

South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 14th March 2018

9.00 am

**Council Offices, Churchfield,
Wincanton BA9 9AG**

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



The following members are requested to attend this meeting:

Mike Beech
Hayward Burt
Tony Capozzoli
Nick Colbert

Sarah Dyke
Anna Groskop
Henry Hobhouse
Mike Lewis

David Norris
William Wallace
Nick Weeks
Colin Winder

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

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462038 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 5 March 2018.

Alex Parmley, *Chief Executive Officer*

This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app



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”. The council’s Executive Forward Plan can be viewed online for details of executive/key decisions which 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 three minutes on agenda items; and
- see agenda reports

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

Agendas and minutes of meetings are published on the council’s website
www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for ‘mod.gov’ in the app store for your device, install, and select ‘South Somerset’ from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

Public participation at committees

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

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and 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.

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 three 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 and/or 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.

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.

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

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Area East Committee

Wednesday 14 March 2018

Agenda

Preliminary Items

1. Minutes of Previous Meeting

To approve as a correct record the minutes of the previous meeting held on Wednesday 14th February 2018.

2. Apologies for absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), 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.

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. 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.

Planning Applications Referred to the Regulation Committee

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

Councillors Sarah Dyke, Tony Capozzoli, Nick Weeks and Colin Winder.

Where planning applications are referred by this Committee to the Regulation Committee for determination, 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. 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 11th April at 9.00 am.

5. Public Question Time

6. Chairman Announcements

7. Reports from Members

Items for Discussion

- 8. Report for Area East Committee on the Performance of the Streetscene Service** (Pages 6 - 9)
- 9. Resourcing Area East Priorities** (Pages 10 - 12)
- 10. Endorsement of Charltons Community Plan (Executive Decision)** (Pages 13 - 15)
- 11. Endorsement of North Cadbury & Yarlington Community Plan (Executive Decision)** (Pages 16 - 18)
- 12. South Somerset Community Accessible Transport update** (Pages 19 - 20)
- 13. SSDC Welfare Advice Work in South Somerset (For Information Only)** (Pages 21 - 29)
- 14. Area East Committee Forward Plan** (Page 30)
- 15. Planning Appeals (For Information Only)** (Pages 31 - 39)
- 16. Schedule of Planning Applications to be Determined by Committee** (Pages 40 - 41)
- 17. 17/01215/FUL - New Spittles Farm, Ilchester Mead Interchange, Ilchester** (Pages 42 - 57)
- 18. 17/04047/S73A - Land rear of 18-24 Westcombe, Templecombe** (Pages 58 - 65)
- 19. 17/04588/REM - Vedelers Hey, Balsam Park, Wincanton** (Pages 66 - 72)

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.

Agenda Item 8

Report for Area East Committee on the Performance of the Streetscene Service

Portfolio Holder: Jo Roundell Greene - Environment Portfolio
Director: Clare Pestell - Commercial Services and Income Generation
Lead Officer: Chris Cooper – Environmental Services 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 August 2017 to February 2018.

Recommendation

Members are invited to comment on the report

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

- Delivery of the annual work schedules for street cleansing and grounds maintenance.
- Christmas tree shredding

Operational Works

Since the last report, the service is finalising this year's annual work schedule and is also pleased to report that it is on target for completion by the end of this financial year. As part of this, our horticultural teams are currently undertaking the winter mowing operation which will ensure that the impending grass cutting season gets off to a good start.

We are currently focussing on litter picking on our main roads and will finish this work schedule by cleaning the verges of the A303 again.

Recently we have been investigating how to safely clean the central reservation areas of the A303 and looking into the cost implications of the traffic management system needed to fulfil this work. Our enquiries resulted in two very different approaches that were suggested by specialist companies, along with considerable variance in the associated costs. This caused some concern among the team and subsequently we have met with the Highways Agency regarding the cleansing of this road and we are working with them to identify a work method that we can follow with confidence and could become 'standard practice' for authorities carrying out similar duties. We expect to hear from the agency with their suggestions very soon.

Over the last few years the team has focussed on addressing a number of service demands, including:

- Providing additional waste bins by increasing our capacity to accommodate these requests
- Improving road sweeping on our major roads across the district by introducing a night shift sweeping round
- Highway weed control following changes to the County Highways maintenance schedules.

We believe that we have been successful in improving these areas of service and the performance in these aspects of our work is sustainable. The next area of focus that we are looking to improve is the

litter cleaning of all of the small rural roads across the district and we are hoping to coordinate our efforts with voluntary groups to clear litter from the public rights of way. The works will be managed through a series of 'zones' and members will be updated on progress in their areas.

In January the team carried out Christmas tree shredding across the district with all trees processed being recycled as mulch for planted areas. This year we served 47 collection points with tree recycling taking place at Abbas & Templecombe, Bruton, Castle Cary, Charlton Horethorne, Corton Denham, Cucklington, Henstridge, Horsington, Ilchester, Keinton Mandeville, Kingsdon, Milborne Port, Mudford, Sparkford, West Camel and Wincanton.

Again, as in previous years, we were pleased to find a general absence of fly tipping in the collection bays that were set up and very few Christmas trees left in hedges and lay byes.

Once again, the horticultural team supplied naturalising bulbs to parish councils, although this was at a reduced level compared to previous year; however bulbs were donated to South Cadbury, Templecombe and Milborne Port. We will continue with this initiative in the coming financial year in line with demand.

The team continues to engage with voluntary groups throughout the district and in the Area we have worked with the 'Templecombe in Bloom' group and 'The Brue Crew' to help enable them to carry out various environmental improvement works.

The winter maintenance of the flood alleviation schemes was completed prior to the Christmas break and we continue to clear the debris screens to prevent blockages that lead to localised problems. Fortunately we haven't experienced any flooding so far this year, however the team are prepared and resources available should an event occur.

We have been working with the Engineering team to carry out some improvements to the flood alleviation schemes following a successful bid for additional funding. As a result a new trash screen will be installed at Henstridge by the end of March and other schemes will be developed across the district.

Improvements have been made at Wincantons Elm Drive open space, where the park has been open up by removing a hedge and dividing fence, replacing the dividing hedge with trees and replacing the old wooden fencing whilst incorporating a strip of land that runs alongside the park. We will continue to work on improvements here over the coming year.

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 over the last five months. The figures indicate a considerable reduction in occurrences when compared to the same period last year when we cleared 151 flytips across the area.

Across the district as a whole we have found a similar pattern with 494 flytips reported between August to January this financial year compared to 584 for the same period the previous year. We are continuing to monitor this situation and follow our approach of clearing away the items promptly so we do not allow the fly tips that have been made, to attract more items.

AREA EAST	Aug 17	Sept 17	Oct 17	Nov 17	Dec 17	Jan 18	TOTALS
Abbas & Templecombe		2				1	3
Alford							0
Babcary		1					1
Barton St David							0

Bratton Seymour							0
Brewham							0
Bruton	2	3	1		1		7
Castle Cary & Ansford	1	3		1			5
Charlton Horethorne							0
Charlton Mackrell	1						1
Charlton Musgrove							0
Chilton Cantelo		1	1				2
Compton Pauncefoot			1	3		1	5
Corton Denham							0
Cucklington					1	2	3
Henstridge			3	1		2	6
Holton			1				1
Horsington				1		1	2
Ilchester	1	6	4	2	1	1	15
Keinton Mandeville							0
Kingsdon		1	1				2
Kingweston							0
Limington		1					1
Lovington							0
Maperton					1		1
Marston Magna							0
Milborne Port				2			2
Mudford	4	2	2	2			10
North Barrow		1					1
North Cadbury							0
North Cheriton							0
Penselwood							0
Pitcombe			1				1
Queen Camel						1	1
Rimpton						1	1
Shepton Montague			1				1
South Barrow		2					2
South Cadbury							0
Sparkford		2	1		2	1	6
Stoke Trister			2	1		2	5
West Camel	1	1	1	1			4
Wincanton	2	6	3	3	1	2	17
Yarlington							0
Yeovilton			1				1
TOTAL AREA EAST	12	32	24	17	7	15	107

As part of the Councils transformation program, Streetscene has been rebranded as Environmental Services and now contains the Waste & Recycling Service and management of the Yeovil Crematorium and Cemetery, should members wish for updates on these aspects of the service in the future, I will be best placed to provide this information.

In line with these changes, we are working with Somerset Waste Partnership to review the types of material and volumes of potentially recyclable waste that is being deposited in town centre bins. The results of this study will inform us of the potential for further recycling options.

Our findings to date show that approximately half of the waste collected is potentially recyclable, with the main items being plastic, drinks cups, tin cans, cardboard and glass. With this initial data collected, we are now in a position to investigate the various collection options and associated cost implications. We are also leading on a management approach to minimise the use of single use plastics across the district council and updates on progress in this area of the service will be made if requested.

As noted in previous reports, the service is developing an MOT station at the depot, progress continues to be made and the essential electrical works are now finished, staff have been trained and building works are due to start soon. We are on schedule to be functional early in the new financial year.

In the last report we updated members that we had reduced our staff sickness levels to 9.4 days per Full Time Employees (FTE) from the previous year's level of 14 days per FTE and we aimed to reduce this further to a target of 8 days per FTE in financial year 2017/18, so far this year we have further reduced this to approximately 6 days per person resulting in further productivity and we aim to maintain this level of attendance, recognising that there will always be an amount of absence through sickness in a large workforce.

Finally, the team has recently carried out the recruitment of our agency staff provider and we are happy that we have secured a reliable, ethical and cost effective solution to our seasonal staffing needs.

What's coming next?

- Continued delivery of the annual work programmes
- Development of the workshop as an MOT station

Financial Implications

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

Implications for Corporate Priorities

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

Background Papers

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

Agenda Item 9

Resourcing Area East Priorities

Assistant Director: Helen Rutter, Communities
Service Manager: Tim Cook, Locality Team Manager
Lead Officer: Tim Cook, Locality Team Manager
Contact Details: tim.cook@southsomerset.gov.uk or (01963) 435088

Purpose of the Report

To consider the approach to delivering key priorities for Area East and allocate funds accordingly.

Public Interest

Support for projects and initiatives in Area East for the forthcoming year.

Recommendation

That Members approve:

- (1) the de-allocation of £5,000 previously awarded to the Growing Space,
- (2) the ring fencing of £20,326 of the Members Discretionary budget towards the Area East priorities agreed at the Members workshop March 2018

Background

Members agreed the priorities set out in the draft Area Development Plan at the meeting of Area East in June 2017. The six monthly update was given in November where it was reported that the Transformation programme had directly impacted on the capacity of the Area Development Team.

The Members Discretionary Budget (MDB) allocations are agreed annually providing a fund which is used to address the priorities of the Area Committee, it has enabled us to proactively support a variety of research projects and other interventions adding value or 'gap filling' in a very flexible way.

Project funds/commitments

Having progressed a number of successful projects during the previous (2016/17) financial year the table below shows the Members Discretionary Budget at March 2017 with remaining funds available to use in the current financial year (2017/18)

Project	Amount originally allocated in 2016/17	Unspent allocation	Comment as at March 2018
HoW LAG	£6,626	£6,626	
The Growing Space	£5,000	£5,000	No longer required
Lamp	£2,700	£0	Project completed
Work Space Initiatives	£6,020	£0	Workspace demand study completed
HoWRP	£2,000	£0	Ongoing contribution for Weymouth – Bristol Rail Partnership
	£22,346	£11,626	

As part of this process, in March 2017, Members agreed to allocate £5,000 from the Members Discretionary budget towards supporting The Growing Space to establish as a centre for vocational training. The project was dependent on the success of a bid to the National Lottery; unfortunately this was unsuccessful and the funding is now available for re-allocation. Members also agreed to retain funding for the Heart of Wessex Local Action Group, to provide additional technical and bid writing expertise to support the development of funding applications from within this area. To-date there has been very little take-up of this funding.

The contribution to the Heart of Wessex Rail Partnership is this area's contribution to, the long standing, multiply funded Weymouth – Bristol Rail partnership. The remaining projects were commissioned or nearing completion.

In April 2017 the budget received a top-up of £10,200 at the beginning of the year. There was therefore £21,826 available to allocate towards priorities of the Area East Committee.

Contributions of £1, 500 have been agreed to the three Local information Centres (LICs) operating in Area East which reduces the available balance to £20,326.

Officers have been waiting on the development of the Wincanton Town Centre study proposal to ensure that this work is fully funded before bringing recommendations forward. This work has now been identified as a corporate priority and funding for this is expected to be signed off ahead of the Area East Committee meeting – a verbal update will be given at the meeting.

Area East Priorities 2018/19

As Members have £20,326 to allocate a workshop has been programmed this month to agree Member's key priorities and the specific allocation of resources against individual activities. As we move forward through SSDC's Transformation process to the new ways of working, the approach, financing and staffing of area projects will be different. With the emergence of Area Plans and the inclusion of Area projects within the corporate plan from Spring 2019, 2018/19 will be a transitional year.

Financial Implications

If members agree recommendation 1 to de-allocate £5,000 of funding from The Growing Space , a sum of £20,326 remains unallocated in the Members' Discretionary Budget, which is available to be allocated to delivering Members key priorities in 2018/19. The funding distributions for individual projects to be agreed at the March 2018 Members' workshop

Corporate Priority 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

Providing local access to a range of activities and services reducing the need to travel which therefore reduces carbon emissions.

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: None

Agenda Item 10

Endorsement of Charltons Community Plan (Executive Decision)

Assistant Director: Helen Rutter, Communities
Service Manager: Tim Cook, Locality Team Manager
Lead Officer: Tim Cook, Locality Team Manager
Contact Details: tim.cook@southsomerset.gov.uk or (01963) 435088

Purpose of the Report

The purpose of this report is to present a summary of the findings and actions from the Charltons Community Plan and to ask members to formally endorse the plan.

Representatives of the steering group will be at the meeting to present the plan for endorsement.

Public Interest

Communities establish their own priorities and achieve their goals by mobilising residents and businesses. The priorities and issues for Charlton Adam and Charlton Mackrell, identified through consultation, are set out along with specific solutions, actions and policies in a published document.

Recommendation

That Area East Committee formally endorses the Charltons Community Plan 2017.

Background

Parish & Town Plans are effectively commissioned by the town/parish council and produced by local steering group with parish/town council representation. They are local documents, drawn up and adopted by Town/Parish councils. The endorsement of community plans by Area Committees has no legal status, but ensures that the community planning process is used to influence policy and action plans via the Area Development Plan (ADP).

Endorsement by Area East Committee (AEC) confers recognition that a sound process has been followed to deliver the plan. It does not imply support for any land use allocation that would pre-empt a planning application. Once endorsed, the full document will be made available on the Parish Council website. A copy of the plan has been distributed to members with the agenda..

The Process

The Charltons Community Plan Working Group was established in 2015 and has overseen a range of consultation activities that have provided sound evidence for the guidelines and actions set out in the Community Plan report. The consultation process has given all residents the opportunity to participate. The survey achieved a 31% return and a follow-up community drop in event attracted over 200 people. The group also commissioned a Lottery funded Housing Needs Survey which has enabled the plan to cover local housing need in more detail than other similar plans.

The result is a comprehensive community plan document which sets out guidelines and actions, underpinned by an evidence base, which should be useful for guiding local decision making on a range of issues including a strong basis on which to reach a view on the value to the community of future planning applications.

Guidelines/Actions and Key Issues

The Community Plan report clearly sets out guidelines under the headings of Housing & development, Traffic, transport & road safety, The natural environment, Business and the local economy, Leisure, Charlton Mackrell C of E Primary School, Places of worship and key parish assets.

Main issues identified include, speeding vehicles and the aspiration to reduce the speed limit to 30mph in much of the parish and supporting the local speedwatch scheme. The need for a number of projects including a business directory has also been identified.

Actions that result from the issues include:-

Housing and Development – Use the evidence and adopted guidelines to inform discussions with developers and the local planning authority.

Traffic, Transport & Road Safety – Lobby SCC, Continue to fund Community Speedwatch & Investigate new locations.

Improved Transport Options – Establish a working group to investigate community/voluntary led transport options.

Footpaths – Appoint a Footpath Officer/Co-ordinator

Keeping the Parish Litter Free – Support the annual litter pick.

Business and Local Economy – Proactively engage with local business and establish a business directory.

The Charlton Community Plan will be made available via the parish website and a copy will be circulated to members.

Implementation of the Community Plan

The plan has been adopted by the Charltons Parish Council and the responsibility of reviewing and monitoring the success of the actions rests with the Council. The plan is very clear that the delivery on many of the actions and projects will only be possible with support of volunteers and partnership working with outside agencies and funders. Parish Councillors will take the lead on guidelines and actions and progress will be reported to the community at the Annual Parish Meeting.

The Neighbourhood Development Officer has worked with the Parish Council and has provided advice and guidance at various stages of the process. The group has demonstrated that they have followed a sound process and that the conclusions and actions are underpinned by local evidence.

Financial Implications

There are no direct financial implications as a result of this report however, if members agree the recommendation to endorse the plan, actions and projects identified will become eligible for support from the Community Planning Implementation budget, subject to application.

Corporate Priority Implications

This work contributes towards increasing economic vitality and prosperity and ensuring safe, sustainable and cohesive communities.

Carbon Emissions & Adapting to Climate Change Implications

Improved local provision of facilities and activities within each village or town and increasing local participation reduce the need to travel.

Equality and Diversity Implications

The community planning process supported by SSDC aims to give every local resident the opportunity to have an input into the way in which their town or Parish develops.

Background Papers: *Charltons Community Plan 2017*

Agenda Item 11

Endorsement of North Cadbury & Yarlington Community Plan (Executive Decision)

Assistant Director: Helen Rutter, Communities
Service Manager: Tim Cook, Locality Team Manager
Lead Officer: Tim Cook, Locality Team Manager
Contact Details: tim.cook@southsomerset.gov.uk or (01963) 435088

Purpose of the Report

The purpose of this report is to present a summary of the findings and actions from the North Cadbury 7 Yarlington Community Plan and to ask members to formally endorse the plan.

Representatives of the steering group will be at the meeting to present the plan for endorsement.

Public Interest

Communities establish their own priorities and achieve their goals by mobilising residents and businesses. The priorities and issues for North Cadbury & Yarlington, identified through consultation, are set out along with specific solutions, actions and policies in a published document.

Recommendation

That Area East Committee formally endorses the North Cadbury & Yarlington Community Plan 2017.

Background

Parish & Town Plans are effectively commissioned by the town/parish council and produced by local steering group with parish/town council representation. They are local documents, drawn up and adopted by Town/Parish councils. The endorsement of community plans by Area Committees has no legal status, but ensures that the community planning process is used to influence policy and action plans via the Area Development Plan (ADP).

Endorsement by Area East Committee (AEC) confers recognition that a sound process has been followed to deliver the plan. It does not imply support for any land use allocation that would pre-empt a planning application or the views expressed about the planning process. The North Cadbury & Yarlington Community Plan document is available via the Parish website: www.northcadbury.org.uk See under Parish Council - Parish Council documents.

The Process

The North Cadbury & Yarlington Community Plan has been produced by representatives of the villages that make up North Cadbury Parish.

The group produced a survey which was distributed to all households in the Parish. The survey achieved a 47.9% return rate. Three open community meetings were held to identify key issues and suggested improvements.

The North Cadbury & Yarlington Community Plan report is a good summary of the main issues result is a comprehensive community plan document which sets out guidelines and actions, underpinned by an evidence base, which should be useful for guiding local decision making on a range of issues

including a strong basis on which to reach a view on the value to the community of future planning applications.

Guidelines/Actions and Key Issues

The Community Plan report sets out the findings of the consultation process under the following themes.

The Planning Process

The group identified a general lack of knowledge about how planning applications are processed and the role of the Parish Council. The report directly addresses some of areas of misunderstanding.

The Parish Council will consider further work such as the possibility of establishing a Conservation Area within the parish and producing a Neighbourhood Plan.

Transport and Roads

The Parish Council will promote and encourage the use of the SCC online reporting system.

Internet Speed and Coverage

This was identified as a main issue but with no clear solution at the present time.

Communication of Parish Council Business

Improvements to communication was identified as an issue with further work to do to identify solutions.

Provision for Young People & Other Matters

The plan identifies the need to all weather play/sport provision and expresses in principle support for a local initiative.

Further work is also required to address issues of dog fouling and paths and stiles maintenance.

The consultation process for the Plan has been complicated by the need to engage with residents and address the different needs of the villages of Galhampton, Woolston that make up the Parish of North Cadbury & Yarlinton.

The full plan can be accessed via the following link www.northcadbury.org.uk.

Implementation of the Community Plan

Many of the issues identified require further work by the Parish Council to reach conclusions and develop agreed actions. The report will provide a good basis to inform this further work.

The Area Neighbourhood Development Officer has provided advice and guidance at various stages of the process. The group has demonstrated that they have followed a sound process and that the conclusions are underpinned by local evidence.

Financial Implications

There are no direct financial implications as a result of this report however, if members agree the recommendation to endorse the plan, actions and projects identified will become eligible for support from the Community Planning Implementation budget, subject to application.

Corporate Priority Implications

This work contributes towards increasing economic vitality and prosperity and ensuring safe, sustainable and cohesive communities.

Carbon Emissions & Adapting to Climate Change Implications

Improved local provision of facilities and activities within each village or town and increasing local participation reduce the need to travel.

Equality and Diversity Implications

The community planning process supported by SSDC aims to give every local resident the opportunity to have an input into the way in which their town or Parish develops.

Background Papers: *North Cadbury & Yarlington Community Plan 2017*

Agenda Item 12

South Somerset Community Accessible Transport update

Director: Martin Woods – Service Delivery
Service Manager: Tim Cook, Locality Manager
Lead Officer: Pam Williams, Neighbourhood Development Officer
Contact Details: pam.williams@southsomerset.gov.uk 01963 435020

Purpose of the Report

To provide an update on the operation of the South Somerset Community Accessible Transport (SSCAT) in light of uncertainties about long term funding

Public Interest

Providing reassurance about the future of the SSCATbus, a charity providing important transport services to people living in the villages around Bruton, Castle Cary and Wincanton, who do not have access to a car, have no bus service or who are unable to access a bus due to mobility difficulties.

Recommendations:

- (1) To note and comment on the report

Background

In September 2017, Members received the annual progress report from the Council's Transport Strategy Officer and also a report from the Operations Manager of the SSCATbus which has been operating locally for 16+ years. Both reports explained the funding uncertainty facing this scheme and went on to say that the Board of Trustees were considering options for the future of the scheme including looking for alternative sources of funding and the potential for amalgamating with a larger community transport scheme. Alongside this the Transport Strategy Officer has continued to work with the charity and the team at Transporting Somerset to identify to explore other work options.

In addition to this it was explained that in other Counties increasingly, Towns & Parish Councils are stepping in to safeguard vital transport services.

The other area of concern was a Department for Transport (DfT) consultation about the future operation of Section 19 & 22 permits (SSCAT along with other community transport schemes operate within these permits which allow the use of paid, non-PSV drivers). The suggestion is that operators such as SSCAT will need to use drivers who hold a Certificate of Professional Competence (CPC) on tendered contracts. Somerset County Council (as the transport authority) has worked closely with community transport operators with both providing responses ahead of the consultation which closes in May 2018. District Council officers will also be considering the DfT's consultation document working with the County's Transporting Somerset Team and of course ensuring that the views of the respective CT operators are also included in this response.

Progress

In line with the discussion in September 2017, Parish & Town Councils were asked to consider precepting for a three year funding package to support the CATbus. Parishes were also invited to a meeting to encourage support to preserve the service. The response has been very positive with in excess of £7,200 secured for the forthcoming year from seven parishes. All three towns in the Area have provided at least £1,000 and several small parishes have also contributed. The majority of contributions have been agreed on a three year rolling basis which takes the potential amount secured

to over £20,000. Further work will be done during the summer to ensure feedback is provided to those local councils which provide support to ensure that this is built into precept discussions for 2018/9 and also to encourage participation by other Councils.

SSCAT bus have also been successful in securing £5k funding through Somerset Community Foundation to support the development of their social car service. This has been a long established part of SSCAT offer for which volunteer drivers use their own cars to provide one off journeys for hospital visits. The funding will allow the service to be developed into a more comprehensive to be developed.

The Friends of Verrington Hospital have agreed to provide £27k funding over the next three year in recognition of the significant role the SSCAT has in transporting patients and visitors to the hospital. This was a particular generous gesture by the Friends group, made possible by their own fund raising efforts.

In addition to the above attempts to safeguard the services, SSCAT are also seeking funding for a replacement vehicle as part of their ongoing fleet renewal programme which helps to reduce maintenance liability by aiming to operate vehicles less than 10 years old.

During this period, the scheme has undergone major staffing changes with the Operations Manager (who had been with the scheme since its inception) retiring and the deputy resigning. Following a successful recruitment in late Autumn, the new staff have settled quickly and are working effectively. Considerable progress has been made during the last six months to sustain SSCAT bus services. As a result of this, the scheme will be fully funded for the next 12 months. Whilst this is really positive progress every effort will be made to negotiate extended funding through the town and parish councils as well as exploiting other funding opportunities through grants and contracts

Financial Implications

There are no financial implications resulting from this report

Implications for Corporate Priorities

Communities that are healthy, self-reliant, and have individuals who are willing to help each other

Equality and Diversity Implications

Improvements to public and community transport help to reduce inequality and improve service accessibility for all

Other Implications

Included within the Area Development Plan

Background Papers:

Area East Committee Agenda and Minutes September 2017

Agenda Item 13

SSDC Welfare Advice Work in South Somerset – For information only

Director: Martin Woods, Service Delivery
Head of Service: Ian Potter, Vulnerable Client lead Specialist
Service Manager: Alice Knight, Careline and Welfare Manager
Lead Officer: Catherine Hansford, Welfare Advice Team Leader
Contact Details: catherine.hansford@southsomerset.gov.uk or 01935 463737

Purpose of the Report

To update and inform Members on the work of the Welfare Advice Team for the financial year 2016/17.

Public Interest

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

Recommendation

Members are asked to note the contents of the report.

Service Summary

Established in 1999, the Welfare Advice Team consists of 2.1 full time equivalent staff responsible for undertaking casework for clients across the whole of South Somerset.

The Team are situated within the Housing and Welfare Service and provides free, confidential and impartial information, advice and advocacy on Welfare Benefits.

We carry out specialised case work; preparing claims, representing clients at Appeals, up to and including First-Tier and Upper Tier Tribunals.

The service is provided by telephone & appointments at Petters House, the Area Offices, local Advice Surgeries and also by home visits where appropriate.

Impact Summary

In the year 2016/17 the Welfare Advice Team delivered:

- Helped **482** clients across South Somerset
- Achieved an annual increased income of **£1,044,855.07**
- Lump sum payments total of **£180,372.93**
- Combined total of **£1,225,228.00** – over **11 times** the cost of the service (£111,047)

We also challenged 91 decisions at Mandatory Reconsideration or Appeal (19% of our caseload):

Mandatory Reconsiderations (MR's)

- 16 Mandatory Reconsiderations were successful
- 7 clients with unsuccessful Mandatory Reconsiderations did not wish to pursue an appeal.

The unsuccessful MR's, can be progressed to appeal (First Tier tribunal) stage, if our clients agree.

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

Appeals to the Tribunals Service

- 68 decisions were challenged at First Tier Tribunal
- 59 Tribunals were successful
- 6 Tribunals unsuccessful
- 3 Tribunals remain outstanding

70% of the lump sum payments and 35% of the annual increased income was achieved by appeal work.

Please note that these figures are provisional (21/02/2018) due to some cases work remaining outstanding. We would expect these figures to show a further increase as some cases await outcomes.

It is also worth noting that of all the 91 disputed decisions, were for working age disability benefits – 2 Disability Living Allowance (DLA), 56 Personal Independence Payment (PIP) and 29 Employment and Support Allowance (ESA).

According to national statistics from the Ministry of Justice (1), the number of PIP and ESA appeals October to December 2016 were up by 71% and 58% respectively compared to the same period the previous year. ESA and PIP appeals now comprise 85% of the total number of appeals received.

The figures also show that, of the 39,696 appeals cleared at hearing, 63% were overturned (found in favour of the claimant). Broken down by benefit type –

- 65% of PIP appeals were overturned
- 68% of ESA appeals were overturned

Our success rate for ESA is 95% and for PIP is 89% highlighting how important it is to have representation at a First Tier-tribunal.

Area East:

- Helped 21 clients across the area
- Achieved an annual increased income of **£19,788.60**.
- Lump sum payments total of **£980.45**.
- Combined total of **£20,769.05**

Saved and Maintained Tenancies

Historically, saved and maintained tenancies have been gradually reducing over the years due to a shift in the way the Welfare Advice team works.

Early intervention is key in the current financial climate and our updated referral processes and multi-agency working ensure that our clients receive immediate advice and support when their issues are identified.

This can often mean that clients receive Housing Advice from our own Housing Advice Centre (HAC), Debt, housing and preliminary benefit advice from Citizen's Advice South Somerset, with the SSDC Welfare Advice team undertaking more complex and specialised appeal work further down the line once the immediate tenancy issues have been resolved.

The need for support for people to retain their homes has never been greater than now given the consequences of Welfare Reform so we strive to work alongside other agencies to ensure that our clients are given the correct support at the correct time, no matter where their first point of contact is.

Ongoing Changes in Social Welfare

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

2013 saw the application of the Spare Room Subsidy and the Benefit Cap in addition to households with private tenancies already subject to the Local Housing Allowance.

Benefit Cap – The second stage of the benefit cap came into force in November 2016, at £20,000 for lone parents and couples, and £13,400 for single childless people.

The figures for the households in South Somerset receiving extra help with housing costs through Discretionary Housing Payments (DHP) are shown below:

- 230 in 2012-13
- 487 in 2013-14
- 513 in 2014-15
- 357 in 2015-16
- 406 in 2016-17

The Local Assistance Scheme continues in place of the Social Fund.

In 2014-15 CASS processed **136** LAS applications and in 2015-16, **179** applications. This excludes food & fuel parcel only cases. In 2015-16, **209** food and fuel parcels were awarded.

In 2016-17 **259** clients were awarded LAS grants and **142** food and fuel parcels awarded.

Universal Credit

Most of the means-tested benefits system for working-age families has now being replaced with a single payment called Universal Credit (UC), which went full service for most people in our area in April 2017.

The IFS Green Budget 2016 (2) was the first comprehensive analysis of the effects of UC since the cuts in the July 2015 budget. It found that a series of pre-emptive cuts means that introducing UC will in the long run reduce the financial benefit of the new system – including to working families.

When first proposed UC was intended to be more generous than the current system, but cuts to how much recipients can earn before their benefits start to be withdrawn have reversed this.

Robert Joyce, an Associate Director at the IFS and an author of the report, said: “*The long run effect of universal credit will be to reduce benefits for working families on average – a reversal of the original intention. However, the potential gains from simplifying the working-age benefit system remain mostly intact: universal credit should make the system easier to understand, ease transitions into and out of work, and largely get rid of the most extreme disincentives to work or to earn more created by the current system.*”

New research, carried out with the Institute for Public Policy research, highlights that cuts will lead to a million more children in poverty (3)

The report looks at both the world of tax credits and the new Universal Credit (UC) system, and finds that:

- Working families stand to lose £930 a year on average from cuts in the tax credit system and £420 a year from cuts to Universal Credit – these are losses across the population, so the losses for tax credit and UC recipients would be much higher.
- Freezes and cuts to Universal Credit work allowances will leave lone parents worse off by, on average, £710 a year, couples £250 a year.
- Work allowance cuts have the greatest impact in cash terms on households in the second and third deciles (the ‘just about managing’ group).
- While work incentives may have improved for some families, big falls in family income caused by cuts and changes to Universal Credit have left many worse off overall, overwhelming any gains from increases in the ‘national living wage’, personal tax allowances and help for childcare.
- The poorest 10 per cent will lose 10 per cent of their income (£450 a year) on average compared with what was promised by Universal Credit.
- The average family with three children will be 10 per cent (£2,540 a year) worse off, and the average family with four or more children 19 per cent (£5,000 a year) worse off due to Universal Credit cuts.
- Families containing someone with a disability will be £300 a year worse off due to Universal Credit cuts; families containing someone with a severe disability will be £530 a year worse off.
- Uprating decisions will cost the average single parent family on Universal Credit £710 a year, with the average couple with children losing £430 a year.
- The cuts to Universal Credit would put 1,000,000 children in poverty and 900,000 in severe poverty by the end of the decade, assuming the absence of tax credits.

The DWP have rolled Universal Credit out on a “test and learn” basis however, now almost a year in, sadly many issues have still to be rectified, particularly impacting on vulnerable clients in rural areas. The Welfare Advice Team continues to work with the DWP at region level to monitor and feedback issues.

As Universal credit is still relatively new, there are no statistics to report at this time.

In the meantime, the migration of Incapacity Benefit cases to Employment and Support Allowance continues, as does the migration of Disability Living Allowance recipients to Personal Independence Payment.

Secondary Benefits

Over time a whole raft of secondary benefits have been developed and eligibility has depended on receiving Income Support, income based Jobseeker's Allowance, income related Employment and Support Allowance, Child Tax Credits and now, certain elements of Universal Credit.

These are the 'passport benefits' and provide access to free school meals, school travel, prescriptions, dental treatment and other reductions in prices for services, e.g. leisure, Careline etc.

The Social Security Advisory Committee, a statutory independent committee which advises Department of Work and Pensions (DWP) on the operation of the benefits system, has recently produced a report (4) which raises clear concerns about the loss of these passported benefits.

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

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

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

Unemployment

Unemployment is not so much an issue in South Somerset as underemployment - few people realise just how many in work rely on Housing Benefit to pay their rent.

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

According to research published in May 2017 by Cardiff University and funded by Nuffield Foundation, more than half (60%) of people living in poverty in the UK live in a household where someone is in work, the highest figure recorded.

Crucially, the research finds that the number of workers in a household, and not low pay, is the primary determinant of in-work poverty. People living in one-earner households' account for almost 60% of people experiencing working poverty, more than double their population share. (6).

The Value of Welfare Advice

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

The Low Commission, in May 2014, published a major follow up work on the economic value of social welfare advice (7) and presents compelling evidence from different sources that social welfare advice saves public services money. So apart from putting money in the pockets of those who need it, there is also widespread added value from our work.

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

Different studies done in the UK, US, Canada and Australia have all demonstrated similar findings that for every pound or dollar invested, there's a multiple of 10 in the savings produced by, for example, keeping people their homes with jobs and incomes intact rather than having to utilise expensive crisis and emergency services. The review shows that advice across different categories of law result in positive outcomes for clients and their households. (8)

Commenting on the findings Lord Colin Low said:

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

Partnership Work

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

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

Our partner agencies include Citizens Advice South Somerset, Wiser Money Project, Age UK Somerset, Yarlington Housing Group, South Somerset Mind, Village Agents and many more.

Case Studies and Feedback

Oliver is 13 years old and suffers with chronic eczema. Due to the severity of his condition he was receiving Disability Living Allowance because of the skincare regime he had to follow and the help he needed from his Mum to maintain this.

Sadly, due to the amount of care and maintenance his condition required, Mum had to give up work to provide this care.

Each morning started at 6am and involved an intensive skincare regime as well as supervision to prevent Oliver from clawing his skin in the shower due to the itch. He had to be daily wrapped in creams and covered in special bandages which he had to wear under his school clothes.

Different creams had to be applied frequently throughout the day to maintain skin health and Oliver needed help from his Mum to do this, re-dress the bandages as the school could not assist due to the personal nature of the care.

Sadly, due to his condition, Oliver was also bullied at school and suffered anxiety and depression issues as a result of this.

The end of day routine was also intensive – Oliver had to be covered in thick barrier cream and tied into his bandages (to prevent removal scratching and during the night). Unfortunately this also meant that if he needed the toilet he had to have help to get out of the bandages and then to re-dress them.

Oliver's mum came to us when, on renewal of the DLA, he was refused benefits. This had a knock on effect that her Carer's Allowance stopped and, as she no longer had Carer Status, she was ineligible for Income Support which also ceased. The disabled child premium within her tax credits ceased, reducing the family income by a substantial amount.

We assisted Oliver's mum to request a Mandatory reconsideration but unfortunately this was refused, so we progressed the case to appeal.

In the meantime, the family were struggling financially so we referred them to Citizen's Advice South Somerset for budgeting advice and emergency support through the Local Assistance Scheme. We provided them with a food parcel in the interim.

The whole process took 6 months to complete, during which time we supported the family as best we could between us and other advice agencies we work in partnership with.

The appeal was successful and Oliver was awarded DLA at the highest rate of ££82.30 per week because of the care and attention he needed throughout the day and night. Mum's £62.10 Carer's Allowance was reinstated, as was her Income Support of £45.60 per week and the severely disabled and disabled child element of Child Tax credits was reinstated at £4415 per annum.

The advice we provide helps our clients get back on their feet again and encourages them to be proactive as we try to empower and avoid over dependence.

This local face to face responsive support has become more essential as more and more services are rolled out digitally or through central processing centres.

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

We have had a courteous and caring set of people to deal with. Congratulations in the quality of your staff. Thank you.

Grateful to have Helen's support for a second time. I could not have completed the form myself. This service is invaluable for disabled people. Without the skilled advocate it would be easy to feel embarrassed but I felt comfortable.

Catherine was so kind and supportive when Christina failed her ESA assessment, made sure we knew how to challenge. She helped us challenge the ESA and get back into the support group, gave us prompt and relevant advice. I would like to thank Catherine and SSDC Welfare Advice Service for being there and supporting us we are so very grateful.

Thank you so much Gill. It was an absolute pleasure to meet you. Thank you so much for helping me fill the form in. You were so reassuring and a real lift to my spirits which have been so damaged by dealings with Somerset County Council previously. It meant a lot to me and I'm very grateful.

Very professional, couldn't have had a better result. Would use service again without a doubt. This service is a must as there are a lot of people in the community who will benefit from this.

Corporate Priority Implications

Council Plan 2016 - 2021:

Homes: Minimise homelessness and rough sleeping.

Health and Communities: Support residents through national benefit changes including universal credit.

Equality and Diversity Implications

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

Financial Implications

None

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None

Background papers;

- (1) *'Tribunals and gender recognition certificate statistics quarterly: October to December 2016'* Ministry of Justice, March 2017
- (2) The (changing) effects of universal credit' from the IFS Green Budget 2016, edited by Carl Emmerson, Paul Johnson and Robert Joyce
- (3) *The Austerity Generation: the impact of a decade of cuts on family incomes and child poverty*, CPAG, November 2017
- (4) *Universal Credit: the impact on passported benefits*, Report by the Social Security Advisory Committee, DWP, March 2012
- (5) Somerset Community Legal Service Partnership: County Court Project
- (6) *In-work Poverty In The UK, Problem, Policy Analysis and Platform for Action*, Rod Hick and Alba Lanau, Cardiff University, May 2017.
- (7) *Annual Monitoring Poverty and Social Exclusion 2013* published by the Joseph Rowntree Foundation and written by the New Policy Institute (08/12/2013)
- (8) *Social Welfare Advice services – A Review* by Graham Cookson, an economist at the University of Surrey

Agenda Item 14

Area East Forward Plan

Service Manager: Tim Cook, Area Development Lead (East)
Lead Officer: Kelly Wheeler, Case Services Officer (Support Services)
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

Agenda Item 15

Planning Appeals

Director: Martin Woods (Service Delivery)
Service Manager: Simon Fox, Lead Specialist - Planning
Lead Officer: Simon Fox, Lead Specialist - Planning
Contact Details: Simon.fox@southsomerset.gov.uk or 01935 462509

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

None

Appeals Allowed

17/00570/OUT – 112 Combe Hill, Milborne Port
Outline application for the erection of 1 no. single storey dwelling and garage

17/02981/FUL - Briary, High Street, Keinton Mandeville
Formation of vehicular access and off road parking in front of the dwelling

Appeals Dismissed

None

Enforcement Appeals

None

Background Papers: None



Appeal Decision

Site visit made on 11 January 2018

by Thomas Bristow BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th February 2018

Appeal Ref: APP/R3325/W/17/3181937 112 Combe Hill, Milborne Port DT9 5BG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant outline planning permission.
 - The appeal is made by Mrs R Gibbs against the decision of South Somerset District Council.
 - The application Ref 17/00570/OUT, dated 4 February 2017, was refused by notice dated 26 May 2017.
 - The development proposed is described on the application form as a 'new single storey dwelling and garage to be constructed in garden'.
-

Decision

1. The appeal is allowed and planning permission is granted for a new single storey dwelling and garage in the garden of No 112 Combe Hill, Milborne Port DT9 5BG in accordance with the terms of the application Ref 17/00570/OUT, dated 4 February 2017, subject to the conditions below.

Preliminary matters

2. The proposal is in outline with matters of access, appearance, landscaping, layout and scale reserved for future consideration (the 'reserved matters'). I have therefore treated the associated plans indicating the potential location and design of a dwelling within the appeal site as illustrative.
3. Revised plans related to vehicular access were submitted after the application was originally made. No party would be prejudiced by my considering them, however, as they primarily detail existing access arrangements, do not alter that the proposal is in outline, and as the appeal process will have afforded any interested party the opportunity to comment on them.
4. Notwithstanding the planning history here, each proposal must be determined on its particular merits in accordance with the development plan unless material considerations indicate otherwise. The development plan includes policies of the South Somerset Local Plan 2006-2028 (adopted 5 March 2015, the 'LP'). I have taken account of other relevant material considerations, including the National Planning Policy Framework ('NPPF') and the Planning Practice Guidance ('PPG').

Main issues

5. The main issues are the effect of the development proposed on (1) the character and appearance of the area, with particular regard to the prevailing pattern of development nearby, and (2) the living conditions of the occupants

of Nos 110 and 114 Combe Hill, with particular regard to noise and disturbance.

Reasons

Character and appearance

6. The appeal site is part of the spacious garden of No 112 Combe Hill, a modest bungalow appearing to be of roughly mid-century origin. Vehicular access to No 112 and to the appeal site is via a cut-through between the side elevations of Nos 110 and 114 Combe Hill. No 110 appeared to be of similar original age to No 112, with Nos 114 to 120 having been constructed more recently.
7. Combe Hill represents the north-westerly extremity of Milborne Port; a short ribbon of development extending into the rural environs of the village beyond Manor Road. Many dwellings here are arranged in linear fashion fronting the road, of single plot depth with fields behind. The appeal site falls to the rear of properties facing Combe Hill, which is not reflective of the typical pattern of development nearby.
8. However there is some variety in the arrangement of buildings in the area. No 112 is itself to the rear of properties facing Combe Hill. A substantial agricultural building is located behind Nos 110a and 108 which, similar to the appeal site, is accessed via a track which runs between the side elevations of those properties. An extensive farm complex is also readily apparent behind Sunnyhill House and another dwelling facing Combe Hill nearby.
9. Moreover, notwithstanding that the proposal is in outline, a dwelling within the appeal site is likely to be barely visible from along Combe Hill: the appeal site is largely obscured from view by Nos 110 and 114 given the relatively narrow access (approximately 3.05 metres in width). Certain approaches to planting or landscaping could further reduce visibility.
10. Whilst towards the crest of a slight hill, the surrounding topography is generally only gently undulating. Fields are demarcated by established hedgerows punctuated by occasional trees, as is the case around the appeal site. In this context, I observed that the appeal site is barely perceptible from more distant public vantage points in the area, including along the track behind Manor Road. A suitable approach to landscaping at reserved matters stage, which may include retaining or enhancing existing planting, could in my view be secured via appropriately worded conditions.
11. I also note that the surrounding area is subject to no protective designations related to landscape or historic character. SSDC furthermore have no inherent objection to the location of the proposal; their officer report associated with the application explains how LP policy SS5 'Delivering new housing growth' indicates that a 'permissive approach' should be taken to considering housing proposals adjacent to established rural centres such as Milborne Port.
12. For the above reasons, and subject to a sensitive approach to reserved matters applications, I conclude that the proposal would not adversely affect the character or appearance of the area: any effect on landscape character or locally distinctive patterns of development would be negligible. Accordingly the proposal accords with the relevant provisions of LP policy EQ2 'General

development' and paragraphs 17, 60 and 109 of the NPPF, which, in summary, seek to ensure that all development integrates appropriately with its surroundings.

Living conditions

13. LP policy EQ2 explains that development should protect the residential amenity of neighbouring properties. Similarly paragraphs 17 and 123 of the NPPF, amongst other things, establish that planning should secure good standards of amenity and avoid where noise resulting from development would entail significant adverse effects to individuals' quality of life.
14. I have taken careful account of the representations made by the residents of neighbouring properties. I acknowledge that access to the appeal site is relatively narrow, that it runs adjacent to the rear gardens of Nos 110 and 114, and that previously vehicular access to No 112 was elsewhere. I also accept that the proposal would inevitably result in increased vehicular use of the access, and that associated noise would be noticeable.
15. However the number of vehicular movements generated by one new dwelling would be relatively modest. Resulting noise and disturbance would also be occasional and intermittent. Vehicular movements resulting from a residential use are also likely to arise at reasonably social hours, whereas those in association with agriculture are commonly more variable and extend across a greater period of the day in response to the practical needs of farming (vehicular accesses to agricultural uses behind residential properties along Combe Hill are present nearby as set out above).
16. I also observed that relatively narrow cut-throughs between dwellings are not uncharacteristic here. This is, for example, the situation at Hill View and No 96 Coombe Hill, between which is a track to the rear of Manor Road which is used by a number of properties for access to parking. As the ribbon of properties northwards of Manor Road represents the extremity of Milborne Port where its built form extends into the surrounding countryside, the relative tranquillity of the area around Nos 110 and 114 would also in my view moderate occasional noise and disturbance resulting from the proposal with periods of calm.
17. I noted there are no windows in the side elevation of No 110 facing the access visible above fencing demarcating the garden of that property. Only one window is present at first floor level in the side elevation of No 114 facing the access. Given the attenuation that would be provided by solid walls with limited openings, any noise experienced from vehicular use of the access within those properties is likely to be moderated.
18. I therefore conclude that noise and disturbance associated with vehicular use arising from the dwelling proposed would not be intrusive, and that the proposal would not unacceptably affect the living conditions of the occupants of Nos 110 and 114. Consequently the proposal accords with the relevant provisions of LP policy EQ2 and of paragraphs 17 and 123 of the NPPF.

Other matters

19. I note the further concerns raised by neighbours, including in respect of the potential effects of the proposal on highway safety, in relation to privacy, and that allowing the appeal may set an unwelcome precedent by way of resulting

in pressure for similar development elsewhere that could, cumulatively, be detrimental to the character of the area.

20. Having viewed the site access, visibility from it, and as Coombe Hill adjacent is subject to a 30 mile-per-hour speed limit, I am not of the view that the additional vehicular use of the access resulting from the proposal would entail cause for concern in relation to highway safety or capacity. Given the spacious garden of No 112 and as the proposal is in outline, in my view a dwelling could be suitably located within the appeal site and designed so as to avoid undue effects in relation to the privacy of neighbours.
21. I have set out above how it is the particular location and surrounding context of the appeal site which render the proposal acceptable. As such allowing the appeal would not, in my view, set an adverse precedent. Moreover each proposal must be determined on its particular merits. No other relevant matters are therefore of such significance so as to alter my reasoning in respect of the main issues in this case. I would also note that SSDC do not make the case at appeal that the proposal would be unacceptable in respect of the concerns raised by nearby residents set out above.

Conditions

22. It is necessary to impose conditions limiting the life of the planning permission, setting out requirements for the reserved matters in accordance with relevant legislation, and requiring compliance with the supporting location plan in the interests of certainty. In imposing conditions I have had regard to the tests within the NPPF, the PPG and relevant statute, and have amended the wording of certain conditions proposed by SSDC without altering their aim.

Conclusion

23. For the above reasons, and having taken all other relevant matters into account, the development proposed complies with the development plan taken as a whole and with the approach in the NPPF. I therefore conclude that the appeal should be allowed subject to the conditions below.

Thomas Bristow

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the access, appearance, landscaping, layout and scale (the 'reserved matters') shall be submitted to, and approved in writing by, the local planning authority before any development takes place, and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this decision, and the development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

- 3) The development hereby permitted shall be carried out in accordance with the approved location plan entitled '112, Combe Hill, Milborne Port, Sherborne, DT9 5BG' dated 24 March 2017.



Appeal Decision

Site visit made on 9 January 2018

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

an Inspector appointed by the Secretary of State

Decision date: 09 February 2018

Appeal Ref: APP/R3325/W/17/3185578

Briary, High Street, Keinton Mandeville, Somerton TA11 6DZ

- 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 Mrs Bizon against the decision of South Somerset District Council.
 - The application Ref 17/02981/FUL, dated 13 July 2017, was refused by notice dated 6 September 2017.
 - The development proposed is a driveway to the front of the house.
-

Decision

1. The appeal is allowed and planning permission is granted for a driveway to the front of the house at Briary, High Street, Keinton Mandeville, Somerton TA11 6DZ in accordance with the terms of the application, Ref 17/02981/FUL dated 13 July 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) Unless modified by the condition below the development hereby permitted shall be carried out in accordance with the following approved plan: 001- Existing/Proposal Drawing.
 - 3) Notwithstanding that shown on the approved plan the parking area shall not be brought into use until it is drained and surfaced in accordance with details that shall first have been submitted to and approved in writing by the local planning authority, and it shall be thereafter maintained as such at all times.

Main Issue

2. The main issue is the effect of the proposed development on highway safety.

Reasons

3. High Street is lined by close knit residential development in the vicinity of the appeal site and is subject to a 30 mph speed limit. At my site visit (middle of the day) I noted that High Street was fairly busy and there was a steady flow of vehicles using it. I acknowledge that at other times of the day it may be busier but there is no evidence before me to suggest that the road is normally heavily trafficked.
4. There is a convenience store on the opposite side of High Street and there was a moderate demand for on-street parking on both sides of High Street at the time of my site visit. I consider that given the location of the shop and the

- close knit residential development that on-street parking is highly likely to occur regularly on this part of High Street.
5. The appeal property has a modest front garden which the appellant proposes to use for parking one or two vehicles. A vehicular access with a dropped kerb would be provided to the footway. The Council refused the application on the grounds that the proposed vehicular access would fail to provide the recommended 2.4m x 43m visibility splays and the site cannot accommodate adequate turning facilities.
 6. There is no dispute that the recommended visibility splays cannot be met at the site as they extend over adjoining front gardens which the appellant has no control over. However, in the main the boundary treatments to those front gardens are low in height. Taken with the alignment of the road this means that a good level of visibility is achievable in both directions. Numerous properties in the immediate vicinity have parking areas and vehicular accesses to the front. Consequently, it is highly likely that the boundary treatments would remain low to ensure that visibility from those existing accesses is retained.
 7. Furthermore, given the on-street parking and the proximity of the junctions with Queen Street and Coombe Hill it is highly likely that vehicle speeds on High Street would be relatively low. Moreover, it seems to me that vehicle movements onto and off the proposed driveway are likely to be limited. For these reasons I am satisfied that the achievable visibility splays would not compromise the safety of users of the highway.
 8. The restricted dimensions of the garden area at the front of the appeal property would mean that a reversing manoeuvre would be required to either enter or exit the driveway. I acknowledge that this is not ideal and given the parked cars and the junctions in close proximity that it could lead to a number of conflicting vehicle movements. Additionally it may lead to confusing signalling by vehicles seeking to access the parking area.
 9. Nevertheless, as stated above the number of movements would be limited. It is also appropriate to take into account the close knit nature of the residential development along High Street, with many vehicle entrances, the majority without on-site turning space. In this street context drivers are likely to be relatively alert to the potential for vehicles to undertake turning and reversing movements. Moreover, even though the existing vehicular accesses may not have received consent or maybe historical there is no evidence before me that these accesses have been prejudicial to highway safety.
 10. On the basis of the evidence before me, for the reasons set out, I am satisfied that a safe and suitable access to the site would be achieved and that the proposal would not have a harmful effect on highway safety. It follows that the proposal would comply with Policy TA5 of the South Somerset Local Plan which, amongst other things, requires development to be designed to secure safe access and to ensure that the expected nature and parked vehicles generated by the development would not have a detrimental impact or compromise the safety and/or function of the local road networks. It would also comply with paragraph 32 of the National Planning Policy Framework (the Framework).

Conditions

11. I have considered the conditions put forward by the Council against the requirements of the Planning Practice Guidance and the Framework. In the

interests of conciseness and enforceability the wording of the Council's suggested conditions 03 and 04 has been amended and the conditions have been combined to avoid duplication. In order to provide certainty as to what has been permitted I have imposed a condition specifying the relevant drawings. In the interests of highway safety, it is necessary to impose a condition in relation to the materials and drainage of the parking area.

Conclusion

12. For the above reasons, and taking account of all other matters raised, I conclude that the appeal should be allowed.

D. Boffin

INSPECTOR

Agenda Item 16

Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods, Service Delivery
Service Manager: Simon Fox, Lead Officer (Development Management)
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

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
17	IVELCHESTER	17/01215/FUL	Construction of an anaerobic digestion plant to include associated equipment and on-site infrastructure for the purpose of generating renewable energy from grass silage and straw and upgrading and improvement of the existing access farm track	New Spittles Farm, Ilchester Mead Interchange, Ilchester	Mr Mark Knight
18	BLACKMOOR VALE	17/04047/S73A	Application to vary condition no. 2 (approved plans) of planning approval 09/03037/FUL, 11/02147/S73 and 16/03330/S73A	Land rear of 18 to 24 Westcombe, Templecombe	Mr R Thorner
19	WINCANTON	17/04588/REM	Application for reserved matters following approval of	Vedellers Hey, Balsam Park, Wincanton	Mr Simon Jenvey

			15/00288/OUT to include details of accesses, appearance, landscaping, layout and scale		
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Further information about planning applications is shown on the following page and at the beginning of the main agenda document.

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

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 17

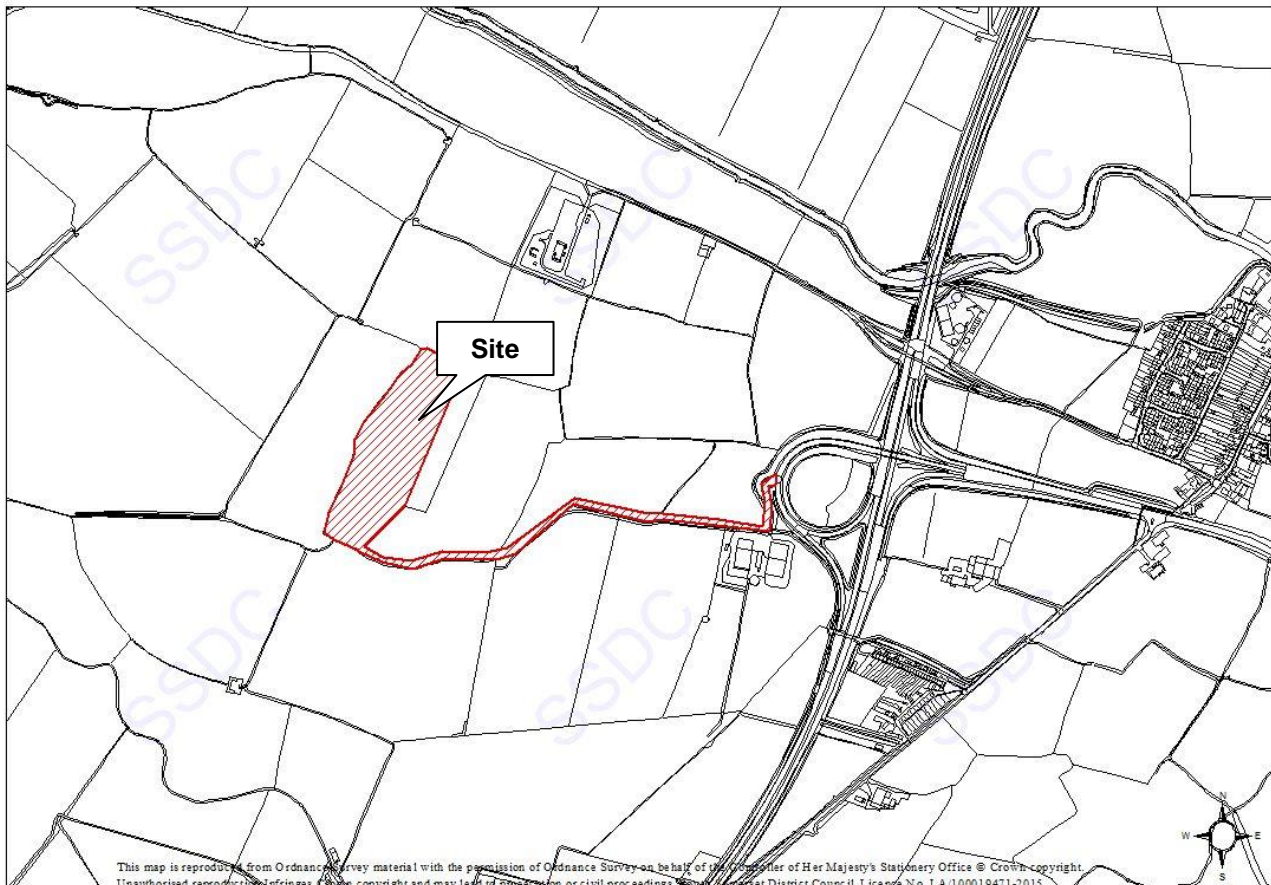
Officer Report On Planning Application: 17/01215/FUL

Proposal :	The construction of an anaerobic digestion plant to include associated equipment and on-site infrastructure for the purpose of generating renewable energy from grass silage and straw and upgrading and improvement of the existing access farm track.
Site Address:	New Spittles Farm Ilchester Mead Interchange Ilchester
Parish:	Ilchester
IVELCHESTER Ward (SSDC Member)	Cllr A Capozzoli
Recommending Case Officer:	Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	18th July 2017
Applicant :	Mr Mark Knight
Agent: (no agent if blank)	Ms Deborah Cairns E4environment Ltd Hilley Farm Pentre Shrewsbury SY4 1 BP
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL

The application has been referred to Area East Committee due to the size of the application site which falls within the category of being a 'major major' application and due to the officer's recommendation to approve the application is required to be determined by Committee under SSDC's adopted delegated procedures.

SITE DESCRIPTION AND PROPOSAL



This application is seeking full planning permission to erect an Anaerobic Digester Plant on land at New Spittles Farm for the purpose of generating up to 40,000 MW of gas per annum to be injected into the national grid.

The site area comprises 3.64 hectares of greenfield agricultural land as well as additional land to form the new access track. The proposed structures and equipment include:

- 2 digester tanks measuring 14m in diameter and 14m high;
- 3 primary digesters measuring 11m in diameter and 14m high;
- Operations building measuring 55m long, 35m wide and 10m high, which contains a separator, CHP (Combined Heat and Power) unit, dryer, digestate storage area and CO₂ liquefaction unit;
- Gas bag measuring 45m long, 35m wide by 1.6m high (above ground);
- 2 clamps for storing feedstocks measuring 30m wide by 30m long by 3m high and 30m wide by 50m long by 3m high;
- Weighbridge;
- 3 propane tanks;
- Gas upgrade equipment, Thyson injection unit (container) measuring 8m long, 3m wide and 3.8m high;
- Gas upgrade equipment, upgrade unit (gas cooling containers) measuring 22m long, 8m wide and up to 15.27m high;
- Flare measuring 9m high;
- Track to connect site to New Spittles Farm.

It is intended that the AD plant will be fuelled by 24,000 tonnes of agricultural matter per annum comprising 14,000 tonnes of clean straw and 10,000 tonnes of grass silage which are to be brought to site by tractor and trailer. Access to the site is proposed via the existing farm access serving New Spittles Farm to the south which gives directly on to the A37 / A303 Ilchester interchange. It should be noted that a scheme for an Anaerobic Digester on land at Bearley Farm to the south, which is being considered by the County Council, is also seeking to utilise this access. The proposal includes the construction of a farm track to connect the site to an existing farm track that leads through the yard at New Spittles Farm. The Transport Assessment that accompanies this application estimates that the proposal will generate up to 22 movements per day between May to October and 14 movements per day between November and April, which includes all deliveries of feedstocks and removal of the digestates and liquid CO₂.

The resulting products are liquid and solid digestate, heat, biogas and CO₂. The resulting heat is to be used to heat the anaerobic digester and operations building. The solid digestate is to be used or fertiliser in particular for the mushroom growing industry whilst the liquid digestate will be converted to an agricultural liquid fertiliser (liquid ammonium sulphate fertiliser and N-water) with any left over waste water recycled back into the AD plant. With regard to the biogas generated, this will be cleaned which involves separating the Methane from the CO₂, with the resulting cleaned gas being pumped directly into the adjacent gas pipeline. The CO₂ will be converted into a liquid form to supply industries such as the food and beverage industries.

The application is located in the open countryside on land associated with New Spittles Farm and is a short distance to the north of the established farmstead but is otherwise some distance from any established settlements. The site is low lying in what can be described as an open semi-moore landscape and is divorced in its situation from any existing built form.

The site sits immediately alongside three high pressure mains gas pipelines, and is within the Inner and Middle consultation zones for this equipment, and is a short distance from a mains gasworks (located to the northeast). The site is located within approximately 3 km of the perimeter of RNAS Yeovilton airbase.

According to the Environment Agency's (EA) formal flood zone maps the site sits within flood zones 2 and 3 (and partially within the functional floodplain). The EA however has confirmed that since these maps were drawn up that in that they have carried out some re-modelling work for this area and that the site is actually within flood zones 1 and 2. There are various watercourses within the locality including Burlinghton Brook over which the proposed access track will pass.

The site sits partially within the site of a Roman Settlement / Villa and there are other known archaeological sites of interest and potential within the locality dating from the Roman era.

The proposed access track will pass over a public right of way (footpath Y 12/4).

RELEVANT HISTORY

New Spittles Farm:

18/00723/EIASS: EIA Screening and Scoping Opinion in respect of a proposed Anaerobic Digester Plant at New Spittles Farm. EIA not required.

17/01471/DPO: Application to vary S106 agreement dated 19th March 2013 between Richard Don Knight, Heather Diana Knight and South Somerset District Council to allow use of part of land for an AD plant. Permitted.

16/01370/FUL: Proposed Agricultural building extension. Permitted.

15/01545/FUL: The erection of an agricultural storage building. Permitted.

13/02853/REM: The erection of an agricultural workers dwelling. Permitted.

13/01575/FUL: The erection of a silage pit. Permitted.

11/04284/OUT: Outline application for the erection of an agricultural workers dwelling. Permitted.

10/02173/FUL: The erection of an agricultural covered yard. Permitted.

10/00240/FUL: The erection of a covered feed area. Permitted.

10/00242/FUL: The erection of a fodder store extension. Permitted.

09/00206/REM: The erection of an agricultural dwelling. Permitted.

08/02209/FUL: The erection of a general agricultural building. Permitted.

06/03632/OUT: Erection of an agricultural dwelling. Permitted.

06/02157/FUL: The proposed erection of an agricultural apex - lean to building. Permitted

02/02010/FUL: The erection of an agricultural building and the siting of two mobile homes. Permitted.

760069: Erection of new farm buildings. Permitted.

Adjacent land (Bearley Farm):

17/01602/CPO: Installation of an anaerobic digestion facility at Bearley Farm and a linked access road from the site to the A303 via New Spittles Farm. Pending consideration.

14/00230/FUL: Erection of a 1.3 MW anaerobic digester with associated plant and works. Permitted , but this consent has now lapsed.

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

EP5 – Farm Diversification

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 - Historic Environment

EQ4 – Biodiversity

EQ5 – Green Infrastructure

EQ7 – Pollution Control

International and European Policy Context

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

Under the Copenhagen Accord (2010), the UK, as part of the EU, has since agreed to make further emissions cuts of between 20% and 30% by 2020 on 1990 levels (the higher figure being subject to certain caveats). This

agreement is based on achieving a reduction in global emissions to limit average increases in global temperature to no more than 2°C.

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

National Policy Context

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

The 2003 Energy White Paper provides a target of generating 40% of national electricity from renewable sources by 2050, with interim targets of 10% by 2010 and 20% by 2020. The 2007 Energy White Paper contains a range of proposals which address the climate change and energy challenge, for example by securing a mix of clean, low carbon energy sources and by streamlining the planning process for energy projects. The Planning and Energy Act 2008 is also relevant in that it enables local planning authorities (LPAs) to set requirements for energy use and energy efficiency in local plans.

National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 3 – Supporting a prosperous rural 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

Technical Guidance to the National Planning Policy Framework - Flood Risk

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

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

Other Relevant Guidance:

The UK Renewable Energy Strategy (July 2009)

Governments National Anaerobic Digestion Strategy and Action Plan (Department for Energy & Climate Change and DEFRA, 2011)

Planning Practice Guidance for Renewable and Low Carbon Energy (DCLG, March 2013)

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

- have a positive strategy to promote energy from renewable and low carbon sources;
- design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;

- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources; and
- identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for collocating potential heat customers and suppliers.

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

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

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

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

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

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

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

CONSULTATIONS

Ilchester Parish Council: Object.

Latest comments - After discussion, whilst accepting that the landscape proposed were an improvement, there remains the issue of access, over which the Parish Council has great safety concerns, in using the slip road access into New Spittles Farm from the A.303. The Council still need to have a rock solid assurance that there will be no access to the proposed site via the High Street / West Street & Pillbridge Lane. As the permission for another adjacent Digester has lapsed, there needs to be consideration that the use of the same access, as, if that application is revived, this would greatly increase the danger / road safety. The Council therefore still oppose this application on two grounds, access & flood plain impact. Also, there still needs to be a defined list of what type of waste will be used. The Council also request that as a minimum, Area East Committee visit the site and have this debated at an Area East Committee meeting.

Initial comments – Object for the following reasons:

1. Impact of large structures on the Landscape in open Countryside - no provision in the plans for any screening.

2. Use of slip road from the A.303 to service two digesters - New Spittles Farm & Bearley Farm, Tintinhull, this being a serious safety issue, as there needs to be a traffic management plan in place to ensure that traffic to & from the site is regulated, & have 'no right turn' access or exit.
3. The proposed site lies with a Flood plain area & needs appraisal by the Environment Agency.
4. The Council need an assurance that there will no access to the site via the High Street into Pillbridge Lane, there being a 7.5 tonne weight limit through the centre of Ilchester due to the Town bridge over the river Yeo.
5. Both Authorities SCC & SSSDC need to ensure that there is a clear definition of the types of materials being used at each proposed site.
6. There needs to be an assessment of the visual impact of the proposed track from Bearley Farm to New Spittles Farm, as the whole area is susceptible to being flooded.
7. The Council have concerns that two digesters are being considered, being only about a mile or so apart, being serviced by one entrance.

Kingsdon Parish Council (adjacent parish): No comments.

Ash Parish Council (adjacent parish): No comments received.

Tintinhull Parish Council (adjacent parish): No comments received.

Highways England: No objection.

A Transport Statement (TS) in support of the application has been provided. The farm already has direct access to the A303 slip road at the A303 / A37 junction. It should be noted that a similar but separate application has been submitted at the adjacent Bearley Farm site and that both applications propose to use the same existing site access. The cumulative impact of both developments has been considered in the TS.

Accident data indicate that there have been no incidents at the existing farm junction over the most recent five year survey period (01/07/2011-30/06/2016). There have been four recorded incidents over this period in the vicinity of the site access, however, the data shows that none of these were caused due to usage or layout of the site access junction.

Due to the site access being situated on the outside of the apex of the bend, good visibility splays can be achieved in both directions. A sightline of 98m to the left and 104m to the right when measured 4.5m back from the stop line can be achieved. This is in line with standards.

The TS calculates that for the delivery of feedstock, the proposed development will generate 12 two-way trips per day, Monday to Saturday, between the months of May and October as well as four two-way trips per day, Monday to Saturday, between the months of November and April. There will be additional movements of eight two-way trips per day, Monday to Saturday to remove the digestate. The worst case scenario is therefore a trip generation of 20 two-way trips across the course of a day.

A cumulative impact assessment to include the neighbouring Bearley Farm proposal has also been assessed. Combining both proposed developments a worst case impact on the A303 carriageway of 24 two-way vehicle trips over the course of a day. Assuming that a normal 8 hour day is worked, this equates to 3 movements per hour. This is not considered to be material by Highways England.

In summary, the TS considers the transport implications of an AD plant and associated infrastructure at New Spittles Farm. Trip generation for the proposed development is not considered to be material. Junction layout and visibility splays for the site access, which links directly on to the SRN is also considered to be in line with current standards. We are therefore happy that this development is unlikely to have a material impact on the safe operation of the SRN.

County Highways: No observations.

SSDC Highway Consultant: Access is on to the A303 which is under the control of Highways England, please refer to their comments.

SCC Rights of Way: There is a public right of way (PROW) which abuts the proposed development (footpath Y

12/4). We would request improved surfacing of the existing rights of way through the development. Associated infrastructure (e.g. fencing) may be required. Authorisation for such works must be obtained from SCC Rights of Way.

MOD: No safeguarding objection.

Initial comments – Sought clarification that there will be no organic waste stored out in the Open, if they were then this would act as a bird attractant which could increase the birdstrike hazard risk to air traffic using nearby RNAS Yeovilton.

Health & Safety Executive: Does not advise, on safety grounds, against granting planning permission.

National Grid: No comments received.

Environmental Protection: No comments.

Environment Agency: No objection. Since the applicant has produced the Flood Risk Assessment and submitted their application for planning, the Flood Zones have now been updated in line with our latest detailed model for the Somerset Levels and Moors. The site is now mostly located in Flood Zone 1 (as before) but the west of the site is now designated as Flood Zone 2 (medium) instead on Flood Zone 3 (high risk).

Under National Planning Policy the applicant should look initially at land outside of the flood zone for developing this scheme, rather than locating the buildings and other associated infrastructure have been located within Flood Zone 2. However, as this is development is associated with an existing operation your Authority should determine the merits of the sequential approach.

We recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

We have no objection to the proposal, as submitted, providing that the construction of the storage for feed stock to the AD plant complies with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010, as amended 2013.

Lead Local Flood Authority (SCC): No objection.

Somerset Drainage Board: No objection. They initially raised a holding objection due to the lack of information provided with regard to fencing for the new track where it runs close to Burlington Brook and which could potentially have hampered the future maintenance of this watercourse. Such information has now been provided and SDB are now satisfied with the details and therefore lifted their objection.

SSDC Engineers: No comments received.

Climate Change Officer: No

The switch from burning gas to generate electricity – as previous AD plants have done – to injecting gas directly to the gas grid is a very welcome development. This is a far more efficient use of the bio gas generated because a gas engine converting gas to electricity is at most 47.8% efficient whereas gas injected to the grid is used in the main for domestic central heating from gas condensing combination boilers with an efficiency of around 90%. Renewable electricity is increasingly generated from wind, solar and tidal power but renewable gas can only be generated from anaerobic digestion. The UK has one of the best gas grids in the world and it makes strategic sense to maximise bio gas injection.

As pointed out by the Landscape Architect, the landscape impact must be balanced against the benefits of development. These benefits I see as:

- The feedstock is being transported from local farms within a radius of 20 miles

- The feedstock is a by-product of existing farm processes that currently has no use on the farm but is currently transported as far and wide as Cornwall to achieve income.
- The digestate will be dried using heat from the AD plant and sold locally as mushroom compost thus reducing road miles from imported compost.
- Most important of all, the gas will be cleaned and injected to the grid supplying 40,000 MWh/yr enough to supply 3300 houses (Ilchester has 920 dwellings).

This is a very substantial increase in renewable energy generation in the district which will improve the resilience of the local economy. It is exactly the type of development the council should welcome.

Environmental Health: No comment.

Archaeology: The proposal has the potential to impact on archaeology relating to Roman and prehistoric activity I therefore recommend that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made as indicated in the NPPF, this should be secured through condition.

Campaign for the Protection of Rural England (CPRE):

Natural England: No objection. Made reference to their standard advice.

Ecology: No objections. I note the Ecological Appraisal provided and agree with its conclusions that the development is unlikely to raise any significant ecological impacts.

RSPB: No comments received.

Landscape Officer: Considers the proposal to have a minor adverse impact upon landscape character.

Latest comments in response to latest amendments - The revised plans and amended landscape proposal are noted. The increased planting to the southeast will assist in offering screening in views from the southeast, and provide a backdrop to views toward the site structures from the Moors to the north/northwest, whilst the additional planting around the Digesters and Operational building will help to play down the presence of these structures, and long-term screening will be facilitated that little bit earlier due to the reduction in the height of the digester tanks. Consequently, as we have discussed, the visual impact of the proposal will be moderated by this further planting, and further assisted by the muting of the structure tones.

It remains that the adverse change brought about by this form of development upon the intrinsic character of the open moorland is a substantive concern, but with perception of change in landscape character being primarily by visual recognition, and in presenting a planting scheme that now has some cohesion, and a singular scale appropriate to the open moorland, then with a full mitigation scheme, the weight of the landscape case against the proposal is reduced to minor adverse. Hence if you are otherwise persuaded by the environmental case for the scheme, then I acknowledge the mitigation measures to now be appropriate.

If minded to approve, please condition;

- (a) planting as per the submitted plan to be implemented in the planting season immediately following completion of site works, and;
- (b) cladding materials to be approved pre-commencement

Initial comments – I have now reviewed the application material and supporting information seeking to construct an anaerobic digester with associated buildings, plant and hardworks, on open farmland circa 600 metres distance to the west of the farm.

The site of the proposal lays in open countryside at the southeast edge of Kings Moor, within the flat moorland landscape that stretches between Long Load and Ilchester. It is specifically located at a point that lays marginally above the general level of the moor, where there is minimal development form in close proximity to the site, and the landscape is generally open, with minimal containment other than that offered by close-cropped hedgerows and sporadic specimen trees. The siting has not been determined by landscape sensitivities, but by the need to site the plant in close proximity to a gas connection point, and above the general floodplain.

As I understand it, the proposal intends to establish a general level platform above which the construction forms will be evident, the most prominent plant components being the five digesters rising some 14 metres above ground level, whilst the operations building covers an area 35 x 55 and has a ridge height of 10 metres. The orientation of the layout runs parallel with adjacent field hedgerows, which define the greater part of the site, but offer little containment.

In such a landscape context, the scale and rather industrial nature of the proposal before us cannot be considered to be characteristic of its landscape setting, and this incongruity is exacerbated by the general openness of the landscape, and lack of a development key. In that respect, it can clearly be argued that it does not respect the character and setting of the locality, as is required by LP policy EQ2. However, if there are overriding benefits accruing from this proposal, to outweigh adverse landscape impact, then it is essential that the visual impact is mitigated as far as is possible. An LVIA has been undertaken as part of the application, which notes the main impacts to be those of development construction, and its visual effects, some of which are assessed as being of moderate magnitude. It notes that the main views toward the site are primarily from the local footpaths, droves and bridleway that run to north and south of the site, and a limited number of individual dwellings to the south and east of the site but at least 1km distant. The visual profile of the site will be clearly apparent, albeit as part of a much wider panorama from all but the closest rights of way, hence the LVIA proposes planting mitigation to play down the presence of the development, and its uncharacteristic forms. However, no planting scheme is offered. As an appropriate and adequate landscape proposal is essential to demonstrating that the visual impact can be softened, this material is needed pre-determination. Can you please request this information is forthcoming.

REPRESENTATIONS

No written representations have been received in respect of this application, however, representations have been received from three separate local households raising the following concerns with regard to the Bearley Farm application (17/01602/CPO) which are also relevant to the New Spittles Farm application and as such are set out below:

- Increased heavy traffic through Ilchester, as well as the dangers caused by tractors and trailers turning onto the A303 slip road.
- HGV traffic associated with the development will ignore the weight limit for the bridge (Pill Bridge), with drivers under pressure choosing to come through Ilchester instead where traffic levels are already high.
- The access to New Spittles is an accident waiting to happen. The access is on a bend and at an angle and tractors with trailers and lorries will have to make a wide turn to access the farm. Vehicles leaving the A303 travel at high speeds and in severe conditions a long vehicles would be difficult to see.
- Concerned that the level of traffic will be higher than estimated.
- Damage to the fabric of Ilchester, including listed buildings, as a result of the additional HGV movements through the village. These old buildings were not designed to cope with the levels of vibration transmitted through the ground when today's large HGV's pass.
- Possible undesirable odours associated with this procedure. The new sewerage farm promised to generate less odours but the end result was the opposite.

CONSIDERATIONS

This application is seeking planning permission to erect an anaerobic digester with a capacity of producing 40,000 MW of gas per annum to be exported directly into the national grid. In addition to the biogas the development will produce solid and liquid digestate for use as compost and fertilisers, heat which will be used to heat the AD plant buildings and CO₂ for use in the food and drinks industry.

The application is support by the following documents:

- Volume 1 – Supporting Statement (including D&A Statement);
- Volume 2 – Process Description;
- Volume 3 – Environmental Review;
- Appendix 1 – Supporting email from Environment Agency;
- Appendix 2 – Transport Statement;
- Appendix 3 – LVIA (Landscape and Visual Impact Assessment);

- Appendix 4 – FRA (Flood Risk Assessment);
- Appendix 5 – Ecological Assessment;
- Appendix 6 – Archaeological Assessment.

The main considerations for this application relate to the impact it will have upon landscape character and visual amenity, highway safety, ecology, residential and rural amenity, archaeology and other heritage assets, flooding and drainage. The impact of the development should also be considered cumulatively with those relating to the Bearley Farm AD plant proposal, especially with regard to their impact upon highway safety and the local highway network.

Principle:

Anaerobic digestion is a process whereby bacteria breaks down biodegradable materials in a sealed container for the production of gas or the generation of electricity and heat for exporting into the national grid. The current proposal is seeking the construction of an anaerobic digester for the primary purpose of generating biogas to be exported into the neighbouring mains gas infrastructure. The operation intends to use natural feedstocks including silage grass and clean straw which the applicant states will be sourced locally (within a 30 mile radius). On this basis the proposal is considered to comply with the principles of a renewable energy source and accordingly should be considered against policies relating to renewable energy production.

Both national and local policy are clear in their support for the increase in the use and supply of renewable energy. Paragraph 98 of the NPPF states that local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and should approve applications for such developments if its impacts are (or can be made) acceptable. This support is mirrored in LP Policy EQ1 (Climate Change) which states that “development of renewable and low carbon energy generation will be encouraged and permitted, providing there are no significant adverse impacts upon residential and visual amenity, landscape character, designated heritage assets and biodiversity”.

The application site is greenfield land located in the open countryside where normally new development is strictly controlled, in this instance however the clear national and local policy support for such renewable energy schemes is considered to over-ride such strict controls and instead the proposal should be considered against the broader considerations of sustainable development.

The proposed development is a land based operation using farm generated feedstocks and as such from a traffic generation point of view it is sensible and will reduce the potential number of trips by locating the AD plant as close as possible to where the feedstocks are being produced, i.e. the countryside. In this instance there is another locational requirement which is to be close to existing gas infrastructure in order to export the resulting gas into the national grid.

Furthermore, the proposal would support an existing agricultural business, New Spittles Farm which is an established dairy operation that is owned and run by the applicant. It is stated within the application that the applicant is a member of the Tesco Sustainable Dairy Group which requires them to comply with certain conditions of animal welfare and environmental standards. If the farm meets these standards then they receive a consistently higher price for their milk, which in turn helps to secure the long-term future of the farm. They state that the proposed AD plant will provide major points towards meeting the required environmental standards and will therefore support the long-term viability of the farm.

For these reasons the principle of the proposed development is considered to be acceptable.

Landscape character and visual amenity:

The application site comprises a 3.64 hectare parcel of agricultural land that is located in the open countryside at the southeast edge of Kings Moor within an area of flat moorland and where there is minimal development form in close proximity to the site and the landscape is generally open with minimal containment other than that offered by close-cropped hedgerows and sporadic specimen trees.

The proposal intends to establish a level platform on which the associated apparatus and buildings will be constructed, the most prominent of which include the five digesters at 14 m high and the operations building covering an area of 35m x 35m. The existing field hedgerow that runs along the western side of the site defines this side of the site but offers little containment visually.

It is considered that a development of this industrial scale and form is contrary to the character of the local landscape, and that its presence and incongruity will be exacerbated by the general openness of the landscape and lack of a development key. In this respect the Landscape Officer is clear in his view that the proposal fails to respect the character and setting of the locality and is therefore contrary to LP Policy EQ2.

In response to the Landscape Officer's initial comments the applicant has provided a comprehensive planting scheme that offers woodland type planting to all sides of the development. The amended landscaping proposal will assist in offering screening, in particular from the southeast (the A303 direction), and provide a backdrop to views when looking towards the structures from the moors to the north / northwest, whilst the additional planting around the digesters and operational building will help to play down the presence of these structures and to generally moderate the impact of the scheme, which should be further assisted by the use of muted colours for the building materials.

Based on this amended planting scheme the Landscape Officer concludes that "it remains that the adverse change brought about by this form of development upon the intrinsic character of the open moorland is a substantive concern, but with perception of change in landscape character being primarily by visual recognition, and in presenting a planting scheme that now has some cohesion, and a singular scale appropriate to the open moorland, then with a full mitigation scheme, the weight of the landscape case against the proposal is reduced to minor adverse".

In conclusion, whilst the proposal is considered to be at odds with the character of the locality, it is considered that its impact upon the landscape and visual amenity will be significantly reduced as a result of the revised planting scheme, the reduced height of some of the apparatus and the careful control of the colour and finish of the various structures. On this basis the proposal is considered to cause minor harm to visual amenity and the setting and character of the local landscape.

Access and highway safety:

At present the site is accessed via a farm track that connects to Pill Bridge Lane to the north. Pill Bridge Lane is a narrow, single track no through road which passes over a weight restricted bridge. Any traffic using this route must pass through the village of Ilchester.

The proposed development however does not intend to utilise this route and instead proposes to utilise the existing access at New Spittles Farm which has direct access on to the eastbound A303 slip road at the Ilchester interchange. To be able to utilise this access the proposal includes the construction of a private track to connect the site to an existing farm track which leads directly into the farm and on to the existing access.

The section of highway that the access gives on to relates to the A303 which falls under the control of Highways England (HE), as such both HE and the Highway Department at SCC have been consulted on this application, neither of whom have raised an objection.

The application is supported by a Transport Statement that states that the proposal will generate approximately 12 two-way trips per day, Monday to Saturday, between the months of May and October as well as four two-way trips per day, Monday to Saturday, between the months of November and April. There will be additional movements of eight two-way trips per day, Monday to Saturday to remove the digestate with a maximum of 20 two-way trips being generated across the course of a day.

A cumulative impact assessment to include the neighbouring Bearley Farm proposal has also been assessed. Combining both proposed developments a worst case impact on the A303 carriageway of 24 two-way vehicle trips over the course of a day. Assuming that a normal 8 hour day is worked, this equates to 3 movements per hour. HE does not consider this level of traffic generation to be significant.

It has been pointed out to HE that the number of movements are likely to vary significantly with peak movements during harvest periods however they did not consider this to be a concern.

The access is situated on the outside of the apex of a bend and the HA is satisfied that good visibility can be achieved in both directions and that the layout of the junction is suitable to accommodate the proposed levels and types of traffic generated by the two developments.

It is noted that there are local concerns relating to increased traffic movements through Ilchester and the

possibility that traffic will access the site via Pill Bridge Lane regardless of the proposed access arrangements. Such concerns are natural and it is recognised that Pill Bridge Lane is not suitable or appropriate to accommodate this type and level of traffic movements given its narrow width and lack of passing places and the constrained nature of the access roads through Ilchester to get to the lane. The issue of access however can be controlled adequately through condition requiring all construction, operational and delivery traffic to utilise the New Spittles Farm access only and a further condition requiring the completion of the new access track prior to any other works being commenced on site.

On the basis of the HE's considerations and the lack of any evidence contradicting their views, and subject to the imposition of various highway related conditions including one to restrict which access should be used, the proposal is not considered to give rise to any substantive highway related concerns.

Safeguarding considerations relating to the gas pipelines and RNAS Yeovilton

The application site sits immediately adjacent to existing mains gas infrastructure and is within the Inner and Middle consultation zone for such apparatus. The Health & Safety Executive (HSE) and the National Grid, who are responsible for the nearest pipeline, have therefore both been consulted. The HSE have confirmed that they have no objections to the proposal, no comments have been forthcoming from the National Grid.

The site is within 3km of RNAS Yeovilton airbase, as such the MOD have also been consulted. Other than seeking reassurance that the proposal would act as a bird attractant through the storage of any organic storage outside, which could cause a bird strike issue, they do not have any objection to this proposal. The applicant has confirmed that all organic matter will be stored under cover and it is considered that this can be adequately controlled by condition.

For these reasons the proposal is not considered to give rise to any substantive health and safety concerns with regard to the nearby airbase or the gas infrastructure.

Residential amenity:

Other than the applicant's own properties, the nearest residential properties to the site are in excess of 650m away. The proposed feedstocks include silage and straw and are to be stored under cover. Whilst silage generates an odour this is not so pungent as to be noticeable at any great distance, especially given that in this instance all feedstocks and any resulting digestates are to be covered. The Environmental Health Officer has been consulted with regard to the proposal and has raised no objection. It is therefore considered that due to the intervening distances between the site and any neighbouring properties and the nature of the feedstocks and that any organic matter will be kept under cover that the proposal will not give rise to any substantive odour related issues.

For the same reasons and given the nature of the activities involved the proposal is not considered to cause any other substantive amenity issue such as noise, vibration, loss of light, over bearing concerns etc.

Heritage assets:

There are a number of heritage assets in the form of archaeological sites within the vicinity and in fact the site partially sits on the site of a Roman Settlement / Villa. County Archaeology has considered the proposal and subject to a condition requiring a scheme of archaeological investigations is satisfied that the proposal will appropriately safeguard any such heritage interests relating to the site.

Ecology:

The site is not situated within any designated ecological or habitat sites although it is noted that there is an RSPB consultation zone which surrounds the site. An ecological appraisal accompanied the application and the Council's Ecologist is satisfied with this appraisal and its conclusions and accepts that the development is unlikely to raise any significant ecological impacts and as such has raised no objection and has made no recommendations. The RSPB were consulted but have made no comment.

For these reasons the development is not considered to give rise to any substantive ecological related issues.

Drainage and Flooding:

According to the Environment Agency's (EA) formal flood zone maps the site sits within flood zones 2 and 3 (and partially within the functional floodplain). The EA however has confirmed that since these maps were drawn up that they have carried out some re-modelling work for this area and that the site actually sits within flood zones 1

(low probability) and 2 (medium probability). On this basis they raise no objection to the proposal but suggest the LPA should consider the merits of adopting a sequential approach to the development.

The vast majority of the applicant's holding is located within flood zone 2 or above. It is noted that there is a parcel of land to the east of the adjacent pipelines is flood zone 1 however even if the site were situated here instead it would be difficult to prevent at least part of it from intruding into flood zone 2. It is accepted that there would be little benefit in looking to relocate to the proposal elsewhere on the applicant's holding as it is likely to give rise to similar concerns.

The Lead Local Flood Authority has raised no objection to the proposal.

The Somerset Drainage Authority has noted that the new access track will cross over a watercourse that is within their control, Burlington Brook. They are satisfied however that based on the submitted details that the continued maintenance and effectiveness of this drain will not be harmed as a result of this proposal.

For these reasons, and subject to a condition to secure a surface water drainage scheme the proposal is not considered to give rise to any substantive drainage or flooding concerns.

Public Rights of Way:

The proposed access track will pass over a public right of way (footpath Y 12/4). Subject to the surfacing of the footpath being upgraded SCC Rights of Way have no objection to the proposal.

Environmental Impact Assessment:

The requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 have been considered. The proposed development is considered to fall within Schedule 2 (1a and 3b). Due to the site area a screening opinion has been carried out to determine whether an EIA is required. It was determined that the potential effects of the proposed development, including the cumulative impact of the development when considered with the proposed AD plant at Bearley Farm, were not so significant as to require an Environmental Impact Assessment.

Planning Balance:

Paragraph 17 of the NPPF sets out the 12 core planning principles, one of which seeks to encourage the use of renewable resources, such as through the development of renewable energy. Paragraph 98 goes on to state that Planning Authorities should approve applications for renewable energy projects where impacts are (or can be made) acceptable. The current proposal will have the benefit of producing in the region of 40,000 MW of gas per annum, sufficient to meet the gas needs of approximately 3,300 homes. It is considered that great weight should be afforded this benefit.

The proposal will also bring clear economic benefits. Within the supporting statement accompanying this application it is stated that the proposal will create the equivalent of three full-time jobs. The proposal will also be of benefit to the applicant's farming enterprise by giving it the 'green' credentials it needs in order to meet the requirements of the Tesco Sustainable Dairy Group, which they are a member of, and which means they can secure a higher price for their milk, thereby aiding the long-term viability of the holding. It is considered that moderate weight should be afforded these benefits.

From an environmental perspective, the proposal does give rise to some significant landscape character concerns. It is considered that the development is industrial in its scale and appearance which is contrary to the undeveloped and general openness of the local landscape and where it relates poorly to existing landscape features. In this regard the proposal fails to respect the character and setting of the locality and is contrary to LP policy EQ2. The revised planting scheme however will, once established, significantly reduce the visual presence of the development and due to the scale of the planting scheme provide a landscape feature that will make sense within this landscape setting and will eventually help to limit character issues identified earlier in this report. The matter of colour and finish for the structures will also affect the visual impact that the development will have. Subject to the planting scheme and colour and finish of the structures being suitably controlled by conditions it is considered that the identified character and visual impact concerns will be moderated to such an extent that such adverse impacts will be moderate to minor in nature.

No other substantive harms, in regards to highway safety, residential amenity, heritage assets, ecology, flooding and drainage and other health & safety and environmental considerations, have been identified.

In conclusion, whilst the proposal is considered to be at odds with the character and setting of the locality, it is considered that its impact upon the landscape and visual amenity will be substantially mitigated through the revised planting scheme and the control of the building materials (finish and colour). Such harm is therefore only afforded moderate weight. The benefits, as identified above, however are considered to be substantial and to therefore outweigh the landscape / visual amenity harms.

For the above reasons, the development is considered to constitute a sustainable form of development and is therefore recommended for approval.

RECOMMENDATION:

Grant consent for the following reason:

Notwithstanding local concerns, it is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact the proposal will have on the local landscape character. The development is not considered to cause any demonstrable harm to highway safety, ecology, residential amenity or heritage assets. As such the proposal accords with the government's objective to encourage the provision of renewable energy sources and the aims and objectives of policies SD1, TA5, TA6, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework and accompanying National Planning Practice Guidance.

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 drawings numbered [TO BE CONFIRMED]. :

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

03. Within 3 months of the cessation of the use of the development hereby permitted for the purpose of generating biogas, a scheme for the removal of all buildings, structures, hard standings, plant and machinery, roadways, fencing or other structures in association with the development hereby permitted shall have been submitted and approved in writing by the Local Planning Authority. The scheme shall include details of the restoration and a timetable for completion. The scheme shall be fully implemented within 9 months of the date of approval.

Reason: To safeguard the amenities and character of the area in accordance with Saved Policies EC3 and ST6 of the adopted South Somerset Local Plan.

04. The feedstock to serve the anaerobic digester hereby approved shall be limited to grass silage and clean straw only.

Reason: In the interests of residential amenity, the rural amenities of the area and highway safety to accord with policies EQ2, EQ7 and TA5 of the South Somerset Local Plan.

05. All traffic associated with the development hereby permitted (including all construction traffic and operational traffic) shall access the site via the existing farm access which serves New Spittles Farm, i.e. the access leading on to the east bound A303 / Ilchester slip road. There shall be no access to the site via Pill Bridge Lane.

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

06. No works shall commence on site until details of the new access track to connect the site to New Spittles Farm has been constructed and brought into use.

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

07. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 98m to the north (left) and 104m to the east (right) of the access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interest of highway safety in accordance with policy TA5 of the South Somerset Local Plan.

08. There shall be no external storage of any form of organic matter whatsoever.

Reason: In order to minimise birds being attracted to the site which could increase the risk of birdstrikes and endanger aircraft using the nearby airbase, RNAS Yeovilton.

09. The planting scheme, as detailed on drawing titled 'figure 5' dated 04/12/2017, shall be planted in the first planting and seeding season following the first occupation of the development hereby permitted or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 25 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 otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and to safeguard the character and rural amenities of the area to accord with policy EQ2 of the South Somerset Local Plan.

10. The development hereby permitted shall not be commenced until samples of all of the materials, colour and finish to be used for external surfaces of the proposed buildings, structures, apparatus and equipment have been submitted to and approved in writing by the Local Planning Authority. Once agreed, no alterations or changes shall be made to the buildings without the written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the rural character of the locality to accord with policy EQ2 of the South Somerset Local Plan.

11. The development hereby approved shall not be commenced until details of the surfacing materials for all hardstanding and access tracks have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding and in the interests of visual amenity to accord with policy EQ2 of the adopted South Somerset Local Plan and the provisions of the NPPF.

12. No development hereby permitted shall be commenced unless details of the means of connection to the gas / electricity grid from the site have been submitted to and approved in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with policy EQ2 of the South Somerset Local Plan.

13. The development hereby approved shall not be commenced unless a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the phasing of construction, pollution prevention measures (to include details of the construction of the storage tanks), hours of construction, routing for construction vehicles, parking for construction and contractors vehicles. The development shall thereafter be carried out in strict accordance with such details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the rural amenities of the area and to prevent pollution of the water environment in accordance policy EQ2 of the South Somerset Local Plan and the provisions of the NPPF.

14. No development approved by this permission shall be commenced until a detailed scheme for

contaminated and clean surface water run-off, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and thereafter permanently maintained and retained in this fashion.

Reason: To prevent the increased risk of flooding and pollution of the local water environment in accordance with policy EQ7 of the South Somerset Local Plan and Part 11 of the NPPF.

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

Reason: To safeguard the archaeological interest of the site in accordance with policy EQ3 of the South Somerset Local Plan.

16. No external lighting shall be erected on the application site unless details including size, design, location and degree of luminance have been previously submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the rural character of the locality to accord with policy EQ2 and EQ7 of the South Somerset Local Plan.

Informatives:

1. The applicants attention is drawn to the Environment Agency's comments as follows:
 - The construction of the storage for feed stock to the AD plant complies with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010, as amended 2013.
 - The Environment Agency must be informed of any new storage for feed stock at least 14 days before construction begins. Further guidance is available on our website at <https://www.gov.uk/storing-silage-slurry-and-agricultural-fuel-oil>.
 - The digestate produced from the plant may be spread to land provided the feed stock is from an agricultural source i.e. maize slurry.
2. The applicant is advised that safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:
 - the use of plant and machinery
 - wheel washing and vehicle wash-down
 - oils/chemicals and materials
 - the use and routing of heavy plant and vehicles
 - the location and form of work and storage areas and compounds
 - the control and removal of spoil and wastes.

Agenda Item 18

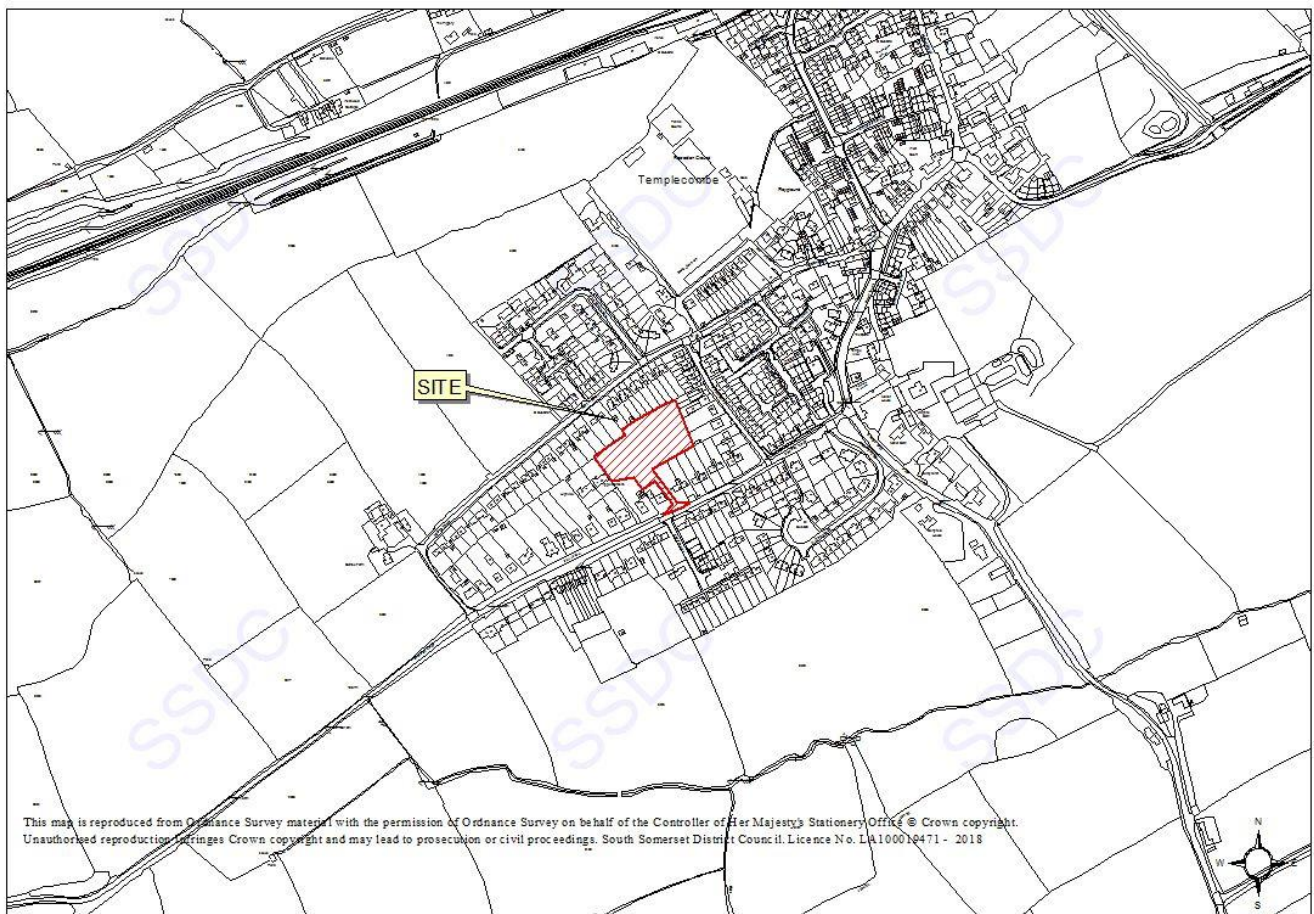
Officer Report On Planning Application: 17/04047/S73A

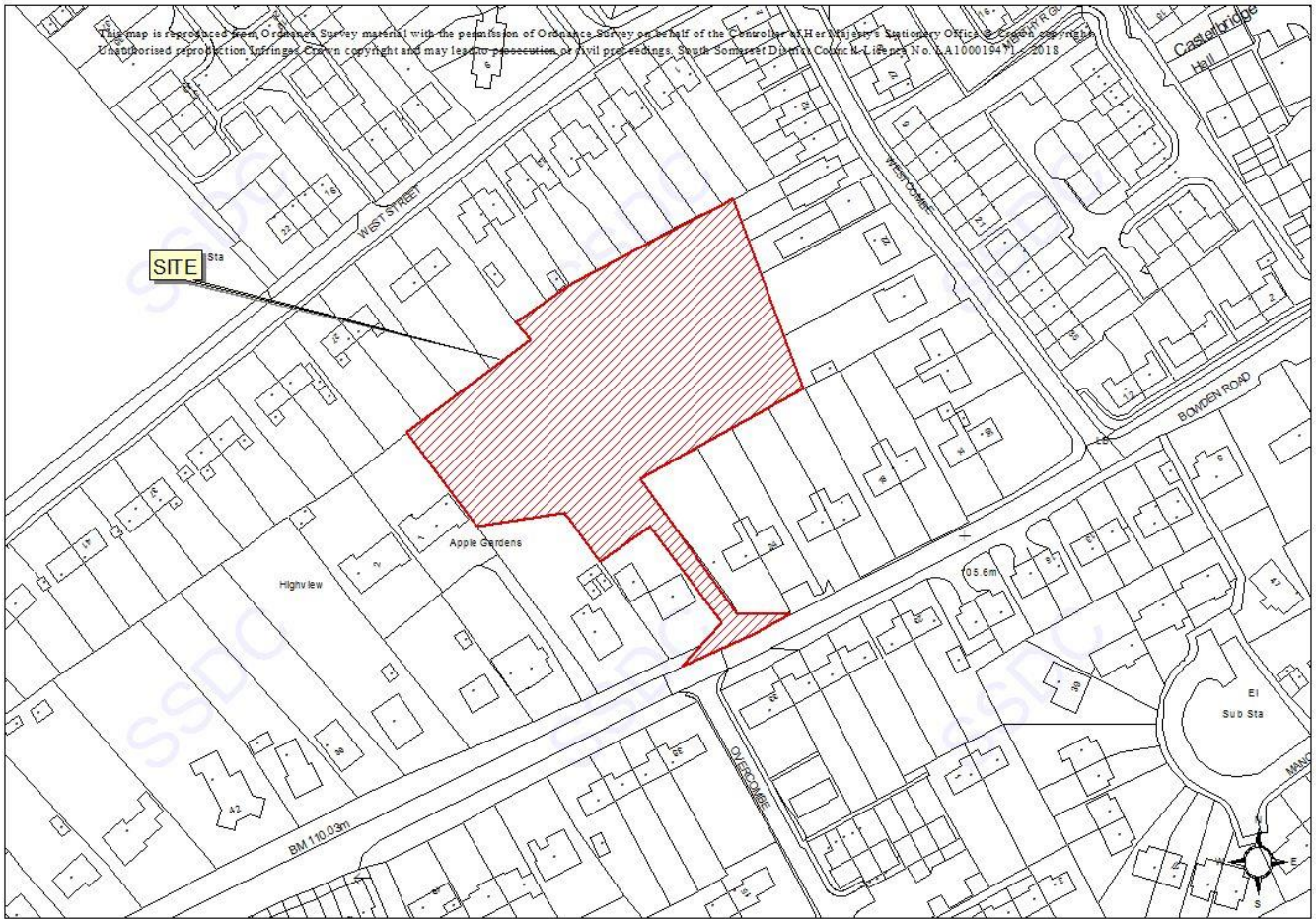
Proposal:	Application to vary condition No. 02 (approved plans) of planning approval 09/03037/FUL, 11/02147/S73 and 16/03330/S73A to substitute with revised plans.
Site Address:	Land Rear Of 18 To 24 Westcombe Templecombe
Parish:	Abbas/Templecombe
BLACKMOOR VALE Ward (SSDC Member)	Cllr William Wallace Cllr Hayward Burt
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date:	8th January 2018
Applicant:	Mr R Thorner
Agent: (no agent if blank)	Mr Peter Clark Lake View Charlton Estate Shepton Mallet BA4 5QE
Application Type:	Major Dwigs 10 or more or site 0.5ha+

REASON FOR REFERRAL

The application has been referred to Area East Committee at the request of the Ward Members and with the agreement of the Area Chair to allow the concerns of the local residents and the Parish Council to be considered further.

SITE DESCRIPTION AND PROPOSAL





This application is seeking to vary the approved plans condition (condition 2) of planning approval 09/03037/FUL, and subsequent Section 73 applications 11/02147/S73 and 16/03330/S73A, in order to amend Plots 2 and 3 from single storey dwellings to two-storey dwellings. The application as originally submitted also sought to amend Plot 1 from a single storey dwelling to a two-storey dwelling however this element of the proposal has since been amended to retain this plot as single-storey albeit with an amended design.

The original consent for this site was application 09/03037/FUL which granted permission for the erection of thirteen dwellings, which included a mixture of two-storey and single-storey houses. This original scheme has since been varied by two separate Section 73 applications, the first of which was approved in 2011 (11/02147/S73) and permitted amendments to the site plan including changes to the positions of Plots 1, 2 and 3. The second Section 73 (16/03330/S73A) application permitted changes to the approved plans and floor level details in order to address final road and drainage issues and to make some slight changes to the fenestration detailing of a number of the plots.

The works to the development are now at an advanced stage with a number of the approved dwellings now complete and being occupied. The application site is former garden land that belonged to several neighbouring properties. The site is a relatively flat and level with adjacent development and is surrounded by residential properties to all sides including bungalows to the west (known as Collingham Close) immediately to the rear of Plots 1, 2 and 3, a bungalow to the north and two-storey dwellings to the east and south. An access road to serve the development runs between 26 and 28 Bowden Road.

HISTORY

16/03330/S73a: Section 73a application to amend conditions 2 (approved plans) and 9 (finished floor

levels) of planning approval 09/03037/FUL following level changes arising from final road and drainage designs. Permitted.

11/02147/S73: Application to vary condition 2 of planning approval 09/03037/FUL (revised site plan). Permitted.

10/02561/FUL: Erection of six bungalows with garages on former garden land (revised application). Pending consideration.

09/03037/FUL: The erection of thirteen dwellings. Permitted April 2010.

08/04307/FUL: Erection of six dwellings on former garden land. Application withdrawn 2008.

06/01540/FUL: Erection of a bungalow with detached garage. Permitted 2006.

05/02627/FUL: Alterations to garages for plots 9 and 10. Permitted 2005.

03/01480/FUL: Erection of twelve dwellings and access road. Permitted 2003.

01/00341/OUT: Erection of fourteen dwellings. Refused 2001.

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

SS2 - Rural Settlements

SS6 - Infrastructure Delivery

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

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision open space, outdoor playing space, sports, cultural and community facilities in new development

EQ2 - General Development

EQ4 - Biodiversity

National Planning Policy Framework

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting healthy communities

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

CONSULTATIONS

Templecombe Parish Council: Object for the following reasons:

The replacement of the 2 storey house on plot 1 to a bungalow still causes concern as the revised footprint is much bigger than the original bungalow and does not seem proportional to the scale of the total plot.

Plots 2 and 3 are still 2 storeys and still appear to overlook the existing bungalows resulting in a high level of loss of privacy and also seem disproportionate to the size of the plots allocated.

The position of both 2 storey buildings in the middle of the development appears to destroy the flow of the development.

The Parish Council understood that there was a specific need for bungalows within the area highlighted

in advice given for Slades Hill so brings into question the justification for amending this agreed consent at this late stage.

County Highways: Referred to their standing advice.

SSDC Highway Consultant: Consider the revised scheme in light of the Somerset Parking Strategy optimum standards. It would appear that Plots 1 and 2 would be three-bedroom dwellings requiring 2.5 (rounded up to 3) car parking spaces per property, yet it appears that only two spaces (a garage and a drive) would be provided. If the parking provision and bedroom accommodation is no different to that approved previously, the scheme would be acceptable, or the planning officer may consider the location of the site would warrant / justify a reduction to the SPS standards.

REPRESENTATIONS

Written representations have been received from four adjacent households raising the following objections and concerns:

This is a major change to the original planning approval and requires a new full application along with a Design, Access and Energy Statement.

Loss of privacy. Our garden (30 Bowden Road) would be considerably overlooked and our views and light greatly reduced.

Loss of privacy to 7 Collingham Close. If approved this amended scheme will allow the occupants of plot 3 and probably plots 1 and 2 as well unrestricted views over our garden wall and into our private garden space. We bought this plot on the understanding that it would be surrounded by single storey bungalows.

Plot 1 has been located within our own garden meaning the developer appears to wish to move our boundary in the construction of Plot 1.

Loss of light due to proximity of two-storey house at the end of our garden.

When the land was sold it was done so under the condition that it should have bungalows only directly behind it.

The two-storey houses will have a significant impact both visually and practically on the existing bungalows sited below.

Plot 1 is covered by a covenant which states that there should be no more than one dwelling within 12m of 28 Bowden Road. This proposal will allow more than one dwelling to be constructed within this distance.

The applicant has decided not to provide our property with the driveways promised.

The visibility splay appears to have been drawn through the trees that are growing along our frontage (28 Bowden Road) which appears to be a modification from that previously agreed.

Legal obligations to provide entrances to our property have been omitted from the latest plans.

I bought my property based on the original plans showing sites 1-3 as bungalows, any variation to this would be a "breach of contract".

The proposal would lead to increased traffic which would be an impediment to access. Larger houses means more residents and will result in street parking, which is expressly forbidden by covenant. Access by emergency vehicles could be a problem.

The appearance would be changed from a small select development to yet another high density housing estate.

Inadequate garden space.

Negative impact upon my view.

The selling agents believe that demand is for the new buildings to remain exactly as on the original plans, thus lack of demand cannot be used as an excuse to make any changes.

There is a national shortage of bungalows.

The existing bungalow (4 Collingham Close) has been built closer to our boundary than planned because of a lack of detailed land surveys beforehand, we therefore have no faith in the accuracy of these new plans.

CONSIDERATIONS

Planning permission for the erection of 13 dwellings on this site, including a mix of bungalows and two-storey houses, was granted in 2010 under application 09/03037/FUL. The current application follows several previous Section 73 applications that permitted various minor amendments to the original scheme, including alterations to some of the fenestration details and internal floor levels and agreement of some of the detailed condition details. This latest application as originally submitted sought to amend Plots 1-3 from bungalows to two-storey dwellings, the application however has since been amended and is now seeking to amend Plots 2 and 3 to two-storey dwellings and to keep Plot 1 as a single storey bungalow, albeit with a different design.

The key considerations with regard to this current scheme is the impact the proposal will have upon the visual amenity and the character and quality of the overall development and upon the residential amenities of neighbouring properties.

Visual amenity

The approved development comprises a mix of two-storey and single storey dwellings and is surrounded by a mixture of two and single storey dwellings. It is considered that the proposed amendment to change Plots 2 and 3 to two-storey dwellings and the proposed changes to the design of Plot 1 raise no substantive visual amenity concerns and are in keeping with the character of the wider development and general locality.

Residential amenity

Objections have been raised by both the Parish Council and a number of surrounding householders raising concerns that the proposal will result in harm to neighbour amenity with particular concerns relating to loss of privacy and loss of light to their homes.

The raising in height of Plots 2 and 3 will undoubtedly result in them having a more imposing presence to the immediate neighbours than if they were single storey however due to their juxtaposition with surrounding properties and the intervening distance it is not considered that they will result in any substantive overbearing concerns. For the same reasons they are not considered to give rise to any significant loss of light issues.

The occupiers of Plot 7, an adjacent bungalow to the east of Plot 3, have argued that the proposal will result in loss of privacy to their property. A single upper floor window serving a bathroom is proposed within the east elevation of Plot 3 which faces towards Plot 7, this window will look across a public road and due to the absence of any windows within the west elevation of Plot 7, will result in no new window to window issues. Any overlooking of their private garden area will be at such an oblique angle that this is not considered to be substantive. With regard to the neighbours at Plot 4 to the rear, windows in the rear of both Plots 2 and 3 will look towards the front / side of this neighbour, however, this side of the neighbouring property is open to views from the wider cul-de-sac and as such does not have a high level of privacy. In any case due to the distance and the intervening fence between Plot 4 and Plots 2 and 3 any window to window concerns are not considered to cause any significant loss of privacy issues.

The reduction in height of Plot 1 back to a single storey dwelling ensures that this Plot will not cause any substantive loss of light, loss of privacy or overbearing issues and that the amenities of 28 and 30 Bowden Road will be suitably safeguarded.

Other matters

There has been a claim that the position of Plot 1 encroaches on to land belonging to the neighbour at 28 Bowden Road, although it is unclear how this is the case as the redline area for the site has not changed from the original application and the dwelling clearly sits within the redline area. It should be noted however that the granting of planning consent does not then grant the right for a development to encroach upon someone else's land without the separate agreement of that third party.

Several neighbours have also objected on the basis of the terms that they bought their properties and make reference to covenants which they say placed a number of restrictions on the development including that the houses at plots 1-3 should be single storey in height. It has been stated that the approval of this application would be a 'breach of contract' for the existing residents. Whilst there may well be such covenants these are legal restrictions that are wholly separate to the planning system and as such should not influence the outcome of this application. It should be noted however that should this application be approved then the resulting permission does not override such legal matters, rather they will still need to be resolved separately between the relevant parties through the appropriate legal channels.

A neighbour has raised concern that the increased size in the houses will result in increased traffic generation and parking demand and that this could result in parking on the estate road which in turn could cause access problems in particular for emergency vehicles. The level of proposed parking for these plots is compliant with the highway authority's parking requirements and the estate road layout has previously been agreed by the HA. There is no evidence to contradict the HA's views with regard to the acceptability of these details, for this reason it is not considered that this amended proposal will lead to any undue on-street parking issues or other highway safety related.

Another neighbour has queried the visibility splays for the site access, however, the splays detailed on the plan have not altered from that agreed through the earlier permissions.

Conclusion

For the reasons set out above, the proposed amendments are not considered to give rise to any new demonstrable harm to visual amenity, residential amenity, highway safety or any other substantive concern that would justify withholding consent. The application is therefore recommended for approval.

RECOMMENDATION

Grant consent for the following reason:

01. The proposed development, by reason of its context, density, scale, layout, design and materials, respects the character of the area, causes no demonstrable harm to visual amenity, residential amenity or highway safety and is considered to constitute an appropriate sustainable form of development that accords with the aims and objectives of policies SS2, SS6, TA5, TA6, HW1, EQ2, EQ4 and EQ5 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans numbered F1325/200B, F1325/203B, F1325/205C, F1325/206C, F1325/207C, F1325/208C, F1325/210C, F1325/212C and F1325/215 received 29/07/2016 and F1325/216F received 06/10/2017 and F1325/217Q, F1325/202D, F1325/209 and F1325/214F received 15/01/2018.

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

02. The external wall, roof and chimney materials, the materials and external finish for all external windows and doors, internal and external boundary treatments and surfacing materials for the access drive, paths, turning and parking areas shall accord with those detailed agreed under discharge of condition application 13/00878/DOC, unless otherwise agreed in writing by the local planning authority.

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

03. Prior to any other works commencing in respect of the development hereby permitted the visibility splays shown on drawing no. F1325/217D shall be provided in full and shall thereafter be permanently maintained in this fashion.

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

04. 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 to accord with policy TA5 of the South Somerset Local Plan.

05. At the proposed access there shall be no obstruction to visibility greater than 300mm above adjoining road level within the visibility splays shown on the submitted plan F1325/217D, such visibility splays shall be permanently retained and maintained thereafter.

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

06. The foul and surface water drainage details to serve the development shall accord with the details set out on drawing number F1325/225B received 29/07/2016, unless otherwise agreed in writing by the local planning authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure the site is adequately drained to accord with policy EQ7 of the South Somerset Local Plan.

07. The development shall be carried out in accordance with the internal ground floor levels set out on drawing number F1325/217Q received 15/01/2017, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential and visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

08. The development shall be carried out in accordance with the landscaping scheme detailed on drawing number J46-01A received 31/01/2013. All changes to existing ground levels and all planting, seeding / turfing comprised in the approved details shall be carried out in the first planting and seeding season following the first occupation of the dwellings or the completion of the development, whichever is the sooner. 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.

Reason: To safeguard the character and appearance of the area and to protect the trees on the site subject to a Tree Preservation Order to accord with policy EQ2 of the South Somerset Local Plan.

09. The tree protection measures detailed on drawing number J46/-01A received 31/01/2013 shall be implemented and kept in place until the approved development is completed, unless otherwise agreed in writing by the local planning authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order to accord with policy EQ2 of the South Somerset Local Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

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

11. Prior to plot 16 (as identified on drawing number F1325/217D received 19/07/2016) being first brought into use the first floor window in the south elevation shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

12. Prior to plot 3 (as identified on drawing number F1325/217Q received 15/01/2018) being first brought into use the first floor window in the east elevation shall be fitted with obscure glass and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

Informatives:

01. The applicant is reminded that no consent is hereby granted for the installation of Air Source Heat Pumps (ASHPs). If the applicant wishes to install such equipment without the need for planning permission it will need to comply with the requirements of Class G, Part 14, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
-

Agenda Item 19

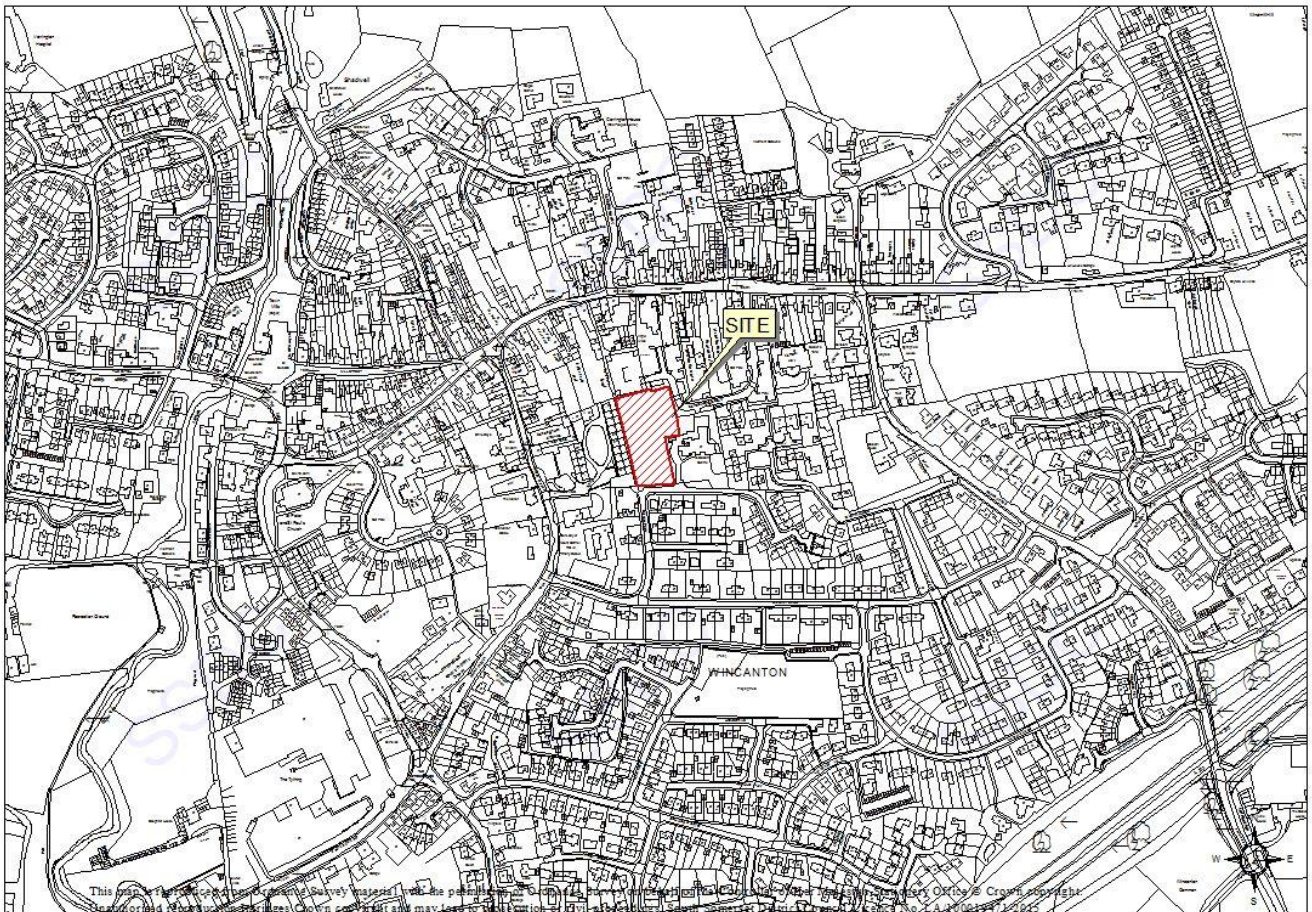
Officer Report On Planning Application: 17/04588/REM

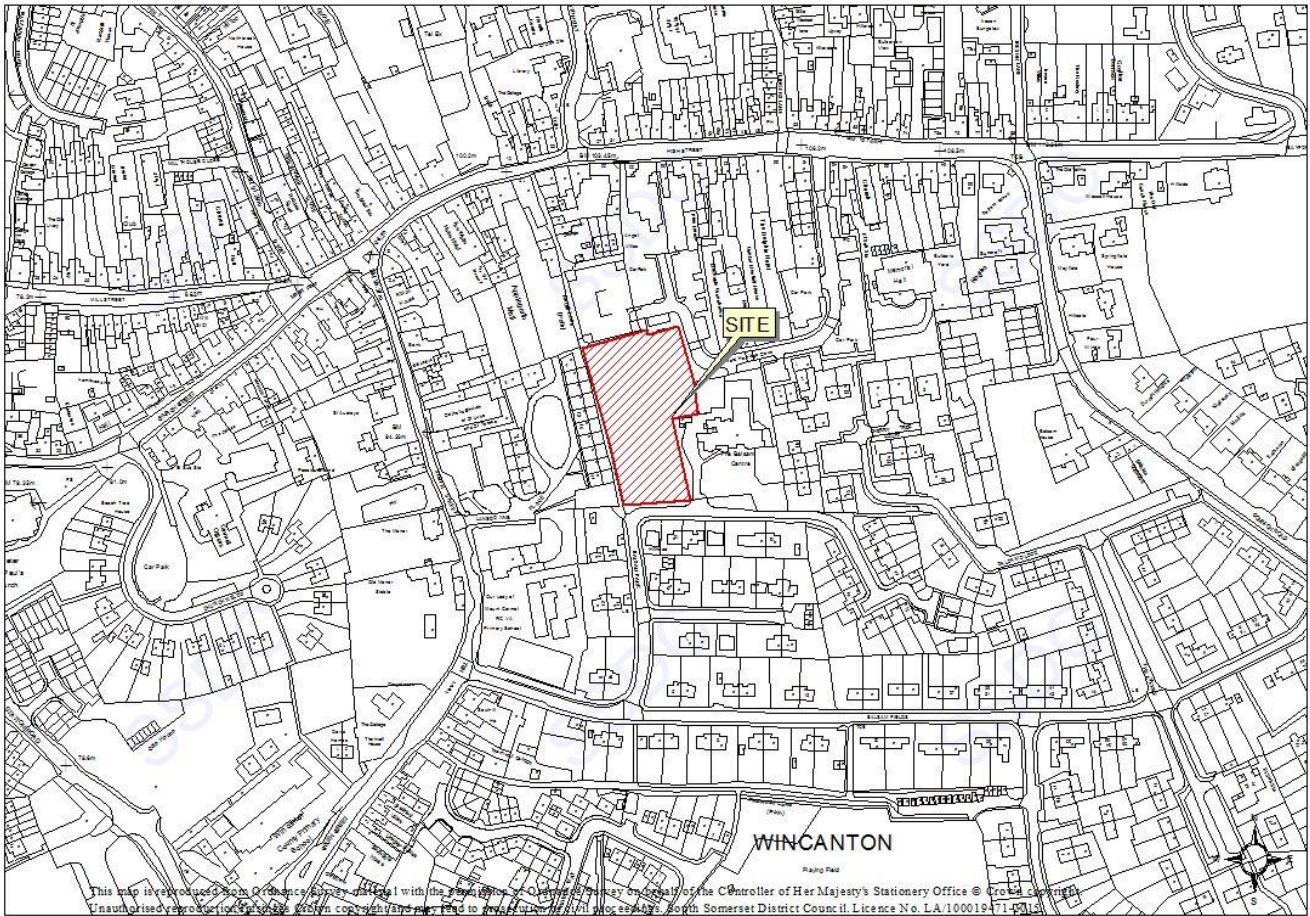
Proposal:	Application for reserved matters following approval of 15/00288/OUT to include details of accesses, appearance, landscaping, layout and scale
Site Address:	Vedellers Hey Balsam Park Wincanton
Parish:	Wincanton
WINCANTON Ward (SSDC Member)	Cllr Nick Colbert Cllr Colin Winder
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date:	26th February 2018
Applicant :	Mr Simon Jenvey
Agent: (no agent if blank)	Mr Colin Powell Suite 10, Corum 2 Corum Office Park, Crown Way Warmley Bristol BS30 8FJ
Application Type:	Major Dwlgns 10 or more or site 0.5ha+

REASON FOR REFERRAL

This application is before the committee, at the request of a ward member and with the agreement of the area chair, to allow public debate of the local concerns regarding traffic and access arrangements to the site.

SITE DESCRIPTION AND PROPOSAL





The 0.41 hectare site is located centrally within Wincanton, south of the High Street. It is bounded to the west by Angel Lane; to the north by the public car park (in the ownership of the District Council); to the south Balsam Park, and to the east The Balsam Centre. The previously vacant dwelling within the site's southern area has been removed due to safety concerns.

This Reserved Matters application seeks consent for the erection of 15 dwellings and include details of Access, Appearance, Landscaping, Layout and Scale.

The application is supported by:

- a Tree Condition Report
- A Design and Access Statement (November 2017)

Amended plans were received during consideration of the application in response to comments made by the Conservation Officer.

HISTORY

15/00288/OUT - Proposed demolition of existing dwelling and erection of up to 15 dwellings, Approved.

10/00935/OUT - Demolition of existing dwelling and residential redevelopment of site with new access - Refused 4.01.2011 on the basis of a lack of parking for family sized accommodation, with pressures on the town's car parking that would be to the detriment of local services and shops.

10/03349/FUL - Erection of 8(no.) two storey dwellings and the formation of pedestrian access into Angel Lane and the public car park to replace extant permission 04/00114/FUL to extend the time limit

for implementation - Refused 5.10.2010 on the basis of a lack of parking for family sized accommodation, with pressures on the town's car parking that would be to the detriment of local services and shops.

08/02539/FUL - Demolition of existing dwelling and erection of 14(no.) dwellings with new access, Refused on the basis of the removal of a substantial tree acknowledged to be of high public visual amenity value and the subject of a Tree Preservation Order.

07/05602/FUL - Demolition of existing dwelling and erection of 14(no.) dwellings with new access, refused.

04/00114/FUL - The erection of 8 no. two storey dwellings and the formation of pedestrian access onto Angel Lane and the public car park - refused by committee and considered on appeal - refused, but appeal allowed 11.10.2005.

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

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

HG3 - Affordable Housing

TA5 - Transport Impact

TA6 - Parking Standards

HW1 - Provision of open space...

EQ1 - Addressing Climate Change

EQ2 - General Development

EQ3 - Historic Environment

EQ4 - Biodiversity

EQ5 - Green Infrastructure

National Planning Policy Framework - March 2012

Chapter 1 - Building a strong competitive economy

Chapter 3 - Supporting a Prosperous Rural Economy

Chapter 4 - Promoting sustainable transport

Chapter 5 - Supporting high quality communications infrastructure

Chapter 6 - Delivering a choice of high quality homes

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environment

Chapter 12 - Conserving and Enhancing the Historic Environment

National Planning Practice Guidance

Other Relevant Documents

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012,

following corrections made.

Wincanton Neighbourhood Plan 2018

CONSULTATIONS

Wincanton Town Council recommends approval.

County Highways Authority - Further to my email of the 8th February 2018 I now have the following Estate Road comments to make with regards to amended layout drawing 17004/02 Revision B. No highway safety concerns were raised but there will be implications on the Section 28 process and adoption. The current layout would not be adoptable; the Highway Authority does not wish to raise any objections to the proposal on highway safety grounds subject to conditions to cover visibility, surface water, estate road details, gradients, and lighting.

SSDC Conservation Officer following revised drawings supports the proposal following their earlier concerns.

SSDC Tree Officer - subject to ensuring tree planting scheme, I am satisfied that the removal of the Pine (TPO) is reasonable and justified.

REPRESENTATIONS

There have been three householder responses received following neighbour notification. Their objections include:

- Traffic congestion, dangerous and disruptive
- School pick up
- Construction traffic

CONSIDERATIONS

Principle of Development:

Outline planning permission has been granted for up to 15 dwellings on this site and therefore the principle of the development has been established. All Matters were previously reserved and as such the details of Access, Appearance, Landscaping, Layout and Scale are considered at this stage.

Access:

The development will gain access from Balsam Park, an unclassified road that currently serves a residential area of Wincanton. The Highway Authority has raised no objection in terms of highway safety.

Appearance, Landscaping, Layout and Scale:

The revised details react to the Conservation Officer's concerns to show a slightly more angular layout considered more in character with the adjacent conservation area. The large Monterey Pine Tree is to be removed due to structural difficulty following recent weather damage. The council's Tree Officer is supportive of its loss with a semi mature replacement sought to add some immediate presence to the locality. A condition to this effect would be attached to any planning permission.

Permeability within the town centre is encouraged by the pedestrian access between the site and public car park. A condition that secures this is proposed as part of any permission. Overall the proposal is considered to be acceptable without detriment to character and appearance of the locality including the setting of the Conservation Area.

Neighbour Amenity:

The revised layout has turned some of the houses although their positions remain roughly the same distances between adjacent elevations and are currently measured between 23 and 27m apart from the Lansdowne Place dwellings. It is considered that the proposal would not unacceptably harm the residential amenity of occupiers of adjacent properties by disturbing, interfering with or overlooking such properties.

RECOMMENDATION

Approve

01. The proposal, by reason of its location, represents appropriate residential development within a recognised settlement and does not foster growth in the need to travel and is therefore sustainable in accordance with the aims of objectives of Policy SS1, EQ2, EQ3, of the South Somerset Local Plan 2006- 2028, and the NPPF.

SUBJECT TO THE FOLLOWING:

01. All trees are to be sourced as having UK provenance and shall be container-grown (preferably specified with "fully-feathered" forms or even "half-standards" as opposed to "standards"), sized as "12-14's" with a minimum root-volume of 45 litres. Each tree to be planted within a grass/lawned environment is to have a minimum radius of 500 millimetres around each trunk, to be stripped of all competing vegetation and a 100 millimetre depth of wood-chip or chipped bark is to be applied as a mulch-layer to a minimum radius of 500 millimetres around each trunk. Each tree will be supported by being securely gate-staked and firmly tied with rubber spacing blocks and rubber belting. Each tree planted within a lawned/turfed environment is to have an 'Arbortech Standard Strimmer-Guard' installed around the base of the trunk.

The replacement tree following removal of the protected pine tree shall be a semi-mature specimen, details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to its planting. Any tree 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.

Reason: A landscape scheme is a working document - such details are required to provide the appointed landscape contractor with clear instruction to ensure the successful establishment of the new trees that is in the interests of character and appearance further to Policy EQ5, EQ6, EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

02. The development hereby permitted shall be carried out in accordance with the following approved plan: 17004/00, /02B, /03B, /04D, /05B and /06B.

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

03. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 25 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

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

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

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

05. 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 further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

06. 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 further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

07. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed in accordance with a design and specification to be approved in writing by the Local Planning Authority.

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

08. Within 3 months of the permission 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 further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

09. The walls either side of the access as shown on the drawing marked 'annotated drawing' with a drawing no. ref: 17004/02 shall be extended (west side), as indicated, with both sides of the access wall to be tapered from the points marked with an 'X', to fall to a height of 1m or thereabout where the walls terminate, as shown on the above drawing. The roadside wall shall remain its current height and infilled, repaired and made good with the available stone taken from the extant wall that is accepted by the applicant's email dated 21 February 2018.

Reason: In the interests of character and appearance further to Policy EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

10. Within 3 months of the permission a soft and hard landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. Full particulars shall include details that differentiate the parking spaces, foot way and vehicular surface from one another. A mix of materials including pavements for parking spaces should be envisaged.

Reason: In the interests of character and appearance further to Policy EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

11. In accordance with the applicant's email of 26 February 2016 there shall be no obstruction of the pedestrian access annotated 'Gateway to maintain existing access to town centre' on drawing no. 17004/04 RevD. There shall continue to be free and unobstructed access at all times connecting Balsham Park with the public car park.

Reason: To encourage pedestrian permeability within the town centre, further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

Informatives:

01. The applicant/ developer is reminded of the County Highways Authority's response that the current estate road layout is considered would not be adoptable.
-