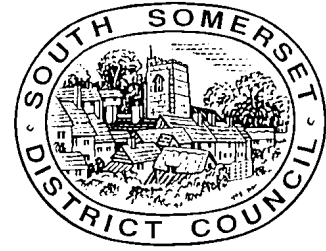


South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 9th March 2016

9.00 am

**Council Offices
Churchfield
Wincanton
BA9 9AG**

(disabled access and a hearing loop are available at this meeting venue)



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

The public and press are welcome to attend.

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

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, Kelly Wheeler 01935 462038, website: www.southsomerset.gov.uk

This Agenda was issued on Tuesday 1 March 2016.

Ian Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk



Area East Committee Membership

Mike Beech
Tony Capozzoli
Nick Colbert
Sarah Dyke-Bracher

Anna Groskop
Henry Hobhouse
Tim Inglefield
Mike Lewis

David Norris
William Wallace
Nick Weeks
Colin Winder

South Somerset District Council – Council Plan

Our focuses are: (all equal)

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

Scrutiny Procedure Rules

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

Consideration of Planning Applications

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

Highways

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

Members Questions on reports prior to the meeting

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

Information for the Public

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

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

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

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

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

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

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

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

Public Participation at Committees

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

Public Question Time

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

Planning Applications

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

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

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

The order of speaking on planning items will be:

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

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

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

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

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

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

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

Area East Committee

Wednesday 9 March 2016

Agenda

Preliminary Items

1. Minutes of Previous Meeting

To approve as a correct record the minutes of the previous meeting held on Wednesday 10th February 2016.

2. Apologies for absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2112 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. As a result of the change made to the Code of Conduct by this Council at its meeting on 15th May 2014, where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

Planning Applications Referred to the Regulation Committee

The following members of this Committee are also members of the Council's Regulation Committee:

Councillors Sarah Dyke-Bracher, Tony Capozzoli and Nick Weeks.

Where planning applications are referred by this Committee to the Regulation Committee for determination, in accordance with the Council's Code of Practice on Planning,

Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

4. Public Participation at Committees

a) Questions/comments from members of the public

b) Questions/comments from representatives of parish/town councils

This is a chance for members of the public and representatives of Parish/Town Councils to participate in the meeting by asking questions, making comments and raising matters of concern. Parish/Town Council representatives may also wish to use this opportunity to ask for the District Council's support on any matter of particular concern to their Parish/Town. The public and representatives of Parish/Town Councils will be invited to speak on any planning related questions later in the agenda, before the planning applications are considered.

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

6. Date of Next Meeting

Members are asked to note that the next scheduled meeting of the committee will be at the Council Offices, Churchfield, Wincanton on Wednesday 13th April 2016 at 9.00 am.

7. Chairman Announcements

Items for Discussion

8. Environmental Health Service Update Report (Pages 9 - 11)

9. SSDC Welfare Advice Work in South Somerset (Pages 12 - 18)

10. Update on work with Young People in Area East (Pages 19 - 22)

11. Area East Committee Forward Plan (Pages 23 - 24)

12. Planning Appeals (For information only) (Page 25)

13. Schedule of Planning Applications to be Determined by Committee (Pages 26 - 27)

14. 15/04069/FUL - Henstridge Airfield, The Marsh, Camp Road, Henstridge (Pages 28 - 47)

15. Exclusion of the Press and Public (Page 48)

16. CONFIDENTIAL: Henstridge Airfield (Pages 49 - 87)

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.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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Agenda Item 8

Environmental Health Service update report

Assistant Director: Laurence Willis, AD Environment
Service Manager: Alasdair Bell, Environmental Health Manager
Contact Details: Alasdair.bell@southsomerset.gov.uk or 01935 462056

Purpose of the Report

To provide members with a brief update of the work of the Environmental Health Service in the last twelve months and to look forward to future challenges. Alasdair Bell, Environmental Health Manager will attend the meeting to give a presentation and answer any questions.

Recommendation

That Members note the report

Public Interest

The Environmental Health Service is a frontline service committed to protecting public health and safeguarding the environment. The majority of work undertaken by the service is required by law with very little discretionary work. The Environmental Health Service Plan that outlines the work of the service along with key service standards and the service action plan can be found on the council website at:

http://www.southsomerset.gov.uk/media/569271/service_plan_eh_15-16.pdf

Report

The work of the service continues to go well with staff dealing with a wide variety of matters including routine inspections and enforcement activity. In spite of budgetary pressures the level of service provided to the public is still good albeit we can only deal with essential statutory requirements.

Food and Safety Team

The Food & Safety Team both enforces legislation and provides advice and assistance to food and other businesses. The main emphasis of the team is to contribute to the success of the local economy by helping food businesses avoid problems of food poisoning etc and the severe economic consequences that can result. The food safety element of the work of the team includes the approval and audit of food manufacturers, food sampling, premises inspections, the investigation of food complaints and food poisoning as well as responding to national food alerts. The health and safety element includes inspection, advice, complaint and accident investigation. In Area East in the last 12 months 351 food inspections have been carried out, 82 cases of suspected food poisoning have been investigated and 9 accidents reported/investigated. Much of the work carried out is routine 'behind the scenes' and the public is generally unaware of what is going on until something significant happens such as a major food poisoning outbreak. Key achievements to note;

- The continued roll out of the National Food Hygiene Rating scheme ('scores on the doors'). This is a national scheme whereby all food catering businesses are given scores dependant on their food hygiene and management practices.
- All planned interventions and complaints successfully dealt with

- National Food Safety Week 2015 supported
- Development of the Better Business for All (BBfA) project.
- Delivery of business information covering new Food Information Allergen regulations.
- Ongoing management of 'Flexible Warranting' scheme to allow cross boundary working throughout Somerset
- Programme of advice and guidance on 'working at height' delivered to local businesses as part of the Health & Safety Action Plan.
- Maintaining a multi-agency Safety Advisory Group(SAG) for events being held in South Somerset
- Adoption of new Enforcement Procedures to reassure the public about the way enforcement is dealt with.

Environmental Protection Team

The EP Team deals with pollution control and environmental monitoring as well as the enforcement of environmental legislation. The Team checks local air quality and investigates a range of complaints about nuisance, in particular noise and smoke. The Team issues permits and inspects premises under the Pollution Prevention and Control regime (PPC). The Team also undertakes private water supply sampling, contaminated land assessment and the investigation of private drainage complaints as well as acting as a statutory consultee on planning and licensing applications. The delivery of the Pest Control service and public health burials are also part of the service provided. The Streetscene enforcement team is now part of the EP Team and deals with a range of issues including dog control and fly tipping. During the past 12 months 68 noise complaints have been investigated and 530 calls were taken regarding pest control in Area East. Significant points to note;

- The Private Water supply sampling and risk assessment programme has been successfully completed.
- The Permitted installation inspection programme(PPC) has been fully completed
- All actions from Streetscene audit have been implemented.
- Active participation in new multi -agency Yeovil One project.
- Somerset wide work with Councils and Police to implement new Anti-social behaviour provisions
- New EP Enforcement procedures introduced.

Housing Standards Team

The Housing Standards Team deal with private sector housing advice and enforcement. This includes investigating complaints about sub-standard rented housing, the inspection and licensing of houses in multiple occupation (HMOs) and the licensing of caravan sites. The team also provides advice/assistance/grant aid to improve energy efficiency and tackle fuel poverty. The team also processes applications for home repairs assistance grants, disabled facilities, HMO and empty property grants, and helps administer the WRT home loan scheme. The team works closely with the Housing Options Team in seeking to tackle the potential housing crisis that is developing in South Somerset. Significant points include;

- The running of two Landlord Forum events held at Holy Trinity Community Centre, Yeovil with over 70 local landlords attending.
- The future impact of Housing Benefit changes on rented accommodation
- Increased enforcement action to do with substandard housing and HMOs.
- £600,000 of Disabled Facilities Grants paid
- Over £250,000 of flood resilience Grants paid to flooded premises

- HMO Licensing scheme completed
- Over eighty empty properties brought back into use.

The case officer for Area East is Chris Malcolmson and he reports the following specific information about current work in the area;

HMO's

- Three known HMOs in Wincanton. HMO grants offered on two and enforcement action currently underway on a large property temporarily being used as a 3-storey, 30 plus person HMO
- Two known HMOs in Castle Cary of which one was prohibited due to lack of fire precautions coupled with the owners unwillingness to put in improvements

Other issues

- Improvement notice to remedy very high levels of radon at a property near Bruton.
- Improvement notice outstanding for a new roof and other improvements for a rented property in Castle Cary (possible prosecution ensuing)
- Improvement notice outstanding on a rented property in Wincanton
- Ongoing action with the Police on a block of flats in Wincanton
- Work has been undertaken in relation to number of empty properties with several being brought back into use with our partner landlords.

Financial Implications

There are none attached to this report

Corporate Priority Implications

The work of the unit helps contribute towards the delivery of a range of our Corporate Priorities but perhaps most importantly towards Aim 3 To improve the Health and Well-being of our citizens and to Aim 5 to promote a balanced natural and built environment

Carbon Emissions & Adapting to Climate Change Implications (NI188)

The work of the unit contributes towards this NI with its work on fuel poverty

Equality and Diversity Implications

As part of the EH service plan a full equalities and diversity assessment was undertaken.

Background Papers: *Environmental Health Service Plan 2015/16*
Food & Safety Service Plan 2015/16
Health & Safety Action plan 2015/16
Private Sector Housing Strategy 2015-20
Housing Implementation Strategy 2015 update
SSDC Corporate Plan 2012-15
Regulatory Services Enforcement Plan 2015-15

Agenda Item 9

SSDC Welfare Advice Work in South Somerset

Assistant Director: Steve Joel, Health and Well Being
Head of Service: Kirsty Larkins, Housing and Welfare
Service Manager: Alice Knight, Careline and Welfare Manager
Lead Officer: Catherine Hansford, Welfare Advice Team Leader
Contact Details: catherine.hansford@southsomerset.gov.uk or 01935 463737

Purpose of the Report

To update and inform Members on the work of the Welfare Advice Team for the financial year 2014/15.

Public Interest

The report gives an overview of the work of the SSDC Welfare Advice Team.

Recommendation

Members are invited to comment on the report

What is the Welfare Advice Team?

The Welfare Advice Team consists of 3.1 full time equivalent staff responsible for undertaking casework for clients across the whole of South Somerset. We provide specialised advice and advocacy; preparing claims, representing clients at Appeals, up to and including First-Tier and Upper Tier Tribunals.

The Team are situated within the Housing and Welfare Service and based at Petters House. We provide advocacy and advice by telephone, appointments at Petters House and the Area Offices and carry out home visits where appropriate.

Annual Statistics

During 2014/15 the Welfare Advice Team undertook casework for **593** clients across South Somerset achieving an Annual Income for clients of **£1,220,143.17**. In addition clients received a total of **£242,834.07** in Lump Sums. Combined total **£1,462,977.24** (at 17/02/2016).

Please note that these figures are provisional due to the time lag involved in benefits being awarded/clients confirming their award. This lag is longer than in previous years due to the extended delays with existing and new benefits (one year for new claims for Employment and Support Allowance (ESA) – although a basic rate is paid until that time). We would expect these figures to show a further increase as some cases remain open awaiting outcomes.

We undertook casework for **71** clients in Area East, achieved an annual income of **£74,369.60** and a lump sum of **£10,795.55**, combined total of **£85,165.15**.

Out of the total 593 clients we worked with across South Somerset we helped dispute 55 decisions (Appeals and Mandatory Reconsiderations). This is a drop in previous year's figures as fewer decisions are being made.

At Mandatory Reconsideration stage:

- 23 decisions were successfully overturned
- 3 were withdrawn
- 1 is still outstanding

The unsuccessful MR's, we can progress to appeal (First Tier tribunal) stage, if our clients are agreeable.

Some cases that come to us are already at this stage.

At Appeal Stage:

- 24 cases progressed to Tribunal stage
- 2 were withdrawn.
- 16 were successful
- 4 unsuccessful
- 2 remain outstanding

As before, these figures are subject to change as decisions on open cases are made and progressed as appropriate.

It is also worth noting that of all the 55 disputed decisions, 46 were for disability benefits – 9 Disability Living Allowance, 15 Personal Independence Payment and 22 Employment and Support Allowance.

Where We Are Now.

The 2012 Welfare Reform Act represents the biggest change to the welfare system in over 60 years. All these changes are also taking place against a backdrop of reductions in funding from central government across both the statutory and third sectors.

Passported Benefits

The impact of completely redesigning the whole system of means-tested benefits and tax credits goes beyond those just immediately affected by losing a benefit.

Over time a whole raft of secondary benefits have been developed and eligibility depends on receiving Income Support, income based Jobseeker's Allowance, income related Employment and Support Allowance and Child Tax Credits.

These are known as 'passported benefits' and include free school meals, school travel, prescriptions, dental treatment and other reductions in prices for services, e.g. leisure, Careline etc.

The Social Security Advisory Committee, a statutory independent committee which advises Department of Work and Pensions (DWP) on the operation of the benefits system, has recently produced a report (1) which raises clear concerns about the loss of these passported benefits.

It points out that these benefits make significant contributions to the health and wellbeing of low income families and to preventing child poverty and social exclusion.

If families lose benefits and in turn eligibility for free school meals this also impacts on the overall funding the schools receive in the 'pupil premium'.

In addition if families migrate because of the Housing Benefit caps and other loss of income arising from the reforms, then this will have significant impact sub-regionally and could exacerbate disparities of wealth in rural areas.

The application of the Spare Room Subsidy to Social Housing Tenants (known as the Bedroom Tax) was rolled out from April 2013 and, as of March 2015, 764 tenants in South Somerset experienced a reduction in Housing Benefit as a result of this.

From September 2013, the Benefit Cap (the total amount of benefit that working-age households can receive) was implemented and whilst there were a relatively small number of households affected in the whole Somerset (around 100 by April 2014), South Somerset, as of March 2015 has 27 affected households (2).

This is in addition to households with private tenancies affected by the Local Housing Allowance.

There has been an almost three fold increase in the households in Somerset receiving extra help with housing costs through Discretionary Housing Payments (DHP) in 2013-14 compared to 2012-13. DHP's in South Somerset rose from 230 to 487. (2). The number of households in South Somerset that received extra help through DHP's in 2014/15 was 513.

Saved and Maintained Tenancies

The figures for Saved and Maintained Tenancies for 2014-15 stand at 3 and 22.

Saved Tenancies are those cases which would have resulted in the loss of the tenancy but for the intervention of the Welfare Benefit Team. Maintained Tenancies are those where the Welfare Benefit Team have undertaken a significant amount of work with the clients towards assisting in the successful maintenance of the tenancy.

The cost to SSDC of dealing with a homeless application is estimated at £2,630 per family. The 3 tenancies saved by the intervention of the Welfare Benefit Team equates to a potential saving of £7,890. Further savings were made by the 22 x Maintained Tenancies, as it is highly probable that a number of these would have progressed to the stage of loss of tenancy without early intervention, which is key in the current financial climate.

The need for support for people to retain their homes has never been greater than now given the consequences of Welfare Reform.

Housing Benefit

More recent research from the National Housing Federation (3) shows that middle-income households earning between £20,000 - £30,000 a year accounted for two thirds of all new Housing Benefit claims during the last six years, as the struggle to afford a home gets tougher.

With the proportion of households having to claim Housing Benefit despite being in work doubling to 22 per cent (one in five) since 2008, the National Housing Federation predicts that this figure could rise to one in three in the next five years. (3).

Here in South Somerset, out of a Housing Benefit caseload of 9,540 (active claims as of March 2015), working age claimants make up 6,052 and of these 2,238 are earning which equates to 23% (higher than the national average) of the total caseload and 37% of working age claimants. This does not include those in receipt of passported benefits who also work.

The estimated cost for a 2 child family if an eviction took place without a homeless application being made is £3,563. The wider social costs in relation to education and health services are estimated to be £4896. (4). In addition the emotional impact on clients' health is considerable.

Becoming homeless is of course the very last resort for families and experience has shown that considerable financial pressure will be absorbed and debt accrued by families before they accept it. The impact of this can be widely felt in families, children and vulnerable adults in these families can be particularly at risk.

Nationally, the number of Housing Benefit claimants who are in work broke the *one million* barrier for the first time when DWP statistics published in November 2013 show that 1,013,822 people in employment were claiming Housing Benefit in August 2013.

DWP statistics published in August 2015 show that nationally, 1,073, 238 people in employment were claiming Housing Benefit in May 2015 out of a total number of 4,865,567 – 22%. Again, this does not include working households who are also in receipt of passported benefits.

Unemployment

Unemployment is not so much an issue in South Somerset as underemployment - few people realise just how many in work rely on Housing Benefit to pay their rent, not to mention earnings top up's such as Working Tax Credits due to typically low wages in the area.

UK figures published in December 2013 found that the largest group in poverty are working age adults without dependent children - 4.7 million people are in this situation, the highest on record. Pensioner poverty is at its lowest level for 30 years. (5).

The Value of Welfare Advice

By ensuring the maximisation of income and helping to challenge decisions, welfare rights services ensure that national government covers such housing costs instead of the council by way of the homelessness route and/or loss in rent collection

The Low Commission, in May 2014, published a major follow up work on the economic value of social welfare advice (6) and presents compelling evidence from different sources that social welfare advice saves public services money. So apart from putting money in the pockets of those who need it, there is also widespread added value from our work.

Looking at all work to date on Cost Benefits Analysis (CBA) and Social Return on Investment data, the report finds that this not only pays for itself, but it also makes a significant contribution to families/ households, to local area economics, and also contributes to significant public savings.

Different studies done in the UK, US, Canada and Australia have all demonstrated similar findings that for every pound or dollar invested, there's a multiple of 10 in the savings produced by, for example, keeping people their homes with jobs and incomes intact rather than having to utilise expensive crisis and emergency services. The review shows that advice across different categories of law result in positive outcomes for clients and their households. (6)

Commenting on the findings Lord Colin Low said:

“This research, carried out independently, demonstrates with hard economics the true value of social welfare advice. It can no longer be argued that funding social welfare advice is too much of a burden on the state. Early and necessary interventions from advice and legal support prevent problems and expense further down the line”

Partnership Work

Co-ordinated joined up working with other agencies is now more important than ever with the emphasis on making advice more accessible in rural areas and taking service out across the district. We are striving to maintain and improve ways where we can complement each other's services, focusing on each agencies strong points, exploring new technologies and access routes and better referral systems.

We are also working in conjunction with other advice agencies on Social Policy issues. The agencies we work with, such as the National Association of Welfare Rights Advisers and Citizens Advice Bureaux campaign on a national level, which we feed into, as well as highlighting individual cases via the local MP's.

Our partner agencies include South Somerset CAB, Age UK, Yarlinton Housing Group, South Somerset Mind, Village Agents and many more.

Case Studies and Feedback

The advice we provide helps our clients get back on their feet again and encourages them to be pro-active as we try to empower and avoid over dependence. This local face to face responsive support has become more essential as more and more services are rolled out digitally or through central processing centres.

This is highlighted in the feedback we receive from our clients.

“The welfare was excellent help. Everything was brilliant. Thanks for all the help and care, we appreciate it. God bless you.”

“Catherine was brilliant, if I'd met her a while ago life would have been a lot easier. Very motivated, positive, helpful and friendly. Can't thank her enough.”

“From the start of the process I felt supported. Andy explained every step thoroughly to me and answered any questions. Huge thanks to Andy, I was extremely happy with the service I received. I would recommend highly.”

“The lady who called on us (Helen) was wonderful I cannot commend her enough.”

“Helen Parrott was very kind, caring and professional. She filled in my claim form making sure to include every comment. She didn't rush me and made sure the questions were answered in my own words. I would recommend Helen to other people, she made a stressful time more relaxed by her caring nature.”

“Thank you for the excellent service - you've been very helpful”

“Excellent service provided by Andy Pennington, with regular updates until all benefits were received.”

“My case worker was very efficient and helpful”

“Thank you very much for the assistance gave to me. I am very happy for your supporting and your kindness.”

Case Study

Philip is 25 years old with Noonan's Syndrome – a genetic disorder with a wide range of symptoms including mental health and learning difficulties, anxiety and depression.

As a result Philip is significantly limited in his mental state, struggling with day to day activities that most of us take for granted – reading, cooking meals, budgeting, as well as personal care.

Philip was in supported temporary housing following homelessness due to not coping with managing his finances. He signed off of Employment and Support Allowance (ESA) and on to Jobseeker's Allowance (JSA) because he wanted to work, unaware of the strict requirements he would be subjected to.

Philip had previously gained employment but was unable to hold down a job because of the amount of support he needed to do so –navigating the route to work, using public transport, getting himself organised etc etc.

Philip was referred to us in November 2014 by adult support services in who had been working with him for some time.

We suggested that he move back on to ESA and explained he could still look for work whilst claiming this benefit but he would be given appropriate support to do so.

Philip re-claimed ESA and we also helped him put in a claim for Personal Independence Payment (PIP) which is a non-means tested benefit that has replaced Disability Living Allowance.

Unfortunately Philip was turned down for PIP, with points scored for difficulties with budgeting and reading. We helped him request a Mandatory Reconsideration (MR) of this decision and provided additional medical evidence as well as a written submission in support of an award.

Unfortunately the original decision was upheld in March 2015 and by this time Philip's situation was causing him significant distress. His depression worsened and he started forgetting appointments.

Philip's stepmother intervened and made contact with us. With his permission we worked with her to help him through what was a difficult time. He was still only receiving the assessment phase amount of ESA (£72.40 per week) and struggling financially.

Philip's Tribunal Hearing was finally listed in August 2015 and the panel awarded him points for difficulties with cooking a simple meal, managing his therapy, washing and bathing, reading, budgeting and planning the route of a journey. This amounted to an additional £102.85 per week plus the addition of a Severe Disability premium of £61.10 per week.

At this time Philip's ESA was still in the assessment phase and he had not had a medical. We forwarded the Tribunals PIP decision with the medical evidence and a covering submission to the DWP Medical services who took this on board and made recommendation to the DWP without the need to a face to face medical.

Subsequently Philip was placed in the ESA Support Group amounting to an additional £51.30 per week.

As a result of the work we carried out, Philip has an increased annual income of £11,193 plus back paid benefit in the sum of £11,282. He has successfully moved into permanent accommodation with a Registered Social Landlord and continues to be supported. This has also had a significant positive impact on his mental health.

Corporate Priority Implications

Council Plan 2012-2015:

Focus 3: Homes

Focus 4: Health and Communities

Equality and Diversity Implications

The work within the Welfare Advice Team brings us into daily contact with vulnerable clients, people with disabilities and non-English speaking communities.

Financial Implications

None

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None

Background papers;

- (1) *Universal Credit: the impact on passported benefits*, Report by the Social Security Advisory Committee, DWP, March 2012
 - (2) Somerset Welfare Reform Impact Monitoring 2013-14
 - (3) *Broken Market, Broken Dreams*, Home Truths 2014/15, report by the National Housing Federation 2014
 - (4) Somerset Community Legal Service Partnership: County Court Project
 - (5) *Annual Monitoring Poverty and Social Exclusion 2013* published by the Joseph Rowntree Foundation and written by the New Policy Institute (08/12/2013)
 - (6) *Social Welfare Advice services – A Review* by Graham Cookson, an economist at the University of Surrey
-

Agenda Item 10

Update on work with Young People in Area East

Assistant Director: Helen Rutter, Communities
Service Manager: Helen Rutter, Area Development Manager East
Lead Officers: Steve Barnes, Young Peoples Officer
Tim Cook, Neighbourhood Development Officer
Contact Details: tim.cook@southsomerset.gov.uk or (01963) 435088

Purpose of the Report

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

Public Interest

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

Recommendation

That Members note and comment on the report.

Background

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

SCC Youth and Community Service currently provides one senior youth and community worker covering Mendip and South Somerset. The focus of support available from SCC is now through a grants programme, advice and guidance and the 'Safe and Welcoming' benchmark quality assurance scheme.

Current Youth Club Provision

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

Henstridge

The Young Peoples Officer commissioned some targeted work in Henstridge in the Summer of 2015. Somerset Rural Youth Project spent six weeks working with 12 young people in Henstridge and Templecombe towards planning and delivering a 'Youth Day'. The day which included an organised skate competition had an attendance of approximately 150 people. 22 young people took part in the football tournament and many enjoyed the climbing wall, MUGA, inflatable, moped workshop and music. The local WI provided sandwiches and refreshments which was a good link as well.

Since the Youth Day a number of parents and volunteers have formed a group to set up a Youth Club which is now delivering one evening a week for 11 to 16 yr olds. The club offers a programme of activities which currently attracts between 20 and 25 young people.

Bruton

Bruton has had a regular club night every Monday run by a team of volunteers. The club continued with solid attendance throughout the year however, a lack of volunteers has led to the decision to close the club. The group is working with the Town Council to identify a way forward for youth provision in the town. One option being considered is to work with Castle Cary & Ansford Youth Matters.

Castle Cary & Ansford – Youth Matters

The period of consultation with our young people, through Lolly the youth worker, is nearing the end and as a result the Youth Club will start on a Thursday at the Swainson Building with a youth work team provided by Inspired 2 Achieve. They will be speaking further to local young people to establish what holiday activities are required, what trips they would like and anything else they might enjoy both on a regular basis and as one off activities. They will continue to talk to the young people about developments in the town including an active role in the Fairfield planning group. Parents, possible volunteers and carers have been invited to visit the Swainson Building on Thursday 3rd March at 7.00 pm.

Wincanton

Last year, a group of 8 young people worked with SRYP to organise and run a youth day. Wincanton Town Council has agreed to support 2 playdays and a Youth Day planned for the Summer 2016. The aim is to encourage young people to engage with existing events throughout the year. The focus of the next year is to refurbish Cale Park play area to improve the facilities for younger children.

The Charltons

The Charltons youth club continues to meet regularly and is attended by approximately 15 young people. The club has 7 volunteers and 1 paid worker. This term the group have been on 3 trips, swimming, carting and bowling. After Easter the group will be in a position to offer a Wednesday night session from 7-9pm with a programme of activities.

Ilchester Youth Council

Have continued to have a positive impact in their village. Below is a list of some of the things they have been up to during the last year.

- The group worked with Streetscene, to put on a litter pick in two parts of the village.
- Ran a scarecrow hunt and make a mini scarecrow activity at village fun day.
- Supported Somerset Rural Youth Project, setting up a, 'Youth Day' in Ilchester.
- Refurbished a bench dedicated to a local man.
- Won a Gold Star Award, for being the best junior club, group or organisation, of the year in South Somerset.

The Youth Council at Ilchester have also planned many things for 2016. These include.

- A fund raising brunch and coffee morning.
- Taking part in a street party to celebrate the Queen's 90th birthday.
- A litter pick at Pillbridge lane.
- Supporting the local primary school rejuvenating their play space.

Keinton Mandeville

The Friday youth club continues to thrive and the group moves from the Methodist Church to the village hall for sessions when available in order to provide more space and better access for the young people. Alongside the youth club sessions, the young people are also participating in litter picks with one planned on 12 March.

The Sports/Youth facilities continue to be well used. A group runs girl's football on Tuesday nights 5.15-6.15pm with approximately 11 girls taking part from Barton St David, Charltons, Keinton Street and Somerton. Netball is organised with a strong under 16's, 14's and 12's team with some of our over 14's playing senior netball matches at weekends.

A team of college boys hire the MUGA on a Sunday evening and run their own football session. Hockey takes over when the netball season finishes. A large number of local young people access cricket in Lydford.

Other groups

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

SSDC Young People's Officer – Steve Barnes

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

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

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

Training & Development

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

National Citizenship Scheme

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

- Challenging activities including climbing, coast steering, abseiling etc.
- Skills development e.g. Budgeting, project management, time management etc.

- Community project e.g. Environmental improvement or organising community events.

The scheme is run by Somerset Rural Youth Project. Further information is available at www.sryp.co.uk or www.ncsyas.co.uk . 45 young people from South Somerset took part over the summer with participants from Marston Magna and Castle Cary in Area East. Social Action Projects included raising money for Mind, running a facebook page to raise awareness of women's body image and running sports activities for young children.

Financial Implications

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

Corporate Priority Implications

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

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

Carbon Emissions & Climate Change Implications

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

Agenda Item 11

Area East Forward Plan

Assistant Directors: Kim Close / Helen Rutter, Communities
Service Manager: Helen Rutter, Area Development Manager (East)
Lead Officer: Kelly Wheeler, Democratic Services Officer
Contact Details: Kelly.wheeler@southsomerset.gov.uk or 01935 462038

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; Kelly Wheeler.

Background Papers: None

Appendix A

Area East Committee Forward Plan

| Meeting Date | Agenda Item | Background and Purpose | Lead Officer |
|---------------------|---|--|---|
| 13 April 16 | LEADER Programme for rural Economic Development | LEADER went live in November -overview of progress in 2015/16 | Helen Rutter AD Communities |
| 13 April 16 | Area Development Plan | Report on achievements 2015/16 | Helen Rutter Area East Development Manager |
| 11 May 16 | Community Health and Leisure Service Update | Annual update to members on the work of the service | Lynda Pincombe Community Health & Leisure Manager |
| 11 May 16 | Workspace Progress Report | To update members on progress with bringing forward workspace | Pam Williams NDO(Economy) |
| 8 June 16 | Somerset Highways Report | To update members on the total works programme and local road maintenance programme. | John Nicholson SCC |
| 8 June 16 | Community Grant applications | To consider any SSDC community grant applications | Tim Cook / James Divall / Pam Williams NDOs |
| 8 June 16 | AE Community Capital Grant programme 2015/16 | To give a summary of community projects and activities from across the area supported with grants during 2015/16 | Lisa Davies Community Support Manager |

Agenda Item 12

Planning Appeals

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

Purpose of the Report

To inform members of the appeals that have been lodged, decided upon or withdrawn.

Recommendation

That the report be noted.

Background

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the Committee.

Report Detail

Appeals Received

15/03729/FUL - Land adjoining Corner Farm, Devenish Lane, Bayford, Wincanton.
Erection of 2 no semi-detached dwellings and ancillary works

15/02187/FUL - Land OS 2269 Old Bowden Way Milborne Port Sherborne
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

14/05525/FUL – Land at Monarchs Way, Ashington Lane, Limington
The erection of a dwelling and stables in relation to existing equestrian facility

Appeals Allowed

No appeals have been allowed.

Appeals Dismissed

No appeals have been dismissed

Background Papers: None

Agenda Item 13

Schedule of Planning Applications to be Determined by Committee

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

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 10.45am.

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

| SCHEDULE | | | | | |
|---------------|----------------|--------------|---|---|--------------------------|
| Agenda Number | Ward | Application | Brief Summary of Proposal | Site Address | Applicant |
| 14 | BLACKMOOR VALE | 15/04069/FUL | The continued use of Henstridge Airfield, for both recreational and business use subject to conditions and a 106 Agreement to cover that which cannot be lawfully conditioned against | Henstridge Airfield, The Marsh, Camp Road, Henstridge BA8 0TN | Mr G Jarvis Losan Ltd |

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

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

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 14

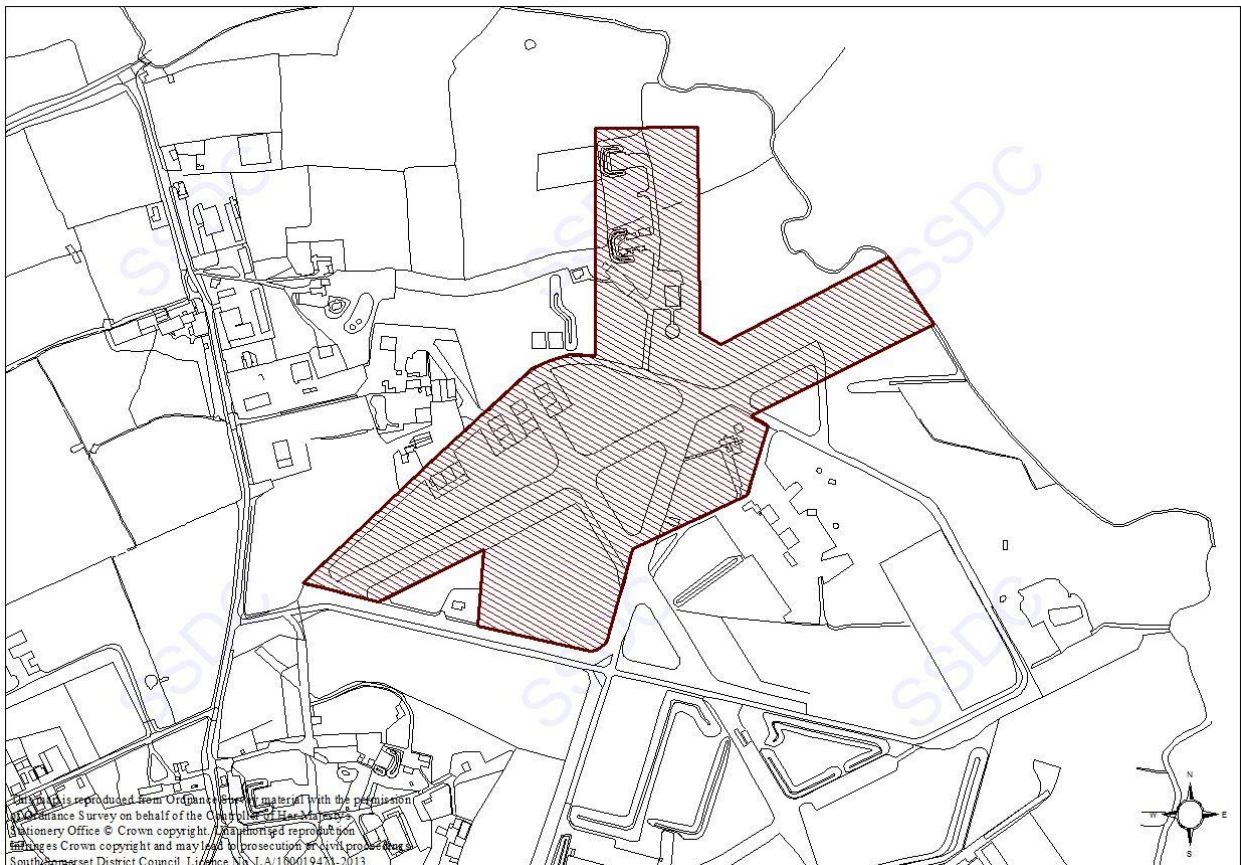
Officer Report On Planning Application: 15/04069/FUL

| | |
|--|---|
| Proposal : | The continued use of Henstridge Airfield, for both recreational and business use subject to conditions and a 106 Agreement to cover that which cannot be lawfully conditioned against. (GR 374640/120380) |
| Site Address: | Henstridge Airfield, The Marsh, Camp Road. |
| Parish: | Henstridge |
| BLACKMOOR VALE Ward (SSDC Member) | Cllr Tim Inglefield Cllr William Wallace |
| Recommending Case Officer: | Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk |
| Target date : | 6th January 2016 |
| Applicant : | Mr G Jarvis, Losan Ltd |
| Agent: (no agent if blank) | |
| Application Type : | Major Other f/space 1,000 sq.m or 1 ha+ |

REASON FOR REFERRAL TO COMMITTEE

This application is referred to Committee at the suggestion of the Development Manager with the agreement of the Ward members and the Chairman due the controversial nature of the site and to enable the issues raised to be fully debated.

SITE DESCRIPTION AND PROPOSAL



Henstridge Airfield as a whole comprises some 142 hectares in the open countryside, remote from any large centres of population, the nearest settlement being the Village of Henstridge, approximately 2km to the west . Access is derived from the A30 and a network of rural roads and lanes. The southern and eastern boundaries of the site (Landshire Road and the River Cale) form the county boundary with Dorset and the immediately adjoining parishes of Buckhorn Weston & Kington Magna, Fifehead Magdalen, Marnhull, The Stours and Stalbridge are all in North Dorset,

Historically it formed part of a much larger Royal Navy Air Station, HMS Dipper, which straddled the county boundary (immediately to east of the site) and also included land to the west side of Camp Road. In 1958 when the air station was decommissioned, the land was either sold or reverted to previous owners. During this period many of the buildings fronting onto Camp Road and Landshire Lane, which were formally associated with the military use of the airfield, were granted planning permission for agricultural, industrial and commercial purposes.

Currently a number of businesses to operate from the site. Typically they employ relatively few people, whilst requiring extensive areas of land. The site includes a centrally positioned runway which is the subject of this application. This 15 hectare part of the site encompasses the runway, perimeter trackway, grass aircraft parking areas and associated installations and buildings. It is the only hard surfaced runway in civil use in Somerset and provides a base for the Somerset and Dorset Air Ambulance.

The site and surrounding land are relatively flat. Nearby uses include aircraft related activities, vehicle and plant storage, grain storage, and a variety of B1/B2 and B8 uses as well as agricultural land. Permission has been granted for a 'bio-ethanol' plant to the south.

There are a loose scattering of residential properties to the west and north of the site as well as more isolated properties to the south and east. Apart from a few dwellings with the industrial area to the north-west of the site the nearest residential properties are approximately 400m to the north east.

The application is for a replacement operational permission to govern flying activities at the airfield. The supporting information sets out the restrictions that the applicant would like to see conditions applied to:-

- Restrict the number of aircraft movements to 100 per day and 10,000 per annum, with no more than 10% of the daily and annual maximums to be by helicopters. An aircraft movement being defined as either a take-off or a landing. An accurate log of all said movements being kept by the airfield and made available to SSDC's planning manager upon request

Movements by the Air Ambulance excluded from any total. The daily number of movements being unrestricted (whilst counting to the annual number of movements,) for fly-ins of which there will be no more than 3 per annum, for open days of which these will be no more than two per annum, and for the Clic Sargent family day of which there will be one per annum

- Restrict the hours of operation to between 7.00am and 7.00pm Monday to Saturday and 9.00am to 6.00pm Sunday and Bank Holidays, with the exception of emergency and use by the armed forces

- To restrict the number of resident aircraft to 100, a resident aircraft defined as one for which the airfield receives payment for it to be there for more than 2 consecutive months.
- To restrict the maximum take-off weight of aircraft landing on or taking-off from the airfield to 5,000kgs and to restrict aircraft that hold or would hold, if certificated ICAO,CAA or FAA noise certificates of greater than 79dba from landing at or taking off from the airfield. The onus of proof if questioned about an aircraft resting with the airfield operators, such proof being to the reasonable satisfactions of SSDC's environmental health department

A Section 106 agreement is offered to:-

- In so far as is safe to avoid over flight of all neighbouring villages and to maintain airfield circuits to the South
- That there will be no more than two sets of three circuits (each including two touch and go's if required) conducted in any one hour, by aircraft landing or taking off from the airfield
- That there will be no aerobatic flying overhead the field by aircraft landing or taking off from the airfield except for one period of 20 minutes between 11.00am and 12.00 noon and another 20 minute period between 2.00pm and 3.00pm each day.
- The consultation committee, formed as a result of the 2002 consent will be maintained.

The application is supported by a Noise Assessment and a proposed Management Agreement which includes terms of reference and constitution for an Airfield Consultative Committee

RELEVANT HISTORY

In terms of the use of land as an airfield the following applications are relevant:

- | | |
|--------------|--|
| 12/04023/FUL | <p>Application to "Use of land at Henstridge Airfield as an airfield for both business and recreational use" approved at a committee subject to S106 to:-</p> <ul style="list-style-type: none"> • require adherence to the existing Flight Protocol to the satisfaction of the Council's Environmental Protection Officer, in particular compliance with defined flight paths and circuits • The continued running of the Henstridge Consultative Committee with agreed terms of reference • prohibit aerobatic flying within 5 miles of Henstridge Airfield • Require the keeping of records of all aircraft movements on a daily basis to the satisfaction of the Development Manager • Require the implementation of a testing regime with regard to aircraft that do not hold a noise certification from either the ICAO, the CAA or the FAA to the satisfaction of the Council's Environmental Health Officer. • Revoke the current permission 01/00717/FUL as amended by 09/01845/FUL and associated Section 106 agreement. |
|--------------|--|

Subsequently the applicant could not accept to prohibition of aerobatic flying within 5 mile of the airfield and withdrew the application.

| | |
|---------------|---|
| 11/01554/COL | Certificate of lawfulness refused for use of airfield without compliance with conditions of 09/01845/S73A (22/06/11). |
| 10/00637/DPO | Approval granted for amendments to S106 agreement attached to 01/00717/FUL to reflect variations to conditions agreed by 09/01845/S73A and 05/02049/FUL (24/05/10). |
| 09/01845/S73A | Approval granted for variation of 10 of 01/00717/FUL to impose a restriction on the use of the airfield by jets, vertical take-off aircraft (other than helicopters) and aircraft certificated at greater than 79DbA (03/07/09). |
| 08/00402/COL | Certificate of lawfulness issued for the continued use of airfield by gyrocopters (10/04/08). This reflects the provisions of 01/00717/FUL which allow gyrocopters to use the airfield and the fact that the approval of 03/03310/FUL was unnecessary. |
| 08/00378/COU | Planning permission approved for change of use of land to former use as part of an operational airfield (27/03/08). |
| 04/00368/FUL | Approval granted for variation of condition 11 of 01/00717/FUL to allow total number of aircraft based at airfield to be increased from 30 to 45. |
| 05/02049/FUL | Approval granted for variation of condition 13 of 01/00717/FUL to allow increase of helicopter movements from 500 to 1,000 of the total movements |
| 03/03310/FUL | Planning permission granted for the continued use of Henstridge airfield by gyrocopters up to 28/02/09 (02/02/04) |
| 01/00717/FUL | Planning permission granted for the continuation of the use of land as an airfield (23/09/02). An associated S106 agreement places the following obligations on the applicant:- <ul style="list-style-type: none">a) Not to apply to the CAA for an airfield licence;b) To establish a consultative committee;c) To maintain accurate records of aircraft movementsd) Not to enlarge the runway or erect buildings without planning permission;e) Not to install runway or airfield lighting;f) To enforce the hours of operation set out in the Second Schedule;g) Not to allow the airfield to be used as a base for a flying or gliding club; |

- h) Not to allow the air field to be used by any prohibited aircraft as set out in the First Schedule (as varied by 10/00637/DPO);
- i) To adhere to the maximum aircraft movements
- j) Not to allow more than 500 helicopter movements per year (subsequently varied to 1,000 by 05/02049/FUL and 10/00637/DPO))
- k) Not to allow more than 2 open days and 3 fly-ins per year.

840356 Planning permission granted for the use of land at Lower Syles Farm as an airfield.

Prior to 2001 there is a long and complex planning history however the approval of 01/00717/FUL is viewed as starting a fresh chapter in the planning history of the site. The current situation is that the operational permission is 09/01845/S73 and the original s106 attached to 01/00717/FUL, as updated by the supplemental agreement approved by 10/00637/DPO.

Within the airfield the following developments are pertinent:-

- 08/01618/FUL Planning permission granted for the erection of an extension to aircraft hangar permitted by 07/03239/FUL (27/05/08).
- 07/03239/FUL Planning permission granted for the erection of an aircraft hangar with airfield maintenance equipment storage bay (26/11/07).
- 07/01491/FUL Planning permission granted for formation of car park adjacent to permitted Airfield Control Building (03/07/07). Not implemented.
- 06/04576/FUL Planning permission granted for erection of airfield control building (09/01/08). Not built
- 06/01131/FUL Planning permission granted for installation of taxi way and 2 refuelling hardstandings (07/08/06). Only the taxi way has been installed.
- 06/01034/FUL Planning permission granted for temporary siting of aircraft shelter (07/08/06). This should have been removed by 31/08/11.
- 05/03073/FUL Planning permission granted for erection of hangar (15/02/06)
- 04/02359/FUL Planning permission granted for the erection of aircraft hangar (04/10/04).
- 02/01623/FUL Planning permission granted for the erection of a airfield control building and a hangar for aircraft storage (17/10/02). The hangar has been built but not the control building.

Adjacent to the Airfield the following aircraft related approvals have relevance:-

| | |
|--------------|---|
| 08/04350/COL | Certificate of lawfulness issued for use of aircraft production facility (04/02229/FUL) for aircraft maintenance or manufacturing (06/11/08). |
| 08/00203/FUL | Planning permission granted for the erection of a facility for the air ambulance on land to the north east of the airfield (21/02/08). |
| 04/02229/FUL | Planning permission granted for the erection of an aircraft production facility (27/07/06). |

Other development

| | |
|--------------|--|
| 07/05297/COL | Certificate of lawfulness issues on appeal for the use of land to east of airfield for the recreational riding of motorbikes and quad bikes for 28 days a year with no more than 14 of these days constituting a motorsport event (02/12/08) |
|--------------|--|

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

South Somerset Local Plan 2006 - 2028

EQ2 – General Development

EQ7 – Pollution Control

TA5 – Transport Impact of New Development

EP6 – Henstridge Airfield.

National Planning Policy Framework

Chapter 1 – Building a strong, competitive economy

Chapter 3 – Supporting a prosperous economy

Chapter 11 – Conserving and enhancing the historic environment

National Planning Practice Guidance

Section on Noise

Noise Policy Statement for England (March 2010)

Aviation Policy Framework (March 2013)

Circular 11/95 – The Use of Planning Conditions

This sets out 6 tests for planning conditions and states that conditions should be:-

- i. Necessary to make the development acceptable;
- ii. relevant to planning;
- iii. relevant to the development to be permitted;

- iv. enforceable;
- v. precise; and
- vi. reasonable in all other respects.

Other Material Considerations

The extant permission (01/00717/FUL and associated s.106 agreement, as amended by 09/01845S/73A and 10/00637/DPO) provide the applicant with a lawful fall-back position.

CONSULTATIONS

Henstridge Parish Council – deferred consideration until such time as more information on noise impacts is distributed by SSDC

Neighbouring Councils

North Dorset District Council – no objection raised to the continued use of the land as an airfield, however a number of concerns are raised regarding the use of the runway and adjoining land for motorcycling events which have resulted in noise related complaints. It is suggested that restrictions be imposed to clearly specify the maximum number and type of such motorcycle/motorsport activities.

Buckhorn Weston & Kington Magna Parish Council – raise a number of concerns:-

- the current 79dBA noise limit is unregulated by SSDC; the increase in aircraft weight would encourage noisier aircraft;
- submitted noise assessment is inadequate. An independent assessment should be carried out;
- Henstridge should not be used by the military out of hours;
- Existing prohibition on training should be maintained; the suggested southerly circuits would adversely affect the North Dorset villages;
- Ban on aerobatics should be maintained in the interests of safeguarding amenity and public safety
- There is a general concern that the operator disregards the current restrictions at the airfield and a lack of confidence that any future restrictions will be complied with.

The parish have raised concerns over the nature of the application and the perceived lack of clarity. It is accepted that an exchange of emails has clarified the situation although some doubts remain.

Marnhull Parish Council – the continued operation of the air ambulance should not be compromised; the suggested 0700 start is too early any increase in number of resident aircraft would lead to increase landings and take-offs, noise, air activity and safety risk.

Fifehead Magdalen Parish Meeting – objects on the grounds that:-

- Pilots already ignore prescribed flight paths and circuit heights
- Increase weight limits would bring in louder and heavier aircraft – a precursor to an airport
- Impact of circuits on residents and animals;
- 0700 is too early to start
- Increased resident aircraft to 100 would bring about increased levels of noise and disturbance

- Noise from aerobatics
- Lack of environmental assessment

Stalbridge Town Council – no objection to the application provided that conditions are put in place which ensure that there will be no increase in the detrimental effect on the environment and residential amenity of the neighbourhood.

SCC Highways Authority – notes that the airfield is existing and its use, although this application appears to include some increase over the permitted levels of activity, is proposed to be strictly controlled by condition and legal agreement. The airfield is surrounded by commercial uses and the traffic associated with the additional use of the airfield is not considered to be so significant over and above that already permitted so as to warrant a refusal of permission for its continued use.

Therefore in the event of permission being granted, recommends that the conditions and legal agreement requirements limiting the level of use of the airfield similar to those suggested in the submitted documents or more restrictive ones proposed by others are imposed. However once the details of those proposed conditions/limitations are known I would like to have the opportunity to reconsider the position of the Highway Authority.

Highways England – No objection

Environmental Protection Unit – *“The following comments are informed by our site visit to the airfield on the 4th December 2015, where Vicki Dawson, Sally-Anne Webster and I assessed the noise being emitted by two aircraft performing aerobatic movements and circuits. This assessment took place both at the airfield it’s and the village of Kington Magna.*

*Our overall subjective impression was that the impact of the noise from the aircraft was minimal and that there is no fundamental reason not to allow a *limited* number of aircraft movements comprising an aerobatic element. We would not be in favour of no restriction at all on aircraft movements.*

By limits we consider that an total annual limit be agreed, together with a weekly limit. For example 200 movements a year but no more than 5 a week, with no movements allowed on a Saturday, Sunday or Bank Holiday.

A time limit on the duration of the movement would also be appropriate. We suggest a 2, 15 minute pre-arranged windows a day.

All of these recommendations are subject to the applicant and the Local Planning authority being able to agree a meaningful, robust and enforceable method of implementing this recommendation.”

Landscape Architect – understands that the majority of aircraft currently based at Henstridge benefit from existing hangarage, but there would also be a requirement for open parking, contained to the north of the airfield. That is accepted from a landscape perspective. However, any increase in aircraft numbers will clearly bring with it the need for either additional hangar structures, or further areas dedicated to open parking. The presence of additional structures, along with the heightened presence and activity of additional aircraft will clearly impact upon the airfield’s limited open space, and further erode the open-ness of the strategic open space at the heart of the airfield, which is identified by the Henstridge masterplan, as informed by our original landscape assessment. Consequently if the assumption is that there will be a greater need for hangarage/open field parking, then there would be clear landscape grounds to oppose any increase in the numbers of aircraft based at Henstridge above 45.

REPRESENTATIONS

32 letters of have been received raising issues in relation to the impact of the airfield on residential amenity. Principally objectors are concerns about the impact of existing airfield activities and are concerned that any relaxation of current restrictions would have an unacceptable impact through:-

- increased aircraft activity from more resident aircraft;
- increased noise
- increased activity early in the morning
- additional heavier aircraft
- circuit flying and touch-and-goes
- the introduction of uncontrolled aerobatic flying;
- the introduction of business activities

Concern is also raised over the history of the site and the need to seek expert advice on the drafting of any new restrictions. Clarification of the exact terms of the management agreement and consultative committee are needed. Existing conditions covering hours of operation, number of movements etc. should be maintained. There are concerns that no reasonable justification for the revision to the permission have been provided

Additionally 69 letters of support have been received on the grounds that:-

- the airfield has no or negligible impact;
- could provide economic boost and jobs;
- is an existing use which is an asset to the area should be supported;
- the proposed changes plus ongoing restrictions are reasonable;
- there is much aircraft activity in the Henstridge area that is not down to Henstridge Airfield (i.e. Yeovilton, passing air traffic etc.).
- the airfield provides lots of opportunities for recreational flying, charitable events, etc.
- aircraft from Henstridge are not disruptive; most are quiet and modern.

No adverse impact in terms of traffic, biodiversity and light pollution

3 letters have been received making general observations and seeking clarification of certain aspects of the proposal.

All letters are available on the Council's web-site for detailed inspection.

CONSIDERATIONS

Background

This is a fresh application for a new permission to govern the operation of the air field. It would relate simply to the use of the land and not to any built development whether existing or proposed in the future. No structures would be erected as a result of an approval and all existing structures would continue to be bound by their original permission.

It is not an application under section 73A of the Act for variation of existing conditions. It is an invitation to grant a fresh permission in light of prevailing policies and circumstances and could be subject to a new S106 agreement. There are a number of advantages to this approach. Firstly the original permission (01/00717/FUL) and associated S106 agreement have been modified several times by S73A applications and land has been added to the airfield (08/00378/COU). The situation is therefore in danger of becoming confusing should further S73A amendments be made to the original conditions.

Secondly the local planning authority cannot introduce new or more onerous controls (e.g. new restrictive conditions or additional s106 obligations) in responding to a S73A application. It is therefore considered to be in the interests of all parties to draw a line under the previous planning history and issue a fresh permission that clarifies the use of the airfield.

The benefits to all parties are considered to be:-

- The existing conditions are not considered to be particularly well drafted in light of current legislation. Whilst their intent is clear greater clarity could be given to the operator and local residents from a 'refresh'.
- With any permission there is a balance to be achieved between those issues that should be controlled by condition and those which should be dealt with as a 'planning obligation' through a s106 agreement. A fresh approval could redress the current situation in light of the advice of Circular 11/95 and the latest guidance on the use of S106 agreements.;
- It would give the operator of the airfield the right of appeal against any condition considered unreasonable. As it stands the conditions of the extant permission (09/01845/S73A) have not been appealed and their enforceability has been challenged. As there is no way of resolving this short of a deliberate breach of condition and subsequent enforcement action through the courts it is considered that this application is a reasonable way forward that would allow the applicant to challenge the council's position through the normal planning appeal process without resorting to confrontational enforcement action
- It does not require either party to 'concede' anything which might prejudice any subsequent position they might chose to take.
- If agreement is reached the previous permission could be rescinded by mutual agreement with no cost.

Relevant Issues

As this application seeks a fresh permission for the continued lawful use of the land as an airfield it is clearly acceptable in principle. Apart from a refusal to enter into a new S106 agreement to cover restrictions not possible to be covered by condition, it is difficult to envisage any reasonable grounds to withhold permission. The key issue therefore is what restrictions should reasonably be imposed. In this respect it is considered that the Council has a number of options:-

- To simply re-impose all previous restrictions, albeit in redrafted form to reflect current advice and best practice subject to a new s106 agreement to cover other issues, not appropriate for conditions. The risk of doing so would be that the operator might refuse to sign the agreement and simply continue to operate under the extant permission as there would be no incentive to relinquish it.
- To re-impose conditions as necessary in light of advice received and seek to cover other issues in a S106 agreement. , Whilst there would be an incentive to accept the new permission, albeit subject to an appeal against any conditions deemed unreasonable, there would be a risk that the applicant might refuse to sign the agreement and again continue to operate to the previous permission. This is what happened previously –the Council was prepared to allow training and limited aerobatics, along with a modest increase in resident aircraft (to 60), however the limitations in aerobatic flying (i.e. at least 5 miles from the airfield) proved to be unacceptable and the agreement was not signed.

- To impose all conditions that the Council's sees fit and impose the permission on the airfield. This would require a Discontinuance Order (DO) to be served to remove any fall-back permission. The disadvantage of such confrontation approach would be that the applicant would be unlikely to sign a s106 agreement to matters beyond the scope of planning conditions.

As an existing use of a historic airfield, it would be unreasonable to conclude that the use of Henstridge is 'unsustainable'. It therefore falls to the Council to consider what restrictions are reasonable to enable the use to continue. In addition to the 6 tests for planning conditions Circular 11/95 advises local planning authorities not to seek to exercise control over matters covered by other legislation. In the case of Henstridge Airfield there is clearly a boundary between the use of land as an airfield, over which the District Council has jurisdiction and the control that others (Civil Aviation Authority, air traffic control etc.) have over airborne aircraft.

Should the Council wish to control airborne aircraft this would have to be achieved by S106 agreement. However this presents two problems. Firstly, given that other legislation exists it might prove difficult to justify the need for the applicant to enter into a planning obligation to exercise such control. Secondly the applicant would have to be willing to enter into the obligation.

The key issue is for the District Council to strike a defensible balance between the appropriate degree of control to be exerted, through planning legislation, over a use of land that enables aircraft to become airborne and an acknowledgement that the control of airborne aircraft is in the hands of others.

In this respect members are reminded that all uses are assessed on the basis of their impacts on neighbouring properties and any harm generally diminishes with distance, becoming merged with the effects of other activities. Thus for example a road junction close to a new factory may require improvement, however it would not be reasonable to insist that a junction many miles away that is used by many others be improved, especially if there are several routes traffic associated with the factory could take.

Using this analogy it is considered that it is the impact of landings and take-offs on the neighbouring properties and those immediately surrounding the airfield that should be of prime consideration. The Council should accept that once airborne and heading away from, or returning to, the airfield it is not reasonable to seek control the activities of aircraft through planning legislation. Accordingly the local planning authority should focus on the impacts of activities on the ground (i.e. landings and take-offs and the storage of aircraft) and the effects flights in the immediate area of the airfield, in particular repetitive or noisy activities whose impacts would be readily attributable to the use of the airfield.

In this respect circuit flying in the vicinity of the airfield and aerobatic flying directly over the airfield as requested are clearly material considerations.

Given that the use already exists and no additional buildings are proposed or increased flight numbers are proposed it is not considered that any highways, flooding or ecological impacts are likely, the key issues are considered to be residential amenity in terms of increased/changed aircraft activity and visual impact in terms of any increased aircraft stored in the open.

Residential Amenity

No changes to the overall number aircraft movements are proposed and the original restrictions in this respect would be re-imposed, however the proposal includes a number of changes that might affect resident's amenity:-

Increased operating hours

It is requested that flights be allowed from 0700 on Mondays – Saturdays; this is an hour earlier than currently allowed Monday – Friday and 2 hours earlier on Saturdays. Other times remain unchanged. An exception is sought for emergencies and use by the armed forces. Whilst the rationale for emergency use is understood, no justification or clarification for use by the military is provided. In the absence of a credible case for this exception such open ended request is considered objectionable given the clear potential for a significant adverse impact on residential amenity.

The proposal to allow landings/take-offs from 0700 Monday to Saturday again has the potential for adverse impacts on residential amenity. Again no justification has been provided that would allow the Council to assess the 'benefits' against the harm. Given the proximity of residential properties it is considered that early morning activity at the airfield has the potential for a significant impact on residential amenity. Nothing has been provided to demonstrate that such impacts could be mitigated or that there are any benefits that might outweigh the harm.

The impact of this change is not adequately considered in the submitted Noise Assessment. This simply seeks to average out noise over a 10 hour day (as was proposed when the Noise Assessment was written in 2012), across 210 days whilst allowing for either 10,000 movements (the maximum) or 6,000 movement (the actual average). This is not considered to be the appropriate approach for a small airfield with less than 10,000 annual aircraft movements.

The situation at Henstridge is not one of continual aircraft noise. Accordingly the averaged out L_{eq} measurements do not accurately represent the Sound Exposure Levels (SEL) experienced by residents which are of single events arising from individual aircraft movements. In the earlier hours of the morning would be particularly noticeable.

As such this variation is considered unacceptably detrimental to residential amenity and contrary to policy EQ2. Therefore it is suggested that the hours of operation are not changed.

Maximum aircraft weight increased to 5,000kg

The current weight limit is 3,500kg and no justification or case is provided in support of the proposed increase. The submitted Noise Assessment does not fully address this issue, simply observing that modern heavier aeroplanes are quieter than lighter, older planes. It assumes that with the existing noise condition limiting aircraft to less than 79dBA compliance with this condition would ensure that heavier aircraft would have no adverse impacts.

It is considered that this logic is flawed. Firstly it assumes that only modern heavier aircraft would be involved. Secondly it does not consider the different tonal qualities of heavier aircraft. Finally it ignores the fact that many aircraft at Henstridge do not have recognised noise certificates, as evidenced by the fact that a test regime is suggested to cover the many uncertified aircraft. Furthermore such certificates are based on over flight mode – i.e. level cruising flight. These certificates are not derived from measurements during take-off when aircraft are using higher engine power or during landing when an aircraft may have increase

power to overcome drag or adjust or abort the landing. The applicant has been invited to provide copies of the noise certificates for all resident aircraft but has failed to do so.

In light of these uncertainties and the lack of any justification or need for the heavier aircraft this variation is considered objectionable. Without evidence as to the noise impacts and reasonable mitigation measures this aspect of the proposal would unacceptably jeopardise residential amenity and is therefore contrary to policies EQ2 and EQ7. It is recommended that the maximum aircraft weight remains at 3,500kg.

Circuit flying and touch-and-goes

It is considered that such repetitive flying activities are potentially harmful to residential amenity, particularly on the relatively tight circuit suggested to the south of the airfield. The submitted noise assessment in adopting averaged out L_{eq} measurements does not adequately address the SEL of the single event of a circuit. As such it has not been adequately demonstrated that introduction of circuit flights (currently prohibited) and touch-and-goes could be achieved whilst safeguarding resident's amenity. Accordingly this aspect of the proposal is contrary to policies EQ2 and EQ7 and these activities should be prevented

Aerobatic flying

It is considered that the aerobatic flying, when aircraft are flying at full power, poses a clear threat to residential amenity. The proposal to concentrate such activity directly over the airfield, albeit for specified periods, would localise the impacts. It is considered that this would exacerbate the impacts on residents around the airfield. Again the submitted noise assessment adopts normalised/ averaged L_{eq} measurements. Whilst averaged out over the year the noise levels might be tolerable, the fact that Henstridge operates at less than 10,000 movements per year, means that the proposed aerobatic flying slots would be experienced as single noise events by residents.

It is accepted that a small number of events might not be harmful, however if aerobatic flying is to be allowed it must be adequately controlled as uncontrolled aerobatic flying over the runway would be unacceptable. The applicant's suggested Management Agreement states that aerobatic flying will be limited to:-

The aerobatic flying will be restricted to two twenty minute periods per day Monday to Saturday and one on Sunday, in the afternoon and the total number of events shall not exceed 350 in the year.

One such period is permitted between 11.00am and 12 noon and the second between 2.00pm and 3.00pm on each day.

This opportunity is extended to based pilots only and in exchange for this said pilots agree they will not conduct aerobatics anywhere else within a five mile radius of the field, and outside of that radius will only use any particular area, once in any week, unless they are being employed to perform or practicing for such, in the necessary locality of that employment.

Further that the airfield and the pilots agree, not to use any given period at the request of any member of the public, for reason of any noise, sensitive event, funeral, wedding, public gathering etc given two days notice.

Unfortunately this proposed agreement whilst requiring pilots to sign up to the agreement as a pre-requisite to being based at the airfield, is silent on what enforcement action would be taken should a pilot subsequently breach the agreement. Furthermore no mechanism is suggested to control the activities of visiting pilots or aircraft not based at the airfield. In the absence of provisions to cover these issues it is not considered that the proposed agreement is fit for purpose.

Given the lack of a credible control mechanism it is not considered reasonable to allow even limited aerobatic flying and the current prohibition needs to be maintained in the interests of residential amenity and to comply with policies EQ2 and EQ7.

It is considered that the current drafting of the condition banning aerobatic flying is not sufficiently precise. Advice has been taken on this matter and it has been suggested that a condition prohibiting 'aerobatic' aircraft from using the land to take-off or land would be appropriate.

Other Residential Amenity Issues

The applicant does not wish to introduce jet aircraft and their prohibition would remain in place. Similarly the bans on ground testing of engines (with the exception of pre-flight tests), movements for parachuting and the launching of balloons, airships and gliders would remain. No increase to the number open days (2) or fly-in events (3) is proposed.

It is requested that training flights be allowed. Given that training could take place in any aircraft, it is not considered possible to ban such activity, however a condition is suggested to prevent the use of the land/buildings as a base for a flying school. It is considered that by preventing the formalisation of an on-site training facility the intensification of this possible activity could be prevented.

Notwithstanding the lack of evidence that aircraft currently based at the airfield have recognised certificates the applicant remains accepting of a condition to ban aircraft with noise certificates in excess of 79dB(A). In principle this is acceptable, however the Council is seeking advice as to the appropriate noise level to specify. An oral update will be necessary in this respect

If this condition is to be re-imposed the applicant would need to enter into an obligation to agree to implement a suitable regime of testing for uncertified aircraft. It has been indicated that this is acceptable. It has also been accepted that a s106 agreement is reasonable and necessary to ensure that a consultative committee is established and that agreed arrival and departure routes are observed.

Visual Amenity

In light of the landscape architects comments it is considered that any increase in resident aircraft which would result in additional aircraft parking in the open would be objectionable and contrary to policy EQ2. No new buildings are proposed and no clarity has been provided as to where the additional aircraft would park. Accordingly it is considered reasonable to maintain the current limit of 45 on resident aircraft. However it is considered appropriate to allow for, and specify, a modest number of visiting aircraft. 15 is suggested as a reasonable allowance.

Other Restrictions

The comments of North Dorset District Council with regard to the use of the runway for motorcycling/motorsport activities are noted. There are already considerable motorcycling activities at Henstridge at the 'RocketWorld' motorcross track. The applicant currently allows occasional use of the runway for motorcycling events (5 events in 2015 and 5 scheduled for 2016) which are attended by significant numbers (100s) of motorcyclists who are allowed to 'drag' race in pairs along the runway. Whilst all participating machines are required to be 'road legal' such hard acceleration of performance machines has resulted in complaints.

These events take place under Class B of Part 4 of the GPDO which allows for the temporary use of land for up to 28 days per year for uses other than the lawful planning use. This would include 14 days for 'motorsport' and further 14 days where motoring activities are for neither sport nor practice – i.e. 'fun'. This is the provision under which Rocket World operates.

It is considered that the proliferation of sites exercising permitted rights to hold motorsport activities in this area is harmful to residential amenity through increased noise and disturbance. As such it would be justified to remove the permitted right to allow temporary motorsport uses' within the application site. Such approach would be reasonable to comply with policy EQ2 and EQ7.

Section 106 Agreement

The existing S106 agreement to a large extent duplicates the requirements of the conditions. The National Planning policy Framework provides 3 tests for planning obligations delivered by S106 agreements. It is stated that obligations should only be sought where they meet all of the following tests:-

- Necessary to make the development (or use) acceptable in planning terms;
- Directly related to the development (or use); and
- Fairly and reasonably related in scale and kind to the development (or use).

On this basis planning obligations which seek to duplicate matters reasonably addressed by condition fail the first test and should not be sought as they are unnecessary. Other matters covered by the existing S106 agreement are considered not to be necessary to make the development acceptable in planning terms namely:-

- a) An application to the CAA for an airfield licence is covered by other legislation and has no bearing on the planning merits of the proposal to continue the airfield use. Such application would be considered by the relevant authority and in any event, licenced or unlicensed, the operator and users would continue to be bound by the terms and restrictions of the permission. Any changes to the planning conditions necessary to meet licence requirements would be subject to a planning application.
- b) it is not considered necessary to prohibit the use of the airfield by a flying or gliding club to make the application acceptable in planning terms. Such users would be bound by the planning conditions.

On this basis it is only considered justifiable to cover the following issues by planning obligation (i.e. s106 agreement):-

- the running of a Consultative Committee with agreed terms of reference and constitution;

- the agreement of a regime of testing for aircraft without recognised noise certificates
- the agreement, and adherence to, arrival and departure routes;
- The revocation of the current operational permissions

Conclusion

Whilst it is accepted that an airfield is a potentially un-neighbourly activity, it must be acknowledged that, in this instance, this is a historic use that cannot be taken away. Accordingly the determination of the application requires an appropriate balance to be struck between the legitimate expectations of the operator of the airfield and the concerns of local residents.

In this respect an overhaul of the current conditions is considered prudent as set out in this report. It is considered that subject to the recommended conditions the continued operation of the airfield as an asset to the local economy would be possible without undue impact on residential amenity.

The benefits of Henstridge airfield in terms of a facility for general aviation and the air ambulance, along with the contribution it makes to the local economy through aviation related service activities are noted. It is considered that the activities at the airfield can be reasonably mitigated by robust conditions. On this basis the harms that might arise from the continued use of the airfield are outweighed by the benefits. In the absence of a clear conflict with local plan policy or national guidance the proposal is considered acceptable.

RECOMMENDATION

That planning permission be granted subject to:-

- a) the prior completion of a s106 agreement, in a form acceptable to the Council's solicitor(s) to:-
 - i. require the applicant to establish a Consultative Committee to the satisfaction of the Development Manager
 - ii. agree a regime of testing to be applied to aircraft without recognised noise certificates to the satisfaction of the Development Manager in consultation with the council's advisors.
 - iii. Require the agreement of a pilots contract to cover adherence to agreed arrival and departure routes to the satisfaction of the Development Manager.
 - iv. Revoke all previous permissions

and;

- b) the imposition of the following conditions.

Justification:

The continued use of this site as an airfield, subject to the following conditions would not result in an unacceptable intensification of the use of the site or in any undue impact on residential or visual amenity. As such the proposal complies with policies EQ2, EQ7, TA5 and EP6 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

Conditions

- 1) The maximum total number of movements Aircraft Movements shall not exceed any of the following:
 - i) 10,000 Aircraft Movements in any calendar year, including on Open Days and “Fly-In” Events and helicopter movements;
 - ii) 1,000 Helicopter Movements in any calendar year, including on Open Days and “Fly-In” Events;
 - iii) 100 Aircraft Movements in any period of 24 hours, including Helicopter Movements, excluding on Open Days and “Fly-In” Events for which no limit on daily movements shall apply.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 2) Except any helicopter being used by an Air Ambulance organisation or for medivac use in emergency no aircraft may start up or run its engine(s) or taxi or land on or take off from the Land except during the following times and at no time at Night if later or earlier respectively:
 - i) Weekdays (Monday to Friday) excepting Bank Holidays: between the hours of 0800hrs and 1900hrs (local time) and at no time at Night;
 - ii) Saturdays: between the hours of 0900hrs and 1900hrs (local time) and at no Time at Night;
 - iii) Sundays and Bank Holidays: between the hours of 0900hrs and 1800hrs (local time) and at no time at Night.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 3) Except on Open Days and Fly-Ins, the total number of aircraft parked on the Land at any one time shall not exceed 60, of which a maximum of 45 shall be Based Aircraft.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 4) The runway on the Land shall not be used for any ‘Touch and Go’ landings by any aircraft.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 5) No jet or jet turbine aircraft shall start-up, taxi, land on or take off from the Land.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 6) Except prior to take-off to perform pre-flight tests, no ground testing of aircraft engines may take place on the Land.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 7) Except on Open Days or in a case of emergency involving immediate danger to one or more persons on board an aircraft

- a) No aircraft shall land on or take off from the Land which is being used for the transport or dropping of parachutists or for the towing of gliders or banners;
- b) No balloons or airships shall land on or take off from the Land.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 8) Except on Open Days or in a case of emergency involving immediate danger to one or more persons on board an aircraft or which is either being delivered for repair to or immediately following completion of repairs by an aircraft repair company which is permanently based on the Land (including Aircraft Coverings Ltd):
- a) No aircraft (whether fixed wing or rotary/helicopter) shall land on or take off from the Land with a certified maximum take-off weight in excess of 3,500 kilos or capable of carrying more than 6 persons including the pilot.
 - b) No aircraft shall land on or take off from the Land which is certified, approved or permitted by FAA, EASA, CAA or LAA for aerobatic use, or designed or placarded for aerobatic manoeuvres, including Yak or Pitts Special aircraft types.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 9) The total number of Open Days and “Fly-In” Events shall not exceed the following in any calendar year:
- a) Two Open Days; and
 - b) Three “Fly-In” events

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 10) The details of all movements of aircraft shall be recorded in a log which shall be kept up to date and retained for inspection on the Land. The log shall be available for inspection by visiting pilots and by the Council at any reasonable time including during hours of opening of the clubhouse on the Land.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 11) No flying school shall have a place of business on the Land and no flying instruction shall take place on the Land.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 12) No aircraft without a current Certificate of Airworthiness or Permit to Fly, or aircraft parts or any types of machinery shall be stored externally for in excess of three months.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

- 13) The use of the clubhouse on the Land shall be ancillary to the use of the Land as an aerodrome and for no other purpose.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

14) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting such Order with or without modification, no buildings shall be erected or other forms of development be carried out on the Land without the express prior written consent of the Council.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

15) The joining and departure procedures, instructions and routes for aircraft publicised by the aerodrome operator together with a copy of this planning permission shall be displayed prominently at the clubhouse on the Land and measures shall be taken to draw such matters to the attention of visiting pilots.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

16) Condition preventing use, landing and take-off by aircraft with a noise rating in excess of [] dB(A). Level to be confirmed in discussions with SSDC noise consultant.

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting such Order with or without modification, no part of the airfield site as shown on the drawing hereby approved, including the runway, shall be used for motor car or motorcycle racing (including trials of speed), practising for these activities or driving or riding recreationally without the prior express grant of permission

Reason: In the interests of amenity and to accord with policies EQ2 and EQ7 of the South Somerset Local Plan 2006-2028 (Adopted March 2015).

18) This permission shall related to the land edged in red on the submitted overall; site plan, drawing number 1000 received on 02/09/15.

Reason: To clarify the scope of this permission

Informative

1. The terms appearing in the Conditions above have the following meanings:

- a) **Aircraft:** shall include aircraft of all types and descriptions including fixed wing aircraft, helicopters, gyrocopters and autogyros.
- b) **Aircraft Movement:** a take-off or a landing on the Land by an Aircraft.
- c) **Based Aircraft:** an aircraft with a contract in place between the aerodrome owner or operator and the aircraft owner or operator for which at least a monthly fee is paid for the aircraft to be parked on or use the Land.
- d) **Fly-In:** an event held on the Land which has been pre-publicised as being open to pilots, crew and passengers arriving by aircraft or to owners or operators of Based Aircraft or to persons who are subscribing members of the aeroclub on the Land.
- e) **Helicopter Movement:** a take-off or a landing on the Land by a helicopter.
- f) **The Land:** as defined in the First Schedule.

- g) **Night:** from half an hour after sunset until half an hour before sunrise (both times inclusive) or as defined in the Air Navigation Order for the time being.
 - h) **Noise Rating:** the noise rating for the aircraft as shown in a Certificate or Permit issued by ICAO, FAA, EASA, CAA or LAA or its equivalent.
 - i) **Open Days:** an event held on the Land which has been pre-publicised as being open to members of the public and others arriving by land or by aircraft.
 - j) **Touch-and-Go Landing:** a landing followed immediately by a take-off of an aircraft without it coming to a halt on the Land.
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Agenda Item 15

Exclusion of the Press and Public

The Committee is asked to agree that the following item (agenda item 16) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraphs 3: "Information relating to financial or business affairs of any particular person (including the authority holding that information)" and 6: "Information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment".

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 16

By virtue of paragraph(s) 3, 6 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted