
Area East Committee

Wednesday 12th February 2020

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:

Robin Bastable
Hayward Burt
Tony Capozzoli
Nick Colbert
Sarah Dyke

Henry Hobhouse
Charlie Hull
Mike Lewis
Kevin Messenger
Paul Rowsell

Lucy Trimnell
William Wallace
Colin Winder

Consideration of planning applications will commence no earlier than 10.00am.

For further information on the items to be discussed, please contact the Case Officer on 01935 462148 or democracy@southsomerset.gov.uk

This Agenda was issued on Tuesday 4 February 2020.

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.

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

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%200council%20meetings.pdf>

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Area East Committee

Wednesday 12 February 2020

Agenda

Preliminary Items

1. Minutes of Previous Meetings

To approve as a correct record the minutes of the previous meetings held on 29th October 2019, 13th November 2019, 11th December 2019 and 15th January 2020.

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 Henry Hobhouse, Paul Rowsell and William Wallace.

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 held on Wednesday 11th March 2020 at 9.00 am. Venue to be confirmed.

5. Public Question Time

6. Chairman Announcements

7. Reports from Members

Items for Discussion

- 8. Presentation on Affordable Housing in South Somerset** (Page 6)
- 9. Churchfields Offices, Disposal - Inclusion of public car park, additional information following decision of 11/12/19** (Pages 7 - 10)
- 10. Community Capital Grant Request (Executive Decision)** (Pages 11 - 14)
- 11. Retail Support Initiative Grant Application - (Executive Decision)** (Pages 15 - 18)
- 12. Future arrangements for Area East Committee** (Pages 19 - 21)
- 13. Area East Committee Forward Plan** (Pages 22 - 23)
- 14. Planning Appeals** (Pages 24 - 27)
- 15. Schedule of Planning Applications to be Determined by Committee** (Pages 28 - 30)
- 16. Planning Application 19/02363HOU - The Ridings, Middle Ridge Lane, Corton Denham** (Pages 31 - 36)
- 17. Planning Application 19/01604/OUT** - Land At Coombe Farm Os Plots 4300 Part And 4613 Pa West Street Templecombe** (Pages 37 - 72)
- 18. Planning Application 19/02846/S73A - Chilton Cantelo Solar Park Chilton Cantelo Yeovil** (Pages 73 - 76)
- 19. Planning Application 19/02847/S73A - Chilton Cantelo Solar Park, Chilton Cantelo, Yeovil** (Pages 77 - 82)

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

Presentation on Affordable Housing in South Somerset

<i>Director</i>	<i>Martin Woods, Service Delivery</i>
<i>Lead Specialist</i>	<i>Ian Potter – Lead Specialist (Vulnerable Customers)</i>
<i>Lead Officer</i>	<i>Leisa Kelly – Case Officer (Service Delivery)</i>
	<i>Jo Calvert – Specialist (Housing)</i>
<i>Contact Details:</i>	<i>Leisa.kelly@southsomerset.gov.uk 01935 462641</i>
	<i>Jo.calvert@southsomerset.gov.uk 01935 462040</i>

Officers from the Housing Service will provide a short presentation on affordable housing in South Somerset.

The Council Plan 2016 – 21 details the Council Plan themes and Areas of Focus:

- Protecting Core Service
- Economy
- Environment
- Housing
- Healthy, Self-Reliant Communities

The Council Plan also includes six Priority Projects for 2019-20 of which priority five covers enabling housing. This priority is to develop proposals to accelerate the delivery of key housing sites and associated infrastructure. One of the key milestones for this priority was to set up Community of Practice (expert working group) to set objectives and outcomes to accelerate the delivery of key housing which includes affordable housing. As part of this work we are attending the four area committees to deliver a presentation along with our main partner registered providers cover the following areas:

- Increase awareness of affordable housing in the district,
- Show how our work links in with the Council Plan and Local Plan,
- The housing needs in each area
- How we work with registered providers to provide this much needed housing.

Council Plan Implications

Council Plan 2016 – 2021 aim:

- Aim to enable housing to meet all needs
- Improve health and reduce health inequalities

Area of focus within the Housing Theme for 2019-20

- Enable sufficient housing in appropriate places to meet community needs
 - Maximise the number of affordable homes including providing more affordable home to support rural economies and communities
 - Reduce homelessness and rough sleeping
 - Match lifelong independent living with appropriate property solutions
-

Agenda Item 9

Churchfields Offices, Disposal – Inclusion of public car park, additional information following decision of 11/12/19

Director: Clare Pestell, Commercial Services & Income Generation Director
Manager / Lead Specialist: Robert Orrett, Commercial Property, Land & Development Manager
Lead Officer: Dan Bennett, Property Development Project Manager
Contact Details: dan.bennett@southsomerset.gov.uk or 07971 111889

Purpose of the Report

This report provides Area East members with an update regarding the possible inclusion of the public car park in the proposed sale of the premises. A report was presented to members in December 2019 that contained comments indicating views from Wincanton Town Council. This report seeks to correct that position presented and allow members to reconsider the decision made at the December meeting, with the benefit of up to date comments from the Town Council.

Public Interest

Preparatory work was undertaken in summer 2019 by officers regarding the sale of the Churchfields site. At a late stage in this process the possibility of including the public car park within the sale was raised. A paper was presented to Area East Committee in December 2019 which contained comments regarding the views of Wincanton Town Council. Unfortunately the views contained within the paper did not reflect the formal position of the Town Council. Following a meeting of the Town Council on January 13th the Town Council advised that they do not support the disposal of the public car park.

Recommendations

- (1) Members are invited to note the situation regarding the public car park and the representation of views from Wincanton Town Council
- (2) Members are asked to reconsider the decision as to whether the public car park land should be included in the property disposal.

Background

At the Area East Committee meeting on 16 January 2020, Members resolved to revisit the decision taken by them on 11 December as the Wincanton Town Council had not provided a formal consultation response to the proposal. The Council's Constitution allows this in Part 4 - Rules of Procedure (Standing Orders) where it says:-

15.1 Motion To Rescind A Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least one third of the Members of the Council.

23.1 All of the Council Rules of Procedure apply to meetings of Full Council. All the Rules of Procedure shall also apply to meetings of committees including the Area Committees and Sub-Committees with the exception of Rules 8 and 20.1 and rules relating to public speaking. See public participation protocol at Part 5 of this Constitution.

At the Area East Committee meeting on 16 January 2020, Members voted by 10 votes in favour and 1 abstention to revisit the decision. This was also confirmed by them in writing subsequent to the meeting.

Disposal of public car park

From an asset management perspective, it is appropriate to recognise that the land used as public car parking could be combined with the Churchfields property and offered for sale for redevelopment. Inclusion of the public car park would bring three main benefits to the Council:

- 1) That the inclusion of the additional land would substantially enhance the saleability of the property
- 2) That the capital receipt achieved from the sale would be significantly higher if the public car park was included.
- 3) That the revenue costs currently incurred by the Council, and presently the compensation cost to be borne by Wincanton Town Council for this site would be ended.

If the car park land is to be redeveloped in the foreseeable future, the optimum point for this sale is in conjunction with the Churchfields property.

'Informal contact between the Property Team and Wincanton Town Council regarding the public car park highlighted a view that the increased potential capital receipt should be given weight, bearing in mind that the car park does not directly serve the town centre parking need but rather provides additional parking space for immediate local residents, many of whom already benefit from extensive off street parking.'

Following representation from the Town Council, it was advised the comments above (in italics) did not correctly represent the views of the Town Council.

Wincanton Town Council have now advised that they do not support the disposal of the public car park and that they wish the decision of the December Area East committee to be reconsidered.

Conclusions

The disposal of the Churchfields offices provides us with an opportunity to generate a significant capital receipt which may become available to the Wincanton Regeneration Scheme.

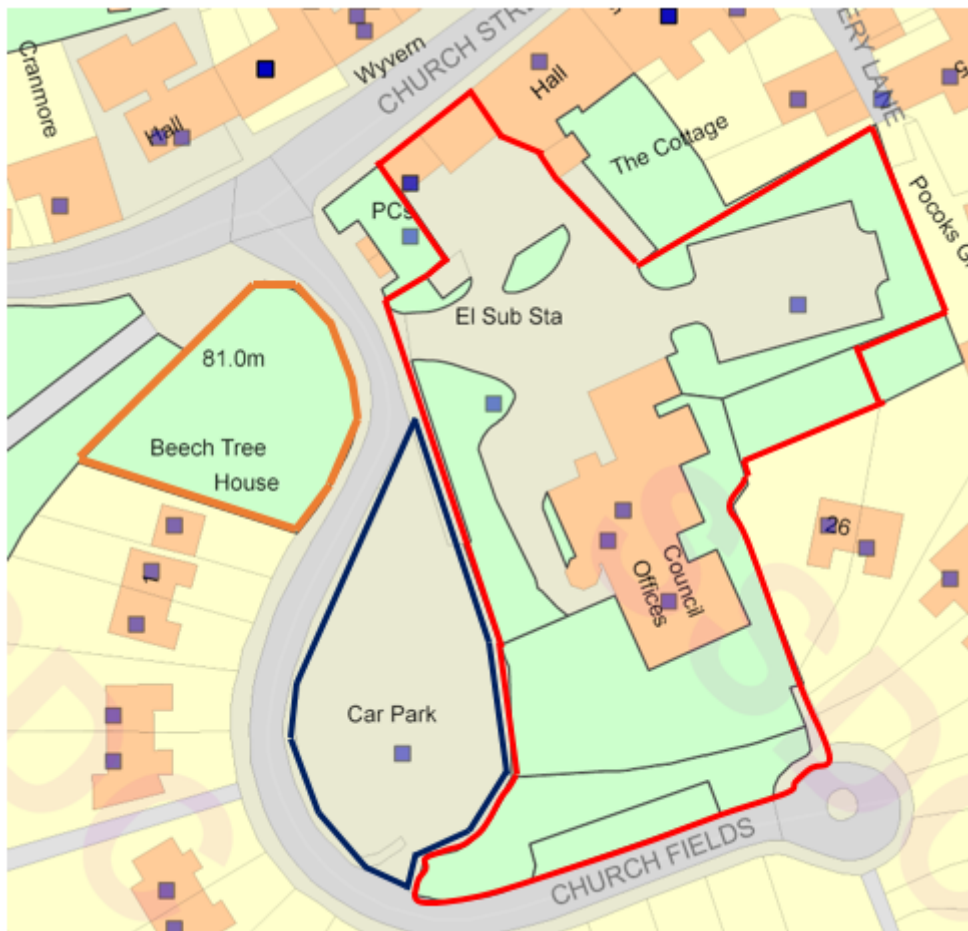
Inclusion of the public car parking land would increase the contribution in terms of new housing and boost the capital sum that may be available for regeneration purposes. It would reduce the amount of parking for existing immediate local residents, but many already have off street parking at their property and there would be some residual council owned off street parking. It may be expected that some local residents would suffer adverse consequences by the removal of this parking facility. It is also possible that some residents might prefer a situation where homes have replaced this car park. No residents views were directly expressed at the December Area East committee.

The Property Team are expected to commence marketing activities as soon as possible to minimise liabilities to SSDC from the vacant property.

The Property Team support the inclusion of the car park land due to the benefits outlined above, however we do recognise that the loss of 38 parking spaces will have an impact at a local level.

Given the potential impacts and the revised position of the Town Council members may wish to debate the merits of the inclusion of the public car park and potentially reconsider their earlier decision.

Fig 1 – site plan. Public car park shown edged blue.



Financial Implications

The inclusion of the additional land within the Churchfields disposal would increase the value of the capital receipt by circa £250,000. This enhanced capital receipt may be made available for the Wincanton regeneration project.

The removal of the car park from the Wincanton portfolio has two financial implications:

- i) A reduction in business rates and maintenance & repair liabilities
- ii) A modest reduction in the compensation payment received from the Town Council, which would be circa 20% of the overall annual payment.

For information the current compensation to be received from the Town Council from April 2020 is circa £25,000, and the likely reduction would be in the region of £5,000. As the compensation arrangements are currently being renegotiated these figures are included as a guide only.

Council Plan Implications

This project links to the Council plan under the heading of 'Protecting Core Services'. To ensure a modern, efficient and effective council that delivers for its communities, we will:

- Provide high quality cost effective services and transform customer services through technology.

- Take a more commercial approach to become self-sufficient financially.
- Develop a more cohesive and ambitious, economically efficient organisation.

Carbon Emissions and Climate Change Implications

No implications are identified as a result of the recommendations in this report.

Equality and Diversity Implications

No implications are identified as a result of the recommendations in this report.

Background Papers

District Executive - March 2018 – disposal of Area Offices.

Area East Committee - December 2019 - Churchfields Offices, Disposal – Inclusion of public car park

Agenda Item 10

Community Capital Grant Request (Executive Decision)

Manager/Lead Specialist: Tim Cook, Locality Team Manager

Lead Officers: Rob Parr, Locality Officer

Contact Details: rob.parr@southsomerset.gov.uk

Purpose of the Report

Members are asked to consider the awarding of a capital grant to South Somerset Community Accessible Transport (SSCAT) towards assistance in providing Community Transport. Members are also asked to consider the financial sustainability of the SSCAT scheme and officers recommendation to address this issue.

Public Interest

Awarding grants is a key way that SSDC supports and helps to deliver community projects sponsored by Parishes and voluntary community organisations in the towns and villages across Area East.

Recommendations

That Members agree:

- a. a contribution of up to £12,000 (31% of total project cost) from the Community Grants existing capital budget towards the provision of a new nine seat, fully accessible mini bus for community transport, subject to the standard conditions set out in Appendix A.
- b. that officers explore capacity building options for SSCAT to increase their financial sustainability and fund this from the Area East community revenue budget, with the exact amount to be agreed with the Chair of Area East Committee and Ward Members for Bruton, Castle Cary and Wincanton.

Report

9-Seat Mini Bus

South Somerset Community Accessible Transport has requested £12,000 towards a £38,729 purchase of a new SSCAT – Mini Bus

SSCAT provides demand responsive, accessible transport, which meets the needs of people in a catchment area covering most of Area East and has around 2,000 members.

SSCAT has identified the need for a smaller fully accessible 9-seat mini bus to cater to smaller groups of passengers that are requiring transport to, for example: medical and GP appointments.

The provision of the mini bus would help people to maintain or create new connections to prevent or reduce loneliness. This transport service helps passengers to participate in many different activities including, maintaining links with friends, family members, attend local activities, do their shopping, attend hairdressers or taking pets to the vet.

The minibus would be a Volkswagen Crafter that would be refitted to provide 7 single seats, two wheelchair fixing stations and be fully accessible.

Existing customers of the applicant's service include the elderly, socially, economically, physically or mentally disadvantaged, or people that may be geographically isolated due to lack of public transport.

Other existing or new customers that would have access to this new minibus include women's groups, local dementia groups, residents of local care homes, regular users of the Balsam Centre, Wincanton and residents of Castle Cary, Bruton and surrounding villages.

Council Plan 2019/20 – Priority Project 6 - “To assess options for improving community transport links”

The recommendation to support a capital grant towards the purchase of a new minibus is made with the understanding that there is a wider piece of work being undertaken regarding Community Transport as one of the council plan priority projects.

Supporting this grant request at this time will help underpin current provision in Area East and will help offset the costs of maintaining and keeping older vehicles on the road. Vehicle maintenance costs are one of the biggest drains on Community Transport providers' budgets and are a major challenge to ongoing sustainability.

Also, having a more flexible fleet of vehicles increases the commercial viability of providers by having a more attractive offer and being able to attract a more diverse customer base.

The project has been assessed against the agreed criteria and the following scores apply:

Category	Maximum score	Score
A Eligibility	Y/N	Y
B Equalities Impact	7	7
C Need for Project	5	4
D Capacity of Organisation	15	10
E Financial need	7	5
F Innovation	3	1
Total	37	27

Projects scoring above 22 points are eligible for SSDC support under the current policies.

Funding Sources	% funding	Amount of Funding	Status
Wincanton Town Council	6.46%	£2,500	Secured
Own Funds	12.40%	£4,802	Secured
Stonewater Housing	6.46%	£2,500	Secured
Penselwood PCC	5.16%	£2,000	Secured
Somerset Community Foundation. On condition of receiving SSDC funding	12.90%	£5,000	Secured with conditions
Sherborne Classic Cars	9.04%	£3,500	Secured
Battens Charitable Trust	0.26%	£100	Secured
Donations from local supporters	7.56%	£2,927	Secured
Sale of Old Bus	8.78%	£3,400	Secured
SSDC	30.98%	£12,000	Pending
Total		£38,729	

Agreeing support at this point will give other funders some confidence about the deliverability of this project.

Ongoing Sustainability of SSCAT

SSCAT generates income through contracts, membership and fares and also has a good track record of fundraising through grant applications. However, despite SSCAT best efforts they currently are only able to cover their day to day running costs and are not able to budget for the replacement of their vehicle fleet. The SSCAT accounts for 2019 show a £21,562 deficit in their Statement of Financial Activities. Therefore the ongoing sustainability of the SSCAT scheme is an area that needs further work and support.

To assist SSCAT and ensure this valuable service continues to be available, members are requested to consider allocating Area East Community Revenue funding towards capacity building/feasibility work that would aim to make SSCAT a sustainable community transport service. This additional funding would also complement any community grant award this committee decides to make and help protect the SSDC investment towards community transport. To allow this work to move forward in a timely manner, it is recommended that the award of any capacity building funding is delegated to officers, but subject to approval by the Chair of Area East Committee and Ward Members for Bruton, Castle Cary and Wincanton.

Financial Implications

There is currently **£56,831** uncommitted Capital in Area East Capital Reserve.

If Members choose to support the recommendations contained in this report, it will mean that there is **£34,831** budget unallocated.

Grants are awarded subject to all other funding being secured before the commencement of the project and are on a % basis of the full project costs. Payment of the grant cannot exceed the grant award and is proportionally reduced if full project costs are under budget.

Council Plan Implications

Supporting this grant application will contribute towards the following elements of the Council Plan:

Healthy, Self-Reliant Communities:

- Work with partners to reduce the impact of social isolation and create a feeling of community.
- Work with partners to support people in improving their own physical and mental health and wellbeing.
- Enable quality cultural, leisure and sport activities.
- Support residents facing hardship.

Carbon Emissions & Adapting to 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

Projects help enhance accessibility for all.

Appendix A

Standard conditions applying to all SSDC Community Grants

The applicant agrees to: -

- Notify SSDC if there is a material change to the information provided in the application.
- Start the project within six months of the grant offer and notify SSDC of any changes to the project or start date as soon as possible.
- Confirm that all other funding sources have been secured before starting the project, if these were not already in place at the time of the application.
Acknowledge SSDC assistance towards the project in any relevant publicity about the project (e.g. leaflets, posters, websites, and promotional materials) and on any permanent acknowledgement (e.g. plaques, signs etc.).
- Work in conjunction with SSDC officers to monitor and share the success of the project and the benefits to the community resulting from SSDC's contribution to the project.
- Provide a project update and/or supply before and after photos if requested.
- Supply receipted invoices or receipts which provide evidence of the **full** cost of the project so that the grant can be released.

Standard conditions applying to buildings, facilities and equipment

- Establish and maintain a “sinking fund” to support future replacement of the building / facility / equipment as grant funding is only awarded on a one-off basis.
- Use the SSDC Building Control Service when buildings regulations are required.
- Incorporate disabled access and provide an access statement where relevant.

Agenda Item 11

Retail Support Initiative Grant Application - (Executive Decision)

Manager/Lead Specialist: Tim Cook – Locality Team Manager
Lead Officer: Pam Williams – Economic Development Officer
Contact Details: pam.williams@southsomerset.gov.uk or (01963-435020)

Purpose of the Report

For Members to consider the Retail Support Initiative (RSI) grant request detailed below.

Public Interest

Supporting and helping to improve the retail offer in the towns and villages across Area East.

Recommendation

To award £2,500 from the Area East revenue reserve budget, RSI element, ring-fenced for the Wincanton Top-up scheme, as a 40% contribution to the exterior improvements at 14 Market Place, Wincanton.

All grants are subject to the standard condition contained at the end of Appendix A.

Background

This application is being considered as an exception to policy under the Retail Support Initiative's operating criteria for 2019-20 which was approved by Area East Committee in July 2019. A copy of this is attached at Appendix A.

The RSI was originally set up across Area East in 2006; for many years it has proved to be an effective way of supporting and engaging with a wide range of retail and service outlets across the Area.

During this period a number of refinements have been made to the funding levels and how the scheme is operated/targeted. Annual performance reports are brought back to this Committee in June.

Members will have an opportunity to consider this scheme as part of a budget priorities workshop for Area East councillors in March

Grant details

This application relates to 14 Market Place, one of the former bank premises in Wincanton, which has been empty since the bank operation ceased during 2017. The Police have entered into an agreement with the current owner of the building and an extensive programme of interior and exterior refurbishment to the premises is underway which will result in new Police accommodation in the town centre. The owner of the building is requesting financial support for exterior works to the front of the premises, including:

- Restoration of stonework including stone architraves, coping stones etc
- Repair and redecoration of front door and windows
- Scaffolding

These works have not yet commenced

The current owner acquired the premises when they were marketed after the bank closure. There hasn't been any previous RSI awards for 14 Market Place but the owner has received grants for other

buildings which he owns in the town. If this application is approved, it would therefore represent an exception to policy because the owner has a number of premises in the town.

The funding request is:

- ❖ Total Project Cost – £6,150
- ❖ Amount requested – £2,500

The balance required to complete the project will come from the owner's own fund.

The reason this report is brought forward as a recommendation to support is that the assessment score is 65 (out of a maximum of 100) and therefore exceeds the minimum level score of 50 which is required for grant assistance to be considered. It has scored well because of the future use of the premises by the Police.

Financial Implications

If Members choose to award this grant, the unallocated budget in the Area East Revenue Reserve, ringfenced for the Retail Support Initiative (Wincanton top-up element), will be £7,500.

Council Plan Implications

Complementing the economy theme which seeks to support our town centres in adapting to the changes in high streets and consumer trends

Other Implications

None

Background Papers: *Area East Committee Agenda and Minutes July 2019*

Operating criteria 2019/20

Percentage contributions cannot exceed 50% of costs and **no** retrospective applications are eligible (i.e. in respect of works that have already been commissioned/started).

Applications over £1000 will be considered by Area East Committee on a monthly basis. Amounts up to £1000 may be considered at any time as a delegated grant in consultation with the Chairman & Ward Member(s).

Area-wide grant levels: **£1,500 to a maximum 50% of project costs as follows:**

Eligible costs:

- Shop-front improvements, if they enhance the High Street
- Business rates assistance – a contribution to the amount payable for new businesses (which do not compete with another business) in their first 2 years of trading
- Exceptional projects which add to viability of towns/villages

Wincanton top-up

In addition to the area-wide scheme, the 'top-up' scheme for Wincanton also offers:

- Maximum grant £1,000 for businesses wishing to move into one of the eligible units in the town **which have been empty for at least six months prior to receiving an application.**

Grants are only available to proprietors/owners with one business/premise and will not exceed 50% of project cost.

Process

Applications for grants are assessed and recommendations made on the basis of a fully completed application form and 2 'like for like' quotes. Self-help/DIY schemes may complete the application form and supply a project budget with supporting information.

All grant recipients must accept that the grant may be used for publicity purposes by the District Council. Payment of the grant is done retrospectively, for a completed programme of works on the basis of receipted invoices. Exceptionally officers, in consultation with the Chairman, may release partial payments where there is clear justification for doing so.

The existing assessment and current scoring mechanism favours businesses:

- Employing more than 2 people
- In prominent places
- Key rural stores/Post Offices
- Retailers

The award is subject to the following standard conditions:

- The grant award may be used by SSDC for promotional/publicity purposes
- Grants are paid for approved works/purchases on production of receipted invoices

- Awards are subject to a summary of the benefit of the scheme being supplied
- Applicants will normally be expected to draw down the grant within 6 months of the offer and if not will have to inform us of the reason(s) for the delay. If there is a valid reason, officers can provide a 6-month extension, but beyond this the grant would either be withdrawn or referred to Area East Committee to be reaffirmed
- That appropriate consents are obtained
- Works requiring listed building/planning consents or building regulation consent will be required to be signed off by the appropriate officer prior to the release of funds
- If, within 3 years of a grant award the business ceases to trade, the District Council reserves the right to reclaim the grant on the following basis: year one –100%, year 2 – 75%, year 3 – 45%

Agenda Item 12

Future arrangements for Area East Committee

Portfolio Holder: Cllr Henry Hobhouse
Director: Netta Meadows, Director for Strategy & Support Services
Lead Officers: Angela Cox, Specialist, Democratic Services
Tim Cook, Locality Team Manager
Contact Details: tim.cook@southsomerset.gov.uk
angela.cox@southsomerset.gov.uk

Purpose of the Report

To update members on progress on the arrangements for future Area East committee meetings.

Public Interest

The Area Committee meetings provide an opportunity to ensure that decisions about local resources and planning applications are taken locally in an open and transparent way and give access to the public to attend in person. They also provide an opportunity for the public to engage with their local councillor representatives and raise matters directly in an open and public environment.

Recommendation

That Members agree to hold future meetings of the Area Committee at the Memorial Hall, Wincanton.

Background

Churchfields currently provides an operational base for SSDC staff, front of house support for customers and a meeting space for the area committee and external groups. It also accommodates the Neighbourhood Policing Team and front desk.

The building has been under occupied for a number of years despite numerous attempts to market the available space to other organisations and for other purposes.

SSDC no longer requires the building as an operational asset due to Transformation and progress towards new ways of working.

Members will recall that the disposal of excess operational property was proposed and agreed in the Commercial Strategy 2017-21. Also, that District Executive would take the decision on our operational offices like Churchfields and Brympton Way. The decision to dispose of Churchfields was approved by District Executive in March 2018.

A commitment was made that disposal would only happen once tenants were given reasonable notice and found alternative accommodation. For Churchfields this was, and still is, expected to happen by the end of 2019. The nursery moved out on 2nd September and the Police will relocate shortly.

Area Presence

SSDC will continue to require a presence in the area. This breaks down into three distinct areas, customer access, desk space for SSDC staff and the area Committee meetings. Desk space with access to printing, kitchen and toilet facilities is available at the Balsam Centre for use by any SSDC officer.

Customer Access

Front desk presence has been replaced by a new Customer Access Point (CAP). The CAP provides touchscreen access to council services and can be used to complete forms, report issues, upload evidence and contact the council via a dedicated phone line. Direct help or support is available to vulnerable customers by the Customer Focussed team on an appointment basis. In some circumstances home visits can be carried out by the Locality Team, at the request of a case officer.

The table below details the options considered for the CAP.

Options

Options considered	Comments
Wincanton Town Hall	Space could accommodate a CAP. Opening times are currently limited. Access issues in terms of location in relation to car parking. Not accessible for wheelchair users. Complimentary services (WTC & LIC) on site. Staff available with potential to support customers.
Wincanton Library	SSDC services already available via public access PC's. Space is and opening times are currently limited. Complimentary services on site. Reasonable access to building and car parking. Staff available with potential to provide support to customers.
Balsam Centre	CAP could be accommodated in the Café area. Opening times 9am to 6.30pm, 5 days p/w. Limited availability Good accessibility and access to parking. Complimentary services (SCC, CASS, Health Visitors SSCAT etc) delivered could be a community hub. Staff and volunteers available to support customers.

A decision on the location of the CAP would not preclude further discussions should other options become available through the work of the Wincanton Regeneration board. The need to continue to provide access to our services from the end of this year is a priority and it is considered that the Balsam Centre provides the best option currently.

Area Committee – Future arrangements

Requirements for committee arrangements are as set out below.

1. Space needs to be available at a regular time on a monthly basis. We are working on the basis that the area committee will continue to meet monthly on the second Wednesday of the month.
2. Completely accessible – The venue will need to be physically accessible to all and include a compatible hearing loop.
3. Set up for use. It is not practical for case officers (democratic services) to set the room up and pack down after the meeting. The venue will need to be equipped with compatible audio visual equipment and have full caretaking facilities.
4. Capacity to accommodate 14 councillors and up to 40 members of the public.
5. Adequate parking for Councillors and members of the public

Locations considered	Comments
The Balsam Centre	Would be sensible if CAP and touchdown space is likely to be here. Good access. Space called 'The Shed' is the largest room but could not accommodate the number attendees that we sometimes have for a large planning application. Reception/caretaking staff available. Not available for a regular booking at the current time. Car parking available. Very limited storage space.

Wincanton Racecourse	Car Park available. Appropriate sized room available. Some work required regarding loop system etc. Out of the town centre. Main/other uses are not considered to be complimentary and could conflict.
Haynes Motor Museum, Sparkford	Cost per meeting varied from £400 to £1,500. Good car parking and facilities but no hearing loop in some suites and venue not available on some Committee dates.
Wincanton Memorial Hall	Can accommodate all of the requirements set out above.

There are a number of good quality community facilities in other market towns and villages. Consideration was given to halls in Ansford, Galhampton, Charlton Musgrove and Cucklington and West Camel. However, Wincanton is a good accessible location due to the A303. Space for hotdesking is available at the Balsam Centre which will be convenient for officers attending the Area Committee meetings.

As requested at the last Area East Committee meeting in January, the cost, suitability and availability of a room at Haynes Motor Museum in Sparkford was investigated. As detailed above, the cost of hiring a room each month would be a minimum of £400 and it does not currently have a hearing loop. In order to meet our accessibility requirements a hearing loop is essential for public meetings and whilst we could install one at our cost, the monthly hire fee plus the lack of availability on at least 3 dates this year makes this venue unviable at the current time.

The only venue able to meet all the requirements is Wincanton Memorial Hall and that is the proposed venue for future Area East Committee meetings. It is likely that the first meeting in the new venue will be March 2020.

Financial Implications

The cost of hiring the Memorial Hall as a regular monthly venue will be £26 per hour and will therefore be in the region of £104 to £130 per month depending upon the length of each meeting. This will be met from the Democratic Services central budget.

Council Priority Implications

The work set out in this report contributes towards meeting the aims under the theme of ensuring a modern, efficient and effective council that delivers for its communities.

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

Any proposed changes will be subject to an Equalities Impact Assessment.

Background Papers

Commercial Strategy – 2017 to 2021
Area+ Implementation Plan
District Executive – March 2018

Agenda Item 13

Area East Forward Plan

Lead Officer: Case Services Officer (Strategy & Commissioning)
Contact Details: democracy@southsomerset.gov.uk

Purpose of the Report

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

Recommendation

Members are asked to:-

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

Area East Committee Forward Plan

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

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

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

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

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

Background Papers: None

Appendix A

Area East Committee Forward Plan

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
11th March 2020	Appeal Decisions during 2019	To consider and learn from Appeal decisions during the previous year	Neil Waddleton

Agenda Item 14

Planning Appeals

Director: Martin Woods (Service Delivery)
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

None

Appeals Dismissed

18/03523/OUT – Outline application for residential development of up to 4 dwellings
Land South Of Shatterwell Villas, Shadwell Lane, Wincanton, Somerset (Officer delegated decision)

The decision notice is attached.

Background Papers: None

Appeal Decision

Site visit made on 10 December 2019

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 December 2019

Appeal Ref: APP/R3325/W/19/3237424

**Land south of Shatterwell Villas, Shadwell Lane, Wincanton, Somerset
(GR: 371088/128826)**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr David Chiplen against the decision of South Somerset District Council.
 - The application Ref 18/03523/OUT, dated 28 September 2018, was refused by notice dated 14 June 2019.
 - The development proposed is for residential development of up to 4 dwellings.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. Outline planning permission is sought, and the appellant has clarified that all matters are reserved. I have proceeded on that basis.
3. Within their evidence the appellant has submitted a Preliminary Ecological Appraisal Report by NashEcology, dated August 2019 (ecology report). The parties have had opportunity to comment on the evidence and I have therefore taken it into account in my determination of the appeal.

Main issues

4. The main issues are i) whether the proposal would preserve or enhance the character or appearance of the Wincanton Conservation Area (WCA); and ii) the effect of the proposal on ecology.

Reasons

Character and appearance of the WCA

5. The appeal site is a parcel of land sloping from Shadwell Lane, a narrow highway that runs along its western boundary, down to the River Cale on the site's eastern side. To the north it is bound by 1 Shatterwell Villas, one of four semi-detached houses fronting onto North Street. With the exception of a dilapidated shelter to the north-west corner of the site it is open and verdant.
6. The appeal site is located within the WCA. Along with the open space on the opposite side of the river, which has a more formal appearance, the site provides a pleasing undeveloped character along the river corridor. It helps to

connect the built form with the countryside to the north and provides a sense of relief from the close grain of development around it.

7. The conservation area encompasses the historic core of the town, but at this point includes the river corridor and the countryside immediately to the north and north-west of Wincanton. It is not only the built form that contributes to the significance of the WCA but also the open green spaces, and their connections to the surrounding countryside. The site is designated within the Wincanton Neighbourhood Plan 2018-2028 – dated January 2018 (WNP) as part of an 'other green and open space'. The WNP states that development proposals which seek to retain such spaces will be supported.
8. Within the WCA, from the opposite side of the river the site is clearly visible as pedestrians travel through the formal open space. Furthermore, it can be seen when travelling down North Street from the town centre. I consider it to be a prominent site from a number of vantage points. It is seen as part of a verdant landscape in the town that connects to the countryside, including the river corridor to the north and the sylvan setting to the north-west. This is an important and finite characteristic within the WCA which contributes to local distinctiveness and a sense of place. As such, I consider that its erosion would have a harmful impact on the significance of the WCA and its character and appearance.
9. Whilst the proposal is in outline form, the appellant has provided illustrative plans and elevations for three and four-bedroom schemes. As this is an outline planning application with all matters reserved, I have considered them as indicative only. They show an intention to provide elevations that reflect the traditional local vernacular, fronting onto the river. However, even if such details were to be realised, the development of up to four homes would substantially erode the open, verdant quality of the appeal site, the wider open space around the River Cale and the links to the countryside beyond. This does not reflect good design, having regard to the importance of open space as well as the quality of buildings. As such, the proposal would erode the open and verdant character and appearance of the site causing harm to the significance of the WCA.
10. Although the proposal would cause less than substantial harm to the significance of the WCA, given the importance of the open, verdant character of the site, and its prominence, this harm would still be material. I afford this great weight as required by paragraph 193 of the National Planning Policy Framework (the Framework). Based on the evidence provided it would not be outweighed by the public benefits of the scheme, which include the provision of additional housing, making an efficient use of land, and the proximity of the site to services.
11. Therefore, in conclusion on the first main issue, I find that the proposal, due to the erosion of the open and verdant character and appearance of this prominent site, would fail to preserve or enhance the character or appearance of the WCA. As a result, it conflicts with Policies EQ2, EQ3 and EQ5 of the South Somerset Local Plan 2006-2028 – Adopted March 2015 (SSLP), Policies 2, 3, 4 and 13 of the WNP, and sections 12 and 16 of the Framework. These policies, amongst other aims seek high quality design and the preservation and enhancement of designated heritage assets.

Ecology

12. The Council's second reason for refusal was based on no preliminary ecological appraisal being submitted as part of the planning application. As set out above, the appellant has provided the information as part of their appeal evidence. The appellant's ecology report sets out that no further survey work is required and makes a number of recommendations to protect and enhance ecological interests at the site. The Council has not commented on the submissions.
13. Based on the evidence provided, I am satisfied that adequate information is available to assess the potential impact on ecology. I consider that no ecological harm is likely to occur subject to the recommended mitigation and enhancement set out within the ecology report. If I were minded to allow the appeal, this could be secured by conditions.
14. Therefore, based on the evidence provided, the proposal would not cause harm to ecology and would not conflict with Policy EQ4 of the SSLP or section 15 of the Framework. These, amongst other aims, seek to protect and enhance biodiversity.

Other matters

15. The Council have stated that they are unable to demonstrate a five-year supply of deliverable housing sites in accordance with paragraph 73 of the Framework. As such the relevant policies for the supply of housing should not be considered up-to-date and paragraph 11 should therefore be applied. However, I have applied policies of the Framework that protect areas or assets of particular importance and found that they provide a clear reason for refusing the development proposed.
16. The appellant has raised concerns over the length of time the Council took to determine the application and the lack of what they considered to be a positive and proactive approach. However, whilst a clear source of frustration to the appellant, I am required to consider the proposal on its planning merits. Furthermore, the lack of objections from statutory consultees such as the Environment Agency is only a neutral factor in the overall planning balance. The appellant has also highlighted the positive benefits that the development could have on maintaining the free flow of the river, integrity of the retaining walls to the highway and protection of services running through the site. However, even if these were required, I have no evidence to indicate that the development is necessary to achieve such outcomes, or whether such necessary work would have the same or greater impact to the WCA as the proposal. Therefore, I afford this limited weight.

Conclusion

17. Whilst I have concluded that the proposal would not harm any ecology interests, this does not overcome the harm that I have found in relation to the WCA. Furthermore, there are no other material considerations, individually or cumulatively, that outweigh the great weight I attach to preserving the significance of this designated heritage asset. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR

Agenda Item 15

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 10.00am.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 9.45am.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
16	BLACKMOOR VALE	19/02363HOU	Demolition of existing part side and part rear extension, demolition of existing garage, erection of new two storey side extension and single storey rear and side extensions	The Ridings Middle Ridge Lane Corton Denham	Alice Martin and Damian Duffy
17	BLACKMOOR VALE	19/01604OUT**	Outline application with all matters reserved save for access for residential development for up to 49 dwellings including landscaping, drainage and new vehicle access from West Street	Land At Coombe Farm Os Plots 4300 Part And 4613 Pa West Street Templecombe	Mr C Woodhead

18	NORTHSTONE, IVELCHESTER & ST MICHAEL'S	19/02846S73A	S73A Application for the installation of a secure storage container (without complying with condition 3 of planning permissions 19/01020/FUL, to extend operational life span of secure storage container to 40 years).	Chilton Cantelo Solar Park Chilton Cantelo Yeovil	Chilton Cantello Solar Park Limited
19	NORTHSTONE, IVELCHESTER & ST MICHAEL'S	19/02847/S73A	S73A Application for the erection of a solar farm comprising the erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks and ancillary equipment (without complying with Condition 7 of planning permission 12/01055/FUL, to extend operational lifespan of Solar Farm to 40 years).	Chilton Cantelo Solar Park Chilton Cantelo Yeovil	Chilton Cantello Solar Park Limited

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 16

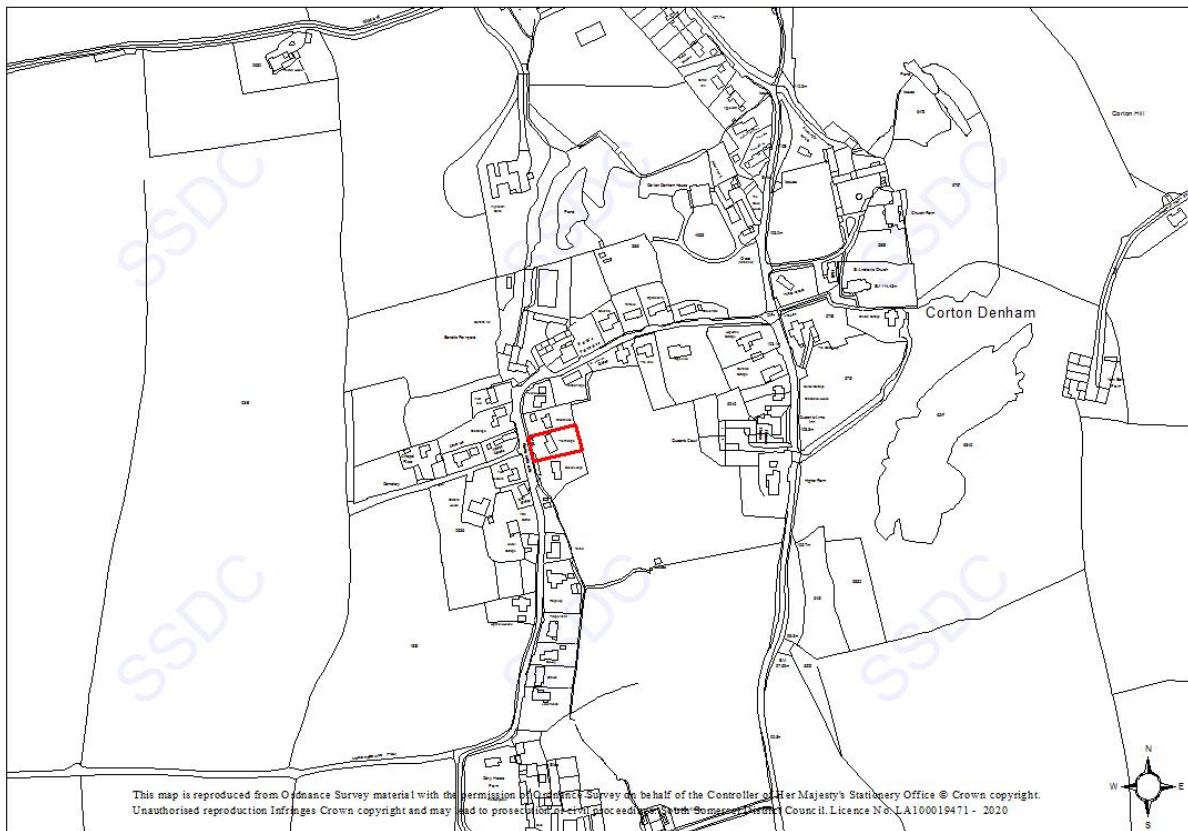
Officer Report On Planning Application: 19/02363/HOU

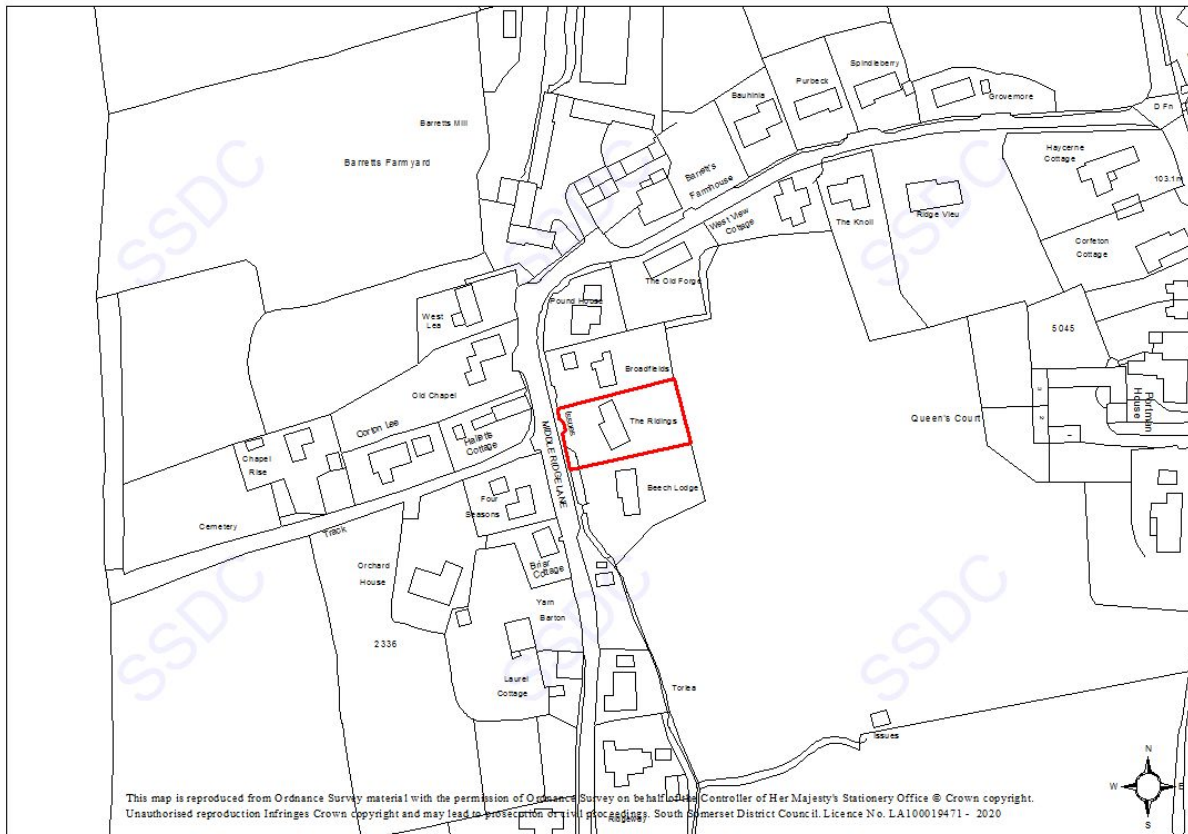
Proposal :	Demolition of existing part side and part rear extension, demolition of existing garage, erection of new two storey side extension and single storey rear and side extensions
Site Address:	The Ridings Middle Ridge Lane Corton Denham
Parish:	Corton Denham
BLACKMOOR VALE Ward (SSDC Member)	Cllr W Wallace Cllr H Burt
Recommending Case Officer:	Charles Cooksley Tel: 01935 462462 Email: planningcaseteam@southsomerset.gov.uk
Target date :	22nd October 2019
Applicant :	Alice Martin and Damian Duffy
Agent: (no agent if blank)	David Minns The Priory, 9 Draycott Road Shepton Mallet BA4 5HS
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to Ward Member for determination under the Council's scheme of delegation procedures as observations have been received that are contrary to the officer recommendation.

SITE DESCRITPION AND PROPOSAL





Neighbours/consultees correct: Yes

HISTORY

No relevant history

POLICY

South Somerset Local Plan 2006-2028:
 Policy SD1 - Sustainable Development
 Policy EQ2 - Design And General Development
 Policy TA5 - Transport Impact On New Development
 Policy TA6 - Parking Standards

NPPF 2019:
 Chapter 11 - Making effective use of land
 Chapter 12 - Achieving well-designed places

Planning Practice Guidance:
 Design - 6th March 2014

South Somerset District Council Supplementary Guidance - Extensions and Alterations to Houses - A Design Guide
 National Design Guide - October 2019

CONSULTATIONS

Town/Parish Council
 Corton Denham: The Parish have reiterated the concern and reasons for objections raised by

neighbours in their representations;

- The proposed cladding is not in keeping with the existing house, and neighbouring properties;
- The proposed size of the house, with up to six bedrooms and the demolition of the existing garage, could lead to more cars and unacceptable on-road parking;
- There is no detail and some very real concern on building up the existing garage wall on the North side, to encompass an additional floor. This must entail the digging of new footings and the use of scaffolding to build the 1st floor extension, both of which are likely to encroach over and potentially do permanent damage to the existing boundary which is in some places just two feet from the existing garage wall.
- The extra floor would reduce light to the neighbouring property, which includes an existing ground floor window on the South side.
- This whole area is very narrow and restricted, and it is essential to have more details from and discussion with the architect.

Following the addition of amended plans, the Parish through an email to the determining officer, stated that their original comments still stood.

OTHER CONSULTTEES

Highways Authority: Standing Advice Applies

Highways Consultant: I note that the existing double garage would be converted to living accommodation. It would therefore be useful if the applicant could confirm that sufficient on-site car parking would be available/retained within the site, preferably in line with the optimum standards set out in the Somerset Parking Strategy which in this location is likely to be four car parking spaces.

Neighbour Comments

Neighbours notified - Two objections received from Beech Lodge & Broadfields are summarised below;

Broadfields

- I. Two storey side extension will introduce an overbearing element and loss of light to window on the southern side elevation.
- II. Position of new rear facing windows will be capable of viewing into the rear garden of the dwelling and will have a harmful impact on their privacy.
- III. The extension of the garage will be close to shared boundary and concerns have been raised over whether there is enough space for access, and works, which will not damage boundary fence or neighbours land.
- IV. The development will make the house look too large for the site and make the dwelling seem out of proportion for the site.

Beech Lodge

- I. The size and use of coloured timber cladding for the extension does not correspond with the existing dwellinghouse and results in the dwelling looking out of character others in the area.
- II. The increase in bedrooms will lead to an increase of car parking spaces required for the dwelling. Concerns are raised this will lead to cars parking on the highway, for which it is not sustainable.

Supporting Information

The planning agent representing the occupiers of The Ridings has formulated a response to the objections raised by the Parish Council and neighbours.

- The house is not within the Corton Denham Conservation Area, nor is it a Listed Building. The proposed cladding is a contemporary material, chosen to complement the contemporary aesthetic of the proposed alterations, which include substantial amounts of large pane glazing and single ply roofing membrane.

- Revised drawings submitted to SSDC show there is space for four off street parking spaces.
- The proposed extension on the north side is 150mm less wide than the existing 1.5 storey high garage with a pitched roof.
- The foundation design for the new flank wall has not yet been selected. It will be chosen with reference to the ground conditions, proximity of trees and ease of construction. It could be pad and ground beam or even mini piles.
- There is hedge along the boundary between The Ridings and Broadfields. In the summer the applicants reduced the original height of the hedge. In addition trees have also been removed.
- Both the trees and the former hedgerow contributed to shading of the flank wall of Broadfields and the garden, which has been significantly reduced by the removal and pruning of trees and hedgerow.
- The foundation design for the new flank wall has not yet been selected. It will be chosen with reference to the ground conditions, proximity of trees and ease of construction. It could be pad and ground beam or even mini piles.

Shading of Broadfields

- Sunpath analysis of the existing and proposed situation has been prepared. Assumptions have been made about the relative ground levels, and the footprint of both The Ridings and Broadfields have been taken from the latest OS map.
- Analysis at 12 noon and 3pm, on the two solstices and equinoxes have been plotted for the existing situation and the proposed reduced first floor, with a hipped rather than a gable roof. It is considered that there will be no change in the early and mid-mornings, when the sun is in an eastern/south eastern aspect.
- The analysis shows that there is a possibility of increased shading to the flank wall and parts of the garden of Broadfields at 12noon in March, September and December, but this does not take account of the shading effect of existing trees and the hedge.

KEY CONSIDERATIONS

Design/Layout/Materials

Neighbours and the Parish council have raised concern as to the impact of the proposal on visual amenity. Middle Ridge Lane is a semi-rural setting with ample vegetation intermixed with dwellings built of reconstituted and natural stone of varying designs. This is not an area of a special designation and the streetscene does not present a uniform character. The dwelling is not visually prominent within the streetscene as it is set back from the highway and partially screened by the vegetation that borders and is found within the site. The site is well-sized and has the space to accommodate the proposed developments comfortably without becoming too busy or overdeveloped. The single storey rear extension will be located to the rear of the property and is not observed from within the public realm. It will be replacing a conservatory extension and is seen be an improvement. The proposed development is commensurate and subservient to The Ridings and will not result in demonstrable harm to visual amenity or local character.

The proposed two-storey side extension will introduce a new design element to the dwelling in the form of a hipped roof, as a means to mitigate concerns of residential amenity. Nevertheless, it is not considered that the design would cause harm to the character of the dwelling, or the wider locality, as this roof type is found within the immediate vicinity and thus is not a demonstrably harmful departure from established local vernacular. Objections have been raised about the use of timber cladding for the exterior of the development. Timber has traditionally been used for outbuildings and lesser structures particularly within rural areas. Therefore, it conveys that these extensions are additions, and subservient to the main house. Left untreated to weather naturally, the timber would silver, amalgamating well with the rural setting and re-emphasising its position as a later and subservient addition. The massing and design of the extension respect the established character and appearance of the dwellinghouse. As such, notwithstanding the objections, it is not considered that there would be any demonstrably adverse impact on the character of the dwelling or the area, in accordance with the aims and objectives local plan policy EQ2, and the NPPF.

Residential Amenity

The massing and proximity to the neighbouring dwelling (Broadfields) has garnered objection on the grounds of overlooking, overbearing and the resulting loss of light. The new first floor windows on the extension are not directed toward either neighbouring dwellings, but are close to the north shared boundary. The outlook from the windows will not result in overlooking into immediate domestic garden, and as such does not justify a refusal. The two-storey extension will not directly block sunlight at all hours, but it will be capable of doing so only toward the later period of the day, occurring more so in the winter months. A sunlight impact assessment has been submitted as part of the application, which has illustrated that the loss of light to neighbours will not be demonstrably harmful to living standards. As such, notwithstanding the objection of a neighbouring occupier, it is not considered that the proposed development will have any demonstrably adverse impact on the residential amenity of adjoining occupiers in accordance with policy EQ2 of the local plan and the aims and provisions of the NPPF.

Highways

The highway consultant has commented that, with the increase in the number of bedrooms, and the conversion of the integral garage for accommodation/living space the site will need to provide four off road parking space, to accord with the optimum parking strategy. Additional plans have been provided that illustrates the site's ability to provide the appropriate number of parking spaces in accord with the guidance. The application is acceptable in relation to its impact on highways safety in accordance with policies TA5 & TA6 of South Somerset Local Plan (2006-2028).

Summary

The scale, siting, design and materials used are acceptable and is not considered to harm the character of the dwelling or to visual amenity. The neighbour has raised issues of loss of light but the loss of light is minor and not considered to amount to demonstrable harm to amenity. The site is well sized and is able to provide four off road parking spaces, in accordance with standing advice and parking strategy. Therefore, the proposed development is considered acceptable in line with policies SD1, EQ2, TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

RECOMMENDATION

Approve for the following reason:

01. The proposal, by reason of its size, siting, materials and design, has no adverse impact on the character of the dwelling and causes no demonstrable harm to visual and residential amenity or highway safety in accordance with Policies SD1, EQ2, TA5 & TA6 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework (2019).

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 referenced:

Drw No. 616.01/PL03 Rev D - Proposed Plans

Drw No. 616.01/PL02 - Existing block, elevations and floor plans

Drw No. 616.01/PL01 - Location Plan

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

03. The external surfaces of the development shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

Reason: To ensure the proposed development is completed in accordance with Policy EQ2 of South Somerset Local Plan and the and the provisions of the National Planning Policy Framework 2019.

04. The application of timber cladding shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external cladding have been submitted to and approved in writing by the Local Planning Authority. Once approved, it shall be left to weather naturally and silver unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the setting of the listed building in accordance with policies EQ2 and of the South Somerset Local Plan 2006-28 and the provisions of the National Planning Policy Framework

Agenda Item 17

Officer Report On Planning Application: 19/01604/OUT**

Proposal :	Outline application with all matters reserved save for access for residential development for up to 49 dwellings including landscaping, drainage and new vehicle access from West Street
Site Address:	Land At Coombe Farm Os Plots 4300 Part And 4613 Pa West Street Templecombe
Parish:	Abbas/Templecombe
BLACKMOOR VALE Ward (SSDC Member)	Cllr W Wallace Cllr H Burt
Recommending Case Officer:	David Kenyon Tel: 01935 462091 Email: david.kenyon@southsomerset.gov.uk
Target date :	3rd October 2019
Applicant :	Mr C Woodhead
Agent: (no agent if blank)	Greenslade Taylor Hunt Winchester House Deane Gate Avenue TAUNTON TA1 2UH
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

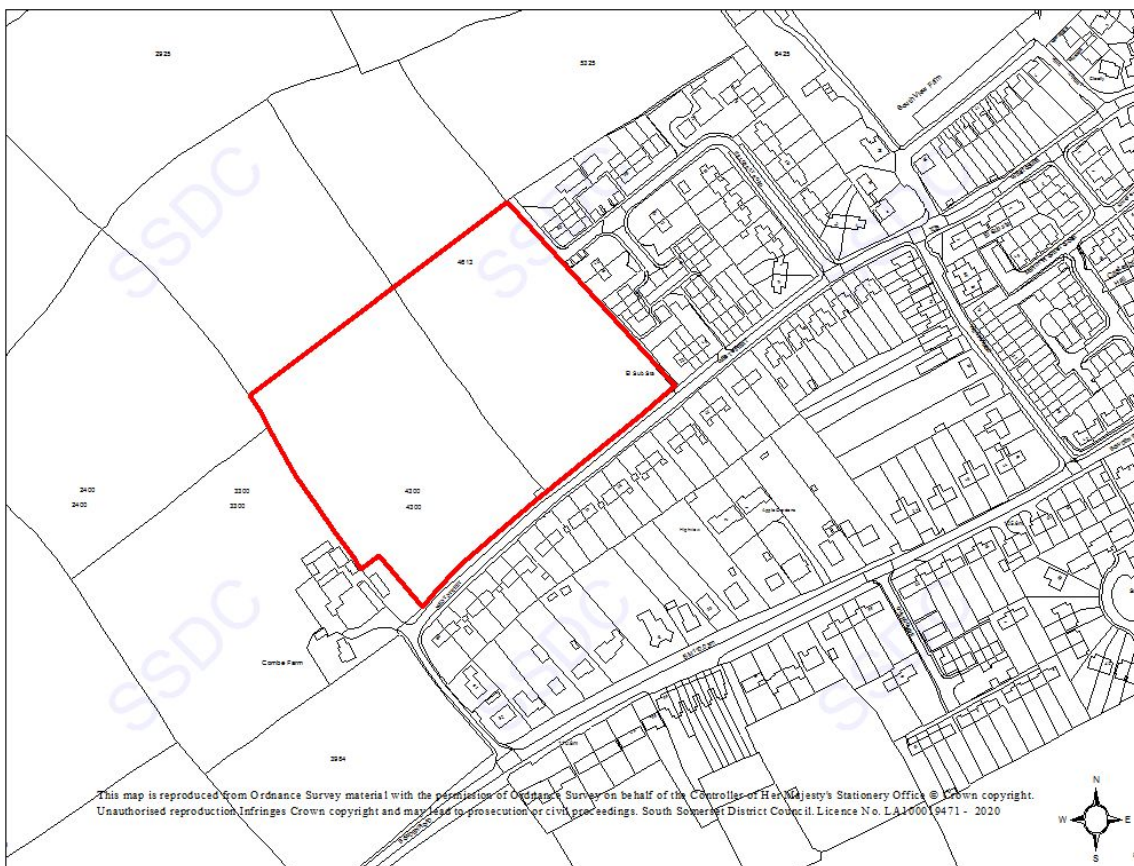
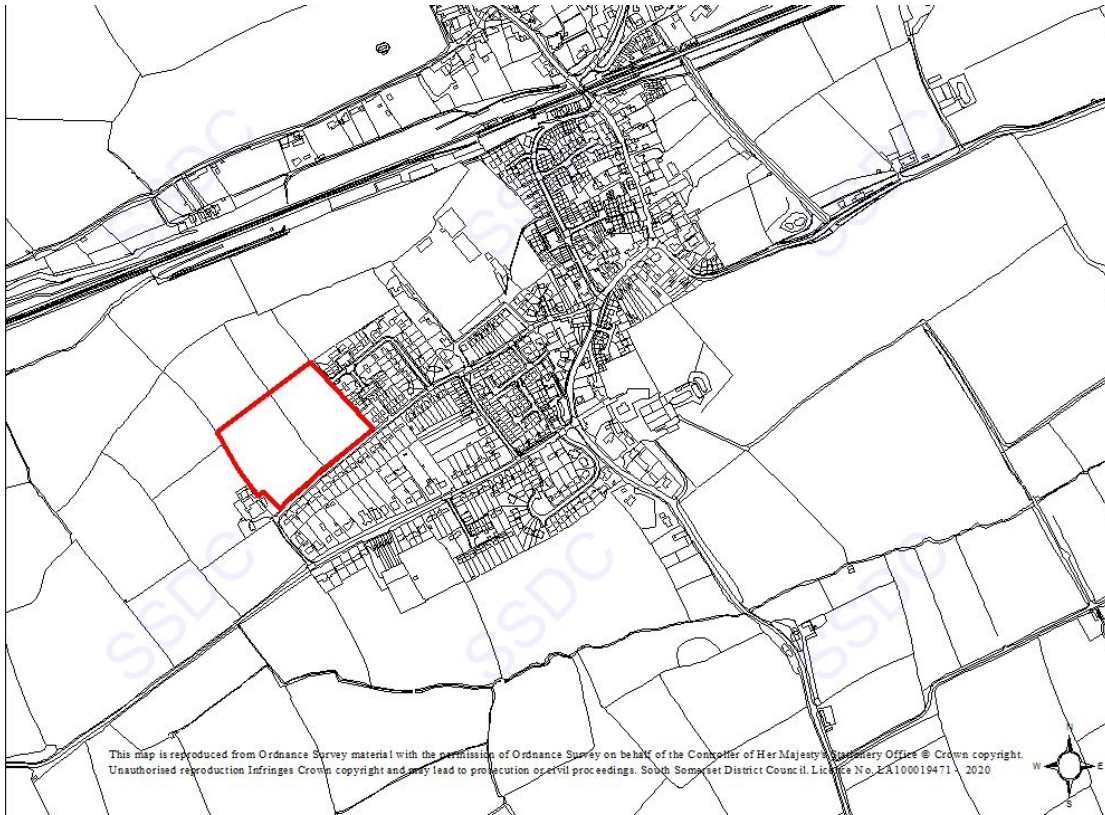
REASON FOR COMMITTEE REFERRAL

Both Ward Members have exercised their rights to call the application into Committee, prior to any formal consultation under the scheme of delegation. They consider the scheme to be of such significance to the settlement as to warrant discussion at Area East Committee. The Chair concurs with this course of action.

This application has also been 2-starred under the Scheme of Delegation - referral of applications to the Regulation Committee for determination. In collective agreement with the Leader, Portfolio Holder, Area Chairs, Director (Service Delivery), Monitoring Officer, and Lead Specialist (Planning) all major applications will be 2 starred for the immediate future to safeguard the Council's performance, pending a more substantive review.

The Area Committees will still be able to approve and condition major applications. However, if a Committee is minded to refuse a major application, whilst it will be able to debate the issues and indicate grounds for refusal, the final determination will be made by the Regulation Committee.

SITE DESCRIPTION AND PROPOSAL



The application site comprises agricultural land (classified as being Grade 3) extending to approximately 2.5 hectares and is located at the western edge of the village of Templecombe. Residential development adjoins the site to the north east with further residential development adjacent to the site on the southern side of West Street. Open farmland lies to the north-west and west of the site. Combe Farm, consisting of a collection of disused farm buildings and a dwelling, adjoins the western boundary of the site. Planning permission has been granted on 27th November 2018 to demolish the farm buildings and to erect four new dwellings on that site (reference 18/02084/FUL).

The site is bounded by well-trimmed low hedgerows on its north-east, south-east and south-west and open to the north-west. The two fields are divided by a native species hedgerow running from the south-east to the north-west. There are no trees within any of the hedgerows. The ground slopes gently to the north and east from a small ridge of higher ground to the west. There are no rivers or streams within the site.

Templecombe has a range of local services and facilities within it, including a Primary School, a convenience store, takeaway, health service, employment opportunities, train station, sports facilities and places of worship.

The existing large employer, Thales UK Ltd, employs in the region of 700-750 on site at any one time, of which 51 people live in the Templecombe BA8 postcode. It is estimated that employment numbers will increase by approximately 30 once the new manufacturing building granted planning permission in December 2018 (ref. 18/02738/FUL) has been constructed and in operation.

In 2018, population estimates for the built-up area of Templecombe was 1,572 people.

The site is not subject to any specific protective designations, such as SSSI, SAC, Wildlife Site, Green Belt, AONB, Flood Zone, Conservation Area, Special Landscape Area, nor are there any listed buildings in close proximity. No public right of way directly links the site to any adjoining land.

The proposal seeks outline planning permission for residential development of up to 49 dwellings including landscaping, drainage and new vehicle access from West Street. All details in relation to appearance, landscaping, layout and scale are reserved for consideration at the detailed application stage and are not to be considered as part of this outline application. Details are sought to be agreed for access as part of this application, and this is proposed to be achieved by a single point of vehicular access off West Street to the southern boundary. Pedestrian connectivity would be provided across the site, with connections to where the existing footway along West Street terminates at the eastern corner of the site and also to the adjoining residential development at Hillcrest Road.

The following documents are included within the application submission:

- Planning, Design and Access Statement,
- Affordable Housing Statement,
- Agricultural land Classification Appraisal,
- Ecological Appraisal (May 2019) prepared by Quantock Ecology,
- Landscape Statement (May 2019) prepared by Clark Landscape Design,
- Plant Schedule, Maintenance and Management prepared by Clark Landscape Design,
- Transport Statement (May 2019) prepared by IMA Transport Planning,
- Highways Technical Note 1: Points Raised in LHA Consultation Response (October 2019) prepared by IMA Transport Planning,
- Travel Plan Statement (January 2020) prepared by IMA Transport Planning,
- Site Specific Flood Risk Assessment and Drainage Strategy (October 2019) prepared by IMA Transport Planning,
- Draft heads of Terms for Section 106 Planning Obligation, and
- Summary of draft conditions recommended by consultees.

The following drawings have been submitted:

Drawing no. 2607-DR-A-050-003 Rev A: Location Plan,

Drawing no. 2607-DR-A-080-004 Rev A: Illustrative Site Frontage Detail, and

Drawing no. 2607-DR-A-080-005: Access Detail.

In addition, plans have been submitted showing an Illustrative layout of the proposed development:

Drawing no. 2607-DR-A-050-001 Rev A: Indicative Site Layout, and

Drawing no. 2607-DR-A-050-002 Rev A: Illustrative Site Plan.

The indicative site layout plans indicate a landscape buffer zone running along large parts of the north western and south western boundaries. Surface water would be attenuated on-site by means of an attenuation basin shown at the northern boundary for on-site storage and subsequent disposal at greenfield run-off rates.

RELEVANT HISTORY

Planning permission was refused in 1972 for residential development on the site and a subsequent appeal was dismissed in April 1974 (LPA ref. 15294C; Department of the Environment ref. SW/APP/2502/A/69474).

00/01366/OUT. Outline application for residential development of land comprising thirteen dwellings. Refused 14.07.2000 on grounds that the proposal constituted undesirable ribbon development along West Street outside existing development limits which would be harmful to the character and appearance of the locality contrary to policies contained in the then extant Structure and Local plans.

A subsequent appeal was dismissed on 14th November 2000, the appeal Inspector concluding that the proposed development would be contrary to the statutory development plan that existed at that date and would be harmful to the area.

18/03918/PREAPP. Pre application enquiry for residential development.

Pre application "without prejudice" opinion from case officer on 24th January 2019 as follows (in italics):

I have consulted with several of my colleagues and, for the sake of completeness, please find their comments in full below:

SSDC Environmental Health Officer

"I have considered the pre-app information provided by the applicant and I do not have any specific comments to make concerning the proposed application."

SCC Highway Officer

"I have had a look through the details provided and would offer the following comments.

The proposal aims to provide up to 70 new residential dwellings accessed via two routes; West Street and Hillcrest Road. In principle I have no objection to the proposal as this level of development will not create a severe impact on the highway. However, I would need any application for planning consent to include the following details in a Transport Statement;

1) Trip generation figures

2) Potential impact on the following junctions; West Street/Westcombe Westcombe/Bowden Road West Street/Bowden Road Bowden Road/A357 High Street

3) Potential destination assignments to north, south, and west

4) Availability of public transport modes

I also note the applicant has advised the layout will accord with current policy standards and should therefore show the following;

1) The main access onto West Street provided with 2.4m x 43m vehicle visibility splays

2) 5.5m wide carriageway with 2x 1.8m footways throughout

3) All parking and turning facilities in accordance with standards (Full technical details including

materials, geometry, lighting, and drainage can be agreed at a later date).

The proposal includes a through access onto Hillcrest. Whilst a pedestrian/cycling-only link would increase permeability, Hillcrest appears to be less than 5m wide and is known to be subject to on-street parking and is therefore not ideal for a secondary vehicle access."

SSDC Specialist - Strategic Planning

"The development plan for South Somerset consists of the South Somerset Local Plan 2006-2028, adopted in March 2015. Abbas and Templecombe is a Rural Settlement and Policy SS2: Development in Rural Settlements applies.

As at 31st March 2018 there had been 58 completions in Abbas and Templecombe over the plan period so far (2006-2018) and as of 22nd August there were 96 net dwelling commitments, giving a total of 154 dwellings.

As you are aware a significant material consideration is the fact that the Council cannot currently demonstrate a five-year supply of housing sites and can only demonstrate a supply equivalent to about 4 years.

In conclusion, whilst this proposal would result in an overall level of growth that would be out of kilter with the settlement hierarchy set out in Policy SS1 and be contrary to Policies SS2 and SS5 given the current lack of a five year land supply paragraph 11 d) of the NPPF applies as a significant material consideration and the tilted balance should be applied."

I hope you find the above commentary useful.

Principle of Development

As discussed on site, it is my opinion that, given the tilted balance discussed above, the principle of the proposed residential development is likely to be considered acceptable by this department. That said, I should warn you that, in my opinion, you are likely to encounter considerable local opposition to a residential development of this scale, which could lead to a refusal at committee, whatever the officer recommendation.

In order to counter this local opposition, you should consider approaching the Parish Council, to see whether there are any local needs which the proposal could provide for. You may also consider reducing the total number of units and/or considering a phasing scheme to ensure that the development comes forwards in small blocks of perhaps 20 dwellings at a time.

Visual Amenity

In terms of visual amenity, the site is clearly bookmarked by the existing development to the east and the recently approved development to the west. As such, I would agree that development in this location is unlikely to cause significant harm to the character of the area or to the wider landscape. I would argue that the development as illustrated on the submitted drawing is too dense, and should taper to the west in terms of density and scale to reflect the 'edge of settlement' character of the locality. I would suggest that built form is entirely avoided in the northwest portion of the site, so that development tapers from the edge of the existing built form to the east down to the edge of the approved development to the west.

Residential Amenity

I can see no reason why the development cannot be accommodated on site without causing harm to the residential amenity of adjoining occupiers. A proper assessment of this element will have to be made at the detailed or reserved matters stage.

Validation

I would expect any application to contain all of the usual plans and reports (ecology, landscape, drainage, etc).

The advice I have given is based upon the information before me and my own professional view. I trust you will understand that it should not be taken as prejudicing any future decision made by South Somerset District Council in respect of any subsequent application.

POLICY

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

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

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS2 - Development in Rural Settlements

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

HG3 - Affordable Housing

TA1 - Low Carbon Travel

TA5 - Transport Impact of New Development

TA6 - Parking Standards

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

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ4 - Biodiversity

EQ5 - Green Infrastructure

National Planning Policy Framework - February 2019

Chapter 2 - Achieving sustainable development

Chapter 4 - Decision-making

Chapter 5 - Delivering a sufficient supply of homes

Chapter 8 - Promoting healthy and safe communities

Chapter 9 - Promoting sustainable transport

Chapter 12 - Achieving well-designed places

Chapter 14 - Meeting the challenge of climate change, flooding and coastal change

Chapter 15 - Conserving and enhancing the natural environment

National Planning Practice Guidance, including National Design Guide - September 2019

Other Relevant Documents

Somerset County Council Parking Strategy (SPS) (September 2013) and Standing Advice (June 2017)

South Somerset Landscape Character Assessment

CONSULTATIONS

Abbas and Templecombe Parish Council

A detailed response has been received from the Parish Council and is set out in full below.

As there is no material change the comments made on the 22nd May 2019, to Greenslade Taylor Hunt, still stood. Members were in agreement. The comments were as follows:-

- The development principles refers to a public house - there has been no public house in Templecombe for at least 18 months*

- Policy SS1 identifies Templecombe as a Rural Settlement. It was questioned whether the proposed development meets the terms of Policy SS2 - Development in a Rural Settlement
- It was felt that the Village should be consulted. It was considered not good enough to just consult the Parish Council and the views of the community should be sought, responsibility for this fell to the developer, it was not the responsibility of the Parish Council
- It was strongly felt that the access to the proposed development site, via the current road, is not suitable.
- The proposed number of properties would put more pressure on the infrastructure of the Village. In particular the School and sewage system. It was noted that recently improvements had been made to the sewage works.
- It is anticipated that the proposed affordable housing would not meet the local need.

The following conclusion was reached:-

- The proposed development was not acceptable and there is no perceivable need for a development of this nature
- Access from West Street is unsafe and unsuitable
- It is felt the consultation is not considered as a robust consultation
- It was proposed that there would be no benefit from the proposed development and it should not go ahead. The Members present were in agreement with this statement and opposed the application with one Member against the decision.

In addition the following comments were made on the accompanying documents:-

Planning, Access and Design Statement, Page 2 of 6

Policy SS2 "the development meets an identified need" - However as there has been no housing needs survey in the Village the need is only at South Somerset District Council (SSDC) not at local level.

Point 4.11-4.13. It is not acceptable at this level to refer to the Local Plan review as justification of sustainability of the document is still under consultation.

Point 5.11 the document acknowledges that the concerns of the Parish Council have not been met.

Affordable Housing Statement

Point 2.0 - the mix shows no bungalows or one bed accommodation.

Point 4.0 - no up to date housing need survey so no justification of meeting a need that is unidentified.

Point 5.0 - the Design Statement indicates that the design should meet needs of disabled but it seems unlikely if all properties are two floors.

Transport Statement

Page 6 - Route 34 Charlton Horethorne - Bruton 2.3.11. This school services runs to Bruton via Wincanton - This statement is queried by the Parish Council.

Page 14 - Quotes the Village as having a pub even though the document is dated May 2019. As a Parish Council we should give no credibility to any planning documents where the developer/agent shows no local knowledge or understanding of the Village.

Westcombe/Bowden Road is identified as having a substandard junction due to substandard visibility. The one way track makes this unsustainable for build and number of houses planned.

In addition the following points were made:-

- Village also has at least 91 houses pending (Slades Hill - 70/Throop Road - 21). This level of development would be grossly harmful to the preservation of the rural character of Templecombe. The Parish Council did not approve three previous developments in the Village.
- Access to the doctors surgery is not DDA compliant.
- The site is a Greenfield site.
- Access on to West Street is a single track due to the flow of traffic/parked vehicles. It is felt that the traffic flow route included will not be adhered to.
- There is a substantial amount of wildlife and established hedging on the development site, including bats.

County Highway Authority

No objections subject to various requirements to be included within a Section 106 agreement relating to implementation of an approved Travel Plan, manner of construction of the access road, and provision of pedestrian / cycle access provision in the eastern and western corners of the site and linking to Hillcrest Road. In addition highways related conditions and informatives are recommended.

County Education Authority

Requests financial contributions towards early years and primary school infrastructure.

Lead Local Flood Authority

No objections subject to surface water drainage condition and the inclusion of an informative.

Environment Agency

Does not wish to offer any comments.

Wessex Water

No objections

National Health Service

No comments offered.

SSDC Environmental Protection

No objections subject to conditions relating to the submission of a Construction Environmental Management Plan, and a noise mitigation scheme. Also relating to action to be taken should unexpected contamination be found.

SSDC Tree Officer

No objection subject to conditions relating to the submission of new landscaping and tree and hedgerow protection details.

SSDC Strategy and Commissioning Team

Requests off-site financial contribution towards the enhancement of the existing equipped play area and youth facilities at Templecombe Recreation Ground and associated maintenance commuted sums.

Avon & Somerset Constabulary - Designing Out Crime Officer

The National Planning Policy Framework February 2019 refer to the importance of considering crime & disorder at the planning stage. Paragraph 127(f) states; "create places that are safe, inclusive and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience." Various comments are offered in response to the illustrative layout which are reflected in recommended conditions and informative.

Somerset Waste

No objections in principle. Comment made about access into and out of the development and the issues of car parking on West Street in terms of manoeuvrability of large vehicles.

South West Heritage Trust

There are limited or no archaeological implications to this proposal and therefore no objections are raised.

County Ecologist

No objections subject to conditions.

Natural England

Does not wish to make any comments.

Royal Society for the Protection of Birds

No objections subject to conditions to enhance biodiversity interests post-development.

REPRESENTATIONS

There have been over 30 representations from third parties raising objections to the proposed development, which have been placed on the website for consideration prior to the determination of this application. These objections can be summarised as follows, in no particular order:

The site is a 'greenfield' site outside the boundary of the village and not designated for development in the Local Plan.

Loss of productive agricultural land.

Unacceptable encroachment into the countryside which should be protected for its own sake, irrespective that it does not enjoy any special landscape protection designation.

Not sustainable development.

Planning permission has already been granted for a large number of dwellings in the village. The village is already over its quota of new dwellings.

No demand for further new dwellings in Templecombe. Existing houses are not selling.

Concerns that large planning applications in Templecombe appear to be treated as isolated developments rather than taking their cumulative effect into account. Templecombe already has outline applications for 70 houses at Slade's Hill and 21 at Templar's Court, together with 49 now potentially at West Street and another 80 dwellings subject of an application for land at Manor Farm. The combined effect of all these developments will overwhelm the village and adversely affect the quality of life for existing residents.

Infrastructure cannot cope with the scale of residential development that has already been approved, together with this current proposal and other large scale residential developments in the offing.

Inadequate school capacity to cater for the increased influx of children.

Doctors surgery at capacity.

Very little employment opportunities available in the village for increased number of residents. Negligible benefit to the village in terms of direct economic contribution to its economy.

Increased car travel to places of work resulting from the increases in residential development.

Negative impact on nearby residents in West Street. Loss of views of countryside.

Inadequate pedestrian access facilities.

Poor public transport system. Most journeys would be by car. Unsustainable.

Inadequate approach roads to the site and serving Templecombe as a whole to serve the extent of increased residential development being proposed.

Flooding of site and surrounds - surface water drainage from the agricultural fields is inadequate.

Detriment to wildlife interests.

CONSIDERATIONS**Planning History**

The planning history of the site has been referred to in submitted third party representations and this is an important material planning consideration when determining this current application; the more recent the history the more material is the consideration. As set out earlier in this report, two outline applications for residential development on part of the current application site were refused permissions in 1972 and 2000, and both were subject to dismissed appeals. However, nearly 20 years have passed since the last appeal decision and policies contained in the current Local Plan and planning guidance set out by the Government in the National Planning Policy Framework (NPPF) have changed since then. Therefore, whilst a material consideration, it is considered that those previous decisions carry very little weight when determining this current application proposal.

Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Planning Policy

Policy SD1: 'Sustainable Development' of the Local Plan states:

When considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the NPPF and seek to secure development that improves the economic, social and environmental conditions within the District.

Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted or refused.*

The overall spatial strategy and settlement hierarchy for the District in relation to housing growth is contained within Local Plan Policies SS1, SS2, SS4 and SS5.

Policy SS1: 'Settlement Strategy' highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local Market Towns and Rural Centres. All other settlements are 'Rural Settlements', which Policy SS1 states "will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in Policy SS2)". In effect the policy places each settlement a tier within the 'settlement hierarchy', based on their role and function within the district. In accordance with policy, the scale of development envisaged for each settlement should be commensurate with its tier, thereby reinforcing the hierarchy.

Templecombe is a rural village that benefits from a range of local services and facilities within it, including a primary school, a convenience store, takeaway, health service, train station, sports facilities and places of worship. On the basis of this range of facilities and because of its role and function within the district, Abbas and Templecombe is categorised in the lowest tier of the settlement hierarchy, as a 'Rural Settlement'. Development in the settlement should therefore be commensurate with the Rural Settlement tier, and should not compete with the higher tier of 'Rural Centres'. Development within the Rural Settlements should be consistent with Policy SS2: 'Development in Rural Settlements', where development is strictly controlled and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets an identified housing need, particularly for affordable housing.

Policy SS2 also sets out that development should be commensurate with the scale and character of the settlement, be consistent with community-led plans, and generally have the support of the local community following robust engagement and consultation.

The proposal does not provide employment opportunities or necessarily meet an identified housing need in the community. In addition, it does not create community facilities and services in terms of such on-site provision. Nevertheless, it can be argued that it would indirectly enhance existing community facilities by means of provision of financial contributions towards such facilities.

The Council's Strategy and Commissioning Team has advised that the proposed development would

generate a need for 218.54 square metres of space for equipped play and 54.64 square metres of space for youth facilities. It is considered that the best way to mitigate the generated need would be to increase the provision of equipped play at Templecombe Recreation Ground through the replacement of the toddler multi-unit to a large model, improvements to or replacement of the junior climbing frame, replacement of toddler swings and agility trail, the addition of a swing tyre and a new hydraulic self-closing gate. For youth facilities at the site, enhancement of facilities would include a hard court or wheeled play area

In accordance with Local Plan Policies HW1 and SS6, the best solution to mitigate additional demand is to provide a contribution towards enhancing the existing equipped play area and youth facilities at the Templecombe Recreation Ground. An appropriate financial contribution should be sought from the developer towards the delivery of 218.54 sq.m (equipped play area) and 54.64 sq.m (youth facilities) stemming from the proposed development towards off-site provision of improvements to these types of facilities at the Templecombe Recreation Ground along with a commuted sum payment for maintenance over a 10 year period to be secured.

No contributions are required for playing pitch/changing room provision.

Appropriate financial contributions for off-site equipped play area provision would be £41,591 and for off-site youth facilities would be £8,167. Total contribution £49,758 (total cost per dwelling of £1,015).

Commuted sums for equipped play areas would be £24,024 and for youth facilities would be £3,019. Total contribution £27,043 (total cost per dwelling of £552).

Overall contribution total (including service administration fee) would be £77,569 (or £1,583 per dwelling). This would be secured within a Section 106 Agreement, including the payment of relevant legal fees and administration costs.

Having regard to other considerations within Policy SS2, the proposal is not necessarily commensurate with the scale and character of the settlement as 49 dwellings would represent a significant increase to the size of the village in absolute terms. It also does not generally have the support of the local community. As such, the scheme does not fully comply with Policy SS2.

Local Plan Review

Housing and Economic Land Availability Assessment (HELAA):

The site of the proposed development is identified as a suitable, available and developable site in the HELAA, which is part of the evidence base to support the emerging Local Plan Review. The HELAA site E/ABTE/0007 has been assessed as a suitable site for up to 30 dwellings, with a qualification that development should encroach no further to the north-west than Hillcrest Road, with a similar density. However, the identification of potential sites within the HELAA does not imply that planning permission would be granted if an application were to be submitted. The HELAA is a high level assessment. All planning applications must therefore continue to be considered against the appropriate policies within the adopted Development Plan, having regard to any other material considerations.

The Local Plan Review (2106-2036):

The emerging Local Plan Review is currently in preparation and two consultations have taken place under Regulation 18 of the Town & Country (Local Planning) (England) Regulations 2012, with the most recent consultation on Preferred Options ending in September 2019. The Local Plan Review Preferred Options document proposes that Abbas & Templecombe is elevated into a higher tier of the settlement hierarchy termed as 'Villages'. This category elevates a number of the larger Rural Settlements due to their scale, development capacity, role and function. Consequently, the Preferred Options document reflects that 'Villages' are capable of accepting a higher level of development than the remaining Rural Settlements. However, the emerging Local Plan Review is still at an early stage in its preparation and therefore only extremely limited weight can be attached to it, as reflected in the guidance in paragraph

48 of the NPPF.

National Planning Policy Framework

Paragraph 11 of the NPPF notes that the relevant policies for the supply of housing should not be considered up-to-date if a local planning authority cannot demonstrate a five-year housing land supply:

*For **decision-taking** this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The associated footnote in the NFFP states that the above policies are out of date in "situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73)".

However, the fact that policies relevant to the supply of housing are deemed "out-of-date" by reference to the NPPF does not mean they should be ignored. As confirmed by several judgments the NPPF does not displace the statutory framework for the determination of planning applications and does not prescribe that little or no weight be given to housing supply policies, that is a matter for the judgement of the decision-maker dealing with a particular application and the facts of each individual case. There are various Supreme Court judgements and High Court judgements in this respect and makes it clear that *"the absence of a five-year supply of housing land is not necessarily conclusive in favour of the grant of planning permission. Furthermore, and for the avoidance of doubt, Paragraph 11 of the NPPF is not irrefutable, and the analysis of material considerations may indeed move the decision-maker away from the presumption in favour of the grant of planning permission."*

Housing Land Supply

Policy SS5; 'Delivering New Housing Growth' sets housing delivery targets for each of the 14 named settlements in the hierarchy and sets a delivery target for all Rural Settlements collectively (2,242 dwellings). Abbas & Templecombe is not within the top 14 settlements identified within the hierarchy, which means it has no individual housing target. The housing targets for each Rural Centre are listed below:

- Bruton - 203 dwellings
- Ilchester - 141 dwellings
- Martock - 230 dwellings
- Milborne Port - 279 dwellings
- South Petherton - 229 dwellings
- Stoke sub Hamdon - 51 dwellings

References have been made in various representations to the unacceptably large increase in the number of new dwellings in the settlement, both in terms of this proposal and previous decisions; housing land supply; and that rural settlements within South Somerset have met their housing allocation targets.

With that in mind further advice has been sought from the Council's Strategic Planning Team.

Monitoring shows that from the beginning of the adopted Local Plan period (2006) to 31st March 2019, 63 dwellings have been delivered within the settlement. Of these, 28 completions were carried out between April 2011 and March 2019. In April 2011 the number of dwellings in the built-up area of Templecombe was 746 but, taking into account the additional 28 completions from April 2011, as at March 2019 this brings the total to approximately 774 dwellings in the built-up area as the best estimate

(this does not factor in any completions that may have occurred in the past 10 months or so).

To date, there are commitments (extant planning permissions) for a further 93 dwellings in Abbas & Templecombe. As a result, there is potentially a total of 156 dwellings (63 + 93) to be delivered within the Plan period (2006-2028).

Further planning applications for additional new dwellings within the settlement have also been considered by Committee and are currently awaiting the issue of decisions, including:

18/02739/OUT. Outline application for residential development comprising up to 70 dwellings and associated open space, landscaping works and area for school expansion, together with new access and drainage infrastructure. Land at Slades Hill.

Committee has resolved to grant permission subject to the prior completion of a Section 106 Agreement. At the time of compiling this report, the S106 Agreement remains to be completed, hence no decision notice has to date been issued.

18/00650/OUT. Demolition of the existing buildings and the erection of 19 No. dwellings with associated access and parking (outline application). Knights Templar Court Nursing Home, Throop Road.

Committee has resolved to grant permission subject to the prior completion of a Section 106 Agreement. At the time of compiling this report, the S106 Agreement remains to be completed, hence no decision notice has to date been issued.

19/00123/OUT. Demolition of the existing buildings and the erection of up to 21 dwellings with associated access and parking (Outline application). Knights Templar Court Nursing Home, Throop Road.

Decision pending. Awaiting decision on 18/00650/OUT.

Both 18/00650/OUT and 19/00123/OUT relate to the same site. Only one of the developments can be implemented should both applications be approved. Both the development for 70 dwellings at Slades Hill and for 19 dwellings at Knights Templar Court Nursing Home in Throop Road, having been resolved to be approved by Committee, should be added to the total dwellings tally. As stated above, there is potentially a total of 156 dwellings to be delivered within the Plan period (2006-2028). Together with the potential for 89 dwellings at Slades Hill and Throop Road, this gives a potential of 245 new dwellings in Templecombe. This figure would rise to up to potentially 294 dwellings should this current application at West Street be granted.

Granting permission for this application would result in a level of growth commensurate with the higher tier of Rural Centres and therefore would not be consistent with the Rural Settlements tier. The proposal would result in development that would be contrary with the Local Plan's defined settlement hierarchy in Policy SS1.

However, at present, the Council cannot demonstrate a five year supply of housing sites. The Council's Five Year Housing Supply Statement (October 2019) has concluded that it is only possible to demonstrate a supply equivalent to about 4.5 years based upon the assessment of future housing land supply for the period 2019/2020 to 2023/2024, (this equates to 4,711 dwellings).

The Council accepts that it is unable to demonstrate a five year housing land supply and that a presumption in favour of sustainable development exists. As referred to above, paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development and grant permission when decision taking where the policies which are most important for determining the application are out-of-date (this includes circumstances where there is no five-year supply of deliverable housing sites with the appropriate buffer), and therefore less weight can be afforded to policies that affect the supply of housing. Paragraph 11 is therefore a significant material consideration with regard to the tilted balance in favour presumption of sustainable development.

Planning Balance

According to evidence in the Local Plan Review document "The Potential for Rural Settlements to be Designated 'Villages' (November 2018), Abbas & Templecombe is the fourth largest Rural Settlement with a good level of local service provision, including a primary school, local convenience shop/Post Office, village hall, faith facility, doctor's surgery and children's play area. The former pub is currently being converted to a convenience store on the High Street. There is also employment provision within the settlement, reinforced by a recent permission for an industrial building (Use Class B2) opposite Thales. Abbas & Templecombe also has a train station (on the Exeter/Waterloo line) and the A357 passes through the settlement to join the A303 at Wincanton, 5 miles to the north. There is also bus service 58 (Wincanton-Sherborne-Yeovil) every 1-2 hours, Monday to Saturday.

A concern has been raised locally regarding the inherent unsustainability of the location. However, mindful of the variety of services and facilities referred to above, the settlement is considered to be a sustainable location that can support a reasonable level of housing growth. This weighs in favour of the application, having regard to Policy SD1.

Additionally, granting permission would contribute positively to the Council's supply of market and affordable housing, with the accompanying social and economic benefits. The residents of the new dwellings would support local businesses through their expenditure. The application proposes affordable housing at 35% for Templecombe and is therefore compliant with the required provisions for Policy SS2 and Policy HG3. In addition, there would be temporary economic benefits during the construction phase in that construction jobs would be generated together with associated expenditure in the local economy. Although these economic benefits that would arise during the construction period would be temporary, nevertheless it is considered that such material considerations should be given great weight.

Nevertheless, in coming to a decision on this application, these benefits should be considered with, inter alia, any other impacts (positive or negative) identified, against the harm to the settlement hierarchy defined in Policy SS1, and Policy SS2.

It is arguable whether the proposed development would be commensurate with the scale and character of the settlement, when considered in the context of the completions and commitments already granted within the plan period, together with those approvals that are imminent subject to the completion of Section 106 Agreements. In addition, it also does not generally have the support of the local community. As such, the scheme does not fully comply with Local Plan.

However, as SSDC cannot currently demonstrate a five year supply of housing land, elements of the housing policy must be considered out of date. As such, it is considered that the LPA cannot rely on the proscriptions of that policy in regard to scale and character and general community support, but must accept that the settlement is broadly sustainable and capable of supporting some residential development. As such, although the proposal is contrary to Policy SS2 of the Local Plan, only limited weight can be applied to this adverse impact in the planning balance.

Local concern has been raised that there is no need for any new dwellings in the settlement. However, there is a district wide shortage of housing, and this proposal will potentially contribute up to 49 dwellings towards the supply of housing. A perceived lack of a local requirement for the housing does not outweigh the district wide requirement for housing.

There has been concern expressed locally about the level of development proposed and the impact on the provision of local infrastructure. In particular in relation to the primary school and medical facilities.

The County Education Authority advises that the Abbas and Templecombe Primary School is over capacity and has a proposed extension required due to the various housing developments coming forward. This development of up to 49 dwellings would generate 3 early years pupils, 16 primary pupils

and 7 secondary pupils. In accordance with current build costs, the Education Authority seeks financial contributions to achieve the necessary build to accommodate the extra children from this development. This would amount to £51,222 for early years and £273,184 for the primary school, to be secured within a Section 106 Agreement. King Arthurs secondary school currently has capacity and therefore no funding is required for that school at present.

Other than this, such concerns are not supported by other technical consultees or service providers and, where necessary, details can be conditioned. No service supply issues (e.g. healthcare, sewers etc.) have been identified in Templecombe by the providers in relation to the currently proposed development. As such, even when taking potential cumulative impacts into account, the concerns are not sufficient reason to warrant refusal of the scheme.

As stated above, the Council acknowledges its current lack of a 5 year housing land supply at which point policies relating to housing constraint are considered not to be 'up-to-date'. In these circumstances, the provisions of NPPF paragraph 11(d) are engaged and the presumption in favour of sustainable development applies, where it is expected that planning permission will be granted unless *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole"*.

The provisions of NPPF paragraph 11(d) do not preclude the emphasis within the NPPF to promote a plan-led approach. Therefore, whilst there is a tilted balance in favour of development due to the provision of paragraph 11(d), an assessment must be made of the application's conformity with the Local Plan when read as a whole. Where any conflicts with individual policies occur, this must be balanced against the merits of the specific proposals applying the test set out in NPPF paragraph 11(d).

Visual Impact

Local Plan Policy EQ2 refers to development in general and requires development proposals to preserve and enhance the character of the district. Development proposals must, amongst other criteria, seek to conserve and enhance the landscape character of the area, reinforce local distinctiveness and respect local context and have due regard to site specific considerations.

There has been local concern expressed as to the position of the proposed development, and the impact it will have on the character of the area and the wider landscape. Such concern acknowledges that the site is not subject to any special landscape protection designations but, irrespective of that, argues that the countryside which should be protected for its own sake.

During the pre-application process, the issue of visual amenity was commented upon. The case officer noted that the site adjoins existing residential development to the east and the recently approved development of 4 houses to the west. As such, he opined that development in this location would unlikely cause significant harm to the character of the area or to the wider landscape. He advised that any development should be reduced in density and scale towards the western part of the site to reflect the 'edge of settlement' character of the locality and that built form should be entirely avoided in the northwest portion of the site, so that development tapers from the edge of the existing built form to the east down to the edge of the approved development to the west.

Accompanying this application is a Landscape Statement and a Plant Schedule, Maintenance and Management document, both prepared by Clark Landscape Design. The Landscape Statement describes the area as falling within the 'Yeovil Scarplands' as defined in the National Character Area, Profile 140, within the 'East Somerset Hills' as defined in the South Somerset Landscape Character Assessment and the edge of the 'Blackmore Vale' which lies to the east of Templecombe. The key characteristics relevant to these landscape character areas include:

- Rural, agricultural character across the majority of the area, with distinct pastoral, mixed and arable areas.
- Several rivers draining east to west and a network of tributary streams, sometimes in gorges.
- Winding rural lanes, bounded by verges and hedgerows, connecting villages and hamlets cut across

by busy 'A' roads linking larger towns and neighbouring National Character Areas.

The Landscape Statement goes on to state that *The landscape character of the area around Templecombe is fairly typical of the Yeovil Scarplands, however, the site lies on the south west edge of the built up area and therefore has a strong urban fringe character. Through careful consideration of the site and its characteristics and establishment of a strong landscape buffer it should be possible to provide a much softer edge to this part of the village.*

Views towards the site from local roads are limited to West Street, Hillcrest Road and Bowden Road which lies to the south-west of the site and Lily Lane which runs to the north of the railway track. Views beyond them are limited by topography and intervening buildings, trees and hedgerows. Views from public rights of way are limited to WN29/16 and Lily Lane to the north of the railway track. There may be longer distance views to the site but they are very limited at over 5km distance. Other than the direct views onto the site from West Street the visual impact of the proposed development has been assessed as low. However, from West Street, there will be a clear visual impact when travelling along the road and there will also be a visual impact on the dwellings located on the opposite side of West Street which will lose their views across open countryside.

Various mitigation measures are suggested within the Landscape Statement. Any new development should be well screened, should fit within the landscape character of the area and, if possible, should restore features of local distinctiveness such as orchards, hedgerow and ponds. Mitigation proposals to add to the wildlife and landscape value of the site would include the establishment of a strong north-western and south-western woodland edge boundary to help assimilate buildings into the local landscape; the use of slate grey roofing rather than tiled roofing to help soften any wider visual impacts; the retention of the existing hedgerows and their on-going management and maintenance to help break up the form of development and provide useful screening for the housing opposite along West Street; tree and shrub planting within the development to provide a high quality urban space; the creation of the flood attenuation pond to create additional wildlife interest and potential for further tree planting; and the introduction of new trees into the existing hedgerows.

The Council's Tree officer has raised no objections to the proposal and offers detailed comments about hedgerow protection and retention and their future treatment and future planting based on the submitted layout drawings. Conditions are recommended to reflect such comments.

Whilst noting the Tree Officer's comments, such drawings have been submitted for illustrative purposes only. This is an outline application which seeks to establish the principle of development and access. All other matters of appearance, landscaping, layout and scale are reserved for future submission, consideration and determination. It is considered that the proposed development can be comfortably accommodated in the wider landscape. Landscaping is a reserved matter and, as such, appropriate landscaping can be achieved at the detailed application stage. Nevertheless, the sentiments expressed by the Tree Officer are acknowledged and conditions are recommended relating to tree hedgerow protection / retention measure and submission of a landscaping scheme.

In terms of consideration of density, the adjoining residential estate at Hillcrest road has an area of approximately 2.1 hectares and contains approximately 60 dwelling units. This gives a density of 28.6 dwellings per hectare (dph). The application site has an area of 2.5 hectares; the erection of 49 dwellings would give a density of 19.6dph. However, based on the illustrative layout plans which excludes parts of the site for residential development (i.e. those areas shown for landscaping and the attenuation pond, the net developable area of the site would be approximately 2.1 hectares; meaning 49 dwellings would give a density of 23.3dph. This would not be as dense as the Hillcrest road development and reflects the pre-application advice for such an edge of settlement location to accommodate a more diffused pattern of development.

For the purposes of this outline application, having regard to the above, it is considered that the proposed

development would not result in significant and demonstrable harm to the wider landscape subject to appropriate mitigation. Notwithstanding local concern, the density of the proposed development is considered to be acceptable and to accord with local character. Consequently it is considered that the proposed development complies with Policy EQ2 of the Local Plan.

Access and Highway Safety

Local Plan Policy TA5 requires all new development to securing inclusive, safe and convenient access on foot, cycle, and by public and private transport that addresses the needs of all, and to ensure that the expected nature and volume of traffic and parked vehicles generated by the development would not have a detrimental impact on the character or amenity of the area and would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated.

Policy TA6 states that parking provision in new development should be design-led and based upon site characteristic, location and accessibility. The parking arrangements within SCC's Parking Strategy will be applied within the District.

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 106 of the NPPF advises that maximum parking standards for residential and non-residential development should only be set where there is clear and compelling justification that they are necessary for managing the local road network.

Access is considered at this stage. The proposed development proposes a single vehicle access onto West Street with pedestrian and cycle links adjoining the existing footway adjoining West Street

Much local concern has been raised about the inadequacies of the highway infrastructure to cope satisfactorily with, not only existing volumes of traffic but also the increased traffic generations that would result from this proposed development, together with those from the other unimplemented approvals for additional housing. The County Highway Authority has been consulted and has been requested to consider the impacts on the highway network, not only resulting from the traffic generation to and from the application site, but also the increased traffic generation on the local road network which will arise following the subsequent implementation of the various additional residential developments that already benefit from planning permissions (or subject to S106 completions).

In response to this request, the Highway Authority provided the following comments in its consultation response dated 5th December 2019.

At the request of the LPA, the Highway Authority will provide further comments on the traffic impact implications of the development proposals.

The development traffic impact was discussed within the submitted Transport Statement and subsequently assessed by the Highway Authority. The development is predicted to generate approximately 25 vehicle trips during the weekday AM peak hour and 23 trips during the weekday PM peak hour. The development traffic was then assigned onto the highway network by using observed and probable commuting patterns. Temporal traffic growth factors were applied to the 2019 survey data in order to create a 2024 assessment year traffic scenario. There are no concerns with the methodology used to calculate traffic generation, traffic distribution or the traffic growth factors.

The impact of the proposed development was considered at several junctions as part of the TS. This included the junctions of West Street/ Westcombe, Westcombe/ Bowden Road, West Street/ Bowden Road and the A357/ Bowden Road junction. Given that the proposed development is predicted to generate approximately 25 trips during the peak hour, once this traffic has been distributed onto the

highway network, the development impact at each junction is considered to be minor. As such, it would be difficult for the Highway Authority to demonstrate that the proposed development would result in a severe impact on road capacity on the local highway network.

It is acknowledged that concerns have also been raised in relation to the cumulative impact of the application site, and other sites which have either being granted planning consent, or, those that are currently being considered by the LPA.

The above-mentioned traffic growth factors already take increases in background traffic over time into account. This can include traffic associated with allocated sites as well as general increases in background traffic growth as a result of developments.

In terms of cumulative impacts which include developments which have not yet been determined, when assessing a development, the Highway Authority can only consider the impact of the development in question and any mitigation which is requested must be directly related to the development. It would be unreasonable to insist that a developer resolves issues associated with other developments as this would not accord with the NPPF and it would be difficult to defend this position at Appeal.

For the reasons given above, the Highway Authority would not wish to raise a formal objection to the development because in isolation the development is unlikely to result in a severe impact on the highway and raising an objection on the cumulative impacts would be difficult to justify.

Various highways related conditions and mitigation measures are recommended which are reflected either in Section 106 requirements, planning conditions or informatives.

Overall, the application is considered to be in a sustainable location, having regard to the scale of development proposed and the role and function of the settlement which benefits from a variety of local facilities and amenities. The increase in vehicle movements as a result of the proposed development does not give rise to an objection on traffic generation or highway safety grounds from the Highway Authority and is therefore deemed to be acceptable in accordance with Local Plan Policies TA5 and TA6 and relevant guidance within the NPPF.

Flooding and Drainage

The application site is at a low risk of flooding, lying as it does within Flood Zone 1.

Nevertheless, local concern has been expressed about flooding of site and surrounds and that surface water drainage from the agricultural fields is inadequate.

The Lead Local Flood Authority (LLFA) notes the low greenfield rates for this site and the proposal to discharge at 2 l/s. It advises that, while this is acceptable, due to the risk of blockages it is possible to restrict rates to 1 l/s with appropriate features. Also, if any further development is to come forward in the vicinity of this application site with the same constraints, then this may cause an increased risk of flooding downstream due to cumulative impact of development. If any further development is to come forward in the vicinity of this site, it would be useful to look at a Masterplan approach to manage the impact and to prevent further flood risk downstream.

With this in mind, the LLFA recommends a condition requiring the submission and approval of details of the surface water drainage scheme, based on sustainable drainage principles, together with details of a programme of implementation and maintenance for the lifetime of the development. This is reflected in the formal officer recommendation.

Wessex Water has confirmed it has no objections to foul water disposal from the proposed development into the main sewerage system. However no surface water flows from the site will be considered into the foul network.

The Environment Agency has advised that it does not wish to make any comments.

Taking into account the above, it is considered that the application accords with the requirements of Local Plan Policy EQ1 and relevant guidance within the NPPF5

Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017). Policy EQ4 of the Local Plan also require proposals to pay consideration to the impact of development on wildlife and to provide mitigation measures where appropriate.

The applicant has submitted an Ecological Appraisal which describes the baseline ecological conditions at the site; evaluates habitats within the survey area in the context of the wider environment; and describes the suitability of those habitats for notable or protected species. It identifies significant ecological impacts as a result of the development proposals; summarises the requirements for further surveys and mitigation measures, to inform subsequent mitigation proposals, achieve planning or other statutory consent, and to comply with wildlife legislation.

The County Ecologist has been consulted and has raised no objections subject to the imposition of conditions relating to bats, birds, badgers, reptiles and landscape enhancement measures.

Residential Amenity

Due to the application site's edge of village location, potential for residential amenity concerns are limited to impacts on existing residential properties on the opposite side of West Street and those properties close to the north eastern boundary of the site in Hillcrest Road and Alexander Court. Concern has been expressed by nearby residents about impact on amenity, particularly in terms of loss of outlook and views.

However, the scheme is only seeking outline consent with all detailed matters relating to scale, layout and appearance being reserved for later consideration. As such, the submitted layout plans are indicative only. The size of the site is considered adequate for a scheme for up to 49 dwellings (subject to constraints imposed by conditions requiring periphery landscaping and a sustainable urban drainage scheme) and there is no reason why an appropriate scheme could not be designed that avoided any substantive harm to neighbour amenity in terms of significant and unacceptable dominance, overshadowing, overlooking and loss of privacy.

It is acknowledged that any proposed development on the site will result in loss of views currently enjoyed by residents. However, planning decisions must be based solely on material planning considerations. The scope of what constitutes a material consideration is very wide. In general case law has taken the view that 'planning' is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations. In this same vein, the loss of private view is not an overriding material planning consideration that can be taken into account.

The detailed layout and design of the plots would need to take into account the residential amenity of existing occupiers and it is considered that this can be achieved through future reserved matters taking into account the scale and nature of the site and the number of dwellings proposed. There would be no reason why the impact of the proposed development could not be 'softened' by maintaining the roadside hedgerow at a reasonable height and to allow any trees within the hedgerow to be allowed to mature.

The Council's Environmental Protection Officer is mindful of the proximity of the proposed development

to nearby existing properties and recommends conditions relating to the submission of a Construction Environmental Management Plan.

In terms of impacts on the amenities of future occupiers of the proposed housing, the Environmental Protection Officer is aware of the railway line to the north of the site, being some 233 metres away at its closest point. In addition the western boundary of the development immediately abuts Coombe Farm. There is potential for noise from both the railway line and the farm (if agricultural activities recommenced) to adversely impact on the future residents. Therefore he recommends a condition requiring the submission of a noise impact assessment.

In addition, there is a small area of made ground/infill on the western boundary of the proposed site, potentially associated with the adjacent farm. He advises that a watching brief for potential hotspots of contamination is kept together with an assessment for visual evidence of contamination during groundworks. A condition to this effect is recommended.

For these reasons the proposal is not considered to give rise to any demonstrable harm to residential amenity that would justify a refusal based on Policy EQ2 of the Local Plan.

Loss of Agricultural Land

Agricultural Land Classification is a system used in England and Wales to grade the quality of land for agricultural use.

Grade 1 - excellent quality agricultural land with no or very minor limitations.

Grade 2 - very good quality agricultural land with minor limitations which affect crop yield, cultivations or harvesting.

Subgrade 3a - good quality agricultural land with moderate limitations that affect the choice of crop, timing and type of cultivation/harvesting or level of yield. This land can produce moderate to high yields of a narrow range of crops or moderate yields of a wide range of crops.

Subgrade 3b - moderate quality agricultural land with strong limitations that affect the choice of crop, timing and type of cultivation/harvesting or level of yield. This land produces moderate yields of a narrow range of crops, low yields of a wide range of crops and high yields of grass.

Grade 4 - poor quality agricultural land with severe limitations which significantly restrict the range and level of yield of crops.

Grade 5 - very poor quality agricultural land with very severe limitations which restrict use to permanent pasture or rough grazing with the exception of occasional pioneer forage crops.

The application site comprises agricultural land classified as being Grade 3. Therefore it is of good to moderate quality.

Paragraph 170 of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by, amongst other considerations, recognising the economic and other benefits of the best and most versatile agricultural land.

There is no relevant policy within the Local Plan specifically applicable to agricultural land protection.

Mindful the site does not comprise *"the best and most versatile agricultural land"*, it is considered that there would be no justifiable planning reason to refuse permission on the grounds of loss of this agricultural land.

Section 106 Contributions and CIL

The financial contributions requested by the County Education Authority and SSDC's Strategy and Commissioning Team are noted, as is the recommendation from the County Highway Authority regarding securing Travel Plan provisions and various highway mitigation measures. The proposal involves the provision of affordable housing that would require a legal obligation to be entered into ahead of issuing any planning permission. In addition, there would be a need for the submission of details of

any public body or statutory undertaker, Resident's Management Company, other management company or any other arrangements to manage and maintain public open space; potential surface water attenuation pond or similar sustainable urban drainage system; landscape "buffer zones", including retained and new hedgerows along the application site; and any roads and/or footpaths that may not be adopted by the Highway Authority.

The application is also liable to CIL.

Conclusions and the Planning Balance

With no five year supply of housing land in South Somerset, footnote 7 to paragraph 11 of the NPPF is engaged, which explains that, for applications involving the provision of housing, relevant policies are considered out-of-date where *"...the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."*

As such the tilted balance set out in paragraph 11 of the NPPF is the measure against which the development should be assessed. This states that *"For decision-taking this means...where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

In this case there are no specific policies in the NPPF that indicate development should be restricted, so an assessment must be made as to whether the adverse impacts of the development significantly and demonstrably outweigh the benefits.

The benefits of the proposed development include the proposal bringing forward several contributions towards education provision, community, sport and leisure provision, through S106 obligations and CIL. Whilst these are designed to alleviate the impacts of the proposed development, they also serve to increase the sustainability of the settlement as a whole and, as such, should be afforded at least moderate weight as a benefit of the scheme.

Further benefit of the scheme would be that the proposed development offers benefits in terms of delivery of both market and affordable dwellings which assist in helping SSDC towards a five year housing land supply, improving the sustainability of existing village services and facilities and providing contributions in the form of Community Infrastructure Levy (to be calculated at reserved matters).

Weighed against the benefits outline above, the scheme would also cause some harm. Firstly, the policy is contrary to Policy SS2 of the South Somerset Local Plan. However, as highlighted above, this particular harm can only be afforded limited weight as Policy SS2 must be considered out of date in the absence of a five year supply of housing land. Further areas of some harm, albeit limited, are the disturbance likely to be caused during the construction phase of the development.

Notwithstanding local objections, no other areas of harm have been identified by statutory consultees, notably the County Highway Authority, or by any of SSDC's officers consulted. Material planning considerations in respect of highways, drainage, ecology, landscape and neighbour amenity can be addressed through reserved matters submissions and/or suitably worded planning conditions.

Given all of the above, and having due regard to the 'tilted balance', it is considered that the identified harm does not significantly and demonstrably outweigh the benefits of the scheme and, as such, planning permission should be granted.

In conclusion, the application is recommended for approval subject to completion of a Section 106 Agreement and various planning conditions and informatives, which include those recommended by consultees.

RECOMMENDATION

Permission be granted subject to -

The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting outline planning permission is issued to secure the following:

a) Affordable Housing Provision

i) 35% affordable housing, split 80 / 20, social rent / intermediate product;

ii) Exact details of numbers, type, bedroom mix, tenure and locations on site shall be to the satisfaction of the Lead Specialist Planning in consultation with the Council's Housing Development Officer;

iii) Adherence to the following minimum space standards (GIA) for the affordable units:

1 bed flat	47sqm	
1 bedroom house	55 sqm	
2 bedroom house	76 sqm	(86 sqm if 3 storey)
3 bedroom house	86 sqm	(94 sqm if 3 storey)
4 bedroom house	106sqm	(114sqm if 3 storey)

iv) Timing of the construction of the affordable units and its phasing in relation to occupancy of the market housing;

v) Prior to commencement of development, the Council's Housing Development Officer to be informed of the selected affordable housing association partner for the delivery of the affordable units and arrangements for the transfer of the affordable units to that affordable housing association partner. The following is a list of the Council's main housing association partners, but this is not to be considered as exhaustive:

- o LiveWest Housing
- o Magna Housing
- o Stonewater Housing and,
- o Yarlington Housing Group;

vi) All rented affordable units to be made available to anyone registered on Homefinder Somerset; and

vii) Arrangements to ensure that the provision of affordable units is affordable for both first and subsequent occupiers of the affordable units, and the occupancy criteria to be used for determining the identity of occupiers of the affordable units and the means by which such occupancy criteria shall be enforced.

b) Education Financial Contribution

A financial contributions of £324,406 (calculations based on 49 dwellings) to be paid to the Somerset County Council as Education Authority towards the improvement and/or expansion of early years and primary education provision in the Parish. Flexible formulae to be included should fewer than 49 dwellings be constructed. Initial payment prior to occupation of 33% of dwellings, second payment prior to 66% occupation of dwellings and final payment prior to 100% occupation of dwellings.

c) Equipped Play Area and Youth Facilities Financial Contribution

Off-site financial contribution of £1,583 per dwelling towards the enhancement of the existing equipped

play area and youth facilities at Templecombe Recreation Ground and associated maintenance commuted sums, the total amount payable upon occupation of the first 25% of proposed dwellings - (£77,569 based on 49 dwellings).

d) Travel Plan

The implementation of the approved Travel Plan to the satisfaction of the County Highway Authority, to operate from first occupation of the development for a period of 5 years, to allow its objectives to be fulfilled, (such date of first occupation having been notified in writing to the Local Planning Authority by the applicant/developer either prior to said occupation commencing or no later than 7 days from the date of said first occupation having occurred).

e) Highway Mitigation Measures

- i) The access road to be constructed in accordance with current highway policy standards;
- ii) Provision of pedestrian access in the eastern corner of the site onto West Street;
- iii) Provision of pedestrian / cycle access in the western corner of the site onto west Street

f) Management Company or Other Arrangements

Submission of details of any public body or statutory undertaker, Resident's Management Company, other management company or any other arrangements to manage and maintain public open space; potential surface water attenuation pond or similar sustainable urban drainage system; landscape "buffer zones", including retained and new hedgerows along the application site; and any roads and/or footpaths that may not be adopted by the Highway Authority prior to first occupation of any dwelling unit hereby permitted (such date of first occupation having been notified in writing to the Local Planning Authority by the applicant/developer either prior to said occupation commencing or no later than 7 days from the date of said first occupation having occurred).

And for the following reason:

01. The Council's lack of a five year housing land supply lends significant weight when considering the planning balance. In this case, the site is located in a sustainable location with access to a high range of services and facilities. The proposal is not considered to result in such a significant and adverse impact upon visual amenity, residential amenity, highway safety, flood risk/drainage or ecology/biodiversity as to justify a refusal of planning permission. Therefore, in terms of the 'planning balance', it is considered that there are no adverse impacts that would 'significantly and demonstrably' outweigh the benefits of providing up to 49 dwellings in this sustainable location. The proposal is considered to be in accordance with Policies SD1, SS1, SS2, SS4, SS5, SS6, HG3, TA5, TA6, EQ1, EQ2, EQ4 and EQ5 of the South Somerset Local Plan 2006-2028 and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. Approval of appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 2015.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

03. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

04. The development hereby permitted shall be restricted to no more than 49 dwellings.

Reason: To avoid any ambiguity as to what is approved.

05. The development hereby permitted shall accord with the following approved plans in respect of the extent of application site to which this grant of outline planning permission relates and also the proposed access details:

Drawing no. 2607-DR-A-050-001 Rev A: Indicative Site Layout

Drawing no. 2607-DR-A-050-002 Rev A: Illustrative Site Plan

Drawing no. 2607-DR-A-050-003 Rev A: Location Plan

Drawing no. 2607-DR-A-080-004 Rev A: Indicative Site Frontage Detail

Drawing no. 2607-DR-A-080-005: Access Detail

For the avoidance of doubt, the appearance, landscaping, layout and scale of the proposed development as indicated on said drawings are shown solely for illustrative purposes and are subject to further approval of 'reserved matters' the subject of conditions 01 and 02.

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

06. Prior to commencement of the development, site vegetative clearance, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree and hedgerow protection measures prepared by a suitably experienced and qualified arboricultural consultant in accordance with British Standard 5837: 2012 - 'Trees in relation to design, demolition and construction' shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include locations and details of all protective fencing to be erected to protect retained trees and hedgerows (including informative signage thereon), together with written confirmation that, within all tree and hedgerow protection zones,:

(a) no materials, equipment, machinery or structure shall be attached to or supported by any part of the retained trees and hedgerows and no materials shall be stored, temporary buildings erected, moveable structures, works, plant or machinery placed or ground levels altered;

(b) there shall be no mixing of cement or use of other contaminating materials or substances shall take place;

(c) levels shall not be raised or lowered in relation to existing ground levels;

(d) no roots shall be cut, trenches dug or soil removed;

(e) no buildings, hardened areas or other engineering operations shall be constructed or carried out; and

(f) no vehicles shall be driven over that protected area.

Reason: The submission and agreement of a scheme of tree and hedgerow protection measures prepared by a suitably experienced and qualified arboricultural consultant prior to commencement of development is fundamental to enable the Local Planning Authority to consider all tree and hedgerow protection measures in order to preserve existing landscape features (trees and hedgerows), in the interests of visual amenity and biodiversity having regard to Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

07. Prior to commencement of development, site vegetative clearance, ground-works, heavy machinery entering site or the on-site storage of materials, the tree and hedgerow protection scheme approved pursuant to condition 06 shall be installed and the suitability of the tree and hedgerow protection measures confirmed in writing by the Local Planning Authority within 21 days from written notification of completion of the approved protection scheme.

The approved tree and hedgerow protection scheme shall remain implemented in its entirety for the duration of the construction of the development and shall only be moved, removed or dismantled with the prior written consent of the Local Planning Authority.

Reason: The full implementation of an approved scheme of tree and hedgerow protection measures prepared by a suitably experienced and qualified arboricultural consultant prior to commencement of development is fundamental to preserve existing landscape features (trees and hedgerows), in the interests of visual amenity and biodiversity having regard to Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

08. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles which aim to enhance biodiversity, amenity value, water quality and provide flood risk benefits (i.e. four pillars of SuDS) to meet wider sustainability aims, together with details of a programme of implementation and maintenance for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water run-off post development is attenuated on site and discharged at a rate and volume no greater than 2 l/s. Such works shall be carried out in accordance with the approved details.

These details shall include:

(a) Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.

(b) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the sustainable methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.

(c) Details of methods and means for the provision within the site for the disposal of surface water so as to prevent its discharge onto the highway.

(d) Any works and permissions required outside the application site boundary to ensure discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).

(e) Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100 yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.

(f) A management and maintenance plan for the lifetime of the development which shall include information regarding systems both inside and outside the application boundary, the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development.

Reason: The agreement of details of a surface water drainage scheme and a programme of implementation and maintenance for the lifetime of the development prior to commencement of development is fundamental to ensure that the development is served by a satisfactory system of surface water drainage, which will aim to enhance biodiversity, amenity value, water quality and provide flood risk benefits (i.e. four pillars of SuDS) to meet wider sustainability aims, and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with Policy EQ1 of the South Somerset Local Plan, relevant guidance within the NPPF and the Technical Guidance to the NPPF.

09. No development shall commence unless a Construction Environmental Management Plan (CEMP), including a method statement detailing the working methods to be employed on site during the construction works (and preparation associated with construction works), has been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout the construction period, the approved details within the CEMP shall be strictly adhered to.

The CEMP shall include:

(a) Details of the phasing of construction traffic for the development, including expected numbers of construction vehicles per day, temporary highway vehicle and pedestrian routings, means of access, times and days of large vehicle movements to and from the site, and suitable off-highway parking for all construction related vehicles.

(b) Measures to avoid traffic congestion impacting upon the Strategic Road Network.

(c) The location area(s) to be used for the parking of vehicles of site operatives and visitors during the construction phase. Any vehicles visiting or attending at the site shall not be parked on any access roads serving the site which would cause obstruction to the free passage of other vehicle users of said roads.

(d) A schedule for the delivery, loading and unloading of all plant and materials to the site, including the times of such loading and unloading; details of how deliveries, loading and unloading of plant and materials would not take place during peak-time hours of the highway network in the vicinity of the application site; and details of the nature and number of vehicles, temporary warning signs to be used, and measures to manage crossings across the public highway.

(e) The hours of construction operations, and deliveries to and removal of plant, equipment, machinery and waste from the site. Such construction works and deliveries shall be carried out only between 08.00 hours and 18.00 hours Mondays to Fridays; 08.00 hours and 13.00 hours on Saturdays, and at no times on Sundays and Bank or Public Holidays, unless the Local Planning Authority gives prior written agreement to any changes in the stated hours.

(f) Details of temporary site compounds including temporary structures/buildings, fencing and proposed provision for the storage of plant and materials to be used in connection with the construction of the development.

(g) A scheme for recycling/disposing of waste resulting from any demolition and construction works.

(h) The siting and design of wheel washing facilities and management of any subsequent run-off resulting from their use.

(i) Measures to control the emission of dust, mud/dirt, noise, vibration and external lighting (including security lighting) during the construction period. Regard shall be had to mitigation

measures as defined in BS 5228: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites.

(j) Details of any piling together with details of how any associated vibration will be monitored and controlled.

(k) The location and noise levels of any site electricity generators.

(l) Management of surface water run-off from the site in general during the construction period.

(m) Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice.

(n) A scheme to encourage the use of Public Transport amongst contractors.

(o) A risk assessment of potentially damaging construction activities and identification of "biodiversity protection zones", together with the location and timing of sensitive works to avoid harm to biodiversity features and the times during construction when specialist ecologists need to be present on site to oversee works.

(p) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to biodiversity on site, including habitat (trees and hedgerows) and protected species (bats, birds, badgers, hazel dormice and reptiles).

(q) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person, including regular compliance site meetings with the County Council's Ecologist (frequency to be agreed, for example, every 3 months during construction phases).

(r) Contact telephone number/s and email address/es of the site manager(s) and/or other person/s associated with the management of operations at the site.

Reason: The agreement of details of a Construction Environmental Management Plan prior to the commencement of development is fundamental to ensure a satisfactory level of environmental protection; to minimise disturbance to local residents; the prevention of harm being caused to the amenity of the area; in the interests of highway safety during the construction process, and in the interests of European and UK protected species, having regard to Policies TA5, EQ2, EQ4 and EQ7 of the South Somerset Local Plan and relevant guidance in the NPPF.

10. Prior to commencement of development, a noise mitigation scheme prepared by a suitably qualified acoustic consultant shall be submitted to, and approved in writing by, the Local Planning Authority detailing what measures, if any, may be necessary to ensure that any noise associated with the railway line to the north of the application site and from Coombe Farm to the west does not cause detriment to the amenities (including habitable rooms and gardens) of future residents/occupiers of the residential development hereby permitted. Such a scheme shall take the form of a written report detailing all measurements taken and results obtained, together with any sound reduction scheme recommended and calculations and reasoning upon which any such scheme is based. The approved measures within the noise mitigation scheme shall be implemented in their entirety prior to occupation of any individual dwelling unit, unless the Local Planning Authority gives prior written approval to any alternative period for completion.

Thereafter, the approved noise mitigation scheme shall be retained and maintained and not altered in any manner without the prior permission in writing of the Local Planning Authority.

Reason: The agreement of details of a noise mitigation scheme prepared by a suitably qualified acoustic consultant prior to commencement of development is fundamental to enable the Local Planning Authority to consider noise mitigation measures in order to protect the amenities of future residents having regard to the proximity to the railway line and neighbouring farm, in accordance with Policies EQ2 and EQ7 of the South Somerset Local Plan and relevant guidance within the NPPF.

11. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following details:

- a) Description and evaluation of features to be created, restored, protected and managed, including the addition of native wild flower grassland areas and edges to open spaces and native pollinator friendly wetland plants to be planted within the SuDS.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies)/new residents responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; South Somerset District Council Local Plan - Policy EQ4 Biodiversity; and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

12. The landscaping scheme submitted in accordance with condition 01 of this outline grant of planning permission shall include details of:

(a) Planting plans (to a recognised scale) and schedules indicating the location, number, species, density, form root types/root volumes and size of proposed tree, hedge and shrub, and also including native species which occur locally and chosen to provide food for insects on which bats feed. All new trees and hedges planted on site should ideally be from local native stock, such as blackthorn, field maple, ash, hornbeam, hazel, dogwood, spindle and/or beech. All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats, and the shrubs must also appeal to night-flying moths which are a key food source for bats.

(b) The method and specifications for operations associated with installation including ground preparation, the use of bio-degradable weed-suppressing geo-textile, staking/supporting, tying, guarding, strimmer-guarding and surface-mulching; and planting establishment, protection, management and maintenance of all retained and new tree, hedge and shrub planting.

(c) Written specifications including cultivation and other operations associated with tree, plant and grass establishment.

(d) Existing landscape features such as trees, hedges and shrubs which are to be retained and/or removed, accurately plotted (where appropriate).

(e) Existing and proposed finished levels (to include details of grading and contouring of land and any earthworks and details showing the relationship of any proposed mounding to existing vegetation and surrounding landform where appropriate).

(f) The means of accommodating change in level (e.g. retaining walls, steps, railings, walls, gates, ramps, or other supporting structures).

(g) The location, type and materials to be used for hard surfacing (including where applicable for permeable paving, refuse/recycling storage areas, tree pit design, underground modular systems, sustainable urban drainage integration and use within tree Root Protection Areas), including specifications and details of manufacturer, type and design, colour and bonding pattern where appropriate. Samples may be required to be submitted and approved.

(h) The position, design, materials, means of construction of all site enclosures and boundary treatments (e.g. fences, walls, railings, hedge(banks)), where appropriate.

(i) An on-going management and maintenance plan of all the approved landscaping features; and

(j) A timetable for the implementation of the approved hard and soft landscaping scheme.

(k) The body or organization responsible for implementation, and subsequent management and maintenance, of the approved landscaping plan.

There shall be no excavation or raising or lowering of levels within any prescribed root protection areas of retained trees and hedges unless previously approved in writing by the Local Planning Authority.

The approved hard and soft landscaping scheme shall be carried out strictly in accordance with the approved timetable of implementation and shall thereafter be protected, managed and maintained in accordance with the approved scheme.

Reason: To clarify the level of detail of landscaping to form part of any subsequent application for reserved matters in order to safeguard and enhance the landscape character and visual amenity of the area; to help assimilate the development into its immediate surrounds; and to provide ecological, environmental and biodiversity benefits, having regard to Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

13. Except for any trees, hedges or shrubs that may be identified for removal on the approved landscaping plans and schedule approved pursuant to condition 12, if within a period of five years from the date of the completion of the dwellings or completion of the approved landscaping scheme pursuant to condition 09 (whichever is the later), any retained tree, hedge or shrubs are felled, removed, uprooted, destroyed or die, or become in the opinion of the Local Planning Authority seriously damaged, diseased or defective, it/they shall be replaced by planting as originally approved, unless the Local Planning authority gives its written approval to any variation. This replacement planting shall be undertaken before the end of the first available planting season (October to March inclusive for bare root plants), following the removal, uprooting, destruction or death of the original trees or plants.

Reason: To ensure the environment of the development is improved and enhanced, having regard to Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

14. Ground investigation works shall be undertaken in order to establish the soil classification, moisture contents, plasticity indexes and CBR values. The ground investigation report (including exploratory holes logs, in-situ and laboratory test results, together with the interpretation of the data used to establish the Design CBR value), and a geotechnical report providing details of site contamination of any type, soil classification at formation level, CBR values, ground water levels, and safe earthworks slopes shall be submitted to the Local Planning Authority for review and approval at the detailed design stage.

Reason: To clarify the level of detail of ground investigation works to be undertaken to form part of any subsequent application for reserved matters in the interests of highway safety and public convenience, having regard to Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

15. No works involving the removal of potential bird nesting habitats, comprised of trees, hedges, scrub, shrubs and ruderal vegetation, shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of all such trees, hedges, scrub, shrubs and ruderal vegetation for active birds' nests immediately before works proceed and vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority and written agreement from the Local Planning Authority so obtained.

Under no circumstances should blocking bird access to certain areas and features in using plastic bird netting hung over the gaps and apertures be carried out, as this can lead to entrapment from birds caught in netting.

Reason: To provide adequate safeguards for nesting birds, which are afforded protection under the Wildlife and Countryside Act 1981 (as amended), having regard to Policy EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

16. A static bat detector survey shall be undertaken on site to ascertain the use of the site by commuting and foraging bats. Static detectors shall be deployed on site between April and October for a period of one week per month. Initially, three months' worth of data shall be collected, to gain an understanding of the use of the site by bats. The data gathered shall be used to inform the overall site layout, landscaping and any lighting schemes.

Reason: All bats are afforded protection under the Habitats Regulations 2017 by which populations are to be maintained at Favourable Conservation Status as defined under Article 1 of the Habitats Directive 1992. Lacking evidence to the contrary it must be assumed the boundary hedgerows and trees forms part of the habitat available to maintain local bat populations. Bat species are adversely affected by the introduction of artificial lighting on commuting routes, which in effect can cause severance between roosts and foraging areas. A dark boundary area will also help maintain other light sensitive species on site and contribute towards conserving biodiversity.

17. Any trenches or large pipes (greater than 200mm diameter) must be covered at night. Any open excavations left exposed overnight during the construction phase shall have a means of escape for badgers and other mammals. This will comprise a shallow sloped edge or board (of at least 30cm width) set at an angle of no more than 30°

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006. To ensure compliance with the Protection of Badgers Act 1992, which affords badger setts protection from intentional or reckless interference.

18. Any vegetation in the construction area, comprised of grassland and tall ruderal herbs should initially be reduced to a height of 10 centimetres above ground level, brushings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between March and October.

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; South Somerset District Council Local Plan - Policy EQ4 Biodiversity; and the Council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

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

Reason: In the interests of highway safety and in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

20. Before the dwellings hereby permitted are first occupied, the vehicular and pedestrian accesses shall be constructed generally in accordance with the approved drawings nos. 2607-DR-A-050-001 Rev A, 2607-DR-A-050-004 Rev A and 2607-DR-A-050-005 and shall be properly consolidated and surfaced (not loose stone or gravel), the details of which shall have been submitted to and approved in writing by the Local Planning Authority. The accesses shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of sustainable development and highway safety, further to Policies EQ2, TA1, TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

21. Unless otherwise agreed in writing by the Local Planning Authority in consultation with the County Highway Authority, no dwelling hereby permitted shall be occupied until bollards, or similar features, to prevent vehicular access onto the footpaths have been provided/constructed on all the footpaths that enter /exit the site from West Street, in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such details shall indicate their locations, numbers, appearance/design, materials of construction, colour finishes and heights. The approved bollards or similar features shall thereafter be maintained and retained in situ at all times, unless the Local Planning Authority consents in writing to their removal.

Reason: To prevent unacceptable vehicular and pedestrian conflict in the interests of public safety and convenience, having regard to Policies EQ2, TA1 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

22. No dwelling hereby permitted shall be occupied until a scheme of street lighting has been installed to serve the development 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 Policies TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

23. No dwelling hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the application site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development and highway safety, in accordance with Policies TA1, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

24. All garaging, parking and turning spaces shall be provided, laid out, surfaced, drained and (where appropriate) delineated in accordance with plans to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the dwellings hereby permitted to which they serve. Thereafter they shall be maintained and retained for such purposes of parking and turning of vehicles (including motorcycles and bicycles) incidental to the occupation and enjoyment of the dwellings and kept permanently free from any other forms of obstruction. Nor shall any proposed garages be used for, or in connection with, any commercial trade or business purposes and they shall not be converted into habitable accommodation, including domestic workshop, study, games room and similar uses, without the prior written approval of the Local Planning Authority.

Reason: To protect the visual and residential amenities of the site and surrounds and to ensure that adequate on-site parking and turning spaces are provided and thereafter retained to enable vehicles to turn on-site without having to reverse onto the County highway, in the interests of and for the safety of persons and vehicles using the development and the adjoining road, having regard to Policies EQ2, TA1, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

25. No dwelling hereby permitted shall be occupied until electric vehicle charging points (EVCP's) rated at a minimum of 16 amps have been provided for each dwelling within its associated garage and/or parking space. Such provision shall be in accordance with details indicating siting, numbers, design, rating and appearance of the EVCP's which shall be previously submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure provision of EVCP's for low emission vehicles as part of the transition to a low carbon economy, having regard to Policy TA1 of the South Somerset Local Plan and relevant guidance within the NPPF.

26. No dwelling hereby permitted shall be occupied until refuse and recycling storage areas have been provided to serve each dwelling in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such details shall include the siting, area and means of hardening, draining and screening of such refuse/recycling storage areas. The refuse/recycling storage areas shall thereafter be retained and maintained as such, unless the Local Planning Authority gives prior written approval to any subsequent variations.

Reason: In order to provide adequate provision of on-site refuse and recycling storage to serve the development to ensure that any impact on visual and residential amenity is kept to a minimum, having regard to Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

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

Reason: In the interests of highway safety and in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

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

Reason: In the interests of highway safety further to Policies TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

29. 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 Policies TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

30. Except for the installation of any street lighting approved pursuant to condition 22, prior to the erection, installation, fixing, placement and/or operation of any other external lighting on the site (including on any of the buildings themselves), details of such external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the equipment and supporting structures, positions, sizes, heights, type, luminance/light intensity, direction and cowl of all external lights to the buildings and any other parts of the application site and the hours at which such lighting is to be operated.

No artificial lighting associated with the development shall illuminate the boundary habitats, newly created habitats, or any proposed bat boxes, bat roosts or flight paths used by foraging or commuting bats.

The external lighting shall thereafter be carried out in accordance with the approved details (unless the Local Planning Authority gives prior written approval to any subsequent variations), and shall thereafter be retained in that form.

Reason: To safeguard the rural character and appearance of the locality; to safeguard the residential amenities of owners/occupiers of neighbouring property; to safeguard any biodiversity interests; and in the interests of public safety and convenience, having regard to Policies EQ2, EQ4 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

31. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning authority by the applicant/developer. Such unsuspected contamination may include obvious visual or olfactory residues, asbestos including asbestos containing materials such as roofing, buried drums, drains, interceptors, additional fuel storage tanks or any other unexpected hazards that may be discovered during site works.

An investigation and risk assessment must be undertaken and, where necessary, a remediation scheme must be prepared; these will be subject to the written approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation

scheme a validation report must be prepared, which will be subject to approval in writing from the Local Planning Authority prior to the occupation of any dwellings so affected by the contaminated area.

Reason: In the event that unsuspected contamination is encountered, the agreement of various risk assessments and any necessary remediation measures and validation report undertaken is fundamental to ensure that risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, having regard to Policies EQ2 and EQ7 of the South Somerset Local Plan and relevant guidance within the NPPF.

32. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express grant of planning permission, other than that expressly authorised by this permission:

- (a) Part 1, Class A (enlargements, improvements or other alterations);
- (b) Part 1, Class B (roof additions);
- (c) Part 1, Class C (other roof alterations); and
- (e) Part 2, Class A (gates, fences, walls or other means of enclosure);

Reason: To enable the Local Planning Authority to exercise control over development in order to safeguard the character and appearance of the locality in general, by ensuring there are no inappropriate extensions to dwellings and means of enclosure when viewed from public vantage points; to prevent unacceptable harm being caused to the residential amenity of occupiers of adjoining property; to safeguard biodiversity interests; and to safeguard on-site parking and circulation areas, having regard to Policies EQ2, EQ4, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

33. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no construction of any gas compounds, electricity substations, buildings for the purposes of electronic communications or water pumping stations shall commence prior to the submission to and written approval from the Local Planning Authority relating to details of the siting, levels, elevations, dimensions, external materials, access arrangements, boundary treatments and landscaping for each of those utility buildings or compounds. Development shall thereafter be undertaken only in accordance with the approved details.

Reason: To ensure that the siting and external appearance of any utility compounds and buildings is acceptable in relation to the character and visual amenity of the development and the wider area and in the interests of protecting the amenity of occupiers of neighbouring dwellings and buildings; maintaining highway safety; protecting biodiversity; protecting green infrastructure resources; and having regard to Policies EQ2, EQ4, EQ5, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

Informatives:

01. CIL

Please be advised that subsequent full or reserved matters approval by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk

02. Birds

The developer/applicant is reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

In the event that vegetation removal will be taking place then further consultation must be sought prior to this.

03. Bats

The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

04. LEMP

In respect of condition 11d), the appropriate management options for achieving aims and objectives should include:

- a) At least 49 bird boxes as per recommendation by the RSPB in its consultation respons;
- b) A suitable number of bat boxes - at least one per house;
- c) At least one integrated bee brick (<https://www.nhbs.com/bee-brick>) must be built into the external wall space of the each new building. The bricks will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes;
- d) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgerows into and out of the site;
- e) All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native;
- f) Where the landscaping scheme allows all new trees planted on site should ideally be from local native stock, such as field maple, ash, hornbeam, dogwood, spindle and beech.

05. Land Drainage Act

Somerset County Council is the Lead Local Flood Authority (LLFA) as defined by the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009. Under section 23 of the Land Drainage Act there is a legal requirement to seek consent from the relevant authority before piping/culverting or obstructing a watercourse, whether permanent or temporary. This may also include repairs to certain existing structures and maintenance works. This requirement still applies even if planning permission has been granted.

For more information, please visit <https://www.somerset.gov.uk/waste-planning-and-land/apply-for-consent-to-work-on-an-ordinary-watercourse/>

06. Traffic Impact

A condition survey of the existing public Highway should be agreed in advance of any site works. Any damage to the existing Highway caused as a result of this development is to be remedied by the developer before occupation of any dwellings. Photographs taken prior to construction starts should be

available on request.

07. Odour from Neighbouring Farm

Occupiers of the residential units hereby approved may from time to time experience some odour annoyance associated with the neighbouring farm. It should be noted that such annoyances may not necessarily be actionable under Environmental Health powers bestowed upon the Council. Further advice can be obtained from the District Council's Environmental Protection Team.

08. Contamination

It should be noted that, with reference to the National Planning Policy Framework (February 2019) paragraph 179, where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

09. Lighting

In respect of condition 30, light could cause nuisance to existing residential properties and ecological interests. Any lighting should be screened to minimise direct illumination falling on land outside of the development. Appropriate shields, baffles, louvres or diffusers should be installed prior to their use to ensure that nuisance to nearby properties is minimised. As well as giving consideration to direct glare, any lighting scheme shall also take into account upward reflection. Any lighting scheme should be designed in accordance with the Institute of Lighting Engineers "Guidance Notes" for the Reduction of Light Pollution (2011) or similar guidance recognised by the Council, and also Guidance Note 08/18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

10. Designing Out Crime

As suggested by the Avon & Somerset Constabulary - Designing Out Crime Officer, when considering the layout of the residential estate blank gable end walls/elevations that abut public spaces should be avoided, but where they are unavoidable, a buffer zone should be introduced to avoid issues such as graffiti, loitering and ball games.

Agenda Item 18

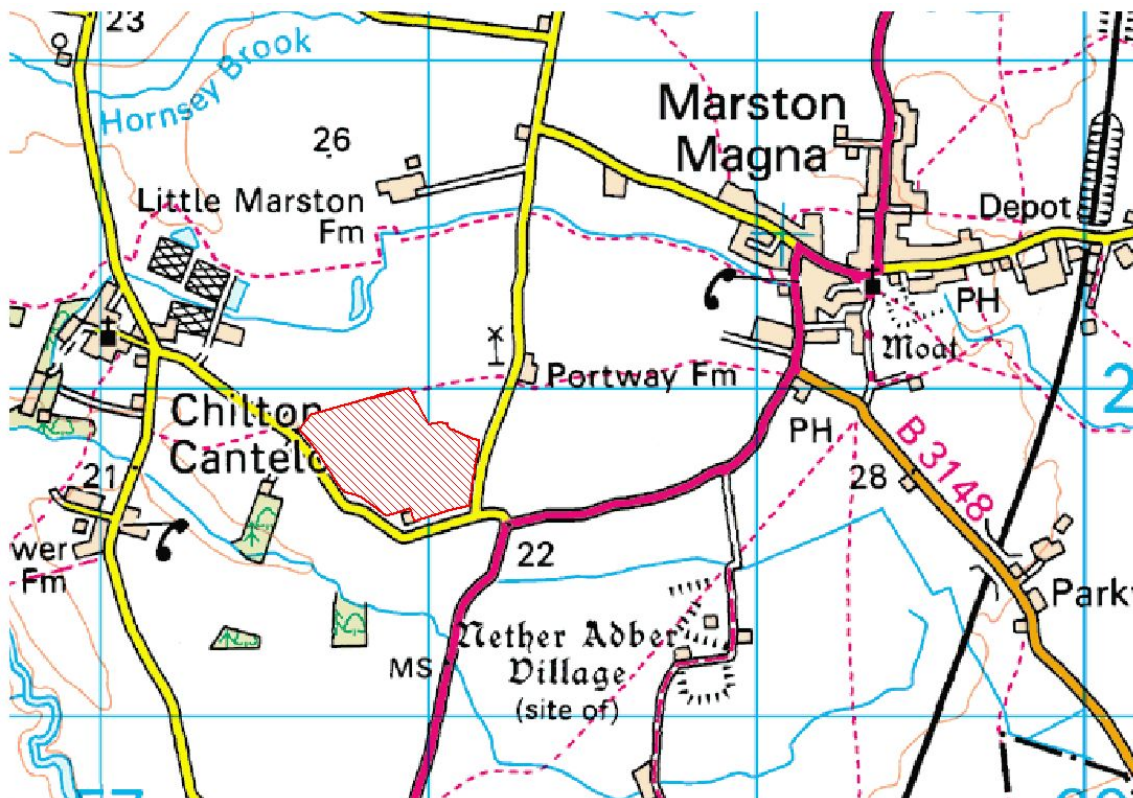
Officer Report On Planning Application: 19/02846/S73A

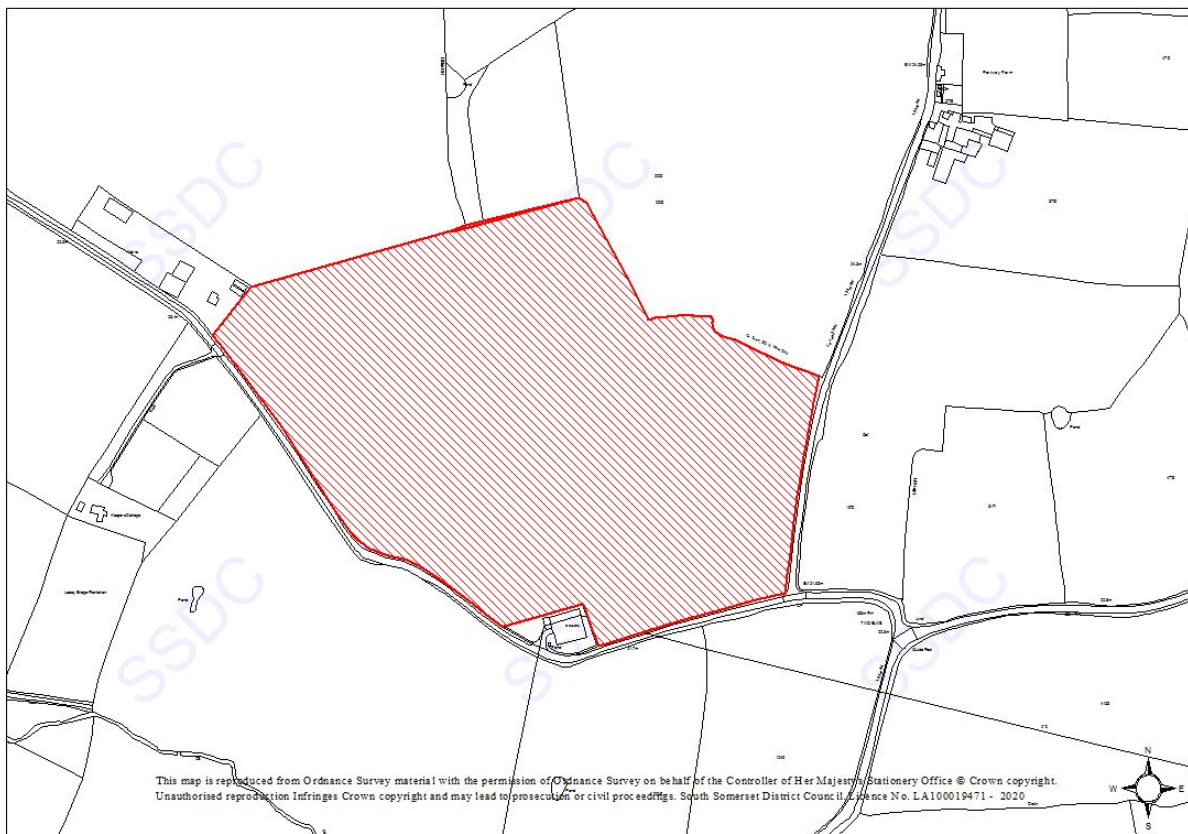
Proposal :	S73A Application for the installation of a secure storage container (without complying with condition 3 of planning permissions 19/01020/FUL, to extend operational life span of secure storage container to 40 years).
Site Address:	Chilton Cantelo Solar Park Chilton Cantelo Yeovil
Parish:	Chilton Cantelo
NORTHSTONE, IVELCHESTER & ST MICHAEL'S Ward (SSDC Member)	Cllr A Capozzoli Cllr C Hull Cllr P Rowsell
Recommending Case Officer:	Neil Simpson Tel: 01935 462462 Email: planningcaseteam@southsomerset.gov.uk
Target date :	10th December 2019
Applicant :	Chilton Cantello Solar Park Limited
Agent: (no agent if blank)	Mr Stephen MacLeod Intelligent Alternatives 100 Brand Street Glasgow G511DG
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASONFOR REFERRAL TO COMMITTEE

This application is referred to the Area East Committee as development associated with the 'major major' development (application 19/02847/S73A)

SITE DESCRIPTION AND PROPOSAL





The applicant seeks variation to Condition 3 of the granted consent (19/01020/FUL) for the installation of a secure storage container at Chilton Cantelo Solar Park to extend the operational life span of the secure storage container to 40 years in step with the expected life of the solar array.

HISTORY

19/01020/FUL: Installation of a secure storage container - Permitted with conditions

12/01055/FUL. Revised inverter layout, reduction in area covered by P.V modules and reduced area within security fencing. - Permitted.

12/01055/FUL: Erection of a solar farm comprising the erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks and ancillary equipment. Permitted with conditions.

11/01905/EIASS: Proposed solar photovoltaic farm. EIA not required.

History for storage / works compound:

10/03713/COU: Change of use from Use Class B8 to a mixed B8 / B2 use for the sorting, processing and storage of recyclable materials. Refused due to insufficient information to assess the impact the proposal would have upon amenity, local landscape and highway safety.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF (2019) indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise

South Somerset Local Plan (2006-2028)

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

SD1 - Sustainable Development

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

TA5 - Transport Impact of New Development

National Planning Policy Framework March 2019

- 2. Achieving sustainable development
- 4. Decision-making
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change
- 15 Conserving and Enhancing the Natural Environment

Other Material Considerations

National Design Guide 2019

Somerset County Council Parking Strategy (as amended September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2013)

CONSULTATIONS

Chilton Cantelo Parish Council

No comment received.

SCC Highway Authority

Standing Advice Applies

SSDC Highways Consultant

No highways issues - no objection.

REPRESENTATIONS

No representations received.

CONSIDERATIONS

The applicant is seeking to extend the life of the consented in situ works from 25 years to 40 years from the date of the original consent (12/01055/FUL).

Visual Amenity

The applicant is seeking to extend the life of the consented in situ works. No changes to scale and design are proposed and therefore there is no material increase in the visual impact of the scheme. For these reasons, the application is considered to be in accordance with the NPPF (2019), and Policy EQ2 of the South Somerset Local Plan (2006-2028).

Highways

The Highways Authority and SSDC Highway Consultant have both commented that the highway safety implications of the current S73 application have now been assessed and considered to not be harmful to highway safety. For these reasons, the application is considered to be in accordance with the NPPF (2019), and Policy TA5 of the South Somerset Local Plan (2006-2028).

CONCLUSION

There are no objections to these minor changes to an already approved scheme.

The Officer considers the application would not represent harm to residential or visual amenity and can be dealt with under a Section 73A application. The changes to scale and design are not considered to present a material increase in the visual impact of the approved scheme and the changes to access

would not impact highway safety.

RECOMMENDATION

Grant consent for the following reason:

01. The proposal, by reason of the changes to scale and design, is not considered to present a material increase in the visual impact of the approved scheme or to harm highway safety and is in accordance with Policies SD1, EQ1, EQ2 and TA5 of the South Somerset Local Plan (2006-2028), and the provisions of the NPPF (2019).

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in complete accordance with the following approved plans: 1:10,000 Location Plan, 1:5000 Location Plan, 1:1250 Location Plan, 1:200 Container Location Plan and NMA Container Specification.

Reason: For the avoidance of doubt as to the development authorised, in the interests of proper planning and in the interests of visual amenity, in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework (2019).

02. The development hereby permitted shall be removed and the land restored to its former condition within 40 years of 13th July 2012, (being the decision date of original solar farm planning permission 12/01055/FUL), or within six months of the cessation of the use of the solar farm for the generation of electricity whichever is the sooner.

Reason: In the interests of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework (2019).

Agenda Item 19

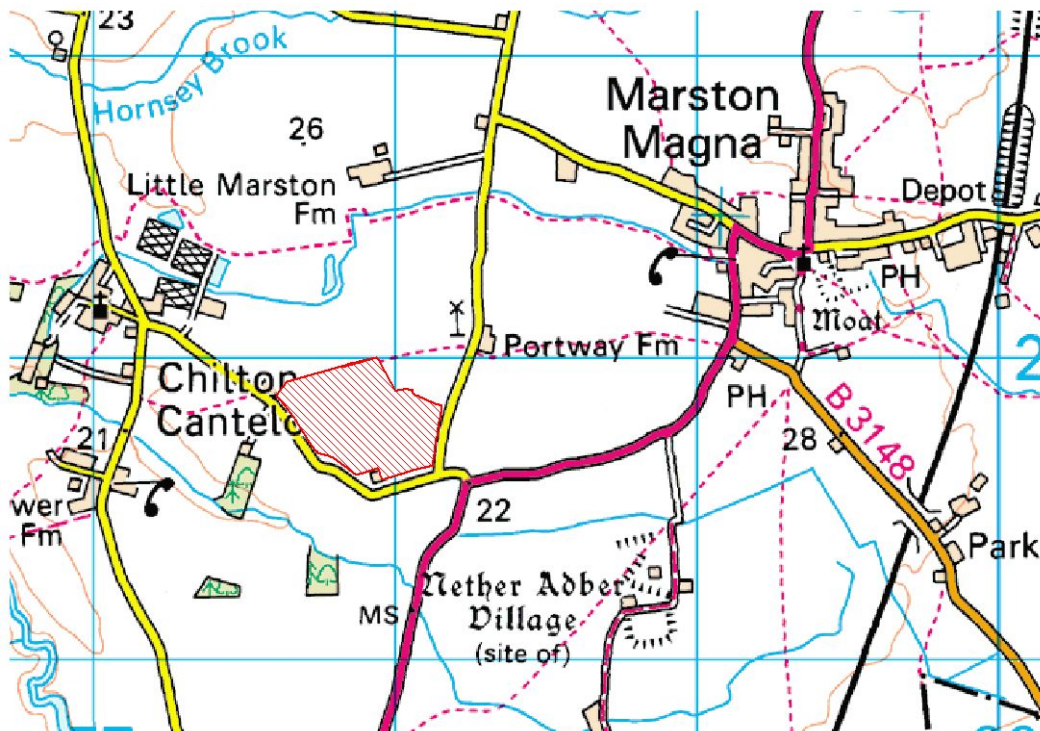
Officer Report On Planning Application: 19/02847/S73A

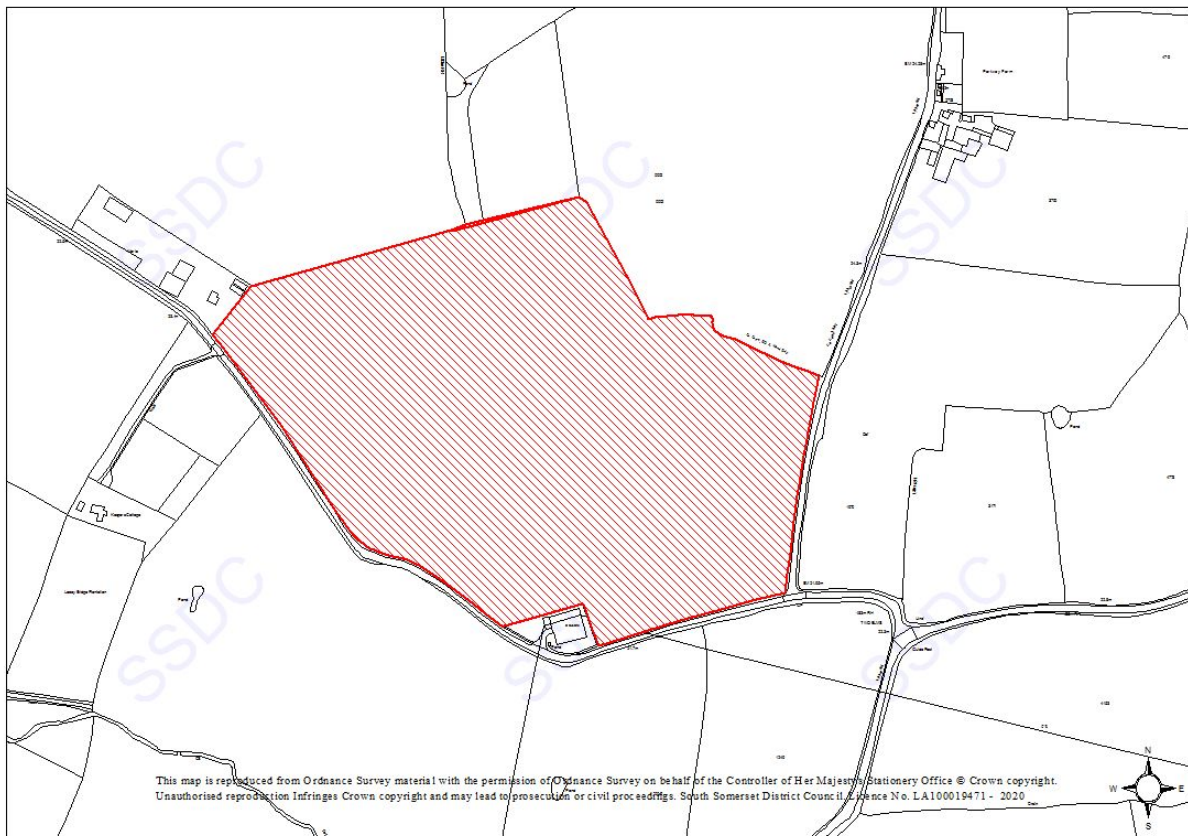
Proposal:	S73A Application for the erection of a solar farm comprising the erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks and ancillary equipment (without complying with Condition 7 of planning permission 12/01055/FUL, to extend operational lifespan of Solar Farm to 40 years).
Site Address:	Chilton Cantelo Solar Park Chilton Cantelo Yeovil
Parish:	Chilton Cantelo
NORTHSTONE, IVELCHESTER & ST MICHAEL'S Ward (SSDC Member)	Cllr A Capozzoli Cllr C Hull Cllr P Rowsell
Recommending Case Officer:	Neil Simpson Tel: 01935 462462 Email: planningcaseteam@southsomerset.gov.uk
Target date :	14th January 2020
Applicant :	Chilton Cantello Solar Park Limited
Agent: (no agent if blank)	Mr Stephen MacLeod Intelligent Alternatives 100 Brand Street Glasgow G511DG
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL

The application was referred to Committee in terms of the Council's Scheme of Delegation as it comprises a large scale major development proposal ('Major Major').

SITE DESCRIPTION AND PROPOSAL





The applicant seeks variation to Condition 7 of the granted consent (12/01020/FUL) for the erection of a Solar Farm to extend the operational life span of the Solar Farm to 40 years.

HISTORY

19/01020/FUL: Installation of a secure storage container - Permitted with conditions

12/01055/FUL. Revised inverter layout, reduction in area covered by P.V modules and reduced area within security fencing. - Permitted.

12/01055/FUL: Erection of a solar farm comprising the erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks and ancillary equipment. Permitted with conditions.

11/01905/EIASS: Proposed solar photovoltaic farm. EIA not required.

History for storage / works compound:

10/03713/COU: Change of use from Use Class B8 to a mixed B8 / B2 use for the sorting, processing and storage of recyclable materials. Refused due to insufficient information to assess the impact the proposal would have upon amenity, local landscape and highway safety.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF (2019) indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise

South Somerset Local Plan (2006-2028)

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

SD1 - Sustainable Development

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ4 - Biodiversity

EQ5 - Green Infrastructure
EQ7 - Pollution Control
TA5 - Transport Impact of New Development

National Planning Policy Framework March 2019

- 2. Achieving sustainable development
- 4. Decision-making
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the Challenge of Climate Change, Flooding and Coastal Change
- 15. Conserving and Enhancing the Natural Environment

Other Material Considerations

National Design Guide 2019
Somerset County Council Parking Strategy (as amended September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2013)

CONSULTATIONS

Chilton Cantelo Parish Council

No comment received.

West Camel Parish Council

West Camel Parish Council met last evening in full scheduled session and reviewed this application. Councillors were minded to Not Object to this application on the grounds that a) it is in a neighbouring parish and b) extending the life of the site to 40 years appears to be in keeping with National and Local Government 'Green Policies'.

SCC Highway Authority

Standing Advice Applies

SSDC Highways Consultant

No highways issues - no objection.

Somerset County Ecologist

Given the Climate Change declarations made by both SSDC and SCC the need to generate sustainable renewable energy is paramount. I therefore have no objections to extend the life of the scheme to 40 years.

Environmental Protection Unit

No comments to make from an Environmental Health point of view.

MOD

The MOD have confirmed the safeguarding position of the Ministry of Defence in respect of this application.

REPRESENTATIONS

No representations received.

CONSIDERATIONS

Permission was granted under application 12/01055/FUL for the installation of a solar array, together with associated equipment. The permission was for a period of 25 years from the date of approval, 17 July 2012. Condition 07 attached to that permission states:

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

Reason: In the interests of landscape character and visual amenity in accordance with Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan.

The applicant is seeking to extend the period of the consented development from 25 years to 40 years from the date of the original consent (17 July 2012).

While acknowledging that this is a relatively sizeable increase in time, there are, however, no obvious concerns raised. While it is acknowledged that approval would result in the effects of the development being longer in duration, there would be no change in the nature of the impacts, while it is noted that these remain temporary and would be fully reversible in time. The benefits of the proposal include the opportunity to continue generating renewable energy, supporting national and local objectives relating to the installation and continuation of renewable energy sources.

Overall, there are considered to be no long-term adverse impacts resulting from the proposal to extend the operational lifespan of the solar park from 25 years to 40 years as such consent is not deemed to have a material impact on the temporary nature of the development and supports national and local objectives relating to the installation and continuation of renewable energy sources. For these reasons, the application is considered to be in accordance with Policies SD1 and EQ1 of the South Somerset Local Plan (2006-2028).

Visual Amenity

The applicant is seeking to extend the life of the consented in situ works. No changes to scale and design are proposed and therefore there is no material increase in the visual impact of the scheme. It is therefore considered that the proposal would not have an adverse impact on the landscape character.

For these reasons, the application is considered to be in accordance with Policies SD1 and EQ2 of the South Somerset Local Plan (2006-2028).

Highways

The Highways Authority and SSDC Highway Consultant have both commented that the highway safety implications of the current S73 application have now been assessed and considered to not be harmful to highway safety. For these reasons, the application is considered to be in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

CONCLUSION

The proposal to vary the operational lifespan of the solar farm for a period of 40 years is considered acceptable, having no material impact on the temporary nature of the permission, and causing no demonstrable harm to landscape character, neighbour amenity, highway safety or the environment. The proposal is in accordance with the aims and objectives of the NPPF and Policies SD1, TA5, EQ1, EQ2, EQ4, EQ5 and EQ7 of the South Somerset Local Plan and the application is recommended for approval.

RECOMMENDATION

Grant consent for the following reasons:

01. The proposal to vary the operational lifespan of the solar farm for a period of 40 years is considered acceptable, having no material impact on the temporary nature of the permission, and causing no demonstrable harm to landscape character, neighbour amenity, highway safety or the

environment. The proposal is in accordance with the aims and objectives of the NPPF and Policies SD1, TA5, EQ1, EQ2, EQ4, EQ5 and EQ7 of the South Somerset Local Plan and the application is recommended for approval.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location plan and planning application boundary plan received 20/03/2012
Drawings numbered 11853-SD07 and 3001_Rev B received 20/03/2012
Drawings numbered 2334_100_Rev E, 2334_300_Rev B, 2334_301_Rev A received 02/05/2012

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

02. The perimeter fencing and CCTV equipment hereby approved shall accord with the height, colours, appearance and other specifications set out in the letter and attachments from Landmark Practice dated 02/05/2012.

Reason: In the interests of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028) and the relevant aims and priorities of the National Planning Policy Framework (2019).

03. The supporting posts to the solar array shall be anchored into the ground as shown in drawing no. 2334_300 Rev B received 02/05/2012 and shall not be concreted into the ground.

Reason: In the interests of sustainable construction and to accord with Policies SD1 and EQ2 of the South Somerset Local Plan (2006-2028) and the relevant aims and priorities of the National Planning Policy Framework (2019).

04. The development hereby permitted shall be based on the indicative planting scheme detailed on plan 2334_100_Rev E received 02/05/2012 and shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the approved development and a management plan for the maintenance of the hedgerows around the perimeter of the site for the operational lifetime of the development. The approved details shall be carried out in the first planting and seeding season following the commencement of the development. Any trees or plants which, within the operational lifetime 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: In the interests of visual amenity and landscape character in accordance with Policy EQ5 of the South Somerset Local Plan (2006-2028) and the relevant aims and priorities of the National Planning Policy Framework (2019).

05. The development shall be carried out in accordance with the approved details regarding surfacing materials for all hardstanding and tracks to serve the development and shall not be altered unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the amenities of the locality and in accordance with Policies SD1 and EQ2 of the South Somerset Local Plan (2006-2028) and the relevant aims and priorities of the National Planning Policy Framework (2019).

06. The development hereby permitted shall be removed and the land restored to its former condition within 40 years of the date of permission 12/01020/FUL or within six months of the cessation of the use of the solar farm for the generation of electricity whichever is the sooner in accordance

with a restoration plan to be submitted to and approved in writing by the Local Planning Authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all structures, materials and any associated goods and chattels from the site.

Reason: In the interests of landscape character and visual amenity in accordance with Policies SD1, EQ1 and EQ2 of the South Somerset Local Plan (2006-2028) and the relevant aims and priorities of the National Planning Policy Framework (2019).

07. The development hereby permitted shall only be carried out in accordance with the mitigation measures set out within the Flood Risk Assessment (FRA) by H2OK dated March 2012 and associated drawing number 3001 Rev B received 20/03/2012 to limit the surface water run-off generated by the 1:100 year storm so that it will not exceed the run-off from the undeveloped site.

Reason: To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site in accord with Policies SD1 and EQ1 of the South Somerset Local Plan (2006-2028) and the relevant aims and priorities of the National Planning Policy Framework (2019).

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

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies SD1, EQ1 and EQ2 of the South Somerset Local Plan (2006-2028) and the relevant aims and priorities of the National Planning Policy Framework (2019).

09. No works shall be carried out, no machinery operated and no deliveries taken or despatched from the site at any time on Sundays, bank or public holidays or outside the hours 07.00 to 18.30 Mondays to Fridays and 07.00 to 12.30 on Saturdays for the duration of the construction phase of the development hereby permitted.

Reason: In the interest of the amenities of the area to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028) and the relevant aims and priorities of the National Planning Policy Framework (2019).

10. The works shall be implemented in accordance with the approved details and timing of the approved 'Ecological Working Method Statement', unless otherwise agreed in writing by the local planning authority.

Reason: For the conservation and protection of legally protected species of recognised nature conservation importance in accordance with Policies EQ1 and EQ4 of the South Somerset Local Plan (2006-2028), and to ensure compliance with the Wildlife and Countryside Act 1981 and the relevant aims and priorities of the National Planning Policy Framework (2019).

Informatives:

01. There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.