

South Somerset District Council
Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 23 April 2014

3.30pm

**Village Hall
New Road
Norton Sub Hamdon
TA14 6SF**

(disabled access is available at this meeting venue)



The public and press are welcome to attend.

Please note: Planning applications will be considered no earlier than 4.00pm.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, Becky Sanders on Yeovil (01935) 462462.
email: becky.sanders@southsomerset.gov.uk
website: www.southsomerset.gov.uk

This Agenda was issued on Thursday 10 April 2014.

Ian Clarke, Assistant Director (Legal & Corporate Services)

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



INVESTOR IN PEOPLE

Area North Membership

Pauline Clarke
Graham Middleton
Roy Mills
Terry Mounter
David Norris

Patrick Palmer
Shane Pledger
Jo Roundell Greene
Sylvia Seal

Sue Steele
Paul Thompson
Barry Walker
Derek Yeomans

Somerset County Council Representatives

Somerset County Councillors (who are not also elected district councillors for the area) are invited to attend area committee meetings and participate in the debate on any item on the agenda. **However, it must be noted that they are not members of the committee and cannot vote in relation to any item on the agenda.**

South Somerset District Council – Council Plan

Our focuses are: (all equal)

- Jobs – We want a strong economy which has low unemployment and thriving businesses.
- Environment – We want an attractive environment to live in with increased recycling and lower energy use.
- Homes – We want decent housing for our residents that matches their income.
- Health & Communities – We want communities that are healthy, self-reliant, and have individuals who are willing to help each other.

Scrutiny procedure rules

Please note that decisions taken by Area Committees may be "called in" for scrutiny by the council's Scrutiny Committee prior to implementation. This does not apply to decisions taken on planning applications.

Consideration of planning applications

Consideration of planning applications for this month's meeting will commence no earlier than 4.00pm, in the order shown on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

A representative from the Area Highways Office will normally attend Area North Committee quarterly in February, May, August and November – they will be available from 1.40pm at the meeting venue to answer questions and take comments from members of the Committee. Alternatively, they can be contacted through Somerset Highways direct control centre on 0845 345 9155.

Members questions on reports prior to the meeting

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

Information for the public

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

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

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

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

Meetings of the Area North Committee are held monthly, usually at 2.00pm (unless specified otherwise), on the fourth Wednesday of the month (except December) in village halls throughout Area North (unless specified otherwise).

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

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

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

Public participation at committees

This is a summary of the protocol adopted by the council and set out in Part 5 of the council’s Constitution.

Public question time

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

Planning applications

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the public question time session.

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

At the committee chairman's discretion, members of the public are permitted to speak for up to 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.

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

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

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

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

Area North Committee

Wednesday 23 April 2014

Agenda

Preliminary Items

1. **To approve as a correct record the minutes of the meeting held on 26 March 2014.**
2. **Apologies for absence**
3. **Declarations of interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9. In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

Planning applications referred to the Regulation Committee

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

Councillors Terry Mounter, Shane Pledger, Sylvia Seal and Paul Thompson.

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

4. **Date of next meeting**

Councillors are requested to note that the next Area North Committee meeting is scheduled to be held at 2.00pm on **Wednesday 28 May 2014** at the **Village Hall, Chilthorne Domer**.

5. Public question time
6. Chairman's announcements
7. Reports from members

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Items for Discussion

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**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.**

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Area North Committee – 23 April 2014

8. Flooding Update

Strategic Director: Rina Singh, Place and Performance
Assistant Director: Kim Close/Helen Rutter, Communities
Service Manager: Charlotte Jones, Area Development Manager (North)
Lead Officer: As above
Contact Details: charlotte.jones@southsomerset.gov.uk or (01935) 462251

The Area Development Manager (North) will provide a verbal update on the latest situation regarding the recent flooding in South Somerset.

Area North Committee – 23 April 2014

9. Area North Committee – Forward Plan

Strategic Director: Rina Singh, Place and Performance
Assistant Directors: Helen Rutter & Kim Close, Communities
Service Manager: Charlotte Jones, Area Development (North)
Lead Officer: Becky Sanders, Committee Administrator
Contact Details: becky.sanders@southsomerset.gov.uk or (01935) 462596

Purpose of the Report

This report informs Members of the Area North Committee Forward Plan.

Public Interest

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 North Committee agenda, where members of the committee may endorse or request amendments.

Recommendation

Members are asked to:

Note and comment upon the Area North Committee Forward Plan as attached at Appendix A and identify priorities for further reports to be added to the Area North Committee Forward Plan.

Area North Committee Forward Plan

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 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 SSSDC and SCC corporate aims and objectives.

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

Background Papers: None

Appendix A – Area North Committee Forward Plan

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact the Agenda Co-ordinator; Becky Sanders, becky.sanders@southsomerset.gov.uk

Items marked in italics are not yet confirmed, due to the attendance of additional representatives. Key: SCC = Somerset County Council

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
Monthly	Somerset Levels and Moors Action Plan	A progress report on the Somerset Levels & Moors Action Plan, and Flood Recovery Plan	Charlotte Jones, Area Development Manager (North)
28 May '14	Community Grant	Consideration of a request for financial assistance towards play equipment and park enhancements at High Ham Playing Field.	James Divall, Neighbourhood Development Officer (North)
28 May '14	Appointments to Outside Bodies	New municipal year – appointment of members to working groups and outside bodies.	Becky Sanders, Democratic Services Officer
28 May '14	Revised Scheme of Delegation – Development Control Nomination of Substitutes for Chairman and Vice Chairman for 2014-15	New municipal year – appointment of two members to act as substitutes.	Becky Sanders, Democratic Services Officer
28 May '14	Area Development Plan update	A report on the achievements during 2013-14 in support of the Area Development Plan (North) and agreement of priorities for 2014-15.	Charlotte Jones, Area Development Manager (North)
28 May '14	Building at Risk (Confidential)	A report on a particular historic building at risk in Area North, with an assessment of the council's options for its longer term conservation.	Ian Clarke, Assistant Director (Legal and Corporate Services)

28 May '14	Highways Update	Half yearly report - update on SCC Highways Services.	Neil McWilliams, Assistant Highway Service Manager (SCC)
28 May '14	Streetscene Update	Half yearly update on the performance of SSDC Streetscene Services	Chris Cooper, Streetscene Manager
Jun/Jul '14	<i>Arts and Entertainment</i>	<i>Service update report.</i>	<i>Adam Burgan, Arts & Entertainment Manager and Pauline Burr, Arts Development Officer</i>
25 Jul '14	<i>Local Housing Needs in Area North</i>	<i>A report on the services provided by the Housing and Welfare Team and an update on housing need in Area North.</i>	<i>Kirsty Larkins, Housing and Welfare Manager</i>
TBC	<i>Community Safety</i>	<i>Update report on Community Safety and Neighbourhood Policing in Area North.</i>	<i>Steve Brewer, Community Safety & Projects Co-ordinator, and a representative from Avon and Somerset Constabulary.</i>
TBC	<i>Community Youth Project</i>	<i>A presentation from the Community Youth Project, whose members include Martock, Somerton, Tintinhull, the Hamdons, and Kingsbury Episcopi.</i>	<i>Teresa Oulds, Neighbourhood Development Officer (North)</i>
TBC	<i>Economic Development in Area North</i>	<i>Presentation / discussion on opportunities to promote local economic development</i>	TBC

Area North Committee – 23 April 2014

10. Planning Appeals

Strategic Director: Rina Singh, Place & Performance
Assistant Director: Martin Woods, Economy
Service Manager: David Norris, Development Manager
Lead Officer: As above
Contact Details: david.norris@southsomerset.gov.uk or (01935) 462382

Purpose of the Report

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

Public Interest

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.

Recommendation

That members comment upon and note the report.

Appeals Lodged

None

Appeals Dismissed

None

Appeals Allowed

None

Area North Committee – 23 April 2014

11. Planning Applications

The schedule of planning applications is attached.

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 1998 Issues

The determination of the applications which are the subject of reports in this plans list are considered to involve the following human rights issues: -

1. Articles 8: Right to respect for private and family life.
 - i) Everyone has the right to respect for his/her private and family life, his/her home and his/her correspondence.
 - ii) There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others.
2. The First Protocol

Every natural or legal person is entitled to the peaceful enjoyment of his/her possessions. No one shall be deprived of his possessions except in the public interests and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Each report considers in detail the competing rights and interests involved in the application. Having had regard to those matters in the light of the convention rights referred to above, it is considered that the recommendation is in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

*David Norris, Development Manager
david.norris@southsomerset.gov.uk or (01935) 462382*

Background Papers: *Individual planning application files referred to in this document are held in the Planning Department, Brympton Way, Yeovil, BA20 2HT*

Planning Applications – 23 April 2014

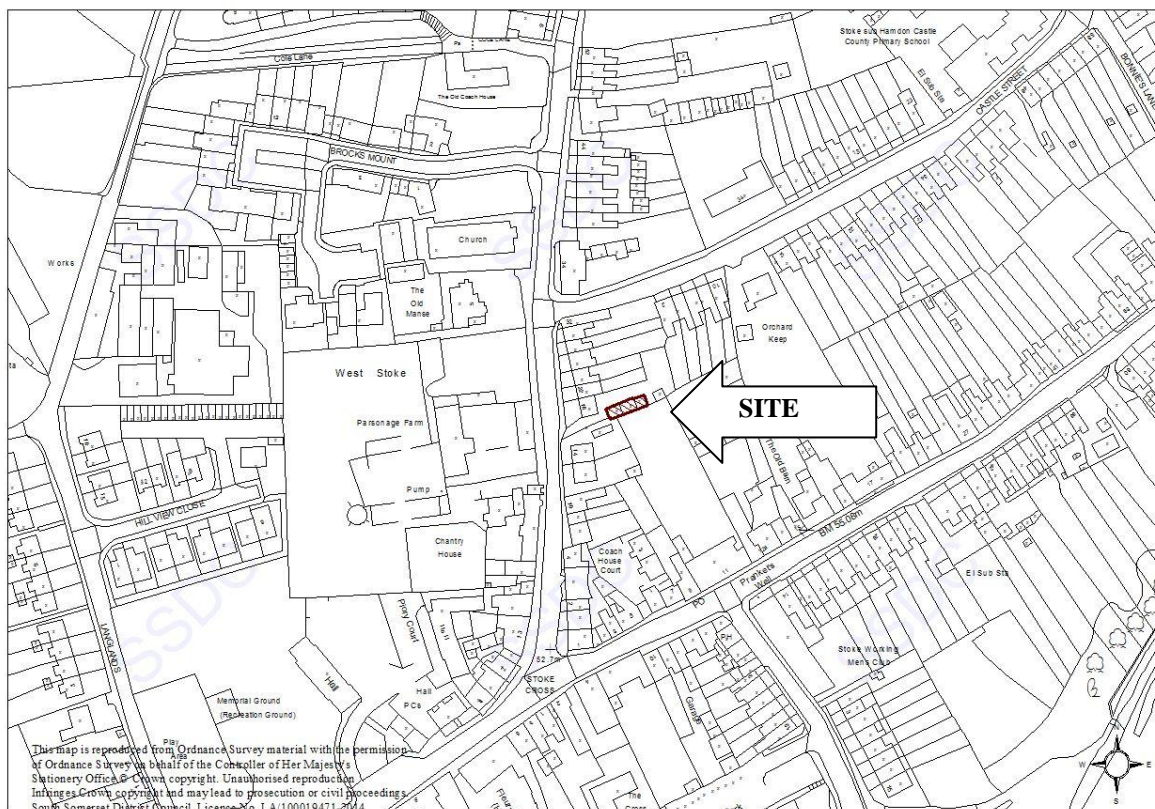
Planning Applications will be considered no earlier than 4.00pm

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.55pm.

The inclusion of two stars (**) as part of the Development Manager's recommendation indicates that the application will need to be referred to the 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 Regulation Committee even if it has not been two starred on the Agenda.

Item	Page	Ward	Application	Proposal	Address	Applicant
1	8	HAMDON	14/00860/ FUL	Conversion of outbuilding to dwelling, refurbishment and erection of single storey extension, and alteration the access.	18 North Street, Stoke Sub Hamdon	Mr J Daffern
2	13	TURN HILL	14/00273/ FUL	Erection of a two storey dwellinghouse and detached single storey garage	Land adjacent The Butts, Langport Road, Long Sutton.	Mr W Cox
3	19	LANGPORT & HUIISH	14/00249/ FUL	Construction of an artificial grass pitch, creation of a permanent car park, erection of fencing, floodlighting and associated landscaping and engineering works.	Huish Episcopi Academy, Wincanton Road, Huish Episcopi.	Ms Amanda Eastwood



The site is located on the north side of North Street, within the conservation area. The principal building - the dwellinghouse - is Grade 2 listed, as is the attached dwellinghouse immediately to the north. To the rear of the house are various outbuildings running along the southern site boundary. Conversion of these building to an annex was recently approved.

The current application is a revision of the approved scheme for an annex, seeking a change of use to form a separate dwellinghouse.

HISTORY

770097 Conversion of disused cottage and smithy into living accommodation. Refused.
 13/02363/FUL - Conversion of outbuilding to annexe, refurbishment and erection of single storey extension, and alteration the access - permitted with conditions

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the South Somerset Local Plan (April 2006):

ST2 - Villages
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EC8 - Protected Species
 EH1 - Conservation Areas
 EH3 - Change of Use and Alterations to Listed Buildings
 EH5 - Setting of Listed Buildings

National Planning Policy Framework (March 2012):

4. Promoting sustainable transport
 6. Delivering a wide choice of high quality homes
 7. Requiring good design
 11. Conserving and enhancing the natural environment
 12. Conserving and enhancing the historic environment

Policy-related Material Considerations

South Somerset Sustainable Community Strategy

Somerset County Council Parking Strategy, March 2012 and September 2013.
 Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: The Parish Council have no observations and no objections provided that nos. 16 & 18 are considered as one property and not sold separately.

Highways Authority: Standing advice applies. It is noted, however, that for the previous application, the highways officer remarked that, whilst an application for an annex to continue using the sub-standard access would not raise an objection, application for a new separate dwelling unit would have to have appropriate access onto the highway in accordance with standing advice. A new dwellinghouse would also require 2 new parking bays for a 1-bed dwellinghouse.

SSDC Conservation Officer: No objections to the works to the building, but a concern is raised about the possibility of subdivision of the garden.

SSDC Ecologist: Whilst ideally a bat survey should be conducted prior to determination, given that a permission for conversion already exists, a condition is recommended for any permission granted.

SSDC Environmental Protection Unit: No comments.

SSDC Tree Officer: (previous application): No objection subject to appropriate tree protection condition.

REPRESENTATIONS

None received.

CONSIDERATIONS

Principle of Development

The site is within the defined development area. The principle of creation of a separate dwellinghouse is acceptable, subject to compliance with other relevant policies and principles.

Design and Layout: Detail of Conversion

The detail of the proposed creation of a self-contained unit have already been considered and approved (previous application for an annex: 13/02363/FUL). No changes have been made to the approved plans, and the conversion and enlargement of the building is considered to be acceptable, and respects the listed building and its setting within the conservation area.

Impact on Residential Amenity

The outbuilding is in very close proximity to the existing dwellinghouse. Whilst the layout is acceptable for occupation throughout by members of the same household, it is not considered that adequate outdoor amenity space and privacy can be secured for two separate dwellings. Owing to this cramped relationship, it is not considered that occupiers of the new dwelling unit and the existing dwellinghouse would separately enjoy a satisfactory level of amenity, which would be contrary to the aims of the NPPF and policies within the Local Plan.

Parking

As reported by the highways officer in the original application to convert the building to an annex, it was considered that provision for parking of two vehicles exists on site for the current house. A new dwellinghouse with a single bedroom would require two new parking bays in terms of the Somerset Parking Strategy. Only one additional parking space has been shown, and the proposal is not considered to comply with the parking strategy.

Access

The proposed access to the site is sub-standard, providing poor visibility. This is compounded by the fact that reversing either onto or off the carriageway is required as there is not turning room on the site. Even with the proposed improvements shown on the submitted plan, therefore, the proposal is considered to be contrary to the Standing Advice of the Highways Authority, and would result in harm to highway safety.

Conservation Officer Concerns

The conservation officer is concerned that subdivision of the garden with high fences could harm the setting of the building. This is a matter that could be dealt with by condition, and is not considered a reason for refusal of the application.

Submitted draft S106 Agreement

The applicant has submitted a draft unilateral undertaking which he has advised that he is prepared to sign should permission be granted. It is not considered that any agreement seeking to restrict ownership of separate parts of the site would serve any planning purpose. It would not overcome the primary concern of the creation of two separate households set out above, in that all the amenity and highways issues would

still pertain regardless of the ownership. If it is the intention of the owner to have only family members occupying both units, then that aim is already met by the current permission for creation of a self-contained annex.

EIA Regulations

Not relevant in this case.

Conclusion

Whilst the use of the outbuildings as an annex in association with the main dwellinghouse is considered acceptable, the proposal raises amenity, parking and highway safety concerns that cannot be overcome. The proposal is accordingly recommended for refusal.

RECOMMENDATION

Refuse.

FOR THE FOLLOWING REASONS:

01. The proposal, by reason of the proximity and layout of buildings, would result in a poor standard of residential amenity for future occupiers of both the original dwellinghouse and the converted outbuildings, contrary to the aims and objectives of the NPPF and Policy ST6 of the South Somerset Local Plan, 2006.
 02. The proposal does not make provision for an acceptable means of access, parking and turning on the site for the new dwellinghouse. The required visibility splay cannot be secured towards the south, and the layout does not enable vehicles to enter and leave the site in forward gear. Adequate off-street parking for the new dwellinghouse cannot be provided. For these reasons, the proposal is considered to be harmful to highway safety, contrary to the aims of the NPPF, Policy ST5 of the South Somerset Local Plan, 2006 and the Somerset County Parking Strategy, 2013.
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Area North Committee – 23 April 2014

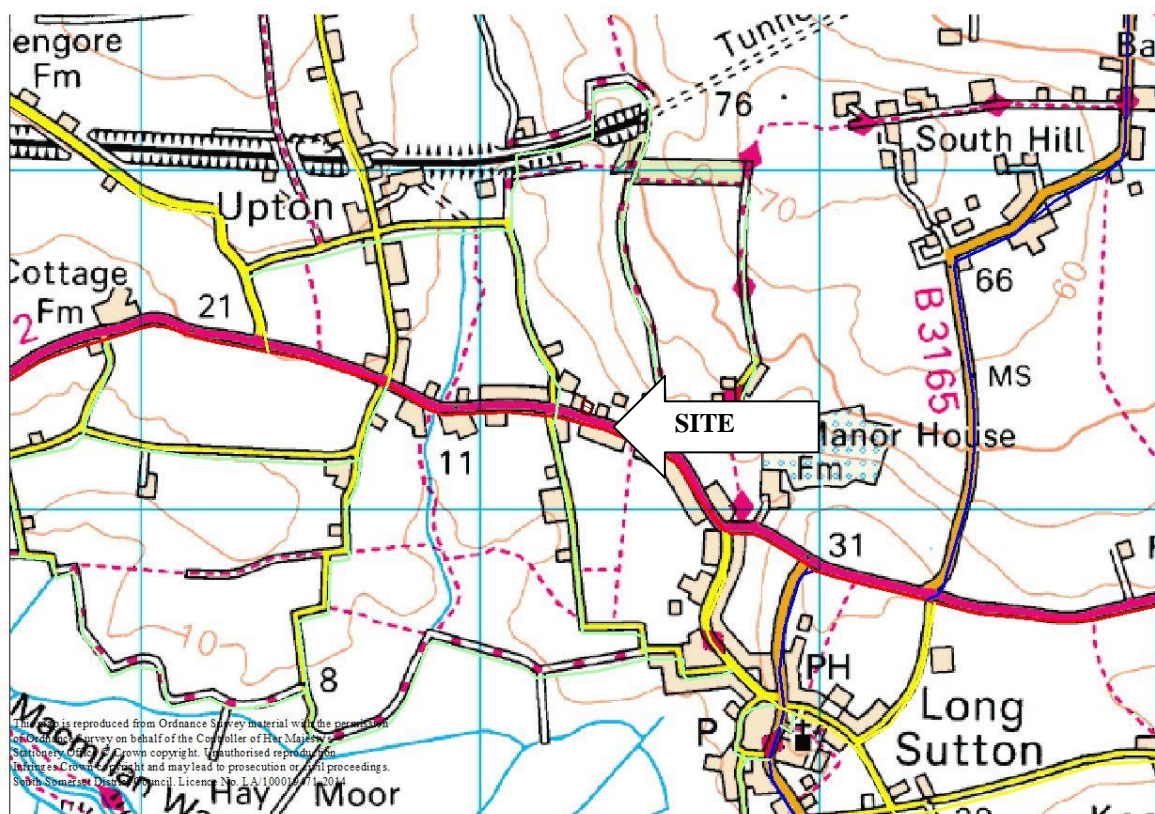
Officer Report On Planning Application: 14/00273/FUL

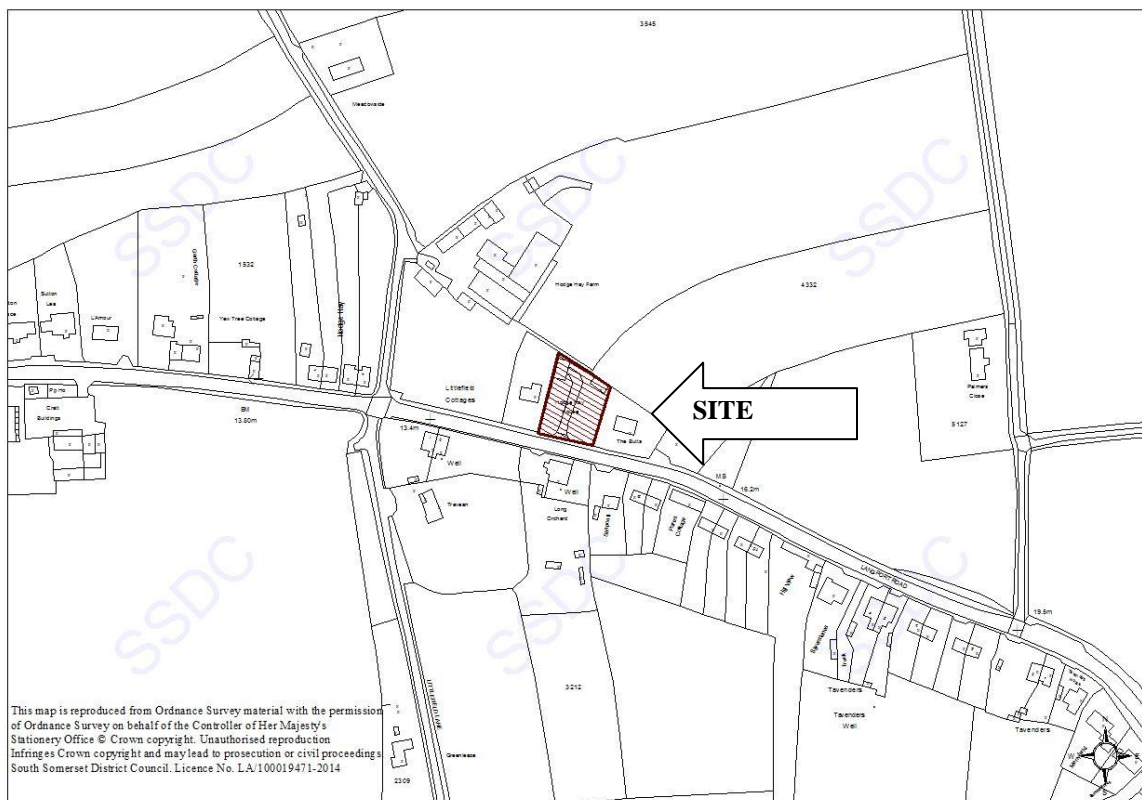
Proposal :	Erection of a two storey dwellinghouse and detached single storey garage (GR:346321/126270)
Site Address:	Land Adjacent The Butts, Langport Road, Long Sutton.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr Shane Pledger
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	24th March 2014
Applicant :	Mr W Cox
Agent: (no agent if blank)	Mr Francesco Della Valle, Lake View, The Maltings, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Vice Chairman to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The application site is a plot of land located between two existing dwellings on the north side of the A372 Langport Road. It is located approximately 560m to the west of the edge of the Long Sutton defined development area but falls within existing linear development extending westward from the village. The site is laid out as a garden and appears to have been used for domestic type storage and horticultural purposes. The roadside boundary is formed by a low stone wall with hedge behind and there is an existing vehicular access. There are a mix of dwelling types along the A372, of varying sizes, designs and finishes. The adjoining dwellings are a reconstituted stone house and bungalow and there is a natural stone and thatch grade II listed building (Long Orchard) opposite.

The application is made to erect a two storey detached house and car port. The dwelling is proposed to be constructed from natural stone with some timber cladding to the rear and concrete double roman tiles to the main house and plain tiles for the car port.

HISTORY

911190: The construction of a vehicular access - Permitted with conditions
 900604: Erection of a dwelling (outline) - Refused (Subsequent appeal dismissed)
 862803: The erection of four house (outline)
 9769: Erection of a dwellinghouse with services and a private garage and formation of a vehicular access - Approved.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents

South Somerset Local Plan 2006:
 ST3 - Development Areas
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EC3 - Landscape Character
 EC5 - Sites of Special Scientific Interest (SSSIs)
 EC6 - Locally Important Sites
 EH5 - Development Proposals Affecting the Setting of Listed Buildings

Policy-related Material Considerations

National Planning Policy Framework (March 2012):
 Core Planning Principles - Paragraph 17
 Chapter 4 - Promoting Sustainable Transport
 Chapter 6 - Delivering a Wide Choice of High Quality Homes
 Chapter 7 - Requiring Good Design
 Chapter 11 - Conserving and Enhancing the Natural Environment
 Chapter 12 - Conserving and Enhancing the Historic Environment

National Planning Practice Guidance (March 2014):
 Conserving and Enhancing the Historic Environment
 Design
 Natural Environment
 Rural Housing
 The Use of Planning Conditions

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

OTHER POLICY CONSIDERATIONS

Recent appeal decisions at Verrington Hospital (11/02835/OUT) and Slades Hill (12/03277/OUT) - have established that the District Council does not have a demonstrably deliverable 5 year housing land supply. In such circumstances, the National Planning Policy Framework (NPPF) advises that relevant policies for the supply of housing should not be considered up to date (NPPF para. 49) and housing applications should be considered in the context of the presumption in favour of development. In this Council's case, the principal effect is that saved policy ST3 (Development Areas) no longer applies in relation to housing or mixed use proposals which should not be refused simply on the basis that they are outside Settlement Limits.

CONSULTATIONS

Parish Council: Long Sutton Parish Council voted to SUPPORT this application. We understand that the LPA may have concerns regarding this application and that it may be passed to the regulation committee for final determination.

The Council felt that the site was in a sustainable location and whilst outside the defined development limits of the Parish that it still very much fell within the Parish boundaries. The Council supported the principal of development and that of the design.

SCC Highway Authority: County Council Standing Advice should be applied,

specifically provision of appropriate visibility splays (2.4m x 43m), properly consolidated access, positive drainage arrangements to ensure no surface water runoff onto the public highway and appropriate parking and turning provision on-site.

Natural England: No objections.

SSDC Ecologist: The site is within the 1km consultation zone for Wet moor SSSI. It is considered unlikely that the proposed development would have any significant impact on the SSSI.

REPRESENTATIONS

Three letters have been received from local residents, offering their support for the application.

CONSIDERATIONS

Principle of Development

The site is located approximately 560m to the west of the edge of the defined development area of Long Sutton. Long Sutton is a settlement that saved Local Plan policy ST2 identifies as a sustainable village suitable for development, however the site neither falls within or adjacent to a settlement boundary of the village.

Paragraph 49 of the National Planning Policy Framework (NPPF) states housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Recent appeal decisions have established that South Somerset District Council does not have a five-year supply of deliverable housing land and as such the previously saved Policy ST3 no longer applies in relation to housing. However the NPPF can be referred to and there are other saved policies within the Local Plan that demand proposals maintain or enhance the environment and preserve the character of the area; these include SSLP policies ST5, ST6 and EC3. These are to be considered alongside the NPPF.

The purpose of the planning system is to contribute to the achievement of sustainable development (para 6, NPPF). To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system (para 8, NPPF). The golden thread running through plan-making and decision-taking is a 'presumption in favour of sustainable development'.

Further advice for decision-takers is given in Paragraph 14 of the NPPF where planning permission should be granted where a policy is out-of-date (such as Policy ST3) unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, unless material considerations dictate otherwise.

Local Planning Authorities are advised to avoid new isolated homes in the countryside unless there are special circumstances. The NPPF outlines that these special circumstances may include (but are not restricted to) - agricultural/forestry and rural worker occupational dwellings, conservation enabling type development, the re-use of redundant or disused buildings, or dwellings of an exceptional quality or innovative design.

While the proposed development is not strictly an isolated new dwelling as it sits within an existing linear form of development, it is still subject to the same degree of protection as the open countryside and therefore considered to be unsustainable by virtue of its distance from local services. As well as being outside of the village defined development area, the site is approximately 1.2km from both the primary school and village shop. While there is a continuous footway from the site along the north side of the A372 to Shute Lane, there is a need to cross the main road to access the village, with no safe means of crossing. Both of these factors reinforce the likely reliance on use of the motor vehicle. For this reason, the proposed development of the site is not considered to meet the aims of sustainable development identified within the NPPF.

Design, Appearance and Historic Context

Notwithstanding the overriding policy objection to the proposed development, the scheme is considered to be generally acceptable in respect to its design and appearance. The plot is of similar size to those around it so is considered to be able to comfortably accommodate a dwelling. There is a two storey dwelling to the west and a bungalow to the east. The proposed dwelling is large four bedroom house and is larger in scale than either of the neighbouring properties, however the roof ridge is set below that of the adjoining house. Within the street scene, the proposed dwelling will be seen stepped down in accordance with the local topography, which drops to the east.

In the applicant's design and access statement, the property opposite, Long Orchard, is referred to as an unlisted property of architectural merit, which has been considered in the proposal due to its proximity to Langport Road. In actual fact this property is grade II listed so consideration has to be given to the impact of the development on its setting and contribution to the local scene. Despite the close proximity, the proposed dwelling is of a traditional form and proposed to be constructed of high quality natural stone. It is considered to compliment the nearby listed building and have no adverse impact on its setting or that of the surrounding area.

Residential Amenity

The proposed dwelling is located centrally within the site and set away from the adjoining properties so there will be no overshadowing or general overbearing impact. The property is also designed to limit overlooking to the side, with limited side openings. The only non-obscurely glazed side openings are to a gable extension to the rear, with views to the west, in the direction of Hodge Hay House. While there is a degree of overlooking, the distance is such that it is not considered to cause any unacceptable harm to residential amenity.

Overall, the development is proposed to be acceptable and have no detrimental impact on the amenities of neighbouring residents.

Highway Safety

The site has an existing access, which is to be retained, although improvements are proposed by cutting back part of the wall within the site to improve manoeuvrability and the gate is to be moved back a couple of metres into the site. There is currently good visibility with the frontage wall being no more than 900mm above road level and clear views in each direction. At least the first 5m of the access is to be tarmac as existing, with the remainder of the drive to be self-binding gravel, which will provide a permeable surface to prevent discharge of surface water runoff onto the public highway. It is therefore considered that the proposal generally accords with the standing advice and there are no objections in respect to highway safety.

Other Issues

The site is near to Wet Moor Site of Special Scientific Interest (SSSI, which forms part of the Somerset Levels and Moors Wetland of Internal Importance under the Ramsar Convention (Ramsar Site) and Special Protection Area (SPA), however the proposed development is not considered to have any adverse impact on these national and locally important sites.

Conclusion

Whilst the site is an infill plot within an established linear development and the proposed dwelling respects and relates to its surroundings, it is not considered that these outweigh the very clear policy objections to this application. The site is located well beyond the defined development area of Long Sutton and is therefore remote from the village services. As such the new occupants would be totally dependent upon the private car for access to all services. The development proposal is therefore considered to be unacceptable and fails to meet the aims of sustainable development.

RECOMMENDATION

Refuse permission

FOR THE FOLLOWING REASON:

01. The proposal would represent a new dwelling outside of the defined development area of Long Sutton, for which an overriding essential need has not been justified. The application site is remote from local services and as such will increase the need for journeys to be made by private vehicles. The proposal is therefore considered to be unsustainable development that is contrary to the aims and objective of the National Planning Policy Framework.
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Area North Committee – 23 April 2014

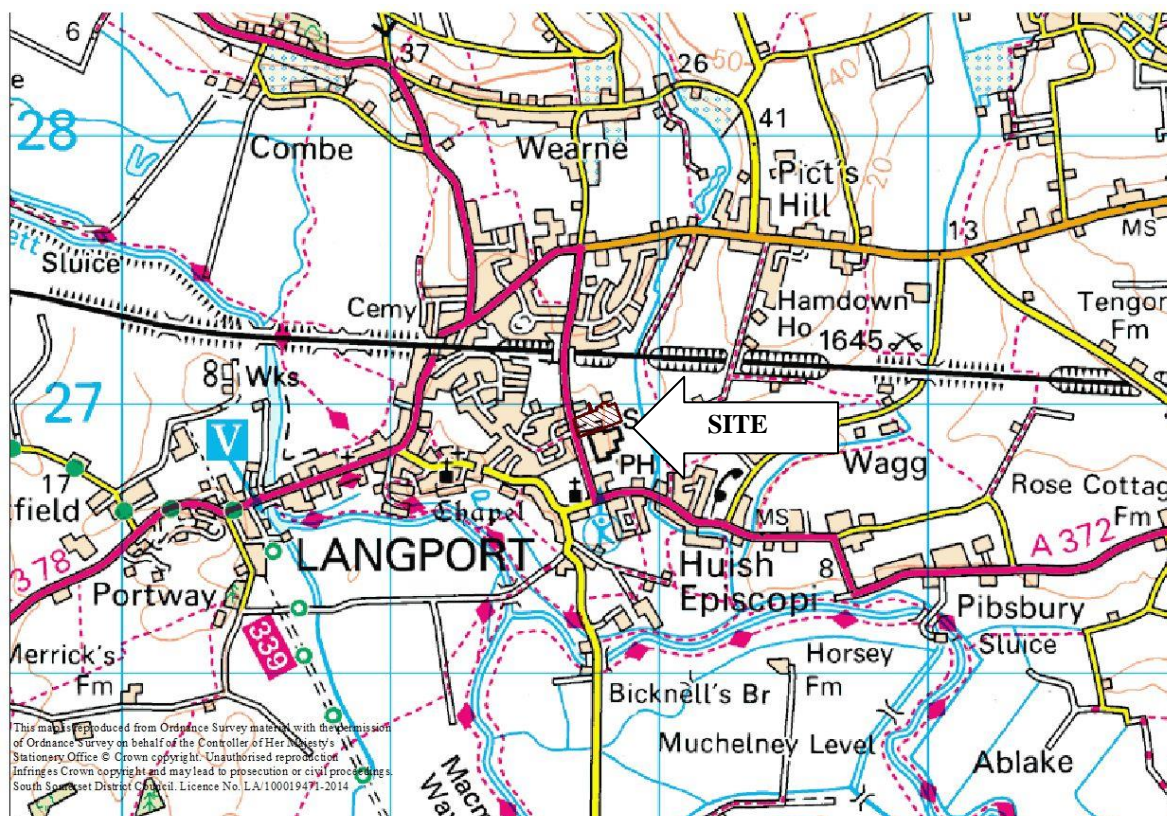
Officer Report On Planning Application: 14/00249/FUL

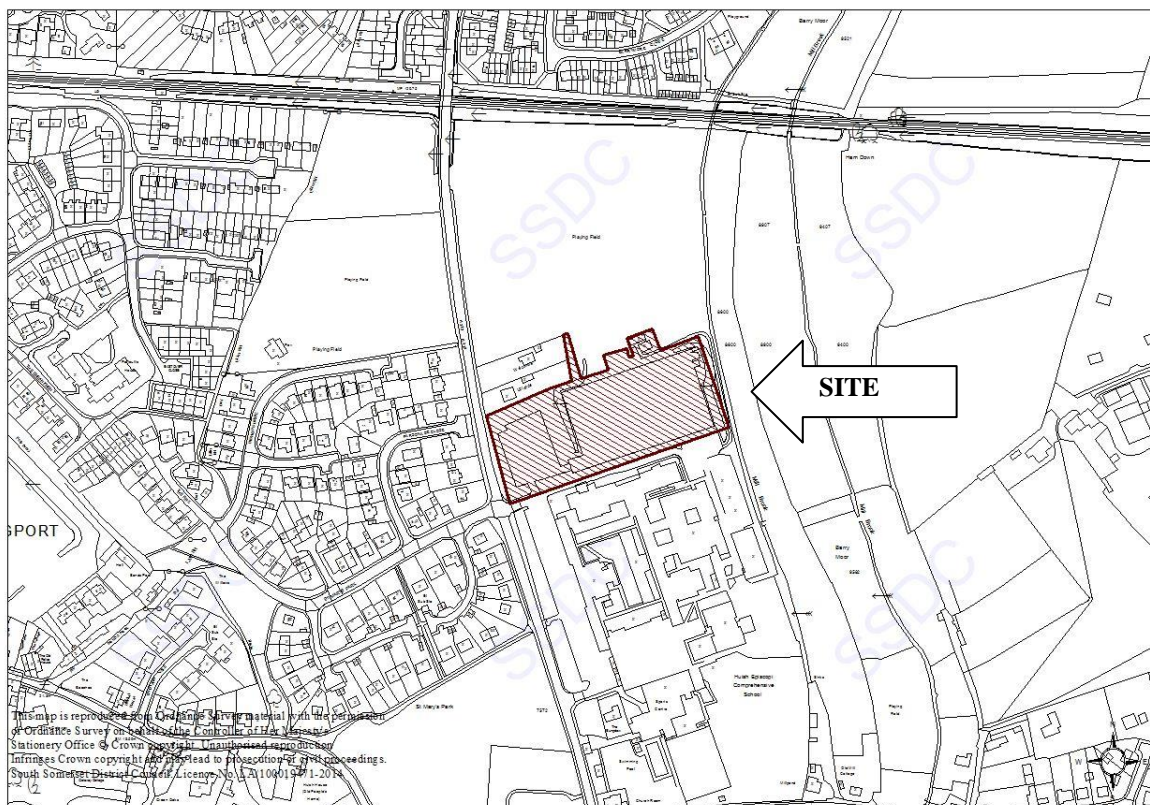
Proposal :	Construction of an artificial grass pitch, creation of a permanent car park, erection of fencing, floodlighting and associated landscaping and engineering works (GR:342761/126819)
Site Address:	Huish Episcopi Academy, Wincanton Road, Huish Episcopi.
Parish:	Huish Episcopi
LANGPORT & HUISH Ward (SSDC Member)	Cllr Roy Mills
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	28th April 2014
Applicant :	Ms Amanda Eastwood
Agent: (no agent if blank)	Mr Paul Ellingham, Alliance Planning, 54 Hagley Road, 3rd Floor, Edgbaston, Birmingham B16 8PE
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee with the agreement of the Vice Chairman to enable the issues raised by the Parish Council and local residents to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The site is an Academy that provides secondary education and a community leisure facility, located between Huish Episcopi and Langport. The buildings are a combination of single storey and two storey, constructed from a mix of different materials. The building complex fronts a road to the west, and is surrounded on other sides by playing fields, sports courts and a sports hall.

This application relates to an existing clay sports pitch on the north side of the existing buildings and a gravelled area between the pitch and the adjoining public highway, which has until recently been used as a temporary car park. The site is bounded by open countryside to the east, playing fields to the north, the main academy buildings to the south and the neighbouring development of Parsonage Close to the west. There are also a pair of detached houses to the north west, with the nearest, Uplands, being located immediately adjoining the application site. The topography of the site slopes gently downwards from north to south, with a sharper drop from west to east. The existing temporary car park and adjoining properties are located on higher ground, with the existing pitch and playing fields to the north being around 2m lower. The site boundaries include an earth bund to the west, behind an existing hedge to the road frontage and there is a 3m mesh fence along the southern boundary of the neighbouring property Uplands, which is supplemented by the neighbour's own domestic planting.

The proposal seeks to install a Third Generation (3G) all-weather sports pitch (AGP) with fencing and floodlighting. It is also proposed to provide a permanent 61 space car park to replace the existing temporary area. The surface area of the playing facility extends to an area measuring approximately 88m by 60m, enclosed by a 4.5m perimeter fence, with a marked pitch measuring 82m by 50m. There is a 3m runoff area provided around the pitch, with a dug out to the south and spectator area behind a 1.2m fencing, also to the south of the pitch. In total eight 10m high floodlighting columns are proposed. It is also intended to carry out further works to re-contour the existing bund along the frontage of the site, extend it further to the east and carry out a comprehensive planting scheme. A 2.5m acoustic fence is also proposed along the southern and eastern boundaries of the

neighbouring dwelling to the north west.

The facility is proposed to be used primarily for football playing and training. It is stated that the pitch will provide high quality facilities that meet an identified shortfall in artificial pitches locally, as well meeting a need for floodlit facilities too. It is intended that a variety of formats will use the pitch including, full-size, under 13/14, five-a-side and junior football

The application is supported by:

- Design and Access Statement and Planning Statement
- Flood Risk Assessment
- Transport Supporting Document
- Noise Impact Assessment
- Lighting Report and Light Spill Diagram
- Phase 1 Habitats Survey
- Phase 2 Ecological Surveys Report
- Archaeology and heritage Desk Based Assessment
- Arboricultural Impact Assessment
- Statement of Community Involvement

HISTORY

- 12/02162/FUL: Erection of a new two storey classroom building to provide five classrooms and associated WC provision - Permitted with conditions.
- 12/00336/FUL: Installation of photo-voltaic panels to roofs of school buildings - Permitted with conditions.
- 11/00324/FUL: Erection of a secure perimeter fence and gate adjacent to the student guidance and learning centre - Application refused.
- 10/03093/R3C: Installation of a security fence, gate and pedestrian guard rail adjacent to the student guidance and learning centre - No objections raised (County planning application withdrawn).
- 10/003838/R3C: Single storey extension to be used as a new dining area - No objections raised (permission granted by County Council).
- 08/05347/R3C: Erection of two storey extension and single storey science extension with associated works alterations to visibility splay and car parking arrangement and new play court - No objections raised (permission granted by County Council).

Various additional planning history relating to the on-going improvements and development at the Academy site.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

South Somerset Local Plan 2006:
 ST5 - General Principles of Development
 ST6 - The Quality of Development

EC3 - Landscape Character
 EC8 - Protected Species
 EP2 - Pollution and Noise
 EP3 - Light Pollution
 EP6 - Demolition and Construction Sites
 EP9 - Control of other Potentially Polluting Uses
 EU4 - Drainage
 CR1 - Existing Playing Fields/Recreation Areas

Policy-related Material Considerations

National Planning Policy Framework (March 2012):
 Core Planning Principles - Paragraph 17
 Chapter 4 - Promoting Sustainable Transport
 Chapter 7 - Requiring Good Design
 Chapter 8 - Promoting Healthy Communities
 Chapter 10 - Climate Change and Flooding

National Planning Practice Guidance (March 2014):
 Design
 Flood Risk and Coastal Change
 Health and Wellbeing
 Light Pollution
 Natural Environment
 Noise
 The Use of Planning Conditions
 Travel Plan, Transport Assessments and Statements in Decision Taking

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

The South Somerset Needs Assessment for Artificial Grass Pitches (updated March 2012)

CONSULTATIONS

Huish Episcopi Parish Council:

The Parish Council have acknowledged that the development will provide a much needed improvement to sport provision for the Huish Episcopi Academy and the local area; however, the following comments are made:

- It will result in an increase of noise with a tannoy system and light pollution in the local area.
- The use of proposed noise reduction acoustic barrier should be extended to cover the Northern, Eastern and South West areas of the development, taking into account the areas of Brookland Road, Pounsell Lane and Portland Close. There is currently ongoing building work at the Academy in the area of the AGP and shouting and traffic movement can be clearly heard in the vicinity of Pounsell Lane and Portland Close.
- The trees/shrub planting at the eastern end of the AGP construction is several metres below the pitch level, and as such will have no impact in reducing the light and noise pollution from the AGP in that direction. Consideration should be given to include an acoustic barrier and further tree planting at pitch level at the Eastern end and South West quadrant of the AGP, thereby, reducing the light and noise

- pollution.
- Any tree planting should be carried out using mature trees, not saplings, to have an instant impact.
- Recycle bins should be provided at the entrance/egress points of the AGP.
- The late use of the AGP should be until 21:00 and not 22:15 (20:00 at w/ends), thereby reducing the light and noise pollution to an acceptable time and allowing the residents of Huish Episcopi (and Wearne and Pibsbury!) to enjoy what remains of the evening.
- Are there enough cycle parking/mobility facilities in the vicinity of the AGP?
- With such a large AGP facility there appears not to be an increase in the number of changing rooms, showers or toilet facilities for those using the AGP, will they be expected to use the surrounding area of the AGP for changing etc? Also are we to be reassured that the facility will be available for community use not just for the academy
- The traffic survey used is 13yrs out of date and fails to include recent accidents; the increased traffic associated with the 6th Form College or the large amount of traffic as a result of the recent completed housing projects in the local area i.e. Kelways, Bartlett Elms and Huish Lea. Also there are future housing projects at Newtown and the Trials ground that will need to be considered. All of the aforementioned will have an impact on the traffic signature that passes/uses the Academy/AGP.
- To manage the increased amount of road traffic there would be support for a traffic calming scheme long Field Road and Wincanton Road.
- Although the light controlled crossing opposite the school is considered essential for crossing the road and gaining access to the AGP facility by foot it has been noted on many occasions that the school pupils actually cross at the junction with St Marys through the school vehicle entrance gates/roadway. A full and up-to-date traffic survey would highlight these concerns and provide acceptable solutions!
- The concerns of the residents of Uplands and Welcombe should also be considered.
- The idea that suggesting that St.Mary's Park could be used for an overspill parking facility would not go down well with the residents. They had enough of that before extra car parking spaces were allocated, not being able to park outside their own homes, visitors unable to park at all and we can assure you that they had enough of that in the past.

County Highways Authority:

As a starting point, the Highway Officer notes that the AGP is replacing an existing pitch, which is already utilised by both the Academy and local groups/teams so there is no objection in principle to that part of the application, particularly as it would reduce the need to travel to alternative venues some distance away from the town.

The Highway Officer advises that specific highway issues have been addressed by the Transport Supporting Document, which examines the impact of the development on the surrounding highway network from both a traffic impact and safety point of view, whilst also exploring opportunities to promote sustainable travel through the use of an updated travel plan.

In regard to the report, it is considered by the Highway Authority that the overall impact on the local network will be negligible in the peak hour between 7pm and 8pm, whilst traffic movements in the Am and Pm peaks are only approximately 6 vehicles and 13 vehicles respectively, which are also considered to be negligible. As such, there are not considered any grounds to object to the application for traffic generation reasons.

In considering the car parking element of the scheme, the report details both current and proposed parking levels and concludes that the level of car parking being provided on site meets the standards laid down in the County Wide Parking Strategy dated September 2013 and as such is considered acceptable.

The findings of the report, in respect to highway safety and the accident data supplied, are accepted by the Highway Authority. The Highway Officer has noted that that a fatal accident has occurred close to the site which has not be included in the figures, however the circumstances pertaining to that accident are not felt to alter the Highway Authority's viewpoint on the application as all potential areas of concern have been satisfactorily addressed in this particular case.

As such, no objections are raised by the County Highway Authority, subject to the imposition of conditions relating to surface water disposal, keeping parking and turning areas clear of obstruction, the carrying out of a condition survey of the existing highway, provision of an updated Travel Plan and approval of a Construction Management Plan.

Sport England:

No comments received. An oral update will be given.

Somerset Football Association:

Somerset FA support the proposal in that it will enable clubs and people from the surrounding area to access high quality training facilities and additional youth pitches for competitive and non-competitive school and club football. It is advised that Somerset FA have worked closely with Huish Leisure, the Academy and South Somerset District Council to ensure that excellent community use opportunities are available in order to grow local football provision, develop its workforce and raise standards in youth and adult football.

SSDC Community, Health and Leisure Service:

In this case, the Community Health and Leisure service response relates specifically to how the proposed facilities may address community needs as identified in local Needs Assessments, rather than to the potential need of the Academy for new artificial grass facilities to meet curriculum needs. They are supportive of the principle of dual use sports facilities, where there is clear community benefit and need. It is noted that Huish Episcopi Academy currently provides important community sports facilities within Huish Episcopi / Langport and the wider area.

The South Somerset Needs Assessment that the Community Health and Leisure Service has conducted for Artificial Grass Pitches (updated March 2012) indicates that by 2028 there will be a quantitative shortfall of 5,421m² or 0.82 full size pitches in Area North. The mapping of existing facilities within South Somerset and other districts, also identifies that the majority of residents in Area North are outside the catchment of the 20 minute drive time of existing facilities. In addressing these shortfalls, the council has set out a strategic policy proposal (AGP1) to provide a new Third Generation (3G) AGP at Huish Academy School to meet the needs for football in Huish Episcopi / Langport and Area North. The proposed delivery of this application is therefore considered to meet the remaining identified deficiency in community provision that will exist by 2028, without adversely impacting on any existing facilities. It is also advised that the need for a 3G AGP at Huish Episcopi Academy is also identified in the council's Infrastructure Delivery Plan.

It is noted that pitch size is less than the recommended minimum size for a 3G AGP and

will therefore not deliver full size facilities, however the site constraints prevent a larger pitch being provided on this site and it is acknowledged that there would still be a community demand for the facility. It is therefore considered that the benefits of providing a high quality artificial grass pitch for football training and potentially, youth competition in this part of South Somerset, outweigh this issue, and it is supported by Community, Health and Leisure.

SSDC Ecologist:

No objection, subject to conditioning the proposed landscaping works along the east boundary of the pitch - The 'Phase 2 Ecological Surveys Report' (Nicholas Pearson Associates, Oct 2013) particularly focuses on assessing the presence and impacts to bats. It didn't identify any actual or potential bat roosts, although the eastern site boundary did have a notable level of bat activity. The only species recorded in significant numbers was common pipistrelle which is regarded as one of the more light tolerant species more often associated with urban environments. While, it's possible that increased light levels from the proposed flood lighting could give rise to some disturbance impacts to bats, there are not considered to be any grounds for refusing due to the species and level of activity recorded. It is recommended that a condition is imposed requiring the implementation of the proposed landscape planting along the east boundary as mitigation towards reducing disturbance to bats.

SSDC Tree Officer:

No objections subject to a condition requiring the implementation of the submitted tree protection measures, which will satisfactorily safe-guard the retained trees, both within and adjoining the site.

The potential arboricultural impact of the acoustic fencing upon the trees on adjoining land has been appropriately considered and is deemed to be negligible.

SSDC Landscape Architect:

No objection subject to the full implementation of the submitted landscape proposal. It is noted that the site is already characterised by a pitch layout, with the additional temporary parking to the west. The Landscape Architect is satisfied that the intensification of the use of this part of the site and the associated visual effects will be appropriately mitigated by the proposed ground modelling and planting proposals

Environment Agency:

No objections subject to conditions covering surface water drainage and informatives concerning surface water drainage, pollution measures during construction and waste management.

The Environment Agency have questioned some of the technical details referred to in the submitted drainage plan and Flood Risk Assessment but are satisfied that these outstanding elements issues can be dealt with by discharge of condition.

SSDC Environmental Protection Unit:

No objections subject to the imposition of conditions to minimise light spill and noise impact, such as requiring a revised lighting scheme and limiting the hours of operation for the pitch and floodlighting

The Council's Environmental Protection Officer initially raised concerns about the

potential impact of the floodlighting scheme on the residential garden of the immediately adjacent property, Uplands. In particular it is noted that the submitted lighting report and light spill diagram do not take into account the site levels, the presence of the proposed acoustic fencing or the impact of fitting back-cowls. Nonetheless it is recognised that this information presents a worst case scenario and that the light levels will no doubt be lower than indicated. It is also acknowledged that the light levels indicated before taking the site constraints into account, together with implementing an appropriate curfew, will be below that recommended by the Institute of Lighting Professionals and therefore would not be considered to cause sufficient harm to represent a statutory nuisance. Therefore an updated lighting scheme should be conditioned to minimise light impact as far as possible.

No objections are raised in respect to noise impact, but the limiting of hours is suggested, as requested to limit impact of lighting, and measures to reduce the impact of hockey balls striking the back of the goal. The Environmental Protection Officer has suggested that an appropriate restriction on operating hours would be outside the times of 08:00 to 21:15 Monday to Friday and 09:00 to 18:15 on weekends and bank holidays. The acoustic effectiveness of the proposed acoustic barrier is considered to be satisfactory.

REPRESENTATIONS

7 individuals/couples have lodged objections and a further observation letter has been received raising some concern in respect to the proposed development. The objectors reside at St Marys, Parsonage Close and in the adjoining property, Uplands. The nature of the objections fall into various categories, these include:

Floodlighting

- Enough light already comes from the academy buildings at night with little regard given to the impact on local residents. This is primarily a residential area and provision of community/football facilities should not override this.
- Whatever the design of the floodlighting, there will be a significant spread of light over an excessive period, to the detriment of residents. Furthermore, the sports centre opening hours are only until 4pm on weekends so the floodlighting should be restricted to these hours only.
- Can the pitch be lowered by 1.5m to allow a reduction in the height of the floodlighting and associated reduction in height of the acoustic fencing?

Noise

- The proposed facility will be used principally for football, which requires much audible involvement over a protracted period of time. It is unclear how the extensive hours of operation proposed will assist in mitigating noise impact. The hours of operation should be reduced and strictly controlled.
- The noise of cricket being played on the nearby pitch is clearly audible to local residents so the noisier sports of football and hockey will cause greater noise pollution than presented in the report.
- The increased noise pollution along with extended operating hours will provide widespread intrusion above and beyond that currently encountered in the area and will transmit well beyond the properties identified as being most at risk. This will have a major detrimental impact on the local community beyond normal school hours.
- Consideration should be given to extending the acoustic barrier to the western side of the AGP too.
- It is unclear how "effective management" of the facility will mitigate the noise impact.

- A proposed public address system is indicated on the proposed plans but not referred to elsewhere. No indication is given of measures to control its use. It should be removed as it has no place in a residential area.
- Alternatively the PA system should not be used after 7pm.

Other Residential Amenity

- The proposed 2.5m acoustic fence will cut out a huge amount of light to the downstairs windows of the adjacent property, Uplands. It will also give permanent shade to the garden for large parts of the day, as well as adversely affecting the vegetable plot at the end of the garden.
- The acoustic fence could potentially be lowered in height if the pitch was lowered by 1.5m, which would also allow a reduction in height of the floodlighting.
- Duration and Nature of Use
- The proposed operating hours are excessive and represent a significant increase in usage over that currently taking place on the existing pitch and will provide no respite for local residents affected.
- Opening hours should be aligned to the current sports centre hours and preferable consideration should be given to closure on Sundays and bank holidays.
- Hours of use should be reduced to 9pm in summer and 8.30pm in winter.
- The toilet and changing facilities of the sports centre close earlier than the proposed closing time for the AGP. They are also located away from the pitch, meaning that the potential noise disturbance will be spread further.
- Hours of use don't take into account the period before and after when people arrive and leave.

Visual Impact

- The proposed car park is not an upgrade of an existing facility but a complete change of use as it was approved for a temporary period of time only and was required to be returned to grass within 12 months of the completion of the new 6 form building (i.e. in September 2011). The scheme will therefore mean the change of use of a nice grass area, used by pupils as a recreation area.

Trees and Planting

- There is no mention of the potentially detrimental impact that the 2.5m acoustic fence will have on the existing natural hedge along the boundary of Uplands.
- The Arboricultural Impact Assessment hasn't sufficiently taken account of impact on local flora and fauna.

Highways and Parking

- There are already problems with inconsiderate parking in St Marys Park, which can make it difficult for residents to park and access their properties, as well as being hazardous to pedestrians and vehicle users. There are also concerns regarding emergency access. The proposal will make this existing situation worse, particularly as there will be a reduction in overall parking on site (177 to 143 spaces), which will inevitably lead to increased parking in local residential areas.
- Increased parking provision could be accommodated by removing the banks of soil along the Wincanton Road and the boundary with the neighbouring property, Uplands.
- The Transport Supporting Document utilises old and out of date data, gathered before the current Academy was formed, with increased pupils numbers and traffic generation. As such, only assumptions can be made about the current traffic issues.

- The extent of the site is under-represented in the Transport Supporting Document and fails to include a locally well-known hazardous bridge. Increasing the boundary and have provided worse statistics.
- It is noted that the chosen time scales and length of road used in the Transport Supporting Document mean that several accidents, including a fatality are omitted from the data.

Local Consultation

- Insufficient consultation has taken place with the wider community, who are likely to be affected. The scheme should be rejected as to allow proper consideration of the views of local people and appropriate mitigation measures considered.
- It is disappointing that although the scheme has taken years to prepare, local residents have only been given three weeks to comment.

In addition 24 letters of support have been received. The main points include:

- The facility would be of benefit to both the school and the wider community.
- It will provide a unique sporting service for the local area and promote health and fitness.
- It will provide a facility for football matches to take place between Taunton and Yeovil.
- Local football clubs find it difficult to find high quality local training facilities. It will also provide additional 5 aside facilities, which are also limited locally. Recent flooding has highlighted the difficulties in having to travel to Taunton, Yeovil, Street or Bridgwater for facilities.
- The provision of an all-weather pitch is important considering the amount of grass pitches rendered unusable, particularly in winters like the one just past.
- There is a huge demand locally from school and adult and junior sports and leisure clubs for facilities such as these.

CONSIDERATIONS

Principle of Development

The proposal includes the replacement of an existing clay 'Redgra' pitch with a new Artificial Grass Pitch (AGP), with associated fencing and floodlighting, and the creation of a permanent 61 space car park in the place of an existing temporary parking area. The development will be supplemented by a comprehensive landscaping scheme that includes some ground re-modelling and significant levels of new tree and shrub planting and the provision of a 2.5m acoustic fence alongside the boundaries of the two nearest properties.

In considering the provision of the new pitch first, there is an identified community need as a result of shortfall in sports pitches in the district, with a quantitative shortfall of 0.82 full size pitched in Area North (South Somerset Needs Assessment for Artificial Grass Pitches - updated March 2012). It has also been identified that the majority of Area North residents live outside of a 20 minute drive time catchment area for existing facilities. In commenting on this application, the Council's Community, Health and Leisure Team note that SSDC has set out a strategic policy proposal (AGP1) to provide a new Third Generation (3G) AGP at Huish Academy School, which will meet the needs for football in Huish Episcopi/Langport and Area North. The proposed delivery of this application will meet the remaining identified deficiency in community provision that will exist by 2028, without adversely impacting on any existing facilities. It is also advised that the need for a 3G AGP at Huish Episcopi Academy is identified in the council's Infrastructure Delivery Plan. As such, there is a clear local community need for this facility and therefore its

provision is considered to be acceptable in principle, subject of course to satisfying other relevant planning considerations, such as impact on residential amenity, highway safety, visual amenity, local ecology and flood risk.

In respect to the car park element, it is advised that there are currently 97 formal spaces on site, which does not include a further 80 informal spaces available in the temporary car park, as its use was required to be discontinued and returned to its previous grassed state, following the completion of construction activities associated with planning permission 08/05347/R3C, a scheme which included the provision of a new 6th form building. A rolling programme of improvements at the Academy will result in the loss of 15 formal parking spaces, which falls short of a requirement of 138 parking spaces for the Academy, leisure centre and proposed AGP, as identified by the County Council's Parking Strategy. The addition of a new permanent car park, will increase the levels of parking on site to 143 spaces, which is a slight over-provision of parking above the parking strategy requirements. This is also seen as being acceptable in principle, subject to appropriate consideration of other impacts and assessment against relevant planning policies.

Residential Amenity

Several objections have been received from neighbours and concerns lodged by the Parish Council, in respect to the potential for disturbance of local residents as a result of the increased noise generated by activities on site and the potential for light pollution because of the addition of floodlighting. The impact of the proposed lighting and perception of noise are indeed two significant areas of objection and clearly constitute planning considerations. As such each matter is discussed here, as at all times the key question is whether any one substantive issue would warrant refusal of the application.

The new pitch will be used by the Academy during school hours (up to 5pm) and then will be made available for community use beyond this time and at weekends and outside of term time. The intention to make the facility available for the wider community necessitates the use of floodlighting, particularly given an established high demand for these facilities and the main weekday usage being in the evening. It is therefore important to consider the effect that the lighting will have on the residential amenity of local residents, particularly that of the occupiers of the immediately adjoining property, Uplands.

The Council's Environmental Protection Officer has considered the proposal and the submitted lighting information and while not raising any specific concern about wider impact, did initially have concerns about the impact on the residents of Uplands. In particular, it is noted that the lighting assessment did not take into account the difference in site levels or the presence of the 2.5m acoustic fencing. Notwithstanding this however, it is acknowledged that the information submitted represents a worst case scenario based on a flat site with no trees, fences or other barriers. As a result of this, the actual level of light intrusion will be less than predicted. The Environmental Protection Officer has also accepted that the level of intrusive light into the windows of this nearest property will be below recommended levels and therefore unlikely to be considered to cause a statutory nuisance. It is therefore considered that by imposing a condition requiring the provision of a revised lighting scheme, which will include details of specific measures to minimise the impact of the floodlighting as far as possible and the appropriate restriction of operating hours, the proposed lighting will be acceptable and will not cause unacceptable harm to residential amenity so as to recommend refusal.

In considering appropriate hours of operation, the applicant initially advised that they intend to make the pitch available for use between 8am and 10.15pm on weekdays and between 9am and 9.15pm on weekends and bank holidays. Several objectors have

considered these times to be excessive, as does the Environmental Protection Officer. In order to protect residential amenity it was initially advised that times should be restricted to 8.30am and 9pm on weekdays and 9am to 5pm on weekends and bank holidays. After later negotiation and also accepting the need to maintain a safe closedown of the facility and also maintain the operational integrity of one hour bookings, the Environmental Protection Officer is satisfied with operating times of 8am to 9.15pm (weekdays) and 9am to 6.15pm (Sundays and bank holidays). The applicant has confirmed the acceptability of this approach.

Similarly the noise impact has been considered and while there is an acknowledged increase in likely levels of noise, it is not considered that this will have an unacceptably detrimental impact on the amenities of neighbouring residents. Again the impact will have the potential to impact most on the occupiers of Uplands, although the provision of the acoustic fence is considered to appropriately mitigate against unacceptable harm. It is not considered that the predicted noise levels will adversely impact upon more distant residents, however the restricted hours of use will further mitigate against harm. It is also agreed to condition details of a form of matting to be provided within any hockey goals, which will reduce noise created by the ball hitting the back of the net.

It has been noted that there is a public address system/tannoy shown on the plans, which has also been referred to in some of the objections. It has been confirmed that this is intended primarily for communication purposes during tournaments and to assist with management of unauthorised use of the pitch, in which case its use will be occasional only. It is considered that inclusion of the P A system within the operating hours conditions should offer satisfactory control so as to prevent harm.

Overall, it is considered that appropriate measures are in place to ensure that neither the lighting nor levels of noise proposed by the development will cause unacceptable harm to the residential amenity of local residents.

The presence of the acoustic fence has also led to further concern in respect to loss of light to the windows of Uplands and to the garden, including vegetable plot. Despite these concerns, this is not considered to be a matter of significant concern either. At present there is a 3m mesh fence along the boundary between Uplands and the Academy. Even though this will let light in, the boundary is also well planted on the neighbour's side with trees and shrubs in excess of this height. The proposed 2.5m acoustic fence is set away from the boundary by about 1m and is set away from the house itself by just over 5m. This, along with the presence of the existing boundary treatments, is not considered to lead to any unacceptable harm as a result of overshadowing or general overbearing impact. It has been requested whether it may be possible to move the acoustic fence further away from the boundary, however it is advised that moving it further away from Uplands will reduce its acoustic effectiveness and bearing in mind the limited impact considered likely, this is not considered to be an appropriate action to take. Similarly, other neighbours have suggested the provision of acoustic fencing to the western boundary of the AGP, to reduce noise levels to the west. While this may reduce noise levels further, the distance and proposed time restrictions are considered to make this unnecessary.

Highway Safety

The application is accompanied by a Transport Supporting Document, which examines the impact of the development on the surrounding highway network from a traffic impact and safety point of view, whilst also exploring opportunities to promote sustainable travel through the use of an updated travel plan.

The County Highway Authority has considered the evidence provided and has accepted

its findings. In respect to increased traffic movements as a result of the proposal and the impact on the local network, it is forecast that the trips generated would account for 1.5% of existing traffic volumes on the A372 at peak times. It is advised that the change in traffic flows would be considered negligible and fall within the expected daily variations of traffic flows, a finding that the Highway Authority endorse and therefore raise no objection to.

A clear area of contention appears to be that there would seem to be overspill parking, in relation to the Academy and leisure centre, taking place in St Marys Park, to the West of the site. This is reported to cause inconvenience to local residents and it is considered by several contributors to pose a risk to highway safety, both to pedestrians and car users. Additional concern is raised as it is implied that the levels of parking on the site as a whole will be reduced from 177 spaces to 143, as a result of the replacement of the 80 informal spaces in existing temporary car park with 60 formal spaces and the further loss of 15 spaces elsewhere.

Firstly, it has been identified that the 143 spaces expected to be left over the whole site, will be in excess of the County Council's Parking Strategy requirements of 138 spaces for the existing Academy, leisure centre and the proposed AGP and therefore, it is deemed that the proposed levels of parking are in fact satisfactory and as a result it would not be appropriate to object on these grounds. Furthermore, the parking level of 177 spaces, includes the temporary car park, which as advised earlier, should have been removed by now, in accordance with planning permission 08/05347/R3C. It is therefore appropriate to consider that the cessation of the temporary parking would leave the onsite parking provision well below the required level and likely to have an increased detrimental impact on highway safety as a result of potential increased parking on the public highway. The proposed formalising of this parking area will ensure that the appropriate levels of parking are provided and the Parking Strategy requirements are met.

Some local residents have questioned the accuracy of the accident data supplied as part of the report, however the Highway Officer again accepts its findings. As referred to in some of the comments received, the Highway Officer has also commented on the fatal accident occurring close to the site, however he advises that circumstances pertaining to that accident do not alter the Highway Authority's view and all potential areas of concern have now been satisfactorily addressed in respect to that case.

In light of the above considerations, the Highway Authority have raised no objections subject to the inclusion of conditions relating to surface water disposal, the car park being kept clear of obstruction and available for parking only, the submission of a framework for the preparation of an amended Travel Plan for the Academy and submission of a Construction Management Plan, all of which are considered reasonable and acceptable.

The Highway Authority have also requested a condition survey of the existing highway in order that any damage caused during construction can be put right, however it is not considered appropriate to impose such a condition as this is not a matter that can be controlled under planning legislation. Notwithstanding this, there are no objections raised by the Highway Authority and it is not considered that the proposal will have any detrimental impact on highway safety.

Trees and Ecology

The proposal includes ground re-modelling works, mainly to improve and add a bund to the west boundary of the site and to the north, adjacent to Uplands, and to compliment this with a substantial planting scheme that will include tree planting to the north, west

and east boundaries of the car park and pitch. This scheme has been considered by the Council's Landscape Architect, who is satisfied that will provide appropriate mitigation against the increased use of the site as a result of the pitch, floodlighting and the provision of a permanent car park. Therefore, subject to conditioning the implementation of the proposed landscaping scheme, the proposal is considered to enhance the appearance of the site and have no adverse impact on its surroundings.

The Tree Officer has also considered the proposal, which is supported by an Arboricultural Impact Assessment. In this, only one existing tree is identified for removal and appropriate tree protection measures are proposed. The Tree Officer has also considered the concerns of the immediate neighbour in relation to the impact of the acoustic fence on existing trees and hedge along the domestic boundary of Uplands. It is his view that the effect ought to be negligible, with no adverse impact.

In considering local ecology, an ecology survey report was commissioned, which focussed particularly on assessing the presence and impact to bats. It did not identify any actual or potential bat roosts on site, although it was noted that there was a notable level of bat activity to the eastern boundary of the pitch. The Council's Ecologist has however confirmed that the only species recorded insignificant levels was the common pipistrelle, which is a more light tolerant species, often found within urban environments. While it is considered that the proposed floodlighting could potentially give rise to some disturbance of these bats, this would not be considered significant enough to warrant refusal. Additional tree and hedge planting is proposed to the eastern boundary of the AGP, at pitch level, which will have an additional benefit in reducing this disturbance, and is therefore considered appropriate mitigation. This enhancement is able to be controlled by the earlier suggested condition requiring the full implementation of the submitted landscaping scheme.

Flooding and Surface Water Drainage

The site is located within a low risk flood area (Flood Zone 1), although a water course (Mill Brook) runs close to the eastern boundary of the Academy site. It is understood that there is no active drainage system on the existing 'Redgra' pitch or the adjoining gravel car park, with drainage likely to be via ground infiltration and surface run-off to adjacent ground.

In order to ensure that the proposed development does not cause any increase in water run-off rates, it is proposed that the surface of the AGP and the car park will be largely permeable, with a drainage system provided in the form of gravel-filled infiltration trenches along the edges of the pitch, which will in turn allow dissipation into the ground. It is also proposed to include a high-level overflow that will be connected to an existing controlled outfall, which discharges to Mill Brook.

In principle, there are no objections to the proposed drainage scheme, however in their comments, the Environment Agency have questioned some of the drainage details, including some of the technical specifications and calculations. Nonetheless, these do not constitute an objection and the Agency is satisfied that these questions can be addressed by discharging a condition requiring the agreement and subsequent implementation of an appropriate drainage scheme. As such, it is not considered that the proposed development will lead to any increased risk of flooding within the site or to land beyond its boundaries.

Conclusion

Overall, the proposed development is considered to address an identified community need. Despite several areas of concern being identified, it is considered that these

issues are able to be satisfactorily mitigated against by the provision of protective measures and imposition of appropriate conditions. It is therefore considered that the proposal will not lead to unacceptable harm to the amenities of local residents or have any detrimental impact on the character of the area, highway safety and ecology or increase the risk of flooding locally.

RECOMMENDATION

Approval with conditions

01. Notwithstanding the objections received the proposal maintains the visual characteristics of the area, adequately safeguards residential amenity, causes no detrimental impact to highway safety, local landscape character or local ecology and meets a proven special recreational need, in accordance with the aims and objectives of the National Planning Policy Framework, Somerset County Council Parking Strategy and saved policies ST5, ST6, EC3, EC8, EP2, EP3, EP9, EU4 and CR1 of the South Somerset Local Plan.

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: 'AN-105-01A', 'AN-105-10H', 'AN-105-11C', 'AN-105-15' and 'AN-105-16', received 16th January 2014.

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

03. No development shall commence unless a floodlighting scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a site specific isolux diagram, taking into account all relevant local factors, showing the predicted luminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties. The submitted scheme shall specifically include details of the following measures:

- Light into neighbouring residential windows generated from the floodlights shall not exceed 5 Ev (lux) (vertical luminance in lux).
- Each floodlight must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical.
- The floodlighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 2.5%.

The lighting shall thereafter be fully installed in accordance with those approved details and any future amendments, alterations or replacement lighting equipment shall be first agreed in writing by the Local Planning Authority.

Reason: To minimise any potential nuisance and disturbance to neighbours and to safeguard the amenities of the surrounding area, in accordance with saved policies ST5, ST6, EC3 and EP3 of the South Somerset Local Plan and the provisions of

chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

04. The floodlights hereby permitted shall not be illuminated and no system of public address used except between the hours of 08:00 and 21:15 hours Monday to Friday and 09:00 and 18:15 hours Saturdays, Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and to safeguard the amenities of the surrounding area, in accordance with saved policies ST5, ST6, EC3 and EP3 of the South Somerset Local Plan and the provisions of chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

05. The pitch hereby permitted shall not be used except between the hours of 08:00 and 21:15 hours Monday to Friday and 09:00 and 18:15 hours Saturdays, Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and to safeguard the amenities of the surrounding area, in accordance with saved policies ST5, ST6, EC3 and EP3 of the South Somerset Local Plan and the provisions of chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

06. Details of the ball damper board to be installed around the perimeter of the pitch to mitigate the impact of hockey balls shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be fully installed and maintained in accordance with such agreed details prior to the facility hereby approved being first brought into use.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area, in accordance with saved policies ST6 and EP3 of the South Somerset Local Plan and the core planning principles of the National Planning Policy Framework.

07. The acoustic fence hereby permitted shall be installed in complete accordance with details as specified in the approved plans and submitted supporting information, prior to any part of the development hereby permitted being brought into use. Following its installation the acoustic fence shall be permanently retained and maintained thereafter.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area, in accordance with saved policies ST6 and EP3 of the South Somerset Local Plan and the core planning principles of the National Planning Policy Framework.

08. The proposed landscape scheme shall be carried out in accordance with details as indicated on approved plans 'AN-105-15', unless otherwise agreed in writing by the Local Planning Authority. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following any part of the development hereby permitted being brought into use or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual and residential amenity and to safeguard local ecology, in accordance with saved policies ST5, ST6, EC3 and EC8 of the South Somerset Local Plan and the provisions of chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

09. The proposed scheme of tree protection measures shall be carried out in accordance with details as specified within the submitted 'Arboricultural Impact Assessment, dated 4th November 2013, unless otherwise agreed in writing by the Local Planning Authority. Such measures shall be implemented for the duration of the construction of the development hereby permitted.

Reason: In the interests of visual amenity and to safeguard existing trees, in accordance with saved policies ST5, ST6 and EC3 of the South Somerset Local Plan.

10. No development shall commence until a surface water drainage scheme for the site, based on the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the scheme shall be maintained and managed after completion and measures to prevent discharge of surface water onto the adjoining highway. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: In the interests of highway safety, to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, in accordance with saved policies ST5, ST6, EC3, EC8 and EP9 of the South Somerset Local Plan and the provisions of chapters 4, 10 and 11 of the National Planning Policy Framework.

11. The areas allocated for parking and turning on the approved plans shall be kept clear of obstruction at all times and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of chapter 4 of the National Planning Policy Framework.

12. Prior to the commencement of the development, a framework for the preparation of an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The updated framework shall set out the proposed contents of the plan, in accordance with the advice contained within 'Somerset County Council Travel Planning Guidance - November 2011'. Within one year of the development hereby approved first coming into use, a Travel Plan shall be submitted to, and approved in writing by the Local Planning Authority. The plan shall include measurable outputs and arrangements for monitoring and enforcement in accordance with the advice given in the County Council's guidance.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

13. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction

vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice (including details of measures to prevent pollution of the local water environment and to reduce noise and dust from the site) and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: To safeguard residential amenity, highway safety and to prevent pollution of the water environment, in accordance with saved policies ST5, ST6, EP6 and EP9 of the South Somerset Local Plan and the core planning principles and provisions of Chapter 4 of the National Planning Policy Framework.

Informatives:

01. In carrying out the approved landscaping scheme and associated tree planting, it is recommended that modestly sized container-grown stock is used rather than bare-rooted or root-balled stock and watering is encouraged, particularly during the first Spring, post-installation.

02. In relation to conditions 9 and 12, the applicant is reminded of the Environment Agency's comments of 26th February 2014, a copy of which can be viewed on the Council's website.