, as there are a number of potential development scenarios against which to judge it, and nowhere do we have a cumulative impact assessment before us to include the two sites to the south/southeast. On its own, the site sits in isolation from both existing settlements, and its development would be at variance with local settlement character, and extend into the wider agricultural landscape, as such failing to respect local context and distinctiveness as required by LP policy EQ2. Conversely, if the 2 sites to the south are consented, then in revisiting the PLS with a brief to identify a tract of land with a capacity to accommodate a minimum of 216 houses to fulfil the LP’s expectations, then it is these two sites to the south of this application site that are indicated as being best-placed to accept development of such a scale, without need for the site before us. Whilst the overall landscape context, in being at low elevation; abutting built development on much of the collective boundary; contained by the emphatic line of the rail corridor; and limited in its zone of visual influence, suggests that the aggregation of the 3 sites may have a capacity to accommodate a larger development quantum, without either a cumulative impact

appraisal, or a full masterplan for the DoG to substantiate such a case, I do not have the evidence to provide re-assurance that a consent of this scheme, along with the two to the south, will provide a scale and form of development appropriate for Ansford and Castle Cary and its landscape setting. Consequently I am unable to offer landscape support for this application”.

SCC Highway Authority – comments awaited at time of writing (did not previously object).

SSDC Planning Policy – comment as follows:-

The starting point for decision-making remains the statutory development plan, which is the South Somerset Local Plan (2006 – 2028).

In reaching a conclusion on whether the proposal is or is not in accordance with the development, having regard to material considerations, the decision-maker will have to take account of the following points:

- Policy SS1 identifies Ansford/Castle Cary as a ‘Local Market Town’. It sets out Ansford/Castle Cary’s position in the settlement strategy relative to the other larger and smaller settlements in the district. Policy SS1 sets the framework for achieving the levels of growth set out in Policy SS3 and Policy SS5, and the settlement-specific policies elsewhere in the local plan, namely for this proposal, Policy LMT1.
- Policy SS3 includes a requirement for an additional 8.9 hectares of employment land at Ansford/Castle Cary. The proposal does not include any provision for land for economic development.
- Policy SS5 sets out the overall housing requirement for South Somerset, and the specific housing targets for each main settlement. For Ansford/Castle Cary it advocates the delivery of at least 374 dwellings over the plan period and outlines a ‘permissive approach’ (prior to the adoption of the Site Allocations Development Plan Document) for the consideration of planning applications in the ‘Direction of Growth’. The permissive approach is a policy mechanism to facilitate development applications to come forward and be considered in the context of the policy framework established in the local plan.
- Policy SS5 is clear that the scale of growth established for each settlement and the wider policy framework will be key considerations in carrying out the permissive approach, with an emphasis upon maintaining the established settlement hierarchy and ensuring sustainable levels of growth for all settlements. As such, the overall scale of growth identified for Ansford/Castle Cary and its role as a ‘Local Market Town’ in the context of the other settlements in the district, and specifically the ‘Primary Market Towns’ and ‘Rural Centres’ is a critical determinant.
- Policy LMT1 and Local Plan Inset Map 1 identify the ‘Direction of Growth’ for Ansford /Castle Cary. Policy LMT1 states that development for housing, employment and education will be north of Torbay Road and East and West of Station Road. As part of any growth proposal a road will be expected to be provided between Station Road and Torbay Road prior to the completion of the expansion. It is noted that the proposal is within the Direction of Growth, but does not provide for any land for employment or education. The location of the scheme means it does not facilitate a link between Station Road and Torbay Road.

The NPPF is a material consideration in decision-making. The NPPF, at Paragraph 49, states that housing applications should be considered in the context of the presumption of in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites.

As noted above, the Council is currently unable to demonstrate a five-year supply of housing sites. Accordingly, those policies relevant to the supply of housing should not be considered up-to-date.

In this circumstance, Paragraph 14 of the NPPF states that for decision taking the presumption in favour of sustainable development means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

However, this is not the end of the matter. The recent High Court ruling by Justice Holgate (*Woodcock Holdings Ltd, CO/4594/2014*) (May 2015) confirms that regard still needs to be had to policies deemed to be out-of-date, and they are not simply to be ignored or disavowed. The ruling also re-iterates that the weight that should be attributed to policies relevant to the supply of housing, which are not up-to-date by effect of Paragraph 49 of the NPPF, is not defined. The ruling goes on to state that the weight which should be assigned to policies is a matter for the decision-maker to reach a conclusion on, based upon the severity of the shortfall, the reasons for the shortfall, and other relevant circumstances e.g. action being taken by the LPA to release land for housing to address the shortfall.

In reaching a conclusion on this proposal, it will be important for the decision-maker to consider the effect of Paragraph 49 and Paragraph 14 of the NPPF, and therefore what weight should be attributed to the policies relevant to the supply of housing in order to judge the degree of conflict with those policies.

Considering the application individually, and on its merits, the scale of development proposed (125 dwellings) is in accordance with Policy SS1 and Policy SS5. The proposal is within the Direction of Growth identified for Ansford/Castle Cary, but does not make provision for land for employment or education, and is therefore not fully in accordance with Policy LMT1.

The decision-maker should be mindful of the cumulative impact of this proposal in conjunction with the other development proposals currently being considered in Ansford/Castle Cary. Having regard to previous completions, existing developments with planning permission, and those under consideration; the effect of this proposal would be to take the proposed scale of growth in Ansford/Castle Cary to 598 dwellings. This would represent a 60% increase over and above the planned level of growth for Ansford/Castle Cary as set out in Policy SS5 of the local plan. This cumulative level of growth would represent a substantial departure from Policy SS5 and would serve to undermine the balanced sustainable growth strategy set out in both Policy SS5 and Policy SS1.

It is accept that the concept of “at least” within Policy SS5 implies a degree of variance to the target figure of 374 dwellings for Ansford/Castle Cary. However, the figure is intended to cover the whole plan period and to confirm the proposed cumulative level of growth would mean that Ansford/Castle Cary is subject to development that exceeds its overall requirement by 224 dwellings or 60%, after only nine years of the local plan period.

Any notion that a greater proportion of housing within Ansford/Castle Cary can assist in making up shortfalls in housing provision elsewhere in the district would appear to undermine the strategy of directing large-scale growth towards the main settlements in the district as founded in Policy SS1 and Policy SS5. To do so would place in jeopardy the sustainable growth strategy clearly set out in Policy SS1 and would therefore be contrary to the development plan, and contrary to the core principle of the NPPF which supports the plan-led system.

It is advocated therefore, but only on a cumulative basis, that the harms generated by this development, in terms of its contribution to the substantial increase in development, over and above the figures set out in Policy SS5, would lead to the disruption and dilution of the strategy set out in Policy SS1, and in so doing would significantly and demonstrably outweigh the benefits of the proposal.

Leisure Policy: Note that there are 4 applications within the Direction of Growth and suggest that the following contributions are sought:-

- 15/02347/OUT Torbay Road 165 dwellings – on site large LEAP play area, on or off site youth facilities, all other obligations off site
- 15/04066/OUT Wayside Farm 125 dwellings - on site large LEAP play area, on or off site youth facilities, all other obligations off site
- 15/02388/OUT Land west of Station Road 75 dwellings - on site LEAP play area, on or off site youth facilities, all other obligations off site
- 15/02415/OUT Land east of Station Road 75 dwellings - on site LEAP play area, on or off site youth facilities, all other obligations off site

Also in this area is the approved application 13/03593/OUT Well Farm for 38 dwellings from which we sought off site contributions.

Ideally, we would like to be able to agree a single masterplan covering whichever sites are approved, so we can plan the location of the onsite facilities. For example if all the applications were approved, based on a total of 478 dwellings, we would aim to have a smaller number of larger on site facilities, particularly the equipped play and youth facilities in locations that serve one or more of the sites as follows:

- Equipped play areas – 2 large play areas, 1 x NEAP and 1 x LEAP to cover the Station Road area
- Youth facilities – 1 youth facility such as a MUGA or skate park centrally located to cover this area
- Playing pitches and changing rooms – a scheme of nearly 500 dwellings could warrant some on site provision – approximately 2 senior football pitches and associated changing rooms, located on a single site, or off site contributions – this would require further consultation locally.
- Community halls – We would probably still seek off site contributions to improve existing provision in Castle Cary/Ansford, rather than a new hall

This would also apply if for example 2 of the sites were approved, then again it would be preferable to be able to masterplan the on site provision to best serve these 2 sites, rather than looking at each site individually.

The strategic distribution of facilities would either require us to plan the position of the on site facilities at the edges of adjoining sites so that each site provides the required land and these are joined together to create a larger facility, centrally located to serve both developments. Alternatively, one or two sites give up more land to provide these larger facilities, and in order to compensate for this, we would seek land acquisition costs from the other sites in addition to the capital and commuted sum contributions.

Looked at in isolation it is suggested that this scheme provides an on-site LEAP of at least 500m² with 30m buffer zone. Contributions towards off-site mitigation measures to address increased demand for sport and recreation facilities are sought as follows:

- £20,0833 towards provision of new youth facilities in Castle Cary/Ansford;
- £48,943 towards enhancement of existing pitches or provision of new grass or artificial pitches in Castle Cary/Ansford;
- £99,369 towards enhancement of existing changing rooms or provision of new changing rooms in Castle Cary/Ansford;
- £64,123 towards enhancement of existing community hall facilities in Castle Cary/Ansford.;
- £50,619 as a commuted sum towards the local facilities.
- Monitoring fee based on 1% of total

In the event that the District Council were to provide and subsequently adopt the on-site LEAP it is suggested that the cost of provision would be £106,100 and that a commuted sum of £61,285 should be provided.

SSDC Housing Officer – requests that 35% (rounded up to next whole number) should be provided as affordable housing with a minimum of two thirds (rounded up to next whole number) to be 'social' rent. Remainder could be other forms of affordable housing e.g. shared equity, market rent etc. Minimum space standards and pepper potting throughout site should be agreed. Where flats are to be provided they should have the outward appearance of houses, not monolithic blocks. The following mix is requested (on the basis of 125 units):-

- 10 x 1 bed
- 20 x 2 bed
- 13 x 3 bed
- 1 x 4 bed

SCC Education Officer – no comments received at the time of writing. Previous suggested that 125 dwellings would create the demand for 25 additional primary school places at a cost of £12,257 per place, a total of £306,425.

SCC Drainage (as LLFA): comments awaited. It is noted that previously no drainage concerns were raised by previous consultees.

Environment Agency – no objection subject to safeguarding conditions.

Natural England – no comments to make on this application.

Somerset Wildlife Trust – no objection subject to conditions to secure the detail of biodiversity/ecological enhancements and to minimise light pollution.

SSDC Climate Change Officer – objects to layout which does not maximise the potential for solar gain.

SSDC Ecologist – no objection subject to a condition to secure enhancements to biodiversity and informative regarding site clearance and the need for updated ecology surveys at reserved matters stage.

Wessex Water – notes presence of pumping station at Wayside Farm the operation of which will need to be considered as part of the drainage strategy for the site. Given the proximity of the railway line Network Rail's agreement may be needed when approving the drainage strategy. Has confirmed that there is capacity in the sewage treatment to accommodate predicted flows. Whilst there is limited capacity in the existing water supply network, this can be addressed by a Section 41 Agreement under the Water Industry Act. No objection subject to conditions to agree

detail of foul water and surface water, the technical detail of which would also be looked at through Wessex Water's adoption procedures.

REPRESENTATIONS

At the time of writing one representation had been received objecting on the grounds of the impacts on wildlife and the impact on the town in terms of additional people and traffic.

CONSIDERATIONS

This application has been submitted to invite the District Council to reconsider the proposal. The application is identical to that previously provided. The current inability of the Council to demonstrate a deliverable 5 year housing land supply is a material change in circumstances and is consider below.

Principle

As set out above, the starting point for decision-making is the statutory development plan, which is the South Somerset Local Plan (2006 – 2028). Adopted in March 2015, this provides the policy framework through which to make decisions on whether or not to grant planning permission for development in the district.

The lack of a five-year housing land supply means that relevant policies relating to the supply of housing should not be considered up-to-date. As such, proposals fall to be determined in light of Paragraph 14 which states that were development plan policies are out-of-date planning permission should be granted unless:-

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

According to the recent High Court decision (Woodcock Holdings Ltd) in reaching a conclusion, the relative weight to be attached to policies relevant to the supply which are no longer up-to-date needs to borne in mind; and used in addition to whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

In this instance, the site is within the Direction of Growth (identified by Policy LMT1). As such, whatever weight is to be attributed to Policy LMT1 due to the lack of a five-year housing land supply, the principle of development in this location is not disputed.

Based upon the comments provided above, on an individual basis the proposal is not contrary to Policy SS1 or Policy SS5.

However, it is important to have regard to the cumulative impact of the proposed scale of growth in Ansford/Castle Cary. On this basis, the proposed 4 schemes, if all were to be approved, would give rise to conflicts with Policy SS5 by virtue of generating a scale of development which is 60% higher than envisaged; and with Policy SS1 as it would threaten the overall settlement strategy for delivering growth across the district.

Nevertheless the benefits in terms of delivering 125 additional dwellings must be afforded considerable weight in the 'planning balance' to be struck between any harmful impacts stemming from this proposal and the acknowledged benefits.

Notwithstanding local concerns it is accepted that no technical consultee has raised an

objection to this proposal, in its own right or cumulatively with the other schemes pending determination within the Direction of Growth, in terms of highways impact, drainage, ecology or archaeology. Furthermore no infrastructure provider has objected to the scheme.

Accordingly subject to appropriate conditions and a S106 agreement to secure planning obligations in relation to education, affordable housing and leisure it is considered that no significant harm would arise in respect to these areas of concern.

Concerns have been raised with regard to the cumulative levels of development proposed within Castle Cary/Ansford and to the landscape impact of this proposal. There is also considerable local concern over the highways impact of the proposals with the Do. Notwithstanding the foregoing, this warrants specific consideration.

5 Year Housing Land Supply

Without a 5 year housing land supply paragraph 49 of the NNPF states that "*policies for the supply of housing should not be considered up-to-date*". In this instance it is accepted that policy LMT1, which seeks to direct housing development in Castle Cary Direction to the Direction of Growth, is affected, with further implications for the interpretation of policies SS1 and SS5. As such proposals fall to be determined in light of paragraph 14 which states that where development plan policies are out-of-date planning permission should be granted unless:-

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

In this instance the site is within the Direction of Growth (DoG) allocated in the local plan for Ansford/Castle Cary. As such with or without a 5 years housing land supply the principle of development is not disputed. Nevertheless the benefits in terms of delivering 125 additional housing must be afforded considerable weight in the 'planning balance' to be struck between any harmful impacts stemming from this proposal and the acknowledged benefits.

Landscape Impact

Whilst it is accepted that this site is within then Direction of Growth it does not follow that all the of the DoG should be developed. Clearly the overall size of the DoG is far greater than in necessary to deliver the minimum level of growth envisaged by policy LMT1. Clearly within the DoG there would be provision for employment land and educational facilities as proposed by LMT1 as well as open space as would be necessary to achieve a satisfactory layout of development. Such provision of open space would also be necessary to soften the edge of the built form where the new edge of the town meets the surrounding countryside. It will also necessary to provide open space to maintain the 'green gap' between to two distinct components of Castle Cary and Ansford.

As noted by the landscape architect, the site sits on its own, isolated from both Castle cary and Ansford. On its own, the development of this site would be at variance with local settlement character, and extend into the wider agricultural landscape, as such failing to respect local context and distinctiveness as required by policy EQ2. The application provides no certainty that this would not happen, for example by linking or phasing the development way with other schemes within the DoG.

It has been repeatedly suggested to all applicants within the DoG that a comprehensive approach should be adopted but none are willing to work together. Accordingly there can be no

certainty about the phasing of any approved scheme. Whilst this may be less of a problem for sites that abut existing development, it creates a fundamental problem for sites such as this at the far end of the DoG where development in isolation would be in isolation to the detriment of the character and setting of both Ansford and Castle Cary contrary to policy EQ2.

This policy conflict should be balanced against the benefits in terms of the delivery of much need housing (including affordable housing) towards the Council's 5 year housing land supply. If delivered in isolation this proposal would constitute an alien and incongruous development set apart from the built form of the settlement. It is not considered that this clear harm would be outweighed by the benefits stemming from housing delivery to meet the Council's housing shortfall.

Cumulative Impact of Level of Development in Castle Cary/Ansford

Policies SS1 and SS5 set the settlement strategy and levels of growth respectively. It is not considered that these policies are automatically rendered out-of-date by the lack of a five year housing land supply. Policy SS1, in designating Castle Cary/Ansford a 'Market Town' within the hierarchy of settlements, has taken into account:-

"...the range of important roles a settlement fulfills in their local setting, in particular, where they provide jobs and services for their residents, and the residents of the surrounding areas and elsewhere. These towns are the focal points for locally significant development including the bulk of the district's housing provision outside Yeovil. This growth aims to increase the self- containment of these settlements and enhance their service role, reflecting the aspirations of national policy in promoting stronger communities." (para. 5.19, SSLP 2006-28)

Neither this proposal, nor any of the proposals within the DoG ,would change the services and facilities available in Castle Cary/Ansford beyond what is allocated in the local plan for this Local Market Town. Accordingly it is not considered that there is any justification to re-designate the town to a higher tier within the hierarchy of settlements simply because the Council cannot currently designate a 5 year housing land supply.

The level of growth across the District is set out in Policy SS5. The figure of 374 for Castle Cary/Ansford is a minimum and any growth above this should be assessed on its merits. The current lack of a 5 year housing land supply is a material consideration of considerable weight however, it does not negate the local plan figure, or the permissive approach to applications within the DoG, which are considered to still have weight.

As at March 2015, 59 dwellings had been completed over the first 9 years of the plan period. A further 99 dwellings are committed, leaving at least 216 to be delivered over the remainder of the plan period. If permission were to be granted for all current proposals it would take the total number of houses committed in Ansford/Castle Cary to 598, 60% higher than that set out in Policy SS5. This is in excess of Ilminster's expected housing requirement figure (496 dwellings), even though Ilminster is categorised as a Primary Market Town.

Notwithstanding the lack of infrastructure concerns, as noted by the policy officer, the overall scale of growth may lead to a scale of housing growth that could threaten the settlement hierarchy and lead to an unsustainable pattern of growth. The level and pattern of growth and identified in the local plan has been subject to a detailed sustainability appraisal. Development fundamentally at odds with this plan has the potential to cause issues such as perpetuating out-commuting, deficits in infrastructure capacity and harm to the character of the settlement.

The submission of 4 separate applications, with no phased linkages, complicates

consideration of the cumulative impact. As identified above there are clear concerns regarding the potential impacts should all 4 current schemes be approved. However, there are no guarantees that all approved schemes would be implemented. The local planning authority must therefore consider what would be a reasonable approach to the assessment of the potential cumulative impact.

As noted in the consideration of the landscape impacts, of the current proposals applications 15/02347/OUT and 15/02388/OUT have the advantage of being best located adjacent to the existing limits of development, bringing forward the range and type of development commensurate with policy LMT1 and proposing a level of residential development (240) that would only marginally exceed the level of envisaged by SS5.

It has been noted this proposal does not relate well to the existing built form of Castle Cary/Ansford. Accordingly, it is logical to take the view that this scheme, to be acceptable in landscape terms should only come forward as part of, or subsequent to 15/02347/OUT and 15/02388/OUT. If that view is taken the 'cumulative' assessment is of up to 523 dwellings in Castle Cary/Ansford – i.e. the 125 houses proposed by this scheme plus the 158 built/committed and the 240 proposed by applications 15/02347/OUT and 15/02388/OUT. This would 149, or 40%, over the minimum identified. If the 75 housing proposed to the east of Station Road (15/02451/OUT) are added, the 'over provision' would be 224, or 60%.

At this level of development, 40-60% above the minimum suggested by policy SS5 (374), it is considered that the level of growth of Castle Cary/Ansford would out of kilter with its status as a 'local market town' within the hierarchy of settlements across the District as set out by policy SS1. Such over provision of housing within a lower tier settlement would jeopardise the District wide strategy to focus development in the higher tier settlements where there are greater opportunities to strike the appropriate housing/jobs balance. This approach is underpinned by the local plan evidence base which has informed the settlement strategy (SS1) and the policies for the delivery of new growth (SS3 and SS5).

The thrust of this strategy is to deliver the bulk of residential and employment growth in Yeovil (7,441) and the Primary Market Towns – Chard (1,852), Crewkerne (961), Ilminster (496) and Wincanton (703). This strategy has been subject to a sustainability appraisal which supports the policy. To now attribute significantly more growth to a lower tier settlement such as Castle Cary/Ansford would not only run counter to what has been accepted as a sustainable strategy, it would also risk undermining the delivery of the bulk of the District's housing need in the higher tier settlements.

As such the proposal to deliver significant housing in a less sustainable, lower tier settlement, constitutes unsustainable development contrary policies SD1, SS1 and SS5. Such fundamental harm is not outweighed by the benefits in terms of the delivery of housing, including affordable housing, to meet the current short fall.

Highways Impact

Clearly there is significant local concern that traffic from this development may have a serious impact on the local road network. The applicant has provided a full transport statement and includes a detailed consideration of the cumulative impact of all development proposals within the DoG. Furthermore there are, in total, 3 traffic assessments submitted with the current applications in the Direction of Growth.

The County highways authority has looked at all three assessments and raises no objection to the detail of the point of access for which full approval is currently sought, nor have they objected to the wide impacts of additional traffic movements for example within the town or on

South Cary Lane or along the A3153. It is not considered that there is any evidence that points to a 'severe' impact on highways safety or capacity and as such it is not considered that a refusal on these grounds could be sustained.

On this basis, subject to the conditions suggested by the highways authority, it is considered that the highways impacts of the proposal would not be served and as such the proposal complies with policies TA5 and TA6.

Accessibility

Whilst it is accepted that Castle Cary/Ansford is a sustainable location in principle for further development there is a concern that this site, looked at in isolation, not a sustainable location for residential development on the scale proposed. As noted in the submitted travel plan the site entrance is 1,200m from most services and facilities available in the town and 1.4km from the existing primary school. The far side of the site is c.400m from the site entrance and it is therefore considered that the distances involved are such that walking via Station Road to the town centre is likely to be an unattractive option, especially given the stretches of narrow pavements involved.

It is considered that this lack of choice raises a number of sustainability concerns. Firstly it is not socially sustainable or inclusive for new development to only be available to those who own and are able to drive cars. Secondly by excluding those who are unable to drive or do not own a car the economic and employment opportunities of future residents are being limited. Finally by effectively forcing residents to rely on the private motor car greenhouse gas emissions are increased and additional traffic is forced into the road to the detriment of the environment.

The applicant has provided a Travel Plan (TP), which aims to achieve a 'modal shift' of at least 10% over a 5 year time period away from unsustainable single occupancy car trips. Whilst this might, in some circumstances, address these concerns, it is not considered that the submitted TP gives any realistic assurance that attractive alternatives to the private motor car would genuinely be available. Instead the TP relies on minimal increases in working at home, train travel, car sharing and bicycling to achieve the target modal shift.

Whilst modest incentives are proposed (green travel vouchers, a car sharing website, web and text based promotions etc.) there no evidence has been provided to show that these would be effective or that the £153,175 in potential travel planning costs would achieve anything

Furthermore it is noted that no new footpaths or cycleways are (or can) be provided to link the site to the town centre. Modest off-site improvements are suggested to make the walking routes more attractive now these would seem to be of limited benefit (if any) as the TP does not envisage any increase in walking to work. Whilst it might be that more attractive and diverse routes could be provided through the Direction of Growth there is no mechanism through which this could be achieved with any certainty.

On this basis it is not considered that the development of this site would offer future residents any realistic alternative to travel by means other than the private motorcar. As such the proposal constitutes unsustainable development contrary to policies SD1, TP4 and EQ2.

Other Issues

Loss of Agricultural Land

It is noted that the site comprises grade 2 agricultural land, i.e. the 'best and most versatile' (BMV) land. The NPPF (para. 112) advises that:-

Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

The implication of this was one of the many factors weighed in the 'planning balance' when the allocation of this site was balanced against other considerations and constraints facing alternative sites when the DoG was allocated. It would not be reasonable to now seek to effectively overturn an allocation within the adopted local plan on the grounds of the loss of BMV agricultural land.

Impact of the Petfood Factory

The application is supported by an odour assessment, the findings of which are accepted by the Council's Environmental Protection Officer

Residential Amenity

Subject to agreeing appropriate siting and design of houses at the reserved matter stage there is no reason why the development of this site would be inherently harmful to the amenities of existing residents or prejudicial to the amenities of future occupiers of the development. On this basis the proposal complies with the requirements of policy EQ2.

Planning Obligations

The proposed development will result in an increased demand for outdoor play space, sport and recreation facilities and in accordance with policy HW1 an on-site LEAP is needed together with off-site contributions towards the provision and maintenance of these facilities, equating to an overall total of £455,786 (£3,646 per dwelling based on 125 units).

The County Council has previously an education contribution of £306, 425 together with Travel Planning measures.

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

Conclusion

Notwithstanding that this site is within the allocated Direction of Growth for Ansford/Castle Cary it is considered that, in absence of a mechanism to ensure that delivery is phased and linked to other proposals within the Direction of Growth it is considered that this proposal for 125 houses, would constitute unsustainable development, giving rise to significant adverse impacts in terms of landscape impact. Furthermore the cumulative level of growth on top of, and without a phased link to, other proposals that are better related to the existing built form of Castle Cary/Ansford would exceed that appropriate to a Local Market Town in the hierarchy of settlements set out in the South Somerset Local Plan 2006-2028.

The considerable benefit in terms of the delivery of additional housing to meet the council's 5 year housing land supply is noted, however this is not considered sufficient to outweigh the significant harm in terms of landscape impact and undermining the delivery local plan settlement strategy. As such the proposal is contrary to policies SD1, TP4, EQ2, SS1 and SS5.

RECOMMENDATION

(a) That planning permission be refused for the following reasons:

- 1) This proposal for up to 125 dwellings is at the northern end of the Direction of Growth that does not directly abut the existing edge of development. No mechanism is proposed that could reasonably secure a phased development with other schemes currently proposed within the Direction of Growth. Accordingly the proposed development, which might be delivered in isolation, would appear as an alien and intrusive urban form development in an otherwise rural setting to the detriment landscape character of the area and the amenities of the locality. As such the proposal is contrary to policy EQ2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.
- 2) In the absence of a mechanism to ensure the phased development of this site with other sites to the south that would link the proposed development to the town, future residents of these dwellings the proposed development would not be within reasonable walking distance of primary schools, employment opportunities and the services and facilities available in the town centre. As such 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, which is not outweighed by any benefits arising from the development. Accordingly the proposal is contrary to the policies SD1, TP4 and EQ2 of the South Somerset Local Plan 2006- 2028 and the policies contained within the National Planning Policy Framework.

- 3) The proposal, to be acceptable would require reasons 1 and 2 to be addressed, however if that were to be achieved the level of growth in Castle Cary/Ansford, a lower tier 'local market town', would be in the region of 523-598 dwellings, some 40-60% in excess of the minimum set out in policy SS5. Such excessive growth would be at odds with the town's status in the District's hierarchy of settlements as set out by policy SS1 and would prejudice the planned, sustainable delivery of growth across the district. As such the proposal is contrary to policies SD1, SS1 and SS5 of the South Somerset Local Plan 2006- 2028 and the policies contained within the National Planning Policy Framework.

(b) That the same putative reasons for refusal be defended in relation to the appeal against the non-determination of 14/05623/OUT