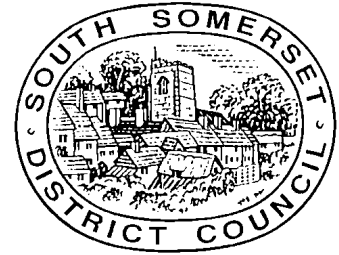


South Somerset District Council

Notice of Meeting



Area South Committee

Making a difference where it counts

Wednesday 7th September 2016

2.00 pm

**Council Chamber
Council Offices,
Brympton Way,
Yeovil BA20 2HT**

(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 **3.15pm**.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Boucher 01935 462011**, website: www.southsomerset.gov.uk

This Agenda was issued on Tuesday 30 August 2016.

Ian Clarke, Assistant Director (Legal & Corporate Services)

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



INVESTORS IN PEOPLE

Area South Committee Membership

Cathy Bakewell
John Clark
Gye Dibben
John Field
Nigel Gage
Peter Gubbins
Kaysar Hussain

Andy Kendall
Sarah Lindsay
Mike Lock
Tony Lock
Sam McAllister
Graham Oakes
Wes Read

David Recardo
Gina Seaton
Peter Seib
Alan Smith
Rob Stickland

South Somerset District Council – Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district. We will:

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

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 consideration of the planning applications will commence immediately after Item **14** at approximately **3.15pm**. 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 Office should be included in the Agenda in May and November. Alternatively, they can be contacted direct 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 South Committee are normally held monthly at 2.00pm on the first Wednesday of the month at the Council Offices, Brympton Way, Yeovil.

Agendas and minutes of Area Committees are published on the Council’s website 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 South Committee

Wednesday 7 September 2016

Agenda

Preliminary Items

- 1. Minutes of previous meeting**
- 2. Apologies for absence**
- 3. Declarations of Interest**

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

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

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

Planning Applications Referred to the District Council's Regulation Committee

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

Councillors Peter Gubbins, Graham Oakes, David Recardo and Gina Seaton.

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 question time

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 individual planning applications at the time the applications are considered.

5. Chairman's announcements

6. Reports from representatives on outside organisations

This is an opportunity for Members who represent the Council on outside organisations to report items of interest to the Committee.

Items for discussion

- 7. Arts and Entertainment Service Update** (Pages 8 - 15)
- 8. Yeovil Vision Update Report** (Pages 16 - 18)
- 9. Report on the replacement and re-design of the 'Welcome to Yeovil' gateway signs** (Pages 19 - 20)
- 10. Westfield Community Association - Appointment of a Member (Executive Decision)** (Pages 21 - 29)
- 11. St James Reordering Project Grant Application (Executive Decision)** (Pages 30 - 33)
- 12. Heart of Wessex Rail Partnership Update (Executive Decision)** (Pages 34 - 53)
- 13. Area South Committee Forward Plan** (Pages 54 - 56)
- 14. Planning Appeals (For Information)** (Pages 57 - 63)
- 15. Schedule of Planning Applications to be Determined by Committee** (Pages 64 - 65)
- 16. Planning Application 16/02464/S73 - Lufton Manor College, Lufton Manor Road, Brympton** (Pages 66 - 73)
- 17. Planning Application 15/02535/FUL - Land OS 7300 (North of Red Brick Cottage), Thorne Lane, Yeovil** (Pages 74 - 99)
- 18. Planning Application 16/02888/OUT - Land adj Hurn, Lufton Lane, Brympton** (Pages 100 - 106)
- 19. Planning Application 16/01826/DPO - Land at Two Tower Lane, Barwick, Yeovil** (Pages 107 - 112)

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 7

Arts and Entertainment Service Update

Assistant Director: Steve Joel, Health and Well-Being
Service Manager: Adam Burgan, Arts & Entertainment Manager
Lead Officer: Adam Burgan, Arts & Entertainment Manager
Contact Details: adam.burgan@southsomerset.gov.uk or 01935 845911

Purpose of the Report

This report provides an update on the work of the Arts & Entertainment Service in Area South.

Public Interest

The Arts & Entertainment Service at South Somerset District Council (SSDC) works to provide access to high quality cultural events across South Somerset. Through Arts Development the Service supports and encourages various arts agencies and organisations to deliver arts activity across South Somerset. The Service operates The Octagon Theatre – Somerset’s premier theatre for arts and entertainment. This report details arts activities taking place in Area South which is supported and initiated by the Service and the development of The Octagon Theatre which attracts audiences from across South Somerset and beyond.

Recommendation

That the Area South Committee notes the report and identifies:-

1. Suggestions to improve service delivery;
2. Potential projects it wishes to see incorporated into the 2016-17 service planning process.

Background

The Arts & Entertainment Service aims to provide access to high quality cultural events across South Somerset. Using The Octagon Theatre as a hub of creativity we work with our partners to engage the residents of South Somerset in arts activities and encourage visitors to the region. We aim to deliver a programme which inspires, educates and ultimately enriches the lives of those taking part making South Somerset an ever improving place to live and work.

Report

The Arts & Entertainment Service consists of The Octagon Theatre and Arts Development and is part of Health and Well-Being under Assistant Director, Steve Joel. We aim to offer a cohesive approach to developing and promoting the arts in South Somerset with The Octagon as a ‘cultural hub’ for the District.

Arts & Entertainment Structure



The Arts Development Service

The Octagon Theatre

Background

The Octagon Theatre is the council's flagship venue for high quality professional theatre, music, dance, comedy, entertainment, visual arts and literary events. The theatre is the keystone of our cultural provision across the district and provides:

- One of the largest theatres in Somerset with 626 seats.
- 260 events per annum (25% local organisations / 75% professional performance companies).
- The Octagon Academy – The Octagon's participatory programme.
- CRE8ive Writing – The Octagon's literary section.
- The Johnson Studio – The Octagon's rehearsal studio and home of The Octagon Academy that is also available for hire, functions and seminars.
- The Foyer Club – The Octagon's team of volunteers who greet our customers at performances and show them to their seats. The Foyer Club is a charity that also undertakes fundraising activity to support the development of The Octagon.
- The Footlights Club – The Octagon's special service to support regular attendees of the theatre.

The theatre was completely refurbished in 2003, and has excellent facilities, not only for staging performances but also in providing a bar, café bar and restaurant as well as a rehearsal studio.

The Arts and Entertainment Service (Octagon Theatre and Arts Development) is subsidised by South Somerset District Council by £269,598 (actual 2015/16 and achieving efficiency savings of £70k in the last two years), that equates to £1.70 per year, per person or 3p per week. Official statistics published in 2014 show that the UK's creative industries, which includes the film, television and music industries, are now worth £71.4 billion per year to the UK economy – generating just over a staggering £8 million pounds an hour. The UK creative industries are renowned across the globe driving growth, investment and tourism. The creative industries consistently punch well above their weight and are a powerhouse within the UK economy.

Between 50-70% of the population of South Somerset use the theatre throughout the course of the year and satisfaction levels are consistently high (80-90%); the theatre has been rated as the top SSDC service (86%) used by residents in the 2005 BMG Research survey used to underpin the development of the corporate plan.

The mailing list contains 20,000 households and 35,000 Preview brochures are distributed to drive ticket sales three times a year. Customers come predominantly from Somerset and Dorset. Ticket sales are supported by effective marketing through a well-maintained website, posters, flyers, press and ad-hoc promotions through local radio.

The service is delivered by an extremely capable, specialist and dedicated staff team with just 9.8 FTE.

Report

The Octagon Theatre has enjoyed another successful and busy year welcoming approximately 200,000 people throughout the year. Here are some of the key points:

- Continued development of programme. Highlights included Sir Willard White, Lesley Garrett, Des O'Connor, The Ukulele Orchestra of Great Britain, Joe McElderry, Bournemouth Symphony Orchestra, Blake, Dave Gorman, Blackeyed Theatre Company, Richard Alston Dance Company, Julian Lloyd Webber, Paul Merton, Al Murray, The Manfreds, Jack Dee, Reginald D Hunter, Pasha Kovalev, Rich Hall, The Pasadena Roof Orchestra, BalletBoyz, Tim Vine, Only Men Aloud, The Glenn Miller Orchestra, Pam Ayres, G4, Rhydian, Lee Mead, Josh Widdicombe, Adam Hills, Fisherman's Friends, Northern Ballet and The Grand State Opera of Belarus. We presented the national tour of 'The Mousetrap' in May 2016 for 8 performances selling out every performance and 4,954 tickets!
- The Octagon Theatre is proud to be at the 'heart' of the community in South Somerset. Many local groups and societies stage performances and events at the theatre including Yeovil Amateur Operatic Society, University College Yeovil (Graduation), Helen Laxton School of Dance, Razzamatazz, The Dance Factory, Motiv8 Productions, Castaways Theatre Group, Yeovil Amateur Pantomime Society, Yeovil Youth Theatre, Yeovil Floral Society, and many more.
- The fourth Yeovil Literary Festival in partnership with Waterstones, Yeovil Library and Yeovil Community Arts Association will take place 20th – 23rd October. The line-up includes Clare Balding, Sir Ranulph Fiennes, Alan Carr, Gok Wan, Kirsty Wark, Miles Jupp, Simon Weston, Peter Davison, Mark Watson and Ned Boulting to name but a few.
- We were delighted to receive a Certificate of Excellence from 'Trip Advisor'. The Trip Advisor Certificate of Excellence is awarded to organisations that consistently achieve outstanding reviews on Trip Advisor. Businesses that are awarded the Certificate of Excellence demonstrate hospitality excellence and represent the upper echelon of businesses listed on Trip Advisor, the world's largest travel site.

- Arts & Entertainment Manager, Adam Burgan, was presented with a 'Western Gazette Pride Award' for 'Contribution to the Arts' on Friday 4th December.
- Our new season has been well received with performances from Bournemouth Symphony Orchestra, Grimethorpe Colliery Band, Al Murray, Seth Lakeman and The Chinese State Circus all proving popular.

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Number of Events	239	239	244	235	242	260	264
Attendance	77,316	85,358	93,519	90,149	101,634	119,366	123,339
Capacity for SSDC Promoted Events	59%	58%	60%	62%	68%	82%	83%

- Ticket sales broke all records selling 123,339 tickets for the financial year 2015/16 (4,000 up on the previous year).
- Our pantomime production of Sleeping Beauty broke the record set by Jack and the Beanstalk the previous year being seen by over 27,000 people. Ticket sales were up 9% on the previous year. For Christmas 2016 we are presenting Peter Pan and ticket sales are currently ahead of this point last year.
- Our 'Strike A Chord!', which brought in Arts Council England funding of £49K, has been successfully delivered bringing The Philharmonia Orchestra to Yeovil to work with nine local primary schools with musicians going into the schools to deliver workshops. Charles Hazlewood conducted the full orchestra at a special schools concert in June introducing children to a live orchestra with the story covered on BBC Points West.
- Continued developing our relationship with local media and with a weekly column with the Western Gazette, a monthly column for the Western Daily Press and regular appearances on BBC Radio Somerset.
- We have continued to develop our Social Networking sites – over 7,604 Facebook users and 3,875 followers on Twitter.
- The Octagon Academy was launched in 2010. We now have 17 weekly classes for all ages and abilities. Over 300 people aged from 15 months to 73 are taking part classes at The Octagon in singing, dancing and drama every week. The Octagon Choir now has around 70 members.
- Increasing daytime use of The Octagon with weekly hirers including Somerset Cancer Care Café, University of the 3rd Age, Castaways Theatre Group, Somerset Siders (retired Tesco employees) and Helen Laxton School of Dance.
- Staff are working on the plans for Westlands Leisure Complex (WLC) that will be run as a sister venue to The Octagon. A shared management team and officers will bring their knowledge, skills, expertise and passion that has made The Octagon a success to the refurbished venue. Opening in March 2017, there will be

a programme of events that complement each other and develop an exciting, diverse and commercially astute programme of events.

The Arts Development Service

The Arts Service works in partnership with a number of arts delivery agencies to bring a range of arts activities to the district, SSDC's on-going financial support ensures that this district maintains a good level of service for our communities. Our core funding helps the organisations to attract funding through grants, sponsorship and payment for services and gives a high level of return for the authority's investment.

These organisations include:

Take Art!

This arts development agency is an Arts Council England National Portfolio Organisation and receives funding from them. Their activities in the last year include:

Take Art, Live! which continues to bring at least 22 professional or semi-professional performances into rural locations.

Word Play: Supported with funding from Yarlington Housing Group, Take Art is recently working with Ryalls Park Medical Centre in Yeovil on a ground breaking project that uses non-traditional therapy to help people with mental health issues. A small group of patients have been working with their health coach and Hip Yak Poetry Shack; this is a follow on from recent work with South Somerset Mind and the Chard WATCH Project.

Support to Performance Practitioners: Take Art's Theatre Service offers support to new emerging companies and practitioners. Wassail Theatre based in West Coker and Boiling Kettle Theatre Company, linked to the David Hall are continuing to produce work on a local level as a result.

Tangle: Tangle, SW African Caribbean Theatre Company now have their administrative base at the Take Art office. Take Art supported their Navigational Global tour to Somerset schools.

Diversity Workshop/Conversation: Take Art invited Arts Council England to facilitate a 'conversation' for performance practitioners and arts organisations around diversity and equality in the arts in Somerset. SSDC's Equalities Officer is helping with ongoing work around equalities in the arts.

Youth Theatre: A research and development project for youth theatres has continued with Somerset based youth theatre groups coming together for a Showcase Event in at The Warehouse Theatre, Ilminster.

Spring Forward Youth Dance Platform took place at the Octagon Theatre with over 200 dancers taking part from across the South West (including South Somerset Groups - groups from Westfield School, Helen Laxton School of Dance, Dance Factory, Jump Start Boys group based at the Octagon, Somerset Youth Dance Company who are company in residence at the Octagon Theatre and two groups from Yeovil College).

Somerset Youth Dance Company continue to be dance company in residence at the Octagon Theatre, the company has been selected to represent the county at the regional dance event run by Youth Dance England – U.Dance South West.

InspirED is a partnership project between Take Art, Somerset Film, Somerset Art Works and SPAEDA to support arts in education projects funded by the SCC Compact.

Actiontrack:

Actiontrack works collaboratively with individuals and groups to get involved with originally devised music, drama, dance and the visual arts. The organisation develops and delivers wholly accessible projects, predominantly with children and young people and often with marginalized groups. They continue to work with the pupil referral units in Chard and Yeovil providing music provision on behalf of Sound Foundation Somerset, the county's service for music in education. They are also a delivery partner in a variety of targeted youth support initiatives with the young offending team.

Well known for their "Showbuild" week long activity programmes where young people devised and create a piece of musical theatre, they offered a master class at the Octagon for young people who are thinking of performing arts as a career option.

They have also encouraged young people to engage in physical activity and delivered a number of static trapeze workshops in the Yeovil area.

Somerset Art Works:

SAW 2015 – Somerset Exhibitions and Events Festival:

The festival took place between 3rd to 18th October 2015, attracting visitors into the county and generating sales for small, independent businesses and additional custom for local services. Data collected for in-direct spend at local facilities indicates that visitors spent on average £70.88. Using an Economic Event Impact calculator this translates across the whole county to a total of £3,408,262, contributing to the economy of Somerset during this two week period.

This year the organisation will be co-ordinating the Open Studios event from 17th September till 2nd October. 69 venues in South Somerset will attract visitors, including The Emporium in Yeovil where two young artists have received a SAW bursary to enable them to participate.

Somerset Art Works is the visual arts partner of InspirED, the art in education partnership for Somerset. As part of this they produce education resources to encourage schools to view Somerset Art Weeks as a provider of fantastic opportunities right on their doorstep

As a delivery partner with SSDC's Countryside Service, Somerset Art Works appointed Carolyn Lefley as Artist in Residence at Yeovil Country Park for 2016. This is the second year for the Water-Meadow-Wood residency programme; Carolyn is worked with community groups to co-create artworks that respond to the Meadow theme. Participants explored a range of photographic techniques, from traditional sun prints to digital photography walking tours. The Meadow residency culminated in an outdoor showcase exhibition at Ninesprings.

Somerset Film:

Somerset Film provides support for local community groups and individuals, professional and amateur, in the use of digital media. Based in Bridgwater but serving the whole of Somerset they offer:

- Drop-in access to equipment, on line resources and training
- Production and training opportunities and facilities

- Advice, support and information to a wide range of film and digital media makers, from absolute beginners to high level professionals
- Project and outreach work – specialising in working with community groups and individuals who want to get started with film

They have recently produced a film with Fiveways Resource Centre, “Adrian’s Story,” a healthy living instruction film for people with learning disabilities

In addition to the work of these arts organisations, the Arts Development Officer continues to support voluntary and professional groups and individuals in South Somerset, in developing their own projects at a grass roots level.

Working with local performers, arts enthusiasts, Yeovil Town Council and Area Development, we continue to support “Super Saturday” a celebratory event in the town centre, particularly the “Buskfest” element which showcases local talent and raises funds for local charities. We co-ordinated project with four local primary schools; highly acclaimed author and illustrator, Paul Stickland, worked with the children to create paper bugs, which were displayed in a shop window. The children brought their families to see their work, therefore adding to the footfall on the day.

The Arts Service supports colleagues from the Countryside Team with the visual artist programme in Yeovil Country Park; this includes the work with Somerset Art Works and a commissioned sculpture trail which will see a number of pieces created over the next two years and installed throughout the length of the country parks.

Following last year’s project based around water, we have supported an additional short residency at Fairmead School to help students who are studying GCSE Art. Feedback from the teacher suggests that the standard of work has improved greatly as a result.

Located on the top floor of an old glove making factory, Eastville Project Space is a multi-functional space includes a studio for multi-media production, a residency space for all kind of creative projects, an exhibition/event/project space for showing. Supported by SSDC Arts and the Arts Council England, they have attracted local, national and international artists to their space in the Newtown area of Yeovil. They were invited to attend “Supernormal”, a cutting edge festival of contemporary art in Oxford, putting Yeovil firmly on the contemporary arts map.

OSR Projects is a contemporary artist group that works predominantly out of the Old School Room, an artist run studio and project space in West Coker. This year we have supported their “Ropewalkers” project, attracting three high quality artists to Coker to create work inspired by Dawes Twine Works; this has added a different dimension to the interpretation of this historic site.

We have supported West Coker based Wassail Theatre Company in the development of three new plays. Wassail Theatre Company creates original theatre inspired by the people, places and stories of Somerset and engages with the community it represents.

In helping to ensure good practice amongst our community arts groups, we provided child safe training for volunteers.

The Octagon Gallery:

We continue to offer a varied programme of exhibitions in the Octagon Gallery. In addition to the ever popular Yeovil Arts Group and Yeovil Camera Club, we encourage

local artists, photographers and printmakers to exhibit with us and celebrate our local talent.

The Strike a Chord orchestral project and the Heritage Lottery funded Archive Project both included exhibitions as part of their programmes of work. We commissioned an artist to work in the nine participating schools, creating an exciting variety of visual arts to complement the children's musical experiences. The work was displayed throughout the gallery for the month leading up to the performance. We supported Windrose Rural Media Trust in putting together an exhibition of the history of entertainment venues in Yeovil as a visual accompaniment to their work.

Financial Implications

No new financial implications stem from this report.

Corporate Priority Implications

The Arts & Entertainment Service is primarily linked to THEME 3: IMPROVE THE HOUSING, HEALTH AND WELL-BEING OF OUR CITIZENS

"We consider that decent, affordable housing is vital to the overall health of our citizens. We want to ensure that all of the community have access to sport, leisure and arts and heritage opportunities"

Specific priorities associated to the service are 3.31 Increase engagement in the Arts.

Carbon Emissions and Climate Change Implications

The Arts & Entertainment Service contributes to SSDC targets of Reducing Carbon Emissions by adopting a culture where this is considered in everyday decision-making. The service has appointed a Carbon Champion who encourages staff to save energy, recycle, and adopt more environmentally friendly ways of delivering our service. Audiences at The Octagon Theatre are benefiting from improved comfort cooling following a major upgrade of facilities that has seen Moducel's FAN WALL Technology™ units replace the air handling system. The new technology is also making significant energy cost savings for the Service.

Equality and Diversity Implications

The Arts & Entertainment Service strives to make the service and those offered by its partners accessible to everyone. We ensure that all our partners hold an Equality and Diversity Policy and that equality is one of the core principles of the organisation. Our programme of performances and projects aims to offer a diverse range of events which inspire, educate, enlighten and entertain whilst bringing the community together.

Background Papers

None

Agenda Item 8

Yeovil Vision Update Report

Assistant Director: Helen Rutter, Communities
Service Manager: Natalie Fortt, Area Development Lead – South
Lead Officer: Helen Rutter, Assistant Director Communities
Contact Details: helen.rutter@southsomerset.gov.uk or (01963) 435012

Purpose of the Report

To give an overview of work being undertaken through the relaunched Yeovil Vision Board

Public Interest

The Council works closely with Partners, including business representatives, to improve the vitality of Yeovil town centre. It is also actively seeking investors to bring back into use vacant sites and increase the retail and other facilities wanted in the town centre. This report summarises the current activity being progressed by the Board

Recommendation

That Members note the report

Background

Area South Committee approved the revised Terms of Reference for the Yeovil Vision Board in June 2016. At that time it requested that regular update reports be brought before the Committee to ensure that all councillors are kept briefed on its progress. The Committee is represented on the Board by the Chairman, Vice chairman and a third member that rotates dependent on the items under consideration.

The Area South Committee oversees the Yeovil Vision Board, which is one of the recognised formal partnerships on the SSDC partnership register. The Board has refocused its work in the light of the newly introduced Area South Regeneration Board. This latter body considers the overall programme of major infrastructure improvements across the Area and SSDC/public sector led economic investment schemes.

The opportunity was taken, at the same time, to rationalise the Yeovil Town Team structure by bringing its operational groups under the oversight of the Yeovil Vision Board.

Progress Report

At its first meeting in late June it:

- Welcomed David Woan, President of Yeovil Chamber and a further business representative (to be appointed) onto the Board
- Considered a project, led by Cllr John Clark, The Lynx Heritage Project seeking to secure an anniversary display of the Helicopter in Yeovil town centre in August 2016. Sadly this could not proceed, despite strong support from many quarters as the museum in Weston Super Mare could not release it. A second project was also discussed to create a permanent helicopter display, off the public highway at a suitable, prominent location, promoting Yeovil's heritage. This is now being explored.

- Released a sum of up to £10,000 to be spent by the Marketing and Events Group, chaired by David Mills, of the Quedam. This will be used to run a high visibility marketing campaign, utilising the established Love Yeovil branding. This will occur from August to the end of the year and underpin major events including Super Saturday and Christmas Lights. A report on progress with this campaign and the Terms of Reference will be brought back to the next meeting of the Board in September
- Similar reports on the Yeovil One and Yeovil Town Centre Enhancement Group will be given at the next meeting
- The Board reaffirmed its backing for a simplified Urban Development Framework, looking at a small number of the key town centre key regeneration sites, their optimal uses and the traffic management implication/ schemes required. The resourcing of this project is being considered via the Regeneration Boards
- Agreed to introduce a stronger focus on key indicators of the health of the town centre, to help gauge the effectiveness of the various funded interventions approved by the Board

Yeovil Vision Board now has clear lines of communication and access, via the Chairman of Area South and the Town Council representative Cllr Lock, to link its work up with other projects being taken forward via the Area South Regeneration Board. Through this mechanism there is also the chance to access LEP and Growth Board funding.

Next Steps

It is anticipated that additional resources will be made available to the Strategic regeneration Board by the District Executive in early October. This will give a mechanism for funding the simplified UDF which, if approved, will commence this autumn

The next Yeovil Vision Board meeting is on 6th September. A verbal update from this will be given at Area South Committee on 7th September 2016.

Financial Implications

There are no new financial implications arising directly from this report. A number of funding streams are ring fenced for projects that help to deliver Yeovil Vision's objectives. The Board has delegated authority for allocating these budgets.

New projects seeking capital funds ring fenced for the regeneration of the Eastern End of Yeovil, from the Old Town Station capital reserve, are considered by the Area South Committee and authorised through District Executive.

Corporate Priority Implications

Work will contribute to the following specific actions in year 1 of the Council Plan:

- Progress key strategic projects in Yeovil
- Work with Regeneration Boards to deliver local projects eg improve access/ regeneration of Yeovil Town Centre
- Work hub in Yeovil
- Maintain levels of street cleanliness and increase joint working with parishes through parish ranger scheme

- Bring empty properties back into use

Carbon Emissions and Climate Change Implications

None directly arising from this report

Equality and Diversity Implications

None directly arising from this report

Background Papers

Yeovil Vision and Town Centre Partnership files

Agenda Item 9

Report on the replacement and re design of the ‘Welcome to Yeovil’ gateway signs.

Assistant Director: Helen Rutter, Assistant Director Communities
Service Manager: Natalie Fortt, Area Development Lead – South
Lead Officer: Marie Ainsworth, Neighbourhood Development Officer - South,
Contact Details: Marie.ainsworth@southsomerset.gov.uk or 01935 462708

Purpose of the Report

To seek member’s approval to replace all six gateway signs at key vehicular entrance points to Yeovil with newly designed signs.

Public Interest

Yeovil has six gateway signs (Welcome to Yeovil signs) located on or close to parish boundaries and Yeovil wards. The signs serve the purpose of welcoming those travelling into the town centre and give an indication of arrival to the outskirts of the town. The existing signs are located on Mudford Road, Cartgate link, Sherborne Road, Dorchester Road, West Coker Road and the Ilchester Road.

The existing signs were installed in 2004 and aimed to modernise and better reflect the ambitions of the town at that time. The signs are beginning to show their age and a report was taken to Area South Committee in October 2015 requesting that members consider either replacing or refurbishing the signs. Members agreed to approve a project to redesign replacement signs.

Recommendation

That members approve either option 1 or 2 as outlined within this report and via a powerpoint presentation.

Background

In 2003 new Gateway signs were commissioned to reflect the work being carried out on the early version of the Yeovil Vision; Yeovil had a new strap line ‘Yeovil, the Heart of the Country and the Mind of a City’. The signs were finally installed in 2004 in their current locations. A report was submitted to the Area South Committee in October 2015 and members agreed to approve a project to redesign replacement signs with one incorporating the Love Yeovil logo and one without. Members also requested the current strap line be removed, the brown amenity signs and the twinning information be retained and that the new designs be bought back to Area South committee for consideration.

A subsequent report was taken to Area South Committee in March 2016 outlining two design options, members felt that neither designs were appropriate and requested that further design was undertaken and that members views and comments be sought on possible designs. Members also agreed to the relocation of the West Coker sign to its historical parish boundary fronting Balidon House.

Members have been consulted on four possible design options. A deadline of 19th August has been given. Two options will be put before Area South Committee members on Wednesday 7th September based on comments received and will be presented via a power point presentation along with any specific comments for consideration.

Early comments include:

- Crest must be used/prefer Yeovil crest
- Keen to incorporate South Somerset District Council logo
- Prefer twinning information to be simple set out in a list/twinning badges not required.

Members will be updated verbally on any further comments received.

Cost for option 1 and option 2 are exactly the same and include manufacture of signs, posts and installation. The size of the signs will remain the same as the existing ones.

Costs as follows:-

Manufacture of six signs including posts, clips and delivery:	£2,015
Removal of existing signs and installation of new signs:	£1,500
Total cost:	£3,515

The Ilchester Rd sign was knocked down by a vehicle in 2015 and South Somerset District Council have been successful in making a claim on the driver's insurance. This will reduce the overall cost by £306.40.

In addition to this, West Coker Parish Council have kindly agreed to make a contribution of £500 to relocate the welcome sign to its new agreed location.

Revised total cost is therefore £2,708.60

County Highways have been consulted on the proposed new position and have no objection.

The Planning department have also been consulted and have agreed that the sign will not require planning permission unless the size of the sign significantly increases.

New planting to be delivered at a later date if required.

Financial Implications

Within existing revenue budgets

Council Plan Implications

This project contributes towards the council plan focus on the Environment and enhancing the appearance of local areas.

Carbon Emissions and Climate Change Implications

None

Equality and Diversity Implications

None.

Background Papers

Report on the replacement of 'Welcome to Yeovil' gateway signage October 2015 and March 2016.

Agenda Item 10

Westfield Community Association – Appointment of a Member (Executive Decision)

Assistant Director: Helen Rutter, Communities
Service Manager: Natalie Fortt, Area Development Lead
Lead Officer: Natalie Fortt, Area Development Lead
Contact Details: Natalie.fortt@southsomerset.gov.uk or 01935 462956

Purpose of the Report

To seek an appointment from Area South Committee to the Westfield Community Association.

Public Interest

Service on outside bodies is an established part of a Councillor's role. An appointed Member on an outside body will be able to use their knowledge and skills as a Councillor to assist the organisation to which they are appointed.

An outside body (also known as an organisation), must have formal governance but not have been established, or be administered, by SSDC or have SSDC officers as the primary point of contact.

Recommendation

The Committee is asked to appoint one member to serve on the Westfield Community Association (WCA) for the municipal year 2016-17.

Background

WCA aims to develop a stronger sense of community in the area to the northwest of Yeovil. WCA was formally launched in October 2007 and is run by a committee of residents. It provides a forum for residents, local government and other organisations to communicate, tackle local issues and take advantage of any opportunities that will benefit local residents.

WCA was founded after a 'Planning for Real'® consultation exercise was carried out by the Area South Development Team in 2005/06 as part of the teams work to create sustainable communities.

WCA's constitution is attached (Appendix A).

The Proposed Appointment

There are a number of community associations throughout Area South and members can attend any of the meetings as part of their normal ward duties. However, Westfield was selected as a pilot area for the Government's 'Our Place' programme and that has led to the production of a Regeneration Plan for the area. Therefore, WCA have asked for a formal appointment of a representative in order to help drive forward this important improvement plan.

The appointment will be as an associate member with voting rights.

Financial Implications

None directly from this report. However, should a member be appointed there is the possibility of a small cost associated with mileage to the meeting venue.

Council Plan Implications

Health and Communities

To build healthy, self reliant, active communities we will:

- Support communities so that they can identify their needs and develop local solutions.
- Target support to areas of need.

Carbon Emissions and Climate Change Implications

None from this report.

Equality and Diversity Implications

None from this report.

Background Papers

SSDC guidance to Councillors appointed to Outside Bodies.

CONSTITUTION

WESTFIELD COMMUNITY ASSOCIATION

adopted on the 27th October 2007

1. NAME

The name of the charity shall be the Westfield Community Association (hereinafter called "the Association").

2. OBJECTS

The objects of the Association are to:

- (a) promote the benefit of the inhabitants of the area of benefit to facilitate a growing community spirit through supporting local residents/users in activities and initiatives to enhance life for all the community regardless of gender, sexual orientation, nationality, age, disability, race or of political, religious or other opinions by associating together the said inhabitants and the statutory authorities, voluntary and other organisations in common effort;
- (b) establish, or to secure the establishment, of a Community Centre (hereinafter called "the Centre") and to maintain and manage the same (whether alone or in co-operation with any statutory authority or other person or body) in furtherance of the above objects;
- (c) promote such other charitable purposes as may from time to time be determined.
- (d) the Association shall be non-party in politics and non-sectarian in religion.

The area of benefit shall be the Westfield Area and the neighbourhood together bounded by Thorne Lane, Ilchester Road, Preston Road & Larkhill Road.

3. POWERS

In furtherance of the said objects, but not otherwise, the Association shall have power to:

- (a) co-operate with other voluntary organisations, statutory authorities and individuals;
- (b) establish or support a local forum of representatives of community groups, voluntary organisations; statutory authorities and individuals involved in community work;
- (c) promote and develop or to assist in the promotion and development of community organisations and community social enterprises in the area of benefit;
- (d) acquire and distribute funds and to assist in the provision of grants to community organisations in the area of benefit;
- (e) arrange and provide for, either alone or with others, the holding of meetings, and all forms of recreational and other leisure-time activities;
- (f) collect and disseminate information on all matters relating to its objects, and to exchange such information with other bodies having similar objects whether in the United Kingdom or elsewhere;
- (g) purchase, take on lease or in exchange, hire or otherwise lawfully acquire such property or other rights and privileges as may be necessary for the promotion of its objects, and to construct, maintain or alter the same.
- (h) make regulations for the proper supervision, control and management of any property which may be so acquired;
- (i) sell, let, dispose of or turn to account all or any of its property or assets SUBJECT TO such consents as may be required by law;
- (j) raise funds and invite or receive donations and contributions, whether by subscription or otherwise, PROVIDED THAT the Association shall not undertake any substantial trading activities except as allowed under current charity law and shall take all reasonable steps to ensure that no trading income is liable to tax;
- (k) support any charitable trusts, associations or institutions formed for all or any of the objects;

- (l) receive money on deposit or loan or overdraft, in such manner as the Association may think fit, SUBJECT TO such consents or on such conditions as may be required by law;
- (m) invest money not immediately required for its objects in or upon such investments, securities or property as the Association may think fit, SUBJECT NEVERTHELESS to such conditions (if any) as may for the time being be imposed by law;
- (n) borrow money, and SUBJECT TO such consents as may be required by law, to charge all or any of the property of the Association with the repayment of money so borrowed;
- (o) remunerate any member of the Management Committee for services rendered to the Association

PROVIDED THAT:

- i) such member shall not be present at or take part in any discussions or decision relating to such remuneration;
 - ii) any decision to remunerate such member shall be taken unanimously by the other members present and voting at the meeting at which the decision is made;
 - iii) the other members are satisfied that the level of remuneration is reasonable and proper having regard to the services rendered by such members to the Association;
 - iv) the other members are satisfied that the services rendered to the Association are of special value to the Association having regard to such member's ability, qualifications, or experience and/or to the level of remuneration for which he/she has agreed to provide them;
 - v) the number of such members for the time being in receipt of remuneration shall not exceed a minority of members of the Management Committee.
- (p) insure and arrange insurance cover and to indemnify its employees and voluntary workers from and against all such risks incurred in the course of the performance of their duties as may be thought fit;
- (q) provide indemnity insurance for the members of the Management Committee (or any of them) out of the funds of the Association PROVIDED any such insurance shall not extend to any claim arising from any act or omission which the members of the Management Committee (or any of them) knew to be a breach of duty or breach of trust or which was committed by members of the Management Committee (or any of them) in reckless disregard of whether it was a breach of duty or breach of trust or not;
- (r) affiliate to any federations or other organisations with similar charitable objects; (s) do all such other lawful things as shall further the charitable objects of the Association.

4. MEMBERSHIP

- (a) Membership shall be open, irrespective of sex, sexual orientation, nationality, age, disability and race or of political, religious or other opinions to:
- (i) individuals aged eighteen years or over:
 - (a) who live within the area of benefit, who shall be known as Individual Members;
 - (b) who live outside the area of benefit, who shall be known as Associate Members, and who may attend as observers but who shall not have the right to vote at General Meetings of the Association.
 - (ii) individuals aged under eighteen years, whether living within or outside the area of benefit, who shall be known as Junior Members and who may be admitted to membership subject to such conditions as the Management Committee may decide. They shall have the power to elect two of their number to represent them, without the right to vote, at meetings of the Management Committee. Any Junior Member may attend General Meetings as observers but shall not have the right to vote.
 - (iii) associations and organisations, whether corporate or unincorporated, (and including branches of national or international organisations) which operate solely or in part within the area of benefit, are voluntary or non-profit-distributing, and which wish to support the objects of the Association, which shall be known as Affiliated Groups;
 - (iv) the Statutory Authorities in whose administrative area the area of benefit lies.

(b) Each member organisation as set out in Clause 4 (a) (iii) and (iv) above and each Section established in accordance with Clause 7 (Sections) below shall nominate one individual person being a member thereof to vote on its behalf at General Meetings of the Association; and may nominate an alternate being a member thereof to replace him/her at such meetings if the nominee is unable to attend. In the event of such individual person resigning or leaving the member organisation he or she shall forthwith cease to be the nominee thereof. The member organisation concerned shall have the right to nominate a replacement, informing the Secretary in writing.

(c) individual members admitted under Clause 4(a) (i) (a) (Individual Members) or Clause 4 (b) (nominee of a member organisation) shall hereinafter referred to as 'members with power to vote'

5 ACTIVITIES

The Management Committee may form such permanent or temporary sub-committees as are necessary for the management of activities. The Management Committee shall determine the composition and terms of reference of such sub-committees.

6. SUBSCRIPTIONS

Members shall pay such subscriptions as the Management Committee may from time to time determine.

7. SECTIONS

Groups of individuals, being Individual, Junior or Associate members, may, with the permission of the Management Committee, form themselves into Sections for the furtherance of activities that support the objects of the Association. The following provisions apply to Sections:

- (a) the Management Committee shall determine the terms of reference and functions of each such Section and the duration of its activities;
- (b) no Section may disregard any instruction of the Management Committee or carry on any activity that may, in the Management Committee's opinion, conflict with the Association's objects, the Standing Orders or any decision made by the Management Committee;
- (c) Sections may fundraise for their activities utilising, with the permission of the Management Committee, the charity registration number of the Association but all funds so raised or property acquired with such funds shall belong to the Association and, subject to Clause 5 (Activities) shall be paid to the Association immediately following receipt;
- (d) Sections may hold such funds as shall be agreed from time to time with the Management Committee;
- (e) Sections and members thereof shall have no power of management or control over any part of the Association's assets.

8. RESIGNATION AND TERMINATION OF MEMBERSHIP

- (a) Any member of the Association may resign his/her membership and any representative of a member organisation or Section may resign such position, by giving to the Secretary of the Association written notice to that effect.
- (b) The Management Committee may, by resolution passed at a meeting thereof, terminate or suspend the membership of any member, if in its opinion, his/her conduct is prejudicial to the interests and objects of the Association, PROVIDED THAT the individual member or representative of the member organisation (as the case may be) shall have the right to be heard by the Management Committee before the final decision is made. There shall be a right of appeal to an independent arbitrator appointed by mutual agreement.

9. GENERAL MEETINGS OF THE ASSOCIATION

(a) Annual General Meetings:

Once in each calendar year an Annual General Meeting of the Association shall be held at such time and place as the Management Committee shall determine, being not more than fifteen months after the adoption of this constitution and thereafter the holding of the preceding Annual General Meeting. The Secretary shall give at least twenty-one clear days notice of the Annual General Meeting shall be given individually to members or posted in a conspicuous place or places in the area of benefit and/or advertised in a newspaper circulating in the area of benefit.

The Chair of the Management Committee shall be the chair of the Annual General Meeting but if he or she is not present, before any business is transacted, the persons present shall appoint a chair of the meeting.

The business of each Annual General Meeting shall be:

- (i) to receive the Annual Report of the Management Committee, which shall incorporate the accounts of the Association referred to below, and give an account of the work of the Association and its activities during the preceding year;
- (ii) to receive the accounts of the Association for the preceding financial year;
- (iii) to elect members to serve on the Management Committee, in accordance with Clause 10 (The Management Committee) hereof;
- (iv) to appoint one or more qualified auditors or independent examiners for the coming year to audit or examine the accounts of the Association in accordance with the Charities Act 1993 (or any statutory modification or re-enactment of that Act);
- (v) to consider any other business of which due notice has to be given.

(b) Special General Meetings:

The Chair of the Management Committee may at any time at his/her discretion and the Secretary shall within twenty one days of receiving a written request so to do signed by not less than 20 members with power to vote and giving reasons for the request, call a Special General Meeting of the Association to consider the business specified on the notice of meeting and for no other purpose. The Secretary shall give at least fourteen clear days notice of the Special General Meeting individually to members or posted in a conspicuous place or places in the area of benefit and/or advertised in a newspaper circulating in the area of benefit.

The Chair of the Management Committee shall act as chair of the Special Meeting. If both the Chair and the Vice Chair are absent from any meeting, the members present shall choose one of their number to chair of the meeting before any other business is transacted.

(c) Forum:

(i) In addition to Annual General Meetings the Management Committee shall convene at least one open meeting in each calendar year as a consultative forum of representatives of all groups/organisations/agencies which are active in the area of benefit (including non-member organisations) (hereinafter called "Stakeholders"). The Management Committee shall, except in the case of emergency, give not less than seven clear days notice of such open meeting to Stakeholders which notice shall be posted in a conspicuous place or places in the area of benefit and/or advertised in a newspaper circulating in the area of benefit;

10. THE MANAGEMENT COMMITTEE

The Management Committee shall comprise:

- a) Chairperson**
- b) Secretary**
- c) Treasurer**
- d) Up to 7 ordinary members**

The policy and general management of the affairs of the Association shall be directed by the Management Committee, which shall hold at least four ordinary meetings each year. A special meeting may be called at any time by the Chair or by any two members of the Management Committee upon not less than four clear days notice being given to the other members of the Management Committee of the matters to be discussed but if the matters include an appointment of a co-opted member then not less than twenty one clear days notice must be given. As the charity trustees, the Management Committee shall have power to enter into contracts for the purposes of the Association on behalf of all members and may exercise on behalf of the Association any or all of the powers enumerated in Clause 3 hereof.

11. MANAGEMENT COMMITTEE MEMBERS NOT TO BE PERSONALLY INTERESTED

Except as provided in sub-clauses 3 (o) and 3 (q)

- (a) no member of the management Committee (otherwise than as a trustee for the Association) shall acquire any interest in property belonging to the Association
- (b) no member of the Management Committee (otherwise than as a member of the Management Committee) shall be interested in any contract entered into by the Management Committee;
- (c) no member of the Management Committee shall receive remuneration.

12. RULES OF PROCEDURE AT ALL MEETINGS

(a) Voting:

Subject to the provisions of Clause 19 (Alterations to the Constitution), all questions arising at a meeting of the Association, the Management Committee or one of its sub-committees shall be decided by a simple majority of those present and voting. Each member shall have one vote and in case of an equality of votes the chair shall have a casting vote in addition to any other vote he or she may have.

(b) Quorum:

- (i) Committee Meetings: one third of the members shall form a quorum at meetings of the Management Committee and sub-committees of the Association.
- (ii) General Meetings: **twenty five** members with power to vote or one third of the members with power to vote, whichever is the less, shall form a quorum at General Meetings of the Association. In the event that no quorum is present at an Annual General Meeting of the Association, or the meeting has to be abandoned, the meeting shall stand adjourned and be reconvened within fourteen days , and those members with power to vote present at that meeting shall be deemed to form a quorum.

(c) Minutes:

Signed minutes shall be kept by the Association and all its committees and the respective Secretary shall enter therein a record of all proceedings and resolutions.

13. STANDING ORDERS AND RULES FOR ACTIVITIES

The Management Committee shall have power to adopt and issue Standing Orders and/or Rules for the conduct of Association business and/or Rules for activities Such Standing Orders and Rules shall come into operation immediately, provided always that they shall be subject to review by the Annual General Meeting and shall be consistent with the provisions of this constitution.

14. FINANCE

- (a) All money raised by or on behalf of the Association shall be applied to further the objects of the Association and for no other purpose, PROVIDED THAT nothing herein contained shall prevent the payment in good faith of reasonable and proper remuneration to any employee of the Association or the repayment of reasonable out-of-pocket expenses incurred on behalf of the Association by employees and volunteers.
- (b) An account shall be opened in the name of the Association at such a bank or such other financial institution as the Management Committee shall from time to time decide. The Management Committee shall authorise in writing the Treasurer, the Secretary and one member of the Management Committee of the Association to sign cheques on behalf of the Association. All cheques must be signed by not less than two of the three authorised signatories.
- (c) The Treasurer shall keep proper accounts of the finances of the Association.

15. ACCOUNTS

The Management Committee shall comply with its obligations under the Charities Act 1993 (or any statutory modification or re-enactment of that Act) with respect to:

- (a) The keeping of accounting records for the Association;
- (b) the preparation of annual statements of the accounts for the Association;
- (c) the auditing or independent examination of the statements of account of the Association;
- (d) the transmission of the statements of accounts to the Charity Commission for England and Wales.

16. ANNUAL REPORT AND RETURNS

The Management Committee shall comply with its obligations under the Charities Act 1993 (or any statutory modification or re-enactment of that Act) with respect to the preparation of an annual report and an annual return and their transmission to the Charity Commissioners for England and Wales.

17. LIABILITY AND INDEMNITY

- (a) In the execution of the trusts hereof no member of the Management Committee shall be liable:
 - (i) for any loss to the property of the Association by reason of any improper investment made in good faith (so long as he/she shall have sought professional advice before making such investment); or
 - (ii) for the negligence or fraud of any agent employed by him/her or by any other members of the Management Committee in good faith (provided reasonable supervision shall have been exercised); and
 - (iii) no member of the Management Committee shall be liable by reason of any mistake or omission made in good faith by any member of the Management Committee other than wilful and individual fraud, wrongdoing or wrongful omission on the part of the member who is sought to be made liable.
- (b) Every member of the Management Committee and other officer, auditor or Independent Examiner of the Association shall be indemnified out of the assets of the Association against any liability incurred by him or her in that capacity in defending any proceedings, whether civil or criminal, in which judgement is given in his or her favour or in which he or she is acquitted or in connection with any application in which relief is granted to him or her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Association.

18. DISSOLUTION

If the Management Committee by a simple majority decides at any time that on the ground of expense or otherwise it is necessary or advisable to dissolve the Association it shall call a meeting of all members with power to vote and of the inhabitants of the area of benefit of the age of eighteen years and upwards of which meeting not less than twenty one clear days notice (stating the terms of the resolution to be proposed thereat) shall be posted in a conspicuous place or places in the area of benefit and advertised in a newspaper circulating in the area of benefit and given in writing to the Director of the National Federation of Community Organisations (Community Matters). If such decision shall be confirmed by a simple majority vote of those present at such meeting the Management Committee shall have power to dispose of any assets held by or in the name of the Association.

Any assets remaining after the satisfaction of any proper debts and liabilities shall be transferred to any charity or charities with similar charitable purposes to those of the Association to be used for the benefit of the inhabitants of the area of benefit as the Management Committee may decide subject to the prior approval in writing of the Charity Commission for England and Wales, or other authority having charitable jurisdiction. The Management Committee shall notify the Charity Commission promptly of the decision to dissolve the Association and, if obliged to do so, send to it a copy of the Association's final accounts.

19. ALTERATIONS TO THE CONSTITUTION

Any proposal to alter this constitution must be delivered in writing to the Secretary of the Association not less than twenty eight days before the date of the meeting at which it is first to be considered. Any alteration will require the approval of both:

- (a) a simple majority of members of the Management Committee present and voting at a Management Committee meeting.

b) a two-thirds majority of members with power to vote present and voting at a General Meeting. At least fourteen clear days notice shall be posted in a conspicuous place in the area of benefit and advertised in a newspaper circulating in the area of benefit, stating the wording of the proposed alteration. No alteration should be made to this constitution which would cause the Association to cease to be a charity at law. No alteration to Clause 1 (Name), Clause 2 (Objects), Clause 11 (Personal Interests) Clause 18 (Dissolution) or to this Clause shall take effect until the approval in writing of the Charity Commissioners or other authority having charitable jurisdiction shall have been obtained.

20. ARRANGEMENTS UNTIL THE FIRST ANNUAL GENERAL MEETING

Until the first Annual General Meeting takes place this constitution shall take effect as if references in it to the Management Committee were references to the persons whose names appear below.

This Constitution was adopted as the Constitution of the Westfield Community Association following a public meeting held at St Peters Church Hall on 13th October 2007 at which the following people were elected as members of an Interim Management Committee to serve as Charity Trustees until the first Annual General Meeting.

Signed

Chair.....	Secretary.....
Treasurer.....
.....
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.....
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.....
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.....
.....

Agenda Item 11

St James Reordering Project Grant Application (Executive Decision)

Assistant Director: Helen Rutter, Assistant Director – Communities
Service Manager: Natalie Fortt, Area Development Lead
Lead Officer: Natalie Fortt, Area Development Lead
Contact Details: natalie.fortt@southsomerset.gov.uk or (01935) 462956

Purpose of the Report

To consider funding towards the cost of the reordering/refurbishment of St James Church.

Public Interest

Community grants are available in each area to voluntary and charitable organisations, not-for-profit groups, Parish or Town councils and other organisations that benefit the wider community. Applications are encouraged that meet a clearly identified local need.

Recommendation

That members consider this application for up to £5,000 towards the reordering/refurbishment of St James Church, Yeovil from the community grants budget.

Background

St James Church is situated on Preston Road and covers the old parish of Preston Plucknett, which includes approximately 15,000 people in the area between Thorne Lane, Western Avenue, Preston Road and Ilchester Road. However, the church groups and premises are open to all, regardless of where they live.

St James Church is a registered charity, of which the church council (PCC) are Trustees. The group runs and maintains the premises which are used by around 5,000 people. This includes around 3,500 attending events for Christmas, seasonal festivals, family celebrations, and educational visits.

The group also run activities for parents, children, young people, senior citizens and relationship support, accessed by over 500 members of the community and have hosted groups for addiction recovery, uniformed organisations, local community groups and a community choir.

The group also support and promote volunteering for other charity and community causes including school governors, Street Pastors, hospital patient support, debt support and the food bank.

Project

The project is to refit the interior of St. James Church to make it suitable for community use, and to serve the needs of a growing church in an expanding area of Yeovil.

The current church interior dates to 1860, when Preston Plucknett was a village of 250-300 people. The fixed pews are uncomfortable, restrict the seating capacity, and give no flexibility for different layouts. Though the church building is beautiful, the heating and

lighting are inadequate (only heating to 10 degrees above the outside temperature), and accessibility is poor.

The re-ordering plan will replace the current interior with underfloor heating, flexible comfortable seats, a raised dais for performances and shows, and new lighting, AV, Wifi and hearing loop facilities. The changes will make the building usable all year round, by community and church groups, with a seating capacity of 130 in a flexible layout.

St. James has a smaller church room which is used by a wide range of community groups including AA, Inspire2Achieve, parent and toddler, young people, uniformed organisations, senior citizens social groups, a retirement association, quilting and 'knit and natter'.

However, the group now has limited availability and has been forced to turn away many potential users. Making the church available and usable to community groups would provide a much-needed community asset. It would also give the church a much better facility for the current community groups and events that it runs. The group has consulted with user groups, church members and the community and the results have shown consistent support for these plans.

The project is run by a task group from St. James' who have a range of expertise in project management, buildings, surveying, finance and engineering. The project works will be contracted to a local builder and be overseen by an architect. Once completed, bookings will be managed by volunteers from the church, a system which currently works well for the church room, and enables a wide range of community users.

The project has already been promoted through social media, leaflet drops, parish council newsletters and the local press. After completion, information will go out through a variety of means: leaflet drop, parish council newsletter, social media, local press, 'open days' and opening events, and word of mouth.

Ongoing costs of using the building will be met through hire fees, as presently happens in the church room. Longer-term maintenance will be funded by the church through its members, as at present.

Assessment Scoring

Below is the summary table from the grant assessment form. It is recommended that funding is only awarded to projects scoring 22 points or more.

Category	Score	Maximum score
A Eligibility	Y	
B Equalities Impact	5	7
C Evidence of Need	5	5
D Capacity of Organisation	14	15
E Financial need	6	7
F Innovation	1	3
<i>Grand Total</i>	31	37

Funding Breakdown

Funding Sources	% Funding of the Total Project Cost	Amount of Funding (£)	Status
Parish and Town Councils	1.5	5,000	Pending
Own Funds	40	138,000	Secured
Joseph Rank Trust	7.2	25,000	Secured
Clarks Foundation	5.8	20,000	Secured
Diocese of Bath and Wells	7.2	25,000	Secured
Various other grants	19.1	66,000	Some still pending
Fundraising	17.7	61,000	Pending
SSDC Area South Grants	1.5	5,000	This application
Total Project Cost	100%	345,000	

There are also indirect costs that are covered through the donation of time by members of the church and community and through the promotional support given by local media and community groups.

Financial Implications

The uncommitted 2016/17 community grants budget stands at £11,230. If members agree this award of £5,000, it will leave £6,230 in the budget.

Grant Conditions

The grant would be subject to all the standard grant conditions.

The grant offer would be made based on the information provided in the application form and would represent up to 1.5% of the total project costs (the final payment may be reduced if the costs of the total project are less than originally anticipated, however payment will not exceed the grant amount approved at committee).

Corporate Priority Implications

Health and Communities

To build healthy, self reliant, active communities we will:

- Help people to live well by enabling quality cultural, leisure, play, sport and healthy lifestyles facilities and activities.

Carbon Emissions and Climate Change Implications

The new heating and lighting will be more efficient and therefore help reduce carbon emissions.

Equality and Diversity Implications

The project will improve the accessibility of the building. An access audit has recently been undertaken and the project will help to improve a number of the issues raised, for example the current fixed pews do not offer enough space for two wheelchair users to pass each other, the seating is uncomfortable and not flexible for those with mobility issues and the lighting and hearing loops will be improved as part of the project to assist people with visual or hearing impairments.

Background Papers

None

Agenda Item 12

Heart of Wessex Rail Partnership Update (Executive Decision)

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

Purpose of the Report

To receive a summary of the work undertaken by the Heart of Wessex Rail Partnership during 2015/16. To consider making a partnership contribution for 2016/17.

Public Interest

Yeovil Pen Mill is on the Bristol/Weymouth line. The Partnership actively supports community involvement in improving the stations and encouraging local communities and visitors to utilise the line for a wide range of trips and journeys. The Partnership is resourced by contributions from local authorities, match funded by the rail operator Great Western Railway and a large group of volunteers who offer their time and expertise.

Recommendations

That members:

- 1) Note the work undertaken by the Partnership in 2015/16 and that a similar report has been taken to Area East Committee
- 2) Approve a funding contribution of £1,000 from Transport Scheme Grants Budget for 2016/17

Background

Accountability and financial support for the Heart of Wessex Rail Partnership is shared between Area East Committee (2 stations along the line) and Area South Committee (one station).

The line has been supported by a partnership of local authorities along the route since 1998 but was revised and expanded in 2003, with an action plan to:

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

In the last 13 years the Partnership has developed its community arm with significant station investment, improvements to access, promotion and better information from local community groups along the line, including a large number of regular volunteers. The community representatives have their own working group, meeting three times per year with the train operator and Network Rail.

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

Activities and Results of the Partnership's work

The following headlines are mainly drawn from the 2015/16 Annual Partnership report (Appendix 1):

- In the year to March 2016, for the first time since 2003, annual passenger journeys on the line contracted from 2,047,000 to March 2015 to 1,957,900 to March 2016 (4.4% down). Total Severn & Solent journeys of 14,271,200 in the year to March 2015 reduced to 13,655,500 to March 2016 (4.2% down).
- The reduction in passenger journeys is mainly attributable to the Temporary Period of Disruption relating to the major programme of electrification for parts of the Great Western network. July to September 2015 saw 87,000 fewer journeys on the Heart of Wessex Line than in the previous year.
- It is worth noting there may be some capacity constraints to continued future growth at the exceptional levels achieved between 2003 and 2014.
- For the first time in several decades some additional services were introduced to the Heart of Wessex line in 2015/16. Most notably summer Sunday services to Weymouth were extended to run from Easter Sunday to the end of October and will run all year in 2017.
- SWT introduced four services (1 southbound and 3 northbound) to a section of the line from December 2015, which do help to reduce some later afternoon/early evening gaps for Somerset stations.
- The Bruton and Castle Cary gardens continue to be tended & enhanced by the volunteers. At Castle Cary the community continue to maintain the walking route to town, including laying gravel to improve drainage under the kissing gate, replacing way marking discus and keeping the vegetation cut back.
- A banner for Yeovil Pen Mill, created for the Community Rail Conference in March, has been designed to last a few seasons. A high quality renovation of the whole station was undertaken during February by the GWR team and new "barrel train" planters (made from old whisky casks & also painted up in the new GWR colours) were installed.
- Joint Task Forces, where volunteers from stations along the line tackle larger projects, took place at Yeovil Pen Mill between April and September 2015. In April 2015 Yeovil in Bloom trained Friends to sow Meadow Mix with lovely results through summer 2015.
- A new project to adopt the station frontage was begun in February 2016 with Lufton College students taking on litter picking, planting and maintenance of "their" train and sowing of new meadow mix for spring.
- GWR's Community Rail Conference selected Yeovil as the first destination for the its new approach, which will circulate between the regions covered by the company's 5 Community Rail Partnerships.
- The Partnership produces the Bristol to Weymouth line guide 3 times a year in editions of just over 35,000 each, distributed through council & community offices, TICs, shops, pubs and volunteers across the GWR station network. 2015/16 editions focused on events, shopping and days out. The next edition is out in Sept 2016.
- Direct community involvement in the line includes 118 volunteers who gift over 13,000 hours of their time to enhancing stations, helping to improve customer information and promoting use of the line to the benefit of their local economies.

Looking Forward

For 2016/17 the Partnership chairmanship has passed from Wiltshire to Somerset. This is a welcome development in view of the overriding priority to seek increased services on the line. The long term objective remains to achieve an hourly service.

The following funding bids have been submitted:

- The Partnership is seeking £6,000 from GWR to install running in boards at Yeovil Pen Mill and Castle Cary stations
- A request has been made to GWR to explore the feasibility of south side passenger access at Bruton railway station. This will proceed this autumn and we hope will result in a costed proposal

Funding Support

The annual running cost of the Partnership in 2015/16 was in the region of £69,000. This covers: the salary of the Rail Partnership Officer; the printing and promotion of the line guide; upgrades to the Partnership website and a local grants scheme of £10,000 pa to enable the Partnership to match fund local community-led station initiatives. There is a formal Partnership Agreement through which the Unitary/County Authorities with responsibility for Local Transport Plans put in the greatest contribution and participating Districts a lesser amount. The biggest annual funding contributor is Great Western Railway at £26,250 although they are not signatories to the partnership agreement. The total funding expected in 2016/17 is £71,000 including some funding for small projects made available by GWR to enable some additional implementation of minor station improvements.

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

Financial Implications

There is £14,404 unallocated in the Transport Scheme Grants Budget. Under the terms of the Partnership Agreement it is requested that a sum of £1,000 is awarded as a partnership contribution by the Committee for this financial year. If approved, a sum of £13,404 will remain unallocated.

Corporate Priority Implications

4. Ensure safe, sustainable and cohesive communities

Carbon Emissions and Climate Change Implications

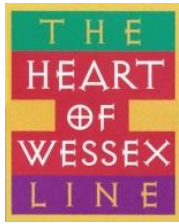
Maximising train travel reduces car journeys and congestion and therefore has a beneficial effect on carbon emissions.

Equality and Diversity Implications

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

Background papers

SSDC Partnership Review April 2011, Report to AEC July 2011; Report to AEC December 2011; Report to ASC July 2012; Report to AEC May 2013; Report to ASC October 2013; Report to AEC August 2014; Report to ASC October 2014; Report to AEC August 2015; Report to ASC October 2015; Report to AEC August 2015.



THE HEART OF WESSEX RAIL PARTNERSHIP



2015/2016

ANNUAL REPORT

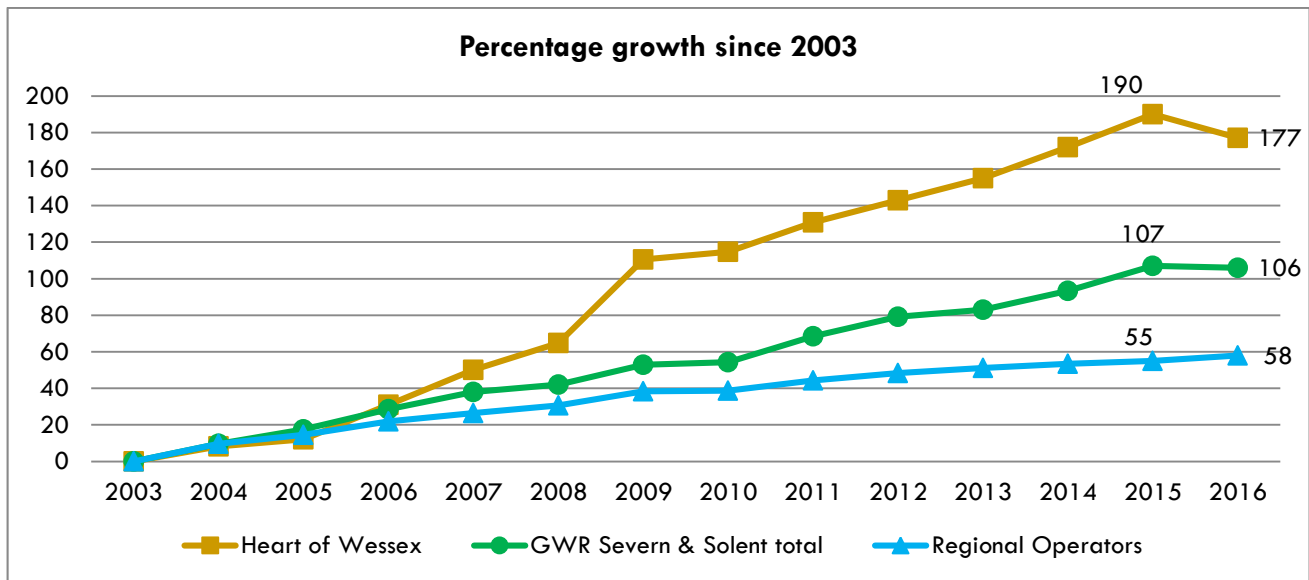


The Heart of Wessex Rail Partnership is a joint venture between:

Bristol City Council, Bath & North East Somerset Council, Wiltshire Council, Somerset County Council, South Somerset District Council, Dorset County Council, West Dorset District Council and Great Western Railway

The overall objective of the partnership since 2003 has been to raise awareness and use of the Bristol to Weymouth rail services, by marketing the line, enhancing stations and access to them and working with local communities. Funding partners agree a **LINE PLAN**, updated annually, outlining priority areas of work for the partnership. Direct community involvement in the line includes 118 volunteers who gift over 13,000 hours of their time to enhancing stations, helping to improve customer information and promoting use of the line to the benefit of their local economies. Representatives from local communities come together as the **COMMUNITY RAIL WORKING PARTY (CRWP)** producing a regularly updated action “**MATRIX**” of short, medium and longer term projects, local needs and aspirations. The latter generates the **COMMUNITY WISH LIST** which is a key reference point for deciding project investment priorities.

RESULTS to 1st April 2016



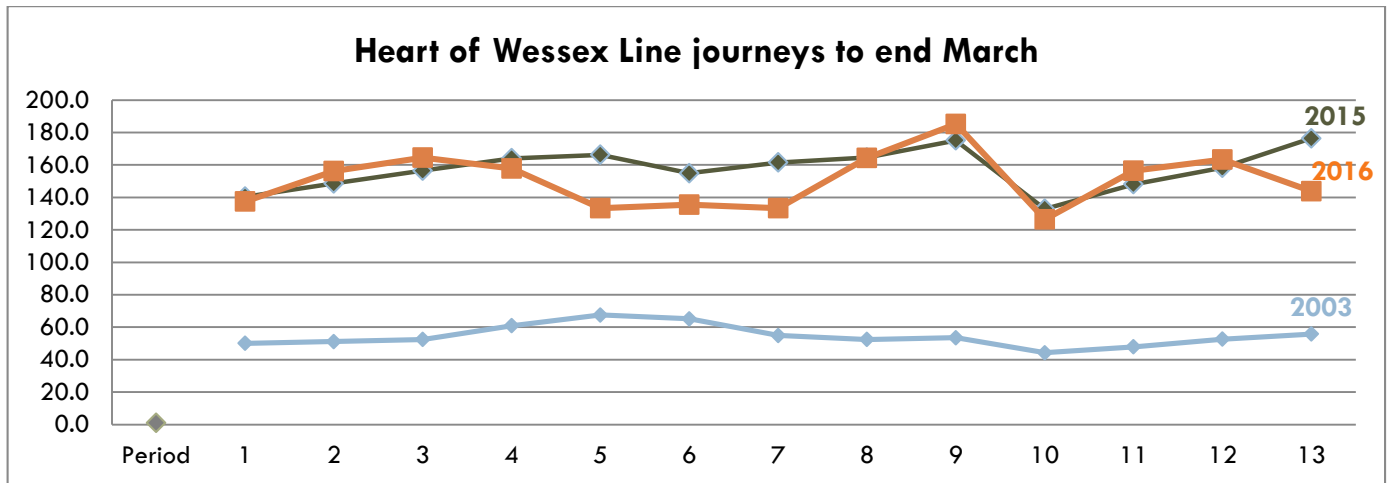
Between April 2003 and March 2015, passenger journeys on the Heart of Wessex Line **grew from 700,000 to 2,046,700**, a growth rate that was double the regional¹ and three times the national² average. The Heart of Wessex overtook the Bristol to Exeter line in 2010 to become the second most important route in the Severn & Solent region after the Cardiff to Portsmouth Harbour service. With no change to service level, for every 100 passengers in 2003, there were 292 using the same trains in the year to March 2015. Originally representing 9% of the total journeys in the Severn & Solent region, by 2015 the Heart of Wessex carried nearly 15% of the regional total.

In the **year to March 2016**, for the first time since 2003, annual passenger journeys on the line contracted from 2,047,700 to March 2015, to **1,957,900** to March 2016 (4.4% down). Total Severn and Solent journeys of 14,271,200 in the year to March 2015 reduced to 13,666,500 to March 2016 (4.2% down)

¹ Regional = Severn & Solent. Includes total of passenger journeys on: Cardiff-Portsmouth, Bristol-Exeter, Bristol-Weymouth, Bristol-Great Malvern, Bristol-Severn Beach, Bristol-Cardiff, Bath-Filton and Swindon-Westbury.

² Office of Rail Regulation. Regional Rail Operators - excludes London and South East.

The reduction in passenger journeys is mainly attributable to the Temporary Period of Disruption (TPOD 1) relating to the major programme of electrification for parts of the Great Western network. July to September 2015 (periods 4 to 7) saw 87,000 fewer journeys on the Heart of Wessex Line than in the previous year.



It is worth noting, however, that even allowing for the impact of the major engineering works, April 2015 to end March 2016 is the second year in a row that the line has failed to outperform the regional average as it had previously consistently done, and there may be some capacity constraints to continued future growth at the exceptional levels achieved between 2003 and 2014.

SERVICE IMPROVEMENTS 2015/16



For the first time in several decades, some additional services were introduced to the Heart of Wessex line in 2015/6.

Most notably, **SUMMER SUNDAY SERVICES TO WEYMOUTH** were extended to run from Easter Sunday to the end of October, and **will run all year in 2017**. A priority on the Community Wish List since 2003, this will be of significant value for leisure, special events such as the phenomenally successful Frome Independent, shopping, employment, hospital visits and other social need. It should also help to alleviate overcrowding on Saturdays in the traditional “summer shoulder” period.

South West Trains introduced a few services to a section of the line from December 2015. The original proposal consulted on & supported by the communities was quite different to the timetable eventually introduced, which caused local disappointment, but the additional four services (1 southbound and 3 northbound) do help to reduce some late afternoon /early evening gaps for Somerset stations.

THE WEYMOUTH WIZARD

Demand for Summer Saturday trips to Weymouth continues to be well served by GWR, with strengthening of key services, and the luxurious option of the Weymouth Wizard, the additional Saturday train run from May to September.



Joint partnership objectives from the Heart of Wessex Rail Partnership **Line Plan**

OBJECTIVES	Rail Partnership Priorities	Project Category
1. Economic Development	Promoting more use of the line to the benefit of local economies. Supporting and promoting local businesses	Promotion
	Making it easy for visitors to understand and use services, stations and connections	Connecting Up
	Stations as community gateways & “shop windows” to destinations	Station Welcome
2. Carbon Reduction, Health & Staying Safe	Encouraging more people to switch to rail by assisting new users to understand services, stations and connections	Connecting Up
	Continued improvement of station facilities/ making stations feel safer and more welcoming	Station Welcome
	Encourage, facilitate and promote more walking and cycling to stations	Connecting Up
3. Localism	Manage, motivate, sustain and build community involvement and projects, respond to local needs and aspirations for the line	CRWP & Community projects.
4. Accessibility	Assist those with visual, hearing and learning difficulties. Assist understanding of connections, services and stations	Connecting Up

SUMMARY OF PROJECTS DELIVERED 2015/16

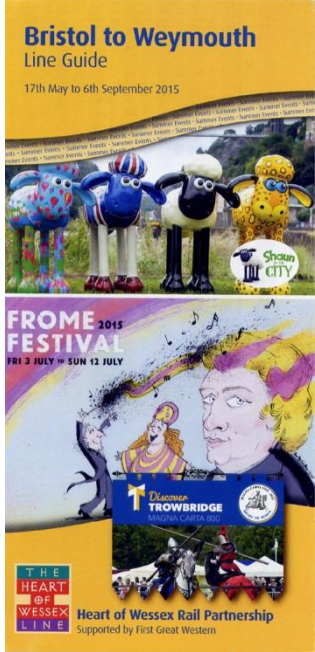
Line guides promoting destinations and events + easy to read 14pt Timetable (page 4)		
Launch of Summer Sunday service extension - campaign developed with GWR publications team		
FRESHFORD: New customer shelter (page 5), customer seating (page 7), Community involvement, station adoption and garden enhancements (page 11)		
BRADFORD ON AVON: Promotional focus and Garden Gang news (page 11)		
TROWBRIDGE: Completion of £1m major improvement project led by Wiltshire Council, including shelter (page 5), Task Force project (pages 8 & 9)		
WESTBURY: Task Forces at Westbury (page 9); Station adoption (page 12)		
FROME: Additional seating (page 7)		
YEOVIL PEN MILL: Welcome banner & directional signing (pages 6&7); Complete station renovation & Barrel Train planters (page 12) GWR Community Rail Conference (pages 13&14)		
Task Force for station garden (page 8) Station adoption project with Lufton College (page 13)		
Frome, Bruton & Castle Cary: Station Friends' & community projects (page 15)		
THORNFORD: Seating on footway to station (page 7)		
DORCHESTER WEST: New customer shelter (page 5), Running In Board (page 6)		
Maiden Newton, Dorchester West & Upwey: Station Friends projects (page 15)		
WEYMOUTH: Bus connection information improvements (page 7)		
COMMUNITY RAIL JOINT PROJECTS: 4 CRWP meetings / events, 5 updates of The Matrix & Community Wish List. Task forces (pages 8&9), Clean for the Queen (page 10)		
WESSEX WANDERERS GUIDED WALKS (page 10)		

BRISTOL TO WEYMOUTH LINE GUIDE

This continues to evolve, informed by comments and ideas from customers, town and parish councils, station and train staff and community rail contributors. 35,000 of each edition is distributed through council and community offices, TICs, shops, pubs and volunteers, and right across the GWR station network including Paddington (featured in the photos below). The 14 point timetable to assist the visually impaired, with minimal and colour coded notes to aid ease of use, responds to ideas from customers and GWR colleagues. 2015/16 editions focused on events (coordinated with a poster campaign), shopping, days out and a special edition for Bradford on Avon (see page 11)



“Bath is one of the most popular destinations on the Weymouth to Bristol Line and the Heart of Wessex Rail Partnership does tremendous work in encouraging people to travel to the city by train for work, shopping or leisure. It has been an outstanding success in raising the profile of the line through its high quality publicity and the sheer energy of its volunteers”
Cllr Anthony Clarke, Cabinet Member for Transport, Bath & North East Somerset Council



“Part of my role is to supply local communities and households with local travel information from various services to help promote active and sustainable modes of transport and help reduce emissions. The Heart of Wessex Rail Partnership have been very helpful with this, supplying us with 4000 Line Guides that were perfect for the project as they have large clear print and are easy for people to read and understand, especially if they are unfamiliar with this service. As well as the timetable, the line guides contain everything people need to know if they wish to use the line. Because of the support and materials that Heart of Wessex provided us with we were able to provide a more comprehensive travel package to individuals in the Weymouth and Portland area”
Ryan Pooles, Sustrans Personalised Travel Planning Project Officer
 Working in partnership with **Dorset County Council**

STATION IMPROVEMENTS

During 2015/6 Heart of Wessex Line stations benefitted from at least 11,700 hours of work from 98 local volunteers. Groups at each station focus on creating and maintaining gardens, helping to keep stations clean and free from litter and initiate projects for signing and infrastructure improvements, often based on the direct feedback they get from customers while they are working at the station. Needs and suggestions from local communities are kept on a regularly updated “Matrix”, and representatives from each of the groups participate in the Community Rail Working Party with GWR managers to review progress and discuss new ideas. A longer term community wish list is generated from The Matrix, and helps to set priorities for investment from both the GWR Community Rail Budget and the partnership’s own Community Projects Grant Fund.

CUSTOMER SHELTERS

Three of the shelter enhancements from the Community Wish List were completed in 2015/16.

TROWBRIDGE: Improvements to southbound shelter provision, a long standing item on the wish list, were delivered as part of a £1m improvement project for the whole station led by Wiltshire Council.

DORCHESTER WEST: The old shelter had become completely inadequate, particularly following the doubling of passenger numbers since the Friends of Dorchester West adopted and began to transform the station in 2010. The new shelter was funded from the 2014/5 GWR Community Rail Budget.



Above: Customers waiting in November 2014



and the new shelter completed in April 2015

FRESHFORD: The old shelter that had served northbound customers for two decades at Freshford was replaced in March 2016, funded from the 2015/6 GWR Community Rail Budget.



Design and specification for the shelters followed detailed consultation meetings with the station friends groups, in Freshford including a community email survey, to ensure they would respond to local need. The shelters have also been adapted to “harvest” rainwater from the drainage system to supply water butts for station gardens.

STATION SIGNS

The Heritage style “Running in Board” from the Community Wish List for **DORCHESTER WEST** was installed in February 2016. The design and positioning of the board was specified by the station friends, based on feedback from local customers, and was implemented by the partnership utilising the Community Projects Grants Fund.

Sign of success at treasured station



RUNNING IN BOARDS: Originally developed in the Victorian age to give customers a clear early warning that the train was “running in” to the station, groups along the line have suggested reinstating these, and helped to specify design and placement of them. A heritage style has sometimes been used (first developed for Bradford on Avon 2009) although at e.g. Bruton, the Friends felt a modern style was more in keeping with the station, and at Thornford the opportunity was taken to feature the nearby village of Beer Hackett. At Freshford, the local community actually recovered & restored original running in boards from the late nineteenth/early twentieth centuries. Additional signs identified by communities themselves can usually be implemented by the partnership with the Community Projects Grant Fund

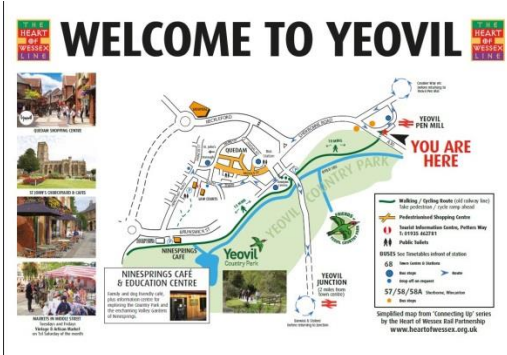


“I can remember the originals from the steam days when I used to travel by train from Cornwall to Leicestershire. Most signs these days are not at all user-friendly. These are accessible to all and pass the clear sight tests as well as being invaluable to hearing-loss users. A sound initiative all round!”
Jane Nicklen, Community Planning and Development Manager, West Dorset District Council

Investment in larger signs more easily visible from the trains also helps to contribute to welcoming arriving visitors and indirectly “advertising” to customers passing through. The banner for **YEOVIL PEN MILL** created for the Community Rail Conference in March has been designed to last a few seasons.



Further additions were made to ongoing “connecting up” projects including **YEOVIL PEN MILL**, and at **WEYMOUTH** a new map was developed by **Dorset County Council** to assist customers in finding bus stops referred to on the live departure screens. The project was initiated from feedback at the Weymouth Senior Forum with significant assistance from the Chairman of the First Bus Customer Panel.



ADDITIONAL SEATING



A heritage style was selected by the local groups for new customer seating at **FROME** and **FRESHFORD** installed in autumn 2015. The Freshford seat was supplied through the Community Projects Grants Fund and the Frome seat by the Friends



themselves. Additional heritage style seating organised by the Bradford Garden Gang in memory of Dave Walden, thanks to generous donations from his family and the local community, will be celebrated in May 2016.

At **THORNFORD**, there were requests for seating along the one mile walking route between Thornford Halt and the village, and this was installed in early summer 2015, a joint project between Thornhackett Parish Council, Castle Gardens and the partnership. The Thornford footway, a Community Wish List item delivered in 2011 by Dorset County Council, continues to be appreciated by visitors and the local community, supplying as it does both safe access to the station and a wonderful asset to attract visitors to come and walk in this beautiful part of the Dorset Area of Outstanding Natural Beauty.



COMMUNITY RAIL PROJECTS

THE TASK FORCE

Joint Task Forces, where volunteers from stations along the line from Bristol down to Weymouth come together to tackle larger projects, took place at YEOVIL PEN MILL, WESTBURY and TROWBRIDGE between April and September 2015.

In April 2015, Steve Fox from YEOVIL IN BLOOM trained Friends from along the line to sow Meadow Mix, with lovely results through summer 2015 much appreciated by **YEOVIL PEN MILL** customers.



TROWBRIDGE

A Task Force assembled in September 2015 to help the Trowbridge Friends tackle the large bank along the newly reconstructed car park (part of the magnificent £1m transformation of the station completed in summer 2015). This included volunteers from all along the line, Great Western Railway colleagues and a generous contribution from friends in Network Rail who organised help including flat-bed trucks, and gave us some of their voluntary annual leave days to help out.



Before.....



& after!



“A jungle of undergrowth, dense enough to hide a tiger, was soon reduced to a pile of quivering hedge and shrub clippings. Enough to fill 2 skips and several tipper truck loads. 30 volunteers chopping, raking, weeding and litter picking, making an amazing amount of progress through sheer hard work, determination and team play. A picnic lunch was enjoyed in the smart new platform shelters, new relationships forged, and new ideas discussed in a way that can never be achieved behind a computer screen.
Mark Postma, GWR Publications Manager
 (& energetic “Task Forcer” at Trowbridge & Westbury!)



Task Forces to help the Friends of **WESTBURY** station took place in **May** and **September 2015**, combined with update sessions on TPOD1 from Jon Morgan and on GWR publications & promotions with Mark.



I am very proud of the terrific work by the Heart of Wessex Community Rail Partnership. This is a great example of the local community achieving things that really make a difference. Just in my local area their hard work in clearing out overgrown vegetation and making attractively designed gardens and spaces has transformed the appearance of Westbury and Trowbridge stations, creating a welcoming atmosphere and enhancing the towns both for residents and for visitors. No wonder the number of passengers on the line has rocketed since they became involved”
Cllr Horace Prickett, Portfolio Holder for Transport Wiltshire Council

CLEAN FOR THE QUEEN

Stations along the line participated in the national Clean for the Queen event in March 2016. As some of the groups pointed out, they clean the stations regularly anyway, but this was an opportunity to let people know that they do & a good way to remind passers-by how they might help! It also offered an opportunity to kick off a new station adoption project at Yeovil Pen Mill with students from Lufton College.



WESSEX WANDERERS GUIDED WALKS

20 volunteers from local Ramblers groups put an estimated 1400 hours of time into planning, leading and promoting guided walks from stations along the Heart of Wessex Line, coordinated by Ann Light, who also manages the popular www.wessexrailwaywalks.org.uk. The project is supported annually from the partnership's Community Projects Grants Fund.

Extracts from Ann Light's 2015 Wessex Wanderers Report:

"The programme ran from Saturday 2nd May 2015 to Wednesday 14th October 2015 stopping for the 6 week engineering works in July and August. The momentum did not seem to stop because of this and this was well advertised on our programme and website and on the walks themselves. We had 542 participants: 70 % used the trains, 11% used the buses, with the rest coming by car or walking to the station. About 11% of the people who come on our walks are not members of the Ramblers and we get around 14% of first timers on walks – so we are attracting new people all the time from outside the Ramblers as well as within. We had 31 varied walks ranging from 3 miles to 15 miles. The historical tours of Bradford on Avon and Dorchester lead by professional Blue Badge Guides lasted two hours and left the afternoon free to be able to look around the town. A variety of shorter walks with a theme also proved popular and these included going to Farleigh Hungerford from Avoncliff station, a short morning walk and then a visit to Hauser and Wirth art gallery in the afternoon from Bruton station, a visit to Iford manor from Freshford, 2 walks on Portland also proved popular and there was also a walk from Severn Beach. Numbers varied from 8 to 40 with an increase on the average to 17, which is up from the previous year. We are giving a donation from all the 4 Ramblers' areas that the line covers (i.e. Avon, Somerset, Dorset and Wiltshire) together with a generous grant from the Heart of Wessex Rail Partnership. The funds are used for programme production, postage, hire of meeting rooms, admin expenses, website etc."

OTHER COMMUNITY RAIL HIGHLIGHTS FROM 2015/6

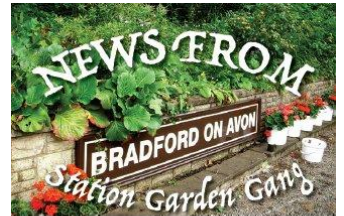
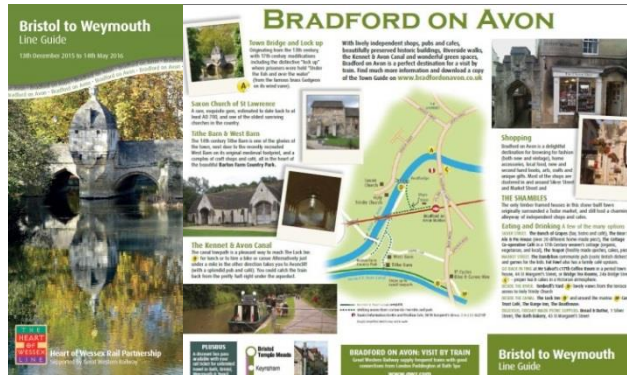
FRESHFORD

Up to twenty local people from the village participate in all day working parties at the station several times a year under the guidance of Garden Designer, Melanie Everard. Community involvement in the railway is particularly strong here, with the station and Heart of Wessex Rail Partnership featuring in the ground breaking **Neighbourhood Plan** for Freshford and Limpley Stoke (believed to be the first in the country to cross a county boundary) that was approved and ratified in September 2015. A Friends of Freshford evening meeting in November 2015 attracted over 60 people to exchange ideas about the partnership and the railway. Amongst several new projects undertaken by the station friends over the last twelve months, new hoggin was laid in the customer waiting area.



BRADFORD ON AVON

The town's economy was badly affected when all trains were replaced by buses during electrification work in August. Use of the station by local people went down dramatically, and local traders reported a reduction of up to a third in takings over the same period of the previous year. The station friends, concerned that local rail users may have got into the habit of using their cars, created and circulated a newsletter announcing the return of the rail services in September. The next Line Guide was then devoted to promoting the town to visitors. Particular thanks are due to **Bradford on Avon Town Council** for their help with this special edition.



Train services back to normal from September 1st! The Weymouth Wizard will run on Saturday 5th September departing 0941, the luxury way to travel to Weymouth! Pocket Timetables at the station or go to www.firstgreatwestern.co.uk



The trains may have stopped during August, but our volunteer Garden Gang hasn't! We'll be working every week throughout the year even in winter!



Thank you to everyone who very kindly gave donations towards a Memorial Seat for our late Garden Leader & Friend, We were humbled to find you had contributed £362! We will advertise a public dedication date once the seat is installed.

Supported by the Heart of Wessex Rail Partnership www.heartofwessex.org.uk

In late September, community rail participants from along the line enjoyed an opportunity to meet Paul Salvesson, the man who created the Community Rail concept a quarter of a century ago. Paul's trip along the line took in Yeovil, Bradford on Avon and Freshford, including a visit to the Community Shop and Café.



WESTBURY

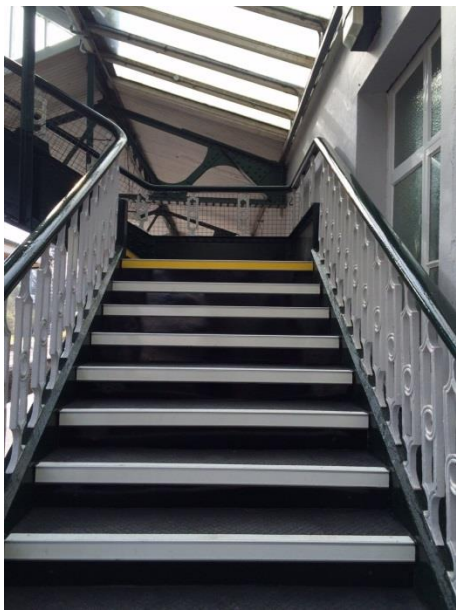


The transformation of Westbury station begun in 2014 continued to gather pace in 2015/6, most importantly with weekly sessions by the Friends of the Station including regular work on the three large planters on the station platforms, and further development of the station frontage, including roses planted for the Queen’s birthday. The Friends now have regular help from volunteers from other stations including Dorchester West and Bradford on Avon.



YEOVIL

A high quality renovation of the whole station was undertaken during February, with the GWR team hard at work there over several full days, painting all parts of the station in the new GWR livery, retreading stairs and clearing vegetation in the station car park



New “barrel train” planters (made from old whisky casks and also painted up in the new GWR colours) were installed.



Financed from the Community Projects Grant Scheme, the planters were installed on the centre platform and at the front of the station.

A new project to adopt the station frontage was begun in February 2016 with **LUFTON COLLEGE** students taking on litter picking, planting and maintenance of “their” train and sowing of new meadow mix for spring.



GWR COMMUNITY RAIL CONFERENCE

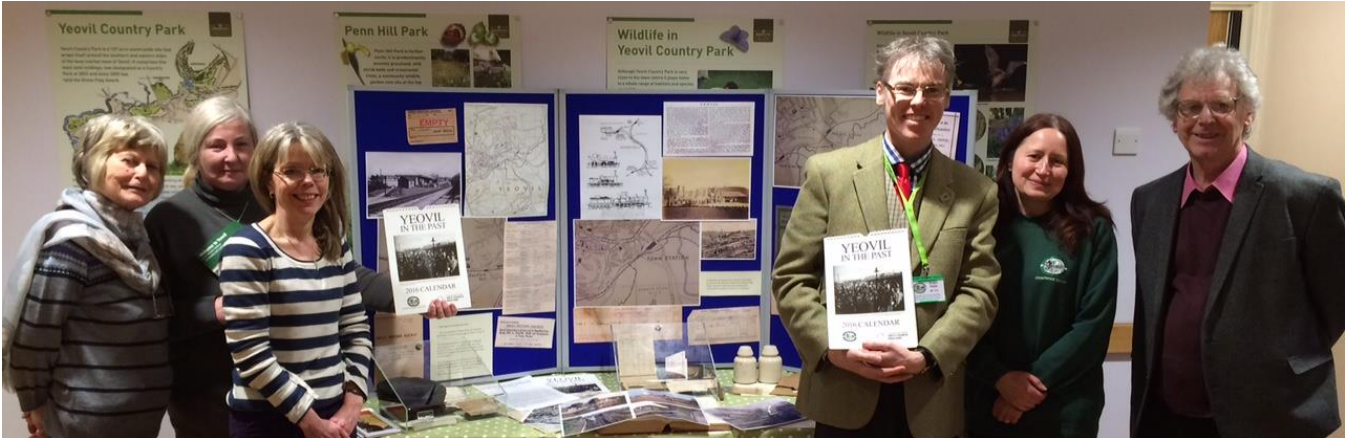
YEOVIL was selected as the first destination for the new approach to **GWR'S** annual **Community Rail Conference**, which will now circulate between the regions covered by the company's five community rail partnerships.

This offered a matchless opportunity to showcase the area's attractions to a wide audience from across the South West. GWR took over several of the Yeovil hotels for accommodation, including a gala dinner at the Manor Hotel, with the full day conference taking place at the magnificent Fleet Air Arm Museum.





A "Love Yeovil" project team (above left) worked in January & February to put together a package of events and materials to ensure delegates would get the most from their visit to the town, including guided walks from the Yeovil Country Park Community Ranger and a visit to the Ninesprings Community café, where the South Somerset Community Heritage Team put on a display on the history of the Yeovil railways. Many of the 120 delegates to the conference came early the day before to enjoy the attractions of the town, with a Yeovil Country Park, South Somerset tourism and economic development and rail partnership welcome team at the station for arriving trains, to send visitors on their way along the green walking route from station to town.



FROME, BRUTON & CASTLE CARY



The beautiful gardens at **Bruton** (above) continue to be enhanced at monthly working “bees”, and lovingly tended planters at **Frome** won a “Frome in Bloom” award in 2015. At **Castle Cary** the community continued to maintain their lovely walking route from the station to the town, including laying gravel to improve drainage under the kissing gate, replacing way marking discs and keeping vegetation cut back.

MAIDEN NEWTON, DORCHESTER WEST & UPWEY

All three stations benefit from regular weekly attention, with additional work at Dorchester West & Upwey, where there are particular challenges with litter, and additional hours are spent collecting waste and organising recycling. Altogether, Dorset volunteers contributed at least 3400 hours of work, not including the significant help some of them give to friends groups at other stations along the line, or participation in Task Forces, meetings and events. Along with continued garden enhancements, the Friends of Dorchester West completed a renovation of the old parcel shed which is used as their “HQ”. The Flanders poppies they sowed in 2014 continue to flourish as a WW1 memorial garden, in front of the picket fencing they restored in a special joint project with local youngsters with learning disabilities.



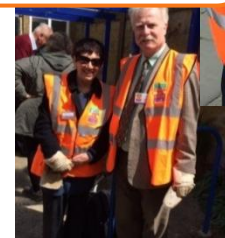
THE HEART OF WESSEX LINE LOGO

This has been used since 2003 on all the partnership’s promotional materials, and features on community posters at stations in casings financed by the partnership, and reserved for community use. The partnership also invests in hi visibility vests and badges using the logo.



The **Heart of Wessex “Friends of the Station” Hi Vis** is a great way to communicate to staff, including drivers and crews, that our fantastic volunteers all along the line are registered Community Rail contributors, and have been fully safety briefed by us. It’s important for customers at stations to know that they are volunteers, too. The positive feelings that we know customers have when they see the logo is a direct reflection of the local community contribution that adds so much value to our work at stations.

Nick Reid, GWR Stations Manager



A very special endorsement came from the Weymouth train crews, who requested permission to use the logo as their team badge.

Andy Collier (left) arranged for the special enameled badges to be made, and seeing GWR crews & station staff wearing these has delighted community rail contributors as they travel between the stations helping out, making us feel that we are truly part of the railway family!



Agenda Item 13

Area South Committee Forward Plan

Assistant Director: Helen Rutter, Communities
Service Manager: Natalie Fortt, Area Development Lead - South
Agenda Co-ordinator: Jo Boucher, Democratic Services Officer
Contact Details: jo.boucher@southsomerset.gov.uk or (01935) 462011

Purpose of the Report

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

Recommendations

Members are asked to:-

1. Comment upon and note the proposed Area South Forward Plan as attached at Appendix A.
2. Identify priorities for further reports to be added to the Area South Forward Plan, developed by the SSDC lead officers

Area South Committee Forward Plan

The forward plan sets out items and issues to be discussed by the Area Committee over the coming months.

The forward plan will be reviewed and updated each month, by the joint lead officers from SSDC, in consultation with the Area Committee Chairman. It is included each month with 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 request an item is placed within the forward plan for a future meeting, by contacting the Democratic Services Officer.

Background Papers

None

Appendix A

Notes

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

(2) For further details on these items, or to suggest / request an agenda item for the Area South Committee, please contact the Democratic Services Officer; Jo Boucher.

Meeting Date	Agenda Item	Background/ Purpose	Lead Officer
5th October 2016	Environmental Services Update Report	Annual Update Report	Alasdair Bell, Environmental Health Manager
	Section 106 Monitoring Report	Six Monthly update report	Neil Waddleton, Section 106 Monitoring Officer
	Countryside Service Update Report	Annual Update Report	Katy Menday, Countryside Manager
	Annual Review of Committee Arrangements	The purpose of this report is for members to consider the current arrangements for Area South Committee	Helen Rutter, Assistant Director, Communities
	Wyndham Park Update Report	Update regarding the drug and anti-social behaviour problems at Wyndham Park.	Helen Rutter, Assistant Director, Communities
	Community Development Report	Report on the Community development with a focus on addressing health, social and economic inequalities and the provision and development of community facilities as one of the key areas of work set out in the Area South Service Plan.	Helen Rutter, Assistant Director, Communities
2nd November 2016	Somerset Highways – maintenance programme	A six monthly update report on the current and expected highways maintenance programme in Area South	Mike Fear, Assistant Highway Service Manager, South Somerset Highways
	Westland Leisure Complex, Yeovil	3 monthly update report on the Westland Leisure Complex, Yeovil	Steve Joel, Assistant Director (Health and Well-Being)
	Affordable Housing Development Programme	The purpose of this report is to update members on the likely outturn position of the Affordable Housing Development Programme in relation to Area South	Colin McDonald, Corporate Strategic Housing Manager

Meeting Date	Agenda Item	Background/ Purpose	Lead Officer
	Area South Development Plan	Six monthly review update report	Helen Rutter, Assistant Director, Communities
30th November 2016 <i>(Please note revised date for the December meeting)</i>	SSDC Welfare Benefit Work in South Somerset	Annual Update on the Welfare Benefit Work in South Somerset	Catherine Hansford, Welfare Benefits Team Leader

Agenda Item 14

Planning Appeals (For information)

Assistant Director: Martin Woods, Assistant Director (Economy)
Lead Officer: Martin Woods, Assistant Director (Economy)
Contact Details: martin.woods@southsomerset.gov.uk or (01935) 462071

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.

Appeals Lodged

Ward: Yeovil Without
Proposal: Application for a Lawful Development Certificate for the proposed siting of an additional 2 No. caravans (GR 354123/118349)
Appellant: J & E Fury
Site: Greenacres Park, Coppitts Hill, Yeovil, Somerset BA21 3PP

Appeals Allowed

Ward: Coker
Proposal: Use of land for the temporary siting of a mobile home (Retrospective) (GR 351083/115532)
Appellant: Mr B Spearing
Site: Land off Old Road, Higher Odcombe, Yeovil, Somerset BA22 8TY

Appeals Dismissed

Ward: Brympton
Proposal: The change of use of premises from light industrial (Use Class B2) to a mixed use of retail warehouse with part ancillary storage (Use Classes A1/B8) (Retrospective) (GR 352290/116789)
Appellant: Wholesale Garden Furniture Ltd
Site: 5 Artillery Road, Brympton, Yeovil, Somerset BA22 8RP

Financial Implications

None

Implications for Corporate Priorities

None

Other Implications

None

Background Papers

Planning application files

Appeal Decision

Site visit made on 26 July 2016

by Jameson Bridgwater PGDipTP MRTPI

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

Decision date: 22 August 2016

Appeal Ref: APP/R3325/W/16/3143397

5 Artillery Road, Brympton, Yeovil BA22 8RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Wholesale Garden Furniture LTD against the decision of South Somerset District Council.
 - The application Ref 15/04531/COU, dated 25 September 2015, was refused by notice dated 23 December 2015.
 - The development proposed is described as 'change of use to A1 retail warehouse with ancillary B8 storage'.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. At the time of my site visit the property was open to the public and in use for the display and sale of furniture.

Main issue

3. The main issue in the appeal is first, whether the sequential test which has been applied is adequate, and secondly, the effect of the proposal on the vitality and viability of the town centre.

Reasons

4. The appeal site is an industrial building located on the Lufton Trading Estate on Southern side of Artillery Road. Lufton Trading Estate is located some distance to the west of Yeovil town centre on the fringe of the conurbation. The building has an approximate floor area of 1100 sqm with dedicated car parking and loading areas and a secure compound.
5. Policy EP11 of the South Somerset Local Plan (2006 - 2028) seeks amongst other things to ensure that town centre uses are directed to town centre, edge of centre or locations close to the town centre, but, is restrictive of such proposals outside the preferred locations. Amongst other matters, it requires that a sequential test should be applied to out-of-centre proposals. The purpose of the test is to protect the vitality and viability of the centres. This is consistent with paragraphs 24 and 27 of the National Planning Policy Framework (the Framework), that states Local Planning Authorities should apply a sequential test to planning applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. It further

states that applicants and councils should demonstrate flexibility on issues such as format and scale; and that where an application fails to satisfy the sequential test or is likely to have significant adverse impact it should be refused.

6. It is clear based on the evidence before me that the appellant's business model is different from traditional mainstream furniture retailing where customers browse, select and order their purchase in a showroom which is subsequently despatched from an off-site warehouse or direct from the manufacturer. In the appellant's business model customers select the furniture direct from the showroom and the actual item or items that they have selected are then despatched from the site, usually using their delivery vehicle. Consequently, based on my observations and the evidence before me the retail and warehouse elements of the business are co-dependant and therefore not readily separated as the stock is sold directly from the showroom. I therefore accept that there will be a constant turnover of stock and this would be likely to lead to a requirement of premises with dedicated delivery and loading facilities.
7. Notwithstanding this, the two sequential tests submitted in support of the appellant's proposal do not provide an adequate level of detail and analysis based on their search of properties marketed (over 30 sites) and available within a 3 mile search radius of Yeovil town centre. Specifically, the sequential tests do not address all of the sites identified by the Council during the application process, in particular, the vacant units in Glovers Walk. As such, these identified sites have not been adequately tested on the basis that they could potentially be amalgamated and provide the appellant's required retail floor space, dedicated delivery and loading facilities. As such the effect of the proposal on the vitality and viability of the town centre cannot be determined.
8. Consequently, based on the appellant's submitted sequential tests it cannot be demonstrated that there are no sequentially preferable sites available within the town centre, edge of centre or locations close to the town centre that would protect the vitality and viability of the town centre. Therefore the proposal would conflict with Policy EP11 of the South Somerset Local Plan (2006 - 2028). Moreover, the appellant's suggested conditions in the absence of an adequate sequential test would not mitigate the potential adverse effects of the development on the vitality and viability of the town centre.

Other considerations

9. Both parties in support of their statements have referred to previous appeal and planning decisions (builder merchants, indoor children's play, gyms etc.). However, I have limited information about their histories, but inevitably their contexts would differ to that of the scheme before me. I have therefore considered the appeal before me on its individual merits against the criteria of the Development Plan and the Framework and any other material considerations.

Conclusion

10. For the above reasons and having regard to all other matters I conclude that the appeal should be dismissed.

Jameson Bridgwater
INSPECTOR



Appeal Decision

Site visit made on 24 May 2016

by **David Cliff BA Hons MSc MRTPI**

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

Decision date: 30 June 2016

Appeal Ref: APP/R3325/W/16/3145603

The Stables, Old Road, Higher Odcombe, Somerset BA22 8XA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Brian Spearing against the decision of South Somerset District Council.
 - The application Ref 15/03408/FUL, dated 15 July 2015, was refused by notice dated 9 September 2015.
 - The development is described in the application form as "Temporary static caravan to land off Old Road. Positioned lengthways in front of existing equine auxiliary building. Expected duration period: 18 months."
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the site address in my banner heading above as stated in both the appeal form and the Council's decision notice as this appears to be more precise than the address stated on the planning application form.
3. Notwithstanding the description of development stated in the application form and Section E of the appeal form, I note from appellant's statement of case that the applicant moved into the mobile home on the site during the processing of the planning application. I also observed the mobile home in position on my site visit.

Main Issues

4. The main issues are (1) whether the location of the development is consistent with the principles of sustainable development having regard to the development plan and National Planning Policy Framework (the Framework) and (2) its effect on the character and appearance of the area, including the setting of the conservation area.

Reasons

5. The site is located on the edge of a Rural Settlement which policy SS1 of the South Somerset Local Plan 2006-2028 (Local Plan) considers as being part of the countryside to which the national countryside protection policies apply. Policy SS2 of the Local Plan limits development in Rural Settlements, including for that which meets an identified housing need, particularly affordable housing. It goes on to require that development should be consistent with

relevant community led plans, and should generally have the support of the local community.

6. Although the appellant states that the mobile home is being utilised whilst a new house is being built elsewhere, I do not consider that this amounts to an identified housing need and it does not appear to have the support of the local community, including the Parish Council.
7. In the context of paragraph 55 of the Framework, whilst the site is reasonably close to the facilities within the village, it is physically detached from the main built area of the village, with open space separating it from the main form of development in the village. Furthermore, the lack of a public footpath or street lighting on the road reduces its sustainability credentials in terms of the aim of seeking to reduce the reliance upon the private car. Consequently I consider that, on balance, it possesses the attributes of being an isolated site within the countryside.
8. Although the appellants state that their occupation of the mobile home allows them to look after horses on the site, there is no compelling evidence before me to demonstrate that there is an overriding need to live in such proximity to the horses. Whilst the siting of the mobile home near to the edge of the rural settlement, could offer support for facilities within the rural community, this is likely to be limited, particularly given my concerns with the accessibility of the site as outlined above.
9. Therefore, I do not consider that the location of the development is consistent with the principles of sustainable development. It is contrary to the relevant sustainability aims of policies SD1, SS1 and SS2 of the Local Plan, and the Framework.
10. The site is located on the periphery of the village where development is sparser in comparison to the more developed areas of the village. The site is outside of the conservation area but its boundary adjoins the north east boundary of the site. The conservation area contains much of the older and generally traditionally designed development within the village
11. As noted above, the site is detached from the more built-up areas of the village. Whilst there are other non-residential buildings on the site, including the 'equine auxiliary building' which partly screens the mobile home, I consider that the presence of the mobile home detracts from the existing physical and visual separation of Higher Odcombe from Lower Odcombe which is of importance to the overall rural setting. Furthermore, although it is not visually prominent from the road due to existing screening on the site's front boundary, this does not justify what I consider to be a visually incongruous addition which is out of keeping with the general rural character and appearance of the area. This also detracts, to an albeit small degree in this case due to the limited views, from the setting of the adjacent Conservation Area.
12. The development is therefore contrary to the design and heritage aims of policies EQ2 and EQ3 of the Local Plan, and the Framework.
13. The development is proposed for a temporary period of 18 months in order for the appellants to complete construction of a new house and therefore the harm identified above would be for a limited period of time. However, even so, I consider the harm resulting to still justify the dismissal of the appeal. Allowing

similar developments for limited periods of time would be likely to set an undesirable precedent which may result in harm to the quality of the countryside and be contrary to the principles of sustainable development.

14. I recognise that if the applicants were to lose their home, albeit that permission has only been sought on a temporary basis whilst construction of another house takes place, this would be an interference with their Human Rights under Article 8. I have found that harm would arise from the retention of the mobile home as set out above and I do not consider that the personal circumstances of the appellant are such to outweigh this harm. I consider that a decision to refuse planning permission would therefore be proportionate and necessary as part of the regulation of land use through the use of development management measures that are recognised as an important function of Government. Furthermore, the protection of the public interest cannot be achieved by means that are less interfering.
15. I note that Council Tax is being paid and that there are sewage, electric and mains water connections to the site, along with an existing access. However, these matters do not outweigh or override the harm I have found to result. I also understand that a separate application has been submitted to the Council for the alteration and conversion of an equestrian building at the site to form a dwelling. However, this has had no bearing on my decision for the appeal scheme, which I have determined on its individual merits.
16. For the above reasons and having considered all other matters raised, I conclude that the appeal should be dismissed.

David Cliff

INSPECTOR

Agenda Item 15

Schedule of Planning Applications to be determined by Committee

Assistant Director: Martin Woods, Economy
 Service Manager: David Norris, Development Control 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 South Committee at this meeting.

Recommendation

Members are asked to note the schedule of planning applications.

Please note: Consideration of planning applications will commence no earlier than 3.15pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.00pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
16	BRYMPTON	16/02464/S73	Application to vary planning condition 3 (number of day students) of approval 01/00897/COU	Lufton Manor College, Lufton Manor Road, Brympton, Yeovil	Cambian Plc
17	BRYMPTON	15/02535/FUL	The change of use of land from agricultural to community playing field and recreation use along with pavilion, associated access, replacement field accesses, car parking and associated works	Land OS 7300 (North of Red Brick Cottage), Thorne Lane, Yeovil	Yeovil Town FC & Yeovil Town Holdings Ltd
18	BRYMPTON	16/02888/OUT	Outline application for the demolition of buildings and erection of dwelling	Land adj Hurn, Lufton Lane, Brympton, Yeovil	Mr & Mrs Allen and Helen Roberts
19	COKER	16/01826/DPO	Application to discharge a S 106 agreement dated 13th September 1999	Land at Two Tower Lane, Barwick, Yeovil,	Yeovil Agricultural Society

			between South Somerset District Council and the trustees of Yeovil Agricultural Society, William Batten, Susan Batten and David Batten to release land		
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Further information about planning applications is shown below and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda had 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 16

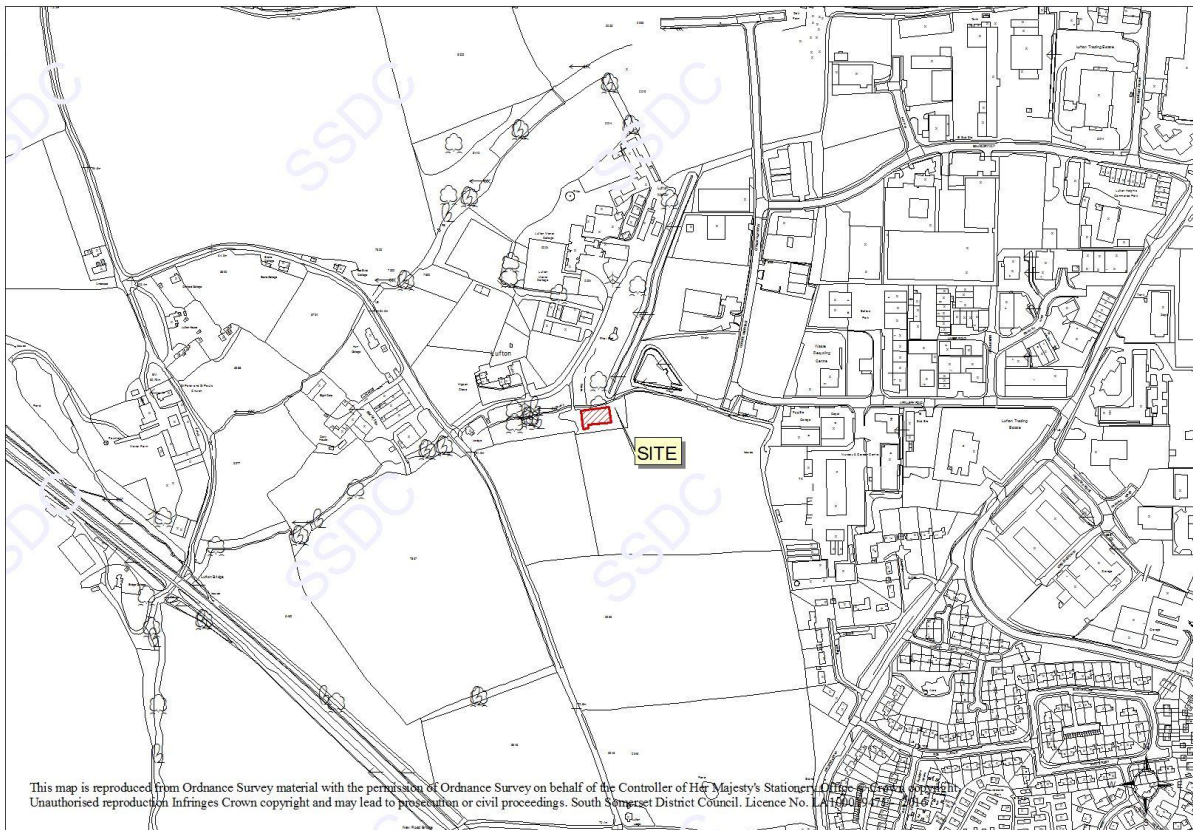
Officer Report on Planning Application: 16/02464/S73

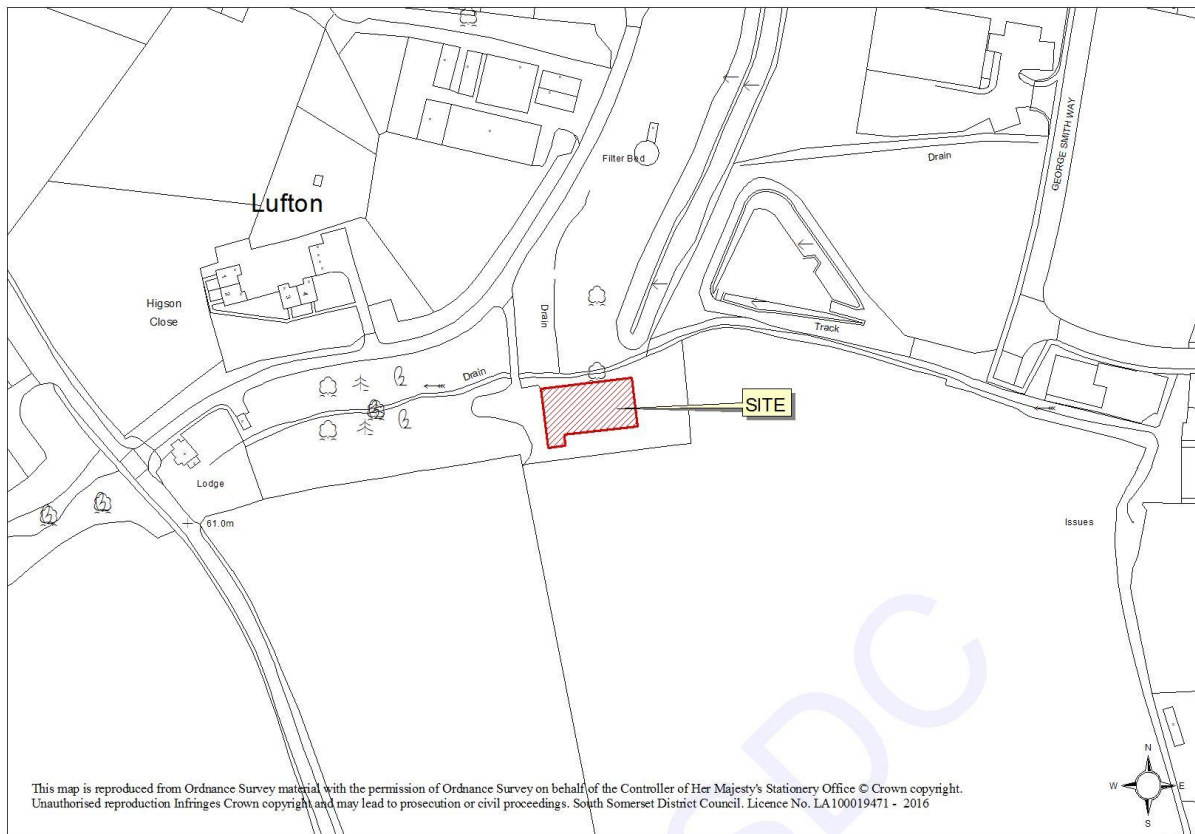
Proposal :	Application to vary planning condition 3 (number of day students) of approval 01/00897/COU
Site Address:	Lufton Manor College, Lufton Manor Road, Brympton
Parish:	Brympton
BRYMPTON Ward (SSDC Member)	Cllr S Lindsay Cllr P Seib
Recommending Case Officer:	Andrew Collins Tel: 01935 462276 Email: andrew.collins@southsomerset.gov.uk
Target date :	2nd August 2016
Applicant :	Cambian Plc
Agent: (no agent if blank)	Planning Potential Ltd Magdalen House 148 Tooley Street London SE1 2TU
Application Type :	Other Change Of Use

REASON FOR REFERRAL

This application is referred for Committee consideration at the request of both Ward Members, in agreement with the Chairman, due to the traffic implications of the proposed additional movements on the lanes approaching the site and the affect this has on safety.

SITE DESCRIPTION AND PROPOSAL





The site is located on the eastern side of Lufton Lane opposite Dairy House Farm to the east of Lufton village north of the A3088.

Lufton Manor is a historic grade II listed building. Surrounding the building are a number of more modern agricultural buildings, teaching buildings residential properties associated with the educational uses on the site. The residential training use of the site has been in place since the 1960's.

Currently operating from the site is Bridgwater College's Yeovil Centre and Cambrian's existing Lufton Manor College site. Located near the entrance of the site is an existing building previously used for motor mechanic training. This building is being converted to an additional school

Under planning application 01/00897/COU for the change of use of Lufton Manor and Manor Farm from a C2 use to a mixed C2 and D1 use a condition was imposed. This condition states;

"3. The number of day students using the site shall not exceed a daily maximum of 25 unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order that the Local Planning Authority can exercise control, in the interests of highway safety and residential amenity and in accordance with Policy H2 of the Yeovil Area Local Plan and Policy ST5 of the South Somerset Local Plan Deposit Draft 1998."

It has been confirmed by the agent that Cambian's Manor Farm site has 11 day students and 28 residential students and Cambian's Lufton Manor College has 10 day students and 31

residential students. There are no movements between the two sites for lessons. It has also been confirmed that;

"The new school proposed will be separate from the existing college and will provide education for children between the ages of 7 and 17 who have suffered trauma in their lives. Initially the school will be for 10-12 children and could have a maximum capacity of 16 subject to demand in the future. The school will follow the national curriculum and there will be a range of lessons from core subjects (English, maths and science) to art/design, food technology, humanities and music."

It is detailed in the covering letter that the applicant's wish to increase the number of day students to 40.

The application is supported with a travel plan and transport statement.

HISTORY

Original permission in 1967 was granted for residential training, a C2 use. The use has changed over time with non-residential students using the site.

Of particular relevance to this application is;

01/00897/COU - Change of use of land and premises at Lufton Manor and Manor Farm from residential school / college (use Class C2) to include day students (Use Class C2 and D1) i.e. residential and non-residential school / college - Application permitted with conditions - 06/09/01

POLICY

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

South Somerset Local Plan (2006 - 2028)

On the 5th March 2015 this new local plan was adopted and constitutes the development plan. The most relevant policies are:-

SD1 - Sustainable Development
TA4 - Travel Plans
TA5 - Transport Impact of New Development
TA6 - Parking Standards
EQ2 - General Development
EQ3 - Historic Environment
EQ4 - Biodiversity

National Planning Policy Framework

Chapter 1 - Building a Strong Competitive Economy
Chapter 4 - Promoting Sustainable Transport

Paragraph 32 - Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

CONSULTATIONS

Brympton Parish Council - *"REFUSAL - there has been no demonstrated improvement in highway safety since this limit was imposed, so to now increase the number of students to 40 would not be appropriate."*

County Highway Authority - *"The application is to vary planning condition 3 of approval 01/00897/COU to allow a new day school for 10 students (with a maximum of 16).*

This proposal is likely to generate approximately 4 vehicle movements per student per day which could potentially mean that a total of 64 extra vehicle movements for the students per day. Based on these higher end figures, should the maximum of 9 teachers be needed, then this will mean potentially an additional 18 vehicle movements per day, totalling potentially 82 vehicle movements per day. However, it is highly likely that the vehicle movements for the teachers will be before the morning peak and after the afternoon peak hours, as mentioned in paragraph 1.9 of the travel plan. There are informal passing spaces available along Lufton Manor Road which will help with the flow of traffic along this road.

It is likely that the students will arrive by car, as mentioned in paragraph 1.10 of the Travel Plan. The likelihood of parents/carers dropping off the students is high meaning that there is likely to be individual transport to the site. The Travel Plan discussed the possibility of car share and minibus travel, but this is dependent on the proximity of the students living to one another, the same is also valid for the minibus travel. This will also vary year to year depending on where the students who would attend the college reside. However, the appointment of a Travel Plan coordinator will assist with the planning of car sharing and minibus travel to Lufton Manor College.

From the junction of New Road with Lufton Manor Road to the entrance to the college is approximately 500 metres in length. The transport statement lays out the average vehicle movements which are deemed acceptable by the Highway Authority. It can therefore be assumed that the majority of vehicles will travel the 500 metres between the college entrance and the junction with New Road.

Although there will be extra vehicle movements to Lufton Manor College it can be considered that the level of parking within the site will not dramatically increase. It is unlikely that vehicles will be parked on the highway which would lead to a major highway safety concern.

It is the opinion of the Highway Authority that the proposal will not result in a significant increase of traffic and therefore have no objections to the proposal to vary condition 3 of planning permission 01/00897/COU."

REPRESENTATIONS

Two letters of objection has been received raising the following comments;

- Vehicles passing the site have increased significantly over the last 3 years.
- The site is also used by other visiting students.
- Lufton Lane is a narrow, rural lane with no restriction on speed. During term time the traffic is noticeably increased during weekdays especially.
- Traffic build up in the area commences from 06:30 and mini buses are used transport

- students between the sites during the day.
- Lufton Lane is also used as a 'rat run' shortcut for people travelling to Yeovil from outlying villages.
 - The writer had been involved in a car accident in the lane and a neighbour has had a narrow escape.
 - Unable to walk along the lanes anymore.
 - The proposal is direct conflict with a s106 signed in 2003.
 - The road name used to publicise the application is incorrect (Lufton Lane, rather than Lufton Manor Road)
 - There is also the threat of more traffic from the sports field proposed (applic 15/02535/FUL).

In addition one of the Ward Members has commented on the application raising concerns over the increase of vehicles visiting the site and concerns over the proposed changes to the highway network as part of the Lufton Key Site application.

CONSIDERATIONS

Principle

The existing building has been used for educational use and was included within the redline of the 2001 application. Therefore in principle the use of this building for additional educational use is established.

Highways

As detailed previously and as is evident in the course of this application the key consideration in this application is increased vehicle traffic in the roads approaching the site and associated amenity concerns.

As part of this application a transport assessment and travel plan has been submitted. This includes a travel survey undertaken at the site.

During the course of the application additional information has been provided detailed the number of day students at the 2 sites and the number of residential students at the existing Cambian sites. Information has also been provided on the Bridgwater College on the same site.

The Transport Assessment concludes that the current use of the site generates very little traffic in the peak hours and the proposed development would also generate a negligible amount of traffic (maximum of 16 vehicle movements).

The NPPF is clear in respect of the dealing with the impact of a development. NPPF states that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". The assessment has demonstrated that there is likely to be a minimal impact on the network in relation to this proposed development.

In addition a travel plan has been submitted indicating ways in making travel to the site more sustainable as detailed by the NPPF.

The highways assessment and travel plan has been assessed by the County Highways Authority and they agree with the findings and conclusion. The Highways Authority conclude by stating that the proposal will not result in a significant increase in traffic and therefore have no objection to the variation of the condition.

On the basis of this expert opinion and the information being submitted, it is considered that the proposal complies with Policy TA5 of the South Somerset Local Plan.

Plans have been submitted during the course of this application to show that parking can be provided on the site at an appropriate level. On this basis the proposal is considered to comply with Policy TA6.

Residential Amenity

In addition to the impact upon highways the condition was originally imposed to assess residential amenity. Concern has been expressed in the letters of representation the increase traffic and the inability to walk safely along the surrounding lanes. The traffic survey indicates that the majority of vehicle movements to and from the site are from the south and the Yeovil direction. The lane along this stretch is approximately 9 metres wide with a small verge either side and a hedge on either side close to the road. For its main the road is relatively straight until just before the entrance to the college site. Road signs are in place indicating a school. As such visibility splays are good and therefore there is a clear opportunity to see any vehicle or pedestrian or cyclist in the road. Highways standard school signs are located in the highway before the college. Subject to driving laws of this country the slowing down at corners when there is no visibility is good practice.

Concern has been expressed over the use of Lufton Lane as a 'rat run' to gain access to and from Yeovil. There are no restrictions on the use of this road and therefore this application cannot take this into consideration.

It is also noted that under applications 05/00931/OUT and 10/01875/REM a large amount of residential development (696 dwellings) have been approved with accesses off Lufton Lane. This is likely to change the character of the lane in the long term and result in it being more useable for all users.

It is considered the proposal complies with policy EQ2 of the South Somerset Local Plan (2006-2028).

Historic Assets

Lufton Manor is a grade II listed building and the site is considered to be located within its curtilage. The building currently exists and is well screened by existing mature trees protected by a TPO. As such the proposal will not have an adverse effect upon the setting the listed building.

It is considered the proposal complies with policy EQ3 of the South Somerset Local Plan (2006-2028).

Other Matters

As a Section 73 is effectively a new grant of planning permission other previously imposed conditions can be looked and re-imposed if necessary. Also any other information pertinent to the change can also be conditioned.

Application 01/00897/COU was granted subject to the imposition of 3 conditions. Condition 01 was a standard time limit and a new condition should be re-imposed. Condition 02 refers to the single planning unit. This should be re-imposed to reflect current policy wording. Condition 03 is the condition being varied. The original permission referred to 2 sites at Lufton Manor and Lufton Farm but condition 03 refers only to 'the site'. Information has been submitted that there are currently 11 day students at Manor Farm and 10 at the existing Lufton Manor College site. Initially it is proposed that 10 day students would be at the new school identified as 'proposed Somerset Hub' but this could increase to 16. In total the

applicant is seeking to change the number of day students to 40. This figure is 4 more than the current and proposed facilities but this figure has been assessed in the submitted transport assessment and is deemed to be acceptable.

In relation to other considerations a Travel Plan has been submitted to support the application and this should be conditioned in accordance with policy TA4 of the Local Plan. Parking details have been supplied for the new school and again this should be conditioned.

RECOMMENDATION

Grant permission for the following reason:

01. The proposed increase in day students to 40 has been demonstrated would not adversely affect residential amenity or highway safety. As such the proposal complies with Policies TA5 and EQ2 of the adopted South Somerset Local Plan (2006 - 2028) and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The permission hereby granted shall ensure and the use hereby permitted shall continue only for so long as the use for non-residential training shall comprise an integral part of the educational use comprising residential training within the single planning units shown on than approved plans. There shall be no fragmentation of the planning unit to facilitate separation of the uses comprised in the mixed use. The use hereby permitted shall also cease upon the cessation of any of the other use(s) comprised within the mixed use.

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

03. The number of day students using Manor Farm site (as shown on site location plan 1) shall not exceed a daily maximum of 11 and the number of students using the Lufton Manor site (as shown on site location plan 2) shall not exceed a daily maximum of 29 unless otherwise agreed in the express grant of planning permission.

Reason: In order that the Local Planning Authority can exercise control in the interests of highway safety and residential amenity and in accordance with Policy EQ2 and TA5 of the adopted South Somerset Local Plan (2006 - 2028).

04. All the recommendations of the approved Travel Plan shall be implemented in accordance with the timetable therein. Thereafter the development shall operate the approved Travel Plan or any variation of the Travel Plan agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainable transport in accordance with Policy TA4 of the adopted South Somerset Local Plan (2006 - 2028) and the aims and objectives of the NPPF.

05. The area allocated for parking and turning on the submitted plan, drawing number AR107-15 (100)-04 P1 shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of parking and turning in accordance with Policy TA6 of the adopted South Somerset Local Plan (2006 - 2028).

06. The development hereby permitted shall be carried out in accordance with the following approved plans: AR107 - 15 (00)-01 S1, Ar107-15 (100)-01 P1, Ar107-15 (100)-02 P1, AR107-15 (100)-04 P1, Site Location Plan 1 and Site Location Plan 2.

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

Agenda Item 17

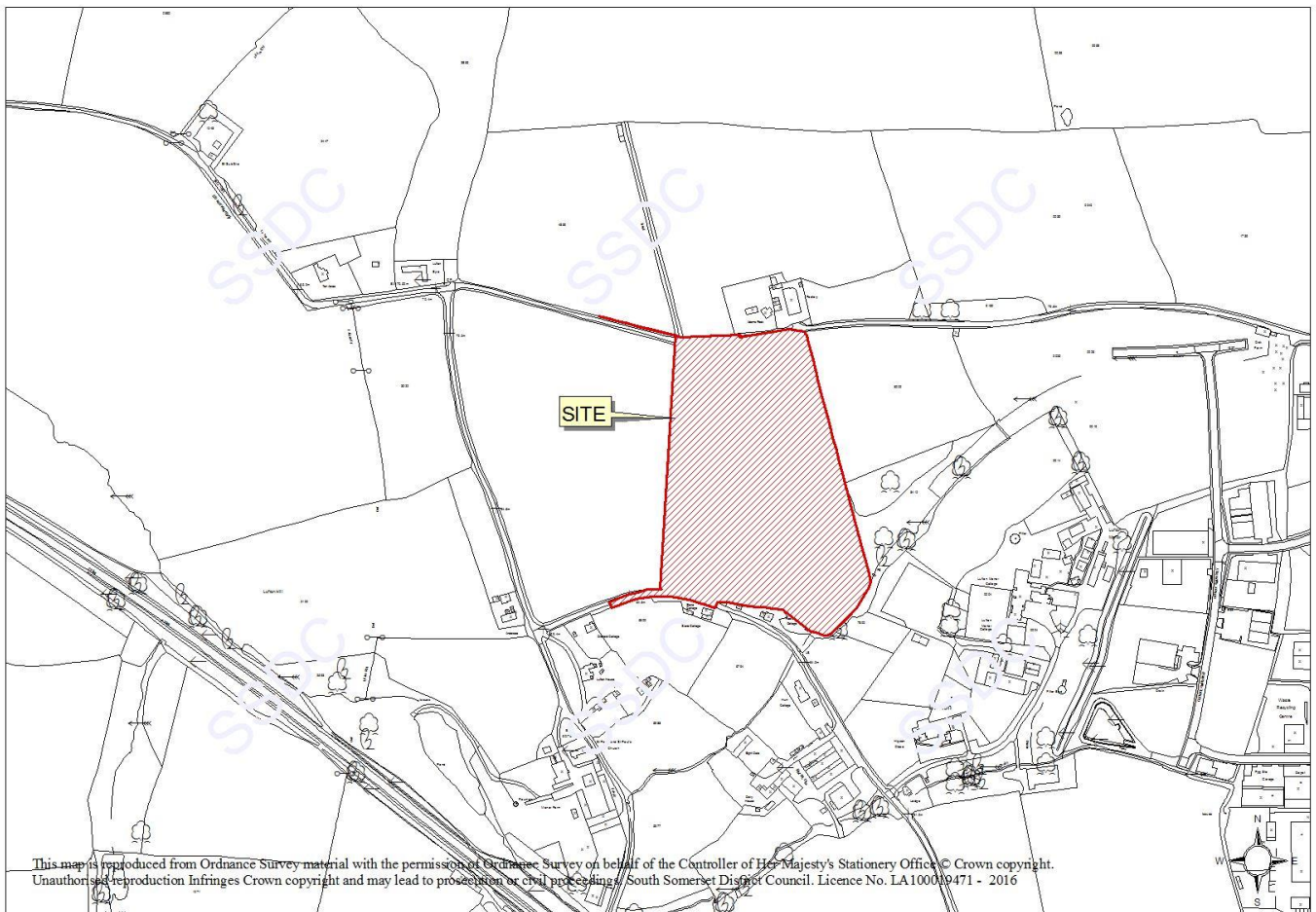
Officer Report on Planning Application: 15/02535/FUL

Site Address:	Land OS 7300 (North of Red Brick Cottage) Thorne Lane, Yeovil
Ward:	BRYMPTON
BRYMPTON Ward (SSDC Member)	Cllr S Lindsay Cllr P Seib
Proposal:	The change the use of land from agricultural to community playing field and recreation use along with pavilion, associated access, replacement field accesses, car parking and associated works (GR 351580/117154)
Recommending Case Officer:	Simon Fox, Area Lead Officer (South)
Target date/Ext of time	31st August 2015 31st March 2016
Applicant :	Yeovil Town FC & Yeovil Town Holdings Ltd
Type : 05	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL

This application is referred for Committee consideration at the request of the Development Manager in accordance with the scheme of delegation and with the agreement of the Vice Chairman due to the fact the application constitutes a major development and it will help to provide consistency as there are several applications in the vicinity of Lufton village.

SITE DESCRIPTION AND PROPOSAL





The application site lies within Brympton parish in the hamlet of Lufton. Lufton village as it is known locally comprises several dwellings located on Lufton Lane, a typically rural lane that connects Thorne Lane to the north with New Road (to Montacute) to the south. The hamlet is dominated by the educational college which operates over two sites, one being Lufton Manor (listed) and the other being Manor Farm. The other notable landmark is the Church of St Peter and St Paul which is adjacent to Lufton House (both listed). To the west of the application site and Lufton Lane are the Parish Council operated allotments.

Extending to 5.06 hectares (12.6 acres) the application site forms the eastern half of a large agricultural field. The field slopes from north to south, some 12m over the 250m north-south length on the site. It is featureless other than native hedgerows to the southern and northern boundaries with hedge and trees to the east. The western boundary is not defined as it is the middle of the larger single field.

The site is currently located within open countryside as defined by the adopted Local Plan.

This full application seeks to change the use of the site from agriculture to community playing field and recreation use.

In detail the scheme seeks:

- to alter an existing field gateway from Thorne Lane to form a vehicular access to the playing field site - pedestrian access would also be created;
- to create a new vehicular access from Lufton Lane to the playing fields site for maintenance and emergency purposes only (with internal maintenance track). Pedestrian access would also be created;
- to create a new access from Thorne Lane to the remaining agricultural field;
- to create a new access from Lufton Lane to the remaining agricultural field;

- to construct a pavilion and equipment store with car parking area to the north of the site;
- to lay out two football pitches and one cricket pitch with necessary land modelling and cut and fill;
- to set out a drainage scheme; and
- landscaping and new boundaries.

The applicant has also submitted the following documentation in support of the application:

- Design and Access Statement
- Planning Statement
- Transportation Statement
- Flood Risk Assessment

During the course of the application the proposed plans were altered to remove the informal play area to the south of the site and replace it with a second adult football pitch and to increase the size of the pavilion to include four changing rooms rather than two.

HISTORY

15/05595/HDG: The removal of 6 X 5 metre sections of hedgerow to allow the construction of a water supply main pipeline: Application Permitted: 08/02/2016

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.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty as respects listed buildings in exercise of planning functions., that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The development plan comprises the policies of the South Somerset Local Plan (2006-2028).

The policies of most relevance to the proposal are:

South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS6 - Infrastructure Delivery

TA5 - Transport Impact of New Development

TA6 - Parking Standards

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

EQ2 - General Development

EQ3 - Historic Environment

EQ4 - Biodiversity

EQ7 - Pollution Control

Other

The National Planning Framework (2012) forms a material planning consideration:

Core Planning Principles

Chapter 4 - Promoting Sustainable Transport

Chapter 7 - Requiring Good Design

Chapter 8 - Promoting Healthy Communities

Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment

Also relevant:

Somerset County Council Parking Strategy (September 2013)

CONSULTATIONS

Brympton PC:

Supplementary comments made August 2016 are attached as **APPENDIX 1.**

Comments made May 2016:

"The Parish Council would appreciate clarification of the operational use of the site.

- Principle of development

The Parish Council considers that Policy SS2 should be applied as this location is outside the designated development area for Yeovil and falls within the community of Lufton. This application fails to meet all of the criteria for support under SS2 and is thus contrary to the Local Plan.

The site is located some distance into the countryside, well away from most potential users. It can only be accessed along bendy minor roads with high banks and no refuge. The Parish Council considers these roads unsuitable for use by minors. It is aware of several injury accidents in this area.

The parish council understands that the intent is for "public access" but this site would obviously exclude independent access by young people in the age group cited by the YTFC Community Foundation.

Access to this distant site for the proposed use will make these lanes less safe to use given the large number of additional car journeys which will be generated, especially in the winter months when football is played. In addition to new peak flows at the start and end of matches, It is a reasonable assumption that some parking will take place off-site as the players and staff could result in 50 vehicles (3 + 11 + 11 + 3 + 11 + 11), and the supporters would add another 50. These movements, plus the inevitable noise will result in a significant loss of amenity for residents of the otherwise peaceful hamlet of Lufton.

The proposal seems to include commercial operations by the "foundation"

(e.g. course fees), and this proposal has an impact, clearly failing the last bullet of Policy EP4 (expansion of existing business in the countryside).

The concept goes against NPPF 34 (minimise travel) and NPPF 35 (safe design, priority to cycling and walking).

- Design

Adjacent residents will suffer a significant loss of residential amenity through loss of privacy and the introduction of noise and activity. This loss is not obviously offset by any public gain. The sectional elevation indicates that the lower pitch terrace will be some 4 or 5 metres above the ground level for Red Brick Cottage, providing a direct view from above bedroom window level. It is unlikely that this view, or the appearance of players, or noise could be satisfactorily screened by foliage in any reasonable timescale (foliage would be required at least 3m or 4m above ground, even if planting were to be near the slope and evergreen planting assumed).

The plan shows terracing and extensive fencing which will be significant change to the character of the local area (fails to meet policy EQ2).

It is believed that there is insufficient car parking spaces.

RECOMMENDATION: REFUSAL - The Parish Council does not think it will be possible to make this application acceptable through the use of conditions".

Comments made June 2015:

RECOMMENDATION from Brympton Parish Council: REFUSE, for the following reasons:

- 1. The loss of Grade 1 Agricultural land - this land is productive and in constant use.*
- 2. The current facilities at YTFC form part of the provision of open space for residents of Abbey Manor Park. This site is too remote from Abbey Manor Park to be considered as replacement for this open space provision.*
- 3. Inadequate parking provision;*

4. *Poor highway access;*
5. *Concerns over road safety - both Thorne Lane and Lufton Lane could become much more hazardous than at present.*
6. *No pavement access to the site;*
7. *The gradient of the field is too steep with a great impact on the landscape;*
8. *Lack of security - who will "police" the site? This could be a significant issue because of the "remoteness" of the site. It will become a prime site for anti-social behaviour without proper management of the site.*
9. *The site is incompatible with lighting and cannot, therefore, be used on winter afternoons;*
10. *It is disingenuous to show 3 football pitches on the plans*
11. *It is suggested a "Trust" manage the facility. Who will set up the Trust and who will fund the whole enterprise? Suggestions are proposed but not backed up with firm commitment. Who is expected to fund the grass cutting and maintenance of the site?"*

Odcombe PC (Neighbouring Parish):

Comments made June 2015 - Recommend Refusal, the site is too remote from residential properties, highway concerns in that the proposal will increase traffic in narrow roads and where is the business case to prove it will become an asset to the community, not a liability.

Comments made May 2016 - Concerns raised regarding general accessibility for the public, access lanes to the site are very narrow and there is no public transport: and the site is too distant-facilities need to be in closer proximity to the local population.

Highways Authority (Somerset CC):

Comments from June 2016:

"I refer to the above mentioned application and the amended plans received on 18th April 2016 and following a site visit the Highway Authority has the following observations to make on the highway and transportation aspects of this proposal.

The proposal relates to the change of use of land to community playing fields.

As mentioned in the Highway Authority's previous observations dated 26th June 2015 the proposal will likely result in an increase in vehicle movements along Thorne Lane, which can be described as being narrow and restrictive in some sections. However it is unlikely that this would be considered severe enough to warrant an objection on traffic impact grounds. That being said Highway Authority requested that the application should look to improve access facilities to the site in the form of passing places along Thorne Lane. However from reviewing the latest submission the applicant does not appear to have addressed this issue.

As stated previously both points of access are to be gated and are set back an appropriate distance from the adopted highway whilst both will provide sufficient visibility in either direction. The applicant should be made aware that the Highway Authority would require the section between the highway and the gate to be properly consolidated and surfaced.

Turning to the internal layout the Highway Authority the proposed parking and turning areas are considered to be acceptable.

Therefore to conclude the proposed points of access have remained unaltered from the previous submission as a consequence these are considered to be acceptable. In terms of traffic impact the proposal will likely result in an increase in vehicle movements on Thorne Lane although it is unlikely to be severe enough to warrant an objection. However the Highway Authority still requires the applicant to consider providing passing places along Thorne Lane. Finally in terms of the internal layout this is considered to be acceptable.

Consequently the Highway Authority raises no objection to this proposal..."

Conditions proposed relating to access layout, surfacing, gradient, surface water and visibility splays.

Comments made June 2015:

I refer to the above mentioned application received on 15th June 2015 and after a site visit have the following observations on the highway and transportation aspects of this proposal.

The application proposes the full development of a current green field site between Thorne Lane and the unnamed road at Lufton.

The application has taken full account will provide full recreational and leisure development of the site. The proposals include details for a new access for the site as well as new improved access to the agricultural land adjacent. Both will provide improved visibility along this section of Thorne Lane. Both accesses are gated and are set back the appropriate distance with gates opening into the sites (no encroaching any approach or impact onto public highway). Conditions will need to be in place to ensure that the drive and access are not of gravel or loose finish but tarmacked or other bound surfacing.

Thorne lane is quite narrow and restrictive in sections, especially to the north of the site. This route will be the main approach to the site. As such improved access facilities will need to be provided in terms of passing places to enable access to the site.

Whilst the proposals will alter the current aesthetics for the site the application provides details of proposed access, driveway and turning/ parking areas. Further information will be required to ensure that the full impacts of drainage are addressed.

I have no other objections to the proposed works which would not be considered to pose any highway safety concerns as either overly distracting or obstructive to pedestrian or vehicle movements".

SSDC Landscape Architect:

Comments from April 2016:

"...the introduction of a second pitch will exacerbate the need for level manipulation, such that the level differential between the two pitches will result in a low scarp circa 5.5 metres being created along the north boundary of the southern pitch, which is a substantial intervention over this steadily falling ground, and will appear quite incongruous in this rural setting. I have also noted the introduction of a pavilion and its associated parking to similarly create an adverse landscape/heritage impact, and we now have a design before us that illustrates the building to be utilitarian and urban in its appearance. I view its scale and form to be at variance with the rural character of the location, and visually obtrusive, consequently the case for a landscape and heritage objection to this application is consolidated, to add to that outlined in my original response".

Comments from July 2015:

"I see that the proposal site lays within the scope of the peripheral landscape study (PLS) of Yeovil which was undertaken during September 2008. This study reviewed the settlement's immediate surrounds with the objective of identifying land that has a capacity for development, looking both at the character of the peripheral landscape of the village, and the visual profile and relationship of open land adjacent the town's edge. For the detailed evaluation I would refer you to;

<http://www.southsomerset.gov.uk/planning-and-building-control/planning-policy/evidence-base/district-wide-documents/peripheral-landscape-studies/>

The outcome of the study is represented by 'figure 5 - landscape capacity', which is a graphic summary of the preceding evaluation. Fig 5 indicates that the field that is the subject of this application is evaluated as having a moderate-low capacity to accommodate built development over its southern portion, whilst the northern, upper part of the field is evaluated as having a low capacity to accommodate development, to thus suggest there is minimal scope for development.

Whilst this proposal intends a small built development footprint, the extent of manipulation of ground levels suggested by the proposals are a substantive intervention, and it is noted that the pavilion and parking is located in the most sensitive part of the site, i.e; at its north end, consequently I consider the strategic findings of the PLS to be pertinent to the consideration of this proposal. I would also point out that the current west edge of Yeovil is visually well-contained, by the woodland belts that run along the edge of Lufton College, and mature tree belts that define the edge of the employment site. To bring development to the fore - to the west - of this containment, is to erode the rural, farmland setting of this edge of town. Turning to the detail of the proposal, the pavilion building is a singular introduction adjacent Thorne Lane, which will aggregate with the property opposite to exacerbate the presence of built form on a lane location where development presence is otherwise sparse once beyond the town's edge. I also view the intention of pitch provision over falling ground, such that a cut of 3 metres, and fill of 5 metres, is necessitated to create a level surface, to be too great a landscape intervention over the falling ground of this field and its wider headwater context, to thus erode local character and distinctiveness. The proposal is thus at variance with the objectives of LP policy EQ2, to provide a landscape case for refusal.

I also note that the National Trust's setting study of Montacute's grade 1 listed historic park and garden (HP&G) places the application site at the edge of the 'core' setting of the HP&G. The text of the study (5.2) notes that the west edge of Yeovil lays within sight of views from the Long Gallery of Montacute House, and St Michaels Hill tower, receptors which are both highly sensitive, and the ZVIs for these receptors indicate the application site to be visible. The analysis that follows (6.4) places the site within the 'Lufton and Thorne' area of the wider setting, and specifically notes the area to be an important buffer zone between the rural agricultural landscape, and the urban area of Yeovil, and notes the 'critically important tree' that help to screen Lufton's employment sites and its adjacent housing, to thus emphasise the sensitivity of this edge. Further analysis of existing harmful impacts (6.6-6.7) specifically highlights the value of these open fields and their tree lines in containing development form, and notes visual profile and land-use as potential issues that have a capacity to negatively affect the setting of Montacute HP&G.

Given these raised sensitivities identified by the study, and the detailed concerns relating to the encroachment of Yeovil's west edge, then the proposed construction of highly-engineered playing fields, and their supporting built infrastructure would appear to potentially impact upon the setting of Montacute's HP&G in an adverse manner, to be contrary to the objectives of LP policy EQ3".

National Trust:

"The National Trust acts as the custodian of St Michael's Hill (scheduled monument) and tower (grade II listed), and Montacute (grade I listed) and its registered historic park and garden. The Trust has a statutory duty under the National Trust Acts to promote the conservation of places of historic interest and natural beauty.

Attached are extracts from the Montacute Setting Study showing the location of the application site within the wider setting of Montacute, and the view towards the application site from St Michael's Hill tower as shown on page 45 of the Setting Study. (The site is also visible from the lower slopes of the hill, over the House itself, but with a lower angle of view).

We would ask the Council to consider the views and setting of the above-mentioned heritage assets in coming to a decision on the application. This should include consideration of proposed changes in land levels, visibility/reflection of parked cars, views of a built environment rather than agricultural/green, encroaching sense of urbanisation and any floodlighting being proposed. Further guidance is available within the Setting Study itself (a full copy can be provided as required)".

Historic England:

No comments received.

SSDC Community, Health and Leisure Service:

Comments made August 2015:

The response is predicated on the fact that this application seeks to replace lost pitches at Huish Park. As such a full assessment of the merits of the proposal against policies that seek to resist building on playing fields is given. As such the two sites are compared.

Other key relevant points made are:

- That a four team changing room is necessary;
- An agronomy assessment is required; and
- CHL consider that the proposed site is reasonably located to serve existing and planned residential areas.

On the basis that the replacement offer is not of equivalent or better standard there is no support for the proposal.

CHL consulted on amended plans/additional information in April and July 2016 but no further comments received.

Sport England:

Initial letter received July 2015:

"Sport England supports the application in principle but has concerns with the layout and design. We can fully support this application as this time.

Sport England has assessed the application in the light of our Land Use Planning Policy Statement

'Planning for Sport Aims and Objectives' which aims provide the right facilities in the right places by preventing the loss of, and making the best use of, existing sports facilities and ensuring new sports facilities are planned in positive way, are fit for purpose and available to the broader community. A copy can be found at:

<http://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/>

The proposal is for 12.5 acres of community playing field from agriculture, in part laid out for formal sports including football and cricket and in part, for informal recreation. The plans show a pavilion and 1 cricket pitch and 1 x football pitch. This application may be 'linked' to playing field loss at the Yeovil Town FC site at Huish Park but the comments in this letter are solely based on the proposal at this location.

The Council at South Somerset are currently undertaking a review of their Playing Pitch Strategy which may inform this proposal in relation to demand and latent demand in the locality.

Sport England seeks to ensure the new sports facilities are fit for purpose. The building and pitches would need to be constructed in line with Sport England, FA and ECB guidance".

Detailed comments were set out which required amendment and the proposal could not be supported until such time as those matters were addressed.

Follow up email received April 2016:

"We generally support the proposal as it is to create new sports facilities. Our main issue was the layout and mix proposed".

"There is no strategy evidence to support the proposal as the Playing Pitch Strategy is currently in development".

The applicant has repeated to state that this application is not linked to a possible loss of playing fields at Huish park and wants this application to be determined as a stand alone project. However, its implementation will not happen unless there is a trigger".

Further detailed comments and questions.

Email received August 2016:

In response to addendum's GL2 and GL3 and revised plan dated 24/07/2016 - If planning permission is granted certain conditions are proposed.

Somerset Heritage Centre (Archaeology):

Comments made June 2015:

"The site lies within an area where archaeological investigation has shown that substantial remains relating to prehistoric and Roman settlement (including a Scheduled Roman villa, 500m to the north). The investigations include geophysical survey of the area to the north of the site which shows that remains are well preserved in this area. Also prehistoric flint artefacts have been recorded from the application area, therefore the proposal is likely to impact on a heritage asset. However, there is currently insufficient information contained within the application on the nature of any archaeological remains to properly assess their interest as required by the NPPF paragraph 128.

For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a desk-based assessment and a field evaluation as indicated in the National Planning Policy Framework (Paragraph 128)".

SSDC Environmental Protection:

No comments to make.

SSDC Ecologist:

"Somerset Environment Records Centre hold a number of records of badger setts within the immediate vicinity of this site, and I consider there to be a moderate risk of badgers either foraging, commuting or having setts within the site. I therefore recommend any consent should include a condition requiring a badger survey.

I don't consider the proposals will give rise to any other significant ecological impacts".

Natural England:

No comments to make on this application.

Lead Local Flood Authority (SCC):

Comments made July 2016:

"The additional information submitted shows the proposed surface water drainage systems for the site; these include attenuation to restrict flows from the site, which the LLFA supports. The LLFA has no further comments at this time".

Comments made June 2015:

"Although the applicant has not provided the level of detail we expect for a full application, the runoff from the limited impermeable area being created will be capable of being dealt with within the site so we have no objection to the application but we recommend the following conditions are included on any permission granted

Surface water run-off should be controlled as near to its source as possible with sustainable drainage systems (SuDS). This reduces flood risk through the use of soakaways, infiltration trenches, permeable pavements, grassed swales, ponds etc. SuDS can also increase groundwater recharge, improve water quality and provide amenity opportunities. A SuDS approach is encouraged by Approved Document Part H of the Building Regulations 2000".

Conditions proposed requiring surface water drainage scheme and a plan for its maintenance.

Somerset Drainage Boards Consortium:

Comments made June and reiterated July 2016:

"The site lies outside of the Board's operating area however any surface water run-off generated is likely to discharge to the board's network. As the Land Drainage Authority for the downstream area to which this site will discharge, the Board has a duty to supervise all matters relating to the drainage of land. The board has jurisdiction and powers relating to all Ordinary Watercourses in its area and is required to ensure flood risk and surface water drainage are managed effectively.

The Board does not object to the proposals if the [following] condition can be secured.

[condition requiring drainage scheme].

The Board has reviewed the Flood Risk Assessment and would encourage the use of sustainable drainage techniques. However the use of soakaways and infiltration trenches should be proven. The Board would suggest further investigations to confirm that soakaway drainage will be viable and appropriate for the location, with the details to be submitted to the LPA. The surface water design should mimic or improve the existing arrangements and should reduce the rate and volume being discharged into the receiving land drainage network. The details should provide sufficient information as well as allay any concerns associated with potential increased flood risk with downstream property and land owners. The Board has had no contact from the applicant or agent, but this may be because the site lies well outside the Board's catchment boundary. It is important that surface water drainage disposal and flood risk is considered at the early stage of development to allow any improvements to be made within the land drainage network.

The above requirements are based on the principles set out in Section 103 of the NPPF and Section 2 of the Technical Guidance to the NPPF which requires that the development should not increase flood risk elsewhere".

Crime Prevention Design Advisor:

Comments made August 2016:

Following a conversation and email from the agent, please withdraw objection.

Comments made August 2016:

"Object, in principle-

- I am now given to understand that the community playing field is to be open 24/7 removing the access control gates but retaining the height restriction.*
- As a result I am moved to objecting in principle. This site is very isolated and runs the risk of being abused. There is little in the way of natural surveillance from neighbouring properties.*

- *The Northern dwelling will suffer if the car parking area is misused by traveling youths. This property may also suffer the risk of retribution as it most likely to be the source of complaints to the authorities. Having policed this area for a considerable number of years I have seen on a number of occasions, groups of youths with motorcars invade such areas and cause havoc with their behaviour. As complaints mount, action is taken which ultimately moves the problem to other similar area where the whole process starts again.*
- *Should this be allowed against advice being contrary to section 58 & 59 of the National Planning Policy Framework, then it is even more important to target harden the pavilion as per my initial response, to protect it from attack as it would become more vulnerable".*

Comments made August 2015:

"No objection subject to comments-

- *Due to the remoteness of the site I would ask that the access control structures and mechanisms are robust. I would also ask for this to include a height restriction*
- *The design of the pavilion excludes recesses/porch coverings so as not to be used for gatherings*
- *External hardware such as downpipes/lighting units are protected against criminal damage*
- *Consider use of roller shutters on doors and windows*
- *If CCTV is considered I would be happy to engage regarding an 'Operational Requirement' to ensure that images are lawfully obtained/stored and are of evidential quality".*

SSDC Tree Officer:

Comments made August 2015:

"The proposal appears to indicate significant changes to existing soil grades, the use of heavy machinery and possibly the construction of earth-bunding.

I have concerns that the proposal could damage the root-systems of the individual and woodland TPO's adjoining the Eastern site-boundary.

In accordance with the British Standard, it would be prudent to ensure that any required ground-works are located well beyond the influence of the radial Root Protection Area (RPA's) requirements. If this is not achievable, I would be objectionable to the proposal.

A good quality scheme of tree and shrub planting, utilising container-grown and cell-grown trees of UK provenance; could enhance the amenity and ecological values of the proposal. In particular the exposed new Western boundary of the site would benefit from the establishment of a dense new hedge-row/tree shelter-belt; to provide a reasonable degree of shelter for the intended users of the site. If a consent is to be granted, I would be grateful if you would consider imposing some tree and hedgerow protection measures..." [condition proposed].

MOD:

No safeguarding objections.

Wessex Water:

Advises that the site lies in a non-sewered area, there is a public water main crossing the site where a 5m easement applies and a water connection can be made through application.

REPRESENTATIONS

Neighbouring properties to the site have been notified in writing. A press advert has been placed and two site notices have also been displayed on site.

25 letters have been received; a summary of comments is provided here (in the approximate order of receipt of the first representation) but the full representations can be read on the Council's website:

Meecham - Object

- *"This site is considered to be a totally inappropriate replacement for the existing community recreation land that exists to the north of the football stadium".*
- *The existing provision is well located, the proposed is not.*
- *The existing land is maintained by YTFC, the proposal suggests that the new site will be the*

responsibility of others.

- "The further encroachment of development into the rural areas simply to allow commercial development of another area for altruistic reasons should be resisted especially when the existing agreements specifically state that this should not happen".

Smith - Object

- The land is prime agricultural land.
- Thorne Lane is narrow, with few passing places. It is used as a rat-run and subject to speeding.
- People will not walk to the site.
- Adequate parking must be provided to avoid parking in Thorne Lane.
- The southern access will encourage people to park in Lufton Lane.
- The proposal will create noise and nuisance.

Unwin - Object x 3 letters

- "Unnecessary destruction of prime agricultural land in attractive unspoilt countryside, rich in wildlife".
- The provision should be within the Lufton Key Site.
- The high water table will cause issues.
- Supports the objection from the Crime Prevention Officer.

Baker - Object x 2 letters

- "Loss of substantial properly used food producing agricultural land".
- "There is unused amenity land within the applicants control at Yeovil Football Ground which is better suited for additional football/cricket pitches on both access and sustainability grounds".
- "There is no public transport serving the proposed site thereby making transport to site more likely by car using narrow rural lanes".
- "Evidence from other villages show that at least 50 parking spaces would be required on 'match days' to avoid overspill into adjacent roads".
- "The proposal is highly likely to become a focus for anti-social activities as it lacks passive supervision and cannot be secured if it's for public use".
- "It is unlikely that a 'community trust' could take over the proposed initial or completed project without substantial funding from either local Parish Council or other bodies".
- "There are other underused pitches and sports facilities in nearby villages thereby demonstrating lack of need for additional facilities in this location".
- No public consultation with residents of Lufton.
- How will sewerage be disposed of?
- The nearby allotments are subject to continual break-ins.
- There may be archaeological remains.
- "Health and safety cannot be correctly addressed without a person directly responsible".
- "Floodlights will be totally unacceptable in this vicinity".
- Reporting an asbestos pipe running through the site.
- The area is suitably provided with facilities now the Council is running the Westlands Sports site.

Collins - Object x 9 letters

- "There has been no attempt, of which we are aware, by YTFC to engage with the residents of Lufton hamlet, who are most affected by the proposals".
- Reiterates comments of Baker.
- Fears of anti-social behaviour.
- The use of part of the site for picnics may not be advisable given the presence of 14 bee hives within the adjacent residential garden.
- The remaining half of the field will not be economically viable and will be subject to ball trespass.
- There is a high water table which will be affected by the levelling works.
- There is ecological or archaeological surveys.
- Images provided showing Red Brick Cottage subjected to flooding-2013.

- Information relating to water main and septic tank.
- Reporting of thefts in Lufton
- Loss of agricultural land.
- Reiteration of comments made by consultees.
- Unsightly fences.
- Conveyancing documents regarding legal right of way.
- No agronomy report.

Roberts - Object

- Concurs with the comments submitted by Mrs Baker.

Parnell - Object x 2 letters

- There is no social gain or need.
- "This will result in more cars being used along these narrow lanes".
- No staffing will mean anti-social behaviour.
- It is not within walking distance of Yeovil and there are underused facilities there and in nearby villages.
- No agronomy report.

Caswell - Object

- There is no need in Lufton for these facilities and no consultation undertaken.
- Lufton College already has sufficient facilities.
- Traffic implications.
- Ulterior motive of the applicant.

Gartin - Object

- No need.
- Out of town and isolated.
- Questions the financing and long-term viability.
- Traffic implications.

Roots - Object

- The site will be a magnet for anti-social behaviour.
- Roads are unsuitable.
- No public transport.
- It will not be secured or policed.
- There is no requirement as there are underused facilities elsewhere.

Haggett - Object

- Extension to the development zone into the green belt.
- Is there a plan for the other half of the field?
- There must never be flood lighting.
- The land is Grade A agricultural land.
- Inadequate parking.

Burroughes (on behalf of Parish Church of St.Peter and St.Paul, Lufton) - Object

- The proposal will endanger the well-being of this important and significant building.
- Loss of prime agricultural land.
- On the precedent raised for yet further development westward.
- Present infrastructure cannot support the use.
- Lack of parking.
- No need evidenced.
- No plan for maintenance and upkeep.
- Archaeological interests could be destroyed.
- The allotment has been subject to thefts.
- Fears that the use will attract vandals to the church.

Leader - Support

- The proposal helps the football club and should be supported.

CONSIDERATIONS

The application raises numerous issues, each will be considered here in turn.

Principle of Development

The starting point for decision-making is that the LPA must carry out its decision-making functions in compliance with Section 38(6) of the Planning and Compulsory Purchase Act (2008) and Section 70(2) of the Town and Country Planning Act (1990), which require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan constitutes the adopted South Somerset Local Plan (2006-2028). Paragraph 14 of the NPPF establishes the "*presumption in favour of sustainable development*" running through both plan-making and decision-taking.

The application concerns the change the use of the site from agriculture to community playing field and recreation use. The benefits cannot be understated, the promotion of leisure, the stimulation of healthy lifestyles and the increase in participation.

The application itself plus representations received refer to the linkage to plans at Huish Park (Yeovil Town FC) to develop public open space, with this site being the replacement offer. It has been made clear by the applicant and the LPA that this application is to be standalone and considered on its own merits and would not prejudice any future deliberations on pending application 15/03513/OUT. Whilst this other application exists it is not being determined yet and as such no POS there is being lost until such time as a recommendation is made. If this application is approved then it might well form part of the replacement offer as part of that application, and members can take a view on a different set of criteria in assessing loss against replacement, but until that time this is a standalone proposal.

In objecting to the application many local residents have stated that the playing field is not necessary, there is no need for it. The Council (Community, Health and Leisure [CHL] Unit) is currently undertaking a refresh of the Playing Field Strategy. The final conclusions are still unknown despite the review continuing for many months. It is observed and assumed that this review will conclude a shortage of formal playing pitch provision in Yeovil. Evidence for this assumption is that currently the CHL Unit seek off-site contributions for qualifying sites (through policy HW1) towards the provision of new playing pitch provision in the town. If there was no evidenced need then such contributions could not be sought and it would not comply with the s106 regulations.

It is also observed that other than via local plan led residential development such as Lufton, Brimsmore or the proposed Sustainable Urban Extensions, the potential and opportunity to provide new formal playing pitches is limited, evidenced by the fact the Council has not provided any *new* playing fields for some considerable time. As such any proposal for additional facilities should be welcomed and any suggestion that Yeovil "has all the facilities it needs" would be slightly perverse and damaging to future discussions with developers.

It should be noted that when the future of Westlands Sport Complex was in doubt, which would have meant the loss of the cricket pitch, there were very few alternative options for Westlands Cricket Club to relocate to. This provision provides the potential for another cricket pitch for that club or another. It should also be noted that for organised football the only bookable adult grass football pitches in the northern part of the town are at Johnson Park and Mudford Rec.

The provision of the playing field is welcome and the need case is not considered to be a robust reason to refuse the application. Even if this view is taken then it is necessary to consider whether over-provision would cause any harm?

Representations point to the loss of Grade 1 agricultural land. Whilst this would be the case, the loss of such, not permanently of course, needs to be balanced against the benefits and the land take involved. The viability of the remaining half (approx. 5ha) of the field is not a matter that can be given significant weight as not evidence has been provided to show why this would be the case.

What follows is an assessment of potential other impacts within this application.

Landscape Impact and Setting of Listed Buildings

The application has attracted an objection from the Council's Landscape Architect. It is stated that in the peripheral landscape study of Yeovil (2008) the site was evaluated to have a moderate-low capacity to accommodate built development over its southern portion, whilst having a low capacity to its northern portion. Whilst it is acknowledged that the built footprint is small the landscape Architect feels the manipulation of ground levels would be a substantial intervention. Whilst that is not argued it is matter of assessing whether that intervention is actually harmful, to what, from where? There are no immediate public vantage points to experience that 'harm', unlike the substantial grounds works to create a level playing pitch a Stoke-sub-Hamdon, that is viewable from Ham Hill for example. The landscape is peppered by agricultural buildings when viewed from Thorne Lane, so the pavilion, set against the backdrop of the woodland when viewed from the west and against the existing built development at Adams Peak to the north would not, it is considered, be demonstrably harmful to the landscape. The openness and additional landscaping that this use can bring is considered to be the type of use that this acceptable on the periphery of a settlement and there are many examples across the district of such uses bordering open countryside. There is a 5-7m strip of land to the west of the proposal that could be heavily planted to create a new edge and defuse the land modelling intervention.

Representations have been received stating that floodlights would be unacceptable. No floodlights are proposed, other than it is assumed some security lighting on the pavilion, not unlike any neighbouring residential property in an area where there is no street lighting.

The field in question is one field away (approx. 140m) from a site that has planning permission for a 5ha business park promoted by SSDC and AMG - Oak Farm ref 06/04559/OUT; the site has not been developed yet.

It is also a matter of assessing the benefits of the scheme outlined in the opening section against any perceived landscape harm. The planning balance leads to the conclusion that the potential to provide these playing fields provides sufficient benefits, allied to the parish Council's case for the neighbouring allotment's, that outweighs the landscape harm.

The Landscape Architect also makes representations regarding heritage assets. The site adjoins the Lufton Manor site and curtilage, Grade 2 listed. It is also within 200m of Lufton house and the Church of St.Peter and St.Paul, both Grade 2. Further afield (1.7km) is Montacute House (separated by the A3088). They are therefore Heritage Assets.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty as respects listed buildings in exercise of planning functions, that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Chapter 12 of the National Planning Policy Framework (NPPF) reinforces the obligation established under the Planning (Listed Buildings and Conservation Areas) Act 1990. Paragraph 132 of the NPPF requires the LPA to give great weight to the asset's conservation when considering the impact of a proposed development on the 'significance' of a designated heritage asset, the more important the asset, the greater the weight should be.

Local Plan Policy EQ3 requires development proposals to conserve Heritage Assets and where appropriate enhance their historic significance and important contribution to local distinctiveness, character and sense of place.

The National Trust has been consulted due to concerns raised concerning the setting on Montacute House. It has not objected. As the proposal does not involve built development this recreational use will retain a sense of openness on the periphery of the town and any land modelling will be indistinguishable from that distance.

The closer listed buildings are all rather insular; Lufton Manor is surrounded by mature landscaping and its own educational buildings which have been added over the years, whilst the Parish Church and the adjacent Lufton House are similarly couched in landscaping and the topography that means they are not viewed in the context of the application site.

The proposal is therefore considered to comply with the NPPF and Local Plan Policies EQ2 and EQ3.

Highway Implications

There have been significantly fewer concerns expressed regarding highway, both in terms of Moor Lane and the surrounding network, including that from Yeovil.

Local Plan Policy TA5 requires the traffic impacts of developments to be assessed. The application is supported by a Transportation Statement. On two occasions the Highway Authority has not raised any objections, stating that, *"As mentioned in the Highway Authority's previous observations dated 26th June 2015 the proposal will likely result in an increase in vehicle movements along Thorne Lane, which can be described as being narrow and restrictive in some sections. However it is unlikely that this would be considered severe enough to warrant an objection on traffic impact grounds"*.

As a recreational playing field, tantamount to a village playing field, it is not envisaged that the uses will attract scores of spectators on a regular occurrence.

Technically the site is proposed to be served by a policy compliant access with suitable visibility splays.

The NPPF (para 32) requires decisions to take into account whether improvements can be undertaken within the transport network that cost effectively limit the significant impact of the development, also that a "safe and suitable access to the site can be achieved for all people". "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe".

The matter of passing places on Thorne Lane has been raised by the HA but the applicant has argued that there are adequate passing places where the road narrows to single carriageway. No such passing places were sought or provided when the Parish Council allotments were provided further west along Thorne Lane.

It is not considered the impacts of this development would, when taken against the current context, result in severe residual cumulative impacts. As such the proposal complies with Local Plan Policy TA5 and the NPPF.

The matter of pedestrian/cycle access is more subjective. The site will, in time, be within 300m of the Lufton Key Site, accessed via Lufton Lane. This key residential development site of 696 dwellings has full reserved matters approval but has been criticised for its lack of open space. The 5ha being proposed here would account for 20% of the Lufton Key Site area. It is considered plausible, safe and close enough to readily serve that development, as well as Lufton village by pedestrian and cycling means. Thorne Lane presents more of a challenge in terms of its length to the nearest residential property and for younger children this may prevent walking and cycling. It is not considered impossible or unsafe for other age groups to access the site by walking and/or cycling. The site may also be

eventually served by a better means of pedestrian/cycle access when the aforementioned neighbouring business park is constructed. In assessing likely impacts it should be remembered that the site does not offer play equipment and is geared toward formal pitch sports and so will cater more for teams where the predominantly arrival will be by car, and may involve the transit of kit and equipment. A parallel here can be drawn with the use of the neighbouring field by the Parish Council for allotments.

Numerous representations refer to the perceived lack of on-site car parking but it is considered that sufficient parking is provided compliant with Local Plan Policy TA6 and the Parking Strategy.

Drainage

Even though the site and surrounding area is shown in Flood Zone 1 and so not at risk from fluvial flooding, the application has been supported by a Flood Risk Assessment and drainage strategy.

Representations have been received concerned about the potential for increased overland flow caused by the proposed land modelling and the high water table. The owners of Red Brick Cottage which sits at the southern edge of the application site have provided evidence of an historic flooding event which shows this is an existing problem despite the field being used for agricultural purposes. The applicant has submitted a plan showing the provision of an attenuation/soakaway facility that in tandem with a formal drainage plan to be conditioned can create betterment to the current situation, or at least not make the situation worse.

The Lead Local Flood Authority and the Somerset Drainage Boards Consortium also raise no objections at this stage subject to drainage conditions.

It is considered that the drainage scheme fulfils the policy requirements set out by the NPPF.

Residential Amenity/Anti-Social Behaviour

Concerns have been raised regarding the noise and disturbance associated with the proposed use and the raising of levels relative to neighbouring properties affording overlooking.

The siting of playing fields adjacent to residential properties is commonplace and whilst activity may be audible during the times it takes place it is not considered to be to a level and regularity that would warrant refusal. The nearest area that will be subject to increased ground levels will be 20m away from the nearest house and so it is not considered that demonstrable harm could be evidenced.

More significantly the matter of anti-social behaviour has been raised fuelled by the isolated nature of the site. Advice has been sought and received from the Crime Prevention Design Advisor and amendments made to the pavilion primarily. In addition a height barrier will be placed at the main vehicular access. In terms of access the applicant has stated:

"Our proposal to give community access to this area of open space, including formal pitches, is based on the tried and tested methods used at various local, similar facilities as illustrated in our recent submission. You will recall the photographs of access examples to local facilities where (in the interests of deterring the potential for vandalism and disturbance) vehicles are often denied access for periods such as during the hours of darkness but stiles and gates are used to allow pedestrian access". To further allay fears a management plan could be requested by condition detailing how access will be managed. The D&A also refers to the use of CCTV.

The Crime Prevention Design Advisor has withdrawn his objection and a condition is proposed regarding the height barrier.

It is considered that the proposal accords with Local Plan Policies EQ2 and EQ7.

Layout, Quality and Management of the Facility

The applicant has engaged with colleagues from Community, Health and Leisure and representatives from Sport England in forming the final proposal. This has resulted in changes to the changing room pavilion and the pitch layout provision.

The playing field allows the provision of two full size football pitches and one cricket pitch. Football can only be played on one pitch if a game of cricket is taking place due to pitch overlap. Although the field will be graded to facilitate these larger pitch sports, there is ample opportunity to use the space flexibly with other sports that require smaller pitches such as youth football, rounders or field hockey. Similarly the site is suitable for informal play.

It is desired that the playing fields are constructed to a high standard and this requires an understanding of the agronomy of the land. This will be doubly important given the land modelling that is proposed. Whilst an agronomy report was requested it has not been provided (a fact the LPA has been repeatedly reminded of by local residents). This failure is not considered to be fatal to the application at this stage and in fact that matter and a host of other requirements have been set out in conditions proposed by Sport England.

In addition the conditions cover matters regarding management responsibilities, public access, maintenance and charging regimes. Whilst the applicant has set out how they see this working at the site in broad terms these conditions will require the detail. The proposal is that the site be operated by the Community Sports Trust arm of Yeovil Town Football Club. It is a registered charity that partners Yeovil College. Sport England's rationale is to try and ensure the use commences on the best footing to ensure its long term viability and using best practice from its nationwide experience.

Archaeology

The comments received from the Senior Historic Environment Officer are noted. Given the proximity of the Roman Villa there is a need to bottom out the issue before determination. The applicant has not provided the necessary information and the recommendation will reflect this. The provision of a desk-based assessment and a field evaluation is required by the NPPF.

Trees

There are no individually significant trees on the site but the eastern boundary contains a stand of trees on neighbouring land that themselves provide a feature in the landscape and a screening function to the industrial development beyond when viewed from the west. The proposed land modelling has the potential to impact on the trees and so under the advice from the Council's Tree Officer, a condition will be imposed.

There is the opportunity throughout the site to increase the coverage of tree planting, again via planning condition.

Wildlife

The application has not been supported by any ecology surveys; however there are un-evidenced reports locally of wildlife interests within the site. The Council's Ecologist has reviewed the situation and has advised that there may be badger activity and has advised a planning condition requiring a survey before works commence.

The representation relating to the presence of 14 bee hives adjacent to the site has been addressed to a point because the picnic area previously proposed has been removed, and it is considered that if it was that much of a public safety issue then they should not be located next to an educational establishment or other residential properties.

Other

The applicant has been made aware of representation relating to a claimed right of way to a septic tank located in the field. The plan does not prohibit access per se and an agreement needs to be reached between the parties outside the planning process.

Representations also criticise the lack of engagement by the application prior to the submission of the application; again this is not an issue the LPA can give weight to. For information there was a public event in January 2015 prior to submission, the issue may have been the lack of notification and

advertising of the event to residents of Lufton village.

Planning Obligations and Viability

There is no need or requirement for a planning obligation.

Environmental Impact Assessment

The Local Planning Authority has not required the applicant to submit an Environmental Impact Assessment in support of this application. The application is however supported by a host of professional assessments, reports and surveys covering key environmental matters.

CONCLUSION

In returning to the planning balance the concerns of local people are acknowledged but the benefits are similarly noted and in the context of sporting and recreation facilities in the town it would not be appropriate or reasonable to refuse this application for anything other than technical planning reasons.

There are no outstanding issues that cannot be adequately controlled by planning condition.

Matters of economic viability (initial funding and longer term sustainability) have not been sought despite the numerous representations relating to such. There is no precedent for such with any parish council development for similar developments (it was not asked for in connection with the Brympton PC allotments proposal) or private applications for agricultural development.

RECOMMENDATION

Grant planning permission subject to the satisfactory receipt of a desk-based assessment and a field evaluation to assess potential archaeological remains and their interest as required by the NPPF, for the following reason:

01. The proposal will provide sporting and recreation facilities in the town to widen opportunities for people of all ages to participate in leisure, stimulate healthy lifestyles and increase participation in active sport. This justified need and benefit outweighs, in the planning balance, any perceived landscape impact while the setting of heritage assets is safeguarded. There is also no envisaged impact to residential amenity, ecology, the local highway network or local drainage arrangements.
The proposal is therefore deemed to be in accordance with the aims of objectives of the National Planning Policy Framework, policies SD1, SS1, SS6, TA5, TA6, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan (adopted April 2006).

SUBJECT TO THE FOLLOWING:

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - a) Location Plan, Drawing No. LGPS/YTHL/PP/GL/01/01
 - b) Existing Layout (Red Line), Drawing No. LGPS/YTHL/PP/GL/01/03
 - c) Proposed Layout, Drawing No. LGPS/YTHL/PP/GL/01/04 RevC
 - d) Proposed Pavilion Layout, Drawing No. LGPS/YTHL/PP/GL/01/08 RevC
 - e) Proposed Equipment Store, Drawing No. LGPS/YTHL/PP/GL/01/09 RevA

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

03. No development shall take place, including any ground works, until a badger survey has been undertaken by a suitably qualified ecological consultant, and if present, mitigation proposals appropriate to the findings of the survey, have been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved mitigation proposals, unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of legally protected species to accord with policy EQ4 of the South Somerset Local Plan.

04. No works shall be carried out until details of the internal ground floor levels of the buildings to be erected on the site have been submitted to and approved in writing by the Local Planning Authority.

Reason: To maintain the character and appearance of the area to accord with policy EQ2 of the South Somerset Local Plan.

05. No works shall be carried out until a scheme has been submitted detailing the following tree protection and planting details:

- a) a comprehensive tree and hedge planting scheme (including a substantial planting belt along the western boundary between the proposed boundary and the maintenance track);
- b) a layout plan of the below-ground drainage & services to be installed;
- c) a Tree Survey, Tree Protection Plan and Arboricultural Method Statement relating to all retained trees and hedges on or adjoining the site, so as to conform to British Standard 5837: 2005 - Trees in relation to construction; which shall include:
 - i. a layout and specification of tree and hedge protection fencing
 - ii. special protection and engineering measures for required access, installation of built structures, below-ground services, drainage and hard-surfacing within the Root Protection Areas of retained trees
 - iii. a schedule of compliance-monitoring for the duration of the construction phases of the development (inclusive of landscaping & dismantling of tree protection fencing)

All planting comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of any dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of twenty years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Upon approval by the Local Planning Authority, the tree protection scheme shall be implemented in its entirety for both the duration of the construction of the development.

Reason: To integrate the development into its environs, build on local character and preserve the health, structure and amenity value of retained trees to comply with the National Planning Policy Framework.

06. No works shall take place until a surface water drainage scheme for the site, utilising infiltration techniques and based on the Flood Risk Assessment prepared by LGPS Resources, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system to accord with the National Planning Policy Framework.

07. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has

been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To ensure adequate maintenance and therefore better working and longer lifetime of surface water drainage schemes to accord with the National Planning Policy Framework.

08. No works shall be carried out until a scheme for the foul water drainage of the site has been submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To afford the site proper drainage to accord with the National Planning Policy Framework.

09. No works to erect the buildings hereby approved shall be carried out unless the following details relating to the pavilion and equipment store only have been submitted to and approved in writing by the Local Planning Authority:
- a) specific materials and finish to be used for the external walls and roofs:
 - b) materials to be used for rainwater goods; and
 - c) the design, type of material, plus proposed colour and finish of all windows and doors plus recesses.

A statement shall also be submitted to illustrate how design features to be employed will make both buildings more resilient to anti-social behaviour.

Once agreed the scheme shall be carried out in accordance with those details unless further agreement is reached with the Local Planning Authority.

Reason: To maintain the character and appearance of the area to accord with policy EQ2 of the South Somerset Local Plan.

10. A scheme of security lighting for the pavilion shall be submitted prior to the installation of such. There shall be no other external lighting, including floodlighting of the playing fields without the prior express consent of the Local Planning Authority.

Reason: To maintain the rural distinctiveness of the area in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

11. Prior to the first use of the site for the approved purpose a scheme for the management of the access arrangements detailing securing the site at night and details of a height barrier to be installed and permanently maintained at the northern access point shall be submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure the site is secure and sufficient reasonable mitigation is afforded to avoid misuse to accord with the National Planning Policy Framework.

12. The four new/altered access points from Thorne Lane and Lufton Lane shall be set out as shown on the approved layout plan LGPS/YTHL/PP/GL/01/04 RevC. The area between the entrance thresholds and the edge of carriageway (the aprons) shall be properly consolidated and surfaced (in tarmacadam or concrete). Any entrance gates installed shall be sited as per the approved drawing and hung to open inwards, and shall thereafter be maintained in that condition at all times. The gradient of the proposed accesses shall not be steeper than 1 in 10. Once constructed the accesses shall thereafter be maintained in that condition at all times. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway. Such provision shall be installed before the commencement of use and thereafter maintained at all times. Each individual access shall be laid out in accordance with this condition before it is brought into use.

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

13. The four new/alterd access points from Thorne Lane and Lufton Lane shall be subject to visibility splays whereby there shall be no obstruction to visibility greater than 300mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43m either side of the access. Such visibility shall be fully provided before the individual access concerned is first brought into use and shall thereafter be maintained at all times.

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

14. The existing access onto Lufton Lane immediately to the west of Red Brick Cottage shall not be used other than for access to a private drainage system. Should access not be required for such then the access shall be permanently stopped in accordance with details submitted to the Local Planning Authority.

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

15. No development shall take place unless and until:
- a) A detailed assessment of ground conditions of the land proposed for the new playing field land as shown on drawing number LGPS/YTHL/PP/GL/01/04 RevC shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
 - b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority.

Reason: To ensure that site surveys are undertaken for the new playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with the National Planning Policy Framework.

16. The playing field and any buildings thereon shall be used for Outdoor Sport and ancillary uses and for no other purpose (including without limitation any other purpose in Class D2 Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To protect the playing field from loss and/or damage, to maintain the quality of and secure the safe use of sports pitches and to accord with the National Planning Policy Framework.

17. The playing field and pitches shall be constructed and laid out in accordance with the approved drawing number LGPS/YTHL/PP/GL/01/04 RevC and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011).

Reason: To ensure the quality of pitches is satisfactory to accord with the National Planning Policy Framework.

18. Prior to the bringing into use of the playing field a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism

for review shall be submitted to and approved in writing by the Local Planning Authority. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use.

Reason: To ensure the facility is properly managed and sustainable long term to accord with the National Planning Policy Framework.

19. No development shall take place until a community use scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of pricing policy, hours of use, access by non-educational establishment users/non-members, management responsibilities, a mechanism for review and a programme for implementation. The approved scheme shall be implemented upon the start of use of the development and shall be complied with for the duration of the use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with the National Planning Policy Framework.

20. Prior to the use of the site any overhead wires shall be suitably redirected or grounded, unless any variation is agreed with the Local Planning Authority.

Reason: To maintain public safety.

Informatives:

01. Having regards to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new accesses will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the South Somerset Area, at the Highways Depot, Mead Avenue, Houndstone Business Park, Yeovil BA22 8RT, Tel No. 0300 123 2224. Application for such a permit should be made at least four weeks before access works are intended to commence.
02. With regard to Condition 05 on approval of the tree protection details by the LPA, a site-meeting between the appointed building/groundwork contractors, the Site Manager and the Council's Tree Officer (Phil Poulton: 01935 462670 or 07968 428026) is strongly suggested to be arranged at a mutually convenient time.
03. With regards to Conditions 15-19 the LPA strongly suggests early consultation with Sport England. With regard to Condition 19 the applicant is advised that the design and layout of the facility should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport.

APPENDIX ONE

Application 15/02535 - Additional Comments from Brympton Parish Council (August 2016)

The following observations and comments on the above application are supplementary to comments made previously by Brympton Parish Council.

1. Management of Site

The original application form dated 01/06/2015 defined the Applicant as:
"Yeovil Town FC & Yeovil Town Holdings Ltd"

This and subsequent documentation states that the proposed community recreational site will be leased to the Yeovil Town Community Sports Trust who will manage the facility. However, the Trust which is effectively conjoined to the Yeovil Town Football Club, states on its website:

"Yeovil Town Community Sports Trust has identified a number of key aims that remain integral to all of the work that the Trust undertakes.

The Trust's aims are-

- To promote sport and educational opportunities to the wider community*
- To place Yeovil Town Football Club at the heart of its community by providing opportunities for interaction with the Club.*
- To help grow the future supporter base of Yeovil Town Football Club by developing the geographical reach of the Club*
- To work with individuals and organisations to establish strong partnerships in order to provide a platform from which to develop and deliver worthwhile and beneficial projects within the community.*
- To develop and implement new and forward thinking projects and initiatives which are in response to community needs*
- To help organisations develop and maximise the use of community facilities*
- To promote social responsibility and give support to those in need so that they have respect for their community and are encouraged to make a positive contribution to society."*

Comment: If the Trust undertakes activities in support of its declared aims on the proposed site then it will be serving the wider community and not just serving the interests of the citizens of Brympton. The only "reassurance" mentioned in the Applicants documentation is to state that "it is not envisaged that competitive YTFC Ladies football matches will be played at the site."

Noting the words "*number of key aims that remain integral to all of the work that the Trust undertakes.*" then where are the safeguards that this facility will not eventually be used by football teams/clubs from a wide area of Somerset rather than the local area it is intended to serve?

The current site is free to use, if handed to a trust, fees would be charged. The original caveat was to protect free and unfettered access for the residents of Abbey Manor Park. . This site will have to be fenced and fees will be charged.

2. Crime & Disorder

Letter from Steve Nickerson, Crime Prevention Design Advisor Somerset East, to Planning Officer: Simon Fox dated 04/08/2015. Includes the following comments:

"Due to the remoteness of the site I would ask that the access control structures and mechanisms are robust. I would also ask for this to include a height restriction"

Since this letter was written the Application has been significantly revised, an example is quoted in an email, one year later, from Area Lead Officer (South): Simon Fox to Clerk to Brympton Parish Council: Mrs E James dated 26/07/2016 which includes the words:

“The use of the site has also been clarified as a public community playing field thereby not the fenced sports ground I was led to believe the intention was when I last attended your meeting. The implication is that the site will not be gated and locked outside of formal use and will be open to the public 24/7.”

In his more recent letter dated 2nd August 2016 Steve Nickerson ‘Objects in Principle’ on the basis of the following grounds:

- *I am now given to understand that the community playing field is to be open 24/7 removing the access control gates but retaining the height restriction.*
- *As a result I am moved to objecting in principle. This site is very isolated and runs the risk of being abused. There is little in the way of natural surveillance from neighbouring properties. The Northern dwelling will suffer if the car parking area is misused by traveling youths. This property may also suffer the risk of retribution as it most likely to be the source of complaints to the authorities. Having policed this area for a considerable number of years I have seen on a number of occasions, groups of youths with motorcars invade such areas and cause havoc with their behaviour. As complaints mount, action is taken which ultimately moves the problem to other similar area where the whole process starts again.*
- *Should this be allowed against advice being contrary to section 58 & 59 of the National Planning Policy Framework, then it is even more important to target harden the pavilion as per my initial response, to protect it from attack as it would become more vulnerable*

Comment: There is clearly a safety issue here.

3. Highways

In a letter dated 03/06/2016, Jon Fellingham, Principle Planning Liaison Officer, Economic and Community Infrastructure, Traffic and Transport Development Group, Somerset County Council, wrote to Planning Officer: Simon Fox in which he stated:

“As mentioned in the Highway Authority’s previous observations dated 26th June 2015 the proposal will likely result in an increase in vehicle movements along Thorne Lane, which can be described as being narrow and restrictive in some sections. However, it is unlikely that this would be considered severe enough to warrant an objection on traffic impact grounds. That being said Highway Authority requested that the applicant should look to improve access facilities to the site in the form of passing places along Thorne Lane. However, from reviewing the latest submission the applicant does not appear to have addressed this issue.”

He then goes on to state later in this document:

“Consequently the Highway Authority raises no objection to this proposal.....”

Comment: The Highways Authority appears not to have either conducted a survey of Thorne Lane in this area or carried out an on-site Risk Analysis otherwise it would have formed a firm and positive view on the state of the highway and not used subjective and non-substantive wording such as “unlikely”. Interestingly the Applicants Agent in his document Addendum GL1 dated 05/04/2016 accused the Brympton Parish Council of using such subjective comments and consequently dismissed their argument but at the same time is quite prepared to use such language in its own case and indeed take no action on the Highways Authority comments.

One of the parish councillors conducted a personal assessment of the highway during the school summer holiday period when the proposed facility is likely to be widely used by people from the Abbey Manor and Brimsmore Key Site Developments i.e. the expected users as defined in the Application. He

walked and cycled Thorne Lane from its junction with Western Avenue to the proposed entrance to the new site.

Despite evidence that the hedges on both sides of the road had been “mechanically” trimmed a few weeks previously the growth was such that pedestrians had to walk about two feet out into the highway to avoid getting stung by nettles or grazed by brambles. The potential for injury to young children in this way must be a major concern.

Cyclists using this route also have to keep out into the highway to avoid brambles and nettles on the side, and, overhead growth which extended outwards beyond the mechanical trimmers set cut height. By forcing users to walk/cycle out in the highway surely makes the probability of a RTC more likely.

The recommended provision of passing spaces for vehicles and the provision of a sidewalk/pavement should be revisited by the Highways Authority as a matter of urgency before this Application is considered further.

At the first Yeovil Town home game on Saturday 6th August there were 53 vehicles parked along Thorne Lane. This equates to a stretch of about 300m of linear parking where there is only sufficient width for one vehicle and no provision for a passing bay. This is already a problem and if the proposed site were to be developed this problem becomes much more serious.

Comparisons within the application documents with traffic generated by the allotment site are unreasonable. When this site was approved concerns about increased traffic were expressed by the Highway authority but approval was given on the basis that traffic to the allotment site would be of an irregular nature. Historical evidence shows that there are no more than about 12 vehicles at the allotment site at any one time. This is somewhat different than the anticipated traffic associated with the recreation ground proposals for potentially 50 vehicles arriving/departing at about the same time. The allotments actually exist now whereas the recreation site is a proposal.

The response to genuine concerns raised by the Brympton Parish Council over road safety, for example, to be dismissed (Para 1.13 in Addendum GL1 dated 05/04/2016) as a "negative comment" by the Applicants agent seems to me to be disingenuous and unworthy.

If this site is to be a “town” facility”, then the SCC Highways comments are meaningless, GL2 p 26 4.9 as the current assessment is for usage by Abbey Manor residents. A full Highway assessment is required to ensure that this site will be safe to use, and it would be un-acceptable to grant permission on this site, without Highways` guarantee of safety.

This new site will be yet another “traffic generator” to the northwest of Yeovil.

4. **Sport England**

Despite the claim in the Application that the proposal is supported by Sport England, this is heavily caveated in the documentation and concerns raised are not completely resolved in the response presented by the Applicant in his document Addendum GL1 dated 05/04/2016. Support from the English Cricket Board doesn't seem to be particularly enthusiastic.

Reference is made to the absence of a ‘Playing Pitch Strategy’ which is apparently ongoing. This would seem to be an important factor if proper consideration of the requirements for additional facilities is to be undertaken. In the absence of such strategic evidence an assessment of the current and existing provision in northwest Yeovil has been carried out. This shows that there are currently some 7 pitches available for use by the public and there is allocation within the Brimsmore and Lufton Key Sites for an additional 3 pitches and 1 MUGA. This assessment does not take into account any facilities that may be available on school sites.

Is Sport England fully aware of existing and future provision of playing pitches in northwest Yeovil.

The Keyford Site appears to be not included in the “needs assessment” for Yeovil. The Keyford Site is far more “connected” to the whole of Yeovil than Lufton is, and must be taken into the accounting of accessible provision, before taking away a local free sports pitch from the residents of Abbey Manor Park.

Of particular concern in the application documents is the comment:

“The Applicant would be pleased to discuss this further with SSDC so that appropriate and achievable conditions could be imposed.”

This is just one example of this Application being drawn up “on the hoof”. The whole document should be withdrawn redrafted into a properly considered application and resubmitted for consideration before approval. It surely should be properly/completely prepared and not presented with so many unanswered questions outstanding. It must also be open to public debate at SSDC, not decided behind closed doors.

It is understood that this application is to be considered on its own merits and without reference to any redevelopment proposals affecting the existing community designated land at Huish Park. However, it is clear that the application proposal will not take place unless the Huish Park redevelopment also takes place and in this scenario there will be no net gain in playing pitches, they will simply be more remote.

5. Usage/Remoteness of Site

The location of this site is seen as being very remote from the residential areas it is intended to serve and this will very much inhibit the use of it.

Under ‘Appendix GL2 p25.4.2’ it suggests that this site is evolving into a town wide facility. The existing community designated land at Huish Park was intended for use by Abbey Manor residents as identified in the formal Agreement.

If this is to be a town facility, it should be stated openly and up front, then a proper assessment must be carried out.

6. Existing Land Use

Reference to information used to prepare the current SSDC Local Plan shows the site to be

- Grade 1 Agricultural Land;
- part of a County Stewardship Scheme and
- in an area of ‘High Landscape Sensitivity’.

Arguments for not developing such land were significant issues when the Local Plan was being considered and should equally apply in respect of this application.

7. Impact

Use of the proposed football pitches and the associated noise that this will generate would have a significant impact on the adjacent rural hamlet of Lufton. These concerns have been expressed by all local residents.

Brympton Parish Council

Agenda Item 18

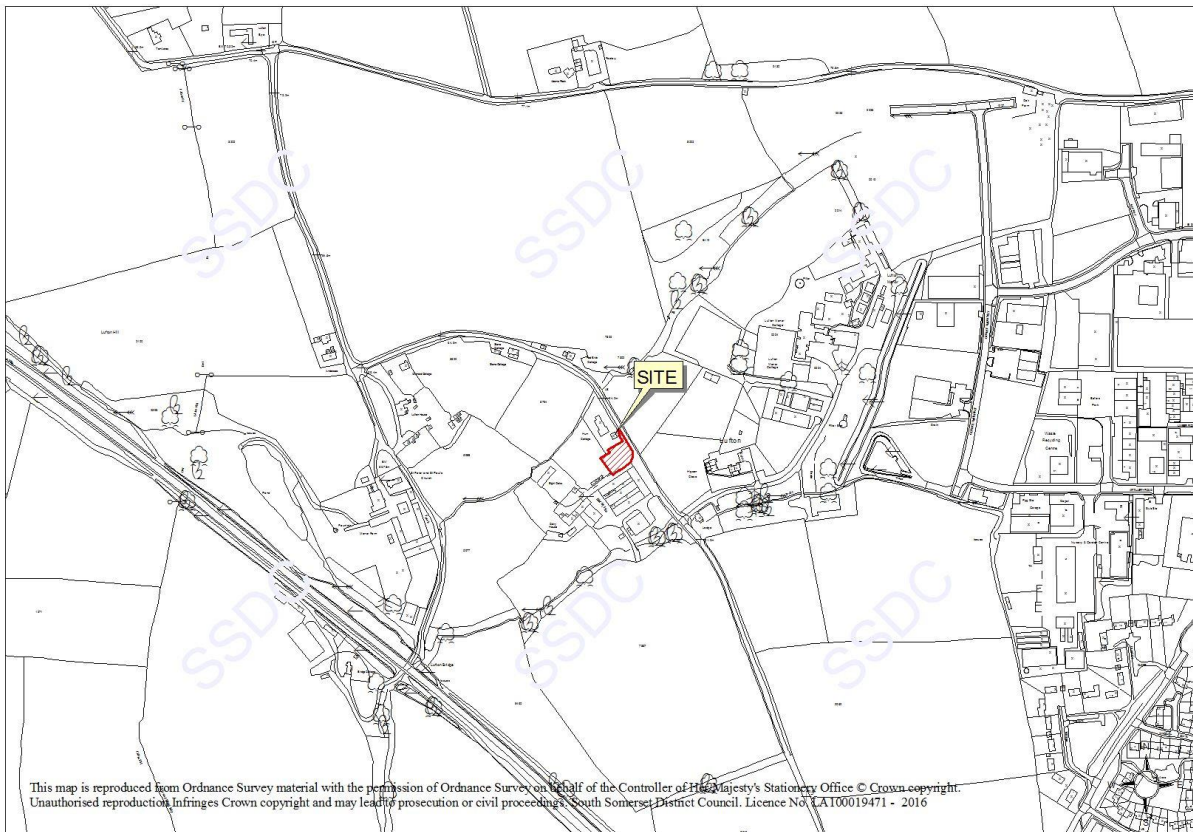
Officer Report on Planning Application: 16/02888/OUT

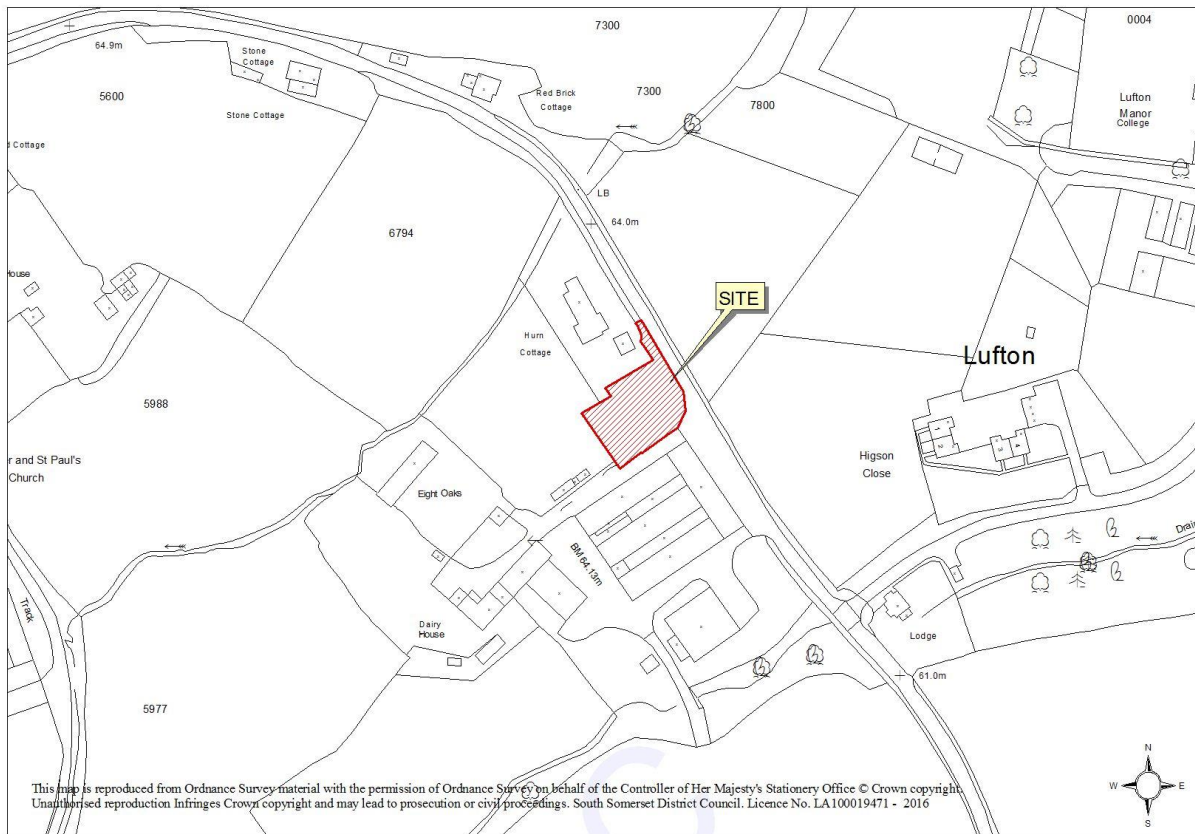
Proposal :	Outline application for the demolition of buildings and erection of dwelling
Site Address:	Land adj Hurn, Lufton Lane, Brympton
Parish:	Brympton
BRYMPTON Ward (SSDC Member)	Cllr S Lindsay Cllr P Seib
Recommending Case Officer:	Andrew Collins Tel: 01935 462276 Email: andrew.collins@southsomerset.gov.uk
Target date :	29th August 2016
Applicant :	Mr & Mrs Allen and Helen Roberts
Agent: (no agent if blank)	Clive Miller and Associates Ltd Sanderley Studio Kennel Lane Langport Somerset, TA10 9SB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REFERRAL TO COMMITTEE

This application is referred to the Area South Committee at the request of the Development Manager with the agreement of the Chair due to number of other applications within Lufton Lane and for consideration of them all together.

SITE DESCRIPTION AND PROPOSAL





The site is located on Lufton Lane on the opposite side of the road to the entrance to Lufton College.

The application site is located to the southeast of the 2 storey dwelling known as Hurn. Currently on the site is an existing Dutch barn, single storey workshop, single storey store and store for logs. There is a current access onto Lufton Lane and the roadside is surrounded by a hedge.

This application seeks outline permission with all matters reserved. Reserved matters application(s) would detail access, appearance, landscaping, layout and scale. Therefore at this stage only the principle is being considered. The current buildings on site are proposed to be demolished and a dwelling erected on the site. An indicative plan shows that the existing access would be retained by Hurn to access land to the rear whilst a new access is proposed for the new dwelling. The submitted indicative plan shows the removal of the existing bank and hedge and the setting back of the access. The site would be boundary by a wall. The plans also show a dwelling in the centre of the site with an attached double garage. Parking for 3 cars is shown to the front of the dwelling.

The application is supported with a Planning Statement.

HISTORY

None of relevance to this application on the site.

However, located 80m to the South is the Lufton Key Site and the following applications are a consideration

05/00931/OUT - Housing led mixed use development to provide approx. 620 dwellings, local

neighbourhood centre and primary school site reservation on Lufton Key Site, Land West of Boundary Road - Approved - 18 May 2007.

10/01875/REM - The erection of 696 dwellings, a local neighbourhood centre incorporating retail/office space with associated highway, drainage and landscaping (Revised Scheme) - Approved - 15 March 2012.

POLICY

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

Saved Policy of South Somerset Local Plan 1991 - 2011

KS/BRYM/1 - Land at Lufton

Under Paragraph 215 of the NPPF it is possible to save still current policies in accordance with the framework. This is such a policy and forms part of the housing commitments at Yeovil in Policy SS5.

South Somerset Local Plan (2006 - 2028)

On the 5th March 2015 this new local plan was adopted and constitutes the development plan. The most relevant policies are:-

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

YV1 - Urban Framework and Greenfield Housing for Yeovil

HG4 - Provision of Affordable Housing - Sites of 1 - 5 Dwellings

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

EQ4 - Biodiversity

National Planning Policy Framework

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

Paragraph: 031 Reference ID: 23b-031-20160519 (This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014). This basically says that contributions should not be sought for developments less than 10 dwellings.

Other Relevant Considerations

Somerset Standing Advice

Somerset Parking Strategy

Land Supply

The Council's current position is that it does not have the required 5 year supply of housing land and as such the housing constraint part of policy (SS2 of the adopted Local Plan) is considered to be out of date. As at September 2015 it was recorded in the Five-year Housing Land Supply Update it was confirmed that the Council's supply was just over 4 years, 4 months.

CONSULTATIONS

Brympton Parish Council - *"Recommend approval of the application subject to;*

*Careful consideration of height of proposed building.
Careful consideration of materials to be used."*

County Highway Authority - Standing advice applies. However notes that part of the redline incorporates highway land.

SSDC Highways Consultant - Consider sustainability issues (transport). The traffic impact on Lufton Lane is unlikely to be significant given the traffic generation potential associated with the extant use of the buildings. The access would be significantly improved to provide visibility splays of 2.4m x 43m. Recommend conditions securing (a) visibility splays, (b) consolidation/surfacing of access for the first 6.0m, (c) access surface water drainage measures, and (d) on-site parking (and turning) in line with SPS optimum standards.

Landscape Architect - *"Noting the site to lay adjacent built form, which includes a two-storey dwelling to the immediate north; and that existing farm buildings are already present on the site, such that this proposal would be replacing built form, I have no issues with the principle of the demolition of the existing buildings, and their replacement with a dwelling."*

Ecologist - *"I've considered this application and I don't have any comments or recommendations to make."*

REPRESENTATIONS

None received

CONSIDERATIONS

Principle

The site is located outside of the urban framework for Yeovil, as defined by policy YV1. However it is located adjacent to the Lufton Key Site which has a saved policy KS/BRYM/1 and full permission has been granted for 696 dwellings.

Therefore whilst currently located in a location with limited facilities the close proximity of the Lufton Key Site is a key material consideration, whereby in the near future local facilities will be available close to the site.

It is also noted that the Council cannot currently demonstrate a 5 year supply of housing land and in balancing the material planning considerations of the application this should be given weight. The amount of weight that can be given depends on its compliance with the NPPF and the 3 tranches of sustainable development (economic, social and environmental).

Visual Impact

Currently on site is a Dutch barn and other smaller single storey outbuildings. To the north is the existing two storey dwelling and surrounding the site are large agricultural buildings. On this basis there is currently built form on the site and therefore the landscape architect does not object to the demolition of the existing buildings and their replacement with a dwelling on the site. Therefore the visual impact is considered to be accepted. It is however noted that the submitted plans are indicative as this is an outline application with all matters reserved. This plan however does show how a dwelling could potentially fit onto the site and this does not appear to be contrary to the character of the area.

Residential Amenity

This is an outline application with all matters to be considered at a later date. Therefore, whilst a plan has been submitted, this is for indicative use only. This plan however does show how a dwelling could potentially fit onto the site. Without fully worked up drawings the impact upon residential amenity cannot be properly assessed. However the indicative plan details how a dwelling could be sited on the site. This arrangement is potentially appropriate.

Highways

Access to the site is also a reserved matter. However indicative plans show a new access to the site, with the existing retained by Hurn. The plan shows a new visibility splay of 2.4m by 43m. This arrangement does however result in the removal of a single species and its replacement with a boundary wall. Improvements are also proposed to the existing access to be retained by Hurn, with the setting of a gateway 5m back from the road edge.

It is noted from the Highway Authority that part of the site within the red line is within land owned by the Highway Authority. At the front of the site is a bank with the hedge on top. This according to the highway record is the land within the highway authority's ownership. The indicative plans show that a new boundary wall would be set back behind the line of the existing bank and hedge. This arrangement accords with the details of the highways ownership and the only aspect of the development within the highways land are the visibility splays. The proposed changes to the frontage of the site would actually increase the width of the road in this location.

The Council's Highways Consultant considers that the traffic impact on Lufton Lane is unlikely to be significant given the traffic generation potential associated with the extant use of the buildings. Conditions are suggested, but it should be noted that this application is an outline application with all matters reserved including access. Therefore any such conditions could be dealt with at reserved matters stage.

The Planning Balance

The absence of a 5 year housing land supply means that in these circumstances relevant policies for the supply of housing should not be considered up-to-date according to paragraph 49 of the NPPF. Where policies are out of date paragraph 14 of the NPPF says that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Given this, and the fact that the Framework requires Council's to boost significantly the supply of housing and meet the needs of different groups in the community, substantial weight should be placed on the provision of the proposed houses. On this basis significant weight is placed on the fact that this can be achieved without harm to the character and appearance of the area. Also that the site is located adjacent to the major key site close to accessible local facilities this meets the social role and limited

employment would be created with the construction of the dwelling albeit only a single dwelling. This would therefore meet the economic role.

Other Matters

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district. In May 2016 the Court of Appeal made a decision (Secretary of State CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less. It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore the Local Planning Authority are not seeking an affordable housing obligation from this development.

Conclusion

In considering all aspects of this proposal and the above detailed planning balance it is concluded that this application is acceptable.

Accordingly the proposal is considered to comply with policies SD1, SS1, SS4, SS5, YV1 and EQ2 of the Local Plan and is as such recommended for approval.

RECOMMENDATION

Grant permission

01. The site is located adjacent to the Lufton Key Site with current built form on. In considering that the Council cannot demonstrate a five year land supply and the site not adversely affecting landscape character, visual amenity or traffic generation the principle of development on this site is accepted. Subject to detailed plans at reserved matters a suitable access can be achieved and amenity maintained. The proposal therefore complies with the aims and objectives of the NPPF and does not compromise the Council's settlement strategy as detailed in policies SD1, SS1, SS4, SS5 and YV1 of the South Somerset Local Plan (2006 - 2028).

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the location plan shown on drawing 6591-01 received 4 July 2016.

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

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

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

03. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

04. The area allocated for parking and turning shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

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

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

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

06. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

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

07. The first 6m of the accesses, when measured from the carriageway edge shall be fully consolidated in materials as detailed in the submission of any reserved matters application.

Reason: To avoid loose material going onto the highway in the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan (2006 - 2028).

Agenda Item 19

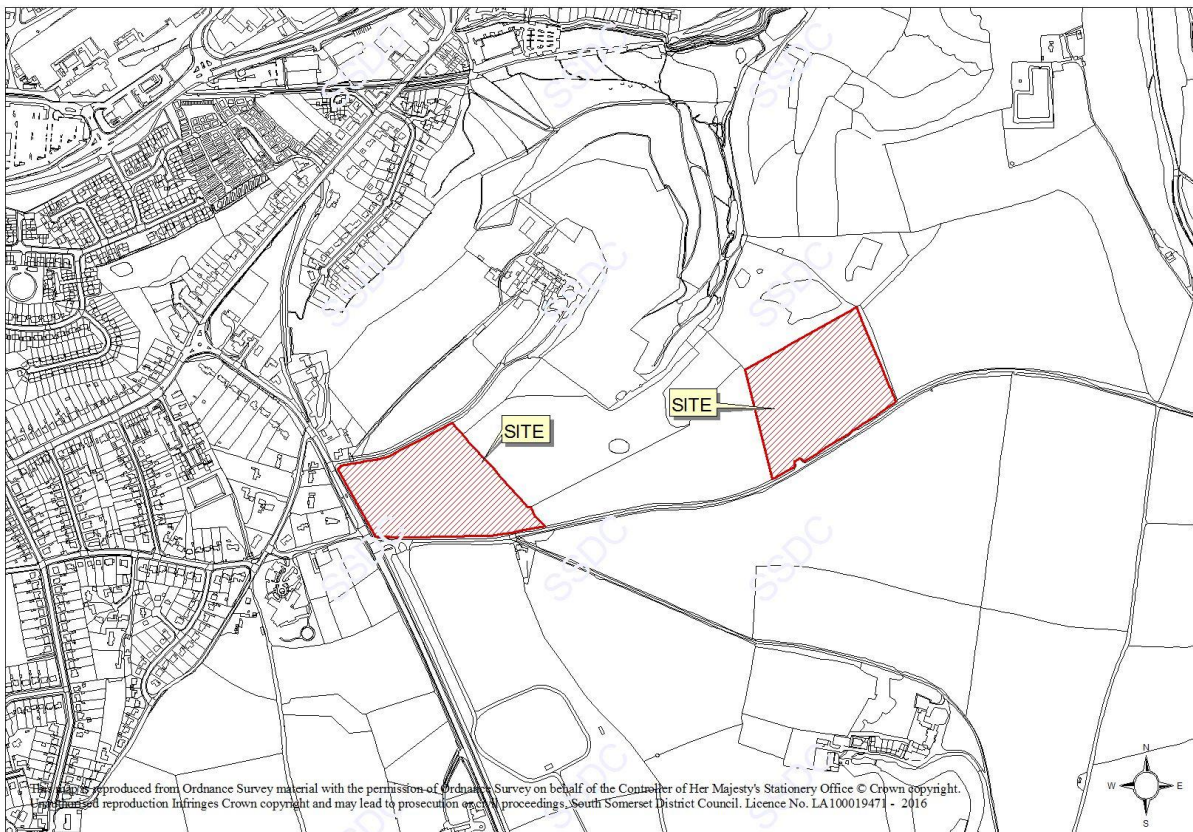
Officer Report on Planning Application: 16/01826/DPO

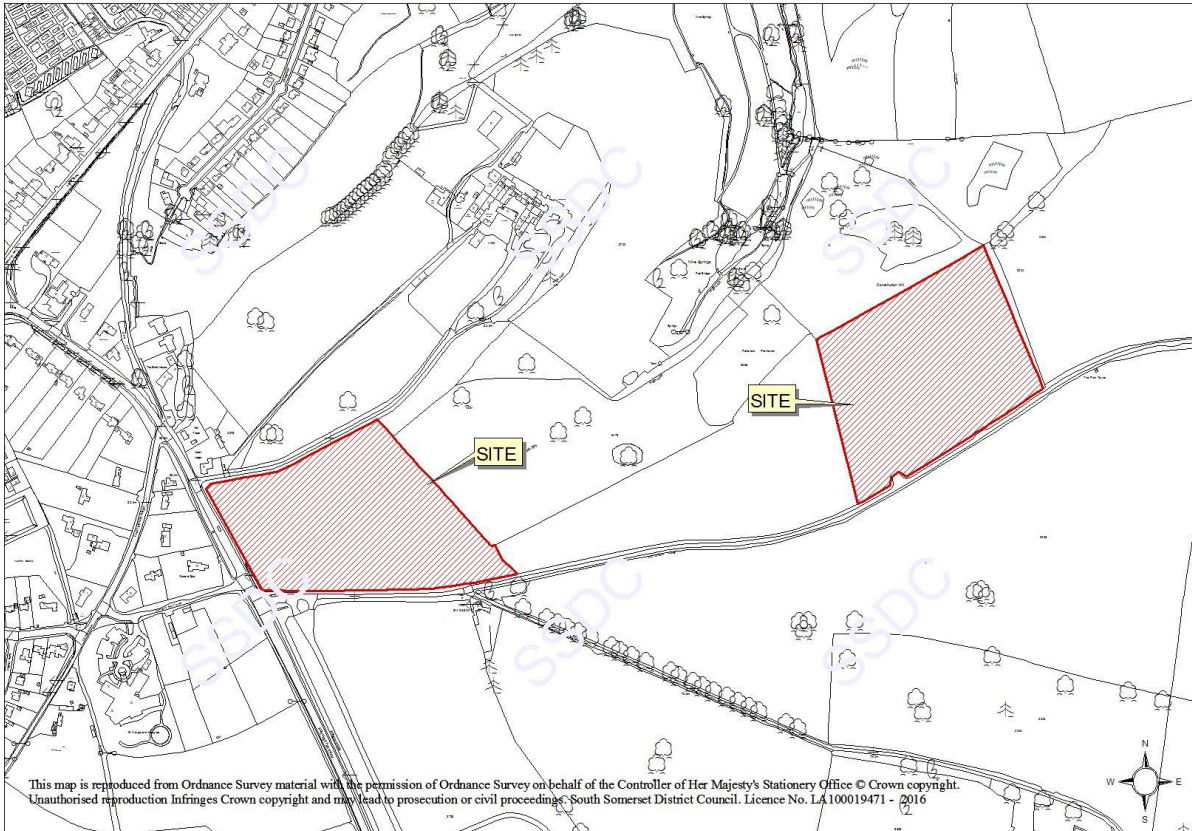
Proposal :	Application to discharge a S 106 agreement dated 13th September 1999 between South Somerset District Council and the trustees of Yeovil Agricultural Society, William Batten, Susan Batten and David Batten to release land
Site Address:	Land at Two Tower Lane, Barwick, Yeovil
Parish:	Barwick
COKER Ward (SSDC Member)	Cllr G Seaton Cllr Cathy Bakewell
Recommending Case Officer:	Andrew Collins Tel: 01935 462276 Email: andrew.collins@southsomerset.gov.uk
Target date :	17th June 2016
Applicant :	Yeovil Agricultural Society
Agent: (no agent if blank)	Symonds And Sampson Llp 2 Court Ash Yeovil Somerset BA20 1HG
Application Type :	Non PS1 and PS2 return applications

REFERRAL TO COMMITTEE

This application is referred to Area South Committee at the request of the Development Manager with the agreement of the Chairman to allow consideration of highways aspects in the area near the Keyford Sustainable Urban Extension.

SITE DESCRIPTION AND PROPOSAL





This application is seeking to discharge a Section 106 agreement dated 13 September 1999, which is an agreement relating to the following planning permission;

98/01814/FUL - Application for relief from condition 3, to allow car boot sales, and variation of condition 4 of decision notice 930410, dated 29/4/93 (i.e. Increasing overall maximum number of days use to 160 per annum)

The legal agreement restricts the use of two sites in Two Tower Lane and a site off Church Lane. The sites are located at;

- 1) the western end of Two Tower Lane on the northern side of the road up to the boundary of Dorchester Road.
- 2) a field on the northern side of the road opposite The Fish Tower on the Aldon estate.
- 3) on the southern side of Church Lane to the east of the Keyford Roundabout junction

In addition a separate clause requires a traffic management plan submitted and agreed in writing with the Council prior to first use of the Yeovil Showground site for car boot sales. A traffic management plan was submitted and agreed.

The legal agreement details the 2 sites within Two Tower Lane as being 'specified land' and the Church Lane site as being 'additional land'. The legal agreement details that on first use of the Yeovil Showground site for car boot sales the other sites shall not be used for car boot sales. The legal agreement details that the Batten family were owners of the 'specified land' and the Trustees of Yeovil Agricultural Society were owners of the 'additional land.'

Also there was a clause which required a scheme of traffic management arrangements to be implemented when the Yeovil Showground site was used for car boot sales.

This application seeks to release of the 'specified land' (the site's within Two Tower Lane) from the agreement as a primary requirement but does indicate that the whole legal agreement could be released.

In the supporting letter from the agent it is detailed that in order for the owners of the 'specified land' to enter into the legal agreement the applicants agreed to make an annual payment based upon a percentage of income received from the Yeovil Showground site. But for this incentive the owners of the 'specified land' would not have entered into the Section 106 agreement. It is detailed that the owners of the 'specified land' are aware of and in agreement with this application.

It is further stated that the Yeovil Agricultural Society is a non profit making charity whose objective is to hold an annual agricultural show and donate grant funds to agricultural students in Somerset and Dorset. The Society funds the Batten Memorial Fund which donates grants to full time agricultural students under 25 years old resident in Dorset or Somerset.

RELEVANT HISTORY

930410 - Alterations to access and egress arrangements, and the use of land as a showground on up to 120 days per year - Application permitted with conditions - 05/05/93

98/01814/FUL - Application for relief from condition 3, to allow car boot sales, and variation of condition 4 of decision notice 930410, dated 29/4/93 (i.e. Increasing overall maximum number of days use to 160 per annum) - Application permitted with conditions - 07/04/99. This permission had a number of restrictions on the use by car boot sales. Whilst allowing 160 days use of the site per year conditions were imposed that said that there can be only be a car boot sale one day a week / 52 days a year, shall only be open between 09:00 and 16:00, vehicles are limited to 1.5 tonnes, trailers shall not exceed 50kgs and that there shall be no market stalls or other display structures. In addition goods sold are restricted to 'second hand goods; and surplus home grown vegetable and fruit products only. Other conditions were imposed but none of particular relevance to the consideration of this application.

POLICY

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

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

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

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy TA5 - Transport Impact of New Development

National Planning Policy Framework

Chapter 4 - Promoting Sustainable Transport

Paragraph 32

"Plans and decisions should take account of whether:

- o the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- o safe and suitable access to the site can be achieved for all people; and*
- o improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."*

Paragraphs 203 - 205 - Planning conditions and obligations

Other Relevant Considerations

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Part 4 Class B - Temporary Use of Land

CONSULTATIONS

Barwick Parish Council - No comments received.

Yeovil Town Council (neighbouring parish) - Support.

County Highways Authority - *"The proposal seeks to discharge the S106 agreement which stopped other sites operating car boot sales under the permitted development rights.*

From a highways point of view this proposal would likely see an increase in traffic across the network. However it should be noted that these would be for a limited period of 14 set days as set out in the permitted development rights document. Consequently it is unlikely that the levels of movement could be considered to be severe enough to warrant an objection on traffic impact grounds.

Therefore based on the above the Highway Authority would not raise an objection to this proposal."

REPRESENTATIONS

None received

CONSIDERATIONS

Permitted Development

Under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Part 4 Class B allows for the use of land for 14 days on any land not including a building for 'the holding of a market' which includes car boot sales. Therefore without this restriction on the owner of the 'specified land' by the Section 106 legal agreement each site could be used for 14 days in any calendar year. Such a use would not be restricted on the size of vehicle, opening hours, the sale of goods and the erection of temporary market stalls.

Each separate field along Two Tower Lane could theoretically be used as a separate car boot sale for up to 14 days. These could be all run at the same time or run consecutively.

Highways

It is clear that the legal agreement was imposed due to concerns by the Highways Authority in relation to the number of car boot sales using Two Towers Lane. In considering the 1998 application the County Highways Authority raised no objection subject to the entering into the Section 106 legal agreement restricting the holding of future car boot sales on neighbouring sites.

In order to remove a Section 106 Agreement it needs to be proven whether the legal agreement still serves a useful purpose.

The Highways Authority in this case has assessed the application and note that the proposals would likely see an increase in traffic across the network. However they conclude that such levels of movement could be considered severe enough to warrant an objection on traffic impact grounds.

Assessment

Reference in the submitted information is made to a payment that was agreed for the owners of the 'specified land'. This is not detailed in the legal agreement is not a material planning consideration and as such should not be given any weight.

Since the Section 106 legal agreement was signed in 1999, the NPPF was published in 2012. This at Paragraph 32 clearly gives guidance that development should only be refused on transport grounds where the residual cumulative impacts of development are severe. This changed guidance altered the stance on highway guidance that was previously imposed in PPG13.

The agent has indicated a complete deletion of the Section 106 as an option. However, the 'additional land' located to the South of Church Lane could be used for car boot sales. This could be a concern especially due to proximity to the Keyford Sustainable Urban Extension and potential conflicts with the Ivel Barbarians Rugby Club. On this basis it is considered that the 'additional land' should remain in the legal agreement. The other clause related to a traffic management plan. Such a plan was submitted and agreed. However this matter is not detailed in any condition and therefore if, and this is a big if, problems arose in the future this is the only mechanism to control it. Therefore it is considered that this clause still serves a useful purpose and should be retained.

Conclusion

In the covering letter it is stated that the variation of the Section 106 agreement is to avoid the continued payments to the owners of the 'specified land'. This is not a material planning consideration and as such cannot be given any weight. However despite this we still need to consider whether the legal agreement still serves a useful purpose. Since the Yeovil Showground site has been running car boot sales there have not been any other operating in Two Tower Lane. This includes land not restricted by the legal agreement. It is therefore unlikely that the variation of the legal agreement to allow release of the specified land would result in an increase of car boot sales within Two Tower Lane as economic supply and demand would indicate with an adequate supply there is no demand. Even if a further car boot sale were to commence operating the informed opinion of the County Highways Authority is that it is unlikely that the levels of movement could be severe enough to warrant a refusal of traffic impact grounds.

In assessing all the above it is considered that the alteration requested is acceptable.

RECOMMENDATION

To allow the variation of the Section 106 agreement dated 13 September 1999 made between South Somerset District Council, the trustees of Yeovil Agricultural Society and William Batten, Susan Batten and David Batten in relation to the deletion of the 'specified land' from the agreement.

SUBJECT TO THE FOLLOWING:

Informatives:

01. A copy of this decision will be sent the Councils Land Charges Department and Legal Department so that they can remove the restriction from their records. A copy of this certificate should be retained and kept with the deeds of the property.