

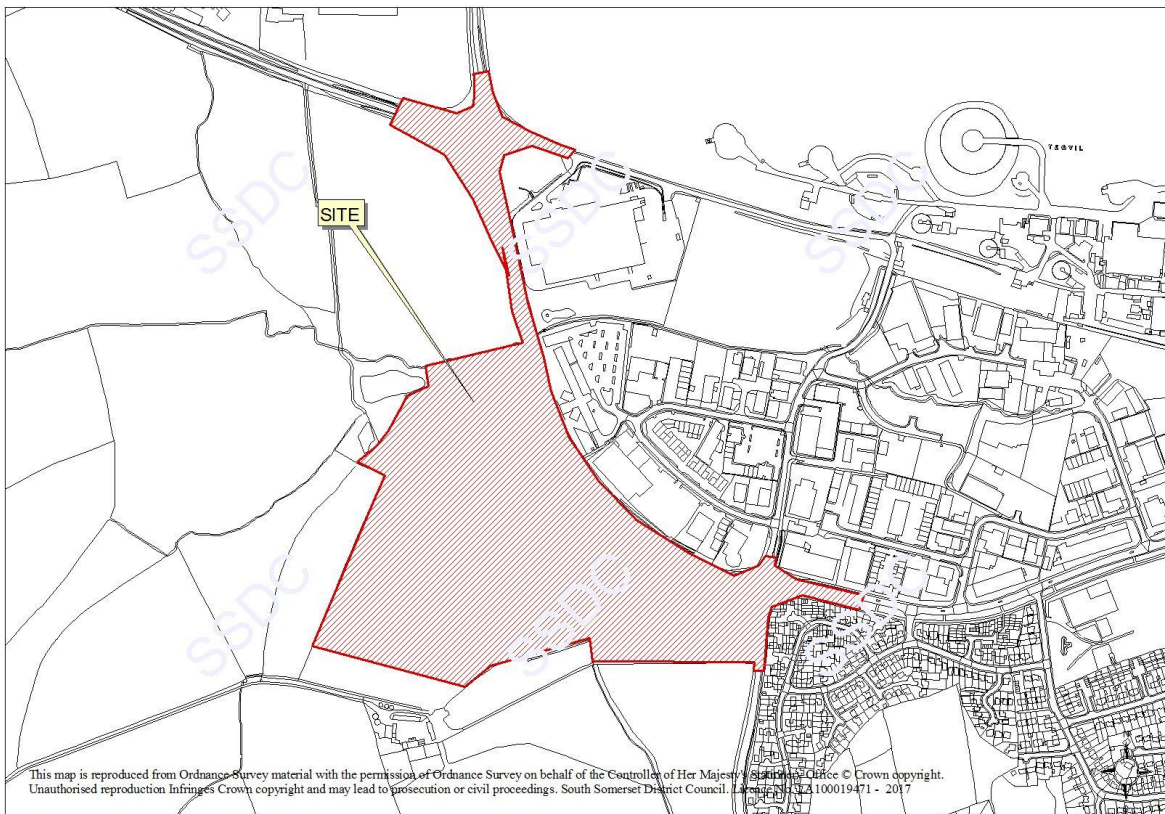
Officer Report On Planning Application: 17/04220/DPO

Proposal :	Application to vary S106 agreement dated 2nd March 2011 between South Somerset District Council, E.N.B Clive-Ponsonby-Fane, C.E.B Clive-Ponsonby-Fane, J.B Clive-Ponsonby-Fane and Abbey Manor Group Limited to replace the obligation to undertake highway works with a financial contribution of equivalent value.
Site Address:	Land South Of The A3088 Western Relief Road Yeovil
Parish:	West Coker
COKER Ward (SSDC Member)	Cllr G Seaton Cllr Cathy Bakewell
Recommending Case Officer:	Simon Fox Tel: (01935) 462509 Email: simon.fox@southsomerset.gov.uk
Target date :	13th December 2017
Applicant :	Abbey Manor Group Limited
Agent: (no agent if blank)	
Application Type :	Non PS1 and PS2 return applications

Reason for referral to committee

This application is referred to Area South Committee at the request of the Development Manager due to the nature of the proposal, its implications and the fact the planning obligation is related to a major application that Members previously considered.

Site Description and Proposal



This application relates to land to the east of the Western Relief Road, forming part of the allocated employment site (ME/WECO/1) commonly referred to as Bunford Park. This allocation has an overall area of 16.5 hectares (41 acres).

The site as a whole has outline permission (07/05341/OUT) for B1 office and industrial use.

Alongside the permission associated s106 planning obligations cover:-

- The construction of the vehicular access to the site;
- Off-site highway works -

Phase 1 -

Alterations to the directional lane markings at the Watercombe Lane/Lysander Rd/A3088 Western Relief Road junction

Interim improvements to the capacity of the roundabout at the junction of Bunford Lane/A3088 Western Relief Road

Phase 2 -

Improvements to the roundabout at the junction of Watercombe Lane/Lysander Road/A3088 Western Relief Road

The provision of a signal controlled through-about at the junction of Bunford Lane/A3088 Western Relief Road

- To instruct the internal estate road prior to occupation of any of the buildings;
- To carry out strategic landscaping in accordance with an approved plan prior to commencement of the development;
- To carry out the development in accordance with the Design Code;
- To comply with the Framework Travel Plan; and
- To pay a Travel Plan contribution.

Approval of the reserved matters (not access) is being sought via application 16/01185/REM. This application is pending which means the outline consent is still extant.

This DPO (Discharge/Variation of Planning Obligation) application is made to replace the obligation to undertake the physical highways works described under Phase 1 and 2 above with a financial contribution of the equivalent value. All other obligations will remain the responsibility of the developer.

It is understood the request for a financial contribution rather than the developer undertaking the works originates from the Highway Authority as the works will now be incorporated into the Yeovil Western Corridor scheme being implemented by Somerset County Council. As such an alternative financial sum equating to the cost the developer would have otherwise incurred is sought. Discussions between the developer, Abbey Manor Group and Somerset County Council, indicate this sum is £589,838.30. Somerset County Council is not a signatory to the agreement which is between SSDC, Abbey Manor Group and the landowners.

The application site lies within the parish of West Coker but the highway works referred to fall into Brympton PC, Yeovil TC and East Coker PC areas.

Members will also note that this is the site subject to the current and pending Hybrid application for a supermarket and industrial development, ref 17/02805/HYBRID.

POLICY AND GUIDANCE

DCLG: The National Planning Policy Framework (March 2012) (replaced Circular 5/05 - Planning Obligations)

CONSULTATIONS

A site notice has been displayed and a press advert placed.

Comments from West Coker, East Coker, Brympton and Odcombe Parish Councils and Yeovil Town Council are awaited.

Comments from Somerset County Council as Highway Authority are awaited.

CONSIDERATIONS

Section 106A of the Town and Country Planning Act 1990 allows a developer to submit an application to vary or discharge the requirements of a planning obligation.

The changes requested here are made at the instigation of Somerset County Council as Highway Authority and promoters of the Yeovil Western Corridor scheme.

As Members are aware the Yeovil Western Corridor scheme is progressing and as such Somerset County Council requires security regarding the financial contribution as soon as possible. This explains the hastily submitted deed of variation and this referral to Area South Committee as the project risks delay if agreement is not sought. The developer is not at fault in this regard and has been awaiting direction from Somerset County Council for some time as to how to proceed.

A formal consultation response from Somerset County Council as Highway Authority is awaited.

Parish/Town Councils have been notified but this is largely for information only.

An oral update will be given. The consultation period extends up to and includes the 16th November 2017.

CONCLUSION

It is concluded that the request will enable the Yeovil Western Corridor scheme to proceed in a timely manner and would not prejudice any matter with regard to the delivery of the development.

RECOMMENDATION

Subject to no adverse comments being received by 16th November 2017:

1. To approve the modifications as requested.
2. To instruct the Council's Solicitor to modify the planning obligation.