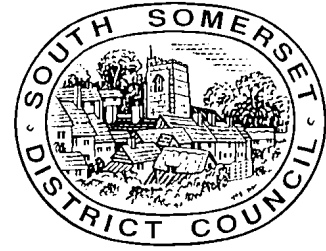


# South Somerset District Council

## Notice of Meeting



# Area East Committee

*Making a difference where it counts*

## Wednesday 14th September 2016

### 9.00 am

**Council Offices  
Churchfield  
Wincanton  
BA9 9AG**

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



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

The public and press are welcome to attend.

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

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

This Agenda was issued on Monday 5th September 2016.

*Ian Clarke, Assistant Director (Legal & Corporate Services)*

This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)



INVESTORS IN PEOPLE

# **Area East Committee Membership**

Mike Beech  
Tony Capozzoli  
Nick Colbert  
Sarah Dyke

Anna Groskop  
Henry Hobhouse  
Tim Inglefield  
Mike Lewis

David Norris  
William Wallace  
Nick Weeks  
Colin Winder

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

## **Highways**

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

## **Members Questions on reports prior to the meeting**

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

# Information for the Public

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

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

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

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

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

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

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

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

## Public Participation at Committees

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

## Public Question Time

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

## **Planning Applications**

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

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

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

The order of speaking on planning items will be:

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

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

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

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

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

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

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

# **Area East Committee**

**Wednesday 14 September 2016**

## **Agenda**

### ***Preliminary Items***

**1. Minutes of Previous Meeting**

To approve as a correct record the minutes of the previous meeting held on Wednesday 10<sup>th</sup> August.

**2. Apologies for absence**

**3. Declarations of Interest**

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

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

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

### **Planning Applications Referred to the Regulation Committee**

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

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

Where planning applications are referred by this Committee to the Regulation Committee for determination, in accordance with the Council's Code of Practice on Planning, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

#### **4. Public Participation at Committees**

**a) Questions/comments from members of the public**

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

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

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

#### **6. Date of Next Meeting**

Members are asked to note that the next scheduled meeting of the committee will be at the Council Offices, Churchfield, Wincanton on Wednesday 12<sup>th</sup> October at 9.00am.

#### **7. Chairman Announcements**

##### *Items for Discussion*

**8. Area East Neighbourhood Policing Update** (Page 9)

**9. Report on the Performance of the Streetscene Service** (Pages 10 - 13)

**10. The Balsam Centre - Allocation of Healthy Living Centre Funding for 2016/17**  
(Pages 14 - 20)

**11. Section 106 Obligations** (Pages 21 - 44)

**12. Area East Committee Forward Plan** (Pages 45 - 46)

**13. Planning Appeals (for information only)** (Pages 47 - 55)

14. **Schedule of Planning Applications to be Determined by Committee** (Pages 56 - 58)
15. **16/00041/FUL - Land North of Verrington Lane, Charlton Musgrove** (Pages 59 - 69)
16. **16/02971/S73 - Boots Pharmacy, Dykes Way, Wincanton** (Pages 70 - 76)
17. **16/00935/OUT - Land OS 2000 Between The Dairy House and Grangers, Stowell Road, Charlton Horethorne** (Pages 77 - 82)
18. **16/00090/FUL - Land And Buildings Adjoining Cooks Cary Farm, Lytes Cary, Kingsdon** (Pages 83 - 89)
19. **16/02374/FUL - 9 Quaperlake Street, Bruton** (Pages 90 - 96)
20. **16/02567/LBC - 9 Quaperlake Street, Bruton** (Pages 97 - 101)
21. **16/03149/LBC - Camelot House, High Street, Queen Camel** (Pages 102 - 105)

**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>





# Agenda Item 8

## **Area East Neighbourhood Policing Update**

Representatives from Avon and Somerset Police will attend Area East Committee to provide a brief verbal update on local policing matters for the area.

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# Agenda Item 9

## **Report on the Performance of the Streetscene Service**

*Assistant Director:* Laurence Willis - Environment  
*Lead Officer:* Chris Cooper - Streetscene Manager  
*Contact Details:* chris.cooper@southsomerset.gov.uk or (01935) 462840

### **Purpose of the Report**

To update and inform the Area East Committee on the performance of the Streetscene Service in the Area for the period January to August 2016

### **Recommendation**

Members are invited to comment on the report

**The major focuses of the service so far for this period that affect Area East, are listed below**

- Routine cleansing and grounds maintenance
- Highway weed control

### **Operational Works**

Since the start of the year, the service has been busy delivering the core service with the end of the winter work programmes being completed and the 'spring rush' taking over and being the main focus of the teams. We have now passed our peak growing season and have settled down to a more normal work load which will continue until the autumn.

This financial year we have delivered a complete application of herbicide as programmed through the highway weed killing operation and we have just started the second spray for the 2016/17 season. Alongside the chemical control that we use, we continue to use our 'weed scrubbing' brushes on the street sweeping machines that remove weeds from kerb edges on an ongoing basis.

We are also working with Glastonbury to investigate non-chemical options of weed control using a hot water system and I will update members on developments as they occur.

One aspect of the service that has always been an area of demand has been the calls for additional bins around the district. In response to this we have reviewed our service and made changes that have resulted in an increase in capacity. We are therefore, able to accommodate some additional requests should they be required to address litter and dog waste issues across the district. As a result of this, we have been able to work with Wincanton, Bruton, Sparkford, Mudford, Limington, Milborne Port, Queen and West Camel, Stoke Trister / Bayford, Keinton Mandeville, Templecombe, Kingweston and Shepton Montague to provide a better level of service in their parishes.

As always, we continue to focus on managing the number of flytips found in the district, the chart below shows the numbers of fly tips collected from Area East since the last report.

<b>AREA East</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>TOTALS</b>
Abbas & Templecombe		3	1			2	1	7
Alford								0
Babcary			1	2				3
Barton St David								0
Bratton Seymour								0
Brewham	2	1					1	4
Bruton	1			1				2
Castle Cary & Ansford	4	1	1	3	2			11
Charlton Horethorne			1		1	1		3
Charlton Mackrell	1							1
Charlton Musgrove		1	1					2
Chilton Cantelo	1			1	4	1	1	8
Compton Pauncefoot		1						1
Corton Denham								0
Cucklington			2					2
Henstridge	1	1	2			1		5
Holton			1				1	2
Horsington	1				1			2
Ilchester	1		1	2		3	4	11
Keinton Mandeville	1							1
Kingsdon					1			1
Kingweston								0
Limington							1	1
Lovington								0
Maperton		1						1
Marston Magna				1				1
Milborne Port		2	1					3
Mudford	2	4	4	2	1	1	4	18
North Barrow								0
North Cadbury		2		4			1	7
North Cheriton								0
Penselwood		2	1				1	4
Pitcombe		3	1		2			6
Queen Camel		1	1		1			3
Rimpton								0
Shepton Montague	1			1			2	4
South Barrow		1						1
South Cadbury								0
Sparkford		1	1	1				3
Stoke Trister	2	2			2			6
West Camel	1		1	2		1		5

Wincanton	3	1		3	1	2	3	13
Yarlington		2						2
Yeovilton			1					1
<b>TOTAL</b>	<b>22</b>	<b>30</b>	<b>22</b>	<b>23</b>	<b>16</b>	<b>12</b>	<b>20</b>	<b>145</b>

I am delighted to inform members that we are finding a reduction in numbers of incidents across the district as a whole, during 2015/16 we cleared 1,079 flytips which compares to the previous years figures when we cleared 1253 tips across the district. Having analysed the figures, we believe that the reduction is due to the street cleaning teams collecting single black bags of rubbish as routine litter rather than recording it as small fly tips. We recognise that dumping on private land is not included in this recording and in certain locations this is a problem for members of our community. We will be working to develop ways in which we can assist landowners to address these issues over the coming months.

Earlier this year the team supported the Clean for the Queen initiative that was taken up by a number of parishes and towns throughout the district. In Area East we had a very positive take up, working with North Cadbury, North Cheriton, Redlynch, Babcary and the Mill on the Brue at Bruton. My thanks go to all of the groups who were engaged with this great initiative. Should any other towns or parishes have cleansing or environmental initiatives, we would be delighted to work with them if they are interested.

We have also been reviewing the business plan for the Lufton vehicle workshop and we are currently developing the facility to enable it to undertake MOT testing for Class 4 and Class 7 vehicles. We are confident that this will not only make efficiencies to our current working practices, but will also open up new avenues of business to us in due course.

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

Finally, even though we were fortunate this winter not to suffer as badly from the flooding that has affected the area in the past; we have however focussed on training our staff to work in and around water in order to meet our health and safety responsibilities. This training has presented some challenges to the way that we have always traditionally operated and we are currently reviewing our working practices to ensure that we can operate as safely as possible in response to flooding and other water related works.

### **What's coming next?**

- Continued delivery of annual work programmes
- The second half of the highway weed control program
- Completion of the review of working in water practices
- Development of the workshop as an MOT station
- More Christmas tree shredding

### **Financial Implications**

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

### **Implications for Corporate Priorities**

- Continue to deliver schemes with local communities that enhance the appearance of their local areas
- Continue to support communities to minimise floodwater risks.
- Maintain street cleaning high performance across the district.

### **Background Papers**

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

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# Agenda Item 10

## **The Balsam Centre – Allocation of Healthy Living Centre Funding for 2016/17 (Executive Decision)**

*Assistant Director:* Helen Rutter, Communities  
*Service Manager:* Tim Cook, Area Development Lead (East)  
*Lead Officer:* Tim Cook, Area Development Lead (East)  
Sue Place, The Balsam Centre Project Manager  
*Contact Details:* tim.cook@southsomerset.gov.uk or (01963) 435023

### **Purpose of the Report**

To update members on the position at the Balsam Centre and to consider the allocation of funding ring-fenced for Healthy Living Centres.

### **Public Interest**

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

### **Recommendations**

It is recommended that members:

- 1) Note the report
- 2) Award the £10,000 ring fenced for Healthy Living Centres to the Balsam Centre for the delivery of the work programme.

### **Background**

The Balsam Centre was established in 1998, with the purchase of the former memorial hospital in the centre of Wincanton. The project was established to specifically meet the needs of Wincanton and the surrounding area (this includes some 40 settlements with a population of 30,000) due to an identified gap in services in the area, particularly in mental health services. Extensive refurbishment of the building and the setting up of services was enabled through a Lottery grant and support from a range of funders, including SSDC.

The Balsam Centre delivers a range of integrated health and wellbeing projects and initiatives, most of which directly link with physical activity, healthy eating and mental health support alongside participation in community based activities, supported social engagement and learning.

The Centre is still referred to as a Children's Centre but since the contract with Somerset County Council to deliver child and family health and social services has ended, activity is very limited.

SSDC has supported the Balsam Centre through both core funding and project grants, since it began. In the past, core funding has been allocated through the Healthy Living Pooled Fund; a budget set up jointly by SSDC, NHS Somerset and SCC, and reported annually to the South Somerset Health and Wellbeing Partnership (SSH&WP).

Members will recall that this budget was originally established to support Healthy Living Centres across the whole of the District but as the only eligible organisation is based in Area East, the budget was transferred and subject to local monitoring by AEC.

Members approved the allocation of funding for 2015/16 at the January meeting.

### **The Balsam Centre – Hub for Service Delivery**

The Balsam Centre's strong partnership approach has been built up over many years with Health & Social Care, Schools, Children Centre's and local charities, local authorities, housing associations as well as their own projects such as the Growing Space (on site social and therapeutic horticulture) and the 'Men's Shed' initiative.

The presence of other key services helps to provide integrated, seamless services that make people using the Centre feel safe, welcome and supported. The C.A.B runs a twice weekly outreach session on a drop in basis to offer help with a range of issues including welfare benefits and debt management advice. The Centre has exceptionally strong links with the local health visitors' team and works closely with Children's Social Care, local schools, pre-schools, and other partners supporting families. The centre is also the operational base for South Somerset Community Accessible Transport which helps to ensure that transport solutions are built in to all service delivery.

The Balsam Centre continues to focus on reducing health and social inequalities, in particular working with individuals and families who are disadvantaged, vulnerable and have little other support. The project is particularly successful at working closely with people to improve their own, and their families' life chances.

The role of the centre as a community hub has been strengthened by work being done as part of the Symphony Pilot which is working with partners to improve health & wellbeing in the town. The partners have a vital role in making referrals to the 'Like Minds' programme, underpinning and endorsing its role

This work has been particularly effective in developing a strong relationship between the new Health Coaches, based at Wincanton Health Centre and staff at the Balsam Centre.

There has always been a strong focus on mental health and this has been reinforced through securing the 'Like Minds' project, a successful Big Lottery application (Reaching Communities).

### **Like Minds**

The Like Minds project started on 1<sup>st</sup> October 2015. Like Minds works with people experiencing mild to moderate mental health conditions, whether diagnosed or not. To date the project has worked with around 200 people.

The project provides one to one counselling as well as facilitated and peer support groups. It is available to anyone living within the area of benefit, for whom there is currently limited, or no other support. Within this broad spectrum of potential beneficiaries there are two target groups: young people, especially those who are self-harming and older people who are isolated or lonely.

To date 2165 contact sessions have been provided, of these around 690 have been one to one counselling.

A second counsellor, (one counsellor already being in place from the previous Wellbeing programme), was appointed in November 2015 on a two day a week contract. A mindfulness therapist was appointed to work with groups but did not continue due to her personal circumstances. Two project workers were subsequently recruited, one working with young people and one with older people.

The current situation is that both counsellors have full take up and between them are providing around 40 counselling sessions a week. The project workers are running six groups between them, including a Youth Drop-In and a Dementia support group.

The project has continued to develop relevant partnerships, with Yarlinton committing 25% of the required match funding for Year 2. There are improved relationships with the secondary schools, the NHS locally, including the Health Centre and Health Coaches, Verrington Hospital and the Alzheimer’s Society.

Apart from the hiatus caused by the therapist who left, numbers of people being seen have been lower than predicted due to the overwhelming need for therapeutic support in this area attracting people in need of help, but with more severe and enduring support needs than the project was expected to cater for. Work with this group takes considerable time and client ‘turnover’ is therefore reduced.

The Balsam Centre’s ‘Like Minds’ project is carefully monitored, using a range of performance monitoring indicators and measures against their identified project outcomes.

<b>Outcome 1</b>	People of all ages will have improved access to mental health support and recover or manage their conditions better
<b>Outcome 2</b>	People who are lonely or isolated will have increased opportunities to socialise in their own communities.
<b>Outcome 3</b>	Young people will have greater confidence and self-worth and improved school, family and work relationships.
<b>Outcome 4</b>	People of all ages will be able to enter or return to employment, training or learning.

**Like Minds Case Study**

A man in his forties, a teacher with a wife and teenage child, experiencing a complete breakdown as his work life and relationship with his wife ended simultaneously, he lost his home. He came in at a very low ebb, completely defeated. Although he was someone who was naturally very creative he was unable to find any pleasure or therapeutic value in the social and creative activities of the Centre. His need was for sustained one to one support over a longer period of time. As he slowly started to regain his mental health he was encouraged to find part time work, then, as his confidence grew he was able to return to full time employment. He is now in a new relationship and feels life is good.

**The Balsam Centre – Community Building**

The Centre continues to generate income from use of the building and marketing the building is an ongoing priority. The weekly ‘Loose Ends’ café continues to make a big difference and has increased footfall and increases local understanding of the centre and the services available. Total weekly ‘uses’ of the centre exceed 1000 with a range of community groups meeting and running classes/activities which include Painting and Drawing, Health Walks, Pilates, Textiles, Job Club, Beginners’ IT and Patchwork and Quilting. There is a strong Volunteering project with around 60 active volunteers.



The full range of projects run at the centre is presented in appendix A.

### **Financial Implications**

There is £10,000 transferred to Area East from the Healthy Living Pooled fund for allocation in 16/17. If members agree the above recommendation, this will all be allocated for this year.

### **Council Plan Implications**

Focus Four: Health & Communities: encouraging communities to be healthy, self-reliant and with individuals who are willing to help each other.

### **Carbon Emissions & Climate Change Implications**

None as a direct result of the report.

### **Equality and Diversity Implications**

The loss of services designed to meet the needs of the most disadvantaged in target communities is likely to have a significant effect over time.

### **Background Papers**

N/a

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## Appendix A - Outcomes 2016/17

Activity	Description	Staff	Numbers of clients 2016/17	Outcomes
<b>Health Walks</b>	Weekly walks accessible for all	Volunteer co-ordinator and trained volunteer leaders	12 - 20 people each week	Promoting physical activity, social benefits, and committed volunteers.
<b>Short Health Walks</b>	Twice weekly walks for people with physical conditions that cause limited mobility; people with learning difficulties or those new to walking for health. One walk leaves from Balsam Centre, one leaves from the Health Centre.	Volunteer co-ordinator and trained volunteer leaders	15 – 20 people each week	Promoting physical activity, social benefits, and committed volunteers. In combination with other lifestyle changes, some walkers reduce their BMI significantly
<b>SCC Getset Children's Centre provision in two reaches. Balsam Centre is working with Getset to support children and families</b>	Balsam Centre supports provision of health, social and educational child and family focussed services and activities.	Centre Manager, Like Minds staff, admin/project staff, health & social care professionals & partner agencies	Data held by partner organisations	To reduce health, social and educational inequalities and improve lives and life chances for children and families
<b>Conkers Nursery</b>	Children's Day Care for 0-5's providing high quality wraparound, all year round, teacher led provision with Forest School ethos.	Nursery Manager and 3 senior staff, administrator and five Nursery Nurses, Centre Manager, HR and Finance Officer	67 children registered and attending	Children have best start in life. Working parents have childcare options. Children are ready for and are eager learners at school
<b>Job Done!</b>	Provide support and training for those experiencing difficulties gaining and maintaining employment. To support some people into employment, others into training and or volunteering.	Job Done! Volunteer	2 – 5 people supported weekly	Building personal confidence and skills, volunteering and work experience opportunities & improved employability
<b>Volunteering</b>	Recruitment and management of volunteers and provision of a range of volunteering roles/opportunities.	Volunteer Co-ordinator	61 active volunteers.	Volunteers gain skills, confidence and experience which can lead to employment. Projects can run more effectively with volunteers. Skilled volunteers support individuals and groups.

## Appendix A - Outcomes 2016/17

Activity	Description	Staff	Numbers of clients 2016/17	Outcomes
<b>Like Minds</b>	Support for people with low to moderate mental health conditions, primarily depression and anxiety, using a range of interventions. Target groups are young people in difficulties, especially those who are self harming and older, isolated and lonely people.	Two Wellbeing Workers, two Project Workers	185 people supported in last 12 months	People with a range of mental health support needs are less dependent on medication and better able to cope with life. People have improved diet and physical health, greater confidence and improved personal and family relationships
<b>Loose Ends Café</b>	Weekly café for older and isolated people with volunteers of all ages	Volunteer Co-ordinator and volunteers	Average 20 people attend each week	Healthy, affordable lunch for older people and social contact with other people. Volunteering opportunities.
<b>Men's Shed</b>	Creative social project for isolated and older men based on woodworking and activities using natural materials.	Volunteer Co-ordinator	Runs twice weekly with around 6 people per session (space is limited and intention is to expand )	Improved mental health and wellbeing of men who are isolated or alone or who have long term limiting or degenerative condition. Pathways to other services.
<b>Wellbeing groups</b>	Social and therapeutic groups and activities	Volunteer or peer led	20 + people attending groups weekly	Improved socialisation and social networks, increased confidence, skills and resilience
<b>CAB</b>	One day a week	Reception	tbc	Free advice and support from trained advisors
<b>Flexercise</b>	2 weekly groups of chair based exercise, Wincanton and Milborne Port	Trained volunteer	18 + people per week	Increased physical activity, improved mobility, social networks
<b>Community groups</b>	Pilates, Textiles, Painting and Drawing, Beginners' IT, Balsam Choir, Games Club, Patchwork and Quilting, talks and events, WEA courses	Reception, Project Worker	200 people each week	Physical activity opportunities, creative, learning, cultural and community activities.

## Appendix A - Outcomes 2016/17

Activity	Description	Staff	Numbers of clients 2016/17	Outcomes
<b>Partners</b>	Balsam Nursery, Growing Space, Health Visitors, CAT Bus, Midwives, Getset	Reception	450 + people each week	Accessible health and social services.
<b>Food</b>	One to one or small group cooking skills for adults and cooking as a sociable and nurturing activity for individuals and groups, includes holistic weight management group	Wellbeing Workers, Project Workers and Volunteers	5 - 10 people weekly	Access to good quality fresh food at low cost; learn how to cook healthy food on a budget. Social time with a shared meal builds self-esteem & networks
<b>Toy Library</b>	Extensive range of toys and equipment for under 5's.	Reception	Available to groups and outside agencies for their activities at the Centre.  10 -20 users weekly	Resources available on site for e.g. Children's Social Care, Getset, Health Visitors.
<b>Growing Space</b>	Independent 'sister' charity providing social and therapeutic horticulture	Project Manager	60 + regular users, plus groups of primary school children.	Supported mental health work, peer support, focus on additional needs and learning difficulties. Horticultural skills.
<b>Building use/hire</b>	Developing health, social and community use of the centre	Centre Admin, Receptionist, Finance Officer and Centre Manager.	Total weekly 'uses' of Centre 1000 +	Income generation. Development of community resource. Base for multi-agency working.
<b>Tenants</b>	CAT Bus, Health Visitor Team, Heart of Wessex, Balsam Nursery.	Centre Admin, Finance Officer	62 place Balsam Nursery currently at 90%+ occupancy	Income generation. Operational partners in building increase multi-agency working.

# Agenda Item 11

## Section 106 Obligations

Assistant Director: *Martin Woods (Economy)*  
Service Manager: *David Norris, Development Manager*  
Lead Officer: *Neil Waddleton*  
Contact Details: *neil.waddleton@southsomerset.gov.uk or (01935) 462603*

### Purpose of the Report

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

### Public Interest

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

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

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

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

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

### Recommendation

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

## **Background**

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

## **Additional Information**

Since my last report there has been a significant legislation change that will affect the way that we seek financial planning obligations. Members may recall that when I was at the July 2015 Committee I highlighted a change to the way in which the District Council could be securing planning contributions/obligations from developers. In short, the government introduced guidance that sought to prevent local authorities requiring S106 contributions from schemes of 10 dwellings and below. This was subsequently challenged and the High Court decided that the government had not followed the correct procedures and this guidance was rescinded. The government challenged the High Court judgement at the Court of Appeal and they were successful in getting this ruling overturned.

This ruling meant that sites of fewer than 10 homes will no longer have to make an affordable homes contribution and in addition the council will not be seeking contributions towards local community and leisure projects from these smaller schemes unless there is clear and robust evidence to justify an exception.

### CIL Regulations (2011, amended 2013 & 2014)

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

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

### Audit

We have been recently awarded “substantial” assurance from a recent Audit undertaken of the processes and controls for S106 management.

## **Projects**

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

- Bruton

New play area at Frome Road. Land adopted July 2015, capital monies and commuted sums received. Designs being finalised and possible installation spring 2017.

Jubilee Park project being progressed with Town Council & Community Health & Leisure.

### Ansford/Castle Cary

Project planning for new changing facilities at the Donald Pither Playing Field.

Nets and pitch improvements at Castle Cary cricket club.

- Henstridge

Improvements to changing rooms at Ash Walk.

Planned pitch improvements to be undertaken.

- Templecombe

Improvements to play area at the Recreation Ground and commuted sum to be passed to the Parish Council.

- Barton St David

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

- Babcary

Enhancements/improvements to the “hut”.

- Sparkford

Parish Council seeking to purchase land to secure long term location for their play area and potentially a new village hall.

### **Financial Implications**

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

### **Corporate Priority Implications**

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

### **Carbon Emissions & Adapting to Climate Change Implications (NI188)**

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

### **Equality and Diversity Implications**

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

**Background Papers: None**

## Area East Section 106 monitoring report 14<sup>th</sup> September 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> BLACKMOOR VALE</p> <p>09/03037/FUL Parish Abbas/Templecombe</p> <p>Land Rear Of 18 To 24 Westcombe Templecombe Somerset BA8 0LH</p> <p>The erection of thirteen dwellings (GR 370685/122048)</p> <p>Agreement Date: 14/04/2010</p>	<p><b>Sports and Leisure:</b></p> <p><b>Off-Site Recreation Contribution:</b> £9,025 To be used for the provision of informal play, recreation, leisure and sports at Templecombe Parish Recreation Ground , off Vine Street, Templecombe.</p> <p><b>Equipped Play Contribution:</b> £11,362 for the acquisition and installation of equipment. £4,462 for youth facilities. £6,459 &amp; £1,624 provide respectively for the long term maintenance of the play equipment and youth facility at Templecombe Parish Recreation Ground.</p> <p><b>Strategic Facilities Contribution:</b> £19,839 for the Octagon Theatre and/or District recreational need</p>	Occupation of any dwelling.		<p><b>Sports and Leisure:</b></p> <p>£52,771</p>		<p><b>Status:</b></p> <p>Not Commenced</p>	Need to check status of the scheme?
<p><b>Ward:</b> BLACKMOOR VALE</p> <p>07/05552/FUL Parish Henstridge</p> <p>Land And Houses at Woodhayes Henstridge Templecombe</p> <p>Demolition of existing houses and the erection of 32 dwellinghouses and 2 flats plus the modification of existing highway (GR 372419/119538)</p> <p>Agreement Date: 08/09/2008</p>	<p><b>Sports and Leisure:</b></p> <p><b>Equipped Play Contribution:</b> - £11,500 to include commuted sum to provide long term maintenance. Secured for the Furge Lane Play Area or near by area as directed by the Council.</p> <p><b>Strategic Leisure Contribution:</b> - £8,880 towards both or any of the following, Wincanton Sports Centre &amp; the provision of a MUGA on land in Henstridge.</p> <p><b>Playing Pitch Contribution</b> - towards costs and expenses incurred or to be incurred facility located within parish of Henstridge.</p> <p><b>Affordable Housing: Units Agreed:</b> 34 Scheme represents PRC units with additional uplift of 12 units.</p>					<p><b>Status:</b></p> <p>Development Completed</p> <p>Monies paid to Parish Council (Sept 12) for improvements to Ash Walk play area.</p> <p>Changing room project being developed.</p>	Financial Contributions paid 09/07/2009



## Area East Section 106 monitoring report 14<sup>th</sup> September 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> BLACKMOOR VALE</p> <p>98/00103/FUL Parish Abbas/Templecombe</p> <p>Thomson Marconi Sonar Ltd Throop Road Templecombe Somerset</p> <p>The erection of an office building and the construction of a car park(gr 710/232)</p> <p>Agreement Date: 09/09/1998</p>	<p><b>Highways:</b></p> <p>£100,000 for highway works as detailed within schedule of agreement</p>					<p><b>Status:</b> Development Completed</p>	
<p><b>Ward:</b> BLACKMOOR VALE</p> <p>08/05323/FUL Parish Abbas/Templecombe</p> <p>Land At Hillcrest Road Templecombe Somerset BA8 0LQ</p> <p>Demolition of existing structures and the erection of 39 dwellings (GR 370563/122175)</p> <p>Agreement Date: 22/04/2009</p>	<p><b>Sports and Leisure:</b></p> <p><b>Play Space Contribution:</b> £22,340 in lieu of on site.</p> <p><b>Strategic Community Facilities Contribution:</b> £10,766.27 to be used towards enhancements/expansion of the Wincanton Sports Centre and the Octagon Theatre, Yeovil.</p> <p><b>Equipped Play Contribution:</b> to include sum - £17,314 to provide long term maintenance of the equipment. (No specific site detailed)</p> <p><b>Affordable Housing: Units Agreed:</b> 39</p>					<p><b>Status:</b> Development Completed</p>	<p>Equipped play area enhanced Monies spent July'15</p>

## Area East Section 106 monitoring report 14<sup>th</sup> September 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> BLACKMOOR VALE</p> <p>12/01887/OUT Parish Henstridge</p> <p>Land At Furge Lane Henstridge Templecombe Somerset BA8 0RS</p> <p>Residential development with access, open space and associated garaging and parking areas ( GR 372366/119606 )</p> <p>Agreement Date: 13/05/2013</p> <p style="text-align: center; font-size: 2em;">Page 26</p>	<p><b>Sports and Leisure</b></p> <p><b>Equipped Play Contribution:</b> £23,304.58 means £14,857.69 towards the enhancement of the existing play area at Ash Walk Recreation Ground, Henstridge &amp; £8,446.89 for long term maintenance of those facilities.</p> <p><b>Youth Facilities Contribution:</b> £3,978.99 means £2,917.37 towards enhancing of youth facilities at Ash Walk Recreation Ground, Henstridge &amp; £1,061.62 for the long term maintenance of those facilities.</p> <p><b>Changing Room Contribution:</b> £15,042.41 means £13,940.60 towards extending the changing room provision at Ash Walk Recreation Ground, Henstridge &amp; £11,01.81 for the long term maintenance of those facilities.</p> <p><b>Strategic Leisure Contribution:</b> £27,310.27 designated as follows: £6,286.64 for provision of a new learner pool at Wincanton Sports Centre £4,029.37 for the provision of a new indoor tennis centre in Yeovil likely to be within the Yeovil Sports Zone. £10,305.64 towards the development of a centrally based 8 courts competition sports hall in Yeovil. £5,321.75 for the enhancement/expansion of the Octagon Theatre, Yeovil. £1,366.87 for AGP in Wincanton.</p> <p><b>Affordable Housing: Units Agreed: 6</b></p>			<p><b>Sports and Leisure:</b> £69,636.25</p>		<p><b>Status:</b> Not Commenced</p>	<p>REM Application approved.</p>

## Area East Section 106 monitoring report 14<sup>th</sup> September 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: BRUTON</p> <p>11/00411/FUL Parish Bruton</p> <p>New House Farm Burrowfield Bruton Somerset BA100HR</p> <p>The demolition of existing dwelling and separate floor slab and the erection of 9 dwellings with garages and parking (GR: 368667/135575)</p> <p>Agreement Date: 18/11/2012</p>	<p><b>Sports and Leisure:</b></p> <p><b>Equipped Play Contribution:</b> £9,596 means the sum of £6,118 for enhancing the play area at Eastfields Park, Bruton and £3,478 for the long term maintenance of those facilities.</p> <p><b>Playing Pitch Contribution:</b> £5,606 means the sum of £3,624 towards the pitches at Jubilee Park, Bruton and £1,982 for maintenance of those pitches.</p> <p><b>Changing Room Contribution:</b> £13,178 means the sum of £11,817 towards the new provision of changing rooms at Jubilee Park, Bruton &amp; £1,361 towards the long term maintenance of those facilities.</p> <p><b>Youth Facilities Contribution:</b> £1,638 means the sum of £1,201 towards provision or enhancement of youth facilities at Jubilee Park, Bruton &amp; £437 towards the long term maintenance of those facilities.</p> <p><b>Strategic Facilities Contribution:</b> £7,002 towards each of the following projects: £2,589 for the provision of a new learner pool at Wincanton Sports Centre or an 8 lane swimming pool located in the District. £1,659 for an indoor tennis centre as part of the Council's proposed Yeovil Sports Zone. £563 for the provision of a 3G sports pitch in Wincanton. £2,191 for the enhancement/expansion of the Octagon Theatre, Yeovil.</p>	<p>Equipped Play &amp; Youth Facilities Contributions to be paid on first Occupation</p> <p>Playing Pitches and Changing Room Contributions to be paid on fourth Occupation.</p> <p>Strategic Leisure Facilities Contribution to be paid on seventh Occupation.</p>		<p><b>Sports and Leisure:</b> £37,020</p>		<p><b>Status:</b> Commenced</p>	

## Area East Section 106 monitoring report 14<sup>th</sup> September 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> BRUTON</p> <p>06/03915/OUT Parish Bruton</p> <p>Land To The North Of Eastfield Bruton Somerset</p> <p>Residential development together with formation of access and provision of Play Area (outline) (GR 368762/13650)</p> <p>Agreement Date: 26/09/2007</p>	<p><b>Sports and Leisure:</b> Recreation Area &amp; LEAP provision (£99,000)</p> <p><b>Youth Facilities Contribution:</b> for improvements of youth facilities at Jubilee Park, Bruton or construction of new youth facilities serving the Bruton area at some location within radius of two miles of the site.</p> <p><b>Sports Hall Contribution:</b> for improvements to Wincanton Sports Centre or the construction of new sports hall serving the Bruton Area built within a 5 mile radius of this site.</p> <p><b>Swimming Pool Contribution:</b> for existing swimming pool &amp; related wet facilities at the Wincanton Sports Centre or the construction of new facility serving the Bruton Area built within a 5 mile radius of this site.</p> <p><b>Affordable Housing: Units Agreed:</b> 21</p> <p><b>Miscellaneous Gains:</b> Footpath Contribution</p>					<p><b>Status:</b> Underway</p> <p>Feasibility project being undertaken for possible mezzanine flooring and Wincanton Sports Centre</p> <p>Play area progressing in partnership with TC.</p> <p>Potential refurbishment projects of tennis/netball courts/new MUGA</p>	<p>Landscaping details &amp; LEAP negotiations complete and adopted.</p>
<p><b>Ward:</b> BRUTON</p> <p>08/04305/FUL Parish Bruton</p> <p>Land at Coxes Close Bruton Somerset BA10 0NA</p> <p>Demolition of existing housing and the erection of 34 flats and houses (GR 368183/134424)</p> <p>Agreement Date: 23/12/2009</p>	<p><b>Sports and Leisure:</b> <b>Off-Site Recreation:</b> - Improvement of sports pitches in Bruton. Commuted sum for long term maintenance.</p> <p><b>Strategic Communities Facilities Contribution:</b> £11,249.00 - towards improvements of sports halls &amp; swimming pools within the District and/or enhancement of the Octagon Theatre, Yeovil.</p> <p><b>Equipped Play Contribution:</b> - acquisition &amp; installation of equipment for the Jubilee Park Play Area. Contribution towards improvements to youth facilities in vicinity of Jubilee Park. Commuted Sums of to provide maintenance for both of these facilities.</p> <p><b>Highways:</b> Section 278 Agreement for Highway works.</p> <p><b>Affordable Housing: Units Agreed:</b> 26</p>					<p><b>Status:</b> Development Completed</p> <p>Drainage and improvements to pitches at Jubilee Park. Enhancement to play and youth facilities at Jubilee Park.</p>	

## Area East Section 106 monitoring report 14<sup>th</sup> September 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> CAMELOT</p> <p>14/01958/FUL Parish Sparkford</p> <p>Longhazel Farm High Street Sparkford</p> <p>Erection of 28 No. dwellinghouses and 1 No. Commercial Unit all with associated highways and landscaping (GR:360155/126174)</p> <p>Agreement Date: 01/03/2016</p>	<p><b>Sports and Leisure:</b> <b>Changing Room Contribution:</b> £23,888 comprised of £22,109 Capital &amp; £1,779 Revenue towards the enhancements of existing changing facilities at Sparkford Cricket Club.</p> <p><b>Community Hall Contribution:</b> £42,321 towards community hall provision in Sparkford.</p> <p><b>Equipped Play Space Contribution:</b> £35,441 comprised of £22, 465 Capital &amp; £12,976 Revenue towards the enhancements of the play provision at Sparkford Play Area.</p> <p><b>Youth Facilities Contribytion:</b> £6,042 comprised of £4,411 Capital &amp; £1,631 Revenue to enhance youth facilities at at Sparkford Playing Field.</p> <p><b>Leisure Administration Cost:</b> 1% on the total contributions.</p> <p><b>Affordable Housing: Units Agreed:</b> 9</p>	<p>On or before 7th dwelling occupied, Leisure Admin, Equipped Play and Youth Contributions.</p> <p>On or before 14th dwelling Occupied, Changing Room &amp; Community Hall Contribution.</p>				<p><b>Status:</b> Not Commenced</p>	
<p><b>Ward:</b> CAMELOT</p> <p>10/03926/FUL Parish Sparkford</p> <p>The Old Coal Yard Sparkford Road Sparkford BA22 7LD</p> <p>Application for a new planning permission for the demolition of existing buildings and erection of 14 no. dwelling houses with associated parking, garages and access to replace extant permission 07/01506/FUL to extend the time limit for implementation (GR</p> <p>Agreement Date: 03/05/2011</p>	<p><b>Sports and Leisure:</b> Off-site Leisure &amp; Recreation provision.</p>		<p><b>Sports and Leisure:</b> £36,761</p>			<p><b>Status:</b> Development Completed</p>	<p>Monies received Sept 15</p>

## Area East Section 106 monitoring report 14<sup>th</sup> September 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> CARY</p> <p>15/02388/OUT Parish Ansford</p> <p>Land At Station Road Castle Cary</p> <p>Residential development of up to 75 dwellings, with associated means of access with all other matters reserved (GR: 363426/132833)</p> <p>Agreement Date: 22/03/2016</p> <p style="text-align: center; font-size: 2em;">Page 30</p>	<p><b>Sports and Leisure:</b> <b>Changing Room Contribution:</b> £535 for each 1 bed dwelling &amp; £795 for each 2 or more bed dwelling Capital &amp; £43 for each 1 bed dwelling &amp; £64 for each 2 or more bed dwelling Revenue towards enhancement of existing or provision of new changing facilities in Castle Cary/Ansford. <b>Community Hall Contribution:</b> £345 for each one bed dwelling &amp; £513 for each 2 or more bed dwelling towards enhancements of existing community hall facilities in Castle Cary/Ansford. <b>Playing Pitch Contribution:</b> £263 for each 1 bed dwelling &amp; £392 for each 2 or more bed dwelling Capital &amp; £188 for each 1 bed dwelling &amp; £279 for each 2 or more bed dwelling Revenue towards enhancement of existing or provision of new pitch facilities in Castle Cary/Ansford. Youth Facilities Contribution: £167 per 2 bed or more dwellings Capital &amp; £62 per two or more bed dwelling Revenue towards the provision of new youth facilities in Castle Cary/Ansford. <b>Highways:</b> Travel Plan (see agreement) <b>Education:</b> Primary Education Contribution: £2,801.40 x per dwelling constructed pursuant to the permission for additional capacity at Castle Cary Primary School. <b>Affordable Housing:</b> <b>Units Agreed:</b> Affordable Units 33%</p>	<p>On or before occupation of 25% of the dwellings, Youth Contribution &amp; LEAP requirements.</p> <p>On or before occupation of 50% of the dwellings, Playing Pitch, Changing Room and Community Hall Contribution.</p> <p>Education: 50% on or before 50% occupation and remain</p>		<p><b>Sports and Leisure:</b></p> <p><b>Highways:</b></p> <p><b>Education:</b></p>		<p><b>Status:</b> Not Commenced</p>	

## Area East Section 106 monitoring report 14<sup>th</sup> September 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> CARY</p> <p>11/04528/FUL Parish Babcary</p> <p>Chapel Yard Main Street Babcary Somerton Somerset TA11 7DZ</p> <p>Conversion of barns to form 7 no. dwellings and construction of vehicular access thereto (Revised Application) (GR: 356247/128722)</p> <p>Agreement Date: 05/12/2012</p>	<p><b>Sports and Leisure:</b> <b>Changing Room Contribution:</b> £5,301.30 means £4,913.0 towards the enhancement of the "Hut" at Babcary Playing Fields and £388.30 towards the long term maintenance of the facility. <b>Youth Facilities Contribution:</b> £935.70 means £686 towards new youth facilities at Babcary Playing Fields together with £249.79 to provide long term maintenance of those facilities. <b>Strategic Community Facilities Contribution:</b> £5,993 towards the following projects: £2,216 towards provision of a new learner swimming pool at Wincanton Sports Centre. £1,420 towards the provision of new indoor tennis facilities in Yeovil £1,875 towards the enhancement or expansion of the Octagon Theatre in Yeovil £482 towards the enhancement of 3G pitch and Wincanton Sports Ground or towards the provision of a new sand based synthetic pitch in Yeovil.</p>		<p><b>Sports and Leisure:</b> £12,230</p>			<p><b>Status:</b> Underway</p> <p>Youth &amp; Hut project ongoing. T Cook to provide update.</p>	
<p><b>Ward:</b> CARY</p> <p>10/04370/FUL Parish Castle Cary</p> <p>1-16 Cumnock Crescent Ansford Castle Cary</p> <p>The demolition of existing properties and the creation of new entrance and the erection of 28 dwellings and replacement store (GR: 364440/132598)</p> <p>Agreement Date: 21/03/2012</p>	<p><b>Sports and Leisure:</b> <b>Equipped Play Contribution:</b> £10,488 for the acquisition/installation of play equipment to be installed in the parishes of Ansford or Castle Cary. <b>Youth Facilities Contribution:</b> £2,059 towards provision of youth facilities in either the parish of Ansford or Castle Cary. <b>Off-site Recreation Contribution:</b> £16,053 comprised of £9,840 towards enhancement/improvements of changing rooms in either Ansford or Castle Cary. £6,213 towards costs/expenses incurred in connection with enhancement/improvements of community playing pitches in either Ansford or Castle Cary. <b>Affordable Housing: Units Agreed:</b> 28</p>					<p><b>Status:</b> Development Completed</p> <p>CH&amp;L and the Town Council refining projects for play, youth, pitch and changing room at Donald Pither Memorial Ground.</p>	

## Area East Section 106 monitoring report 14<sup>th</sup> September 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> CARY</p> <p>15/02347/OUT Parish Castle Cary</p> <p>Land Os 1445 Part Torbay Road Castle Cary</p> <p>Outline Planning Application (All Matters Reserved Except for Access) for up to 165 houses, up to 2 Ha of Employment Land, a Road Linking Torbay Road with Station Road, a Safeguarded Site for a New Primary School and Green Infrastructure on Land Between T</p> <p>Agreement Date: 17/06/2016</p>	<p><b>Sports and Leisure:</b></p> <p><b>Changing Room Contribution:</b> £141,719 comprised of £131,167 Capital &amp; £10,552 Revenue towards the enhancement of existing or provision of new in Castle Cary/Ansford.</p> <p><b>Community Hall Contribution:</b> £84,643 towards enhancement of existing community hall facilities in Castle Cary/Ansford.</p> <p><b>Equipped Play Contribution:</b> £220,948 comprised of £140,052 Capital &amp; £80,896 Revenue towards onsite LEAP provision.</p> <p><b>Playing Pitch Contribution:</b> £110,704 comprised of £64,605 Capital and £46,099 Revenue towards enhancements of pitches or provision of new grass or artificial pitch in Castle Cary/Ansford.</p> <p><b>Youth Facilities Contribution:</b> £37,667 comprised of £27,500 Capital &amp; £10,167 Revenue towards youth facilities in Castle Cary/Ansford.</p> <p><b>Highways:</b> Travel Plan</p> <p><b>Education:</b> School Site £2801.40 per dwelling towards primary school places to serve the development.</p>	<p>Prior to occupation of 25% of dwellings, Youth and Equipped Play Contributions.</p> <p>Prior to occupation of 50% of dwellings, Playing Pitch, Changing Room and Community Hall Contribution.</p>		<p><b>Sports and Leisure:</b> £511,038</p> <p><b>Highways:</b></p> <p><b>Education:</b></p>		<p><b>Status:</b> Not Commenced</p>	



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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> CARY</p> <p>13/03593/OUT Parish Ansford</p> <p>Land Off Station Road</p> <p>Lower Ansford</p> <p>Ansford</p> <p>Castle Cary</p> <p>Somerset</p> <p>Outline application for residential development with associated vehicular access arrangements (GR03695/132833)</p> <p>Agreement Date: 26/01/2015</p>	<p><b>Sports and Leisure:</b></p> <p><b>Changing Room Contribution:</b> £31,906.63 comprised of (£29,530.94 Capital and £2,375.69 Revenue as a commuted sum) towards provision of new or enhancing of existing changing rooms in Ansford/Castle Cary.</p> <p><b>Community Halls Contribution:</b> £19,056.41 towards enhancements of existing community hall provision in Ansford/Castle Cary.</p> <p><b>Equipped Play Contribution:</b> £46,141.19 comprised of (£29,247.42 Capital and £16,893.77 Revenue as a commuted sum) towards enhancing the existing play area at Donal Pithers Memorial Playing Fields.</p> <p><b>Playing Pitch Contributions:</b> £24,923.61 comprised of (£14,545.03 Capital and £10,378.58 Revenue as a commuted sum) towards the provision of new pitches or enhancement of existing community pitches in Ansford/Castle Cary.</p> <p><b>Youth Facilities Contribution:</b> £7,866.07 comprised of (£5,742.84 Capital and £2,123.23 Revenue as a commuted sum) towards the provision of Youth Facilities in Ansford/Castle Cary.</p> <p><b>Strategic Community Facilities Contribution:</b> £29,820.48</p> <p><b>CH&amp;L Admin Fee:</b> £1,597.14</p> <p><b>Affordable Housing: Units Agreed:</b> 13</p>	<p>Equipped Play, Youth Facilities &amp; CH&amp;L Admin Fee payable upon occupation of 10th dwelling.</p> <p>Playing Pitch, Changing Room &amp; Community Halls contributions payable upon occupation of 19th dwelling.</p> <p>Strategic Community Facilities contribution payable upon occupation of 29th dwelling.</p>		<p><b>Sports and Leisure:</b> £161,311.53</p>		<p><b>Status:</b> Not Commenced</p>	<p>Reserve Matters Application Approved.</p> <p>?????</p>

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> CARY</p> <p>14/00951/OUT Parish South Cadbury And Sutton Montis</p> <p>Land Adjoining Chapel Rod South Cadbury Yeovil</p> <p>Outline application for the erection of 5 dwellings, provision of car and coach parking for users of the Village Hall/Recreational Ground and visitors to the Hill Fort of Camelot</p> <p>Agreement Date: 02/12/2014</p>	<p><b>Sports and Leisure:</b></p> <p><b>Youth Facilities Contribution:</b> £1,162 Comprising of (£848 Capital &amp; £314 Revenue as a commuted sum) towards the provision of youth facilities at South Cadbury Recreation Ground</p> <p><b>Strategic Facilities Contribution:</b> £7130</p> <p>CH&amp;L Admin Fee: £83</p>	<p>Prior occupation of 25% of the dwellings: Youth Contribution &amp; CHL Admin Fee</p> <p>Prior occupation of 75% of the dwellings: Strategic Facilities Contribution</p>		<p><b>Sports and Leisure:</b> £8,375</p>		<p><b>Status:</b> Not Commenced</p>	
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> JVELCHESTER</p> <p>09/01425/FUL Parish Mudford</p> <p>Longcroft Farm Stone Lane Yeovil</p> <p>The erection of a farm shop and tea room with ancillary car parking.</p> <p>Agreement Date: 03/11/2009</p>	<p><b>Highways:</b></p> <p><b>Traffic Monitoring Contribution:</b> - £21,000. To be collected as follows: £3,000 within 10 days of completion of Development. £3,000 on each anniversary for a period of 6 Years.</p>			<p><b>Highways:</b> £21,000</p>		<p><b>Status:</b> Underway</p>	<p>Check with DM at SCC status of scheme.</p>

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

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> MILBORNE PORT</p> <p>14/03724/FUL Parish Milborne Port</p> <p>Wheathill Lane Nurseries</p> <p>Wheathill Lane</p> <p>Milborne Port</p> <p>Demolition of existing buildings and residential development of 36 dwellings together with the formation of new vehicular and pedestrian access (GR 368132/119080)</p> <p>Agreement Date: 05/03/2015</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 36</p>	<p><b>Sports and Leisure:</b></p> <p><b>Equipped Play Contribution:</b> £44,982 comprised of (£28,513 Capital &amp; £16,469 Revenue) towards the improvements and enhancements to the play area at the Memorial Playing Fields at Springfield Road, Milborne Port.</p> <p><b>Changing Room Contribution:</b> £30,585 comprised of (£28,308 Capital &amp; £2,277 Revenue) towards the improvements of existing or providing of new changing rooms at the Memorial Playing Fields at Springfield Road, Milborne Port.</p> <p><b>Playing Pitch Contribution:</b> £23,892 comprised of (£13,943 Capital &amp; £9,949 Revenue) towards enhancement, improvement or expansion of any of the existing community pitches at the Memorial Playing Fields at Springfield Road, Milborne Port.</p> <p><b>Youth Facilities Contribution:</b> £7,669 comprised of (£5,599 Capital &amp; £2,070 Revenue) enhancement or improvement of youth facilities at the Memorial Playing Fields at Springfield Road, Milborne Port.</p> <p><b>Strategic Leisure Contribution:</b> £49,886 towards the following projects;                      £10,999 - Octagon Theatre                      £2,825 - AGP at Wincanton Sports Centre                      £6,433 - towards a new learner pool in Wincanton or centrally based competition pool in Yeovil                      £8,328 - new indoor tennis centre in Yeovil                      £21,301 - towards new 8 court competition sports hall in Yeovil or enhancements to existing sports halls in Yeovil.                      CH &amp; L Admin fee: £1,570</p> <p><b>Affordable Housing: Units Agreed:</b> 13</p>	<p>Equipped Play, Youth and CH&amp;L Admin fee payable not later than the occupation of 25% of the dwellings.</p> <p>Playing Pitches &amp; Changing Room contributions payable not later than the occupation of 50% of the dwellings.</p> <p>Strategic Contributions payable not later than 75% of the dwellings.</p>		<p><b>Sports and Leisure:</b> £157,014</p>		<p><b>Status:</b> Under Construction</p>	<p>In dialogue with developer over occupancy rate.</p>

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> NORTHSTONE</p> <p>14/01333/OUT Parish Keinton Mandeville</p> <p>Lake View Quarry Chistles Lane</p> <p>Keinton Mandeville</p> <p>Outline application for the redevelopment and restoration of Lakeview Quarry to provide 42 dwellings, 1,000 sq metres workspace for B1 use and associated community and recreation facilities (GR04790/130557)</p> <p>Agreement Date: 27/07/2015</p>	<p><b>Sports and Leisure:</b></p> <p><b>Equipped Play Contribution:</b> £864 Capital per dwelling 2-bed or greater towards enhancing the equipped play area at Keinton Mandeville Village Hall. In addition £499 Revenue as a commuted sum per dwelling 2-bed or greater for the long term maintenance of these facilities.</p> <p><b>Changing Room Contribution:</b> £809 per dwelling 2-bed or greater and £535 per 1-bed dwelling Capital towards enhancing changing facilities at Keinton Mandeville Playing Field or providing new changing facilities at the Village Hall. In addition £65 per dwelling 2-bed or greater or £43 per 1-bed dwelling Revenue for the long term maintenance of these facilities.</p> <p><b>Community Hall Contribution:</b> £1,549 per dwelling 2-bed or greater and £1,024 per 1-bed dwelling towards the enhancement of the existing village hall in Keinton Mandeville.</p> <p><b>Swimming Pool Contribution:</b> £184 per dwelling 2-bed or greater and £122 per 1-bed dwelling towards the development of an indoor swimming pool in the Langport/Hush Episcopi Area.</p> <p>CH&amp;L Admin Fee: £40 per dwelling 2-bed or greater and £17 per 1-bed dwelling.</p> <p>Village Green &amp; Recreation Land Allotments</p> <p><b>Education:</b></p> <p><b>Education Contribution:</b> £102,959 for the provision of primary school education, including equipment and facilities within or serving Keinton Mandeville.</p> <p><b>Pre School Facility Contribution:</b> £75,000 towards the provision of pre school facilities in Keinton Mandeville</p>	<p>50% of the Education contribution payable prior to first occupation and remainder playable before the occupation of the 21st dwelling.</p> <p>Pre-School contribution payable upon commencement of the development.</p> <p>Equipped Play contribution &amp; CHL Admin Fee payable upon occupation of 25% of the dwellings.</p> <p>Community Hall and Changing Room contribution of 50% of the dwellings.</p> <p>Swimming Pool contribution payable upon occupation of 75% of the dwellings.</p>		<p><b>Sports and Leisure:</b> To be calculated as detailed upon application</p> <p><b>Education:</b> £102,959</p> <p>Pre-school £75,000</p>		<p><b>Status:</b> Not Commenced</p>	<p>REM Application received.</p>

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> NORTHSTONE</p> <p>14/03788/FUL Parish Keinton Mandeville</p> <p>Land North Of Coombedene Coombe Hill KeintonMandeville TA11 6DY</p> <p>Erection of 8 dwellings (GR:354922/131095)</p> <p>Agreement Date: 19/01/2015</p>	<p><b>Sports and Leisure:</b></p> <p><b>Equipped Play Contribution:</b> £10,905.04 comprised of (£6,912 Capital &amp; £3,993.04 Revenue as a commuted sum) towards enhancing the play area at Keinton Mandeville Playing Area.</p>					<p><b>Status:</b> <b>Commenced</b></p>	Monies paid May 16.
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> NORTHSTONE</p> <p>14/03774/FUL Parish Barton St David</p> <p>Laurel Farm Mill Road Barton St David</p> <p>Redevelopment of farmyard with the erection of six dwellings (Revised application) (GR 354422/132182)</p> <p>Agreement Date: 25/02/2015</p>	<p><b>Sports and Leisure:</b></p> <p><b>Off-Site Recreational Contribution:</b> £26,210.82</p>					<p><b>Status:</b> Development Completed</p> <p>Projects to refurbish play area and village hall.</p>	Monies paid

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> NORTHSTONE</p> <p>12/03098/FUL Parish Kingsdon</p> <p>Kingsdon Manor School Kingsdon TA11 7JZ</p> <p>The conversion of existing school into 5 dwellings, the extension and alteration of 4 existing dwellings, the erection of 11 new dwellings and one replacement dwelling. The demolition of existing buildings, the provision of associated access roads and alt</p> <p>Agreement Date: 25/03/2014</p>	<p><b>Sports and Leisure:</b></p> <p><b>Equipped Play Contribution:</b> £14,928.03 (£9,462.40 capital &amp; £5,465.63 revenue as a commuted sum) towards enhancements/improvements to the equipped play area at Kingsdon Playing Field, Kingsdon.</p> <p><b>Youth Facilities:</b> £2,544.91 (£1,857.98 capital &amp; £686.93 revenue as a commuted sum) towards provision of youth facilities at Kingsdon Playing Field, Kingsdon.</p> <p><b>Community Hall Contribution:</b> £16,964.06 towards enhancing community hall facilities in Kingsdon.</p> <p><b>Strategic Facilities Contribution:</b> £17,671.36</p>	<p>Contributions payable on occupation of third dwelling.</p>		<p><b>Sports and Leisure:</b> £52108.36</p>		<p><b>Status:</b> Commenced.</p>	<p>Approaching trigger points.</p>

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> NORTHSTONE</p> <p>14/02896/OUT Parish Keinton Mandeville</p> <p>Land North of the Light House Barton Road Keinton Mandeville Somerton Somerset</p> <p>Residential development of land for up to six dwellings (GR 354414/131119)</p> <p>Agreement Date: 26/11/2014</p> <p style="text-align: center; font-size: 2em;">Page 40</p>	<p><b>Sports and Leisure:</b></p> <p><b>AGP Contribution:</b> £485 towards AGP at Huish Episcopi Academy School.</p> <p><b>Changing Room Contribution:</b> £5,246 comprised of (£4,855 Capital &amp; £391 Revenue) towards enhancements of existing or providing of new changing room facilities at Keinton Mandeville Playing Fields.</p> <p><b>Community Halls Contribution:</b> £9,294 towards enhancing existing village hall in Keinton Mandeville.</p> <p><b>Equipped Play Contribution:</b> £8,178 comprised of (£5,184 Capital &amp; £2,994 Revenue) towards enhancing the play area at Keinton Mandeville Playing Fields.</p>	<p>Equipped Play Contribution payable prior to occupation of 2nd dwelling.</p> <p>AGP, Changing Room &amp; Community Hall Contributions payable prior to the occupation of the 3rd dwelling.</p>		<p><b>Sports and Leisure:</b> £23,203</p>		<p><b>Status:</b> Not Commenced</p>	



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<p><b>Ward:</b> WINCANTON</p> <p>08/02183/FUL Parish Wincanton</p> <p>Land Off Deanesly Way Wincanton Somerset BA9 9RG</p> <p>The erection of 212 dwellings/apartments together with new estate roads and footpaths (GR 372123/128558)</p> <p>Agreement Date: 07/01/2009</p> <p style="text-align: center; font-size: 2em;">Page 41</p>	<p><b>Highways:</b></p> <p><b>Cycleway Contribution:</b> £30,000 For the provision of a cycleway/footway/footpath link along the northern side of Deanesley Way.</p> <p><b>Traffic calming contribution:</b> £150,000 Provision of traffic calming measures on Common Road. Traffic calming contribution: £12,000 Provision of traffic calming measures on Deanesley Way. Off-Site Traffic Calming Contribution: £10,000 Towards traffic calming works at Balsam Fields, Wincanton Junction Common Road/Bayford Hill Contribution: £25,000 Improvements to the above junction Zebra Crossing Contribution: £20,000 Towards the provision of a zebra crossing associated footway alignment works on Bayford Hill. Green Travel Vouchers</p> <p><b>Education:</b></p> <p><b>Pre-School Education Contribution:</b> £69,126</p> <p><b>Primary School Education Contribution:</b> £253,462</p> <p><b>Affordable Housing: Units Agreed: 38</b></p>					<p><b>Status:</b> Underway</p>	<p>Transport Strategy Officer &amp; Members to meet again with Snr Officials of SCC to discuss elements of transport agreement.</p> <p>Off-site traffic calming to begin Aug 16.</p> <p>Other highway remedial work on- going.</p>

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> WINCANTON</p> <p>13/03318/OUT Parish Wincanton</p> <p>Land South Of BayfordHill Wincanton Somerset</p> <p>Outline application for the erection of up to 47 dwellings, provision of public open space, access and other ancillary development (GR: 371871/128651)</p> <p>Agreement Date: 30/10/2014</p> <p style="text-align: center; font-size: 2em; font-weight: bold;">Page 42</p>	<p><b>Sports and Leisure:</b>  <b>Changing Room Contribution:</b> £870.46 per dwelling comprised of (£805.65 Capital &amp; £64.81 Revenue) towards enhancements of the changing rooms at Wincanton Sports Ground together with commuted sum.  <b>Equipped Play Contribution:</b> £1,357.10 per dwelling comprised of (£860.22 Capital &amp; £496.88 Revenue) towards the enhancements/acquisition of play equipment for the project at Cale Park, Wincanton together with commuted sum.  <b>Leisure Admin Contribution:</b> £45.59 per dwelling  <b>Playing Pitch Contribution:</b> £679.95 per dwelling comprised of (£396.81 Capital &amp; £283.14 Revenue) towards enhancing existing playing pitches at Wincanton Sports Ground or such other location in Wincanton together with commuted sum.  <b>Youth Facilities Contribution:</b> £231 per dwelling comprised of (£168.91 Capital &amp; £62.45 Revenue) towards the provision of youth facilities and commuted sum at the Cale Park project.  <b>Strategic Facilities Contribution:</b> £1,419.75 per dwelling</p> <p><b>Education:</b>            Education Contribution: £2,347.08 per dwelling.</p>	<p>Equipped Play, Youth and Leisure Admin Fee payable prior to occupation of 25% of the dwellings.</p> <p>Changing Room &amp; Playing Pitch Contributions payable prior to occupation of 50% of the dwellings.</p> <p>Strategic Facilities Contribution payable on or before occupation of 75% of the dwellings.</p> <p>Education Contribution, 50% payable prior to first occupation and remainder payable prior to occupation of 50% of the dwellings.</p>		<p><b>Sports and Leisure:</b></p> <p>To be calculated as detailed upon application.</p> <p><b>Education:</b></p> <p>To be calculated as detailed upon application.</p>		<p><b>Status:</b> Not Commenced</p>	

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

## Area East Section 106 monitoring report 14<sup>th</sup> September 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> WINCANTON</p> <p>05/00960/OUT Parish Wincanton</p> <p>Land At New Barns Lawrence Hill Wincanton Somerset BA9 9RT</p> <p>The provision of a mixed use development comprising residential, employment, education and community uses with approximately 250 no. dwellings (gr 37040/127917)</p> <p>Agreement Date: 22/12/2006</p>	<p><b>Sports and Leisure:</b> Includes detail of planting of each area, street trees &amp; play equipment (LAPS) 5 Years of maintenance of landscaping. Transfer of land on request Commuted sum for maintenance – LAPS &amp; LEAP based on cost schedule provided. 1 x LEAP = £91,955 including maintenance.</p> <p><b>Highways:</b> Residential &amp; Employment Travel Plans Bus Service Improvements: £50,000 Sustainable Travel Incentive: £50,000 RH Turn from West Hill: £100,000 Toucan Crossing on West Hill: £120,000 Other Off-Site works detailed: £280,000 Mini Roundabout at Southgate.</p> <p><b>Education:</b> Pre-School Contribution: £121,800.00 Primary School Contribution: £442,800 Temp Classroom Contribution: £81,000</p> <p><b>Affordable Housing: Units Agreed:</b> 114</p> <p><b>Miscellaneous Gains:</b> Extension to existing cemetery.</p>	<p>1 x LEAP = £91,955 including maintenance, Occupation of 50th dwelling within housing phase B Extension to existing cemetery, transfer to the Town Council on occupation of 200th dwelling. Pre-School Contribution, prior occupation of 101st dwelling. Primary School Contribution, prior occupation of 101st dwelling. Temp Classroom Contribution, upon request from SCC (evidence of lease for classroom required) Bus Service Improvements, 10k before occupation, 20k on 100th occupation &amp; 20k on 200th occupation. Sustainable Travel Incentive, 25k before occupation &amp; 25k on 100th occupation. RH Turn from West Hill, prior to use by any construction traffic or development use off West Hill for vehicular traffic. Toucan Crossing on West Hill, prior Occupation. Other Off-Site works detailed, various but all to be complete by occupation of 72nd dwelling. (variation requested for some works, to be agreed).</p> <p>Mini Roundabout at Southgate Street, occupation of 100 dwellings.</p>		<p><b>Miscellaneous Gains:</b></p> <p>Extension to existing cemetery.</p>		<p><b>Status:</b> Underway</p>	<p>Need to confirm latest position with SCC.</p>

# Agenda Item 12

## **Area East Forward Plan**

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

## **Purpose of the Report**

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

## **Recommendation**

Members are asked to:-

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

## **Area East Committee Forward Plan**

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

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

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

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

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

**Background Papers:** None

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## Appendix A

### Area East Committee Forward Plan

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background and Purpose</b>	<b>Lead Officer</b>
<b>12 October 16</b>	Growing Space	Request for funding support	Tim Cook SSDC
<b>12 October 16</b>	Workspace & Work Hubs Progress Report	Update members on the latest position regarding work hubs and workspace	Pam Williams SSDC
<b>12 October 16</b>	Annual report on the Careline service	To update members	Alice Knight SSDC
<b>9 November 16</b>	Wincanton Sports Centre Update Report	To update members on the latest position of the Centre	Steve Joel / Tim Cook SSDC
<b>9 November 16</b>	Area Development Report	Half year progress & budget report	Helen Rutter / Tim Cook SSDC
<b>9 November 16</b>	Historic Buildings at risk and s215 notices	Confidential update	Andrew Tucker SSDC
<b>9 November 16</b>	Conservation Service	Update report on the works of the Conservation team	Rob Archer SSDC
<b>9 November 16</b>	Henstridge Airfield s106 update	Update report	David Norris/Angela Watson SSDC
<b>9 November 16</b>	Affordable Housing Development Programme	Yearly update for members	Colin McDonald SSDC
<b>7 December 16</b>	Community Grants Applications	To consider any SSDC community grant applications	Tim Cook SSDC
<b>7 December 16</b>	Highways Update	To update members on the total works programme and local road maintenance programme	John Nicholson SCC
<b>7 December 16</b>	Countryside	Annual update report on the works of the service	Katy Menday SSDC
<b>7 December 16</b>	Provision of Medical Care in Area East	Update report regarding Provision of Medical Care in Area East	Clinical Commissioning Group
<b>7 December 16</b>	Citizens Advice South Somerset	To update members on the service	Dave Crisfield SSDC

# Agenda Item 13

## Planning Appeals

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

## Purpose of the Report

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

## Recommendation

That the report be noted.

## Background

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

## Report Detail

### Appeals Received

15/04697/COL – Land OS 1021 Jarmany Hill, Barton St David, Somerton  
Application for a certificate of lawfulness for the existing use of agricultural building as a single dwelling house together with associated residential garden and parking areas.

14/00187/USE & 15/00233/COND - Land OS 1021, Jarmany Hill, Somerton TA11 6DA  
Serving of enforcement notice.

16/01015/OUT – Land west of Elliscombe Cottages, Gibbet Road, Maperton, Wincanton  
Outline application for the erection of 2 bungalows with all matters reserved.

16/00929/PAMB – Land OS 9090 Part Charlton Horethorne.  
Prior approval for the change of use of agricultural stock buildings to two dwellings.

### Appeals Allowed

15/02187/FUL – Land OS 2269 Old Bowden Way, Milborne Port  
Proposed development of Solar Photovoltaic Modules including an access track leading from Station Road; Temporary Construction Compound; Double Inverter Platforms; Transfer Station; Collecting Station; Security Fencing; CCTV cameras and poles; landscaping; and associated works and infrastructure including underground cable along Old Bowden Way and related equipment to allow connection to the electricity distribution network.

The Inspector's decision letter is attached.

### Appeals Dismissed

None

## **Appeals Withdrawn**

14/02020/OUT - Land OS 1445 Part Torbay Road Castle Cary  
Outline planning application (All Matters Reserved Except for Access) for up to 165 houses, up to 2 Ha of employment land, a road linking Torbay Road with Station Road, a safeguarded site for a new primary School and green infrastructure on land between Torbay Road and Station Road, Castle Cary, Somerset.

***Background Papers:*** None

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## Appeal Decision

Site visit made on 13 June 2016

by **Jonathan Hockley BA(Hons) DipTP MRTPI**

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

Decision date: 18 August 2016

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**Appeal Ref: APP/R3325/W/16/3142550**

**Land off Old Bowden Way, Milborne Port, Somerset**

- 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 Big60Million Ltd against the decision of South Somerset District Council.
  - The application Ref 15/02187/FUL, dated 12 May 2015, was refused by notice dated 29 October 2015.
  - The development proposed is the development of Solar Photovoltaic Modules including an access track leading from Station Road; Temporary Construction Compound; Double Inverter Platforms; Transfer Station; Collecting Station; Security Fencing; CCTV cameras and poles; landscaping; and associated works and infrastructure including underground cable along Old Bowden Way and related equipment to allow connection to the electricity distribution network.
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### Decision

1. The appeal is allowed and planning permission is granted for the development of Solar Photovoltaic Modules including an access track leading from Station Road; Temporary Construction Compound; Double Inverter Platforms; Transfer Station; Collecting Station; Security Fencing; CCTV cameras and poles; landscaping; and associated works and infrastructure including underground cable along Old Bowden Way and related equipment to allow connection to the electricity distribution network at Land off Old Bowden Way, Milborne Port, Somerset in accordance with the terms of the application, Ref 15/02187/FUL, dated 12 May 2015, subject to the conditions set out at the end of my decision.

### Planning Policy

2. Policy EQ1 of the South Somerset Local Plan, March 2015 (the Local Plan) states that the development of renewable energy generation will be encouraged and permitted, provided that there are no significant adverse impacts upon residential and visual amenity, landscape character, designated heritage assets and biodiversity. Policy EQ2 states that development proposals will be considered against various considerations, including conserving and enhancing the landscape character of the area.
3. The National Planning Policy Framework (the Framework) states that planning plays a key role in supporting the delivery of renewable energy and associated infrastructure, which is central to the economic, social and environmental dimensions of sustainable development. When determining applications, local planning authorities should, unless material considerations indicate otherwise, approve the application if its impacts are, or can be made, acceptable.

4. The Government's Planning Practice Guidance (PPG) considers that the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. It also notes however that the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

### **Background and Main Issue**

5. The proposal seeks to construct a solar farm across two fields to the north east of Milborne Port. The appeal site covers some 5.38 hectares, and was reduced in size during the planning application process.
6. The main issue in this case is whether the benefits of the proposal, including the production of energy from a renewable source, outweigh any harmful impacts, having particular regard to the effect on the character and appearance of the landscape, and views from the Millennium viewing point.

### **Reasons**

#### *Benefits*

7. The proposal seeks the erection of a 3.036MW solar farm for a period of 25 years. The panels would be expected to supply enough electricity to power around 915 homes a year. I place significant weight on these benefits.
8. The proposal also includes habitat enhancement measures; hedgerow and tree planting would be undertaken to infill gaps and breaks and the site would be enhanced by the creation of grassland, providing nesting and sheltering opportunities, together with the erection of bird and bat boxes and invertebrate habitats and shelters. Economic benefits would also be accrued largely through the installation of the panels and through farm diversification. When taken together I place moderate weight on the economic and biodiversity benefits of the proposal.

#### *Character and appearance*

9. The site lies within the National Character Area 140, Yeovil Scarplands. This has key characteristics including a contrasting and varied, but complementary rhythm of scarps and vales, with a rural agricultural character with distinct pastoral, mixed and arable areas, and manor houses and large mansions in landscaped parks. At a County level 'The Landscape of South Somerset'<sup>1</sup> defines the site as being within Visual Character Region 6, which is then divided into landscape character areas (LCAs). The appellant's Environmental Report<sup>2</sup> states that within this categorisation the site falls within 'Wooded Ridges and Clay Vales to the East'. The South Somerset Peripheral Landscape Study<sup>3</sup> is noted to describe the site as being within an area that lies within a shallow valley, lying between the high ground to the north and the steep escarpment of East Hill; the field pattern reflects recent enclosure with the area below East Hill having robust hedgerows.
10. The Environmental Report considers the site to have an overall landscape value of medium, set within an area with a landscape value of medium-high. This accords with my assessment on my visit; the site lies to the west of, and is

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<sup>1</sup> South Somerset District Council, 1993

<sup>2</sup> Milborne Port Solar Farm Environmental Report, May 2015

<sup>3</sup> South Somerset Peripheral Landscape Study -Milborne Port, South Somerset District Council 2008

- dominated visually by the steep escarpment at East Hill. Field boundaries and patterns appear fairly strong and the site is relatively flat.
11. The proposed solar arrays would be constructed in rows following an east-west axis, with the PV modules facing towards the south. The site would be enclosed by a 2m high security fence. Gaps in the arrays would be maintained around an existing hedgerow between the two fields and underneath existing overhead power lines.
  12. On my visit I walked various footpaths and roads around the site which criss-cross the settlement and surrounding countryside. These include Wheathill Lane which climbs to the south of the site to the top of the East Hill escarpment and then turns to the north to follow this ridgeline, as well as the footpath following Old Bowden Way to the north of the site. There is also a further footpath that traverses the escarpment halfway along. Views of the site would be available from various points along the ridgeline and the lower escarpment footpath between trees and hedges. The site would also be visible from the playing fields and recreation ground of the village to the west of the site and from varying points of local footpaths.
  13. The Council have particular concerns over the effect and the proximity of the proposal on views from the Millennium viewing point, which they consider overlooks the largely unspoilt rural landscape. This is a small vehicle lay by and bench set on the top of East Hill on Wheathill Lane. Views from this point are attractive, far reaching and extensive over Milborne Port to the hills beyond and towards Sherborne to the south west.
  14. However, particularly as the site now has a reduced size than originally proposed, I consider that the size of the solar farm would be readily encompassed within the landscape and the extensive views available from East Hill. The views from the point, whilst undeniably attractive, are already affected by various man made features within the landscape, including Milborne Port itself, a noticeable new housing estate to the east of the village and various electricity infrastructure. Whilst clearly noticeable, the relatively tightly confined proposal would form a small part of the extensive views and would be assimilated into the landscape and views readily easily. Whilst I note that at least initially the proposal would have the potential to have a slight industrial air, the landscaping proposed would help to restrict the site and soften the edges, and whilst such effects would inevitably be reduced in the winter months, they would still provide benefit.
  15. Such landscaping would also assist in screening the proposal from the views from the footpath set below East Hill, as well as from the village playing fields and other nearby local rights of way. There would clearly be some adverse impacts of the proposal on both the landscape and on the visual amenity of the area, both from close in viewpoints and from the Millennium viewpoint and, whilst temporary, in this respect the proposal would conflict with Policy EQ2 of the Local Plan. However, such impacts have been reduced by the revised scheme. Overall I ascribe moderate weight to these impacts.

#### *Other Matters*

16. Concerns have been raised over the effect of the proposal on the setting of Ven House, a grade I listed property on the south east fringes of Milborne Port. The listing states that the country house was built circa 1730 and is constructed of

red brick in Flemish bond with Ham stone dressings and a hipped Welsh slate roof. The park and gardens of the house have their own Grade II listing, which extend beyond the A30 road to the north east in the direction of the appeal site. The listing notes that this land includes the former 18<sup>th</sup> century formal approach to the House, now marked approximately by a late 19<sup>th</sup> century avenue. The wide views from the Millennium point encompass Ven House, as well as the appeal site. The site sits within the wider agricultural setting in which Ven House and its gardens are situated in. Whilst intervisibility is not always the same as setting, I consider that given these wide views and the pastoral landscape that Ven House and gardens sit in that the appeal site lies within the setting of the heritage assets.

17. The Council's Conservation Officer noted on the original scheme that the proposal would only be visible from Ven House from upper floor windows; this effect would be reduced further by the revised scheme. The removal of the southern end of the previous scheme has moved the edge of the proposal further away from the House, park and gardens, and the planting proposed to encompass the boundary of the site will help to restrict and contain the site edges, also helping to screen the site from views from the south. This has, I consider, reduced any impact on Ven House and its gardens to a negligible level such that no harm would be caused to the significance of the heritage assets by the proposal. Nor do I consider that the proposal would have an adverse effect on the substantially more distant Sherborne Park.
18. An Agricultural Land Classification (ALC) report<sup>4</sup> indicates that the appeal site consists of ALC Grade 3, with a roughly 50/50 split of subgrades 3a and 3b. The Framework defines best and most versatile agricultural land as land in grades 1, 2 and 3a of the ALC and thus roughly 50% of the site falls in the category of best and most versatile land.
19. Aside from the construction of the access track and the inverter platforms, the proposal would involve the insertion of support legs for the panels and the compaction of soil during installation and decommissioning. All equipment would be removed at the end of the 25 year period and the majority of the site would be maintained as grassland during the project. Having regard to paragraph 112 of the Framework I do not consider that the proposal would result in the significant development of agricultural land, and given the timescale of the scheme, the proposal would also not result in the irreversible loss of the best and most versatile agricultural land on the appeal site.
20. Concerns are raised over the effects of the proposal on highway safety, particularly in relation to the proposed access. This would be taken off an existing field access on a corner of Station Road. On my site visit I noted that visibility was good to the left and reasonable to the right, and that the access point lies within an area with a 30mph speed limit. The access would be used fairly intensively during construction and fairly infrequently thereafter and I do not consider that the use of this access would cause harm to highway safety. I also note that the highways authority have no objections to the proposed access, subject to conditions.
21. Local residents have concerns over the ecological effects of the proposal. Concern is also raised over the proposed undergrounding of a cable to connect the scheme to the national grid, and possible effects on ecology and

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<sup>4</sup> Milborne Port Solar Farm Somerset - Soils and Agricultural Use & Quality, June 2014, Land Research Associates

archaeology. However, the proposal has the potential to increase the biodiversity values of the site, provided the proposed planting and habitat management is carried out as described. The Council Ecologist and Somerset Wildlife Trust also have no objections to the proposal, subject to the implementation of the habitat management plan. The County Archaeologist has suggested archaeological excavations take place prior to development taking place and this can be secured via condition.

### **Conclusions and Conditions**

22. When taken together I place substantial weight on the environmental and economic benefits of the proposal that I have identified above. The Framework identifies as a core principle that planning should support the transition to a low carbon future in a changing climate and encourages the development of renewable energy. I have found that the proposal would cause moderate harm to the character and appearance and the visual amenity of the surrounding area. However, the proposal would not have a significant adverse impact upon such matters and this impact can be made acceptable by the proposed landscaping. The proposal would therefore comply with Policy EQ1 of the Local Plan, as well as with paragraph 98 of the Framework and the PPG. Such benefits would also outweigh the moderate conflict with policy EQ2 of the Local Plan that I have found.
23. I therefore conclude that the benefits of the proposal, including the production of energy from a renewable source, outweigh any harmful impacts, having particular regard to the effect on the character and appearance of the landscape, and views from the Millennium viewing point.
24. I have imposed conditions relating to implementation and compliance with plans, in the interests of proper planning and for the avoidance of doubt. I have also imposed a condition to ensure that at the end of 25 years the solar farm is removed and the land restored, for the avoidance of doubt and in the interests of the long term character of the surrounding area.
25. Conditions are also imposed concerning archaeological works, as mentioned above, as well as to ensure that the proposed planting scheme and habitat management plan are fully implemented and maintained. Such conditions are required in the interests of the character and appearance of the area, as are conditions concerning the restriction of external illumination, further CCTV equipment other than that in the approved plans, and details of the location of the concrete bases for the arrays. I have amended the wording of these Council suggested conditions slightly in the interests of precision.
26. Finally, I have also imposed conditions relating to the production of a Construction Environmental Management Plan, a condition survey of the existing highway, and mud/dust controls on vehicles leaving the site. Such conditions are required in the interests of highway safety.
27. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

*Jon Hockley*

INSPECTOR

## SCHEDULE OF 13 CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PO4\_DI\_RevB, PO6\_SA\_RevB, PO7\_TS\_RevB, PO8\_CS\_RevB, PO9\_CT\_RevB, P11\_SC\_RevB, P18\_FGE\_RevB, P19\_CCTV1\_RevB, P20\_CCTV2\_RevB, P02\_SP\_RevC, P03-CC\_RevC, P12\_PC\_RevC, P13\_PE\_RevC, P14\_DNO\_RevC, P15\_MB\_RevC, P16\_AT\_RevC, P17\_Sensors\_RecC, and 4.10 RevD.
- 3) The development hereby permitted shall be undertaken in accordance with the implementation of the Habitat Management Plan (30.04.2015) submitted with the application.
- 4) No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority. The scheme shall be carried out in accordance with the approved details.
- 5) The development hereby permitted shall be removed and the land restored to its former condition within 25 years of the date of this permission or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.
- 6) Prior to the commencement of development a Construction Environmental Management Plan providing details on: construction vehicle movements; construction operation hours; construction vehicular routes to and from site; construction delivery hours; expected number of construction vehicles per day; car parking for contractors; specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice; a scheme to encourage the use of Public Transport amongst contractors; and measures to avoid traffic congestion impacting upon the Strategic Road Network shall be submitted to and approved in writing by the Local Planning Authority and fully implemented in accordance with the approved details.
- 7) No development hereby approved shall take place until a Condition Survey of the existing public highway has been carried out and agreed with the Highway Authority. Any damage to the highway occurring as a result of this development will be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
- 8) The applicant shall ensure that all vehicles leaving the site are in such condition so as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to the commencement of work and thereafter maintained until the use of the site

- discontinues.
- 9) The approved on-site planting scheme (4.10 Rev D dated 18 August 2015) shall be implemented in the first planting season following the completion of the development. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
  - 10) No means of external illumination/lighting shall be installed within the site.
  - 11) Prior to first operational use of the development hereby permitted the extent and precise location of the concrete bases for the solar arrays following their provision on site shall be submitted in writing to the Local Planning Authority.
  - 12) No development hereby permitted shall be commenced unless a site management plan for tree, hedge and grass maintenance of the site has been submitted to and approved in writing by the Local Planning Authority. Such management plan, once agreed, shall be fully implemented for the duration of the use hereby permitted.
  - 13) No CCTV equipment or other cameras shall be installed on the site other than that shown on the submitted layout plan ref. P02\_SP\_RevC.

# Agenda Item 14

## Schedule of Planning Applications to be Determined by Committee

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

### Purpose of the Report

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

### Recommendation

Members are asked to note the schedule of planning applications.

**Planning Applications will be considered no earlier than 10.45am.**

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

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
15	WINCANTON	16/00041/FUL	Erection of 9 dwellings and associated ancillary works	Land north of Verrington Lane, Charlton Musgrove	Hopkins Developments Ltd
16	WINCANTON	16/02971/S73	S73 application to vary conditions 1 and 4 of approval 12/00971/S73 to allow for an increase in permitted retail sales area	Boots Pharmacy, Dykes Way, Wincanton	Boots UK Ltd
17	BLACKMOOR VALE	16/00935/OUT	Outline application for the erection of a detached dwelling	Land OS 2000 between The Dairy House and Grangers, Stowell Road, Charlton Horethorne	Mr & Mrs R Kingman
18	NORTHSTONE	16/00090/FUL	Conversion of agricultural building to dwelling and the erection of a detached carport with room above, boundary wall and	Land and buildings adjoining Cooks Cary Farm, Lytes Cary, Kingsdon	Mr S Beaton



			formation of new access		
19	BRUTON	16/02374/FUL	Refurbishment of free-standing outbuilding to create an annex to house (guest bedroom and living space)	9 Quaperlake Street, Bruton	Ms Natalie Jones
20	BRUTON	16/02567/LBC	Refurbishment of free-standing outbuilding to create an annex to house (guest bedroom and living space)	9 Quaperlake Street, Bruton	Ms Natalie Jones
21	CAMELOT	16/03149/LBC	Reversionary works to reinstate original ceiling heights, replace non-consented windows and minor internal alterations	Camelot House, High Street, Queen Camel	Mrs Pauline Lewis

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

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

## **Referral to the Regulation Committee**

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

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

## **Human Rights Act Statement**

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

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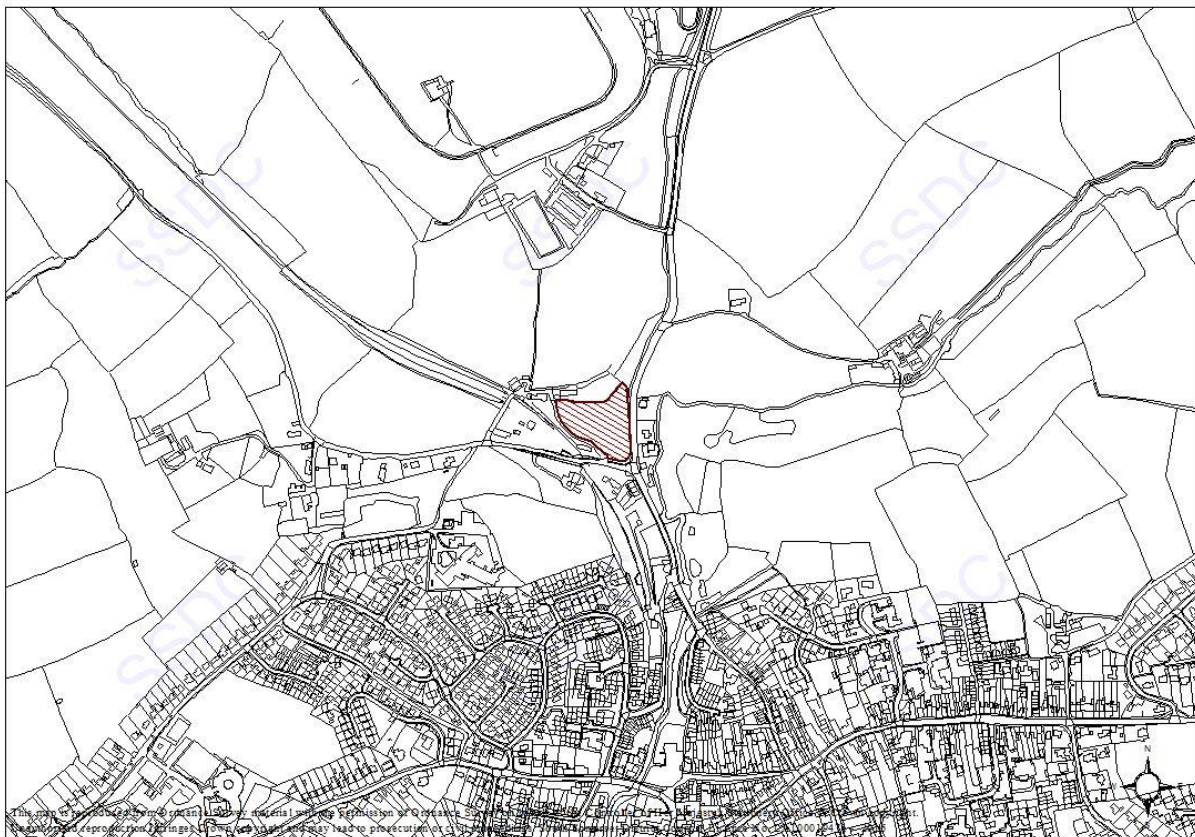
# Agenda Item 15

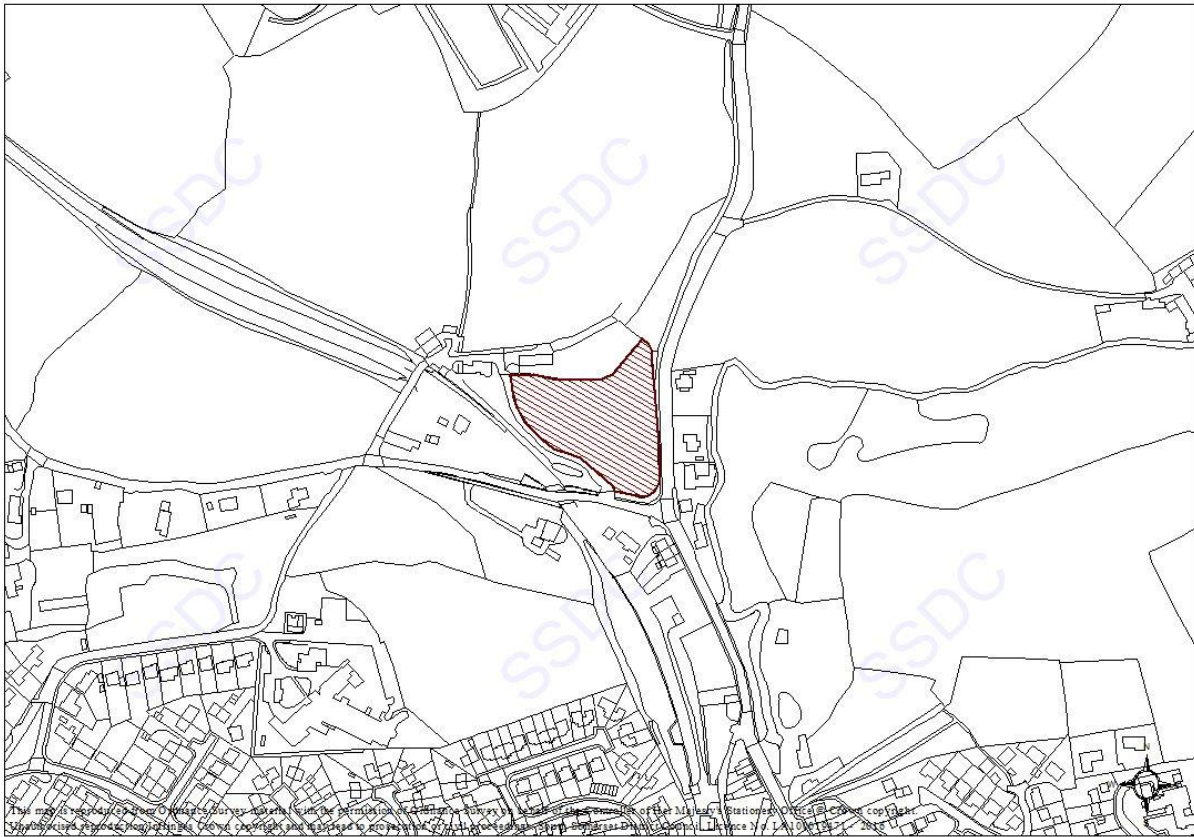
## Officer Report On Planning Application: 16/00041/FUL

<b>Proposal :</b>	Erection of 9 dwellings and associated ancillary works (GR:370985/129109)
<b>Site Address:</b>	Land North Of Verrington Lane Charlton Musgrove
<b>Parish:</b>	Wincanton
<b>WINCANTON Ward (SSDC Member)</b>	Cllr Nick Colbert Cllr Colin Winder
<b>Recommending Case Officer:</b>	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
<b>Target date :</b>	10th March 2016
<b>Applicant :</b>	Hopkins Developments Ltd
<b>Agent: (no agent if blank)</b>	Mr Matthew Kendrick Unit 106 86-88 Colston Street Bristol BS1 5BB
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

The application is before the committee, at the request of the ward member and with the agreement of the area chair, in order to allow local concerns to be publicly debated.

### **SITE DESCRIPTION AND PROPOSAL**





This application seeks full permission for the erection of nine single storey dwellings and associated ancillary works. The site consists of an area of sloping agricultural land currently laid to grass, bounded by a variety of stone walls, hedges and trees. The site is not within a development area as defined by the local plan. The site is close to various residential properties, a car sales garage, and open countryside. The site is close to a conservation area.

Plans show the erection of nine single storey dwellings, seven of which would be detached, along with one pair of semi-detached bungalows. All are to be finished in brick, reconstituted stone, and render, under grey tiled roofs. All would be served by a new road, deriving access from the existing vehicular access into the site.

## **HISTORY**

None relevant

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF 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 SS5 - Delivering New Housing Growth  
Policy SS6 - Infrastructure Delivery  
Policy EQ2 - General Development  
Policy EQ3 - Historic Environment  
Policy EQ4 - Biodiversity  
Policy TA5 - Transport Impact of New Development  
Policy TA6 - Parking Standards  
Policy HG3 - Provision of Affordable Housing  
Policy HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development

### **National Planning Policy Framework**

Chapter 6 - Delivering a Wide Choice of High Quality Homes  
Chapter 7 - Requiring Good Design  
Chapter 12 - Conserving and Enhancing the Historic Environment

### **CONSULTATIONS**

**Wincanton Town Council** - Recommend approval but would like to see the existing boundary wall kept.

**Charlton Musgrove Parish Council** - Recommends refusal:

- as the development would exacerbate the already high levels of flooding in the area, which will affect the properties on the other side of the road, and
- it will over develop the area and would be encroaching on 'open countryside' on the very edge of their parish.

**County Highway Authority** - Initially raised several areas of concern. On the receipt of additional information and amended plans they confirm that their objections have been addressed. They suggested that an additional parking space should be allocated to plot 5. They suggest the use of conditions to:

- Secure a construction management plan
- Secure details of estate roads etc.
- Ensure that each dwelling is properly served by a footpath and carriageway prior to occupation
- Ensure there is no occupation until the service road has been constructed
- Ensure that the gradients of the driveways are no more than 1 in 10
- Secure details of appropriate surface water drainage
- Secure appropriate visibility splays
- Ensure any damage to the highway is rectified

**SDDC Landscape Architect** - Initially raised concerns with the proposal. On the receipt of amended plans he stated:

*"Whilst I am not wholly persuaded that this site is well-related to its local landscape and settlement context, I acknowledge that the most recent changes to the layout provide greater coherence to the layout, and reduce potential construction and user impacts upon the roadside hedge. Consequently I consider the landscape impact to be both localised, and minor adverse, such that there is insufficient weight to provide a landscape objection. If minded to approve, please request a detailed landscape proposal, which should include the maintenance intentions of the site's bounding vegetation, as well as new planting proposals."*

**SSDC Ecology** - Notes that the survey did not identify any particularly significant ecological issues. He states that the NPPF expects development to deliver some enhancement through biodiversity and therefore recommends the use of a condition on any permission requiring details of measures for the enhancement of biodiversity to be submitted for approval.

**SCC Archaeology** - No objections

**Wessex Water** - Notes that new water supply and waste water connection will be required from Wessex Water and advises how these can be obtained. They note the presence of a public sewer on site and advise that building over or within 3 metres of the sewer will not be allowed without agreement from Wessex Water and advise that the developer should contact them for further advice on the matter, including the possibility of diversion. They note that separate systems of drainage will be required to serve the development and that no surface water connections will be permitted to the foul sewer system.

**SSDC Strategic Housing** - Notes that 35% of the housing should be affordable and states that this equates to the provision of three dwellings, two of which should be social rent and one shared ownership or another intermediate product. She requests a 3 bed dwelling should be intermediate and the shared ownership should consist of a two bed and a four bed dwelling. She states that the minimum space standards should be adhered to and that the rented units should be available to anyone registered on Homefinder Somerset. She then provides a list of approved housing association partners for delivery of affordable units.

**SSDC Policy Planner** - Notes that development proposals should be decided in accordance with the development plan (consisting of the South Somerset Local Plan) unless material considerations indicate otherwise. She notes that the NPPF is an important material consideration. She notes that policy SS1 of the local plan directs development to existing settlements and identifies Wincanton as a Primary Market Town. She notes that Policy SS5 outlines a "permissive approach" for the consideration of planning applications for housing adjacent to the development area of Wincanton. However, she states that the permissive approach does not apply in relation to this application, as the site is approximately 128 metres from the closest edge of the Wincanton development area.

She notes that the Council cannot demonstrate a five-year housing land supply and consequently the proposal should be considered in the context of the presumption in favour of sustainable development - granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

She identifies the three dimensions to sustainable development as economic, social, and environmental. She notes that the scheme would deliver short term economic benefits through the construction phase. She notes that from an environmental perspective the site has no special designation, but notes that it is close to an area of flood risk. She states she will leave it to the Council's landscape architect to provide detailed comments regarding any landscape impact. She notes that from a social perspective the proposal will provide new housing.

Finally, she notes that the NPPF makes it clear that isolated new homes in the countryside should be avoided unless there are special circumstances, and the proposal does not appear to meet any of the examples of special circumstances given in the NPPF.

**SSDC Community Health and Leisure Service** - They note that while there remains a shortfall of provision in Wincanton, the application is not one that they feel they can seek specific non-pooled contributions from.

**SSDC Engineer** - Initially raised concerns with the proposed drainage scheme. On the receipt of additional information he confirmed that the submitted scheme is satisfactory.

## **REPRESENTATIONS**

Four letters of objection were received from the occupiers of neighbouring properties. Objections were received on the following grounds:

- The proposed houses would overlook the objector's property.
- The footpath north of the objector's site is dangerous for children living on the development, and should be relocated 100 yards up the hill.
- Increased risk of flooding of the road junction of Verrington Lane with the B3081 causing a highways hazard, and also to nearby properties.
- The footpath to the town centre from the site is not complete and particularly difficult to negotiate with a pushchair. The hills and considerable distance would be detrimental for future residents.
- The applicant may look to amend the design from single storey to two storey.
- Schools, the health centre, opportunities for local employment, and other amenities are already over stretched.
- The proposal will exacerbate existing parking difficulties in the locality.
- The proposal will have an adverse impact on the character of the area and will be an intrusion into open countryside.
- Trees surrounding the site may be cut down to the detriment of the local character, ecology and flood risk.
- The loss of a safe parking area within a reasonable walking distance may devalue the objector's property.
- The increased traffic movements will be detrimental to the tranquillity of the area.
- Brownfield land should be developed first.
- The proposal is likely to set an undesirable precedent for further development along Verrington Lane.

Two further letters were received from the occupiers of neighbouring properties that did not object outright, but raised concerns that they wanted to see addressed. The areas of concern were:

- That there would be nothing to stop the developer altering their plans at a later date to increase density or the height of the dwellings without further consultation.
- That access to the neighbouring properties would remain secure, that during construction neighbours would not be presented with difficulty of passage, that surfacing of the access is agreed in advance, and any damage to the neighbour's drive would be made good.
- That the neighbour is able to consult with the developer before the proposed fence is erected on their boundary.
- That the neighbour is able to get assurance that their access to water and drains would not be impaired by the development.

## **CONSIDERATIONS**

### **History and Principle of Development**

The site is located outside the development area of Wincanton, where development is normally

strictly controlled. Policy SS1 of the local plan directs development to existing settlements and identifies Wincanton as a Primary Market Town. Policy SS5 outlines a "permissive approach" for the consideration of planning applications for housing adjacent to the development area of Wincanton. However, the SSDC Policy Planner has suggested that the permissive approach does not apply in relation to this application, as the site is approximately 128 metres from the closest edge of the Wincanton development area. Notwithstanding the above, the site is within relatively easy walking distance of Wincanton town centre and, as such, it is difficult to argue that the location is unsustainable in terms of its accessibility to facilities, services and employment opportunities. A neighbour has raised a concern about the quality of the pavement leading to town. Whilst the pavement is not perfect, it is not considered to be so substandard that people would not use it. SSDC cannot currently demonstrate a five-year housing land supply and consequently the proposal should be considered in the context of the presumption in favour of sustainable development - granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Without a five-year housing land supply, the policies of the local plan that restrict the supply of housing cannot be considered up-to-date and can, therefore, only be afforded limited weight.

In this context, the principle of residential development in this location is considered to be acceptable, and to accord with the up-to-date policies of the local plan and the aims and objectives of the NPPF.

### **Highways**

The highway authority initially raised concerns as to the transportation aspects of the scheme. However, on the receipt of additional information, they concluded that all of their concerns had been addressed, subject to the imposition of various conditions on any permission issued. As such, notwithstanding local concerns regarding existing parking problems, it can be concluded that there will be no adverse impact on highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

### **Visual Amenity**

The site is located on the edge of the settlement in a semi-rural location. As such, the SSDC Landscape Architect was consulted as to the impact of the scheme on visual amenity. He initially raised several areas of concern with the scheme. However, on the receipt of amended plans, he confirmed that the changes to the layout provide greater coherence to the layout, and reduce potential construction and user impacts upon the roadside hedge. Consequently he considers the landscape impact to be both localised, and minor adverse, such that there is insufficient weight to provide a landscape objection. If minded to approve, he suggested a condition to secure a detailed landscape proposal, which should include the maintenance intentions of the site's bounding vegetation, as well as new planting proposals.

As such, the impact of the scheme on the character of wider landscape is considered to be acceptable. Subject to appropriate conditions, the standard of design and materials is considered to be acceptable. Therefore, notwithstanding local concerns, the proposal is considered to be of a satisfactory standard of design that would have no significant adverse impact on visual amenity in compliance with policy EQ2 of the local plan.

### **Residential Amenity**

A neighbour has raised a concern that the proposed dwellings would overlook their dwelling. However, due to the size and position of the proposed dwellings, it is not considered that there would be any demonstrable harm to the residential amenity of adjoining occupiers by way of overlooking. There will be no significant impact on neighbouring properties by way of



overbearing or overshadowing.

Therefore the proposal is considered to have no significant adverse impact on residential amenity in compliance with policy EQ2 of the local plan.

### **Ecology**

The SSDC Ecologist was consulted. He noted that the submitted survey did not identify any particularly significant ecological issues. He stated that the NPPF expects development to deliver some enhancement through biodiversity and therefore recommended the use of a condition on any permission requiring details of measures for the enhancement of biodiversity to be submitted for approval. Such a condition is considered to be reasonable and necessary.

### **Contributions**

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 (SoS 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 we are not seeking an affordable housing obligation from this development.

We will also not be seeking any contributions towards Sports, Arts and Leisure (Policy SS6) as the same principle applies.

### **Drainage and Flooding**

A variety of local concerns have been raised as to the drainage and flooding impacts of the proposed development. However, the SSDC Engineer has carefully considered the scheme, requiring several sets of additional information, and has concluded that the proposed drainage strategy is satisfactory. Wessex Water has also been consulted and raised no objections to the scheme. Furthermore the site is not within Environment Agency flood zones 2 or 3. As such, it would be unreasonable to refuse permission in relation to flooding or drainage matters.

### **Other Matters**

A concern has been raised by a local occupier that the footpath north of the objector's site is dangerous for children living on the development, and should be relocated 100 yards up the hill. However, the footpath is pre-existing and is on the other side of the road from the proposed development. As such, there is no justification to require a relocation of the footpath in association with this development.

A neighbour has raised a concern that the applicant may look to amend the design from single storey to two storey at a later stage. Whilst this is indeed the case, such an amendment would require planning permission and could be assessed on its own merits.

A concern has been raised that local infrastructure is inadequate to cope with the proposed development. However, given the permissive approach to development advocated in the local

plan, there appears to be no evidential basis to withhold permission on the grounds of significant adverse impacts on local or strategic infrastructure.

A neighbour has objected that the loss of a safe parking area within a reasonable walking distance may devalue the objector's property. However, there is no reason to assume that any existing parking areas will be lost and, in any case, the devaluation of a neighbouring property is not a reason to refuse planning permission.

A neighbour has objected that the increased traffic movements will be detrimental to the tranquillity of the area. However, it is considered that additional traffic movements from 9 dwellings are unlikely to have any significant impact on tranquillity, given the busyness of the road adjoining the site.

A neighbour has stated that brownfield land should be developed first. Whilst, it is indeed the case that the development of brownfield land should be prioritised, there is nothing in the local plan or the NPPF that prevents the development of greenfield land where it is appropriate development in all other respects.

A neighbour has raised a concern that the proposal is likely to set an undesirable precedent for further development along Verrington Lane. However, any further development on Verrington Lane would be considered on its own merits.

A neighbour has sought confirmation that access to the neighbouring properties would remain secure, that during construction neighbours would not be presented with difficulty of passage, that surfacing of the access is agreed in advance, and any damage to the neighbour's drive would be made good. These are all matters between the interested parties and not issues that the planning system can be involved with.

Another neighbour has sought confirmation that they will be able to consult with the developer before the proposed fence is erected on their boundary. Again, this is a matter between the interested parties and not an issue that the planning system can be involved with.

A neighbour has sought confirmation that their access to water and drains would not be impaired by the development. Again, this is a matter between the interested parties and not an issue that the planning system can be involved with.

## **Conclusion**

Accordingly the proposal is considered to be acceptable in this location, and to cause no significant adverse impact on the character of the area, flooding, highway safety, protected species, or residential amenity.

## **RECOMMENDATION**

That application reference 16/00041/FUL be approved for the following reason:

01. The site is located within a sustainable location, close to a primary market town, where the principle of residential development is acceptable. The development of the site would respect the character of the area with no demonstrable harm to highway safety, protected species, or residential amenity. As such the proposal complies with local plan policies SD1, SS1, SS5, TA5, TA6, EQ2, and EQ4 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 development hereby permitted shall be carried out in accordance with the following approved plans: 13070/HTA, 13070/HTB, 13070/HTC, and 13070/GAR received 06 January 2016, and 13070/002I and 13070/SE01B received 01 June 2016.

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

03. No work shall be carried out on site until particulars of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b) a sample panel, to be prepared for inspection on site, to show the mortar mix and coursing of the external walls;
- c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- d) details of all hardstanding and boundaries
- e) details of the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

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

04. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five 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. The scheme of landscaping shall include the maintenance intentions of the site's bounding vegetation, as well as new planting proposals.

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

05. No development shall commence unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.
- A condition survey of the existing public highway.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

08. The development hereby permitted shall not be brought into use until that part of the service road that provides access to it has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

09. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

10. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to

and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

11. 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 a point on the nearside carriageway 43m to the north of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

12. 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 a point on the nearside carriageway 50m to the south of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

13. Prior to the commencement of development, details of a scheme for incorporating features (e.g. bat and bird boxes incorporated within dwellings, numbers, locations) for the benefit of wildlife shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

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

14. The drainage strategy detailed in the drainage strategy detailed on drawing C161171-C001B and supported by technical note R/161171/DTN02, received 27 July 2016, shall be fully implemented prior to the first occupation of any of the dwellings hereby approved. The drainage scheme shall be retained and maintained in a fully functional manner for the lifetime of the development.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

# Agenda Item 16

## Officer Report On Planning Application: 16/02971/S73

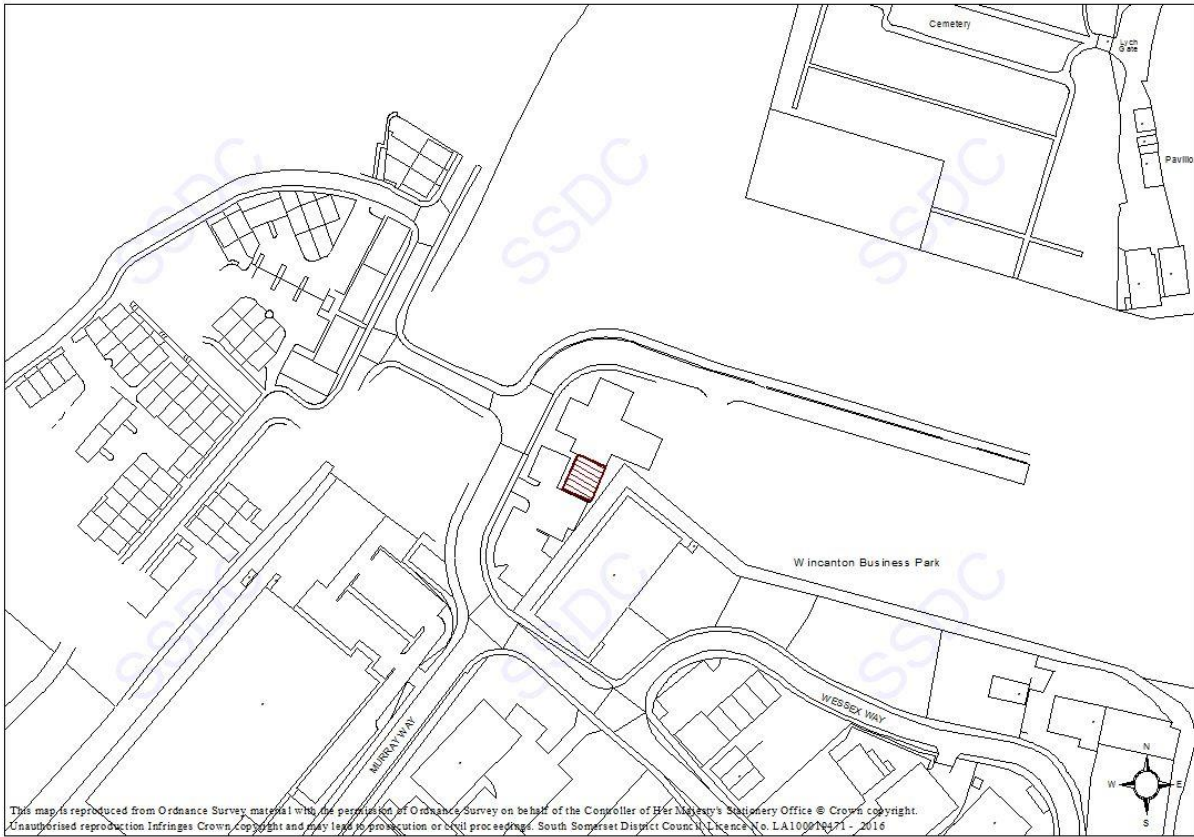
<b>Proposal :</b>	S73 application to vary conditions 1 and 4 of approval 12/00971/S73, to allow for an increase in permitted retail sales area.
<b>Site Address:</b>	Boots Pharmacy Dykes Way Wincanton
<b>Parish:</b>	Wincanton
<b>WINCANTON Ward (SSDC Member)</b>	Cllr Nick Colbert Cllr Colin Winder
<b>Recommending Case Officer:</b>	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
<b>Target date :</b>	8th September 2016
<b>Applicant :</b>	Boots UK Ltd
<b>Agent: (no agent if blank)</b>	Mr Duncan Bennett 140 London Wall London EC2Y 5DN
<b>Application Type :</b>	Other Change Of Use

### REASON FOR REFERRAL

At the request of the ward members to enable the impact on the town centre to be debated.

### SITE DESCRIPTION AND PROPOSAL





This site sits at the foot of the hill, adjacent to the approved access to the New Barns key-site from the Wincanton Business Park. The allocation (KS/WINC/1) comprises residential, employment, education and community uses. The site as a whole has outline permission (05/00960/OUT) for residential development, industrial and community uses including a primary school, an extension to the cemetery and associated landscaped areas.

Two reserved matters approvals have been granted, 09/00979/REM for 283 houses, eleven employment units and an attenuation pond (to serve the whole development) and 10/00014/REM for medical centre, industrial units and retail units with flats above. Subsequently a full, standalone permission (11/03159/FUL) was granted (at appeal) for a medical centre, associated parking and landscaped areas and a pharmacy with a dedicated retail display area of 18m<sup>2</sup> at ground floor as shown on the approved plan.

Condition 5 of the Inspector's decision limits the retail sales area to the 18m<sup>2</sup> as shown on drawing 06010 51. Condition 4 limits the range of goods to those specified on an attached list of restricted pharmacy products and services.

Subsequently a S73 application (12/00971/S73) was approved to vary the sales area to 18sqm. This did not seek to change the list of restricted pharmacy products and services.

This application now seeks to substitute a different ground floor plan to show an increased sales area of 66sqm. No other changes are proposed.

## RELEVANT HISTORY

05/00960/OUT Outline planning permission granted for mixed-use development of land together with new primary school, riverside park and associated

infrastructure (28/12/06). An associated S.106 Agreement, which has been amended by a supplementary agreement covers:-

- Affordable housing (35%)
- Provision and maintenance of landscaped public open space and play facilities
- Provision of the cemetery extension site
- Education contributions;
- Off-site highway and travel plan costs

09/04736/NMA Minor amendments agreed to 09/00979/REM to allow changes to plots 41-58, 94, 115, 116-139 and 143.

10/00014/REM Reserved matters approved for the erection of a medical centre, 3 industrial units, 4 retail units, 7 residential duplexes and associated works. The proposal did not include a pharmacy with the medical centre and condition 10 stated:-

*“None of the retail units hereby approved shall be used as a pharmacy without the express grant of planning permission.*

*“Reason: To safeguard the vitality and viability of the town centre in accordance with policies MC3 and MS2 of the South Somerset Local Plan.”*

10/05187/MNA Minor amendments agreed to 10/00014/REM to allow inclusion of photovoltaic and solar panels to the roof and 6 high-level sun-tube terminals to roof of medical centre.

11/00246/NMA Minor amendments agreed to 10/00014/REM to allow revisions to medical centre.

10/05038/FUL Planning permission refused for the erection of a new Health Centre including pharmacy on the grounds that:-

*“It is not considered that it has been demonstrated that the provision of a pharmacy within the medical centre would not be prejudicial to the vitality and viability of the town centre. As such the proposal is contrary to with policies MC3 and MS2 of the South Somerset Local Plan, adopted 2006.”*

11/03159/FUL Planning permission refused for the erection of a new Health Centre including pharmacy. Allowed at appeal 23/02/12.

11/04690/ADV Signage to pharmacy approved.

12/00971/S73 Variations to conditions 1 (plans) and 5 (retail sales area) of 11/03159/FUL approved.

## **POLICY**

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



The policies of most relevance to the proposal are:

**South Somerset Local Plan 2006 - 2028**

SD1 – Sustainable Development

EP9 – Retail Hierarchy

EP11 – Location of main town centre uses (the sequential approach)

EP12 – Floorspace threshold for impact assessments

EP14 – Neighbourhood centres

EQ2 – General Development

TA5 – Transport impact of new development

TA6 – Parking standards

**National Planning Policy Framework**

**CONSULTATIONS**

**Wincanton Town Council** – No objection.

**County Highway Authority** – No observations

**SSDC Highways Consultant** – Does not consider that the proposed changes would lead to a significant increase in vehicular traffic to/from the site.

**REPRESENTATIONS**

10 letters of objection, including representations from the Wincanton Chamber of Commerce have been received raising concerns about the impact on the viability of the high street due to loss of footfall. The need to the proposal is questioned given the existing outlet on the High Street. Concern is raised that should the High Street outlet close, vulnerable residents without access to a car would not be able to access the pharmacy at the medical centre. Concern is raised about the impact of the medical centre increasing its ranges of goods – these should remain restricted to medical products.

A further letter has been received from a Town Councillor objecting on the grounds that the proposal is contrary to planning policy and would adversely affect the viability of the town centre. The councillor considers that the application demonstrates that Boots wishes to close their High Street branch and should be stopped.

**Applicant's Case**

In response to local concerns the applicants have provided a statement that sets out:-

*An analysis of Wincanton Town Centre including a survey in September 2015 has shown it to be relatively healthy in retail terms with a vacancy level of 8.75% (7 vacant units) compared to a national average vacancy rate of 12.30%. The survey showed a number of new independent retailers entering the town centre including an Arts & Crafts shop, a sewing shop, a café and a sandwich shop. One of the vacant public houses had also been re-opened and another vacant unit was the subject of ongoing restoration works at the time of the survey. This shows the health of the town centre to be improving with a focus on independent retailers.*

*Boots is the only pharmacy and the main personal care goods retailer in the town centre. Only limited personal care goods are sold within the Co-op Supermarket on*

*Carrington Way within the town centre. As such, Boots High Street store would be the main retail outlet for such goods in the town centre potentially impacted by trade draw generated by the proposed expanded retail sales floorspace in the Wincanton Health Centre.*

*There are two main out-of-centre retail outlets .....sell an element of personal care goods, with the Morrisons store featuring approximately 204 sq.m of personal care sales, and the store Lidl featuring approximately 40 sq.m of personal care sales.*

*We would contend that the majority of trade generated by the proposed increased retail sales floorspace at the Wincanton Health Centre Pharmacy would be diverted from these two out of centre stores rather than the town centre as patients and local residents would already travel to these stores for personal care goods rather than travel into the town centre, and would not choose to travel the extra distance to the town centre for these goods. This trade is already lost from the town centre and its diversion from the existing out-of-centre stores would have no impact on the town centre.*

*Boots is committed to the future of its town centre store in Wincanton, indeed where Boots have opened a pharmacy within a health centre, apart from the closure of the store from which the pharmacy contract was relocated, the remaining store(s) in the town have been kept open.*

*In Wincanton Boots relocated its pharmacy contract from its store at 13 Market Place to the relocated health centre in March 2012 and closed the store. Boots retained its store at 29/32 High Street.*

*Since opening, the staff at the Boots pharmacy at the Health Centre have received a considerable amount of feedback from customers with regard to the level of retail provision within the pharmacy. Customers have been asking questions such as 'when are you going to finish the store' and on a daily basis customers are telling staff they would like to be able to buy a wider range of Boots products. This clearly demonstrates a local demand for increased retail provision within the pharmacy.*

*The additional sales floorspace would only be used to sell goods within the current restricted range of goods. Widening of the permitted range of goods is not proposed.*

*We consider that the case put forward in the submitted planning statement and the above additional supporting information provides a robust case for the proposed additional retail sales floorspace being fully compliant with national and local planning policy and provides reassurance to the Council and interested parties that the proposed additional retail sales would be beneficial in meeting local retail needs and would not have a detrimental impact on the town centre or put Boots town centre store at risk.*

## **CONSIDERATIONS**

No physical changes are proposed to the previously approved structure, nor are any amendments to the site layout, landscaping, parking arrangements etc. requested. As such it is not considered that there are any implications for policies EQ2 TA6 or TA5. The sole revision is the repositioning of the retail sales area within the ground floor.

Although an increase of 48sqm is proposed, no variation to the range of goods to be sold is sought. The pharmacy serves primarily the medical centre, and also the substantial

residential area at New Barns. Accordingly whilst such a facility would normally be steered to the town centres of larger settlements (EP9, EP11), it is considered that a justifiable case exists for such a service in this location.

The proposed increase in floor area is not of a scale that triggers the need for an impact assessment (policy EP12); rather it is considered commensurate with a facility that might reasonably be expected in a neighbourhood centre (EP14).

On this basis, it is not considered that its repositioning as shown on the alternative ground floor plan would have any adverse impact on the town centre. As such the proposal complies with the policies of the local plan and the policies contained within the NPPF.

As this is a S73A application it is necessary to treat any approval as a fresh permission and in this respect all other issues, being unchanged, are considered acceptable any remain compliant with the relevant saved policies and the NPPF. Accordingly all other conditions, with the exception of the time limit (the development is now complete) as imposed by the inspector should be attached to the permission. The plans condition should be updated to include the new ground floor condition to be referred to in the amended version of condition 5.

## **RECOMMENDATION**

Grant planning permission subject to the following conditions.

### **Justification**

The proposed medical centre and pharmacy would be of an appropriate scale, with a suitable design and layout, parking and access arrangements that would not be prejudicial to visual amenity, the character of the locality or highways safety. It is considered that it has been demonstrated that the provision of a pharmacy within the medical centre, which would meet a specified need, would not be prejudicial to the vitality and viability of the town centre. Safeguarding conditions could reasonably ensure that the pharmacy would be restricted to ensure that it caters for the demonstrated need. As such the proposal complies with policies SD1, EP9, EP11, EP12, EP14, EQ2, TA5 and TA6 of the South Somerset Local Plan 2006 – 2028 and the policies contained within the National Planning Policy Framework.

### **SUBJECT TO THE FOLLOWING:**

01. The development shall be carried out generally in accordance with the previous approved plans, namely plans 06010 50A;06010 51; 06010 52A; 06010 53A; 06010 54B; 06010 55A; 06010 56A; and 06010 57. With regard to the ground floor pharmacy drawing 06010 51 shall be superseded, in part, by drawing titled Planning Application (drawing number 1309/C215742/GF received 07/07/16 as set out by condition 4 below.

Reason: To define the development hereby approved.

02. The sales area hereby approved shall remain as a pharmacy and for no other retail use within use class A1 of the Use Classes Order 1995 (as amended).

Reason: To ensure that the pharmacy meets the need identified and to safeguard the vitality and viability of the town centre in accordance with policies EP11 and EP14 of the South Somerset Local Plan 2006 - 2028.

03. The goods and services to provided by the pharmacy hereby approved shall be limited to those specified on the “restricted list of pharmacy products and services to the public” provided as Appendix 1 attached to this permission.

Reason: To ensure that the pharmacy meets the need identified and to safeguard the vitality and viability of the town centre in accordance with policies EP11 and EP14 of the South Somerset Local Plan 2006 - 2028.

04. The pharmacy and retail area hereby approved shall be limited to shown on drawing titled Planning Application (drawing number 1309/C215742/GF) received 07/07/16.

Reason: To ensure that the pharmacy meets the need identified and to safeguard the vitality and viability of the town centre in accordance with policies EP11 and EP14 of the South Somerset Local Plan 2006 - 2028.

05. With the exception of out of hours emergency dispensing, the opening hours of the pharmacy hereby approved shall be limited to the opening hours of the medical centre. There shall be no retail sales outside the opening hours of the Healthcare Centre.

Reason: To ensure that the pharmacy meets the need identified and to safeguard the vitality and viability of the town centre in accordance with policies EP11 and EP14 of the South Somerset Local Plan 2006 - 2028.

# Agenda Item 17

## Officer Report On Planning Application: 16/00935/OUT

<b>Proposal :</b>	Outline application for the erection of a detached dwelling
<b>Site Address:</b>	Land OS 2000 Between The Dairy House And Grangers Stowell Road
<b>Parish:</b>	Charlton Horethorne
<b>BLACKMOOR VALE Ward (SSDC Member)</b>	Cllr Tim Inglefield Cllr William Wallace
<b>Recommending Case Officer:</b>	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
<b>Target date :</b>	27th April 2016
<b>Applicant :</b>	Mr & Mrs R Kingman
<b>Agent: (no agent if blank)</b>	Mrs Janet Montgomery Brimble, Lea & Partners Wessex House High Street Gillingham Dorset SP8 4AG
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL

This application is referred to the committee at the request of the Ward Member(s) with the agreement of the Area Chairman to enable the comments of the Parish Council to be fully debated.

### SITE DESCRIPTION AND PROPOSAL





The application site is part of a much larger agricultural field that comes up to the roadside that provides a substantial roadside gap, from which the site is taken that sits between an adjacent field beyond which is a single roadside dwelling, and a dwelling on the site's north-west side with residential plots extending along the roadside in a north-western direction, with a mix of residential and agricultural across the road. Local development is characterised by intermittent development spread out along the road that contributes to Stowell's character.

The proposal seeks outline planning permission with all matters reserved with the proposal seeking the principle of development and its general acceptability in this location for the erection of a detached dwelling. An illustrative layout is submitted with the application. The applicant's covering letter dated 1 March 2016 refers to possible enabling development in support of the applicant's farming business. A letter from their Bank is submitted with the application. Additional financial information (treated as confidential) was submitted for the years 2012 - 2015, including the applicant's letter of the 19 May 2016 and applicant's financial advisor's letter of 18 May 2016. The application has also submitted a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to enable the net proceeds of sale of the proposed building plot to be used to fund the construction of the new milking parlour facilities granted consent under application 15/01518/FUL.

**SITE HISTORY**

782217 Outline: The erection of a bungalow on land adjoining Dairy House Farm, Refused 18.01.1979

78285 Outline: Erection of 2 dwellings and formation of access, refused 26.08.1966

**POLICY**

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

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

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS2 - Rural Settlements

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General development

Regard shall also be had to:

National Planning Policy Framework (March 2012):

Chapter 3 - Supporting a Prosperous Rural Economy

Chapter 7 - Requiring Good Design

National Planning Policy Guidance

Other Relevant Documents

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012 following corrections made.

Somerset Highways Standing Advice - June 2015.

## **CONSULTATIONS**

**Charlton Horethorne Parish Council** - It was proposed and unanimously agreed that the Parish Council positively supports this application based on the scale of the dwelling and supports the maintenance of the related farming business. The Parish Council asks that drainage issues on the site are resolved as part of this application.

**SDDC Economic Development Officer** - I have assessed the confidential financial data and supporting information and support the application. We appreciate that this application would usually be contrary to planning policy for new dwellings in the open countryside; however, in this particular case and set of specific circumstances there is also a strong economic development argument that policy could support to ensure the continued operation of this business.

We have noted the current market conditions for dairy farmers and are aware of the ongoing difficulties that they face at present, which has contributed to the present position. This is a viable and well established business who in order to sustain contracts have invested heavily in new equipment and facilities, which involves significant capital outlay. At the time the project was funded in the usual manner the project was viable for completion, but since this time the market situation has changed. This has left an unfinished project, requiring capital injection, that cannot be funded in the usual manner by mainstream lenders and the future of the business is in jeopardy if the new facilities cannot be completed.

In commercial and economic terms, we are satisfied that the applicant has demonstrated that there is no other option but to sell off a plot of land for residential use in order to raise the capital to fund the completion of the project and ensure the future of the business. This being the case

for the proposed dwelling, we would wish to see any planning permission conditioned to this effect to ensure that funds are used for the intended purpose of the business and project completion.

**SSDC Landscape Architect** - I am not persuaded that we can necessarily view this application site as an 'infill' plot. Stowell is a small settlement, and is characterised by intermittent development spread along its main street, with many of the buildings being farms, or originating as farm buildings, with small paddocks between, and it is these intervening spaces that contribute to Stowell's individual identity, separating the otherwise fairly close concentration of farm and house groups. Consequently, to introduce a new dwelling to one of those intervening spaces is to erode a distinctive element of Stowell's local character, contrary to the requirement of LP policy EQ2.

**SSDC Conservation Officer** - I have considered this proposal in the context of the listed farmhouse to the east. I do not consider an appropriately designed dwelling in this location to cause harm to the setting of the listed building.

**County Highway Authority** - standing advice applies to consider visibility, parking and turning.

**SSDC Highway Consultant** - Consider accessibility and sustainability issues (transport). The traffic impact on the local highway network is unlikely to be significant. While this is an outline application I would prefer the means of access to be secured at this stage in which case details of the geometric layout and visibility splays at the access should be provided, as well as surfacing and drainage details.

## **REPRESENTATIONS**

Following Neighbour notification there have been three letters of support received that consider:

- The proposed development of the site is not detrimental to the village, although any new dwelling needs to be constructed using stone,
- To survive well run dairy farms have to modernise and expand to keep pace with the pressures on the Dairy industry and the technical advances.

## **APPLICANT'S CASE (SUMMARISED)**

The applicants have a milk contract with Muller who required the Kingmans to upgrade the dairying facilities that results in a substantial investment to secure a new purpose built milking parlour whose investment confirms continuity of the milk contract. The financial accounts confirm that the business is profitable, although profitability is anticipated to be reduced due to the lowering milk prices. In October 2015 the business borrowed in order to undertake the majority of the work for the new parlour. In order to complete the parlour a minimum additional borrowing is required which cannot be secured through further bank borrowing. By being able to have money injected into the farm, this will not only then enable the final works to the parlour to be completed, but takes pressure off the bank borrowing enabling the business to be able to respond to the vicissitudes of market prices and interest rates. The proposal relates to a profitable business.

## **CONSIDERATIONS**

### **Principle of Development:**

Stowell is one of the smaller more deeply rural locations in the district and although there is a church its location is stood apart from the application site; there are no other services or



facilities. The Parish Council area includes several settlements, the primary settlement of Charlton Horethorne remains some distance from Stowell with the effect that its services and facilities are not considered to contribute towards making Stowell a Policy SS2 settlement location. On this basis it is considered that there is no support 'in principle' for new residential dwellings at Stowell. Accordingly there is the need to consider any other material considerations including character and appearance, highway safety, neighbour amenity, and the applicant's case of 'enabling development'.

#### **Character and Appearance:**

The Landscape Architect's response is given in full, above. This is not supportive having noted the roadside character and considers the proposed development erodes the settlement's predominant character of intervening spaces within an otherwise fairly close concentration of farm and house groups. It is therefore considered that the proposal would have a detrimental impact on character and appearance contrary to Policy EQ2.

#### **Highway Safety:**

The application is in outline with all matters reserved. Notwithstanding the illustrative plan there is scope to re-position features on site including the access point if required. From the planning officer's site visit it appears an acceptable access is achievable to accommodate highway requirements. The Council's Highway Consultant considers access not to be an issue. The detailed access arrangements are considered can be addressed as part of the reserved matters.

#### **Neighbour Amenity:**

The layout and scale of development is still to be considered although at this stage the overall location and relationship of adjacent occupants to the site is such that an acceptable scheme is considered can come forward as part of the reserved matters that would consider layout and scale in detail at that time.

#### **Other Matters:**

The applicant's case is summarised above while it seeks to make the case for an 'enabling development' in support of a final investment phase that is considered makes the farming operation that much more sustainable. 'Enabling development' is more appropriately concerned with protecting heritage assets than as a means of raising monies for a local business.

The applicant argues that having invested substantial sums in the milking parlour that is required to secure a beneficial milk contract for the long term, there remains an outstanding investment required to complete the project that is not achievable through the bank. This results from market conditions and the drop in milk prices. They point out that having begun the project with every intention of having achieved the investment there remains an outstanding sum and the circumstances, they claim, makes their case relatively unique. Having considered the financial accounts the Economic Development Team have accepted the applicant's need to raise funds at this juncture to conclude the scheme.

It is generally acknowledged that dairy farming, in particular, has been hard hit over a long period of time. It is important that dairy herds continue to have a presence in the countryside and while there is no indication that failure to secure additional investment would lead to the farm's demise the additional investment is thought secures the business's long term sustainable future. It is also important to draw a line between raising monies for this business to pursue investment opportunities and the relatively unique position of the applicant's need to secure a final investment that originally had not been envisaged in the planning of the investment. Additionally, the applicant offers a Unilateral Undertaking (legal agreement) that seeks to secure the financial gains with the completion of the milking parlour project.

Notwithstanding, this is not something considered adds any additional weight in support of the proposal.

Having considered the issues it is clear that the applicants need to have justified the presence of a dwelling in this location. There is no policy support to secure a new dwelling in this location. 'Enabling development' is more appropriately concerned with the protection of heritage assets, first and foremost. Equally the justification does not relate to the needs of the agricultural business in relation to an occupancy requirement, but rather involves raising monies by developing an open market dwelling in this location with the funds to be reinvested in the business. Notwithstanding the relatively unique circumstance that has seen substantial investment only to have fallen short at the final financial hurdle required to complete the development there is no local plan policy support. The material considerations are not considered attracts sufficient weight for there to be Planning Officer support and in consequence the officer recommendation must seek refusal.

## **RECOMMENDATION**

Refuse

### **For the following reasons:**

01. The erection of a new dwelling in this rural location, remote from adequate services, employment, education and public transport, has not been justified on the basis of any exceptional circumstance or community benefit that would outweigh the longstanding policy presumption to protect the countryside from unwarranted and unsustainable development. As such the proposal is contrary to the aims and objectives of the NPPF (in particular paragraphs 14 and 55), and policies SS1 and SS2 of the South Somerset Local Plan.
02. Stowell is a small settlement characterised by intermittent development with many of the buildings being farms, or originating as farm buildings, with intervening spaces between that contribute to Stowell's individual identity, separating the otherwise fairly close concentration of farm and house groups. Consequently, to introduce a new dwelling to one of those intervening spaces, is to erode a distinctive element of Stowell's local character, contrary to the requirement of LP policy EQ2.

# Agenda Item 18

## Officer Report On Planning Application: 16/00090/FUL

<b>Proposal :</b>	Conversion of agricultural building to dwelling and the erection of a detached carport with room above, boundary wall and formation of new access (Revised and Part Retrospective).
<b>Site Address:</b>	Land And Buildings Adjoining Cooks Cary Farm Lytes Cary Kingsdon
<b>Parish:</b>	The Charltons Parish Council
<b>NORTHSTONE Ward (SSDC Member)</b>	Cllr David Norris
<b>Recommending Case Officer:</b>	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
<b>Target date :</b>	14th March 2016
<b>Applicant :</b>	Mr S Beaton
<b>Agent: (no agent if blank)</b>	Mr Stuart Sinclair Seymour Studios Bratton Seymour Wincanton BA9 8BY
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### UPDATE

This application was presented to Area East Committee at their June meeting earlier this year where it was resolved to approve the application subject to a requirement that the applicant reconfigure the boundary wall in order to improve the next door neighbour's visibility. A number of conditions were also imposed including condition 2 which required the timber boarding proposed at first floor level on the south elevation to be installed prior to the first occupation of the barn conversion.

#### Update – Neighbour's visibility splay

Amended plans have been provided revising the neighbour's visibility splay as it extends across the application site. The amendment involves the removal of the 'milk churn stand' and the setting back of the roadside wall 14.3m to the north along the application site which will allow the neighbours to have visibility exiting their properties as far as the bend in the road to the north (beyond the access for Lytes Cary Manor).

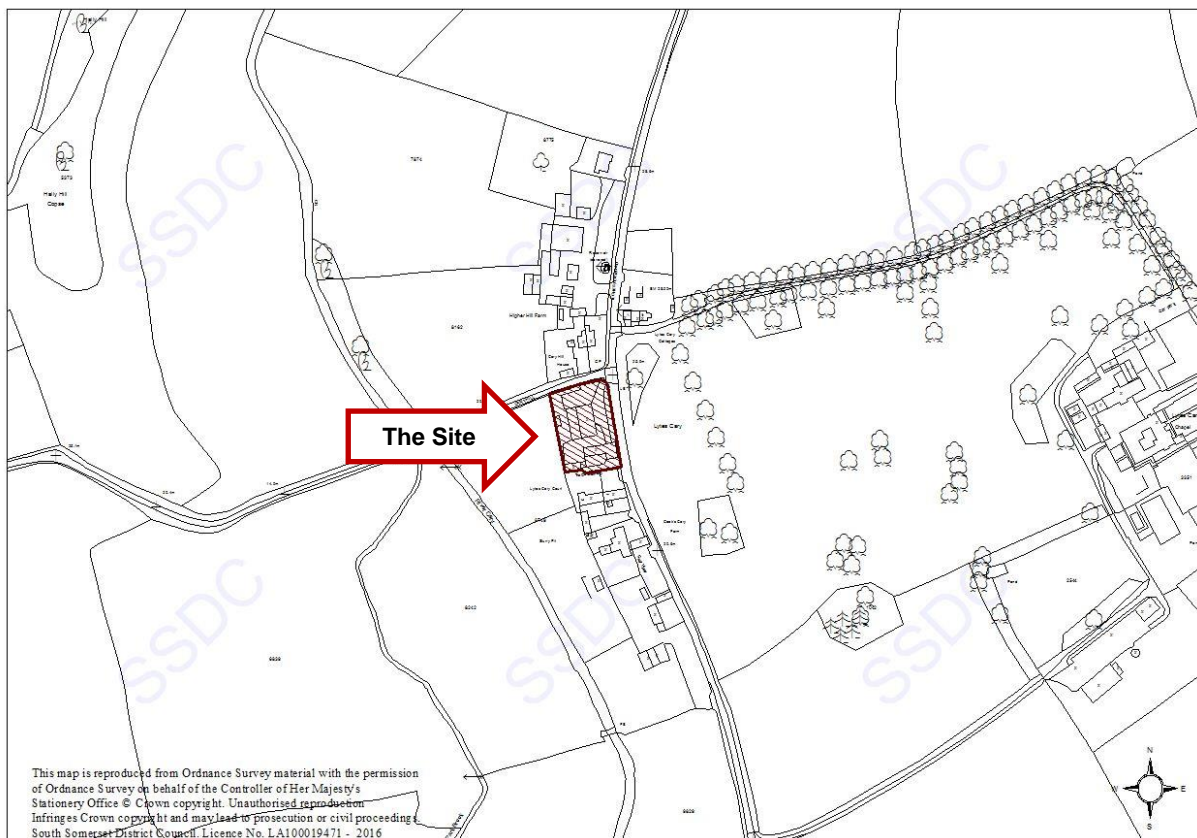
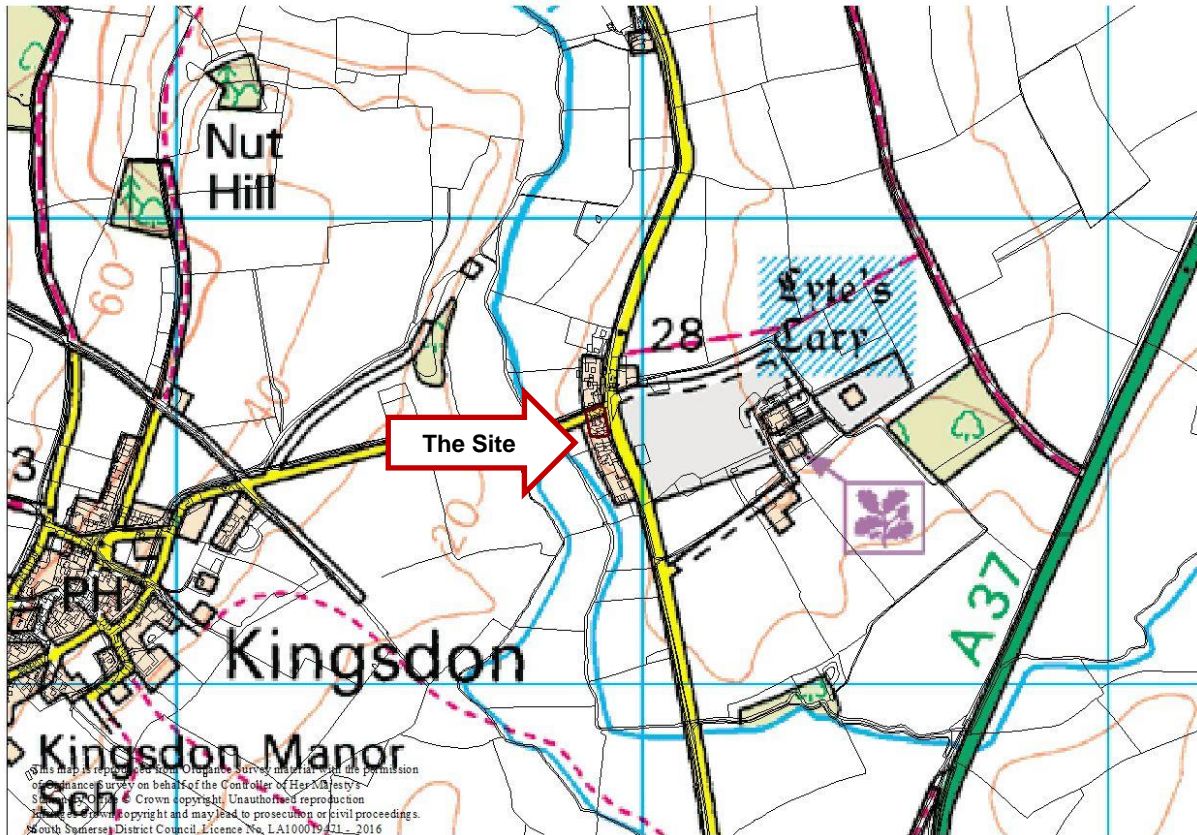
#### Update – Revised treatment of the south facing gable

Under the application as first submitted the south facing gable was treated with full drop glazing at both first and ground floor level. The application was initially referred to Committee recommended for refusal as the use of full glazing at first floor level was considered to be intrusive to the privacy of the adjacent neighbour. The applicant subsequently amended this by reducing the extent of glazing at first floor level to two much more modest casement windows with the rest of the first floor area to be treated with timber boarding. As a result of this amendment the officer amended their recommendation to Committee to one of approval (subject to conditions).

Following the June Committee meeting the applicant has sought to amend the scheme and to omit the first floor timber boarding previously agreed in order to retain the full drop glazing that has already been installed. The application is referred back to Committee to address this matter.

*ORIGINAL OFFICER REPORT AMENDED AS NECESSARY*

# SITE DESCRIPTION AND PROPOSAL



This application is seeking retrospective planning permission to carry out alterations and convert an agricultural building to a dwelling, erect a detached carport and formation of a new access. The application follows two previous consents relating to the conversion of this building to a dwelling however the works carried out vary from both of these consents. The works to convert the building have now been carried out.

The application site is a former disused farmyard and is located in the open countryside remote from any established settlements or development areas. The site is immediately adjacent to the highway and is bounded by natural stone walls reconstructed by the applicant. The site is bounded by residential properties to the south and north with an access serving the neighbouring properties to the south situated immediately alongside the south boundary of the site. The site is bounded by farmland to the west and Lytes Cary Manor listed park and garden to the east on the opposite side of the public highway. Lytes Cary Manor house itself is set some distance to the east and is grade I listed. A high natural stone wall has been constructed between the site and the neighbouring properties to the south.

### **RELEVANT HISTORY:**

12/04550/FUL: Conversion of existing barns to dwelling, erection of garage and formation of new vehicular access. Permitted.

10/01610/FUL: Conversion of existing barns into two holiday lets, erection of car ports and formation of new vehicular access. Permitted 2010.

09/00160/FUL: Formation of new roof on existing building for agricultural use. Permitted 2009.

### **POLICY**

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

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

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

SD1 - Sustainable Development

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

EQ2 - Historic Environment

EQ4 - Biodiversity

### **National Planning Policy Framework**

Part 1 - Building a strong, competitive economy

Part 4 - Promoting sustainable transport

Part 7 - Requiring good design

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

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

### **CONSULTATIONS**

**Charltons Parish Council:** Comments relating to the latest amendments – Recommend approval. The Parish Council has received confirmation from the residents of Lytes Cary Court

that they are now satisfied with the amended plans which have addressed their concerns regarding safe egress from their properties.

*Previous comments* - Recommend refusal.

The height of the boundary wall on the east side of the property (Ilchester Road) is still at an unacceptable height seriously curtailing the view for vehicles exiting the next-door properties (Lytes Cary Court) in a northerly direction. The road is subject to the national speed limit and so vehicles can travel at any speed up to 60 mph. The addition of cock and hen capping stones increases the height, especially when taking into consideration that the main access from the development rises up approximately 1 metre before even reaching the road.

The development of this wall is contrary to the original planning permission and still not as modified on the retrospective plans. The drawings submitted are not accurate and do not reflect the existing development which they are meant to regularise. The sightline for cars exiting Lytes Cary Court is still severely impaired. The visibility splay on the plan is about 1.2m out, it is as though the measurement has been taken from the middle of the carriageway, not the edge, in an effort to meet the recommended 2.4m. The sightline north is reduced to no further than 45m, drivers must have a full view up the road without endangering themselves and other road users. The wall must be rebuilt to maintain the sightline from Lytes Cary Court as well as giving an effective sightline for vehicles leaving the developed property.

There are a number other breaches which are not a major concern to the residents. They are still willing to compromise and would accept the wall being moved back only 1 metre, which would give the necessary sightline.

The Parish Council's and residents' main area of concern remains the safe egress for resident of Lytes Cary Court and the new development, therefore the Parish Council asks that this matter has your urgent attention to ensure that a safe sightline is restored and maintained and the plans amended accordingly.

**County Highways:** Referred to their standing advice.

**Garden History Society:** No comments received

**Amenities Society:** No comments received

**National Trust:** No comments received

## **REPRESENTATIONS**

*Comments in respect of the latest amendments* – Written representations have been received from the next door neighbour at 1 Lytes Cary Court stating that they have no objections to the latest amendments.

*Previous comments* - Written representations have been received from the two neighbours that adjoin the site to the south raising the following concerns and objections:

- The position and height of the boundary wall onto Ilchester Road remains unacceptable in that it fails to provide 1 & 2 Lytes Cary Court with the necessary visibility splay or height required to provide them with safe egress onto the road. Policy SD1 of the LP states that development should normally be supported unless the adverse effects would demonstrably outweigh the benefits. Paragraph 32 of the NPPF notes that planning decisions should take account of whether "safe and suitable access to the site

can be achieved for all people ..". This adverse harm to highway safety is sufficient to refuse this application. There is sufficient room to achieve the required visibility.

- Unlike the previously approved scheme, the development as built includes a substantial amount of additional glazing and fenestration to the southern elevation, the whole of the southern gable now glazed. This is a substantial variation to what was originally approved. We question if this is in keeping with the traditional character of the building and the wider area.
- The increased glazing will result in increased light pollution.
- The primary outlook of 1 Lytes Cary Court is to the north towards the application site. The southern wall for Bedroom 2, which is at first floor level, is now fully glazed and looks directly into the various primary rooms at 1 Lytes Cary Court. The combined effect of the proximity of the buildings and the width of the windows will heighten the overall loss of privacy to this property. It also appears that bedroom 2 has been subdivided to form two rooms, which further intensifies this overlooking concern.
- The new access for the development does not accord with the highway authority's previous recommendations for application 12/04550/FUL, the roadside wall has been built hard against the highway instead of being set back behind the visibility splay. The gradient of the access also has a detrimental effect for the visibility of drivers leaving the site. The new gate and splay are also not set back sufficiently from the carriageway.
- There is a five bar gate in the northeast corner of the site at the junction with Cary Hill, this should be blocked up.
- The submitted plans are not accurate.

## **CONSIDERATIONS**

This application is seeking to convert an existing barn into a single residential dwelling, erect a detached garage and form a new access.

The application follows the granting of planning permission (10/01610/FUL / 12/04550/FUL) for the conversion of an agricultural barn to a dwelling, the erection of a detached garage and formation of a new vehicular access. The current application is retrospective and seeks to address amendments to the approved scheme, including an amended redline area to include an extension to the associated garden area, amended access and amended fenestration detailing.

### **Principle**

The principle of the residential conversion of this site to a single dwelling has previously been established through the earlier permission (12/04550/FUL).

### **Residential amenity**

This application includes a number of alterations to the fenestration detailing from that approved under the previous scheme. The most significant of these alterations relates to the enlarged areas of glazing on the south elevation, including at first floor level in the south facing gable (a bedroom window) which faces directly into the front of the next door property (1 Lytes Cary Court). The previously approved scheme granted two modest casement windows in this gable end and it is accepted that the enlarged area of glazing will significantly increase the sense of overlooking and loss of privacy to this next door neighbour, it is noted that the neighbour previously objected for this reason, albeit they have since dropped this objection, and that they previously stated that their main outlook for their primary living accommodation is to the north towards the site.

The distance between this gable end and the neighbour's front windows is just over 20 metres

and it is acknowledged that a high wall has been erected on the adjoining boundary between the neighbour and the application site. However, given this gable window serves a primary living room (bedroom 2) and bearing in mind the internal floor level of this room, there will be full and clear views from this room into the neighbour's windows opposite. The resulting increased sense of overlooking to the neighbour, compared to that of the previously approved scheme, is considered to be significantly more intrusive to their privacy and to constitute a demonstrable and unacceptable loss of the neighbour's residential amenity.

Further to this, there is also the matter of the amenity of future occupiers of this development to be considered. The two main bedrooms (bedrooms 1 and 2) are at first floor level within the east wing of the barn conversion and are served by full glazing within the two gable ends. This arrangement results in a 'goldfish bowl' situation with clear views from the next door neighbour into bedroom 2 and from anyone passing by the property along the adjacent lane into both bedrooms. This situation can be remedied by the use of internal blinds / curtains and so whilst it is a poor arrangement is not considered to be sufficiently severe as to be a reason to object to this development.

The neighbour previously also raised concerns about light pollution although has not reiterated in respect of the latest amended proposal. Whilst internal lighting at night is likely to be visible to the neighbour it is not considered that the resulting impact would be so great as to cause any significant disturbance to them.

In all other respects the design changes raise no substantive amenity concerns and are considered to be acceptable.

### **Design and visual amenity**

The scale and form of the barn conversion has not varied from that previously approved. The changes to the fenestration detailing of the barn are quite significant, however, bearing in mind that the south and north gables of the original barn were previously open sided it is accepted that treating them with glazing in this manner is in keeping with the original form and character of this building. The other alterations, which includes enlarged glazing at ground floor level on the south elevation and within the west facing gable and the addition of a timber framed porch on the north elevation raise no strong visual amenity concerns.

### **Impact upon the adjacent listed park and garden**

The site is situated on the opposite side of the road from the listed park and garden associated with Lytes Cary Manor. No comments have been received from any of the relevant amenity societies or the National Trust in respect of the application and it is not considered to significantly impact upon the setting of this historic asset any more than that which was previously approved.

### **Parking and highway safety**

The proposed access, parking and turning arrangements to serve the development generally accord with the highway authority's standing advice. A neighbour has noted that the position of the boundary wall either side of the access differs to that previously approved, however, provided the wall does not exceed 900mm in height and the level of the access is at the same height as the road, matters that can be controlled by condition, then it is accepted that visibility for drivers leaving the site will match that agreed under the previous permission.

A new boundary wall has been erected along the road boundaries to the north and east of the site. The position of the wall as indicated on the submitted layout plan is generally considered



to be acceptable and is such that the southern visibility splay for the Cary Hill / Ilchester Road junction should be preserved. Unfortunately it would appear that the built position of a section of this wall does not strictly accord with this plan and affects the visibility for drivers pulling out of Cary Hill onto Ilchester Road. This is a matter however that must be dealt with separately to the planning application.

Following the June Committee meeting the applicant has submitted amended plans detailing revised boundary treatment to the southeast corner of the south which previously intruded into the neighbour's visibility splay. The amended plans include the removal of the 'milk churn stand' and an extended splay (the relevant section of boundary wall and stub wall have already been removed on site) which will allow the neighbour's visibility as far as the bend in the road to the north of the Lytes Cary Manor access. On this basis this amended proposal is considered to address the Committee's previous concerns and to provide the neighbours with a safe means of access to and from their properties. Whilst no comments have been received from the occupant of 2 Lytes Cary Court it is noted that the occupants of 1 Lytes Cary Court have confirmed that they are satisfied with these amendments.

### **Conclusion**

In summary, it is considered that the increased level of overlooking to the next door neighbour constitutes a demonstrable loss of amenity and for this reason the development is considered to be unacceptable and is recommended for refusal.

### **RECOMMENDATION**

Refuse permission for the following reason:

1. The proposed development, by reason of its design and window arrangement, will significantly increase the extent to which the development overlooks the next door property increasing both the sense of intrusion and a genuine loss of privacy to the neighbour which is considered to be so severe as to represent a demonstrable loss of their amenity. The application is therefore contrary to the aims and objectives of policy EQ2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

# Agenda Item 19

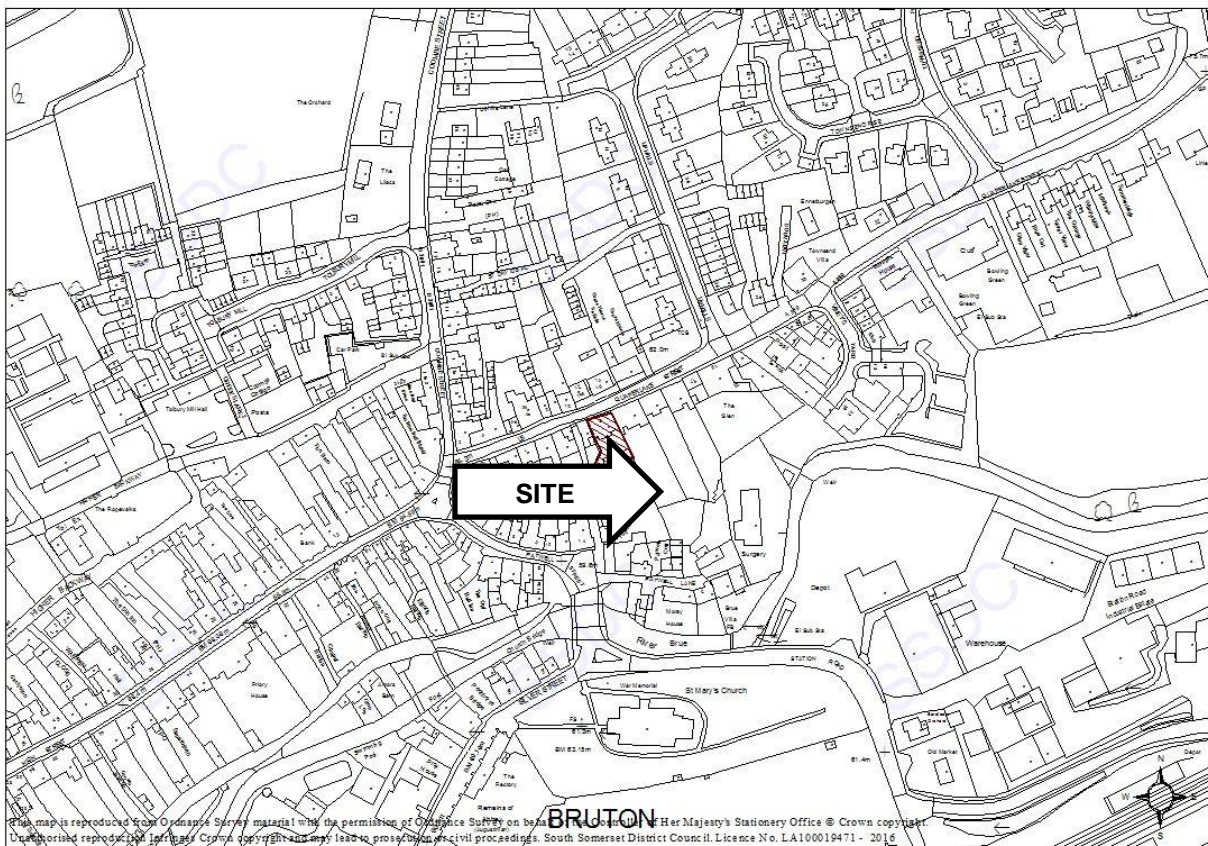
## Officer Report On Planning Application: 16/02374/FUL

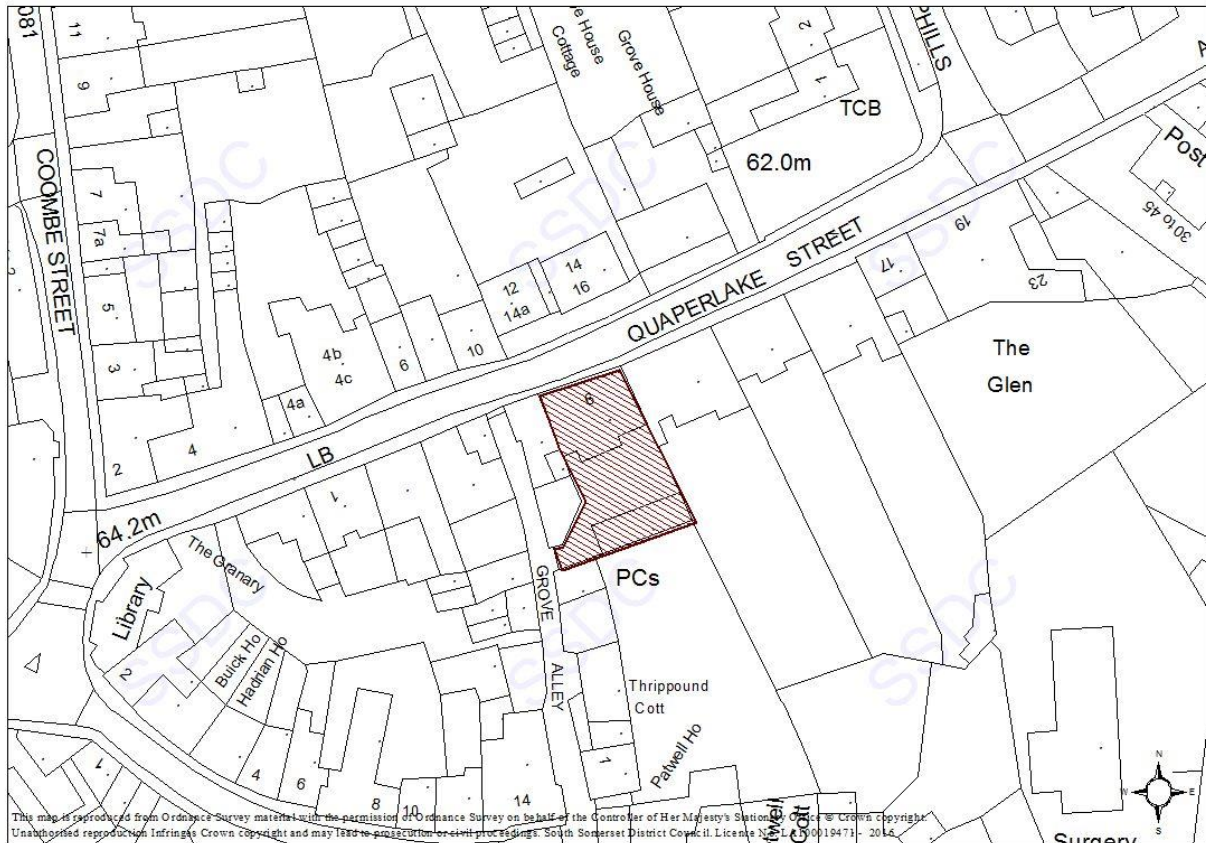
Proposal :	Refurbishment of free-standing outbuilding to create an annex to house (guest bedroom and living space) (revised application)
Site Address:	9 Quaperlake Street Bruton BA10 0HF
Parish:	Bruton
BRUTON Ward (SSDC Member)	Cllr Anna Groskop
Recommending Case Officer:	Sam Fox Tel: 01935 462039 Email: sam.fox@southsomerset.gov.uk
Target date :	5th August 2016
Applicant :	Ms Natalie Jones
Agent: (no agent if blank)	
Application Type :	Other Householder - not a Change of Use

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee at the request of the Ward Member(s) with the agreement of the Area Chairman to enable the comments of the Town Council and neighbours to be fully debated.

### SITE DESCRIPTION AND PROPOSAL





The site is located on the south side of Quaperlake Street, within both the development and conservation areas.

The property is a terraced, two-storey Grade II listed building constructed of stone painted cream with dark blue painted timber windows under a clay tile roof. The surrounding properties are two storey terraced varying in age and design, most also being Grade II listed. The property has been converted to a mixed residential/shop/café with the ground floor front of the building being given over to the shop and café and the ground floor rear and upper floors being given over to residential.

This application seeks permission for the refurbishment of a free-standing outbuilding to create an annexe to house guest bedroom and living space (revised application).

The application is supported by a design and access statement.

The proposal has been amended by plans submitted 02 September 2016 to address concerns raised by the conservation officer about the number and size of the rooflights.

## RELEVANT HISTORY

16/01688/FUL - Refurbishment of free-standing outbuilding to create annexe to house (guest bedroom and living space). Application withdrawn.

16/01689/LBC - Refurbishment of free-standing outbuilding to create annexe to house (guest bedroom and living space). Application withdrawn.

## 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)**

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

### **National Planning Policy Framework**

7 - Requiring good design  
12 - Conserving the historic environment

### **Other Relevant Documents**

Somerset Parking Strategy

## **CONSULTATIONS**

**Bruton Town Council** – Bruton Town Council has considered the above application for Ms. Natalie Jones of 9 Quaperlake Street, Bruton BA10 0HF and wish to recommend that this application be approved with a condition that the roofing materials be changed to be more in keeping with the surrounding roof scape. Council is unhappy with the current proposals for metal sheeting panels.

**Highway Authority** – Standing advice applies, parking for 3 vehicles.

**SSDC Highway Officer** - No significant highways issues provided the outbuilding is used as an annex ancillary to the main residence and that sufficient on-site car parking is provided in line with SPS optimum standards

**Conservation Officer** – Thank you for consulting me. I have reviewed this revised proposal carefully, and note the comments put forward by local residents.

The three rooflights on the north roof slope are still very large. They scale off at about 1.6m in length, which seems excessive for such a small room, particularly as there is a window in the west elevation as well. I suggest the three are reduced to two, and both are much smaller conservation type units.

I have no objection to the treatment of the rest of the building. I am content with the proposed use of profiled metal. I consider this to be an appropriate roof covering for a modest outbuilding such as this. No details of the actual product have been submitted. Such details would be useful at this stage, particularly as the suitability of this product has been raised as a concern by local residents. I suggest the use of a traditional small 's' profile, based on the profile of historic wriggly tin. The colour could be re-considered. A grey finish may be preferable as it will be less stark than black.

## **REPRESENTATIONS**

7 letters have been received raising the following areas of concern:-

- Parking, will increase problems in the area

- Roof materials not in keeping, would create noise when raining
- Ridge height, loss of light, shadowing, visibility within conservation area
- Rooflights, loss of privacy, overlooking
- Western gable window, loss of privacy, overlooking
- Boundary wall issues
- Discrepancies in drawing accuracy, no measurements marked on them

## **APPLICANTS CASE**

The applicant has provided a Design & Access statement along with a response to some of the issues raised stating:

Parking – all guests advised to park in existing public car parks in Bruton.

Vehicles driving up Grove Alley – apart from during building work there will be no access to up Grove Alley to B&B guests.

Objection to another B&B room – We are fully booked with demand for a second room. We plan to have a family meaning the current room within the house cannot be used due to baby disturbing guests. The annexe will replace the B&B in this event.

Increase in height unnecessary – In order for the building to be adapted into a usable space it is necessary to raise the ridge of the higher half of the building. In consideration for neighbours, this is the minimum rise feasible to allow for the existing first floor space to be inhabited.

Roof material – the new roofs are to be clad in metal profiled sheeting, like for like replacement of existing material. Metal roof retains agricultural appearance of the building while upgrading with simple contemporary detailing.

Rooflights – These need to be opening for ventilation. They will be frosted/opaque for privacy and openings restricted for the same reason, to maintain privacy.

## **CONSIDERATIONS**

The proposal is for the conversion of an existing outbuilding into additional living accommodation. The building lies in the south east corner of the curtilage of the property and it is proposed to raise the roof of half the building to provide bedroom space.

The key issues are therefore considered to be:-

- Visual amenity
- Residential amenity
- Highway safety

### **Each Key Issue**

#### **Visual amenity**

The proposal is considered to be of an appropriate size, scale design and detailing with materials stated as being to match the existing property. The conservation officer has been consulted on the proposal and largely supports the scheme, however, he raised an issue with the size and number of rooflights and with the black finish to the metal roof. Following on from this advice the agent provided revised drawings by email on 02 September 2016 reducing the number of rooflights to 2 and reducing the size. The applicant also agreed to a change in the roof colour from black to grey in line with the conservation officer's advice. The conservation officer is now satisfied with the proposal. On this basis it is not considered that it would harm the character of the Grade II listed property or have a detrimental impact on the visual amenity of the conservation area.

### **Residential amenity**

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

### **Highway comments**

Prior to 2014 the main dwelling had 5 bedrooms and following the applicants extension and refurbishment scheme this was reduce to 4. This proposal brings the total number back to 5. The existing arrangement does not meet the current requirement and given the properties situation within the town, it is not unusual within Bruton town centre to have little if any parking, with designated road parking on Quaperlake Street and being close to public car parks it is not considered the proposal will raise any significant additional highways issues in terms of parking.

### **Other Issues**

#### **Parish Council comments**

The comments of the Parish Council have been noted. The only issue of concern is the roof material. This element of the proposal has been carefully considered and given the buildings position and what exists the proposed material is considered to be acceptable. The conservation officer has lent his full support to the proposal following an agreement to the change in colour from black to grey.

#### **Neighbour comments**

The comments of the neighbours have been noted and dealt with as follows:

#### **Parking**

These issues have been addressed in my highway comments along with the applicant's response that the only increase in traffic will be during the build.

#### **Roof**

As stated above, the materials have been carefully considered and are considered to be acceptable given the buildings position set back from the main street. Whilst some have drawn similarities to an older scheme next to the site that required the use of tiles, each case is dealt with on its own merits and although close, this building sits directly gable onto the highway, Grove Alley, not behind the main frontage. The conservation officer supports the proposal in terms of its impact on both the listed building and the wider conservation area. The impact of noise from rain is not considered to be of any harm given what exists. Given the very restricted views from Grove Alley, it is not considered that the proposed increase in height will have a significant impact. The applicant has stated the need to increase the height to provide a usable area within the roof space, which is evident from the drawings provided. It is not considered that the proposed height increase will cause any significant loss of light given the properties orientation. Likewise, any marginal shadowing at certain times of year would be in a small area of garden away from the main dwelling. The rooflights have been reduced in both size and number and will sit approximately 1.7m above the internal floor. The applicant has stated that they will be frosted/opaque and restricted opening to assist privacy. It is not considered that these will cause any significant harm to privacy given their position within the roof space. Likewise, the window in the western gable will serve the new stairwell into the roof space and is relatively small in size. Whilst it may provide some views into the end of the adjoining neighbours garden at No. 7 it will not face directly into their property and is not considered to cause any significant harm in terms of overlooking. Whilst the neighbouring property to the rear, south, has raised objections due the oppressiveness and loss of view given the increased height and overlooking from the western gable window,

given the orientation of the property and the distance, approximately 70m, it is not considered that the proposal will cause any harm in terms of overshadowing, overbearing or overlooking.

### **General**

The issue raised regarding the boundary wall is a civil matter and any structural issues will be dealt with through building control. The issue over the discrepancies in height due to lack of heights on drawings, the drawings are drawn to scale and at any time these heights can be confirmed on request. The visibility of the proposal from Grove Alley has been acknowledged; however, this will be minimal and is not considered to be unacceptable. The issue regarding potential B&B and its impact on parking, this has been addressed by the applicant in terms of potential customers being guided to the use of existing public car parks within the town. As for the B&B use, the applicant currently runs this from her home and has explained that should they start a family this could then be run from the converted building.

### **Conclusion**

It is not considered that the proposal will cause any significant harm in terms of visual and residential amenity nor is it considered to cause any significant harm to the setting of the listed building or the wider surrounding conservation area. The proposal is considered acceptable in terms of its impact on highway safety. Accordingly the proposal is considered to comply with policies EQ2 and EQ3.

### **RECOMMENDATION**

Grant permission subject to the following conditions

### **Justification**

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

### **SUBJECT TO THE FOLLOWING CONDITIONS:**

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. No work shall be carried out on site to any external roofs unless particulars of the materials to be used, including colour, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

03. No work shall be carried out to fit the roof lights unless details of the units have been submitted to and agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing, the roof lights shall be top hung and flush with the roof covering.

Such approved details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

04. No work shall be carried out to fit any doors, windows, boarding or other external opening unless details of the design, materials and external finish of these elements have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

05. No work shall be carried out on site unless particulars of the materials (including the provision of a sample panel ) to be used for external walls have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

06. No work shall be carried out to fit any new WCs, Bathrooms, Kitchens or Utility rooms unless details of all new services to such rooms, including details of routes of foul water and any ventilation or extraction have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

07. The development hereby permitted shall be carried out in accordance with the following approved plans: Details and drawings received on 31 May 2016, details received on 09 June 2016 and amended drawings received by email on 02 September 2016.



# Agenda Item 20

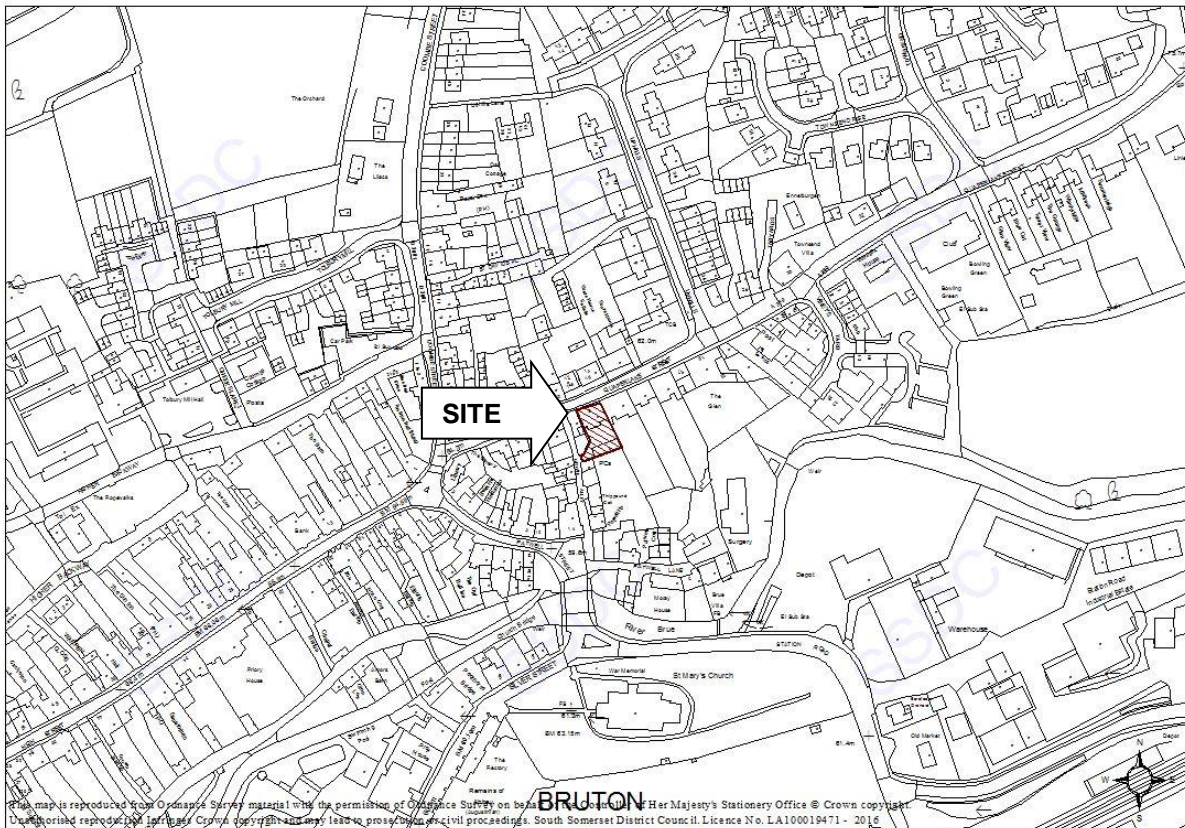
## Officer Report On Planning Application: 16/02567/LBC

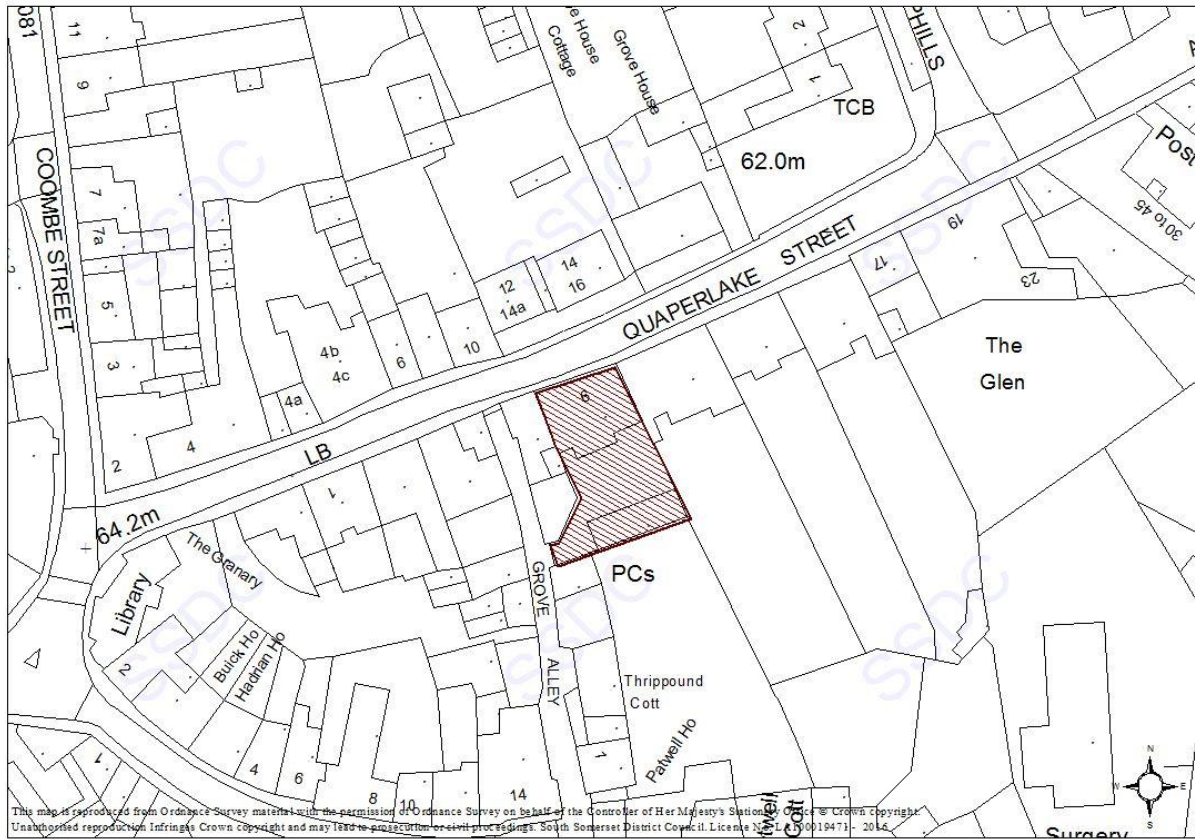
<b>Proposal :</b>	Refurbishment of free-standing outbuilding to create an annex to house (guest bedroom and living space) (revised application)
<b>Site Address:</b>	9 Quaperlake Street Bruton Somerset
<b>Parish:</b>	Bruton
<b>BRUTON Ward (SSDC Member)</b>	Cllr Anna Groskop
<b>Recommending Officer:</b>	Sam Fox Tel: 01935 462039 Email: sam.fox@southsomerset.gov.uk
<b>Case</b>	Sam Fox
<b>Target date :</b>	5th August 2016
<b>Applicant :</b>	Ms Natalie Jones
<b>Agent: (no agent if blank)</b>	
<b>Application Type :</b>	Other LBC Alteration

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee at the request of the Ward Member(s) with the agreement of the Area Chairman to enable the comments of the Town Council and neighbours to be fully debated.

### SITE DESCRIPTION AND PROPOSAL





The site is located on the south side of Quaperlake Street, within both the development and conservation areas.

The property is a terraced, two-storey Grade II listed building constructed of stone painted cream with dark blue painted timber windows under a clay tile roof. The surrounding properties are two storey terraced varying in age and design, most also being Grade II listed. The property has been converted to a mixed residential/shop/café with the ground floor front of the building being given over to the shop and café and the ground floor rear and upper floors being given over to residential.

This application seeks permission for the refurbishment of a free-standing outbuilding to create an annexe to house guest bedroom and living space (revised application).

The application is supported by a design and access statement.

The proposal has been amended by plans submitted 02 September 2016 to address concerns raised by the conservation officer about the number and size of the rooflights.

**RELEVANT HISTORY**

- 16/01688/FUL - Refurbishment of free-standing outbuilding to create annexe to house (guest bedroom and living space). Application withdrawn.
- 16/01689/LBC - Refurbishment of free-standing outbuilding to create annexe to house (guest bedroom and living space). Application withdrawn.

**POLICY**

Section 16 of the Listed Building and Conservation Areas Act is the starting point for the

exercise of listed building control. This places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

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

### **South Somerset Local Plan (2006-2028)**

Policy EQ3 - Historic Environment

### **National Planning Policy Framework**

7 - Requiring good design

12 - Conserving and enhancing the historic environment

## **CONSULTATIONS**

**Bruton Town Council** - Bruton Town Council has considered the above application for Ms. Natalie Jones of 9 Quaperlake Street, Bruton BA10 0HF and wish to recommend that this application be approved with a condition that the roofing materials be changed to be more in keeping with the surrounding roof scape. Council is unhappy with the current proposals for metal sheeting panels.

**Conservation Officer** - Thank you for consulting me. I have reviewed this revised proposal carefully, and note the comments put forward by local residents.

The three rooflights on the north roof slope are still very large. They scale off at about 1.6m in length, which seems excessive for such a small room, particularly as there is a window in the west elevation as well. I suggest the three are reduced to two, and both are much smaller conservation type units.

I have no objection to the treatment of the rest of the building. I am content with the proposed use of profiled metal. I consider this to be an appropriate roof covering for a modest outbuilding such as this. No details of the actual product have been submitted. Such details would be useful at this stage, particularly as the suitability of this product has been raised as a concern by local residents. I suggest the use of a traditional small 's' profile, based on the profile of historic wriggly tin. The colour could be re-considered. A grey finish may be preferable as it will be less stark than black.

## **REPRESENTATIONS**

Seven letters of representation have been received raising a number of issues not relevant to this specific Listed Building Consent application but have been dealt with under application 16/02374/FUL running alongside this application and currently being considered. No issues regarding the listed building status have been raised. The only issue raised relevant to this specific application is

- Impact on conservation area

## **CONSIDERATIONS**

The proposal is for the conversion of an existing outbuilding into additional living accommodation. The building lies in the south east corner of the curtilage of the Grade II listed property and within the designated conservation area. It is proposed to raise the roof of half the building to provide bedroom space.

The key issues are therefore considered to be:-

- Impact on Listed Building and conservation area

### **Each Key Issue**

Advice from the conservation officer regarding this application was sought and received. The conservation officer initially had issues with both the size and number of rooflights along with the proposed black colour of the roof. Amended plans were received by email on 02 September 2016 reducing the number of rooflights to 2 and reducing the size. The applicant also agreed a change in the roof colour from black to grey in line with the conservation officer's advice by way of email on 05 September 2016. The conservation officer is now satisfied with the proposal and raised no objection with the imposition of conditions.

The opinion of the conservation officer is considered to hold considerable weight in applications of this nature. It is therefore considered that the application does not adversely affect the setting of this listed building nor the wider conservation area in accordance with the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

### **Conclusion**

The opinion of the conservation officer is considered to hold considerable weight in applications of this nature. It is therefore considered that the application does not adversely affect the setting of this listed building nor the wider conservation area in accordance with the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

## **RECOMMENDATION**

Grant consent subject to the following conditions

### **Justification**

01. The proposal by reason of its size, scale, design, materials and position, and its limited/informed intervention into the historic fabric of this listed building, is considered to respect the historic and architectural interests of the building and is in accordance with policy EQ3 of the South Somerset Local Plan (2006-2028), and the provisions of the National Planning Policy Framework.

### **SUBJECT TO THE FOLLOWING CONDITIONS:**

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

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

02. No work shall be carried out on site to any external roofs unless particulars of the materials to be used, including colour, have been submitted to and approved in writing by the Local Planning Authority.

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

03. No work shall be carried out to fit the roof lights unless details of the units have been submitted to and agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing, the roof lights shall be top hung and flush with the roof covering. Such approved details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

04. No work shall be carried out to fit any doors, windows, boarding or other external opening unless details of the design, materials and external finish of these elements have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

05. No work shall be carried out on site unless particulars of the materials (including the provision of a sample panel ) to be used for external walls have been submitted to and approved in writing by the Local Planning Authority.

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

06. No work shall be carried out to fit any new WCs, Bathrooms, Kitchens or Utility rooms unless details of all new services to such rooms, including details of routes of foul water and any ventilation or extraction have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 12 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

07. The development hereby permitted shall be carried out in accordance with the following approved plans: Details and drawings received on 31 May 2016, details received on 09 June 2016, amended drawings received by email on 02 September 2016 and details received by email from the applicant on 05 September 2016.

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

# Agenda Item 21

## Officer Report On Planning Application: 16/03149/LBC

<b>Proposal :</b>	Reversionary works to reinstate original ceiling heights, replace non-consented windows and minor internal alterations
<b>Site Address:</b>	Camelot House High Street Queen Camel
<b>Parish:</b>	Queen Camel
<b>CAMELOT Ward (SSDC Member)</b>	Cllr Mike Lewis
<b>Recommending Case Officer:</b>	Emma Meecham Tel: 01935 462159 Email: emma.meecham@southsomerset.gov.uk
<b>Target date :</b>	13th September 2016
<b>Applicant :</b>	Mrs Pauline Lewis
<b>Agent: (no agent if blank)</b>	Mr Graham Lewis 21 Claverton Bath BA2 7BQ
<b>Application Type :</b>	Other LBC Alteration

This application is referred to the Area East Committee due to the relationship of the applicant to a District Councillor.

### SITE DESCRIPTION AND PROPOSAL





Camelot House is a two storey dwelling of natural stone construction with a Welsh slate roof. The property is Grade II listed and is located on the eastern side of High Street, opposite the entrance to Englands Lane, in Queen Camel.

This application seeks permission for various reversionary works to the property including alterations to existing openings, reinstatement of ceiling heights and minor internal alterations.

## RELEVANT HISTORY

99/00549/LBC - Reinstatement of fire damage to dwellinghouse and roof - Application permitted with conditions.

## POLICY

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

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

be wholly exceptional.'

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

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

**Queen Camel Parish Council** - Support the application.

**Conservation Officer:** No objections subject to conditions.

## **REPRESENTATIONS**

None

## **CONSIDERATIONS**

### **Impact upon Heritage Asset**

The works to reinstate the original ceiling heights at first floor level, which is to include treatment of original timbers, is not considered to be harmful to the property, although the use of plasterboard is not ideal it is noted that the historic ceiling has been lost in its entirety. The removal of aluminium framed sliding patio doors to the rear elevation and reinstate with hardwood timber folding sliding doors is considered wholly appropriate for a listed building, the use of aluminium would not be permitted and as such its removal is considered an improvement to the property. Likewise, and for the same reasons, it is considered that the removal of uPVC windows and door where present and replacement with painted timber windows would enhance the property. The minor internal works to remove the fitted cupboards and vanity units from bedrooms (installed circa 1980) and to investigate the possible ovolo moulded partition to ground floor and expose if present, else re-decorate partition in painted finish are not considered to cause harm to the building.

The Conservation Officer considers that the works proposed are straightforward and will enhance the character of the building. It is, therefore, considered that the revised proposal, subject to appropriate and reasonable conditions, is acceptable and will not have an adverse impact upon the listed building in accordance with Section 16 of the Listed Building and Conservation Areas Act, policy EQ3 of the South Somerset Local Plan and Chapter 12 of the NPPF.

## **RECOMMENDATION**

That Listed Building Consent be granted.

01. The proposal, by reason of its materials and design, respects the character of the area and causes no demonstrable harm to the Historic Environment in general accordance with the aims and objectives of policy EQ3 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework (March 2012).

## **SUBJECT TO THE FOLLOWING:**

01. The works 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 works hereby permitted shall be carried out in accordance with the approved plan number AL(0)01, AP(0)02, AP(0)03, AP(0)04.

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

03. No work shall be carried out to fit any doors, windows, boarding or other external opening unless details of the design, materials and external finish of these elements have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building in accordance with Policy EQ3 of the South Somerset Local Plan.

04. No work shall be carried out to make good the exposed first floor ceiling following the removal of the current modern ceiling unless a specification for the new ceiling has been submitted and agreed in writing by the Local Planning Authority. Such details once agreed shall not be varied without written consent from the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building in accordance with Policy EQ3 of the South Somerset Local Plan.

05. Once the plaster finish of the possible ovolo moulded partition on the ground floor has been investigated details of the making good of the partition shall be submitted to and approved in writing by the Local Planning Authority, prior to carrying out any further work. Such details once agreed shall not be varied without written consent from the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building in accordance with Policy EQ3 of the South Somerset Local Plan.