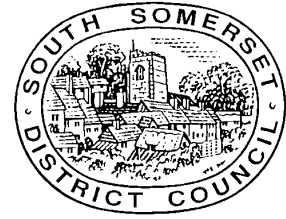


South Somerset District Council
Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 23 July 2014

2.00pm

**The 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 3.30pm.

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 Monday 14 July 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 3.30pm, 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 usually be available from 15 minutes before 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 July 2014

Agenda

Preliminary Items

1. **To approve as a correct record the minutes of the meeting held on 25 June 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 27 August 2014 at Chilthorne Domer Village Hall (venue to be confirmed).**

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

Page Number

Items for Discussion

8.	Avon and Somerset Constabulary Update	1
9.	Grant to Chilthorne Domer Recreational Trust (Executive Decision)	2
10.	Grant to Seavington Playing Field Association (Executive Decision)	8
11.	Flood Recovery and 20 Year Flood Action Plan Update	13
12.	Area North Committee – Forward Plan	14
13.	Planning Appeals	17
14.	Planning Applications	29

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.

Ordnance Survey mapping/map data included within this publication is provided by South Somerset District Council under licence from the Ordnance Survey in order to fulfil its public function to undertake its statutory functions on behalf of the district. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey mapping/map data for their own use. South Somerset District Council - LA100019471 - 2014.

Area North Committee – 23 July 2014

8. Avon and Somerset Constabulary Update

Inspector Tim Coombe and members of the Area North Neighbourhood Policing team will attend the meeting to give a presentation and update members on the review of the policing structures across their operations and geographical area.

Area North Committee – 23 July 2014

9. Grant to Chilthorne Domer Recreational Trust (Executive Decision)

Strategic Director: Rina Singh, Place and Performance
Assistant Director: Kim Close/Helen Rutter, Communities
Service Manager: Charlotte Jones, Area Development Manager (North)
Lead Officer: Sara Kelly, Neighbourhood Development Officer (North)
Contact Details: sara.kelly@southsomerset.gov.uk or 01935 462249

Purpose of the Report

Councillors are asked to consider the awarding of a grant for £6,000 to Chilthorne Domer Recreational Trust towards the cost of refurbishment works to the pavilion.

Public Interest

Chilthorne Domer Recreational Trust has applied for financial assistance from the Area North community grants programme. The application has been assessed by the Neighbourhood Development Officer who has submitted this report to allow the Area North Committee to make an informed decision on the application.

Recommendation

It is recommended that councillors award a grant of £6,000 to Chilthorne Domer Recreational Trust, towards the cost of refurbishments to the pavilion, to be allocated from the Area North capital programme (Local Priority Schemes), subject to SSDC standard conditions for community grants and one special condition (appendix A).

Application Details

Name of applicant	Chilthorne Domer Recreational Trust
Project	Warm, dry, accessible and affordable Chilthorne Rec
Project description	Vital improvements to the recreation centre to improve energy efficiency entailing loft insulation, double glazing, replacement doors, roof repairs and room divider. Also the drawing up of plans for structural changes to corridors and toilet areas to make the building fully accessible
Total project cost	£15,506
Amount requested from SSDC	£6,000 (39%)
Recommended special conditions	The services of SSDC's building control team must be used for the Building Regulations application
Application assessed by	Sara Kelly, Neighbourhood Development Officer (North)

Community Grants Assessment Score

The table below shows the grant scoring for this application. In order to be considered for SSDC funding under the Community Grants policies, applications need to meet the minimum score of 22.

Category	Actual Score	Maximum score possible
A Eligibility	Y	
B Target groups	4	7
C Project	5	5
D Capacity of organisation	12	15
E Financial need	5	7
F Innovation	1	3
Grand Total	27	37

Background

Chilthorne Domer Recreational Trust is a registered charity and occupies land leased by the Parish Council. The freehold is owned by South Somerset District Council. The objective of the Trust is the provision of recreational facilities for the use of the inhabitants of the parish of Chilthorne Domer without distinction of political, religious or other opinions.

The trust is responsible for the playing field which includes a football pitch and outdoor play equipment as well as a pavilion with function room, multi-use sports hall, changing and shower rooms and a kitchen.

Within the last twelve months a zip wire, birds nest style swing and climbing frame has been installed and an all-weather pathway has been built around the field giving access to exercise and play facilities suitable for all ages and abilities.

The village primary school which is immediately next to the playing field regularly uses both the field and pavilion and has, in the last 12 months opened a breakfast club which is run from here.

Parish Information (*Taken from the 2011 census profile)

Parish*	Chilthorne Domer
Parish Population*	574
No. of dwellings*	229

Developing the Project

Following a complete refresh of the trustee body for the Recreation Trust in April 2010 the trust has fully reviewed the condition of the pavilion building and playing field and has taken a phased approach to improvements.

A grant of £12,500 was awarded by Area North Committee in November 2010 and was spent on refurbishing the water, heating systems and kitchen, re-laying external paved areas and security improvements.

In the last twelve months, new outdoor play equipment has been installed and an all ability play trail created following the addition of an all-weather pathway around the field.

A user group meeting was held in January 2014 to discuss next steps and the following priorities identified;

- Repair leaking roof
- Improve insulation to minimise fuel use
- Improve accessibility to the building

The trustees are very clear that of upmost importance is the affordability of hire charges especially as many of their regular users function on limited budgets. The improvements that will be brought about from this phase of works will go a long way towards maintaining these affordable charges.

There is also a very clear commitment to improve accessibility within the building.

Local Support/evidence of need

In addition to the user group meeting in January 2014, the Trust also commissioned surveys of the pavilion to assist them in their decision making.

South Somerset Disability Forum produced a feasibility report in March 2014. Their recommendations included internal alterations to widen passageways, new toilet facilities to include a fully accessible toilet, replacement of single glazed windows with double glazed units, wall and roof insulation. As some of these recommendations require structural alterations, this grant application includes an allowance to produce the professional drawings needed to enable this work to be scoped and costed. The trustees have confirmed their intention to continue to work with the disability forum in order to improve accessibility and ensure that any refurbishment conforms to the current regulations and best practise.

A community buildings energy survey was commissioned by the Trust and carried out by Western Power in April 2012. This identified how much heat was being lost through poorly insulated loft spaces, draughty windows, ill-fitting doors and heating the whole of the large function room when it could be split using an insulated room divider. Energy savings generated by this project will reduce the fuel bill thus allowing hire charges to remain affordable.

Project Costs

Repair of multi-use hall roof	£1,673
Replace single glazed windows with double glazed units	£2,293
Replace draughty doors with well-fitting accessible doors	£3,115
Install insulated room divider	£4,055
Insulate roof space	£2,540
Drawings and costings for accessible toilets and corridors	£1,530
Building regs	£300
Total project cost	£15,506

Funding Plan

Funding Source	Funds Secured
Own funds	£2,006
Chilthorne Domer Parish Council	£2,500
Awards for All	£5,000
Total secured	£9506
Amount requested from SSDC	£6,000*

*This is 39% of the total project cost.

The Future

The trustees have adopted a business-like approach in order to bring about long term improvements. There is a strong commitment to continuing with these improvements and making the building fully accessible and more comfortable for all users.

The trustees have a very clear aim to improve energy efficiency and thus reduce fuel bills allowing hire charges to remain affordable. If this grant application is approved, not only will it generate immediate improvements, but it will also enable the trustees to draw up the necessary plans to inform their next step of the project.

Consents and permissions

The pavilion is licensed by SSDC and therefore the Trust will have to submit alterations for approval to the licensing team and also building control. The trustees have confirmed their intention to use SSDC's building control team.

No planning permission is required for the planned works.

Conclusion and Recommendation

This application is for £6,000, which represents 38% of the total project cost. The trustees are organised and committed and have shown very clear intentions to continue to improve the recreational facilities for the benefit of all users.

It is recommended that this application for £6,000 is supported and the following special condition is added to the standard conditions;

- The services of SSDC's building control team must be used for the Building Regulations application.

Financial Implications

There is £240,536 available in the Area North Capital programme for Local Priority Schemes. If the recommended grant of £6,000 is awarded, £234,536 will remain in this allocation for 2014-15 and for future years.

Council Plan Implications

Focus Two: Environment: we want an attractive environment to live in with increased recycling and lower energy use

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

Carbon Emissions & Climate Change Implications

The installation of double glazed windows, replacement of draughty doors, insulating the roof space and installing an insulated room divider will very substantially reduce heat demand with consequent reduction of carbon emissions at the pavilion.

Equality and Diversity Implications

The trustees are working on a series of improvements that, when completed will provide an improved pavilion that is accessible to all.

Appendix A

Standard Grant Conditions

The funding support is offered subject to the following conditions:

1.	The funding has been awarded based on the information provided on the application form for your application number AN14/04 for 39% of the total cost.
2.	The attached signed "Advice of Acceptance of Funding Offer" to be returned before payment is made to Area Development North, SSDC, Unit 10 Bridge Barns, Long Sutton, TA10 9PZ. An SAE is enclosed.
3.	Confirmation that all other funding sources are secured.
4.	The applicant demonstrates an appropriate Parish Council contribution.
5.	SSDC is acknowledged on any publicity and on any permanent acknowledgement of assistance towards the project.
6.	The applicant will work, in conjunction with SSDC Officers, to monitor the success of the scheme and the benefits to the community, resulting from SSDC's contribution to the project. A project update will be provided on request.
7.	Should the scheme be delayed or unable to commence within twelve months from the date of this committee, SSDC must be notified in writing.
8.	Should the final cost be less than the estimate considered by the Committee, the funding will be proportionately reduced. However, if the cost exceeds that estimate, no further funding will normally be available.
9.	SSDC must be notified of, and approve, any proposed changes to the project.
10.	The applicant will share good practice with other organisations if successful in securing external funding.
11.	Grants can only be paid for a single year and a second application is not allowed for the same project within 3 years (unless Service Level Agreement).
12.	The services of SSDC's building control team must be used for the Building Regulations application

Area North Committee – 23 July 2014

10. Grant to Seavington Playing Field Association (Executive Decision)

Strategic Director: Rina Singh, Place and Performance
Assistant Director: Kim Close/Helen Rutter, Communities
Service Manager: Charlotte Jones, Area Development Manager (North)
Lead Officer: Sara Kelly, Neighbourhood Development Officer (North)
Contact Details: sara.kelly@southsomerset.gov.uk or 01935 462249

Purpose of the Report

Councillors are asked to consider the awarding of a grant for £6,000 to Seavington Playing Field Association towards the cost of new accessible footpaths.

Public Interest

Seavington Playing Field Association has applied for financial assistance from the Area North community grants programme. The application has been assessed by the Neighbourhood Development Officer who has submitted this report to allow the Area North Committee to make an informed decision on the application.

Recommendation

It is recommended that councillors award a grant of £6,000 to Seavington Playing Field Association, towards the cost of new accessible footpaths, to be allocated from the Area North capital programme (Local Priority Schemes), subject to SSDC standard conditions for community grants (appendix A).

Application Details

Name of applicant	Seavington Playing Field Association
Project	New access all footpaths
Project description	Two new footpaths; Footpath A - to join the main and overflow car parks that serve the Seavington Millennium Hall, Community shop and Café Footpath B - a gravel path around the playing field to give full access to the field
Total project cost	£23,000 for footpath A and £9,000 for footpath B
Amount requested from SSDC	£6,000
Recommended special conditions	None - SSDC standard grant conditions
Application assessed by	Sara Kelly, Neighbourhood Development Officer (North)

Community Grants Assessment Score

The table below shows the grant scoring for this application. In order to be considered for SSDC funding under the Community Grants policies, applications need to meet the minimum score of 22.

Category	Actual Score	Maximum score possible
A Eligibility	Y	
B Target groups	6	7
C Project	3	5
D Capacity of organisation	11	15
E Financial need	5	7
F Innovation	3	3
Grand Total	28	37

Background

Seavington Playing Field Association (SPFA) is a registered charity and was established in 1975 to provide or assist in the provision of facilities for recreation and other leisure time occupation for the inhabitants of the parishes of Seavington St Mary and Seavington St Michael, with the object of improving the conditions of life for the inhabitants without distinction of political, religious or other opinions.

The SPFA purchased a 2.7 hectare playing field in the 1980's for the use of the village cricket and football teams. In 1998 a new village hall was constructed on part of the site containing hall, meeting room, catering facilities, changing rooms and car parking.

In 2005 a village plan was prepared and a key finding was resident's desire to see the reinstatement of a village shop. Following much work and local support a new village shop and café subsequently opened in July 2010 adjacent to the village hall on land leased from SPFA.

The success of all of these ventures has meant that demand on the main car park often exceeds available spaces. There is an overflow car park but this is situated 150 meters away on the other side of the site and there is no designated footpath to join the two car parks.

In December 2013 the playing field was registered with Fields In Trust helping to guarantee the long term future of the site.

Parish Information (*Taken from the 2011 census profile)

Parish*	Seavington St Mary and Seavington St Michael
Parish Population*	511
No. of dwellings*	232

Developing the Project

A public consultation event for residents was held on Saturday 1st June 2013 inviting residents to view and comment on proposals for new footpaths on the site. The event was well attended and feedback was very supportive.

Trustees consulted with South Somerset Disability Forum who have visited the site and offered advice on the design of the proposed footpaths.

The project can be broken down into two phases and will see the creation of two new footpaths, one to join the existing and overflow car parks and one to run around the outside of the playing field to allow all weather access to the outdoor play and gym equipment.

The trustees aim to raise sufficient funds for both footpaths to be constructed at the same time. However, the specification against which quotes have been received sought individual quotes for each footpath to allow construction over two phases should funding dictate. This grant application is seeking funding towards footpath A.

Local Support/evidence of need

Current use of the playing field is limited and access is difficult due to the steep gradient from the car park. When the main car park is full, visitors often park on the verge alongside the road rather than walk across the playing field to the overflow car park. This creates a hazard especially at night as the site is on an unlit country lane.

The public consultation event in June 2013 was attended by 70 people. Comments received showed widespread support from a variety of different users.

At present, children have nowhere safe to ride their bicycles or scooters and parents with buggies or people with mobility problems find it difficult to access the full site. Once constructed, the new footpaths will improve accessibility and increase the range and amount of activities that are able to take place on the site.

The Parish Council are fully supportive of the project. As well as committing £2,600 they also undertake all of the grass cutting on the playing field and undertake maintenance of the benches in support of SPFA.

Project Costs

Footpath A: 150m x 1.8m tarmac footpath joining the main and overflow car parks to include solar lighting and hand rails	£23,000
Footpath B: 350m x 1.8m rammed gravel path around field	£9,000
Total cost of both phases	£32,000

Funding Plan

Funding Source	Funds Secured
Own funds	£2,000
Seavington Parish Council	£2,600
Awards for All	£10,000
Total secured	£14,600
Amount requested from SSDC	£6,000*

*This equates to 26% of footpath A.

The trustees are awaiting the outcome of two additional grant applications and will make the decision whether to construct both footpaths at the same time or break the project down into two phases once the outcomes are known.

The Future

There is a very strong commitment amongst the trustees of SPFA to continue to improve facilities for the benefit of all users. They have a clear intent to increase usage of the playing field and to be able to offer a wider range and amount of activities on the site.

This will generate increased revenue which will assist with maintenance costs and provide income for ongoing improvements.

Consents and permissions

Planning permission is not required for this project.

Conclusion and Recommendation

This application is for £6,000, which represents 26% of the cost of footpath A. The trustees are organised and committed and have shown very clear intentions to continue to improve the recreational facilities for the benefit of all users.

It is recommended that this application for £6,000 is supported.

Financial Implications

There is £240,536 available in the Area North Capital programme for Local Priority Schemes. Another grant application for £6,000 is being recommended for approval at this meeting. Assuming that is approved, there will be £234,536 available. If the recommended grant of £6,000 is then awarded for this project, £228,536 will remain in this allocation for 2014-15 and for future years.

Council Plan Implications

Focus Two: Environment: we want an attractive environment to live in with increased recycling and lower energy use

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

Carbon Emissions & Climate Change Implications

Nothing relevant to this application

Equality and Diversity Implications

The new footpaths will improve accessibility around the site and increase recreational opportunities for all users.

Appendix A

Standard Grant Conditions

The funding support is offered subject to the following conditions:

1.	The funding has been awarded based on the information provided on the application form for your application number AN14/05 for 26% of the total cost of Pathway A.
2.	The attached signed "Advice of Acceptance of Funding Offer" to be returned before payment is made to Area Development North, SSDC, Unit 10 Bridge Barns, Long Sutton, TA10 9PZ. An SAE is enclosed.
3.	Confirmation that all other funding sources are secured.
4.	The applicant demonstrates an appropriate Parish Council contribution.
5.	SSDC is acknowledged on any publicity and on any permanent acknowledgement of assistance towards the project.
6.	The applicant will work, in conjunction with SSDC Officers, to monitor the success of the scheme and the benefits to the community, resulting from SSDC's contribution to the project. A project update will be provided on request.
7.	Should the scheme be delayed or unable to commence within twelve months from the date of this committee, SSDC must be notified in writing.
8.	Should the final cost be less than the estimate considered by the Committee, the funding will be proportionately reduced. However, if the cost exceeds that estimate, no further funding will normally be available.
9.	SSDC must be notified of, and approve, any proposed changes to the project.
10.	The applicant will share good practice with other organisations if successful in securing external funding.
11.	Grants can only be paid for a single year and a second application is not allowed for the same project within 3 years (unless Service Level Agreement).

Area North Committee – 23 July 2014

11. Flood Recovery and 20 Year Flood Action Plan 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 progress of schemes and actions within the 20 Year Flood Action Plan.

Area North Committee – 23 July 2014

12. 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 SSSC 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 20 Year Flood Action Plan	A progress report on the Somerset 20 Year Flood Action Plan, and Flood Recovery Plan	Charlotte Jones, Area Development Manager (North)
27 Aug '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)
27 Aug '14	Highways Update	To receive an update regarding grants received from central government, in response to the winter flooding and subsequent damage to the highway network.	Neil McWilliams, Assistant Highway Service Manager (SCC)
27 Aug '14	Flooding, land drainage and civil contingencies	General report providing an annual update.	Roger Meecham, Engineer and Pam Harvey, Civil Contingencies & Business Continuity Manager
27 Aug '14	Area North Development Plan - update report	An financial update on the resources available to support the Area Development Plan – including the Area North Capital Programme and Reserve budget.	Charlotte Jones, Area Development Manager (North)
24 Sept '14	Arts and Entertainment	A report from the SSDC Arts and Entertainment Service including the Octagon Theatre and Arts Development service.	Adam Burgan, Arts & Entertainment Manager and Pauline Burr, Arts Development Officer
24 Sept '14	Local Housing Needs in Area North	A report from the SSDC Housing and Welfare Service and an update on housing need in Area North.	Kirsty Larkins, Housing and Welfare Manager

24 Sept '14	Section 106 Monitoring Report	Update report on the completion of the terms of various s106 agreements, including the collection and re-investment of financial obligations from developers.	Neil Waddleton, Section 106 Monitoring Officer
22 Oct '14	<i>LEADER report</i>	<i>To report on the outcome of applications to DEFRA for funding under the Leader+ programme, with implications for South Somerset.</i>	<i>Helen Rutter, Assistant Director(Communities)</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 July 2014

13. 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

12/03954/FUL – Land at Sheria Cottage, Whitfield Lane, South Petherton TA13 5DF.
The erection of two detached dwellinghouses, two detached double garages and road improvement works.

13/04141/OUT – Homestead, Ham Lane, Compton Dundon TA11 6PQ.
Outline application for a single dwelling with associated access.

Appeals Dismissed

13/02925/FUL – Land adjacent A303, Tintinhull Forts, Tintinhull BA22 8PA.
Installation of ground mounted photovoltaic solar array to provide 6 MW generation capacity together with inverter systems; transformer stations; sub-station; internal access track; landscaping; security fencing; associated access gate and removal of one Ash tree protected by Tree Preservation Order.

Appeals Allowed

13/03053?FUL – Land north of Tengore Lane, Long Sutton.
Solar PV development including ground based racking systems, mounted solar panels, power inverter stations, transformer stations, substation, deer/security fencing and associated access gates, and CCTV/security cameras mounted on free-standing support poles.

The Inspector's decision letters are shown on the following pages.

Appeal Decision

Hearing held on 4 February 2014

Site visit made on 4 February 2014

by Andrew Hammond MSc MA CEng MIET MRTPI

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

Decision date: 20 June 2014

Appeal Ref: APP/R3325/A/13/2209592

Land at Tintinhull Forts, Tintinhull BA22 8PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Lumicity Limited against the decision of South Somerset District Council.
 - The application Ref 13/02925/FUL, dated 12 July 2013, was refused by notice dated 1 October 2013.
 - The development proposed is installation of ground mounted solar photovoltaic array to provide 6 MW generation capacity together with inverter systems; transformer stations; substation; internal access track; landscaping; security fencing; associated access gate and removal of one Ash tree protected by a Tree Preservation Order.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character of the landscape and on the setting of nationally recognised heritage assets.

Reasons

3. The appeal site comprises some 25 hectares of open land within the open countryside but adjacent to the A303 dual carriageway to the north-west. The proposed development would comprise an array of around 32000 photovoltaic (pv) panels mounted at approximately 25° to the horizontal and facing south.

Hamdon Hill Camp and Montacute Castle

4. To the south of the appeal site there lies Hamdon Hill Camp (also known as Ham Hill) and Montacute House with its Registered Park and Garden, within which is located St. Michael's Hill surmounted by Montacute Castle.
5. Hamdon Hill is reputedly the largest hillfort in the country and it retains many of its features including its ramparts. It is a scheduled ancient monument. The hill is also a countryside park which is a significant tourist attraction and there is a Grade II listed war memorial overlooking the northern vista.
6. From the hill there is a wide panorama over the Somerset levels with the appeal site being clearly visible some 1.5km to the north. The proposed large pv array

- would introduce a substantial man-made feature into the predominantly rural landscape. Whilst there are other features which detract from the view, including the A303, the extent of the appeal proposal and its appearance would be such as to make it particularly prominent and out of character with the wider rural landscape.
7. Whilst the principal significance of the hillfort is its evidential value in the form of the physical above-ground and archaeological remains, the visibility of the hillfort from the wider area and the extensive views from it form part of the original function and contribute substantially to its significance.
 8. The introduction of the appeal proposal would detract appreciably from the views from the hillfort and from views towards it from the vicinity of the appeal site itself such as from the road bridge over the A303. Whilst this view coincides with an antiquarian sketch by William Stukeley it is noted that that is a view which would not have been possible at the time the engraving was made.
 9. Montacute Castle is a motte and bailey castle on St. Michael's Hill to the east of Hamdon Hill and is also a scheduled ancient monument. It is some 2km south of the appeal site. As with Hamdon Hill the principal significance of this heritage asset is its buried and visible remains. However, again, the views from the summit with its folly tower, which is not included in the scheduling but is nevertheless a Grade II listed building, enable an understanding of the form and function of Montacute Castle and contribute towards its significance as a heritage asset.
 10. The Planning Practice Guidance (PPG) published by the DCLG in March 2014 and upon which the main parties have had the opportunity to comment in relation to the appeal, states that *great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset.*
 11. The setting of a heritage asset is defined in the National Planning Policy Framework (the Framework) as *the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*
 12. As accepted by the appellant, the views over open low-lying land from both Hamdon Hillfort and Montacute Castle enable an understanding of these two ancient monuments, thereby contributing towards their significance and the ability to appreciate that significance. The introduction of a substantial solar park into the views from both ancient monuments, albeit at some distance, would result in an expansive array of panels of an industrial appearance, detrimental to the enjoyment of the views and to the appreciation of the significance of the heritage assets, causing considerable harm.
 13. In addition, the solar park would be seen in the foreground in some views towards St Michael's Hill and Hamdon Hill, including from the road bridge over the A303.

The hills are major and striking elements in the landscape and the introduction of the solar park into these views would add harm to both the wider landscape and the setting of the heritage assets described above, albeit subject to caveats given above in relation to the significance of the engraving by William Stukeley.

14. Furthermore s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard should be had to the desirability of preserving a listed building or its setting. Views from and of the folly tower on St Michael's Hill form an essential component of the setting of the listed building and would be adversely affected by the presence of the solar park, adding considerably to the harm to be balanced against the benefits of the proposed scheme.

Montacute House and Gardens

15. In addition to the views from St. Michael's Hill there would appear to be potential for views of the solar park from elsewhere within Montacute Park and Gardens. However, for in at least the majority of cases views would be screened by vegetation and intervening buildings. It is concluded, therefore, that other than as described above, there would be no harmful significant effect on the setting of Montacute House, Gardens and Park.

Halfway House Farm

16. Halfway House Farm and associated stables are Grade II listed buildings some 100m from the boundary of the appeal site.
17. The proposed development would not significantly affect the relationship between the buildings or their setting and visibility of the proposed development would be restricted by existing and strengthened landscaping. There would be no unacceptable effect on this particular heritage asset or its setting.

Other Heritage Assets

18. There are a number of Conservation Areas and Listed Buildings within the wider area. However any impact on the setting of these other assets would be insubstantial.

Conclusion

19. The proposed development would have a considerable and significant adverse impact on the setting of both Hamdon Hill Hillfort and Montacute Castle, both ancient monuments and of the Grade II listed folly tower on St. Michael's Hill. It would also, to a lesser extent, impact on the wider landscape to the detriment of its character and appearance.
20. Whilst it is recognised that the Framework and the PPG support, in principal, renewable energy as a means of meeting the imperative of combating climate change, it is clear that this is not regardless of the need to protect the environment and heritage assets. In this instance the benefits of the provision of an albeit substantial contribution of renewable energy does not outweigh the harm that would be introduced.
21. The development would, therefore, be contrary to the guidance in the National Planning Policy Framework and Planning Practice Guidance and to saved policies of the South Somerset Local Plan which are aimed at protecting the environment and, in particular, the landscape and the setting of listed buildings and ancient monuments.

22. For the above reasons, and taking account of all material planning considerations, the appeal is dismissed.

Andrew Hammond

Inspector

APPEARANCES

FOR THE APPELLANT:

Mr Colin Virtue	Pegasus Planning
Mr Richard Morrison	Pegasus Planning
Ms Kate Watson	Pegasus Planning
Mr Duncan Coe	Lumicity
Mr Nick Thorne	Lumicity

FOR THE LOCAL PLANNING AUTHORITY:

Mr Dave Norris	South Somerset District Council
Mr Robert Archer	South Somerset District Council

DOCUMENTS SUBMITTED AFTER THE HEARING

Comments on the Planning Practice Guidance in relation to the appeal provided by the Council.

Comments on the Planning Practice Guidance in relation to the appeal provided by the appellant.

Appeal Decision

Site visit made on 30 April 2014

by Simon Hand MA

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

Decision date: 24 June 2014

Appeal Ref: APP/R3325/A/13/2209502

Land at Tengore Lane, Langport, Somerset, TA10 9JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by TGC Renewables against the decision of South Somerset District Council.
 - The application Ref: 13/03053/FUL, dated 25 July 2013, was refused by notice dated 25 October 2013.
 - The development proposed is solar PV development including ground based racking systems, mounted solar panels, power inverter stations, substation, deer/security fencing and associated access gates and CCTV/security cameras mounted on freestanding support poles.
-

Decision

1. The appeal is allowed and planning permission is granted for solar pv development as described above on land at Tengore Lane, Langport, Somerset, TA10 9JL in accordance with the terms of the application, Ref: 13/03053/FUL, dated 25 July 2013, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site design (dated 24-07-2013); 2V Racking System Rev2 (02/07/2012); Security fence (TGC/PV001 Rev A2); Double gates (TGC/PV002 Rev A1); Inverter cabin (TGC/PV003 Rev A2); Comms building (TGC/PV009/01 Rev A1); Switchgear housing (TGC/PV010 Rev A3); Schneider switchgear (GSC0015-01).
 - 3) The solar panels and associated structures and equipment, hereby permitted, shall be for a limited period of 25 years from the date of this decision. At the end of this period or upon cessation of their use for generating electricity, whichever is the sooner, all associated structures and equipment shall be fully removed from the application site and the site cleared. Within 3 months of clearance the land shall be restored to its former agricultural condition in accordance with a scheme of works which shall first have been submitted to and agreed in writing by the Local Planning Authority.
 - 4) Prior to commencement of the development hereby permitted the colour scheme for fencing and buildings shall be submitted to and agreed in writing by the Local Planning Authority and the buildings and fences shall

- thereafter be constructed and retained in accordance with the agreed scheme.
- 5) Prior to commencement of the development hereby permitted a Landscape and Ecological Management Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority. Particulars shall include: a) a site and vegetation management proposal, b) confirmation of any proposal to grass-seed the land and its intended management; c) a detailed planting plan, including the retention of existing hedgerows, and implementation timed to correspond with the timing of the array's construction d) pre-construction survey for badgers.
 - 6) All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the land 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.
 - 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no external lighting erected or otherwise installed on site.
 - 8) The access shall be properly consolidated and surfaced (not loose stone or gravel), and drained over the first 5m of its length, so as to avoid any loose material or water from discharging onto the adjoining public highway.
 - 9) Before works commence on site, there shall be no obstruction to visibility greater than 900mm above the adjoining road level forward of a line drawn 2.4m back and from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43m either side of the access. The above area shall be kept clear of all obstructions above 900mm in height thereafter.
 - 10) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 5m from the carriageway edge.
 - 11) Prior to commencement of the development hereby permitted and notwithstanding the details shown on drawing No TGC/PV004 "CCTV System" a scheme showing the number, height, location and colour of the CCTV system, cameras and poles shall be submitted to and agreed in writing by the Local Planning Authority. The CCTV system shall thereafter be retained in accordance with the agreed scheme.
 - 12) Notwithstanding the details on any of the approved drawings the height of the solar panels, once installed shall be no more than 2.6m above natural ground level.

Main Issue

2. The impact of the proposal on the site of the battle of Langport having regard to its proximity and setting.

Reasons

3. The solar panels would cover 6.4ha of land on the ridge of Pitney Hill. The panels would be no more than 2.6m tall from the ground and surrounded by a green mesh fence 2.4m tall with security cameras on poles around the edge. There would be various buildings between 2m and 4.8m tall within the site. The tallest building is measured to the top of a pitched roof. The lower buildings are more utilitarian in design.
4. The sole reason for refusal is the impact on the registered battlefield, a designated heritage asset, and its archaeology. Policies EH9 and EH12 of the South Somerset local plan are the most relevant. EH9 does not permit development that would have an adverse effect on the historic or archaeological value of the Langport Battlefield. EH12 protects areas of high archaeological interest where there is good reason to believe there are remains of archaeological importance. Paragraph 132 of the Framework requires great weight to be given to the conservation of any designated heritage asset. Paragraph 134 requires that where there is less than substantial harm to the significance of a heritage asset that harm should be weighed against any public benefits of a proposal. The battlefield is registered and should be given a high level of protection.
5. A previous appeal for a larger site was refused in 2013. The Inspector considered the area was “quintessentially rural and the valley form clearly readable”. These qualities “add significantly to an understanding of the site” and were “important elements of its significance”. She went on to find that “significant parts of the western field of panels would be visible” and while the small visible area would have little impact when glimpsed by passers by, it would be clearly seen by walkers and would be “uncharacteristic of the landscape and in adversely affecting its setting, harmful to the significance of the Langport battlefield”¹.

Impact on the setting of the registered battlefield

6. There is no dispute the appeal site lies outside of the registered battlefield area and it seems clear to me the previous Inspector’s issue was with the western field, not the whole site, and it was the impact of the visibility of this element of the proposal that harmed the setting of the battlefield. This field has now been removed from the appeal site. I undertook an extensive tour of the battlefield and while the western field was indeed visible, especially when seen from across the valley on the ridge on the western side of the battlefield, the current appeal site was not. From further back, in a new housing estate towards Union Drove, the views were even more extensive and from here it was just possible to make out some green beyond the trees and hedgerows. It was not clear at this distance if this was the appeal site, but if it was, it was at most glimpsed through the hedges and was over 1km away. If the green was replaced by the black of the solar panels they would, at this distance, be hardly noticeable at all. The surrounding fence and security cameras would be even less noticeable. If the roof of the tallest building was visible it would only be the top of it, and would look from this distance no different from the many other roofs visible on houses and agricultural buildings in the area.

¹ All quotes taken from paragraphs 5-7 of R3325/A/12/2183185, issued 18 June 2013

7. From the eastern edge of the battlefield looking back up the hill towards the site, it would be mostly hidden, even today, by the contours of the ground and existing hedgerows and trees, which it is proposed to strengthen with more planting. There is no public access to this land, although I am mindful that this is not a significant factor as I must consider the impact upon the designated heritage asset.
8. It is quite clear to me the new reduced appeal site would not be visible to any significant extent to people walking the area and visiting the registered battlefield. The possible glimpses of it would be distant and have little if any impact on views. Any closer views are from private land and even then the site is well screened. The significance of the battlefield is not therefore harmed in any way.

The role of the site in the battle

9. The main thrust of objectors' arguments was that the battlefield itself has been too narrowly drawn and the appeal site is in the midst of the Parliamentary lines and thus seriously affects any appreciation of the battlefield.
10. A counter issue raised by the appellants is that the battlefield itself is uncertain. I am not convinced by this. A helpful booklet by Graham Edwards was written in 1995 and describes the site, the fighting and the historiography of the battle. I share the writer's view that the available evidence strongly suggests the battle took place on the official site.
11. The appeal site is only 130-150m from the edge of the registered battlefield on the summit of Pitney Hill. This is where the Parliamentary troops would have been drawn up prior to the battle taking place. It was argued that the plans showing the disposition of the Parliamentarians well forward of the appeal site is only the 'final charge' line and it is this reduced area that is covered by the registered battlefield. It is clear to me from the evidence, primarily from the 1995 booklet, that the Parliamentary army was strung out in depth across the now B3153 on the summit of Pitney Hill. The sketch plan in the booklet shows the appeal site to have been somewhere in the midst of the left flank of these forces. Although this is conjectural, an army of some 10,000 infantry and cavalry is bound to take up a large area of land. The main battle focussed on the road down to the Wagg bridge (then a ford), directly in front of the appeal site, so it is highly likely the Parliamentarians were on or around the appeal site.
12. However, the actual battle would seem to have taken place in front of the site. The Parliamentary infantry forced the crossing of the Wagg Rhyne by charging down the road, which was the only passable way across the marshy valley. Having forced out the Royalist infantry, who retreated up the hill on the western side of the valley the Parliamentary cavalry charged along the road and uphill at their opponents. The charge, countercharge by the Royalists and their final rout all took place on the slopes on the far side of the Wagg from the appeal site.
13. In conclusion therefore, it seems to me the appeal site is quite likely to have been the site of part of the Parliamentary forces before the battle, but the actual fighting took place away from the appeal site. I do not think the significance of the battlefield itself or the understanding of the unfolding events

is affected because one part of the possible Parliamentary lines, that is very difficult to see from public view points, would have solar panels placed on it.

14. I note that English Heritage are undertaking a review of registered battlefields and that Langport has been identified as one site in most need of revision. This work would involve a reassessment of the history, description and boundary of the site. I have no date for this review and no suggestion as to what effect, if any, it would have on the appeal site. At present it is pure speculation that it might lead to the battlefield being extended to cover the site. I am also aware that the proposal is not for permanent development so that even if the battlefield were to be extended to cover the site there would be no long term impact.

Archaeology

15. Even if the Parliamentary forces were not drawn up on the appeal site, it is close to the battlefield and is highly likely to have some archaeological remains. The Council accept that most of these are likely to form near surface deposits of metalwork such as musket and cannonballs which would allow indirect evidence to be adduced as to the location of troops. There is also a suggestion of the possible presence of an enclosure.
16. The panels would be mounted on legs driven into the ground, which would cause some disturbance to the ground, as would the construction of the various buildings and to a lesser extent the fence and camera poles. Nevertheless the disturbance would not be great as most of the surface area of the two fields would be untouched. I also note the Council have not suggested an archaeological condition.

Benefits

17. About 3mw of electricity would be generated by the proposal, enough to power 840 homes, which is 60% of Langport or 0.35% of Somerset's electrical demand. It is the equivalent of a single large wind turbine and this would represent an important contribution to renewable energy supply.

Conclusions

18. The revised site is no longer visible to any significant extent in views that encompass the registered battlefield. It is quite likely that the Parliamentary forces deployed across the site at some stage prior to the battle, but it would not seem that the fighting took place on or close to the site. Indeed the focus of the battle would seem to have been the road down to and across the Wagg Rhyne and on the opposite slopes. There would be some disturbance to any possible archaeological remains, but this would be relatively minor. There are significant benefits in terms of renewable energy supply.
19. I do not consider the proposal in its reduced form would hinder in any way the appreciation or consideration of the battle and the significance of the registered battlefield is not affected. The setting of the battlefield is also unaffected especially as the site would be well screened and has little visibility even from fairly nearby on the eastern side of the valley. The possibility of minor harm to the archaeology of the site is outweighed by the benefits of the provision of renewable energy. Consequently the proposal is not in conflict with policies EH9 and EH12 or with paragraph 134 of the Framework.

Conditions

20. Conditions are suggested by the Council to ensure the panels are removed after 25 years, to agree the colour of the fencing and buildings, to ensure there is no external lighting and for an ecological and landscape scheme to be agreed, which are all reasonable and necessary. The appellant also offered a condition to ensure the panels are no more than 2.6m above ground level, which is important to ensure they remain screened by the boundary treatments. Three conditions were also suggested by the County Council to cover the access and visibility splays which are also needed.
21. The plan I have for the camera pole shows a 4m pole, but this is an indicative image. On site it was evident that the Council's description of the CCTV pole plan in their suggested plans condition is not the same as the plan that I have. In view of this uncertainty I shall require details of the CCTV cameras and poles to be agreed with the Council before they are installed.

Simon Hand

Inspector

Area North Committee – 23 July 2014

14. 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

This page is intentionally blank.

Planning Applications – 25 June 2014

Planning Applications will be considered no earlier than 3.30pm

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.20pm.

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	31	ST MICHAEL'S	14/00458/ OUT	Outline residential development.	Land between Old Vicarage and 15 Yeovil Road, Tintinhull.	Bunny Construction

This page is intentionally blank

Area North Committee – 23 July 2014

Officer Report On Planning Application: 14/00458/OUT

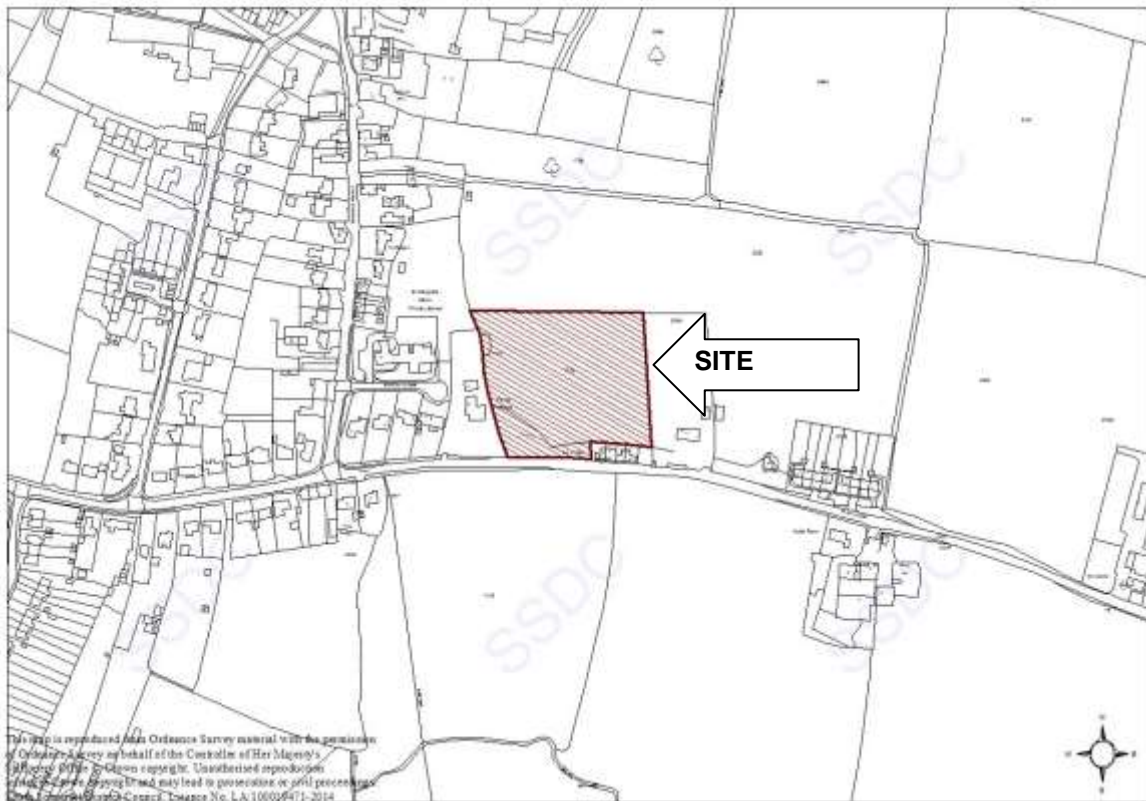
Proposal :	Outline residential development.(GR 350198/119369)
Site Address:	Land Between Old Vicarage and 15 Yeovil Road. Yeovil Road. Tintinhull.
Parish:	Tintinhull
ST MICHAELS Ward (SSDC Member)	Cllr Jo Roundell Greene
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: lex.skidmore@southsomerset.gov.uk
Target date :	9th May 2014
Applicant :	Bunny Construction
Agent: (no agent if blank)	Peter Smith, Hollyfield, Hewish, Crewkerne, Somerset TA18 8QR
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

This application for residential development is recommended for approval as a departure from saved policy ST3 of the South Somerset Local Plan which seeks to constrain development within Development Areas. However, the adopted local plan is increasingly out-of-date and policy ST3 is not consistent with the NPPF, as it is overly restrictive particularly in light of Paragraphs 54 and 55 of the NPPF, which aim to facilitate appropriate and sustainable housing to meet local need. Accordingly the application is referred to committee to enable the justification for the development to be considered in light of the issues raised locally.

SITE DESCRIPTION AND PROPOSAL





This application is seeking outline planning permission, with all matters reserved, to erect up to 11 dwellings.

The application site comprises a single agricultural field 1.26 hectares in area that abuts but lies outside the development area for Tintinhull. There is an existing access into the site leading off Yeovil Road to the front. On the opposite side of Yeovil Road is open countryside and it also backs on to farmland to the rear. The main part of the village lies to the west of the site with a grade II listed property, The Old Vicarage, immediately adjacent to the west side of the site and a row of cottages a detached property beyond to the east. The site is relatively elevated within the landscape and raised up slightly above the highway and the row of cottages 12-15 Yeovil Road, with hedge planting along the roadside boundary and mature planting including a number of trees along the west boundary. There is also a small pond situated within the site close to the west boundary.

The application is supported by a Planning Statement, Transport Statement, Flood Risk Assessment, Ecology Survey and Heritage Statement and an amended indicative layout plan has been provided to address highway concerns.

RELEVANT HISTORY:

62881/A: Erection of six houses and three bungalows and garages and formation of vehicular access. Refused 1973.

62881/B: Erection of two houses and garages and formation of vehicular access. Refused 1973.

770891: (Outline) Residential development of land. Refused 1977.

62881: Development for residential purposes. Refused 1962.

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.

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 (2006):

ST3 - Development Area
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 ST7 - Public Space
 ST9 - Crime Prevention
 ST10 - Planning Obligations
 EC3 - Landscape Character
 EC8 - Protected Species
 EU4 - Drainage
 TP1 - New Development and Pedestrian Movement
 TP2 - Travel Plans
 TP4 - Road Design
 TP7 - Car Parking
 CR2 - Provision for Outdoor Playing Space and Amenity Space in New Development
 CR4 - Amenity Open Space
 HG7 - Affordable Housing

National Planning Policy Framework

Chapter 4 - Promoting Sustainable Transport
 Chapter 6 - Delivering a Wide Choice of High Quality Homes
 Chapter 7 - Requiring Good Design
 Chapter 8 - Promoting Healthy Communities
 Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
 Chapter 11 - Conserving and Enhancing the Natural Environment
 Chapter 12 - Conserving and Enhancing the Historic Environment

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments
 Goal 4 - Services and Facilities
 Goal 8 - High Quality Homes

Other relevant documents

Tintinhull Community Plan (July 2012)

CONSULTATIONS

Tintinhull Parish Council: (Latest comments) Agreed to support the County Highways recommendations for this application.

(Initial comments): Support the application subject to the following caveats:

- Highways approval and recommendations;
- Adequate drainage system to eliminate any possible flooding;
- Affordable housing only to be available to local people initially and not sold / rented to outside people for at least 6 months after being built;
- Limit the dwellings to no more than 3 bedrooms and the affordable one to 2 or 3 bedrooms. One bedroom units are not considered suitable or required;
- The facades of the houses facing Yeovil Road to be of local natural hamstone.

Tintinhull has more than sufficient large 4 plus bedroom houses, there is a need for modest 3 bedroom housing.

County Highways: Latest comments given verbally and indicated that they would raise no objection to the revised layout and access details, subject to a number of highway related conditions and a financial contribution of £15,000 towards off-site highway improvement works.

(Previous comments) - Latest comments based on the revised access arrangements and omission of the proposed pavement - I still consider the proposed arrangements to be substandard as it still involves the effective narrowing of Yeovil Road only this time closer to the eastern traffic calming feature and outside of a number of existing properties which could lead to or encourage the parking of vehicles on the public highway to the detriment of highway safety. The revised scheme does not overcome the second reasons for refusal previously stated as access for pedestrians to the site fails to meet the appropriate standards.

Initial comments - Any access arrangements should comply with the aims and objectives of the NPPF in so far as a safe and suitable access to the site must be achieved to prevent any severe impact on the highway network. In this case I am concerned that the developer is proposing to narrow Yeovil Road in order that 'Manual for Streets' standard visibility splays can be provided, along with the provision of a substandard width footway that fails to meet modern day standards. The situation being exacerbated further by the position of the proposed vehicular access, which is located centrally between two chicane type build out traffic calming features that have been installed by the highway authority. In light of this I recommend the application be refused for the following reasons:

- The proposal is contrary to the NPPF and Policy ST5 of the South Somerset Local Plan since the formation of the proposed access together with the introduction of conflicting traffic movements onto and from Yeovil Road, such as would be generated by the proposed development, would be prejudicial to highway safety.
- The proposal is contrary to the NPPF and Policy ST5 of the South Somerset Local Plan since the proposed development is likely to generate an increase in pedestrian traffic on a highway lacking adequate footways with consequent additional hazards to all users of the highway.

County Education: No financial contributions will be necessary towards education facilities as the primary and secondary schools would have a sufficient number of un-

used places available.

The planning statement refers to the possible nearby school's use of land incorporating a pond and to a potential footpath to the school and that this may even be used as a public footpath link. The local education authority has no desire to acquire any interest in either of these proposals. Both would present health and safety concerns and management issues that would not be necessary or appropriate.

County Archaeology: No objections

Environment Agency: No objection subject to a number of conditions.

Climate Change Officer: We should expect renewables to be explicitly described in broad terms, especially for developments of this size, because they will impact on the layout and appearance of the development.

Leisure Policy: The proposed development will result in an increased demand for outdoor play space, sport and recreation facilities and in accordance with Policies CR2, CR3, ST5 and ST10 of the South Somerset Local Plan an off-site contribution towards the provision and maintenance of these facilities is requested of £4,312 per dwelling (equating to an overall total of £47,432) which can be broken down as:

- £27,807 for local facilities;
- £17,750 for strategic facilities;
- £1406 as a commuted sum towards local services;
- £470 as the Community Health and Leisure Service administration fee.

Open Space: The smaller areas within the development could be best conveyed to householders as they look too small to serve any meaningful purpose or to be adopted by this authority.

Landscape Officer: Does not support the application.

Looking first at the settlement pattern of Tintinhull, it is noted that the village is primarily of linear form, with a north-south emphasis that is particularly in evidence to the north of the Yeovil Road. There is however, some 'sideways' growth, historically evident toward Tintinhull House, and more recently to the south of the Yeovil road, where housing estate development has occurred, whilst sporadic housing at the side of the Yeovil Road to the east of the village - where this site resides - is seen as being primarily beyond the village edge (as expressed by continuous road frontage).

Whilst this site is contiguous with the village's built form - by virtue of laying alongside the Old Vicarage - and is partially fronted by the small roadside terrace of 12-15 Yeovil Road, its major context is open land, and in that respect, and its lack of direct integration with the village core, it does not convincingly tie into the main village form. Neither is the level relationship with no's 12-15 Yeovil Road comfortable. I note that an indicative plan is offered, which appears to have been informed by landscape concerns, i.e.; ensuring the development is not too imposing upon the Yeovil Road frontage; respecting the setting of the listed building to the west; and keeping roof heights to a level that ensures the site is not obtrusive relative to the local skylines to north and east. I consider this to be the right approach, though would advise some fine-tuning is necessary on both the indicative layout and landscape proposals if the proposal were to evolve to approval as a residential site.

Whilst I can see some logic in this site being proposed as a potential development site, I do not see it being sufficiently well integrated with the village plan, nor is it comfortably

accommodated within its immediate context. Hence I am not supportive of the principle of development here.

Arborist: If consent is granted please condition appropriate tree protection measures. I have noted the indicative attenuation swale adjoining the Beech and Lime trees within the Old Vicarage. This is of particular concern, as heavy ground-works and alteration of local hydrology can have significant adverse health impacts.

Ecology: Recommended conditions relating to great crested newts and slow worms.

Conservation: The proposal would impact upon the setting of the grade II listed Old Vicarage and its separately listed boundary wall and gates. The impact would be adverse and significant, there are some trees between the house and the site but too few to help reduce the impact even when in leaf. The aspect of the setting of the building, its sense of being on the very edge of the village with open countryside on three sides will be severely altered by the introduction of a residential enclave to its east side. The landscaped area shown on the indicative plan will not serve to mitigate to any degree the visual impact of the development particularly because of the rising land form on which it would sit.

Adverse impact will also result to the row of 19th century cottages 12-15 Yeovil Road, a historic asset themselves, probably built on surplus highway land when the road was improved in the 19th century.

The access visibility requirement on the Yeovil Road has not been shown but would be likely to result in the loss of a substantial length of roadside hedgerow affecting the setting of both the listed wall and the cottages and the spreading of suburban character into the countryside east of the village. Development of village extensions are always best achieved where they can be linked into the existing network of village roads. This separate cul-de-sac enclave would fail to do this and would result in an isolated group of buildings quite separate to the village. The form of the village developed area is well contained on its east side (and part is within the conservation area); extension east of the Vicarage will intrude into open countryside in a manner quite contrary to this character.

Planning Policy: Initial comments 26/02/2014 – Based on no 5 year housing land supply advised that the additional 11 houses proposed would make such a significant contribution to our backlog as to override any other policy concerns that may be raised.

In view of the current situation, following District Executive's acceptance of a report that demonstrated a five-year housing land supply (05/06/2014) a policy officer has been asked to update their comments and an oral update in this respect will be necessary.

Strategic Housing: As the site is outside development limits we would expect 100% of the dwellings to be affordable. If the site is to be treated as if it were within development limits then current policy requires 35% affordable split 67:33 in favour of social rent without access to further public subsidy. I would expect 4 affordable units (based on 11 in total), 3 of which to be for social rent and 1 shared ownership or other intermediate solution. There is no evidence to support four 3 bedroom affordable units and I would not be able to support this I suggest the following mix to be appropriate - 2 x 1 bed house, 1 x 2 bed houses and 1 x 3 bed house).

Wessex Water: Raised no objections.

REPRESENTATIONS

Written representations have been received from ten local residents raising the following comments and concerns:

Principle:

- The application does not comply with the village plan or the Council's emerging local plan (2013-2028).
- The development is outside the development area.
- The emerging local plan calls for no significant developments in Rural Settlements and the objective is to limit building to small developments of single units or plots of less than 5 dwellings.
- The development does not comply with the design statement set out within the Village Plan.
- A total of nine houses have been approved in Tintinhull in the last three years. To allow this open countryside development on top of the already approved development would suggest a large scale expansion of the village, which is unsustainable.
- The development will foster the growth in the need to travel due to the lack of services in the village.
- The developer could increase the number of houses if approved.

Highway safety

- The road is very busy and there is often chaos when there is disruption on the A303 with drivers finding alternative routes including through Tintinhull.
- The new calming system is having little effect with few drivers adhering to the speed limit.
- Few drivers adhere to the 30mph limit.
- The village cannot currently be accessed safely on foot from the site as there would be various points at which pedestrians would need to step into the road because the existing verges are too narrow or storm water drains are in the way.
- There is a need for a pavement at the west end of Head Street.
- There are approximately 26,000 National Trust visitors to the village during the summer months already and the development at Brimsmore is bound to have an effect on traffic movements.
- The pavement will be too narrow for wheelchair use or pushchairs. Pedestrians are likely to need to step into the road at some points.
- In the case of application 13/01133/FUL (land adj to 8 Yeovil Road), the highway authority recommended refusal and referred to the accident record for this part of the road. Considering the two proposed exit points are no more than 200m apart and traffic will be accelerating away from the chicanes either side of the site access I would expect the same considerations to apply.
- This will result in an accident black spot.
- I cannot see the justification for two lorries not being able to pass.
- No assessment has been carried as to the level of traffic along Yeovil Road.

Drainage / Flooding:

- The Flood Risk Assessment is inaccurate, it only refers to two incidents of flooding in the area (1994 and 1998).
- The road is frequently flooded due to run-off from surrounding fields and blocked drains.
- The application has failed to take sufficient action over the flood risk in the area. In 2006 following heavy rainfall two properties near the junction of Vicarage Street / Yeovil Road flooded as a result of high volume of water flowing down Yeovil Road. There were similar concerns during the last two winters. This

- development will exacerbate this problem.
- The Environment Agency has no credibility on flood risk and has failed to consult with local people on their local knowledge.
- Possible increased run-off onto our property (Old Vicarage).

Impact on listed building and visual amenity:

- A development of this size will have a material impact on the setting of a listed building and general amenity of the area.
- The Old Vicarage currently has a rural setting and can currently be seen from the Monarch's Way to the north. The village from this point is not visible and the outlook is entirely rural.
- The development will be out of keeping with the area. All boundaries of the site can be seen and this high density development will be visible and completely obliterate views of the Old Vicarage.
- There is a clear line of view from Tintinhull House, which is Grade I listed, to the Old Vicarage and the development site. The area between these two buildings is currently open farmland.
- This application has parallels with that of application 12/04365/FUL for a development in Martock which was refused and dismissed by the Inspector.
- The development will appear very imposing.
- The wall to the front of the Old Vicarage is also listed and its setting should not be compromised.
- Tintinhull is beautiful and has an abundance of listed buildings, all in ham stone. The developer has admitted that it would not be viable to build all the houses in natural stone.
- This development will be very visible from the road and the footpath to the north. This footpath (the Monarch's Way) currently enjoys spectacular views of the village, church, Ham Hill and Montacute, all this will be lost should this development go ahead.
- There are other more suitable sites within the village.

Residential amenity:

- Concerned that we will experience a loss of privacy, light and security.
- Can a six foot screen (preferably in stone) be constructed between the road and the 'buffer' area.
- Any screening along the west boundary could seriously affect the light coming into our property and increase the risk of subsidence.
- Loss of light to our property (13 Yeovil Road).
- Disruption from noise.
- Loss of privacy, the site is more elevated than the existing properties, no's 12-15 Yeovil Road.
- Light pollution resulting from street lights to serve the development.

Other matters:

- The fence along the western boundary and the drainage ditch is within the grounds of The Old Vicarage.
- The village with its National Trust property and conservation area bring many visitors to the area helping the local economy. There is a big need for people to have places to visit do not spoil the enjoyment and landscape.
- The field is used by a wide variety of wildlife including buzzards, owls, swifts, bats, rabbits and foxes. There are slow worms in the grounds of the Old Vicarage.
- How will it be ensured that the attenuation pond, landscaped and play areas will be maintained permanently in the future.
- Loss of view.

APPLICANT'S CASE

"The site lies outside the last defined settlement limit but is a logical extension and rounding off of the development envelope.

The site is not highly prominent in the landscape but given the predominantly level surrounding countryside it is visible from a number of vantage points. The effect of the development will be mitigated by structural landscaping and by limiting development on the eastern (higher) side of the site to single storey. This will ensure that the completed development does not cause demonstrable harm to the landscape or loss of visual amenity to the wider landscape setting."

"The application will deliver four affordable dwellings for local people."

CONSIDERATIONS

This application is seeking outline planning permission, with all matters reserved, to erect up to 11 dwellings. The main issues in the consideration of this application are considered to be:

- The principle of development;
- Impact on the setting of a heritage asset and visual amenity;
- Residential amenity;
- Highway safety;
- Flooding and drainage;
- Ecology; and
- Planning obligations.

Principle:

The application site is located outside but immediately adjacent to the development area for Tintinhull as defined by the South Somerset Local Plan where, under the requirements of Policy ST3, new residential development is usually strictly controlled. Beyond this it should be acknowledged that the 2006 plan is now out of date and only those policies that are compliant with the aims of sustainable planning as set out within the NPPF have been saved. Whilst the emerging local plan has yet to be adopted Policy SS2 has not been queried by the local plan inspector or challenged in the course of the local plan suspension. Accordingly for the purpose of this application it is considered that the general thrust of Policy SS2 and the NPPF's support for sustainable development should be balanced against the historic interpretation of Policy ST3 which weighs heavily against unwarranted development outside settlement boundaries.

Given these circumstances, the proposal to construct eleven dwellings should be considered on its own merits. From a sustainability perspective the application proposes the provision of a pavement to link the site to an existing short stretch of pavement to the west leading into Vicarage Road. This footway will provide a pedestrian link into the centre of the village where services such as the village primary school can be found within an easy walking distance. The development also includes the provision of four affordable houses to meet local housing needs.

The site physically abuts the development area with existing built development immediately to the west and east. Whilst the landscape officer has not offered his support to this proposal the landscape concerns raised are not considered to be so substantive as to be a reason on its own to object to this proposal. In all other respects it is considered that the impact of the development can be addressed by appropriate

conditions. On this basis it is accepted that a development of this relatively modest scale in this location accords with the aims and objectives of sustainable development, as set out within the National Planning Policy Framework and Policy SS2 of the emerging Local Plan, and is in principle acceptable.

Impact on heritage asset and visual amenity:

The Landscape Officer has raised concerns with regard to expanding the village in this direction noting that the village is primarily of linear form with a north-south emphasis, particularly along Yeovil Road but acknowledging that there is some sideways growth. He notes that along Yeovil Road to the east of the village housing is sporadic and the site is seen primarily beyond the village edge and does not tie convincingly into the main village form. On this basis he has not offered his support to the principle of development of this site. Whilst the Landscape Officer's views are noted it is considered that the landscape concerns are not so substantive as to be a reason to object to this proposal. It is acknowledged that the existing development along this section of Yeovil Road is linear in form, however, considered in light of the position of the school to the northwest and the large plot at 11 Yeovil Road to the east, and on the basis that the site is to be developed in a comprehensive manner, it should not appear so at odds with existing surrounding development that the proposal should be refused for this reason.

The new access will affect the road frontage of this field which currently is contained by planting, predominantly a native hedgerow. The indicative plan retains a hedgerow along this frontage with any housing set well back from this boundary which from a street scene point of view will help to maintain a level of openness that acknowledges the semi-rural character of the area.

Concerns have been raised regarding the impact of the proposal on the Old Vicarage, a listed property, located immediately to the west of the site and also other heritage assets in the area including grade I listed Tintinhull House to the north. The Conservation Officer shares the concerns in respect of the Old Vicarage, however, it is considered that this matter can be addressed satisfactorily through a satisfactorily layout and provision of supplementary planting to ensure that there are limited views of the Old Vicarage in the context of the new development and are matters to be dealt with at reserved matters stage. The Conservation Officer has raised no other concerns in respect of other heritage assets. In respect of Tintinhull House this is more than 250m to the north from the site with several fields in between, as such it is not accepted that this proposal will have an adverse impact on the setting of this listed building.

A number of comments have been made in regard to the impact the proposal will have of views from the public right of way (Monarch's Way) that passes a short distance to the north of the site, that the development will block views of the Old Vicarage and the wider landscape beyond. Whilst such views are likely to be affected it is not considered that the amenity of users of this public right of way will be significantly adversely affected.

For these reasons the proposal is considered to preserve the setting of the adjacent listed building and to raise no substantive landscape or visual amenity harm.

Residential amenity:

A number of concerns have been raised by residents living adjacent to the site including possible loss of privacy, loss of light, and light pollution from any street lights and disturbance from noise. These concerns are noted, however, with all matters reserved only the principle of residential development on the site is currently under consideration. Given the size of the overall site and the relatively low density of the scheme, there is no reason why a satisfactory layout and design could not be achieved that did not harmfully

impact upon the amenities of surrounding neighbours. As such it is not considered reasonable to object to the scheme for reasons of harm to residential amenity.

Highway safety:

Following discussions with the highway authority the applicant has submitted a revised indicative layout plan moving the position of the proposed access slightly to the east of its original position. This plan also includes the provision of a new pavement from the site to connect with the pavement with that at the Vicarage Street / Yeovil Road junction to the west. Whilst formal comments from the highway authority have yet to be received the highway officer has indicated that he would not object to the principle of this proposal based on the revised plan and subject to a financial contribution of £15,000 towards future highway improvements being secured. The contributions sought would relate to the stretch of Yeovil Road either side of the site access between the junction of Vicarage Street to the west and 11 Yeovil Road to the east (as indicated on drawing number 4270/13).

It is noted that various objections have been made by a number of local residents in relation to highway safety concerns. These concerns include the possibility of the width of the carriageway being narrowed as a result of the development, the high volume and excessive speed of traffic using this road, the substandard width of the proposed pavement and issues relating to the traffic calming measures that are in place.

Under the revised layout plan it did appear that the width of the highway might be encroached upon by the development, however, the revised layout plan indicates that the new access works and footpath should be contained within the redline site and highway verge without reducing the width of the carriageway. In terms of the pavement where it passes to the front of third party properties it will only utilise the highway verge which is in the main relatively narrow and as such the resulting pavement will be substandard in its width. Contrary to the highway officer's original comments on this point he has suggested verbally that he would not wish to object to the scheme based on this one issue. It might in any case be argued that that the provision of a substandard pavement is an improvement to the current situation given that it will also provide a pedestrian link for a number of other existing properties along this stretch of Yeovil Road into the village.

Therefore, subject to receiving the formal comments of the highway authority and any conditions that they recommend, the proposed development is considered to raise no substantive highway safety concerns.

Flooding and Drainage:

Several local residents have noted that there have been a number of flooding incidents in recent years and there are problems with surface water run-off down Yeovil Road with properties having been flooded in recent years.

The application site is in flood zone 1 and as such is not considered to be at risk of flooding. The Environment Agency has raised no objection to the proposal on the basis that the development does not result in any additional surface water run-off from the site from that in its current state. They have requested that conditions be imposed to secure a detailed surface water drainage scheme for the site and a scheme to secure the future responsibility and maintenance of this drainage system. On this basis there is no evidence to suggest that the development will result in any increased risk of flooding. Wessex Water, the utility company responsible for maintaining the mains drainage in the area, have also raised no objections. As such the development is not considered to raise any new significant flood or drainage concerns.

Ecology:

The submitted ecology survey identified the potential for Great Crested Newts to be present on the site and it is considered likely that slow worms could also be present. The Council's Ecologist has confirmed he is satisfied with the submitted survey, subject to the imposition of two conditions requiring a great crested newt survey and slow worm survey.

Planning Obligations:

The proposed development will result in an increased demand for outdoor play space, sport and recreation facilities and in accordance with Policies CR2, CR3, ST5 and ST10 of the South Somerset Local Plan an off-site contribution towards the provision and maintenance of these facilities is requested of £4,312 per dwelling (equating to an overall total of £47,432) which can be broken down as:

- £27,807 for local facilities;
- £17,750 for strategic facilities;
- £1406 as a commuted sum towards local services;
- £470 as the Community Health and Leisure Service administration fee.

The housing officer has noted the policy requirements for 35% affordable housing split 67:33 social rent: intermediate products and noted that further discussion would be necessary to assess the property types required based on data from the Housing Needs Register.

It will also be necessary for the applicant to provide for a footpath link along Yeovil Road between the site and Vicarage Street. The highway authority has also suggested a financial contribution of £15,000 towards highway improvements on Yeovil Road.

Provided these contributions and the Council's monitoring fee are secured by way of a Section 106 Agreement the application is considered to comply with Policies ST10, CR2, CR4 and HG7 of the SSLP. The applicant has agreed to these obligations.

Other matters:

With regard to the other outstanding matters raised by local residents:

- Loss of a view can only be afforded very limited weight and is not a substantive concern on which to object to the proposal.
- A neighbour has raised concerns in relation to subsidence. The application site is raised up above 12-15 Yeovil Road, however, there has been no suggestion that the applicant intends to alter the ground levels which might lead to this issue. It will not be until reserved matters stage that the position of the new houses will be known at which stage this matter can be better considered.

Conclusion:

Given the limited weight that can be given to policy ST3 of the local plan and the site's location adjacent to the settlement limits of Tintinhull, it is considered that, in principle, it is a sustainable location for development. No adverse impact on the setting of the adjacent listed building, landscape, ecology, flooding / drainage or residential amenity have been identified that justify withholding outline planning permission. The applicant has agreed to the appropriate contributions.

Therefore, notwithstanding the various concerns raised and subject to the highway

authority raising no new substantive objection, the proposed development is considered to be in accordance with policies ST3, ST5, ST6, ST7, ST9, ST10, EH5, EC3, EC8, EU4, TP1, TP2, TP4, TP7, CR2, CR4, EH12 and HG7 of the South Somerset Local Plan and the aims and provisions of the NPPF. As such the application is recommended for approval.

RECOMMENDATION

Provided no objections are raised by County Highways planning permission be granted subject to:

1. The prior completion of a S106 planning obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued, the said planning obligation to cover the following issues:-
 - (a) financial contributions towards offsite recreational infrastructure of £47,432 broken down as:
 - £27,807 for local facilities;
 - £17,750 for strategic facilities;
 - £1,406 as a commuted sum towards local services;
 - £470 as the Community Health and Leisure Service administration fee.
 - (b) Ensure at least 35% of the dwellings are affordable with a tenure split of 67:33 in favour of rented accommodation over other intermediate types, to the satisfaction of the Corporate Strategic Housing Manager.
 - (c) Provision of a pavement as indicated on drawing number 4270/13;
 - (d) financial contribution of £15,000 towards off-site highway improvements; and
 - (e) a monitoring fee to the satisfaction of the Development Manager.

For the following reason:

Notwithstanding the local concerns, the provision of approximately 11 houses in this sustainable location would contribute to the council's housing supply without demonstrable harm to the setting of the adjacent listed building, residential amenity, visual amenity, ecology, drainage and flooding, and highway safety. As such the scheme is considered to comply with the saved policies of the local plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The site hereby approved for development shall be as shown on the submitted location plan drawing number 4260/13 received 04/02/2014.

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

02. Details of the access, appearance, landscaping, layout and scale (herein called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

03. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission and the development shall begin no later than three years from the date of this permission or not later than two years from the approval of the last "reserved matters" to be approved.

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

04. The development hereby permitted shall comprise no more than 11 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location and commensurate with levels of contributions sought in accordance with policies ST5, ST6, ST10, EC3 and HG7 of the South Somerset Local Plan.

05. All reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design, layout, plot boundaries, materials, access arrangements and landscaping.

Reason: In the interest of visual amenity to accord with Policy ST6 of the South Somerset Local Plan.

06. Prior to implementation of this planning permission, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a tree protection plan and an arboricultural method statement relating to all retained trees on or adjoining the site, shall be drafted so as to conform with Paragraphs 5.5, 5.6, 6.1, 6.2 & 6.3 of British Standard 5837:2012 - Trees in relation to design, demolition and construction. The Tree Protection Plan and the Arboricultural Method Statement details shall be submitted to and agreed in writing with the Council and it shall include the following details:

1. the locations and specification of protective fencing & construction exclusion zones clearly detailed upon the tree protection plan and;
2. details of special tree protection and engineering measures for any required installation of built structures, below-ground services and hard surfacing within the root protection areas of retained trees and;
3. a requirement for a pre-commencement site meeting to be held between the appointed building contractors and the Council's Tree Officer.

Upon approval by the Council, the measures specified within the agreed tree protection plan and arboricultural method statement shall be implemented in their entirety for the duration of the construction of the development, inclusive of landscaping measures.

Reason: To preserve the health, structure and amenity value of existing trees in accordance with the objectives within Policy ST6 (The Quality of Development) of the South Somerset Local Plan 2006, those statutory duties as defined within the Town & Country Planning Act, 1990 (as amended)1.00 and the Town & Country Planning (Tree Preservation) (England) Regulations 2012.

07. 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 subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

08. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the local planning authority. The approved drainage works shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To prevent the risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

09. No vegetation clearance or earthworks (including for geological or archaeological investigations) will be permitted until a great crested newt survey to determine presence or otherwise, and a mitigation plan if present, has been submitted to and approved in writing by the local planning authority.

Reason: For the conservation and protection of legally protected species of recognised nature conservation importance in accordance with Policy EC8 of the South Somerset Local Plan and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

10. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey to determine presence / absence of slow worms, plus if present, a mitigation plan or method statement detailing measures to avoid harm to slow worms, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection of a legally protected species to accord with Policy EC8 of the South Somerset Local Plan and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

11. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey to determine presence / absence of slow worms, plus if present, a mitigation plan or method statement detailing measures to avoid harm to slow worms, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection of a legally protected species to accord with Policy EC8 of the South Somerset Local Plan and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

12. Any conditions reasonably recommended by County Highways.

Informatives:

01. The applicant is advised to refer to comments set out in the Environment Agency's letter dated 20/03/2014.

02. The developer is referred to the recommendations set out in section 7.1.1 of the Ecological Survey by MWA (Michael Woods Associates) dated December 2013.
-