

# South Somerset District Council

Notice of Meeting



## Area West Committee

*Making a difference where it counts*

**Wednesday 14th December 2011**

**5.30 pm**

**Henhayes Centre  
South Street Car Park  
Crewkerne  
Somerset TA18 8DA**

(See location plan overleaf)

The public and press are welcome to attend.

Disabled Access is available at this meeting venue.



If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Andrew Blackburn** on Yeovil (01935) 462462  
email: [andrew.blackburn@southsomerset.gov.uk](mailto:andrew.blackburn@southsomerset.gov.uk)

This Agenda was issued on Monday, 5th December 2011

*Ian Clarke, Assistant Director (Legal & Corporate Services)*

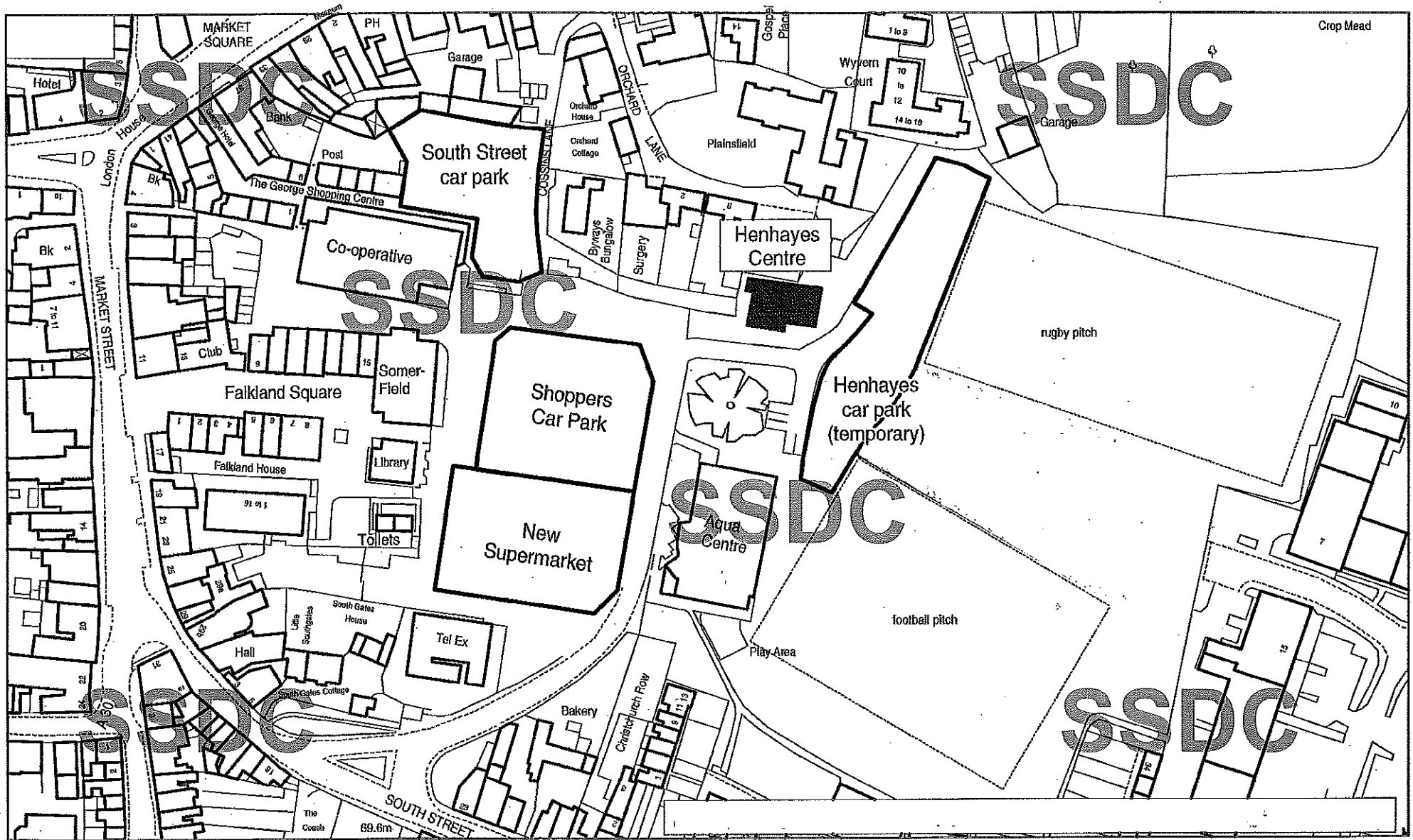


2007-2008  
Neighbourhood and  
Community Champions:  
The Role of Elected Members  
2006-2007  
Improving Rural Services  
Empowering Communities  
2005-2006  
Getting Closer to Communities

This information is also available on our  
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## Area West Membership

**Chairman:** Angie Singleton  
**Vice-Chairman:** Paul Maxwell

Michael Best  
David Bulmer  
John Dyke  
Carol Goodall  
Brennie Halse

Jenny Kenton  
Nigel Mermagen  
Sue Osborne  
Ric Pallister  
Ros Roderigo

Kim Turner  
Andrew Turpin  
Linda Vijeh  
Martin Wale

### Somerset County Council Representatives

Somerset County Councillors (who are not already 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.** The following County Councillors are invited to attend the meeting:-

Councillor Cathy Bakewell and Councillor Jill Shortland.

### South Somerset District Council – Corporate Aims

**Our key aims are:** (all equal)

- Increase economic vitality and prosperity
- Enhance the environment, address and adapt to climate change
- Improve the housing, health and well-being of our citizens
- Ensure safe, sustainable and cohesive communities
- Deliver well managed cost effective services valued by our customers

### 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

Members of the public are requested to note that the Committee will break for refreshments at approximately 6.45 p.m. Planning applications will not be considered before 7.00 p.m. 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 be available half an hour before the commencement of the meeting 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.

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## 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 3 minutes on agenda items; and
- see agenda reports.

Meetings of the Area West Committee are held monthly at 5.30 p.m. on the 3<sup>rd</sup> Wednesday of the month in venues throughout Area West.

Agendas and minutes of Area Committees are published on the Council’s website [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

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

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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 3 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/Agent  
County Council Division Member  
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 personal and prejudicial interest**

Under the new Code of Conduct, a Councillor will be afforded the same right as a member of the public, 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.

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# Area West Committee

## Wednesday 14th December 2011

### Agenda

#### *Preliminary Items*

1. **To approve as a correct record the minutes of the previous meeting held on 16th November 2011**
2. **Apologies for Absence**
3. **Declarations of Interest**

In accordance with the Council's Code of Conduct, which includes all the provisions of the statutory Model Code of Conduct, Members are asked to declare any personal interests (and whether or not such an interest is "prejudicial") in any matter on the agenda for this meeting. A personal interest is defined in paragraph 8 of the Code and a prejudicial interest is defined in paragraph 10. 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 the 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:

Cllr. Mike Best  
Cllr. Ros Roderigo  
Cllr. Angie Singleton  
Cllr. Linda Vijeh

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.

**Confidential Item**

The Committee is asked to agree that the following item (4) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 3: “Information relating to the financial or business affairs of any particular person (including the authority holding that information).” It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

**4. Historic Buildings at Risk (Confidential)**

See Confidential Report attached at the end of the agenda (for members and officers only).

**5. Public Question Time**

This is a chance to ask questions, make comments and raise matters of concern.

Parish/Town Councils may also wish to use this opportunity to ask for the District Council’s support on any matter of particular concern to their Parish/Town.

Anyone wishing to raise matters in relation to items on the agenda may do so at the time the item is considered.

**6. Chairman’s Announcements**

*Page Number*

**Items for Discussion**

<b>7. Area West Committee - Forward Plan .....</b>	<b>1</b>
<b>8. Chard – Conservation Area Appraisal and Designation of Extensions to Conservation Area (Executive Decision) .....</b>	<b>4</b>
<b>9. Community Health and Leisure Service Update .....</b>	<b>7</b>
<b>10. Reports from Members on Outside Organisations .....</b>	<b>18</b>
<b>11. Feedback on Planning Applications referred to the Regulation Committee .....</b>	<b>19</b>
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**THE SCHEDULE OF PLANNING APPLICATIONS APPEARS AFTER PAGE 24**

**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.**

Area West Committee – 14th December 2011

## **7. Area West Committee - Forward Plan**

*Strategic Director:* Rina Singh (Place and Performance)  
*Assistant Director:* Helen Rutter (Communities)  
*Service Manager:* Andrew Gillespie, Area Development Manager (West)  
*Agenda Co-ordinator:* Andrew Blackburn, Committee Administrator, Legal & Democratic Services  
*Contact Details:* [andrew.blackburn@southsomerset.gov.uk](mailto:andrew.blackburn@southsomerset.gov.uk) or 01460 260441

### **Purpose of the Report**

This report informs members of the proposed Area West Committee Forward Plan.

### **Recommendation**

Members are asked to:-

- (1) comment upon and note the proposed Area West Committee Forward Plan as attached at pages 2 - 3;
- (2) identify priorities for further reports to be added to the Area West Committee Forward Plan.

### **Forward Plan**

The forward plan sets out items and issues to be discussed by the Area West Committee over the coming few months.

The forward plan will be reviewed and updated each month in consultation with the Chairman. It is included each month on the Area West Committee agenda and members may endorse or request amendments.

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

Councillors, service managers, partners and members of the public may request that an item is placed within the forward plan for a future meeting by contacting the agenda co-ordinator.

**Background Papers:** None.



Notes

- (1) Items marked in *italics* are not yet confirmed, due to the attendance of additional representatives.
- (2) Further details on these items, or to suggest / request an agenda item for the Area Committee, please contact the Agenda Co-ordinator; Andrew Blackburn, 01460 260441 or e-mail [andrew.blackburn@southsomerset.gov.uk](mailto:andrew.blackburn@southsomerset.gov.uk)
- (3) Standing items include:
  - a. Quarterly Budget Monitoring Reports
  - b. Reports from Members on Outside Organisations
  - c. Feedback on Planning Applications referred to the Regulation Committee
  - d. Chairman's announcements
  - e. Public Question Time

Meeting Date	Agenda Item	Background / Purpose	Link to SSDC Area & Corporate Priorities and National Indicators (NI)	Lead Officer
18th Jan. 2012	Countryside Service	Service Update	<b>Theme 3: Improve the housing, health and well-being of our citizens. SSDC corporate plan key target area 3.18</b> Outcome: Individuals & communities enjoying healthier and more active lifestyles. Measured by: Increasing the self-reported measure of people's overall health and well-being.	Katy Menday, Countryside Manager
18th Jan. 2012	Area West Community Safety Police Performance and Neighbourhood Policing	Report on the activities and achievements of neighbourhood policing and partnership working to reduce crime and the fear of crime in Area West	<b>SSDC corporate plan key target area 4.9 (and NI 21)</b> Improve dealing with local concerns about anti-social behaviour and crime by the local council and police.  <b>4.0</b> Outcome: A community that feels safe. Measured by: Increasing the % of people who feel that local public services are working to make the place safer.	Inspector Jackie Gold and Sgt. Andy Lloyd, Avon and Somerset Constabulary
18th Jan. 2012	Public Transport Provision	Update – Report rescheduled from October to December 2011 to allow inclusion of relevant information from Somerset Public Transport Forum, which is due in November 2011.	<b>Theme 2: Enhance the environment, address and adapt to climate change. 2.18</b> With partners, identify options to maximise green travel by December 2009 and start one option by 2012.	Nigel Collins, Transport Strategy Officer
18th Jan. 2012	Community Grant Applications	To consider grant applications.	<b>SSDC corporate plan key target area 4.22</b> Outcome: sustainable local communities. Measured by: Increasing those who participate in regular volunteering at least once a month (NI6). <b>4.23</b> Increase environment for a thriving third sector (NI7).	Paul Philpott, Community Development Officer

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Link to SSDC Area &amp; Corporate Priorities and National Indicators (NI)</b>	<b>Lead Officer</b>
<b>21st March 2012</b>	Streetscene Service Update	Service report on performance and priority issues in Area West	<b>SSDC key target area 2.8 (and NI195/196)</b> Improve street and environmental cleanliness by reducing levels of graffiti, litter, detritus, flytipping and flyposting	Chris Cooper, Streetscene Manager
<i>To be confirmed</i>	<i>South Somerset Local Development Framework – Draft Core Strategy</i>	<i>Formal consideration of responses and proposed changes</i>	<b>Theme 1:</b> Increase economic vitality and prosperity <b>Theme 2:</b> Enhance the environment, address and adapt to climate change <b>Theme 3:</b> Improve the housing, health and well-being of our citizens <b>Theme 4:</b> Ensure safe, sustainable and cohesive communities <i>Strong links with Chard Regeneration Scheme</i>	Andy Foyne, Spatial Policy Manager
<i>To be confirmed</i>	<i>Review of Area Working</i>	<i>To consider the outcome of the Area Review</i>	<b>Theme 5: Deliver well managed cost effective services valued by our customers.</b>	
<i>To be confirmed</i>	<i>Asset Management Strategy</i>	<i>To discuss with members the principles of the SSDC Asset Management Strategy including asset transfer and the checklist now available for use.</i>	<b>Theme 5: Deliver well managed cost effective services valued by our customers.</b>	Donna Parham, Assistant Director (Finance and Corporate Services) Andrew Gillespie, Area Development Manager (West)
<i>Twice per year.</i>	<i>Crewkerne Community Planning Update</i>	<i>For Information</i>	<b>SSDC corporate plan key target area 4.16</b> Outcome: An empowered community where all people take part in shaping their neighbourhood. Measured by: Increasing % of people who feel that they belong to their neighbourhood (NI 2).	Zoë Harris, Community Regeneration Officer Area Development (West)
<i>Twice per year</i>	<i>Ilminster Community Planning Update</i>	<i>For Information</i>	<b>SSDC corporate plan key target area 4.16</b> Outcome: An empowered community where all people take part in shaping their neighbourhood. Measured by: Increasing % of people who feel that they belong to their neighbourhood (NI 2).	Zoë Harris, Community Regeneration Officer Area Development (West)

Area West Committee – 14th December 2011

## 8. Chard – Conservation Area Appraisal and Designation of Extensions to Conservation Area (Executive Decision)

Strategic Director: Rina Singh (Place and Performance)  
 Assistant Director: Martin Woods (Economy)  
 Service Manager: David Norris, Development Manager  
 Lead Officer: Adron Duckworth, Conservation Manager  
 Contact Details: greg.venn@southsomerset.gov.uk or 01935 462595

### Purpose of the Report

To approve the recently prepared Conservation Area Appraisal and to formally designate an extension to the conservation area.

### Public Interest

This report proposes the adoption of the Conservation Area Assessment for Chard, and alterations to the conservation boundary. Conservation areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. The Chard Conservation Area was first designated in 1973. The District Council is required to formulate and publish proposals for the preservation and enhancement of conservation areas. This can be achieved through conservation area appraisals. In order that designation is effective in conserving the special interest, planning decisions must be based on a thorough understanding of the conservation area's character. Appraisals are therefore essential tools for the planning process and to manage informed intervention. They will provide a sound basis, defensible on appeal, for the relevant development plan policies and development control decisions and will form the framework for effective management of change. The appraisal should provide the District Council and the local community with a clear idea of what features and details contribute to the character of the conservation area and how these may relate to the wider proposals for regeneration.

### Recommendations

- (1) Approve the Chard Conservation Area Appraisal;
- (2) formally designate extensions to the Chard conservation area;
- (3) advertise the extension to the designated area in accordance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- (4) commit £200 from the area budget to cover the cost of statutory advertising.

### Background

#### Conservation Areas

Conservation areas are areas of '**special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance**'. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local authorities to identify appropriate parts of their areas, to designate them as conservation areas *and to keep them under review*.

Historic areas are now extensively recognised for the contribution they make to our cultural inheritance, economic well-being and quality of life. Public support for the conservation and enhancement of areas of architectural and historic interest is well established. By suggesting continuity and stability, such areas provide points of reference in a rapidly changing world: they represent the familiar and cherished local scene. Over 9,000 have been designated nationally since they were introduced in 1967 and there are now 88 in South Somerset.

Designation is a matter for local (Area Committee) decision and is the principal means by which a local authority can apply conservation policies to a particular area.

Chard Conservation Area was first designated in 1980 and has not been reviewed since that date.

## Report

South Somerset District Council, in partnership with SWRDA, has commissioned a '**Chard Regeneration Framework**' with the primary aim of producing a series of historical, planning and transportation studies and translating these into one design-led solution for the development of Chard. One of the elements was the production of an up-to date, comprehensive appraisal of the existing conservation area, assessing the historic core's historic assets and understanding current problems and opportunities, and feed this information into the wider Regeneration Plan.

Members will recall that they first considered this report in the summer, and some members questioned the changes to the conservation area. It was agreed that it was best for concerned members to meet with officers for an informal walk around the conservation area, and to consider the alterations.

This review process has led to this recommendation for alterations and extensions to the designated conservation area shown on the attached maps. As stated above, it is a duty of the local planning authority to review conservation area boundaries from time to time and the proposed modifications are considered to be appropriate. The Appraisal and the proposed extensions have been consulted on with all properties to be included in the extensions consulted.

Chard Town Council has replied with no comments on the initial proposals, any reply to the revised proposals will be reported at this committee.

Four letters were received in response to notification.

One was from a volume house builder concerned that an area of land they owned would have an increased area of undeveloped land which would lie within the conservation area. They felt there was no justification. A reply was sent with further justification and no further comment has been received.

Two letters were received from householders:

One was of the view that the area was of no merit and they rejected any further restriction on what they choose to do to their property; a reply was sent outlining the changes that a conservation area brings to a property, and explaining why the area was considered appropriate for designation. No reply has been received.

The second also stated concern that her property was not of any merit, and as part of a review which also took into account the views of internal consultees, her house and the three adjoining were removed. The lady has been informed of this change.

One letter was from a local business that accepted that part of their site was worthy of inclusion, but questioned whether another part of their site should be. This has been revisited and amendments made which remove the areas concerned.

A Ward Member received verbally concerns about a property being included, the main points being concern over a perceived difficulty in the planning process if a property is within the conservation area and they would like future consent to develop. They also had concern with regards to selling the property in the future with it being in the conservation area. The owner has been responded to, and a copy of the reply sent to the Ward Member. No further comments have been received.

The principal extensions are the better brick terraces to the north end of Combe Street and Crimchard, including the cemetery; Holly Terrace and the Holyrood Lace Mill, and nearby terraces to Boden Street; and land to the south of High Street, West of the Crowshute Link; Park Road, and land around and including the relatively recently listed Church of the Good Shepherd. The principal removal is to the west of Manor Farm and the Church, where there are modern houses. Various other minor additions and removals are proposed largely to reflect better the extent of the burgage plots and to account for modern development.

Members are now asked to formally designate the extension areas and to approve the appraisal, with amended conservation area map, so that it can be put into use as guidance in planning and development matters.

A map showing the existing and proposed alterations to Chard Conservation Area is attached.

The Chard Conservation Area Appraisal (Final draft) has not been printed because it is a large document. A copy can be found on the Council's website or can be obtained directly from the Conservation Officer.

### **Financial Implications**

Cost of statutory advertising requirement - approximately £200.

### **Implications for Corporate Priorities**

Contributes to Corporate Aims 4 'Ensure safe, sustainable and cohesive communities' and 5 'Promote a balanced natural and built environment'.

### **Carbon Emissions and Adapting to Climate Change Implications**

No implications arising from this report.

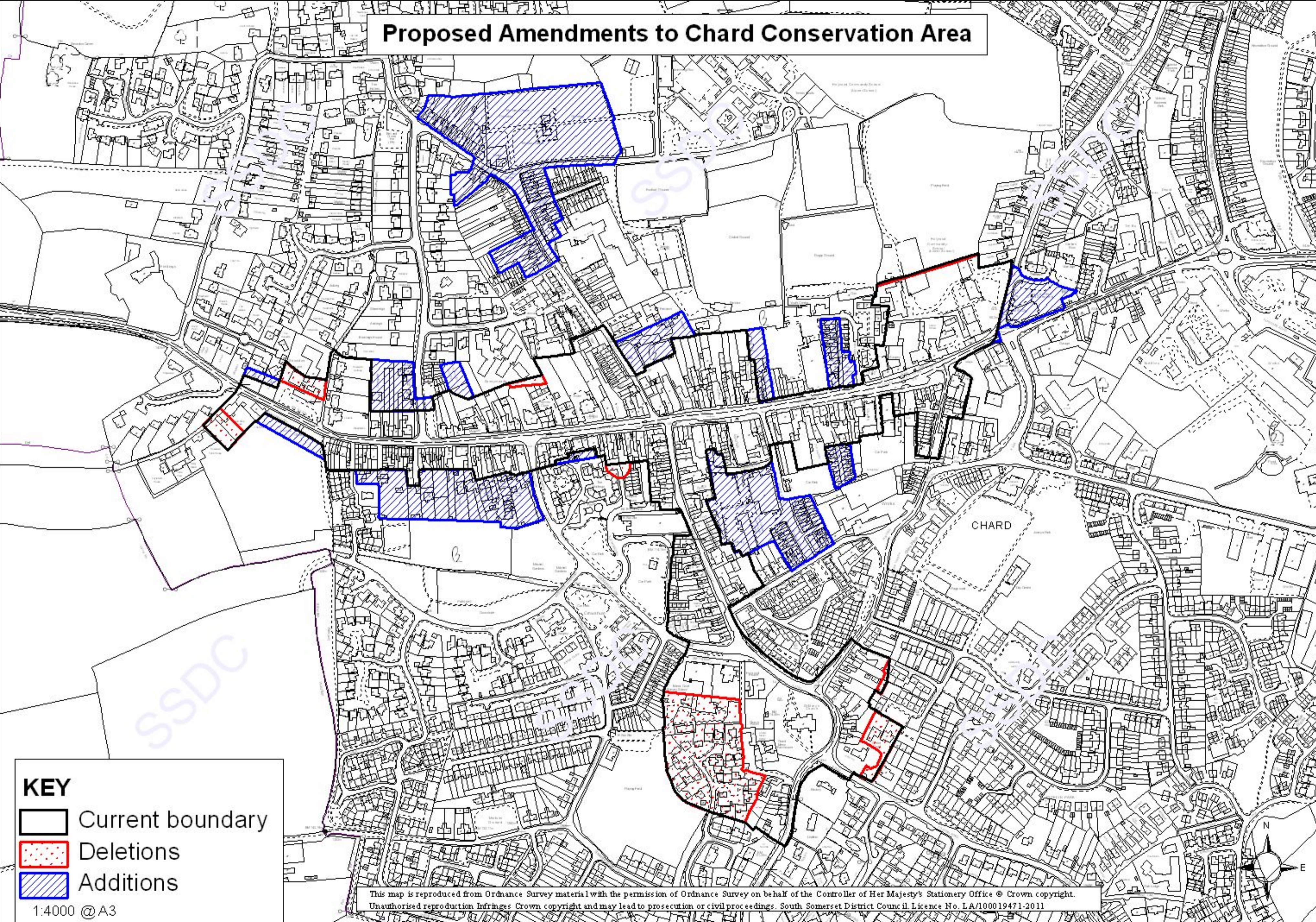
### **Equality and Diversity Implications**

None.

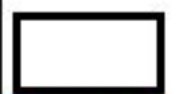


**Background Papers:** *Conservation Area Designation File*  
*Chard Conservation Area Assessment.*



# Proposed Amendments to Chard Conservation Area



## KEY

-  Current boundary
-  Deletions
-  Additions

1:4000 @ A3

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Area West Committee – 14<sup>th</sup> December 2011

## 9. Community Health and Leisure Service Update

*Strategic Director:* Vega Sturgess (Operations and Customer Focus)  
*Assistant Director:* Steve Joel, Assistant Director (Health and Wellbeing)  
*Service Manager:* Lynda Pincombe, Community Health and Leisure Manager  
*Lead Officer:* Lynda Pincombe, Community Health and Leisure Manager  
*Contact Details:* lynda.pincombe@southsomerset.gov.uk or 01935 462614

### Purpose of the Report

This report provides an update on the work of the Community Health and Leisure Service in Area West.

### Public Interest

This report seeks to provide Area West members with a progress report on the work undertaken by the council's Community Health and Leisure Service in the last 12 months. This report highlights specific examples of work undertaken within the area so that members can gain an understanding of how the service is creating value and making a difference for residents in their respective communities.

### Recommendations

- (1) That the Area West Committee notes the content of this report;
- (2) that Members contact the Community Health and Leisure Manager, if they would like to discuss the current service delivery programme or recommend future priorities. Service planning takes place on an annual basis and draft plans for 2012/13 will start to be drafted shortly.

### Background

The Community Health and Leisure team was created following a restructure in 2010. The service covers six main areas:

- Play Development
- Play Areas / Youth Facilities
- Opportunities for Young People
- Healthy Lifestyles Development
- Sport Development
- Leisure Facility Development/Outdoor Sports Facility Management

### Report

#### Play Development

Play Development is delivered through two important services, the Community Resource Centre and the play and youth facilities team.

**Community Resource Centre Service**, which provides:

- **Community Resource Service:** currently there are 155 (15.5%) community groups registered with the service from Area West and 536 (11%) individual users registered from the area.
- **Community Art Shop**
- **Community Equipment Hire e.g.** arty packs, conference and sports equipment
- **Community Scrapstore:** Collects 35 - 40 tonnes of reusable waste per year that otherwise would have gone to landfill.
- **Community Training:** Training workshops and playschemes.
- **Community Playscheme Support:** For organisations to run summer community playschemes.

Since last year's update, due to the requirement to deliver financial efficiencies, a decision was taken to transfer the Community Activity Bus to a third party. Bids were sought this summer from operators prepared to continue to utilise the bus to deliver community projects including play and youth opportunities. Last month, the council's District Executive committee approved Yarlinton Housing Group (YHG) as preferred operator to continue running this valuable outreach service. Once the legal documentation is complete, the transfer of this service should save the council around £450,000 over the proposed 15 year lease period. In addition, the council will retain the right to book the bus for up to 30 days per year at no charge. It is likely that YHG will book the 30 free days on a first come first served basis.

The Community Minibus, leased in 2004 until August 2011, has also not been replaced this year due to a significant reduction in usage & income over the last four years.

In all other respects, the Community Resource Centre continues to perform well. The centre had a record number of visitors in the last financial year and on three occasions between October and November has broken the previous record for the most takings in a single week. In a difficult economic climate, the centre is helping to provide affordable resources for South Somerset residents to create their own Christmas gifts and cards this year.

## **Play Areas/Youth Facilities**

### **Play Areas**

**Redstart Park, Chard** – During this year the play area has been transformed with exciting new play equipment including a zip line, net swing, roundabout and rotating scale swing. New landscaping has also been created that includes circular pathway for all abilities and mounding to create changes in levels that encourage active play. Further works are planned in the play area to add rope features to the existing wooden climbing frame that will increase its play value and this work is expected to be completed by the end of the financial year.

**Snowdon Park, Chard** – The creation of this new play area for the West of Chard was completed and officially opened on the 5<sup>th</sup> August 2011. Funding to create the play area was secured from Redrow Homes, Raglan Housing, Chard Town Council and Mitchell Gardens Residents Association. Local young people can now explore and enjoy a log fort, embankment slide, log train, roundabout, mounding, bespoke seating, a timber alphabet wall and extensive landscaping.



**Jocelyn Park, Chard** – Following extensive improvements and grant aid from SSDC, this Chard Town Council play area was transformed and officially opened on the 28<sup>th</sup> October 2011. Improvements to the play area include a new zip line, large climbing frame with enclosed net bridge, extensive sand play, net swing, agility trail and roundabout. New landscaping helped form the site and included boulders and mounding to encourage active play.

**Ashcroft Play Area, Chard** – Following extensive improvements and grant aid from SSDC, this Chard Town Council play area was transformed and officially opened on the 28<sup>th</sup> October 2011. The design focused on being fully inclusive to all abilities and was supported by Chard Disability Action Group. This is now a destination play area for people with disabilities and includes a new roundabout, embankment slide, swings, see saw, all ability path trail, football goals, mini fort to inspire imaginative play and a large expanded play space for free play.

**Happy Valley Play Area, Crewkerne** – The Town Council consulted local children and residents on the design of the new play area and working with a local landscape architect they came up with an ambitious design for the park. Construction work was carried out in the spring and the new play area was officially opened on the 19<sup>th</sup> April 2011. The new play area includes a climbing multi unit, cone net climber, net swing, large sand play, refurbished swings, zip line and refurbished roundabout. Landscaping included a new network of pathways, seating, boulders and ground contouring to encourage better access and challenging play.

**Winsham Play Area** – Officers provided the parish council with advice and support as part of their play area improvement project, which was part funded with a grant from Area West Committee. The improved play area includes a bespoke natural stone wall, new seating, net swing, circular tree seat, performance stage, boulders, stepping logs new impact surfacing under existing play equipment and new access gates. The range of improvements has now made this an exciting and vibrant place for children to play.

## Youth Facility Projects

**Happy Valley, Crewkerne - Multi Use Games Area (MUGA)** – a new full size, floodlit multi sports court at the parish recreation ground. The project has been awarded a £35,000 grant by SSDC and was officially opened on the 19<sup>th</sup> April 2011. The floodlighting will also illuminate the adjoining skate park, extending this popular facilities use throughout the year.

**Chard Skate Park & Floodlighting**- Officers provided the Town Council with advice and support as part of their improvements to the skate park, which included the addition of new ramps, extended riding surface and floodlighting for both the skate park and MUGA.

**Iminster Multi Use Games Area (MUGA) & Skate Park** – Officers are providing the Town Council with advice, guidance and access to a £35,000 grant to develop a full size, floodlit MUGA on their recreation ground. At the same time officers are assisting the Town Council to look at the redevelopment of their skate park.

## Playground Inspection Service

**Annual Playground Inspections** – The team has received requests from parish councils in Area West to undertake 16 annual playground inspections and these were completed in the autumn.

**Operational Playground Inspections** – This service to not for profit play area providers in Area West has been completed over the past year. From April 2012 play area providers will need to submit a response slip to receive the service and a small charge will be made.

**Routine Playground Inspections** – The team continues to provide this service to not for profit play area providers. Currently no play area providers in area west have commissioned this service.

**Playground Risk Assessments** – The team has received 6 requests from parish councils in Area West for playground risk assessments and these were completed this autumn.

**Playground Training** – In June & July officers arranged two training days covering Routine Playground Inspection and an Introduction to Playground Management. From Area West, trainees attended from Ilminster.

### **Priorities for 2012/13**

- Implement SSDC play area regeneration works at Furzehill, Chard and Blackdown View. Ilminster.
- Assist Crewkerne Town Council to develop the play area at Henhayes Recreation Ground.
- Assist Ilminster Town Council to develop their multi use games area and skate park project.
- Assist Combe St Nicholas Parish Council to develop their youth facility project.
- Continue to deliver continuity and a high standard of play area inspection service.

### **Opportunities for Young People**

Jay Lewin, the former Young Peoples Officer left the authority earlier this year. However, fellow team member, Steve Barnes, has picked up the majority of her work, which is summarised below.

**Gold Star Awards** – To formally recognise and support volunteers working with young people, the Gold Star Awards ceremony was held this year on 25th October 2011 at Octagon Theatre. From Ilminster, Matthew Follain received the Male Volunteer of the Year Award for his martial arts work with young people from unstable backgrounds and special needs students. The evening was attended by over 350 invited volunteers from across the district and the night included dance, music and theatrical performances from local youth groups.

**Youth Clubs** - Advice and support continues to be provided to Youth Clubs when requested

**Youth Development Support** – Support (officer time and or small financial contributions) has been provided to the following communities/projects in the past year:

- Ilminster – supporting “Mega Mondays” providing activities for young people between 11-13 years of age, between 7-9 pm term time, based at the Ile Youth Centre.
- Crewkerne – supporting “Fun Time Fridays” providing activities for young people between 7-11 years of age, between 6.30-8.30pm, based at the West One venue.

- Chard - supporting the “Drop in Zone” youth activities for 15-18 year olds on Saturday nights at Chard Youth Centre.

**CRB disclosures** - 35 CRB forms have been processed by play and youth facility officers to encourage more volunteers to work with young people. CRB forms for volunteers are processed at no cost to the council.

**Playscheme Support** – In the last year the following towns and villages have been given playscheme support:

Ilminster – supported three days of Fun Time Day Time activities running from the Ile Youth Centre.

Crewkerne – supported three days of Wild Wednesdays, which included activities such as sports, games, arts, crafts and cooking.

Chard - supported three days of Fun Time Day Time activities running from the Chard Young Peoples Centre.

### Priorities for 2011/12

- Carry out a Youth Club audit and health check to ensure our database of clubs is up to date and we can direct our support and resources to the areas of greatest need.
- Co-ordinate the numerous stakeholders involved in youth development to ensure the objectives of the council’s Young People Strategy continue to be met.

### Sports Development

Our primary services include:

- Supporting the development and implementation of sport specific development plans.
- Supporting the development of new and existing sport clubs.
- Enhancing school sport.
- Supporting the development of coaches, volunteers and officials.
- Making the most of the London 2012 Olympic and Paralympic Games.

### District-wide Sports Specific Development:

**Athletics** - Continued to financially support a part time athletics coach in partnership with Somerset Activity and Sports Partnership and Yeovil Olympiads Athletics Club based at Yeovil Athletics Arena. This partnership has now been in place for 3 years and continues to deliver the junior athletics community programme. The number of young people from Area West is low in comparison to other areas of South Somerset, however we are planning to deliver a Startrack roadshow in Crewkerne during the Summer 2012 in an attempt to increase participation.

**Tennis** – Ilminster and Misterton Tennis Clubs continue to be an active member of the South Somerset Tennis Development Group (SSTDG), which was set up by the SSDC Sports Development to lead the development of tennis across the district in 2006. Ilminster Tennis Club are one of six clubs across South Somerset who host the Mini Tennis Series events giving young people access to competitive tennis opportunities, which are organised by SSTDG. 130 juniors took part in the series during the summer 2010 and 88 juniors in the winter series 2010/11.

**Football** – The sports development team continues to support the delivery of ‘Onside’, a free weekly football skills training programme for eight to 18 year olds delivered by coaches from Yeovil Town Community Sports Trust. This programme was started in September 2009 and continues to be delivered in Crewkerne, within Area West. 12 young people are currently attending the sessions. The schemes in Chard and Ilminster were suspended due to poor attendance and identifying community volunteers to support the schemes.

Crewkerne will operate under the following schedule for 2011/12: - Autumn: 5<sup>th</sup> September – 21<sup>st</sup> October 2011 (7 Weeks), Winter: 6<sup>th</sup> February – 30<sup>th</sup> March 2012 (8 weeks), Spring: 16<sup>th</sup> April – 1<sup>st</sup> June 2012 (7 weeks), Summer: 11<sup>th</sup> June – 20<sup>th</sup> July 2012 (6 weeks). During July there will be a tournament based on a European championship theme and during the summer holidays a series of one-day soccer schools at each venue.

**Cycling** – The sports development team has continued to worked with 1<sup>st</sup> Chard Wheelers Cycling Club and British Cycling to develop cycling within schools in Area West and increase the number of young people who are guided into the club. We secured £9,765 from Sport England Small Grants Scheme in December 2010 for 1<sup>st</sup> Chard Wheelers CC. The club has used this funding to purchase 15 bikes, helmets and a box trailer to transport bikes from school to school.

The funding has also been used to deliver cycling coaching within primary and secondary schools in Area West. 71 young people from Redstart (Chard), Manor Court (Chard), Neroche, Tatworth and Hinton St George primary schools and 32 young people from Swanmead (Ilminster) and Maiden Beech (Crewkerne). Over 90 sessions of coaching have been delivered and junior membership has increased from 12 to 90 since December 2010.

3 volunteers from the club have also taken Level 1 & Level 2 British Cycling coaching qualifications to increase the capacity of coaching within the club; this was also funded through the application to Sport England.

**Badminton** – The South Somerset Community Badminton Network (CBN), which was set up by the sports development team in 2009 has continued to lead the development of badminton across South Somerset in partnership with key partners and Badminton England. The network has levered in over £13k of funding since 2009/10, which has funded the appointment of a Community Badminton Network coach for 10 hours per week to work in schools and clubs, who started in September 2010.

Since September 2010, some of the key achievements by the network in Area West have been as follows:

- 464 young people have received curriculum badminton coaching at primary schools in the Chard area in Area West between September 2010 and September 2011. 16 hours of coaching were delivered in Area West.
- 70 young people have received Out of School Hours badminton coaching at Holyrood secondary school in Area West in September 2011.
- Set up a new after school primary badminton club in Chard, which will provide an increase in the junior badminton opportunities in the area, currently attended by 20 young people.

- Two new 'Pay and Play' sessions at Crewkerne Sports Centre have been introduced in September 2011 as part of the No Strings Badminton programme, which offers the opportunity for people to play badminton without having to find a partner or book a court. The Community Badminton Network is working in partnership with 1610 (formerly known as Somerset Leisure), Somerset Activity and Sports Partnership (SASP) and Badminton England to organise the sessions. 28 participants are currently registered on the programme and 15-24 participants attend the session on Tuesdays.

**Basketball** – During October 2010 to March 2011, 35 young people attended a new basketball club called Crewkerne Thunder set up in partnership with Somerset and Activity Sports Partnership at Crewkerne Sports Centre. 22 sessions of coaching were delivered and the club continues to run on a Thursday.

**2012 Olympics** – The team has limited capacity to directly deliver a wide variety of new events during 2012, but will certainly be looking to incorporate the Olympic theme within programmes such as Startrack (athletics), holiday activities and national play day. The team do anticipate developing web pages to help promote local activities that may be held which celebrate the Olympics and will work in partnership with key organisation such as the Somerset Activity and Sports Partnership to promote local initiatives.

Community Health and Leisure Officers will of course also be supporting the Olympic Torch Relay, which travels through South Somerset on Tuesday 22<sup>nd</sup> May 2012. In Area West the torch will travel through Ilminster.

## Healthy Lifestyles Development

Our primary services include:

- Supporting targeted communities to establish physical activity opportunities and healthy lifestyle programmes.
- Developing community based Active Health programmes with health practitioners.
- Encouraging Healthy Workplaces.
- Developing targeted programmes for those at risk.

The programme is delivered in partnership with the NHS Somerset.

## Healthy Communities (targeted active lifestyle support):

### Health Inequalities:

Health testing has been delivered with a Portuguese group learning English as a second language in Chard, where 9 individuals from the Portuguese community were health tested.

We have worked with residents who have mental health conditions in area west by supporting the Chard Intentional Peer Support Group with their work to develop a Social Inclusion Group for Chard. They identified that a lot of the problems that they were facing as a group were similar to those faced by other groups. By linking up and working together, it was realised that efficiencies could be made for all the groups involved.

A "Get Active on the Farm" 12-week course of activity was funded under Active Somerset to enable members of Chard Intentional Peer Support Group to access physical activity opportunities, this was attended by 16 members of the group.



NHS Health Checks were also offered to the Chard Intentional Peer Support Group, these checks look at an individuals risk of developing Cardiovascular Disease in the next 10 years, reinforcing the positive elements of their lifestyle that they are currently doing to encourage them to continue, as well as signposting and referring as necessary, to further support or activities that they could undertake to further improve their lifestyle. A total of 17 individuals received an NHS Health Check.

### **Children's Centres:**

The team have met with the Ashlands Children's Centre, Crewkerne and Clare House Children's Centre, Chard. Discussion centred on how officers could support their parents and families with buggy walks.

Health Testing opportunities have been delivered at the following: Clare House Children's Centre family event at the Methodist Church in Chard, Ashlands Children's Centre family event at Hinton St. George Village Hall, Ile Valley family event at Combe St. Nicholas Village Hall, Clare House Children's Centre PEEP Group at Manor Court School in Chard, 2 different PEEP Groups at Ashlands Children's Centre in Crewkerne and an Outreach session for Ashlands Children's Centre at the Tithe Barn in Merriott. A total of 35 individuals were tested and lifestyle advice including Change4Life resources were also available.

Consultation is being carried out with Clare House Children's Centre, Chard and Ashlands Children's Centre, Crewkerne, regarding setting up physical activity sessions for the parents and families using Active Somerset funding.

### **Active Living Centres:**

Health Testing and lifestyle advice and support has been offered at a number of events at a variety of venues across Area West including the Active Living Centres at Crowshute House in Chard, Tatworth and Forton Well-being Centre, Yarlington Housing Group schemes Bishops Court in Chard, Bowhayes Lodge in Crewkerne, Ile Court in Ilminster, Davis Close in Winsham, Kents Lane in Tatworth, and Taylors Mead in Combe St. Nicolas as well as delivering a falls awareness event at Muchelney House in Ilminster and health testing and a Flexercise taster session at the Memory Café in Chard. In total more than 75 individuals accessed the health testing.

Active Living Centres are funded by Somerset County Council and work in partnership with community, voluntary and statutory groups to promote and develop opportunities for people aged 50 and over to access information and activities that keep them active and well. Funding for the two Active Living Centre co-ordinators is only secure until 2013 and all clients are currently being re-assessed due to a change in eligible criteria from moderate to substantial. However, the healthy lifestyles officers are working closely with key stakeholders in this area such as Yarlington Housing Group, NHS Somerset and Age UK to ensure that this work continues after the withdrawal of this funding in 2013.

### **Healthy Workplaces**

#### **SSDC Staff:**

A variety of healthy lifestyles initiatives have been delivered for the benefit of SSDC staff including blood glucose testing which was offered to raise awareness of diabetes on World Diabetes Day, a weight loss challenge, stop smoking advice and support, two golf tournaments, a rounders tournament, two Pilates classes and lunchtime health walks. 3 staff from Area West accessed these initiatives.

### **Flexercise (training for volunteers to lead chair-based exercise):**

Flexercise is a countywide project to train up staff and volunteers to deliver chair based physical activity sessions. There are now 66 Flexercise Leaders delivering Flexercise sessions in Area West in approximately 33 venues. These venues range from nursing homes, residential homes, sheltered housing schemes, care homes, day centres and Active Living Centres.

Since October 2010 one Flexercise Workshop has been delivered in Area West with 7 Area West leaders attending this training day. In total 15 new Flexercise leaders have been trained up in Area West and 9 existing Flexercise leaders from Area West have attended four Flexercise update workshops – core stability, additional activities, parachute activities and music, relaxation and stretches.

### **ProActive (GP Referral Service):**

Since November 2010, 196 residents of Area West have been referred by GP's, practice nurses, physiotherapist and other health professionals to the ProActive physical activity referral Scheme. These residents have attended either Cresta Sports Centre in Chard, Active Hearts Class (Cardiac Rehabilitation Phase 4 Class) or Crewkerne Aqua Centre in Crewkerne where residents can also be referred to for Cardiac Rehabilitation Phase 4 Classes.

The management of the ProActive Scheme transferred back to NHS Somerset in April 2011 and is now coordinated and managed by the Integrated Lifestyle Team who are part of Somerset Community Partnership (the delivery arm of NHS Somerset).

### **Health Walks:**

- Since October 2010, 15 residents in Area West have undertaken the health walk leader training, 9 of which leaders are actively involved in delivering Health Walks. 3 of the 15 leaders are linked with Clare House, Chard Children's Centre, one is a member of staff and two are volunteers at the centre. They have delivered two taster Buggy Walks (Health Walks designed for parents of young children) which were accessed by 4 families and the idea is to set up regular buggy walks running from the Children's Centre'.
- One Health Walk Leader Training day was delivered in Area West, accessed by 6 Area West volunteer Health Walk Leaders.
- A Health Walk Directory has been produced detailing all the walking groups across the district.
- The Broadway Health Walk group has increased its numbers from an average of 8 members per walk to 20 and the group celebrated its second anniversary in November 2011.
- First Aid Training has been delivered to 8 of the leaders at Broadway Health Walk Group.
- During the last year there has been over 2,000 attendances on health walks in Area West and over 60 of these individuals are new to Health Walks.

British Heart Foundation Active Clubs training has been delivered to one individual in Area West. The individual from Crewkerne Aqua Centre has gone on to run a weekly session with young people aged 6-10 from Hinton St. George where 10-15 attend each week.

The Healthy Lifestyle Team has also supported Shine and the two NHS Somerset Health Trainers who cover Chard, Ilminster and Crewkerne.

## **Leisure Facility Development/Outdoor Sports Facility Management**

### **Our primary services include:**

- Providing sports clubs and community organisations with specialist advice.
- Assessing the needs of leisure facility and playing pitches across the district.
- Working with Somerset Leisure Limited (shortly to be rebranded as 1610)/schools to maximise access to existing dual use sports facilities.
- Negotiating contributions from housing developments to enhance local and sport and recreation provision.
- Managing the council's sport and recreation facilities.

**Planning Applications** – Between 1st September 2010 and 31st August 2011, the team has provided Development Management with 43 detailed responses to planning consultation requests of which 5 (11.6%) were for developments in Area West. Our responses set out the leisure obligations required to make developments acceptable in planning terms.

**New standards incorporated within the Local Development Framework** – Working with Planning Policy, new local standards of provision covering play areas, youth facilities, playing pitches, changing rooms, theatres and arts centres, artificial grass pitches, swimming pools, indoor tennis centres and sports hall provision were included within the Local Development Framework. We now secure in the order of £4,000 per dwelling subject to local variables and viability.

**Passport to Leisure Scheme** - We currently have 448 live cards in circulation at present; approximately 4.24% (19) of cardholders live in Area West.

### **Area specific work:**

- Ilminster Town Council – support has been provided to Ilminster Town Council to develop plans for new football changing rooms in the town. It has been agreed that Ilminster Town FC will relocate to new changing rooms on Brittens Field in Ilminster and further support will be provided to identify sources of funding for the project.

## **Other Service Achievements**

**E-newsletter** – The Community Health and Leisure team co-ordinates the production of a monthly leisure e-newsletter (which also goes to customers of the Octagon and Goldenstones). We now have just over 5,200 individuals registered to receive the newsletter, an all time high, and this method of marketing has proved extremely successful in promoting activity for young people.

**Association of Public Service Excellence (APSE)** – The Community Health and Leisure team recently put forward a submission for 'Best Sport, Leisure and Culture



Service' of the year and was shortlisted as a finalist but was pipped to the post by East Riding of Yorkshire Council. However, to have reached the final amongst such stiff competition is in itself an achievement to be proud of.

### **Financial Implications**

No new implications.

### **Corporate Priority Implications**

The work of the Community Health and Leisure Team in Area West contributes to the following Corporate priorities, Key Targets and Actions:

#### **Corporate Plan Priority: Improve the housing, health and well-being of our citizens**

##### **Key Targets:**

3.19 Support SST to develop a long term (20 year) action plan to reduce obesity in children and adults, delivering one initiative by 2012.

3.20 Increase children and young people's satisfaction with parks and play areas and adult participation in sport and active recreation from 23.3% to 25.4% by 2011/2012.

#### **Corporate Plan Priority: Ensure safe, sustainable and cohesive communities**

##### **Key Targets:**

4.22 Outcome: Sustainable local communities

Measured by: Increasing those who participate in regular volunteering at least once a month.

4.1 Deliver positive activities for children, young people (especially those at risk of exclusion or offending) and families, designed to reduce antisocial behaviour by October 2010.

4.2 Decrease first time entrance to the youth justice system aged 10 to 17 from 1,470 per 100,000 to 1,260 in 2011/12.

### **Equality and Diversity Implications**

Consideration is given by the service to ensure that all facilities and services are accessible.

**Background Papers:** *Community Health and Leisure Service Update – AWC 17 March 2010*

Area West Committee – 14th December 2011

## **10. Reports from Members on Outside Organisations**

This is an opportunity for members who represent the Council on outside organisations to report items of significance to the Committee.

Members are asked to notify the Chairman before the meeting if they wish to make a report.

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Area West Committee – 14th December 2011

**11. Feedback on Planning Applications referred to the Regulation Committee**

There is no feedback to report on planning applications referred to the Regulation Committee.

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Area West Committee – 14th December 2011

## **12. Planning Appeals**

*Strategic Director: Rina Singh (Place and Performance)*  
*Assistant Director: Martin Woods (Economy)*  
*Service Manager: David Norris, Development Manager*  
*Lead Officer: David Norris, Development Manager*  
*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.

### **Recommendation**

That the report be noted.

### **Background**

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the Committee.

### **Report Detail**

#### **Appeals Received**

##### **Written Representation**

***Ilminster*** – External alteration to include removal of existing timber double doors on west elevation to be replaced with pvc (white) fire door and side panel, Sweet Surprise, 23 Silver Street – Mrs. J. Morgan – 11/00850/LBC.

#### **Appeals Dismissed**

##### **Written Representation**

***Tatworth & Forton*** – The erection of a detached dwelling, land opposite Rose Cottage, St. Margarets Lane, South Chard – Mrs. L. Oakerbee – 11/00823/FUL.

Delegated Decision – Refusal.

The Inspector's decision letter is attached at pages 20 -22.

***Background Papers:*** Application files – 11/00850/LBC & 11/00823/FUL.

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## Appeal Decision

Site visit made on 31 October 2011

by **John Davies MBE BSc MRTPI**

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

Decision date: 24 November 2011

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**Appeal Ref: APP/R3325/A/11/2157174**

**Land opposite Rose Cottage, St Margarets Lane, South Chard,  
Chard TA20 2RU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs L Oakerbee against the decision of South Somerset District Council.
  - The application Ref 11/00823/FUL, dated 17 February 2011, was refused by notice dated 21 April 2011.
  - The development proposed is the erection of a detached dwelling.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. These are the effect that the proposed dwelling would have upon the character and appearance of the surrounding area, on highway safety, and on the living conditions of neighbouring residents with particular regard to privacy and outlook.

### Reasons

#### *Character and Appearance*

3. St Margarets Lane contains dwellings of varied age, design and materials. Most appear to be 100 years old or more, apart from one modern detached bungalow. Whilst there is the occasional flat-roofed extension, traditional pitched roofs predominate, with a complete range of roof coverings, including thatch, slate and tile. The properties are set at a variety of angles to the lane and at a mix of distances from it; some are built directly on the lane edge and others set back at varying distances. Plot sizes also differ markedly. Several properties have generous gardens, but many cover a large proportion of their plot, often built up to the boundaries, adjoining the neighbouring buildings, to create a tightly knit development pattern. The lane is thus characterised by its variety of traditional dwellings and their informal, intimate layout.
  4. Although the proposed dwelling would fill a large part of the appeal site and be close to its boundaries, this would not be out of keeping with the tightly-knit development pattern of the lane. However, also part of the character of the
-

lane are the occasional open spaces along its length, which penetrate the otherwise tight development pattern to give views out and a contrast to the sense of enclosure created by the dwellings. The appeal site is one of these open spaces. By filling most of the width of the site, the proposed dwelling would obstruct views from the lane to the surrounding countryside, which would detract from the character of the lane.

5. The Council has no objection to the contemporary design of the dwelling, but the surrounding residents have raised concerns. The flat roof and narrow vertical windows are not characteristic of houses in the lane. These design features would, to my mind, make the proposed dwelling appear incongruous in the context of the traditional design so characteristic of its neighbours. The expanses of timber cladding, particularly on the north elevation, would be out of keeping with the area. The dwelling's incongruous design would detract from the traditional character of the lane. Its impact would be exacerbated by the elevation of the appeal site above the land to the north, which would make the proposed dwelling prominent when seen from the north.
6. As a consequence I conclude on the first issue that the proposed dwelling would harm the character and appearance of the surrounding area, in conflict with Policies ST5 and ST6 of the South Somerset Local Plan 2006, the aim of which is to ensure that development respects the form, density, character and setting of the locality. It also conflicts with Policy STR1 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011, which requires that development should be of high quality, good design and reflect local distinctiveness.

#### *Highway safety*

7. St Margarets Lane is narrow and tortuous, with several sharp, blind bends. The dwellings built on the edge of the lane restrict its width and forward visibility, for both pedestrians and drivers. For much of its length the lane is only wide enough for one vehicle. The appellant confirms that cars have to back up to allow others to pass at the limited locations where this is possible. The difficulties of access along St Margarets Lane make it unsuitable to take additional traffic.
8. St Margarets Lane runs in an arc between its two junctions with School Lane. The visibility at both these junctions is severely limited in both directions by garden walls, hedges and buildings. Visibility to the south for the driver of a vehicle emerging from the northern junction is particularly poor, because of the house built on the corner of St Margarets Lane and School Lane. The proposed dwelling would create additional traffic movements on St Margarets Lane and at the junctions with School Lane. The increase in traffic would be small but the School Lane junctions are so severely sub-standard that any additional traffic movements would be likely to pose an increased risk to highway safety. The appellant states that drivers know the limitations of the junctions and wait on School Lane to allow vehicles to exit St Margarets Lane. The need for turning vehicles to wait on the main road confirms the sub-standard nature of the junctions and the risk they pose to highway safety. I note that there is no record of an accident at these junctions and that traffic speeds on School Lane are kept low by the traffic calming, but these junctions are so demonstrably sub-standard that they are not suited to take any additional traffic. The

presence of a primary school on School Lane, near the northern junction with St Margarets Lane, reinforces the need to ensure that highway safety is adequately protected.

9. I acknowledge that traffic movements on St Margarets Lane will fluctuate naturally as car ownership in the existing dwellings changes. It is also possible that a future occupier of this proposed house may not own a car. However, the house would be large enough for a family and car ownership could not be controlled by a condition. Although the appellant has referred to a permission to change the use of the Old Chapel on St Margarets Lane to residential, no detailed information on that permission is before me. In any event, the scheme before me is unlikely to be directly comparable since it comprises a new dwelling rather than a change of use; I have considered the proposal on its own merit. The most probable result of constructing this dwelling would be an increase in traffic usage of St Margarets Lane and its junctions with School Lane. Bearing in mind the deficiencies of St Margarets Lane and the sub-standard nature of the School Lane junctions, I conclude on the second issue that the proposed dwelling would pose an increased risk to highway safety, in conflict with Structure Plan Policy 49 and Local Plan Policy ST5, which aim to ensure that development provides safe and satisfactory access.

#### *Living Conditions*

10. Although not an issue raised by the Council, several neighbours have concerns over the impact on their living conditions. Their privacy would not be significantly affected because of the separation between the proposed dwelling and the surrounding properties, and the location of windows. However, the two semi-detached houses immediately north of the appeal site are oriented so that their front elevations directly face the appeal site, which is elevated significantly above their ground floor levels. Although the proposed dwelling has been designed so as to reduce its roof height, because of the significant difference in levels the proposed dwelling would be dominating and intrusive when seen from the main living room windows of these two houses immediately to the north. The proposed dwelling would therefore harm the living conditions of these residents, contrary to Local Plan Policy ST6(6), which seeks to protect the residential amenity of the occupiers of adjacent properties.

#### *Other Matter*

11. I have taken account of the appellant's views in relation to the National Planning Policy Framework Consultation Draft but as this document is in draft form it can only be given limited weight.

#### *Conclusions*

12. I recognise that the self-build development proposed is designed to be eco-friendly and is intended for home working. However, these considerations do not outweigh the significant harm I have found to the character and appearance of the area, to highway safety and to the neighbours' living conditions. Consequently, for the reasons given above I conclude, on balance, that the appeal should fail.

*John Davies*

INSPECTOR

Area West Committee – 14th December 2011

### 13. Planning Applications

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

The schedule of applications is attached following page 24.

The inclusion of two stars (\*\*) as part of the Assistant Director's (Economy) 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.

#### **Human Rights Act 1998 Issues**

*The determination of the applications which are the subject of reports in the schedule are considered to involve the following human rights issues:-*

##### *Article 8: Right to respect for private and family life*

- (i) Everyone has the right to respect for his 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 interest 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.*

##### *The First Protocol*

##### *Article 1: Protection of Property*

*Every natural or legal person is entitled to the peaceful enjoyment of his 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.*

**Background Papers:** *Individual planning application files.*



## Planning Applications – December 2011

### Members to Note:

*The inclusion of two stars (\*\*) as part of the Assistant Director's (Economy) 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.*

Page	Ward	Application	Proposal	Address	Applicant
1	Crewkerne	05/00661/OUT	Comprehensive mixed use development for 525 dwellings, employment (B1, B2, B8) primary school, community facilities, playing fields, parkland, P.O.S. structural landscaping and associated infrastructure including link road and highway improvements.	Crewkerne Key Site 1 Land East of Crewkerne Between A30 (Yeovil Road) and A356 (Dorchester Road) Crewkerne Somerset TA18 7HE	Taylor Wimpey
79	Parrett	11/03247/FUL	The erection of a dual purpose log cabin for use as manager's accommodation/ holiday reception for holiday lodges and coarse fishing lakes (Revised Application).	Watermeadow Fisheries North Perrott Road North Perrott	Mr. Nigel Pike

## Area West Committee – 14th December 2011

### Officer Report on Planning Application: 05/00661/OUT

<b>Proposal :</b>	Comprehensive mixed use development for 525 dwellings, employment (B1, B2, B8) primary school, community facilities, playing fields, parkland, P.O.S. structural landscaping and associated infrastructure including link road and highway improvements. GR (345354/109767)
<b>Site Address:</b>	Crewkerne Key Site 1 Land East Of Crewkerne Between A30 (Yeovil Road) And A356 (Dorchester Road) Crewkerne Somerset TA18 7HE
<b>Parish:</b>	Crewkerne
<b>CREWKERNE TOWN Ward (SSDC Member)</b>	Mr J Dyke (Cllr) Mr M Best (Cllr) Ms A M Singleton (Cllr)
<b>Recommending Case Officer:</b>	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
<b>Target date :</b>	4th August 2005
<b>Applicant :</b>	Taylor Wimpey
<b>Agent: (no agent if blank)</b>	Johnathon Orton 127 Hampton Road Redland Bristol BS6 6JE
<b>Application Type :</b>	Major Other f/space 1,000 sq.m or 1 ha+

### **Background**

At a special meeting of the Area West Committee on 1 November 2006 members unanimously resolved that application 05/00661/OUT be approved subject to:-

- referral to the Secretary of State
- the resolution of objections raised by the Environment Agency and Natural England and the submission of a revised Masterplan
- the agreement of planning obligations under a Section 106 Agreement

The S106 agreement and conditions were “delegated to the Head of Development and Building Control in consultation with the relevant portfolio holders, Chairman of the Area West Committee and ward members”.

The application was referred to the Secretary of State who raised no objection to the approval of this application. The revised Masterplan was received and accords with officers’ expectations and the Environment Agency’s objections were addressed in line with the advice of PPS25. Conditions have been agreed in principle between officers and the applicant.

Unfortunately there were substantial delays in resolving Natural England’s objections with regard to the impact on dormice and in agreeing the package of obligations. However, these have now been resolved following negotiations with ecologists and the District Valuer.

A report was considered by Area West at their meeting on 19 January 2011 when officers sought members input on a number of issues. Members resolved that the following course of action be taken in relation to the outstanding matters:-

1. that any shortfall between the developer's suggested obligations be clarified;
2. that the highways contributions be targeted at town centre improvements, public transport/travel plans and off-site traffic calming;
3. that the works to the site entrance be clarified to the satisfaction of the landscape architect;
4. that the applicant be asked to further clarify the details of all aspects of the proposed management regime;
5. that the level of use of natural stone be examined by the conservation manager in light of the recommendations of the Enquiry by Design. Any further savings to be used to uplift the off-site leisure/recreation contributions;
6. that the applicant be required to survey the affected dormouse population prior to the commencement of development, subject to the agreement of the relevant landowner. If an alternative strategy is appropriate any savings to be recycled to other obligations, which have been reduced;
7. that officers negotiate a review mechanism, to be secured by Section 106 Agreement, based on a three yearly review from occupation of the first dwelling and every three years or shorter period thereafter;
8. although content to accept 17.5% affordable housing in the current circumstances, provision be made in the Section 106 Agreement to ensure that an uplift in the affordable housing requirement to 35% can be realised if the economic situation improves;
9. that officers agree a phasing plan of the employment area that specifies the timing of the Blacknell Lane link in light of the cost of that link.

The report and the minutes of the meetings of 01/11/06 and 19/01/11 are attached at Appendix A and are available on the District Council's website.

## **The Current Situation**

In relation to the committee's resolution the following has been agreed:-

1. the package of planning obligations has been re-examined and now accurately reflects the obligations considered reasonable by the District Valuer.
2. The offsite highways contributions will be allocated to town centre improvements, off site traffic calming and the promotion of sustainable travel planning (buses, footpath and cycle links etc.).
3. The management of the on-site public open space will be by a Community Interest Company (possibly involving the Town Council) which would be primed with c. £500,000 to ensure it is able to fulfil its functions from an early stage.
4. The level of use of natural stone could not drop below £2,740,500 without compromising the findings of the Enquiry by Design. The conservation manager agrees with this.
5. All reasonable endeavours will be taken to assess the dormouse population prior to the construction of the dormouse bridge
6. A three yearly review mechanism has been agreed.

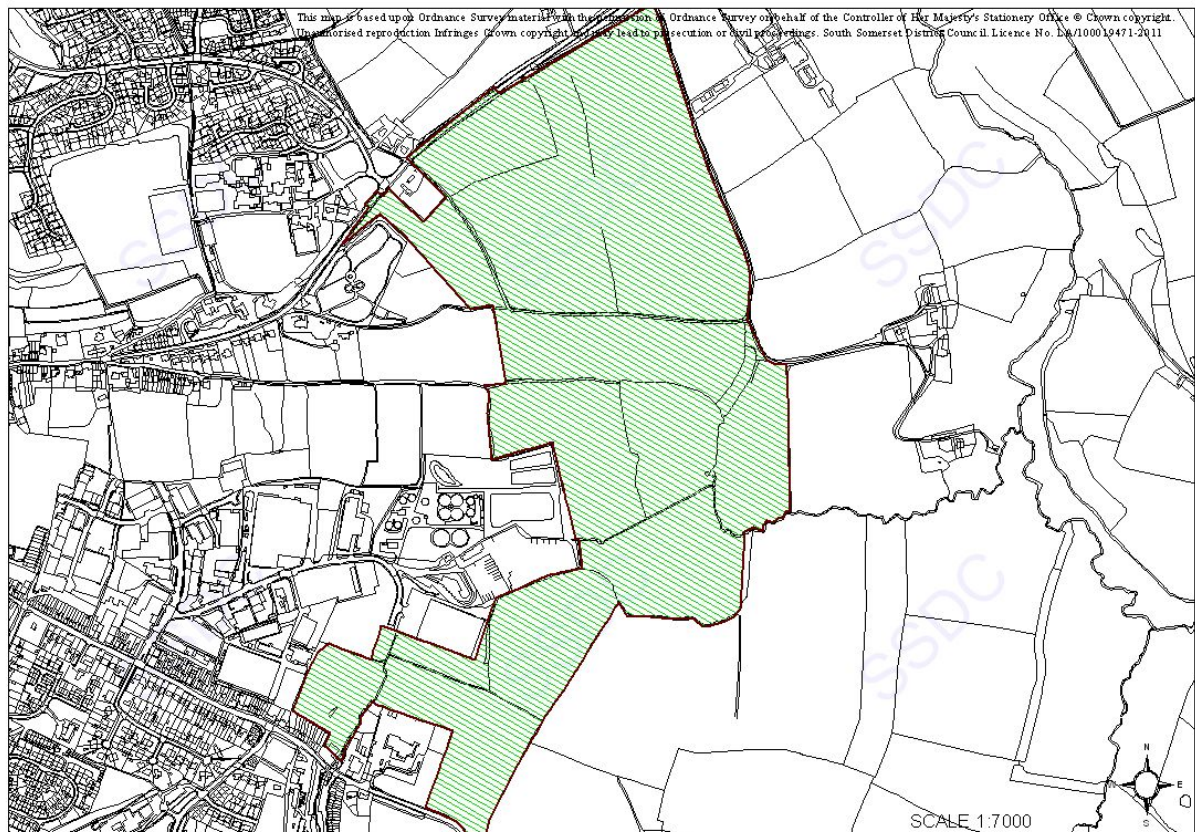
7. Grant funding will be sought although it is stressed that it is highly unlikely to be available.
8. The Blacknell Lane link will be provided prior to the provision of 1,000m<sup>2</sup> of industrial space or within 4 years of the commencement of the industrial area.

With regard to the works at the entrance to the site, it is hoped that an agreement will be reached shortly between the District Council's landscape architect, the applicant and the county highways authority that will achieve an appropriate balance between the engineering works that will undoubtedly be required and need to be suitably landscape the new entrance. This work has informed the drafting of the Section 106 agreement which is nearing completion.

The applicants have recently (10/11/11) provided an addendum to the originally submitted Environmental Statement. This provides updates in relation to traffic, ecology, flood risk, landscape impact etc. Importantly additional chapters are now included in relation to odour impact from the sewage treatment works waste management. The revision and updates take into account changes in circumstance since the application was submitted in 2005. In particular the updated traffic assessment specifically takes into account the proposal to make North Street one-way and the associated impact on Ashland Road. Consultations have been carried out in relation to the addendum.

An update report follows that has been drafted in light of the submission of the addendum Environmental Statement and the responses to consultations. It should be considered in conjunction with the reports and minutes contained within Appendix A.

## **SITE DESCRIPTION AND PROPOSAL**



This is a greenfield site located to the east of the town comprising of some 50.32 hectares (124.3 acres) of land lying between the A30 Yeovil road and the A356 Misterton road to the south. The northern part, where the residential element would be, adjoins the A30 and lies to the east of the town cemetery. This is the highest part of the site at the top of a scarp slope, which runs roughly east-west.

The central part of the site includes the scarp slope with the lowest lying parts of the site mainly grassland. A corridor of open countryside extends westwards from the site boundary into the town centre. This area has been identified as a good habitat for dormice.

The central part of the site would be retained for informal recreation. New balancing ponds associated with the drainage of the site would be located in the northeast corner and southern parts of the site and these will be designed to attract wildlife. In addition to the informal recreation provision there will also be a community sports area including a playing pitch.

The southern part of the site slopes gently upwards to the A356 at the southern boundary. This part of the site adjoins the town's main industrial area at its western boundary and would provide further employment land to complement the adjoining use.

This outline proposal reserves all matters of detail except access for subsequent approval. The application proposes:-

- 525 dwellings, including 17.5% affordable housing (14.8 Hectares - 36 acres)
- Employment land for a range of employment uses (9.8 hectares - 24 acres)
- A local centre, including a convenience store
- A primary school site(1.4 hectares - 3.5 acres)
- Open space and structural landscaping
- Balancing ponds/attenuation areas to manage surface water
- A new link road between the A30 and the A356
- Detailed design of the new junctions with the A30 and A356
- A dormouse bridge over the link road, to be linked to the habitat to the west of the site and the open countryside to east by additional planting to enable a 'wildlife corridor' to be maintained across the site.
- Badger mitigation proposals
- On-site footpaths and cycle ways and enhanced links to the town centre
- A detailed package of planning obligations, agreed following an 'open-book' appraisal of the viability of the scheme by the District Valuer.

Originally the scheme included a community hall and community use of the school playing fields, however these have been omitted as dual use of the latter is not supported by either the County education authority or the District Council's sports development officers as it leads to excessive wear and tear. However it has been agreed that the school hall would be available for use by the community.

The 2005 submission was supported by an Environmental Statement which addressed the proposal's impacts on traffic, ecology, drainage, landscape, air quality and amenity. This Statement has been updated (10/11/11), following the issue of a formal 'scoping opinion' to outline the areas that need to be addressed to take into account changes in circumstance.



## RELEVANT PLANNING HISTORY

None since the allocation of this site and the adoption of the local plan in 2006.

## 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 Somerset and Exmoor National Park Joint Structure Plan Review and the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

### **Saved policies of the Somerset and Exmoor National Park Joint Structure Plan**

STR1 - Sustainable Development  
STR2 - Towns  
STR4 - Development in Towns  
Policy 1 - Nature Conservation  
Policy 11 - Areas of High Archaeological Potential  
Policy 33 - Provision for Housing  
Policy 35 - Affordable Housing  
Policy 37 - Facilities for Sport and Recreation within Settlements  
Policy 39 - Transport and Development  
Policy 40 - Town Strategies  
Policy 42 - Walking  
Policy 44 - Cycling  
Policy 45 - Bus  
Policy 48 - Access and Parking  
Policy 49 - Transport Requirements of New Development  
Policy 50 - Traffic Management

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

KS/CREW/1 allocates this site for development:-

*Land between Yeovil Road and Station Road, Crewkerne, is allocated as a key site development to provide the following:*

- *Approximately 14.6 hectares (36 acres) for housing, providing about 438 dwellings, including a target of 35% affordable housing;*
- *Site for a new primary school 1.4 hectares (3.5 acres)*
- *Approximately 10.5 hectares (26 acres) for employment, (classes B1, B2 and B8 of the use classes order 1987);*
- *Informal recreation (20 hectares/49.7 acres);*
- *Structural landscaping (5.0 hectares/12.3 acres);*

- *Link road between A30 (Yeovil Road) and A356 (Station Road), to be provided in entirety on the completion of 200 dwellings or four years after occupation of the first dwelling, depending on which is the earliest*
- *Footway/cycle link to town centre*
- *Appropriate contributions towards improvements to affected highway infrastructure*
- *A link road between Blacknell Lane and the proposed A30-A356 south link road to be built in its entirety on the completion of 200 dwellings or four years after the occupation of the first dwelling, whichever is the earliest.*

This is reinforced by Policy ME2 which allocates 10.5 hectares of land at the Keysite for employment uses (B1, B2 & B8) and HG2 which states that 438 dwellings are to be provided.

Also of relevance to this outline proposal are:-

ST5 - General Principles of Development  
 ST6 - The Quality of Development  
 ST10 - Planning Obligations  
 EC3 - Landscape Character  
 EC4 – Impact on Ecology  
 EC7 – Networks of Natural Habitats  
 EC8 - Protected Species  
 EH12 – Archaeology  
 EP6 – Construction Sites  
 EP8 – Development near Sewage Works  
 EU4 – Water Services and Drainage  
 TP1 - New Development and Pedestrian Movement  
 TP2 – Travel Plans  
 TP4 - Road Design  
 TP5 – Public Transport  
 TP8 – Local Transport Schemes  
 ME1– Employment Land Provision  
 HG1 - Provision of New Housing Development  
 HG7 – Affordable Housing.  
 CR2 – Provision for Outdoor Play Space and Amenity Space in New Development  
 CR3 – Off-site Provision of Outdoor Playing Space and Amenity Space  
 CR4 - Amenity Open Space

### **National Guidance**

PPS1 – Sustainable Development  
 PPS3 – Housing  
 PPS5 – Planning and the Historic Environment  
 PPS7 – The Country Side  
 PPS9 – Biodiversity and Geological Conservation  
 PPG13 – Transport  
 PPG17 – Planning for Open Space, Sport and Recreation  
 PPS25 – Flooding

### **South Somerset Sustainable Community Strategy**

Goal 3 – Healthy Environments

Goal 4 – Services and Facilities  
Goal 8 – High Quality Homes  
Goal 9 – A Balanced housing Market

### **Other Relevant Considerations**

The resolution of Area West Committee 1 November 2006 to approve this proposal

The proposal affects dormice, a European Protected Species', accordingly the following legislation is relevant:-

- Conservation of Habitats and Species Regulations 2010 (a.k.a. 'Habitats Regulations') (European protected animal species)
- Wildlife and Countryside Act 1981 (as amended) (All protected animal species)
- The Protection of Badgers Act 1992
- The Natural Environment and Rural Communities Act 2006 (Section 40: '*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 41 lists habitats and species of '*principal importance for the conservation of biodiversity*'.)
- EIA Regulations 2011 (impacts to European Protected Species are considered a significant environmental effect)
- ODPM Circular 06/2005 (Biodiversity and Geological Conservation)

### **CONSULTATIONS**

**Crewkerne Town Council** – Recommend approval subject to the following:

- The installation of traffic calming measures on the main link road
- Consultation with Crewkerne Town Council at the 3 yearly reviews
- The pedestrian access to the school to be located away from the main link road
- Consultation with Crewkerne Town Council in regard to a robust Construction Traffic Management plan
- Consideration to be given that the link to the industrial estate be undertaken at the same time as the main link road
- That the main link road be commenced within 4 years from the start of construction or the 200<sup>th</sup> house, whichever is the sooner
- Consideration be given to the inclusion of suitable land for allotment sites

**Misterton Parish Council (neighbouring PC)** – note that the Crewkerne Key Site was approved and this latest submission is merely updating the original submission and offer the following observations:-

- The major reduction in S106 funding is obviously disappointing but not sufficiently detailed to appreciate whether it will impact on Misterton.
- MPC feels that it should be recognised that Crewkerne Station is in the Parish of Misterton and not in Crewkerne as currently described.
- There is still mention of a new school but it would be helpful if this was described separately in the Chapter on Cumulative Effect (16) in light of the latest arrangements where the Primary Schools (currently 3) are now linked.

The major concern for Misterton on any development is that of Highways.



1. MPC would like to see more work comparing the road figures that were used. MPC noted that the measured HGV movements past Hellings Farm are far less than those from previous road studies in Misterton; carried out by residents and the Community Speedwatch team and Somerset County Council Highways (SID data). MPC has traffic data collected over the past 8 years and it would be helpful to speak to a professional to get a better understanding of the data they have chosen to use.
2. For the village of Misterton the obvious flaw in this proposal is the treatment of traffic flow on the A356, considering road widths and ability for greater traffic only as far as Station Road in Crewkerne. After this junction the traffic has nowhere else to go but through our village where the road width and shape changes adversely; the road is significantly narrower and there are bends throughout the village. It is essential that the A356 aspects should be treated up to Misterton cross roads otherwise the decisions reached are nonsense and will have a hugely detrimental impact on the residents of Misterton.
3. MPC noted that there is recognition of an increase in HGV traffic for the project, possibly over 20 years. The increase in HGV traffic through the village in recent years has already raised concerns over the damaging effect on drains, foundations and the bridge through Middle Street. MPC would like to see a Condition that all HGV traffic involved with the development of the key site approaches and returns from the site from the North thus preventing yet more problems through Misterton.

**Highway Authority** – at the time of writing final comments were awaited, however initial feedback indicated that the findings and recommendations of the updated Traffic Assessment are accepted and that, allowing for the proposed changes to the one-way system in the town centre, then development as whole would have no adverse impact on the town. The general layout and configuration of the link road through the site meets the requirements of the highways authority and no objection is raised to the trigger point for its delivery being 4 years from first occupation or prior to the occupation of the 200th house. The proposed offsite planning obligations are accepted.

The sole outstanding issue holding up the formal comments is the detail of the junction with the A30 where it is necessary to balance engineering requirements against the need to provide suitable landscaping of what would be a very prominent feature. Discussions between highways officers and the Council's landscape architect have agreed, in principle, a way forward and there is no reason to assume a consensus cannot be reached prior to the Committee. Nevertheless an oral update will be necessary to confirm the final stance of the highways authority.

With regard to the issues raised by Misterton Parish Council it is considered that the Transport Assessment, which contains professionally collected data, does not point to any serious capacity issues on the A356 through Misterton. There is little that can be done to change the desire lines of traffic and any detour might have unintended consequences as drivers inevitably seek the shortest available diversion.

**Environment Agency** – are satisfied that the site has been considered sequentially in respect to flood risk and in accordance with PPS25. Development would be within Flood Zone 1, the low risk zone, except for the proposed link road from the A30 to the A356 and possibly a small section at the very north of the employment development in the south of the site.

Since the previous FRA there has also been the publication of the Council's Strategic Flood Risk Assessment (SFRA). The SFRA classifies the area of Flood Zone 3 which

falls within this site as Flood Zone 3b Functional Flood Plain. It is therefore vital to ensure that all development is kept out of this area.

The proposal of a link road which travels through Flood Zone 3b could be classed in PPS25 as 'essential infrastructure' (Table D.2 Annex D PPS25). PPS25 requires an exceptions test to be undertaken and the council should satisfy themselves that, should this link be necessary, it is proposed in the correct location, considering the flood risk.

Section 3.2 of the FRASS lists other sources of flooding. The SFRA highlights Crewkerne as a location which suffers from surface water flooding, and this does not appear to have been picked up in the FRASS. However, this could be covered by conditions.

Section 3.3 confirms that the residential, school, retail area and employment area are located in Flood Zone 1. As stated above, the employment area looks like it just creeps into the Flood Zone 3b outline. It would be useful to have a development plan superimposed onto the flood map (now and with climate change) to ensure all development can be kept out of the Flood Zone 3b area. This could be conditioned.

No objection is raised subject to appropriate conditions. A full copy of these comments is attached at Appendix B.

**Natural England** – reminds the Council that Article 12 of the Habitats Directive states that we are required to prohibit the deterioration and destruction of breeding sites and resting places of European Protected Species. It is considered that the installation of a dormouse bridge over the link road would ensure that connectivity for the dormice is maintained across the site and that no population fragmentation would occur. However the applicant is reminded that further surveys would probably be required prior to a natural England licence being granted.

Subject to appropriate mitigation any impact of other species would be tolerable. It is concluded that *“there is enough information for [the] council to determine this application and we support the preparation of a Landscape and Ecological Management Strategy for the site”*.

A full copy of these comments is attached at Appendix B.

**District Council Ecologist** – notes that the development has the potential to affect, to a greater or lesser degree, dormice, bats, badgers, slow worms, grass snakes, otters and voles. Of these dormice and bats are European protected species. Advises that the committee decision must take account of the legislation applicable to dormouse (the Habitats Regulations 2010) by assessing the development against the three derogation tests below. Permission can only be granted if all three derogation tests are satisfied. If any single test is deemed not to be satisfied, the application should be refused.

The tests are:

1. the development must meet a purpose of *‘preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment’*
2. *‘there is no satisfactory alternative’*
3. the development *‘will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range’*.

These tests need to be assessed in respect of dormice and it is unlikely that the development will contravene the Habitats Regulations in respect of any other European Protected Species. It is considered that tests 1 and 2 have been met by the allocation of this site through the local plan process. The proposed mitigation measures, namely habitat planting and a dormouse bridge to enable dormice living to the west of the site to maintain links to the countryside to the east, are considered sufficient to maintain the dormice's 'favourable conservation status' as required by the third test.

With regard to other species the following comments are offered:-

- Bats - The compensation planting to be provided for dormice will also benefit bats. The dormouse bridge may also be used by bats as part of a commuting corridor. Proposed mitigation includes further update surveys prior to commencement of works, and provision of bat boxes. Sensitive lighting designs will also be important. Residual impacts to bats following completion of development and mitigation are concluded to be 'negligible' for light tolerant species, and 'slight adverse' for light sensitive species.
- Badgers - Some sett closures will be required. Further impacts arise from direct loss of foraging areas and disruption to established commuting routes. Further update surveys will be required prior to each development phase. These will further inform required mitigation which may include construction of artificial setts, badger tunnel or underpass beneath the link road, and fencing to control badger movements. The landscape and habitat planting for dormice is also likely to partly compensate for loss of badger foraging areas.
- Slow worms and grass snakes – Standard methods are proposed for capture and translocation of reptiles to a safe receptor area (marked as 'area to be maintained as pasture' on the Masterplan). Enhancements and management of this area to benefit reptiles are included.
- Otters and water voles – neither have a permanent presence on the site but either could use the watercourse through the site on a transient basis. Mitigation is proposed to include pre-construction (of link road) surveys, and an otter ledge in the design of the bridge to prevent otters crossing the road and risking vehicle collisions during times of peak flow or flood.
- Great Crested Newts – ponds in the vicinity of the site were surveyed in 2008 and further assessment was made in 2011 to assess their suitability for great crested newt. It was concluded on the basis of negative survey results, the majority of ponds having a low suitability rating, and the absence of any existing great crested newt records in the area, that they are unlikely to be present.

It is accepted that hedges provide the most significant habitat on the site and there will be some loss. However compensation would be provided through the proposed landscape and habitat planting and the dormouse bridge. On this basis no objection is raised subject to wildlife mitigation and compensation measures being secured by conditions and a Section 106 agreement.

A full copy of these comments is attached at Appendix B.

**Landscape Architect** – considers that the updated Environmental Statement, and revised Landscape and Visual Impact Assessment and Masterplan, now illustrates a greater extent of landscape mitigation - primarily in the form of substantive planting areas

- to better integrate the site into its wider setting, and to visually buffer those elements of the site that would otherwise appear obtrusive. Specifically, it provides;

- a) woodland planting across the scarp to the south of the housing area, to soften the engineered form of the highway embankment and cuttings, and the skyline presence of built form above Butts Quarry Lane;
- b) planting lines within the housing area to break up the massing effect as viewed from the northeast;
- c) retention and substantiation of the majority of the existing boundary features;
- d) additional planting at the east end of the ridge above Butts Quarry Lane, to play down the prominence of the furthest extent of housing toward Haselbury Plucknett;
- e) planting abounding the cemetery, and;
- f) use of planting and suitable hard landscape treatments to modify the engineering works at the point of site access off the A30, and the embankment form at the road's southern end.

Although not all of 'the impact level ratings' are fully accepted it is agreed that "the resultant level of landscape mitigation, as illustrated by the revised masterplan, is appropriate". Accordingly, whilst much of the detail will form part of reserved matters applications, at this stage no objection is raised subject to appropriate conditions to cover:-

- a programme of planting works based upon the landscape masterplan.
- submission of design codes to guide development of the site;
- the submission of a landscape and ecology management plan for the whole of the site.

A full copy of these comments is attached at Appendix B.

At the time of writing concern was raised to the detail of the landscaping of the junction of the link road with the A30. Whilst it is hoped this will be resolved prior to committee an oral update in respect to this single area of concern will be necessary.

**Conservation Manager** – no objection subject to a condition to ensure agreement of a design code, to accord with the Masterplan and the findings of the Enquiry by Design. This would then inform the design of the subsequent development.

**Climate Change Officer** – notes that the layout allows for buildings to be solar orientated, thus creating opportunities for installation of photovoltaic and/or solar thermal equipment on roof spaces. Suggests that at the time when the buildings are to be constructed, they will need to include installation of renewable energy generation equipment to comply with building regulations. Is of the opinion that the Addendum Environmental Statement should have an additional chapter describing the technologies that will be deployed.

A site of this size on the edge of a small town gives an excellent opportunity to install a central wood chip boiler or a wood chip powered CHP plant to power a heat main providing space heating and hot water to all buildings. Reliable wood chip CHP plant down to the 130 kW scale is now available and phased installation is therefore possible.

**Open Spaces Officer** – No objection

**Leisure Policy Co-ordinator** – No comments received at time of writing, however the Assistant Director (Wellbeing) has been involved in the viability discussions and has accepted the recommendations of the District Valuer.

**Environmental Protection Unit** – notes and supports the findings of the update to the Environmental Statement. No objection raised.

**Transport Strategy Officer** – No objection

**Planning Policy Officer** – considers that there are no outstanding policy issues.

**Rights of Way Officer** – no comments received.

**County Archaeologist** – notes that the Environmental Statement indicates that:-

*“...archaeological remains relating to an Iron Age/Roman settlement are located in the south-west side of the northern field. The Iron Age to Roman transition is of particular interest within South Somerset and is not properly understood due to the lack of excavated sites. I do not believe that the remains are of sufficient quality to warrant preservation in-situ but because of their potential to elucidate the nature of Roman occupation on indigenous Iron Age people they will require further investigation. This type of site is of county significance and warrants excavation in advance of development in order to preserve by record any remains present. This is in line with PPS5 which requires developers to record and advance understanding of archaeological sites before they are impacted by development. “*

Accordingly a condition to secure the implementation of a programme of archaeological work is recommended.

**County Education Authority** – No comments received at the time of writing, however their officers have been involved in the viability discussions and have accepted the education obligations on offer.

**Somerset Waste Partnership** – welcomes reference to SWP’s developer guidance in the addendum to the Environmental Statement and notes that it will be important that the development integrates with the waste management operation and is appropriately designed to ensure adequate servicing. Whilst no objection is raised a number of issues are identified with the addendum and clarification has been sought from the developer and an oral update will be necessary.

## **REPRESENTATIONS**

At the time of writing 6 letters has been received raising the following areas of concern:-

- is traffic light control of the new A30 junction necessary as opposed to a roundabout with a light controlled pedestrian crossing or footbridge?
- The new access should be aligned with Furrington Lane, which has better visibility and could be improved to take traffic away from Ashlands Road
- Ashlands Road is not suitable to become part of a ring-road
- These dwellings should have a more generous footprint than current UK practice
- No provision for a surgery
- As this would provide a relief road for north/south traffic to avoid the town centre the highway should not go through the middle of the houses;
- Disruption during construction



- Lack of detail on design and drainage
- Impact of odours from sewage farm
- Capacity of sewage farm questioned
- Who will inspect the drainage, new road and the development ?
- The link road could be tunnelled and the dormouse mitigation planting on top.
- Dormouse population unknown – is the developer to survey?
- We have objected to this over the last 20 years and have been ignored
- It would not alleviate HGV traffic in Crewkerne – simply direct it to a residential road to the detriment of amenity and property value
- A proper bypass should be built first
- Any HGV use of Ashlands Road should be for access only
- The link road should be a priority to improve traffic flow through the town;
- The link to Blacknell Lane should be a priority

## CONSIDERATIONS

This site is allocated for development by policy KS/CREW/1 of the adopted local plan, reinforced by policies ME2 and HG2. These policies, and the allocation, have been subject to public consultation and rigorous scrutiny in the course of the adoption of the local plan and have been saved. It is clear from the new government that there is to be a very strong presumption in favour of sustainable development and local planning authorities must allow for sufficient new housing to meet projected need.

The emerging National Planning Policy Framework emphasises that local planning authorities will have to set robust housing targets and maintain 5 year housing supplies (plus a 20% contingency). It is considered that the development of sites such as this will remain necessary to deliver the housing targets set by policy HG1.

The only material shift is the new government's move away from minimum densities. The allocation of this site allows for 438 dwellings at a density of 30/ha. The proposed 525 would be at 36/ha and was previously considered acceptable. Notwithstanding the government's abandonment of minimum densities, it is considered that there remains a duty to make best use of greenfield sites, whilst respecting the context.

The actual density, layout, size and design of the houses and contextual relationship would be considered in full at the reserved matters stage in light of prevailing policies and it is not considered that a density of 36/ha could justifiably be ruled out at this outline stage. On this basis, and bearing in mind the policy officer's comment it is not considered that there has been any significant shift in policy and policies KS/CREW/1, HG2 and ME2 are extant.

Furthermore the District Council has previously resolved to approve this development at the meeting of Area West Committee on 1<sup>st</sup> November 2006. Accordingly it is not considered that there is any policy justification to challenge the principle of the site's development or reconsider the manner in which it is proposed to be developed as indicated on the Masterplan.

It is considered that there are two key issues. Firstly have there been any material changes in circumstance that would justify reversing the District Council's previous decision to approve this application? Secondly have the outstanding issues at the time of the Committee's 2006 resolution to approve this application been satisfactorily addressed, in particular, would the reduced planning obligations reasonably mitigate the impact of the development?

## Changes in Circumstance

The supporting Environmental Statement has been updated and contends that there are no changes in terms of the impact of the development that could not be reasonably mitigated. The principal areas of concern are the potential for an adverse impact on traffic in the town and ecology. It is not considered that there are issues for highways safety – the accesses and off-site mitigation measures and footpath/cycleway enhancements remain as previously accepted and the highways advice remains that they are acceptable.

### Traffic

Nevertheless there have been changes to the nature of the traffic situation in Crewkerne since the original drafting of the Environmental Statement, including the changes to traffic circulation now proposed for the town centre. The applicants have therefore been asked to update their original traffic assessment, which only covered the period to 2011, to address the current situation.

The addendum report covers the impact of the development to 2018, without the link road and assumes up to 200 houses and 40% of the employment have been built (this allows commencement in 2014). It allows the introduction of a one-way system in North Street and for a no-change scenario in the town centre. The highways officer has indicated that the methodology, interpretation of the data (which has been shared by the County Council) and conclusions of this assessment are sound.

Accordingly whilst there is a local desire for the link road to be provided immediately it is considered that its provision prior to the occupation of the 200<sup>th</sup> house or within 4 years of first occupation as required by policy KS/CREW/1 remains acceptable. Given that the current traffic assessment only covers the period to 2018, it is considered prudent to provide for a further 'backstop' for the link road of 31 December 2018.

Local concerns about the impact of construction traffic are noted. Whilst a degree of disturbance from construction works on a site of this magnitude are inevitable, it is considered reasonable to expect developers to take appropriate steps to mitigate unnecessary impacts. To this end a condition to secure a construction management plan is justified and necessary to comply with policy EP6. This could agree traffic routing, contractors parking areas etc.

On this basis it is considered that highways impact of the proposal is acceptable and would comply with policies KS/CREW/1, ST5, TP1, TP4, TP5, and TP8

### Ecology

The applicants have updated their original ecology report and further surveys have been carried out. These conclude that any changes to the ecology of the site and the habitats provided are minor and do not affect the development potential of the site, subject to appropriate mitigation measures which are included in the report (see section on Outstanding Issues below).

### Other issues

With regard to other areas of potential impact the following comments are offered:-

- Landscape – the updated Environmental Statement includes a Landscape and Visual Impact which is supported by the Council's landscape architect who

considered that subject to safeguarding conditions and a suitable planning obligation to landscape the site the proposal complies with policies ST5, ST6 and EC3.

It is accepted that the details of the A30 junction had not been resolved at the time of writing, however an agreement in principle has been reached and on this basis this matter could reasonably be conditioned.

- Archaeology – the County archaeologist is satisfied that any potential could be safeguard by a condition to agree investigation work. This would comply with policy EH12.
- Odours – concern has been raised about the relationship with the sewage farm. The addendum Environmental Statement specifically addresses this and concludes that any adverse impacts on the amenities of future residential occupiers would be within tolerable limits. This is accepted by the Council's Environmental Protection Unit and on this basis the proposal is not considered contrary to policy EP8.

### **Matters Previously Outstanding**

As outlined above the Government Office for the South West and the Environment Agency have confirmed they have no objection to the development on the basis of flooding, drainage or impact on the water environment. Conditions are recommended to address matters of detail and subject to these the proposal remains compliant with policy EU4 and the advice of PPS25.

The sole outstanding issues are therefore the dormouse mitigation measures and the planning obligations necessary to mitigate the impact of the development.

#### **Dormice**

The Council's ecologist has set out the legislative framework within which the District Council must consider whether or not the favourable conservation status (FCS) of the dormice (a European Protected species) would be protected. Even though Natural England ultimately grant the licence for works affecting European Protected Species case law clearly indicates that failure of a local planning authority to fully consider whether their FCS would be safeguarded would potentially render any decision defective and liable to judicial review.

Whilst dormice have been recorded on the application site, the principal impact of the development would be experienced by a population to the west of the site which would become isolated by the link road. Unable to maintain links to the surrounding countryside it is feared that this group would no longer be viable. It has been suggested that they are trapped and relocated, however there are very good reasons why this is not possible:-

1. Dormice do not relocate well; tending to become highly stressed by the experience, they are often predated.
2. The affected dormice are on third party land and the co-operation of the owner cannot be guaranteed.
3. Natural England rarely grant licences for re-location. When they do so it is only for very small populations.

Accordingly the only option has been to consider the best way to maintain a physical link between the affected dormice and the open countryside to the east which would provide a



route to and from the affected area. As an arboreal species, dormice will not cross any significant open space on the ground. It is therefore accepted that the proposed link road would present an insurmountable barrier to the dormice and the only option is a bridge to enable them to cross the road.

Originally a light weight gantry type structure, inter-woven with hazel, was proposed. However there is no clear evidence that such structures, once a certain size is exceeded, are of value to dormice. Given the width of the link road this option was dismissed, in favour of a physical bridge which would incorporate planting for an irrigated hedge. This would be linked to existing hedges, known to be used by the dormice, thus maintaining a continuous hedgerow link between the affected dormice and the open countryside to the east.

Both Natural England and the Council's ecologist are supportive of these recommendations and advise that the 'favourable conservation status' of dormice (European Protected Species) would be maintained. Accordingly it is not considered that the development of this site would be contrary to policies EC4, EC7 and EC8 and the advice of PPS9

#### Planning Obligations

As outlined in the background to this report the package of planning obligations has been subject to scrutiny by the District Valuer after the developer claimed that the original obligations sought at the time of the 2006 resolution would render the scheme unviable. Government advice in this respect is very clear – local authorities must not be unreasonable and must give careful consideration to the viability of development, allowing for a reasonable profit to the developer and a realistic purchase price.

The following table sets out the planning obligations originally sought, as considered by the District Valuer and as finalised.

	<b>S.106 contributions originally sought</b>	<b>S.106 offer as considered by the DV</b>	<b>Final S.106 offer</b>
<b>Affordable Housing</b>	35%	17.5%	<b>17.5%*(1)</b>
<b>Highways Contributions</b>			
Town Centre Improvement	£ 100,000		<b>£ 635,624</b>
Public Transport/ Travel plans	£ 375,624		
Off site Traffic Calming	£ 335,624	£ 335,624	
<b>Education</b>			
First School Contribution	£ 919,275		<b>£ 2,000,000*(2)</b>
2 temporary classrooms @ £120,000	£ 240,000		
Pre-school provision Contribution	£ 196,112		
Middle School Contribution	£ 921,780		
College Contribution	£ 1,071,202		
<b>On-site Leisure/Recreation</b>			
On-site LEAP & NEAP	£ 182,702	£ 182,702	<b>£ 182,702</b>
Community Hall Contribution	£ 1,000,000		
Strategic Landscaping/Woodland Planting	£ 120,000		
Commuted sums to above	£ 400,000		
POS/woodland planting as per Masterplan	£ 2,150,000	£ 2,150,000	<b>£ 950,000*(3)</b>
Commuted sum	£ 527,000		<b>£ 527,000*(4)</b>
Works/Landscaping at site entrance			<b>£ 550,744*(5)</b>
<b>Off-site Leisure/Recreation</b>			
Playing Pitches	£ 265,000		<b>£ 260,000</b>
Floodlights	£ 40,000		
Changing Rooms	£ 599,333		
Skate Park	£ 97,000		
Swimming Pools	£ 133,354		
Sports Hall	£ 252,934		
<b>Other Contributions</b>			
School site set up costs	£ 210,467	£ 210,467	<b>£ 210,467</b>
Ecology - Dormice Mitigation	£ 462,134	£ 491,095	<b>£ 491,095</b>
Ecology - Badger protection works	£ 35,000	£ 35,000	<b>£ 35,000</b>
Use of Natural Stone	£ 4,683,000	£ 4,683,000	<b>£ 2,740,500*(6)</b>
<b>TOTAL</b>	<b>£ 15,317,541</b>	<b>£ 8,614,888</b>	<b>£ 8,583,132*(7)</b>

\*(1) 17.5% averaged across the development with 15% in the 1st phase (200 houses) and 19% over second phase (325 houses).

\*(2) As agreed by SCC and to be designed to facilitate dual use of hall for community use

\*(3) As agreed with Landscape Architect

\*(4) To 'pump prime' the management company

\*(5) Applicants advise that this was originally included in the £2.15m for Strategic Landscaping/Woodland Planting

\*(6) Reflects reduced use of natural stone agreed with conservation manager

\*(7) Discrepancy of £31,756 agreed to cover legal costs

The advice of the District Valuer, based on the price paid for the site, justified costs for the development and a reasonable profit margin, is that a package of obligations comprising 17.5% affordable housing, the provision of the link road and £8.6M in other obligations is reasonable at this point in time. The make up of the financial component has been adjusted following a meeting of the Council's Planning Obligations Protocol and Area West Committee to reflect District and Area priorities.

Allowing for the cost of the affordable housing, the link road and the enhanced use of natural stone these planning obligations come to over £20M. This is considerably diminished from the originally sought obligations due to the current economic climate, however the District Valuer has confirmed that this is a reasonable offer at this point in time and it is not considered that there is any justification to override this advice.

Nevertheless this position would be reviewed on a 3 yearly basis throughout the lifetime of the development and any significant uplift in profitability to trigger a reappraisal of the obligations. This would also apply to any decrease in profitability, any the applicant could argue that the planning obligations should go down.

The key issue therefore is whether the reduced package of obligations would reasonably mitigate the impact of the development. This is considered as follows:-

- Affordable housing – it has long been accepted that, with the cost of the link road, this site would always struggle to deliver the 35% expected by HG7. It is noted that the allocation indicates a 'target' of 35% affordable housing. The Council's housing officer has reluctantly accepted this figure, which he would expect to be all for 'social rent', however the developer should be required to make best endeavors to secure funding to uplift the affordable element.
- Highways – with the link road to be delivered in line with the requirements of the allocation and £635,624 towards other mitigation works this component of the package has seen the smallest reduction. The County Highways authority accepts that this is reasonable.
- Education – the County education authority acknowledges that first school provision in Crewkerne is at a critical point with Ashlands School (the nearest) incapable of expansion. The provision of a school site and an education contribution of £2M would enable a new 5 form school to be provided, possibly as a satellite to Ashlands, with room to expand should the school wish to relocate at a latter date. This is accepted by the County.
- On-site leisure/recreation – it has been agreed that the initial landscaping costs were generous. The final figure of £1.5M is considered reasonable to provide structural landscaping to the scarp slope, general landscaping across the county park, detailed landscaping of the A30 junction and dormouse mitigation planting to supplement the dormouse bridge. The principal loss has been the community hall, however this would be mitigated by the proposed community use of the school hall. This is agreeable to county education authority, although it is pointed out that ultimately this would be a matter for the school governors.
- Off-site leisure/recreation – this has taken the greatest hit down from c.£1.4m to £260,000. Whilst it is accepted that over provision of onsite amenity space would help to mitigate this loss it is considered that the remaining contribution is the bare minimum that could be accepted. With this in mind it is recommended that,

should the review mechanism recover any obligations, these should initially be allocated to off-site leisure/recreation facilities.

- Other contributions – the school set up costs and the ecology work have been upheld; the level of use of natural stone has been reviewed and the council's conservation manager has agreed that the final figure, which would equate to c. 40% of the buildings being finished in natural stone, is reasonable and would comply with the recommendations of the Enquiry by Design.

Whilst it is accepted that the package of planning obligation is much diminished it is considered that the benefits to the town in terms of the provision of the link road and county park, off-site highways improvements, the delivery of a new school site and the provision of 17.5% affordable housing (all for social rent) would outweigh the much diminished other obligations. On this basis it is considered that the obligations set out above are acceptable, in light of the current financial situation. As such the proposal complies with policies ST5, ST10, CR2, CR3, CR4 and HG7.

### **Other Issues**

Concern has been raised about the management of the public open space. This would not be adopted by the District Council, there being no commuted sum available to cover this. It is not considered reasonable to further erode the planning obligations to provide this; nor would it be appropriate to adopt such a liability without financial reassurance. Accordingly the public open space would pass to a management company, possibly a 'Community Interest Company' or similar, which could provide a role for the Town Council, and could include allotments.

The climate change officer's comments are noted, however it is not considered that there are any current policy that would justify an insistence that such technologies should be included at this stage. However this could be revisited at the reserved matters stage in light of prevailing policies. Whilst the Somerset Waste Partnership have raised issues with the addendum report it is not considered that these are insurmountable and a condition could reasonably require the agreement of appropriate waste management strategies.

With regard to the outstanding issues raised by local residents, the following observations are offered:-

- The location and layout of the A30 junction and suitability of the Ashlands Road to take additional traffic are justified by the traffic assessment and are accepted by the highways authority. It is not considered that there is any evidence to warrant over-riding this advice and these objections are not considered supportable.
- Whilst the speculated link to Furrington Lane might be possible this does not form part of the allocation or the application, which falls to be determined as it stands.
- The allocation does not provide for a surgery and it is to be noted that GP surgeries are generally privately provided and it would be for the market to address any shortfall in provision.
- No shortfall in sewage capacity has been identified.
- Whilst it would be desirable for the link road to be provided from the start the reality is that it would be unreasonable to expect a private developer to deliver such an expensive piece of infrastructure without the ability to sell significant houses first.

## **CONCLUSION**

It is not considered that there have been any changes in circumstance that would now justify departing from Area West's previous resolution to approve this application subject to the resolution of the then outstanding issues. Those issues have now been satisfactorily resolved. Firstly by the agreement of a reasonable package of planning obligations, that reflect the financial reality of this development in the current climate and secondly by the proposal of a dormouse mitigation strategy that would safeguard the favourable conservation status of this European Protected Species.

Whilst there remain some local objections to the scheme these are not considered to carry sufficient weight to justify withholding permission for this development that would bring positive benefits for the town.

## **SECTION 106 PLANNING OBLIGATIONS**

A section 106 agreement would be necessary to ensure that planning obligations as agreed with the input of the District Valuer that are necessary to mitigate the impact of the development are provided for.

## **RECOMMENDATION**

That, subject to no objections being raised by either the County Highways authority or the District Council's landscape architect to the detail of the new junction with the A30, outline planning permission be granted subject to the following:-

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:
- Provide for the completion of the link road through the site, between the A30 and the A356, prior to the occupation of the 200<sup>th</sup> house or within 4 years of the occupation of the 1<sup>st</sup> house, whichever is sooner.
  - Provide for the completion of the link between the new link road and Blacknell Lane prior to the occupation of 1,000m<sup>2</sup> of employment space or within 4 years of commencement of the employment land or within 7 years of the first occupation of any dwelling, whichever is sooner.
  - Ensure the delivery of 17.5% of the housing as affordable homes for 'social rent' to the satisfaction of the Strategic Housing Manager and to require the developer to make 'best endeavours' to seek additional funding to raise the proportion of affordable housing.
  - Provide for the delivery of the serviced school site, free of any archaeological or ecological interest, to the County Council. The school site to be developed with the potential for dual use of the buildings as a community facility.
  - Provide an education contribution of £2,000,000 as requested by the County Education authority
  - Provide for a contribution of £260,000 towards sports, arts and leisure contributions, as required by the Assistant Director (Wellbeing) prior to the occupation of any dwelling.
  - Provide for a contribution of £635,624 towards off site highways mitigation and sustainable travel planning, to include:-
    - £100,000 towards town centre improvements (upon commencement)

- contributions to off-site traffic calming and improvements to footpath/cycle path links (prior to first occupation)
- contributions towards bus services to serve the development (upon completion of the link road)
- contributions towards travel planning measures for occupiers of the dwellings (in tranches upon the occupation of every 25<sup>th</sup> house)
- Provide for the provision and maintenance of on-site play areas
- Provide for the landscaping and maintenance of c.24 hectares of 'county-park', including any landscaping necessary for dormouse mitigation measures.
- Require the developer to make all reasonable endeavors to re-assess the dormouse population prior to commencement of the dormouse bridge and, if justified, to agree appropriate alternative mitigation measures. Any cost savings to be re-allocated to the mitigation of the impact of the development on sports, arts and leisure facilities
- Provide for the completion of the dormouse bridge prior to the completion of the link road through the site
- Provide for appropriate badger mitigation measures as required by the Council's ecologist.
- Provide for 3 yearly reviews of the viability of the development throughout the construction phase with the allocation of any recovered obligations to initially uplift the sports, arts and leisure mitigation measures.

b) The imposition of the planning conditions set out below on the grant of planning permission.

## **JUSTIFICATION**

The principle of this development is supported, reflecting as it does the Local Plan allocation KS/CREW/1. Crewkerne is an appropriate location for this level of development and the site is suitable in terms of its relationship to the town and its services and can be developed without causing unacceptable harm to the setting or functioning of the town.

It is not considered that the proposal would adversely affect highways safety, ecological or architectural interest of the site, the favourable conservation status of protected species or visual and residential amenity and there would be no risk of increased flooding. Matters of detail, including design and appearance, layout, scale and appearance can appropriately be considered through the submission of subsequent 'reserved matters' applications. As such the proposal accords with the Local Plan allocation KS/CREW/1 and the policies of the South Somerset Local Plan.

## **CONDITIONS**

1. Details of the appearance, landscaping, layout and scale (herein after 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.

Application(s) for approval of the reserved matters shall be made to the local planning authority not later than 10 years from the date of this permission and the development shall begin not later than 10 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.



2. The residential component of development hereby approved shall comprise no more than 525 dwellings.

**Reason:** To ensure that the mitigation measures negotiated as part of the scheme hereby approved are commensurate with the development as built in accordance with policies KS/CREW/1, HG2, HG7, CR3, ST5 and ST10 of the South Somerset Local Plan

3. The development hereby granted permission shall not be commenced unless a written programme, showing the phasing of the development, including the relevant parts of the highway and the provision of the new Link Road and associated works; the planting of structural landscaping and delivery of the public open space; and the timings for the delivery of each phase, has been submitted to and approved in writing by the local planning authority. Such phasing shall accord with the Masterplan for the site, received 10/11/11, ref. 08-07-02 (hereafter called the 'Approved Masterplan') and the recommendations of the Environmental Statement and its addendum, submitted in support of the application. Subsequently each of the phases shall be completed in accordance with the phasing programme unless agreed otherwise in writing by the local planning authority.

**Reason:** To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

4. For each phase, or part thereof, all reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme in accordance with the aims and objectives of the approved Masterplan and the recommendations of the Environmental Statement and its addendum submitted with this outline application.

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

5. Prior to the submission of any application for the approval of the reserved matters in relation to the residential areas, a Design Code for the residential areas, showing how the site would be developed, shall be submitted to and approved in writing by the Local Planning Authority. The design code shall be in accordance with the Approved Masterplan and the principles established by the Easthams Architectural & Design Code (October 2005) by the Prince's Foundation for the Built Environment submitted in support of the application (received 27/01/06). This shall then be used as the basis for all submissions of applications for approval of reserved matters.

**Reason:** To ensure a high quality form of development and to accord with ST5 and ST6 of the South Somerset Local Plan 2006.

6. Prior to the submission of any application for the approval of the reserved matters a 'Landscape and Ecological Management Strategy for the entire site shall be submitted to and approved in writing by the local planning authority. Such strategy shall be based on the Approved Masterplan and the findings and recommendations of the Environmental Statement and addendum submitted in support of this application and shall set out, on a phase by phase basis, the principles by which the impacts of the development on landscape and ecology will be managed.

Subsequently, each application for the approval of the reserved matters shall be accompanied by a detailed Landscape and Ecological Management Plan based on



the principles agreed in the site wide Strategy for that phase, including up-to-date surveys and mitigation strategies where necessary. Once agreed such Plans shall be adhered to throughout the relevant construction phase unless agreed otherwise in writing by the local planning authority.

**Reason:** In the interests of visual amenity and to safeguard the ecological interest of the site in accordance with saved policies EC3, EC4, EC7 and EC8 of the South Somerset Local Plan.

7. Prior to the submission of any application for the approval of the reserved matters a 'Landscape Planting Strategy for the entire site shall be submitted to and approved in writing by the local planning authority. Such strategy shall be based on the Approved Masterplan and the findings and recommendations of the Environmental Statement and addendum submitted in support of this application and shall set out, on a phase by phase basis, the principles by which the landscaping, including structural planting, of the site will be guided.

Subsequently, each application for the approval of the reserved matters shall be accompanied by a detailed Landscaping Plan based on the principles agreed in the site wide Strategy for that phase, including up-to-date surveys and mitigation strategies where necessary. Once agreed such Plans shall be adhered to throughout the relevant construction phase unless agreed otherwise in writing by the local planning authority.

**Reason:** In the interests of visual amenity and to safeguard the ecological interest of the site in accordance with saved policies EC3, EC4, EC7 and EC8 of the South Somerset Local Plan.

8. Prior to the submission of any application for the approval of the reserved matters a Waste Management Plan setting out the principles for waste management and refuse collection throughout the site shall be submitted to and approved in writing by the local planning authority. This shall then be used as the basis for all submissions of applications for approval of reserved matters.

**Reason:** To ensure that the development is appropriately served by waste management strategies and refuse collection in the interests of the amenities of future residents in accordance with save policy ST6 of the South Somerset Local Plan.

9. Within 4 years of the first occupation of any dwelling approved on the site or, following the commencement of the scheme, prior to 31 December 2018, whichever is the soonest, the link road through the site shall be fully completed generally in accordance with the details shown on drawing numbers 30185/HA-601 C; 602 C; 603 C/1; 604 C; 605 C; 606 C; and 607C. During this time no more than 199 dwellings shall be occupied unless the link road is provided.

**Reason:** To ensure that impact of this development on traffic circulation in Crewkerne is reasonably mitigated in accordance with saved policies KS/CREW/1 and ST5 of the South Somerset Local Plan.

10. Prior to the commencement of the construction of the junction of the link road with the A30 details of all retaining structures, levels changes, landscaping and drainage of the junction shall be submitted to and approved in writing by the local planning authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

**Reason:** In the interests of visual amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

11. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work involving further evaluation and excavation, followed by analysis and publication of results in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority."

**Reason:** To safeguard the archaeological interest of the site in accordance with policy EH12 of the South Somerset Local Plan adopted April 2006.

12. No development shall take place on any phase or part thereof, unless a Construction Environmental Management Plan (CEMP) for that part of the development has been submitted to and approved in writing by the local planning authority. Subsequent development shall be carried out in accordance with the requirements of the approved CEMP.

**Reason:** In the interest if the amenities of the locality in accordance with saved policy EP6 of the South Somerset Local Plan.

13. There shall be no development, except that associated with the link road, within that part of the site liable to flood as shown 1 in 100 year plus climate change floodplain shown in South Somerset District Council's Strategic Flood Risk Assessment drawing Tile Set 3, Tile C.

**Reason:** To ensure that there will be no risk of flooding to people or property in accordance with the advice of PPS25.

14. No development approved by this permission shall be commenced until a surface water run-off limitation scheme (master plan and phased plans) has been submitted to and approved in writing by the LPA. The scheme must be in accordance with run off limitations proposed in the FRA-Supplementary Statement dated November 2011 by Phoenix Design Partnership Limited. The scheme shall:

- identify details of attenuation features,
- identify future ownership, operation and maintenance liability of all drainage infrastructure works,
- confirm connections to the public/private drainage system,
- detail proposed local SUDs,
- provide details on mitigation from any existing surface water flood risk including risk from the existing culvert under station road,
- flow routes through the site from exceedance or failure,
- provide details of proposed planting scheme(if any),
- be implemented in accordance with the approved programme and details.

**Reason:** To prevent the increased risk of flooding and to provide satisfactory drainage for the development in accordance with saved policy EU4 of the South Somerset Local Plan and the advice of PPS25.

15. No development approved by this permission shall be commenced until details of the existing and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority.

**Reason:** To ensure that the development is subject to the minimum risk of flooding in accordance with saved policy EU4 of the South Somerset Local Plan and the advice of PPS25.

16. The crossing of the Viney Brook water course shall not be commenced until such time as engineering and hydraulic analysis details of the proposed crossing have been submitted to and approved by the local planning authority. The scheme must include flood depths and extents for all events up to and including the 1 in 100 plus climate change and provide a clear indication on the impact on surrounding area. Once approved such scheme shall be implemented in accordance with the approved programme and details.

**Reason:** To ensure that the link road is not put at flood risk, nor increases flood risk to adjacent third party land upstream of the crossing in accordance with the advice of PPS25.

17. No development approved by this permission shall be commenced until a scheme for the provision and implementation of compensatory flood storage works has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved programme and details.

**Reason:** To alleviate the increased risk of flooding in accordance with the advice of PPS25.

18. There shall be no temporary or permanent storage of any materials, including soil, within that part of the site liable to flood as shown 1 in 100 year plus climate change floodplain shown in South Somerset District Council's Strategic Flood Risk Assessment drawing Tile Set 3, Tile C.

**Reason:** To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity in accordance with the advice of PPS25.

19. Flood warning notices shall be erected in the public open space in numbers, positions and with wording all to be agreed with the local planning authority land is at risk of flooding in accordance with the advice of PPS25.

20. The culvert carrying the Viney Brook under the proposed new link road should be designed to allow passage for otters on both banks, details of which shall be submitted to and approved in writing by the local planning authority prior to the commence of the construction of this structure

**Reason:** To safeguard the interests of protected species in accordance with saved policy EC8 of the South Somerset Local Plan.

21. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:-

- 1) A preliminary risk assessment which has identified:
  - all previous uses,
  - potential contaminants associated with those uses,

- a conceptual model of the site indicating sources, pathways and receptors,
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the LPA. The scheme shall be implemented as approved.

**Reason:** To protect controlled waters in accordance with the advice of PPS25.

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

**Reason:** To protect controlled waters in accordance with the advice of PPS25.

23. Streetlighting columns shall not exceed six metres in height and shall be equipped with maximum cut-off and downlighting in accordance with details which shall be submitted to and approved in writing by the local planning authority. There shall be no variation of this height unless otherwise agreed in writing by the local planning authority.

**Reason:** To protect wildlife habitats, in the interests of visual amenity and to prevent light pollution in accordance with saved policies EC8 and EP3 of the South Somerset Local Plan.

24. Highways conditions as reasonably recommended by the highway officer.

### **Informatives**

You are reminded of the contents of the Environment Agency's letter of 02/12/11, a copy of which is available on the District Council's website. Specifically the detail required in connection with condition 11 should take the Agency's views into account.

## Appendix A – Previous Officer report considered at Special Committee Meeting - 1st November 2006

OFFICER: Stephen Belli (01935) 462464

APPL.NO: 05/00661/OUT APPLICATION TYPE: Outline Application

PARISH: Crewkerne WARD: CREWKERNE TOWN

DESCRIPTION: Comprehensive mixed use development for 525 dwellings, employment (B1, B2, B8) primary school, community facilities, playing fields, parkland, P.O.S., structural landscaping and associated infrastructure including link road and highway improvements. GR (345354/109767)

LOCATION: Crewkerne Key Site 1 Land East of Crewkerne between A30 (Yeovil Road) and A356 (Dorchester Road) Crewkerne Somerset TA18 7HE

APPLICANT: George Wimpey UK Ltd

DATE ACCEPTED: 5 May 2005

### INTRODUCTION

This report is set out as a standard Committee report but with the full details of all consultee comments, and a full list of policies set out in a separate Appendices. In addition the application form and original covering letter submitted in May 2005 are also included in the Appendices as set out below. A short summary of consultation responses and neighbour responses will be included in the body of this report. Selected plans and letters from the applicant with regard to the rebuttal of comments received and sustainable transport links are also provided in [Appendix A](#) as these will help Members to be aware of all the relevant considerations.

[Appendix A](#) – Application form, masterplan, covering letter and supporting information.

[Appendix B](#) – Extracts of all national and local policies relevant to this application

[Appendix C](#) – Copy of all relevant internal consultee comments (SSDC)

[Appendix D](#) – Copy of all relevant external consultee comments.

Members will recall that prior to the submission of this application an Enquiry by Design workshop was held in the town over a period of one week (March 2005) facilitated by the Princes Foundation. The workshop was attended by representatives of the town as well as the principal officers from all the relevant local authorities that would have an input into the proposal. SSDC was represented by the Planning Team Leader, Conservation Manager, Area West Conservation Officer, Landscape Architect, Housing Officer, Ecologist and Rights of Way Officer.

The results of the workshop informed the submission of the application and led to the production of a Design Code, which has been included in the application. That document is some 40 pages in length and so has not been included with this report. However, the document received on 27 January 2006 has been included on the Council's website and is therefore available for Members consideration prior to the meeting. (Please see entry under miscellaneous supporting information in documents list).

In addition to the above documents the application was the subject of an Environmental Impact Assessment as a Schedule 2 application under the Environmental Impact Assessment Regulations. These documents are lengthy and are available for inspection either at the Council Offices or its website. To assist in the consideration of these documents Members are referred to the executive summary contained under the heading PL Statement in the web site documents list. This gives a digestible summary of the relevant factors taken into account by the developers.

### PROCESS OF DECISION MAKING

This application is presented to Committee for a formal resolution. If the resolution is to permit the application subject to a legal obligation under Section 106 of the Town and Country Planning Act (as amended) and appropriate conditions, then the next stage will be to refer the application and all the relevant documents to the Government Office for the South West (GOSW).

Whilst GOSW consider the application further discussions will be held with officers and the relevant portfolio holder Members to consider the apportionment of Planning Gain contributions in accordance with the rules set down by the Planning Policy Manager and as already agreed by the Council.



## **Appendix A – Previous Officer report considered at Special Committee Meeting - 1st November 2006**

Following that process the S106 will be finalised and entered into between all parties (SSDC and SCC and the applicants and any other parties who have an interest in the land). Once the S106 has been completed the planning permission can be issued. This permission will be in outline form. Further meetings will be held between officers and the developer's agent to progress an application or multiple applications for approval of reserved matters. No work can commence on site until such detailed approval has been granted by the Council.

This current application therefore seeks to establish the principle of the development. Officers will provide Members with a PowerPoint presentation at the meeting to further elaborate on the principle issues and characteristics of the site.

### **LOCATION AND PROPOSAL**

The application site is located to the east of the town on a greenfield site comprising of some 50.32 hectares (124.3 acres) of land lying between the A30 Crewkerne to Yeovil Road and the A356 road to the south.

The site comprises mostly agricultural land with the northern part of the site currently in arable use. This will be the location for the residential development and school site. This part of the site adjoins the A30 and lies to the east of the town cemetery. This is the highest part of the site at the top of a scarp slope, which runs roughly east west.

The central part of the site includes the scarp slope with the lowest lying parts of the site mainly grassland. A corridor of open countryside extends westwards from the site boundary into the town centre. This central area will be retained for informal recreation. New balancing ponds associated with the drainage of the site will be located in the northeast corner and southern parts of the site and these will be designed to attract wildlife. In addition to the informal recreation provision there will also be a community sports area including a playing pitch.

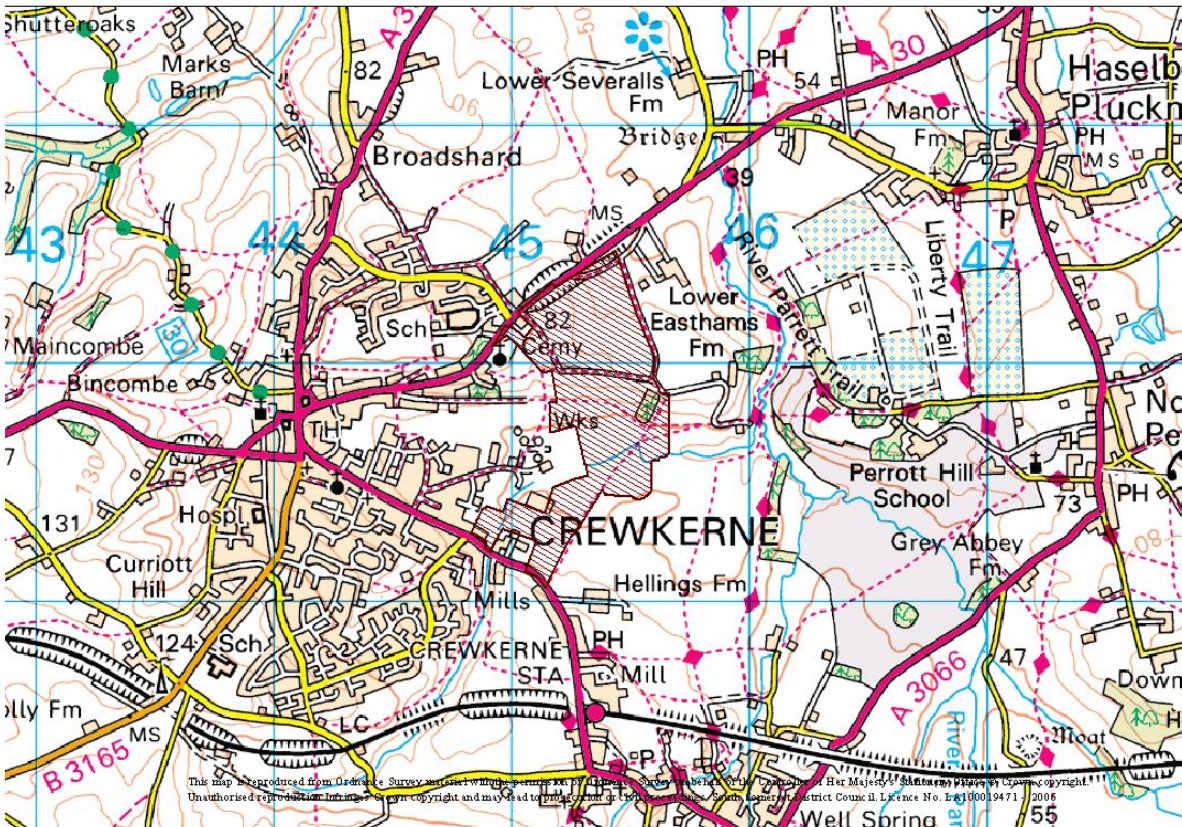
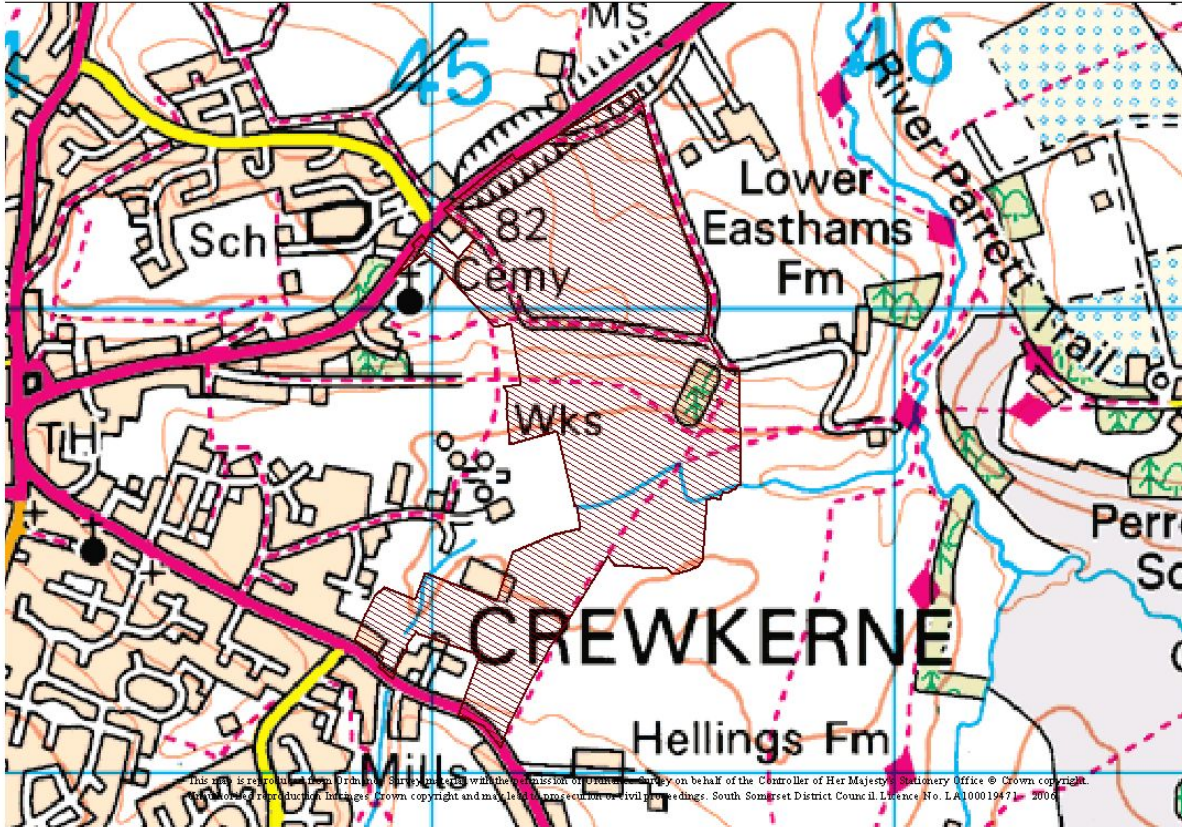
The southern part of the site is mainly arable land, which slopes gently upwards to the A356 at the southern boundary. This part of the site adjoins the town's main industrial area at its western boundary. It will therefore be used to provide employment land to complement the adjoining use.

The key aspects of the comprehensive proposal are set out below

- Residential development for 525 dwellings, including a proportion of affordable housing (14.8 Hectares – 36 acres)
- Employment land for a range of employment uses to complement the adjacent existing industrial area (9.8 hectares – 24 acres)
- Local centre and community hall site (0.4 hectares – 1 acre)
- 2 form entry primary school (1.4 hectares – 3.5 acres)
- Playing fields, open space and structural landscaping
- Balancing ponds to cope with surface water
- Strategic highway improvements including a new link road between the A30 and the A356
- A local convenience store
- Footpaths and cycleway throughout the site and links back to the town centre where possible
- Contributions to environmental improvements in the town centre aimed at improving the pedestrian environment



Appendix A – Previous Officer report considered at  
Special Committee Meeting - 1st November 2006





## Appendix A – Previous Officer report considered at Special Committee Meeting - 1st November 2006

### RELEVANT HISTORY:

910302/OUT – Formation of access road and industrial development – WITHDRAWN 23/7/91

900202/OUT - Distributor road, residential development, industrial development, community facilities and public open space etc – REFUSED 24/4/90

### POLICY:

The starting point for considering this application is the Development Plan, which comprises the Regional Spatial Strategy (RSS – formerly known as Regional Planning Guidance), the adopted Joint Structure plan Review (2000) and the South Somerset Local Plan (adopted April 2006). The Local Plan replaced the now superseded Crewkerne Local Plan. A full list of relevant policies and the detailed Policy Manager's comments are included in [Appendices B and C](#).

### CONSULTATIONS: SUMMARY

**Crewkerne Town Council** - Recommend APPROVAL subject to phasing of development, 35% affordable housing being achieved, and other matters to be resolved through the S106

**SCC Highway Authority** - Recommend APPROVAL subject to all necessary highway infrastructure and phasing of link road. S106 agreement required for all off site highway works. Proposed green bridge must be up to highway standards and come forward with a commuted sum for future maintenance.

**SCC Ecologist** – Requests further details and survey work to be undertaken in respect of protected species; also points to loss of potential neutral grassland which could be potentially a UK/BAP priority habitat. Mitigation measures required and replacement habitats needed.

**SCC Planning Department** – No comments to make provided application is in line with RSS policy and needs of other departments are taken into account in the development.

**SCC Archaeology** – Recommend APPROVAL subject to further evaluation and excavation of certain areas affected by physical development works. Can be covered by a condition.

**SCC Education** – Recommend APPROVAL subject to appropriate contribution to education facilities in the town and the provision of a school site and playing field within the development.

**SCC Rights of Way** – Supports sustainable transport links but this may involve 3<sup>rd</sup> party land to secure necessary improvements to existing network of footpaths.

**Wessex Water** - Water supply adequate subject to new booster station. Foul system adequate but odour modelling required to safeguard housing, SUDS drainage system favoured, separate foul and surface water systems required.

**Environment Agency** – No objections subject to conditions and notes to cover our interests. Detailed letter setting out conditions to be forwarded prior to Committee.

**South West of England RDA** - OBJECTS unless it can be demonstrated that the proposal provides an appropriate balance of housing and is sustainable in terms of car usage, delivery of employment etc.

**English Nature (now Natural England)** - Will only support application if appropriate mitigation measures put in place to protect dormice and badgers in particular. Have provided detailed advice on necessary green bridge proposal for dormice and point to difficulties in achieving a licence under European Legislation following any potential grant of planning permission, unless these matters are fully resolved.

## Appendix A – Previous Officer report considered at Special Committee Meeting - 1st November 2006

**DEFRA** - No formal comments to make but raises concerns about use of good quality agricultural land, and potential spread of development further into the countryside. Acknowledges allocation of site however in Local Plan.

**Countryside Agency** – No comments to make as only comment on nationally important schemes.

**Ministry of Defence Estates (Safeguarding)** - No objections.

**Wales and West Utilities** - No objections - point to services near or on the site, which will need to be safeguarded.

**English Heritage** - No comments to make on this occasion.

**SSDC Policy** - The principle of the development is supported; reflecting as it does the adopted Local Plan allocation KS/CREW/1. The town is an appropriate location for this level of development and the site is suitable in terms of its relationship to the town and its services and can be developed without causing unacceptable harm to the setting of the town. The proposal provides for a mix and balance of uses and promotes the principles of sustainable development of uses. In light of the housing trajectory there is a need for planned urban expansion for Crewkerne to support its role and function. The proposal, together with commitments should not result in a disproportionate level of growth for the town.

Should the application be approved conditions should be attached ensuring compliance with the adopted local Plan allocation and providing for a high quality sustainable development. In particular and reflecting the Inspector's stated concerns delivery of employment development will be important to achieve the overall balanced development.

**SSDC Landscape Architect** - The potential landscape impacts arising from this key site development has long been a major concern: Whilst the area allocated for employment is considered to relate well to the town and its setting, in landscape terms the residential area is not such a well-related urban extension. Substantive landscape impacts will arise from the provision of housing and associated development above Butts Quarry Lane, and the link road alignment.

The original landscape strategy plan, submitted March 2005, was assessed as lacking the necessary mitigation to enable satisfactory integration of the proposal with its context (see consultation response 08/05). Further to negotiation with the applicant, a revised proposal - drawing no; CSA/277/022 revision C - which addresses the major impacts of skyline development; development massing; the separation of built form from the urban setting; and the link road alignment across the escarpment; has been submitted. This revised masterplan in most part satisfactorily addresses the main landscape issues identified by the EIA and earlier assessments (see consultation response 02/06).

There are items to be resolved to complete the landscape mitigation: These relate to additional planting across the scarp, as part of both dormice and highways mitigation; and the alignment and landscape treatment of cycleway linkages above Easthams Lane. Some fine-tuning of land-use within the central open space is also being sought, to enhance future management of these areas. Once these issues are resolved (see consultation responses 11/05 and 08/06) I am satisfied that the landscape masterplan shall provide a basis for a positive landscape recommendation at this outline stage, and for reserved matters applications in due course.

**SSDC Conservation Manager** - Generally content with master plan and design code subject to appropriate conditions and the comments of the Landscape Architect

**SSDC Economic Development** – Whilst supporting the application raises concerns regarding the design of employment units and their marketability.

**SSDC Ecologist** – Will not be able to support unless protected species are properly considered and full mitigation measures such as a green bridge for dormice are included. Support the concerns raised by English Nature in this regard.

## Appendix A – Previous Officer report considered at Special Committee Meeting - 1st November 2006

**SSDC Rights of Way** – Not convinced with regard to sustainable transport links to town centre. Further proposals needed which may impact on 3<sup>rd</sup> party land to provide cycleways.

**SSDC Housing** – Fully supports given considerable need for affordable housing and SSDC corporate objectives.

**SSDC Transport Officer** – Supports application but details still need to be formally agreed

**SSDC Arborist** – Recommends certain trees be formally protected prior to any development.

**SSDC Technical Services** - No objections subject to appropriate surface water drainage measures and adequate foul water system in place.

**SSDC Open Spaces Officer** – Still awaiting detailed proposals in respect of areas for maintenance and commuted sums to be offered.

**SSDC Sport and Leisure** – Has serious concerns that proposals do not provide sufficient facilities for the site. Requests that further discussions are held with developer.

### REPRESENTATIONS:

The application has been advertised on site and in the Local Press both under Environmental Impact Regulations and as a Departure from the Development Plan as is required (at the time the application was received the SSLP had not been formally adopted – hence the Departure advertisement). The following is a précis of comments received from interested parties. In addition all those parties who made representations regarding the SSLP were individually notified and invited to comment. Where necessary the full comments of the consultees have been included in [Appendix C](#) and [D](#).

**Somerset Badger Trust** – Need to have specialist surveys carried out and acted upon.

**Somerset Environmental Records Centre** – Refer to legal and non-statutory protected species.

**Campaign for Dark Skies** - Site and development could have a major impact on new observatory at Haselbury Plucknett, points to considerable impact of such a large new development on the edge of the town. Potential light spillage from new dwellings and new road could be very intrusive. Gives specific detailed guidance on how this can be overcome.

**South Somerset Disability Forum** – Whilst the overall aims of having an inclusive community are applauded it is considered that this will not be realised in the plans as they come forward; the site is being overdeveloped; access and gradients are difficult; access to community facilities and play areas also compromised; suitable facilities should be put in place along major access routes; Part M must be followed wherever possible; lifetime homes and homes suitable for wheelchair users should be included in the development; legislation enquires the active promotion of an inclusive environment and equality of opportunity.

**CPRE** – Objects to the application, number of houses proposed is contrary to Local Plan. This proposal is at odds with the advice contained in PPG3 in that it will involve a substantial greenfield development.

**Association of British Insurers** – Recommends that no development takes place until all flood risk issues have been fully resolved with Environment Agency.

**Wadham School Headteacher** – Overall I consider this to be an attractive and well thought out proposal, which should help to revitalise the town and provide a much-needed link between the A30 and A356. Delighted that Ashlands School will be replaced. I do have some concern about additional traffic on the road both in constructing and after completion. These could be issue at the end of the school day with the buses and parents especially when there are traffic signals on the A30. Also need to carefully consider the potential impact on children safety with the cycleway link across the road – I would prefer to see a footbridge.



## **Appendix A – Previous Officer report considered at Special Committee Meeting - 1st November 2006**

**Wadham Park Residents Association** – welcome new access to Cropmead industrial estate, raise concern about extra traffic running through existing and proposed housing areas, environmental impact on eastern countryside of the town is unacceptable; amount of housing will destroy character of this market town and stretch local infrastructure. They also make the following points:-

- 6000 to 7000 increase per day in traffic movements
- Fully support the strength and quantity of objections raised by local residents
- Traffic lights on A30 will be dangerous
- Double yellow lines on Ashlands Road will impede parking
- Traffic congestion around the school will be intolerable
- Emission and noise pollution will make life unbearable
- Property values will plummet

**172 individual letters from the public raising the following points of objection and concern (158 of which are from residents of Ashlands Road estates).**

- Concerns expressed regarding access to industrial estate
- Impact on existing industrial units from height and proximity of proposed buildings
- Link road should be completed before any building takes place
- Not convinced that road will divert traffic from town centre
- Must have sustainable transport links to town centre avoiding use of cars
- Concerned about other land in applicants ownership and future plans
- Concerns about the sudden leap in the number of houses being proposed
- Considers that more local infrastructure should be provided such as shops, health clinic etc to serve the new development
- Points to critical impact on Ashlands Road residents flowing from new traffic
- Not enough thought given to means of protection of Ashland's Road residents from excessive amount of new extra traffic
- If this scheme is to go ahead then there should also be a Longstrings by pass as well
- Extra noise, traffic and vibration on Ashlands Road will make life unbearable
- Considerable impact on property values on Ashlands Road
- All side roads on Ashlands estate will be used for parking
- Impact from extra HGV traffic and how this will affect children walking to school
- Can't understand why Council has not gone with Inspectors decision to develop Longstrings instead of CLR
- Double yellow lines along Ashlands Road will make life difficult for dropping off children going to school
- Traffic lights on A30 is ludicrous – accidents will be inevitable
- Will put added strain on town's infrastructure
- Traffic congestion at start and end of school day will be inevitable
- Detrimental impact on peace and quiet in the cemetery from extra traffic etc.
- Should be a bypass for the whole town not a scheme creating a by pass along Ashlands Road
- Ashlands Road was never meant to be a bypass or distributor road
- This scheme was rejected before and at the LP Inquiry – how can it now be steam rolled through against local peoples wishes
- Questions need for this amount of extra housing when Yeovil is also to be expanded
- Increased density will put more pressure on car parking in the town
- Other non-strategic sites such as Maidenbeech should come forward first particularly bearing in mind the time it will take to resolve the S106 agreement to be attached to this application and the need to refer the application to the Government Office.
- Significant impact on local trees of importance some of which are TPO'd
- Whilst being concerned about the principle acknowledges the improvements from this scheme to the earlier draft proposals, landscaping also welcomed
- Ashlands Road because of its gradients and alignment is not suitable for a distributor road. Why not consider Furringdons Lane as a new by pass for the town
- Another letter however refers to the cost and environmental damage in bringing Furringdons Lane up to the standard required.
- Contrary to government policy; contrary to provisions set out in Local Plan; contrary to regional planning guidance; windfalls in town should avoid need for this development
- Link road should be designed to by pass Misterton as well

## Appendix A – Previous Officer report considered at Special Committee Meeting - 1st November 2006

- Concerned about pollution of balance ponds and excavated materials being taken off site or burning of waste on site
- Have the views of Misterton residents been considered in respect of screening
- POS seems adequate but is split by link road – could link road be re-aligned

### CONSIDERATIONS:

The principal considerations in this case are the:

- National and Local policies and how they impact on the development
- Highway issues including off site works and sustainable transport links
- Ecological issues concerning protected species
- Landscape impact issues both long and short range
- Affordable housing
- Public open space and play space provision
- S106 agreement and level of contributions offered
- Phasing of development

### 1. POLICY

Members are referred to the full text of the Policy Manager's comments at [Appendix B](#). He identifies the principal issues to be:

- Does the proposal accord with policies governing the sustainable location of the development?
- Is there a need for the housing particularly bearing in mind the intended increase in numbers?
- Do the proposals accord with employment land policy?
- Does the proposal provide a high quality sustainable development?

Clearly it will not be sufficient in this case to rely solely on the fact that the site is allocated in the adopted Local Plan. The Government Office will need to be satisfied with regard to the above.

The Policy Manager has put forward a convincing case to allow this site to come forward at this time. The phasing policy set out in the Local Plan is now irrelevant given the considerable time from any committee resolution before construction works begin. The Policy Manager considers that the site is an appropriate location for this scale and type of development and the development does not harm the local landscape subject to mitigation measures. The proposal provides for a mix of housing, community facilities, employment land and new road infrastructure, which as a total package will support rather than undermine the importance of Crewkerne as the District's third largest town. It is not considered that the proposal, taking into account the additional number of houses over and above that indicated in the original Local Plan, would lead to a disproportionate level of growth for the town.

The number of dwellings now proposed is in excess of that originally shown in the Local Plan. However, the applicants point out that there is a need to ensure that land (particularly greenfield) is used to the most appropriate density taking into account the need to respect landscape setting and the need for other benefits such as affordable housing. More of this is set out later. In principle however, the Policy Manager does not consider that the additional numbers now put forward are unreasonable. Given the other constraints on the site in terms of providing a link road, employment land, community facilities and off site works for highway safety your Officers conclude that the original figure put forward is now unrealistic and will if adhered to lead to a site which is simply not viable.

The Policy Manager does however conclude by stressing the importance of taking into account the comments of the Local Plan Inquiry Inspector. He was at pains to ensure that the employment land came forward at a reasonable rate to complement the housing proposals. Otherwise the need for commuting would inevitably grow and the question mark over sustainability would arise.

With regard to employment land Members are referred to the report carried out by the applicant's agent, which is reproduced in [Appendix A](#). This report stresses the need to ensure that employment land is flexible in terms of the uses envisaged and that a range of differing unit types and sizes is

## **Appendix A – Previous Officer report considered at Special Committee Meeting - 1st November 2006**

provided. The need to link the existing employment land areas at Blacknell Lane and Cropmead with the new road is essential. The Local Plan states

A link road between Blacknell Lane and the proposed A30-A356 south link road to be built in its entirety on the completion of 200 dwellings or four years after the occupation of the first dwelling, whichever is the earliest.

The Council's Economic Development Officer considers that the design code put forward by the applicants will not be appropriate in meeting the needs of local employers and others who may wish to relocate to the site. Clearly this is an issue, which will need to be further considered at detailed design stage. What is important however is to recognise the developer's responsibility to ensure that the access road is provided and that serviced land is made available to allow other agencies and private land owners to come forward with the provision of employment land. Further negotiations with the developer's agent will be required on this point and a firm program of phasing needs to be established prior to any grant of planning permission. Not to do so would render the application liable to a 'call in' from the Government Office for the South West.

### **2. HIGHWAYS**

Members are referred to the letters received from the County Highways Authority at [Appendix D](#). Prior to the submission of the application the Highway Authority played an important and innovative part in the Enquiry by Design process. They came to that event with an open mind and a willingness to think outside the normal realms of estate road management and construction. However, whilst they showed flexibility and a radical approach to design they will still need to be satisfied that the roads constructed are to full public adoption standards.

The Local Plan requires the following improvement works to be incorporated in the development:

- **Link road between A30 (Yeovil Road) and A356 (Station Road), to be provided in entirety on the completion of 200 dwellings or four years after occupation of the first dwelling, depending on which is the earliest**
- **Footway/cycle link to town centre**
- **Appropriate contributions towards improvements to affected highway infrastructure**
- **A link road between Blacknell Lane and the proposed A30-A356 south link road to be built in its entirety on the completion of 200 dwellings or four years after the occupation of the first dwelling, whichever is the earliest.**

The applicants will need to ensure that all the above works are properly phased in accordance with the Local Plan. The key element here is ensuring that the necessary improvements required to local infrastructure are in place. In addition the necessary off site works to ensure safe crossing points, traffic calming near the Wadham secondary school, and other necessary works on the A30 and A356 are completed and linked to a S106 agreement which the Highway Authority will need to be a party to. Members have made these matters a priority also in selecting this site as opposed to the Local Plan Inquiry Inspector's choice of Longstrings. The need to remove traffic from the town centre coupled with the potential for providing better links to the town's industrial areas were key factors in this decision. Any planning permission on the key site must support rather than undermine that stance.

In broad terms after a number of meetings the Highway Authority are in agreement with the application provided all the above matters can be satisfied as well as those set out in their latest correspondence.

It will be noted that the Highway Authority have been fully apprised of the strong local objections from the Ashlands Road residents. However, the principle of the key site is now firmly established having previously taken into account the competing aims of this site as opposed to the site favoured by those residents at Longstrings to the north of the A30. That site is now no longer part of any development proposals although it may come forward at some time in the future. The Highway Authority remain adamant that Ashlands Road was built to distributor road standard and is capable of taking any additional traffic that may result as a development of the key site. Without a highway objection or specific expert technical opinion to the contrary the LPA cannot refuse the application on those

## **Appendix A – Previous Officer report considered at Special Committee Meeting - 1st November 2006**

grounds. To do so would render them liable to an award of costs being made against them at a public inquiry. Clearly there will be an impact on those residents who currently live on or off Ashlands Road. However, one objector did comment that it is the needs of the town rather than one particular segment of the town that needs to come first. Those residents will no doubt consider that their views have been ignored. That however is not the case now and it was not the case when the key site was formally designated by the Council. It is however considered the greater needs of the town and the potential other benefits that will accrue should take precedence.

Members will also note the Highway Authority's comments regarding the green bridge to cater for dormice. Clearly they will need to be satisfied that such a structure is safe, meets their rigorous standards for structures over the highway, and a reasonable commuted sum is provided to ensure future maintenance. Comment as been made to the type of bridge envisaged. More of this will be set out below under ecological issues. If the structure is not to be formally adopted by the County then the cost for future maintenance will need to be borne by those residents who live on the site by way of some long-term management agreement. Clearly the best option here would be that any structure is adopted by the County. Comment has also been made in terms of whether such a bridge could double as a pedestrian/cycle route. To do so however, would push up the cost considerably. In any event the Highway Authority are satisfied with the proposals to cross the new road by ensuring appropriate crossing points and low traffic speeds.

Likewise much concern has been raised by local residents regarding the need for pedestrians and particularly school children to cross the A30. One suggestion to build a bridge has been considered but has been rejected in favour of ensuring that traffic speeds are significantly reduced from their current unimpeded level and that safe crossing points are provided both for walkers and cyclists. The Highway Authority have considered the plans submitted to date in detail and will need to have further detailed plans submitted to them for their approval at a later date. The broad principles of highway safety have however been already agreed.

One issue that has exercised both the minds of Highways and Policy is the sustainable transport links. This is a vital area if the site is to demonstrate a range of transport options to link it with the town centre over and above the use of the private car. A plan will be shown at Committee indicating the applicant's proposals in this respect. What is clear is that whilst pedestrian links are well established it remains to be seen as to the potential for cycleway links without using 3<sup>rd</sup> party land to accommodate those works. Your rights of way officer has alluded to the potential problems that might arise with regard to converting footpaths into bridleways for example. However, there has to be a real prospect of linking the site with the town centre for cyclists as well as pedestrians. Such a route should of course be useable. There will be other links available to link the residential areas with the town such as along the A30 and the A356 and through the employment areas of Blacknell and Cropmead. The ideal link however remains the most direct east-west links at the top and bottom of the scarp slope. To add to the complication such links will also need to respect the ecological issues surrounding dormice and badger setts. To ignore this element of the scheme will again put the application at risk of a 'call in' from the Government Office.

With regard to all the highway matters set out above but in particular to the requirements of the Local Plan Members will need to allow Officers to negotiate the fine details. However, certain elements will not be open to negotiation such as the phasing of the link road completion, link to employment areas, and necessary highway safety measures and the green bridge. Members are asked to re-affirm their views in this respect.

### **3. ECOLOGY**

Members are referred to the comments submitted to date by Natural England (formerly English Nature) and the SSDC Ecologist.

There are a number of protected species, which exist on the site and adjoining the site. Clearly the presence of such species will be of paramount importance. The objections submitted by both parties to date have been the result of a lack of detail and willingness to fully take on board the need to provide adequate mitigation measures to avoid harm to protected species.

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A number of options have been explored with regard to dormice but the only conclusion drawn as to a truly workable solution is the 'green bridge' approach using a living hedgerow above the road. Members are referred to the supporting information in **Appendix B**. Such a structure is likely to meet with the approval of the relevant bodies and is the most likely solution to enable a Licence to be granted by DEFRA. To date the applicants have not been willing to countenance this solution putting forward cost and landscape objections. In terms of cost the overall cost will not be the £500,000 quoted by the applicants agent who appear to have based their costings on a much more complex scheme carried out in Kent. To date no firm costings have been carried out by the applicants. In terms of landscape impact your Landscape Architect is prepared to consider any bridge proposal put forward. A site has been identified as the most preferred link at the junction of Butts Quarry Lane and Easthams Lane. Again Members are asked to re-affirm their commitment to this element of the scheme, without which the whole project could fail. Regardless of any planning permission granted DEFRA will not grant a licence unless they are fully satisfied. Without the licence in place the applicants cannot implement the planning permission granted.

With regard to other protected species such as badgers it does appear that suitable mitigation measures can be put in place to protect their habitats and provide enhancement of such habitats wherever possible by appropriate new landscaping.

Much more detailed work is required by the developers but such details can be covered by appropriate planning conditions.

### **4. LANDSCAPE AND DESIGN**

Both the Council's Landscape Architect and Design Manager attended the Enquiry by Design event. This resulted in a document being produced, which sets aside the normal estate road layout and 'anywhere housing' reproduced by volume house builders as evidenced in the district over recent years. An innovative approach has been adopted by the design team to create places of interest and local distinctiveness. Members are referred to the Design Code produced as part of this application. Your officers consider that it is vital for such a Code to be considered a fundamental part of any permission granted. To that end officers suggest that conditions are imposed requiring future developers to adhere to the principles laid out in the Code. Clearly a great deal of work remains to be done in terms of a future application for approval of reserved matters. However, with a design code in place it matters not who the eventual volume house builder is. What is important is that Members and officers re-affirm their approach to this site and defend future refusals if necessary of any application that does not meet the Code agreed.

Turning to matters of landscape impact, it is clear beyond doubt that the development of this site on the edge of the town will have a considerable impact. This is not unusual or unique to this site but would be the case for any large area of land on the edge of the Crewkerne, which is set amongst such beautiful and attractive countryside. Members are referred to the detailed comments of the Council's Landscape Architect in this regard. Members will further note the conclusions set out by the officer concerned.

The increase in the density of the housing over and above that shown in the Local Plan have been carefully considered in terms of landscape impact. The adoption of the design code and the way in which higher blocks have been limited to certain areas together with the massing and the internal and structural boundary landscaping have been brought together to create an appropriate form of development that should in time fit with wider local landscape views. There are matters of detail, which need to be resolved but none are so insurmountable that they cannot be dealt with by appropriate planning conditions.

It should also be borne in mind that the development of this site will have an impact at night as well as by day in landscape terms. In this respect Members are referred to the views of the Campaign for Dark Skies who make relevant and pertinent points with regard to light pollution. The lighting of the main spine road through the site as well as any potential lighting of playing pitches and all the housing areas will be of critical importance in this regard. Much more consideration needs to be given to appropriate levels and types of lighting. There will clearly need to be a balance between a safe environment and the need to avoid excessive light pollution. Again such matters can be dealt with by appropriate planning conditions requiring full details of all lighting to be submitted as part of any



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application for approval of reserved matters. Very often such issues are overlooked but on this occasion given the site's edge of settlement position they are of vital importance. Your officers further consider that it should be made a condition of planning permission that security lighting is excluded in residential areas. Such lighting can be highly intrusive and on this site if allowed to go unchecked could have a major impact. The need to provide adequate lighting can be dealt with under the individual detailed designs of the housing units.

### **5. AFFORDABLE HOUSING**

One of the benefits of increasing the overall number of units on the site has been the potential to commensurately increase the element of affordable housing. The Local Plan requires a target of 35% to be met from the key site. It states -

“With reference to affordable housing provision as defined in paragraphs 10.35 to 10.43, the Council is of the opinion that this “key site” meets the Government's threshold within Circular 6/98, PPG3 (2000) and Policy HG7 (Definition and Achievement of Affordable Housing) whereby the local planning authority may negotiate an element of affordable housing based on need. Using the Council's local information from the Housing Needs Assessment (2000), its update (2002) and the methodology outlined in supporting text to the affordable housing policies, a site target of 35% is considered appropriate”.

However, the Local Plan is silent on the preferred mix of affordable housing i.e. the proportion of rented to shared equity. It has been normal practice to base the requirement on the need to provide a 90/10 split in favour of rented. On that basis the applicants have stated that they are only able to provide a total percentage of 15% affordable on the key site. The applicant has put forward arguments based on the viability of the site and the abnormal and front loaded costs that have to be borne by the development. They have provided information to support this assertion and have indicated that the site would not be viable with any greater proportion of affordable housing.

The original yield of affordable housing from 438 dwellings would have been 153.3 units.  
The yield from 525 dwellings would be 183.75 affordable units.  
The applicants initially offered 35% but have now reduced this to 15% giving a yield of 78.75 units.

The Local Plan further states -

“Where it is demonstrated that the provision of affordable housing, along with other infrastructure and community facilities renders a site unviable the council will reconsider the planning obligations, including affordable housing, to be sought from the site. But the district council will wish to see development in accord with local plan policies proceed as long as the necessary infrastructure, services and community facilities are secured”.

The applicant's figures with regard to overall viability are being checked by consultants acting on behalf of the Council. Clearly the issue of affordable housing is one of paramount importance. The applicants base their figures on a 90/10 split but it may be possible to agree another split as has happened on other key sites in the district, which has resulted in an overall greater percentage of affordable housing but with more shared equity units. Members for example may decide that it would be preferable to have a 35% total but with a different split.

In addition the above information from the applicant pre-supposes that no Housing Corporation Grant will be payable. Clearly such a large site could attract a grant and if that were the case then it would be open for the Council to re-negotiate the actual split between rented and shared equity units. Officers consider that it would be able to insert a formula into the S106 agreement which could govern this.

Officers have already expressed their concern at the suggested percentage of affordable units offered by the applicants. Members will wish to give this matter serious consideration at Committee particularly bearing in mind the recommendation of the Town Council.

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What is clear is that the Local Plan requires a target of 35%, which should only be set aside and reduced if there is a clear and robust argument proving the site would not be viable. Officers will be able to update Members further on this matter at the meeting.

### **6. PUBLIC OPEN SPACE AND PLAY SPACE PROVISION**

Members are referred to the views of the Head of Service of the Council regarding this element of the proposal as set out in **Appendix C**. At the present time there is a fundamental disagreement between the Head of Service and the applicant. Further clarification has been sought regarding the suggested list of provisions and the way in which this fits with Local Plan policy. Clearly as the applicant rightly points out only those matters which are specifically supported by policy requirements should be included in the requirements laid out to cater for the key site.

To support their view the applicants have submitted a letter of rebuttal dated 3 October 2005. This letter is attached at **Appendix A**. The letter also usefully rebuts the objections put forward by SWRDA and a local objector.

The applicants have now provided detailed costings and their suggested contribution to play space provision. These are being considered by the Head of Service and a response will be given by your officers at the meeting.

In addition to the above there are also issues to be resolved regarding the maintenance of open spaces and play areas. There will be a need to provide a commuted sum for such on going costs. A list of such sums has been produced by the applicants but again it is likely that the proposals will fall short of the sums normally required for future maintenance. A further update on this will also be given at Committee.

### **7. SECTION 106 AGREEMENT**

The applicants have set out the following as essential infrastructure costs

#### **Highways**

- On site road costs with new junctions and connections
- New link road between A30 and A356
- New link road to Blacknell Lane
- On site pedestrian and cycleway links
- Off site road costs including town centre works
- Pedestrian and cycle links to town centre via green wedge
- Safe crossing points for pedestrian and cycles

#### **Drainage**

- Surface water drainage using SUDS
- Balancing ponds
- New culverts and pipes
- Requisition of sewers
- Adoption fees/commuted sums

#### **Foul water drainage**

- Strategic sewers
- On site rising main
- On site pumping station
- Adoption fees/commuted sums

#### **Strategic earthworks**

- Cut and fill works
- Escarpment stabilisation
- Fill to provide sports pitch

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### **Utilities etc**

- Gas, water, British Telecom, Electricity
- Commuted sums for adoption of services
- Professional fees

The applicants have agreed to provide contributions regarding the following broad headings

### **Highways**

- Bus provision with the new link road providing a new bus link
- Bus stops and shelters within the development area
- Bus stops to serve the employment areas as well as the residential areas
- Public transport contributions based on a sum per new dwelling
- Pedestrian/cycle crossing the A30 (Toucan type crossing)
- Traffic calming measures around Ashlands secondary school
- Alterations to speed limits on A30 reducing from 40mph to 30 mph
- Town centre improvements i.e. signalisation of Market Street
- Pedestrian/cycle links to the town along Easthams and Butts Quarry Lanes
- Commuted sums for highway maintenance of traffic signals
- Off site road costs such as improvements to junctions

### **Education**

- Pre school contribution
- First school contribution
- Middle school contribution
- Provision of a site for a new first school together with playing field
- Temporary accommodation contribution

### **Recreation**

- Community parkland in north east corner of site
- Casual informal play areas comprising 1 NEAP, 1 LEAP and 9 LAPS
- Other local open space and amenity land

### **Landscaping**

- Landscaping along A30 boundary
- Landscaping along eastern boundary and housing area escarpment
- Landscaping within residential areas including town square
- Landscaping along lanes
- Balancing ponds landscaping

### **Committed sums**

- Sports fields
- Landscaping
- Amenity areas

In addition the applicants have offered affordable housing at 15% i.e. 79 units (rounded up).

To support the above the applicants have provided on a strictly confidential basis the cost derivations and their expected profits from the development. These papers have not been circulated (because of the need to retain commercial confidentiality) but have been given to relevant officers and the economic advisors acting for the Council. Checks are currently being made by those advisors and officers to ensure that the figures quoted are realistic.

It is clear so far that the suggested level of contributions on certain items fall short of that expected. There will need to be a balancing exercise carried out by the relevant portfolio holders of the Council

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to apportion the sums of money available once this has been agreed between the applicants and the Council.

This brokering between the portfolio holders is in line with the process agreed by District Executive, albeit it was initially intended to implement this prior to the application coming to Committee. It has been more recently agreed however that this can be dealt with after any principle resolution of the Council to grant planning permission. Officers will also need to scrutinise all bids submitted by various departments to ensure that the bid is in accordance with the advice set out in the Government's Planning Gain circular 05/2005.

Any recommendation set out below must therefore bear in mind that there needs to be further negotiations between the various Head of Service and Portfolio holders. In this case in addition it may be the case that Officers have to negotiate further with the developers to ensure that costs put forward are realistic before an agreed planning gain sum can be finalised.

### **8. PHASING OF DEVELOPMENT**

The Local Plan sets out certain elements of phasing which are considered to be non negotiable i.e. the provision of the link road between the A30 and the A356 following the construction of the first 200 dwellings or four years following the occupation of the first dwelling whichever is the earliest. Similarly the Local Plan requires the link between Blacknell Lane and the new link road within the same timeframe. It is likely that the Highway Authority will also insist on these provisions being adhered to.

However, other elements of the development are not specifically referred to by the Local Plan and can be more fluid. It is likely that the developer will require a degree of flexibility in the way in which the site is delivered. Whilst officers can and should negotiate they and Members must bear in mind that a pragmatic approach should be adopted. It would not be helpful to any party to insist on a rigid and inflexible phasing plan which cannot be altered once agreed.

Certain elements of the development are crucial from a road safety point of view. For example the timing of the provision of off site works, traffic signals, crossing points of the A30 and traffic calming around the school. Whilst some of these works may have to be put in immediately as a first phase, other works could be put to a later date. The Highway Authority will need to advise further in this respect and officers suggest that any phasing plan is specifically agreed with the relevant Planning portfolio holder, Area West Chairman, local ward members and if needs be the Vice Chairman of the Area West Committee if the Chairman has to declare an interest.

Once a phasing plan has been agreed it is anticipated that there will be a need to review the plan if something unexpected happens. Officers suggest that any conditions or planning agreement is worded to include an element of flexibility to allow Members and officers to reconsider where necessary.

Further discussions will be necessary to conclude the actual phasing over and above those items considered to be non-negotiable. Officers recommend this be left to the relevant officers and Members to resolve as part of the S106 and other planning conditions.

### **CONCLUSION**

There are still issues outstanding with regard to the objections of Natural England, and the final views of the Environment Agency. The latter initially objected to the original proposals but it is likely that they will now withdraw their objection on receipt of final plans from the developers to deal with flood risk and water attenuation. Their letter should be received prior to Committee.

The recommendation below is therefore subject to all the outstanding issues relating to the S106, planning conditions, and resolution of the Natural England objections being resolved. Once these matters are dealt with there is no impediment to a positive recommendation. Members are reminded that because the site involves greenfield development over the threshold size quoted in the Greenfield Land Direction the application will need to be referred to the Secretary of State who can exercise call in powers.

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### REASON FOR GRANTING PERMISSION

It is considered that the development of the Crewkerne Key site is a vital element of the adopted South Somerset Local Plan in bringing forward a strategic requirement for housing and employment in the town. The principle of this development is supported, reflecting as it does the adopted Local Plan allocation KS/CREW/1, Land between Yeovil Road and Station Road. The town is an appropriate location for this level of development and the site is suitable in terms of its relationship to the town and its services and can be developed without causing unacceptable harm to the setting of the town. The proposal provides for a mix and balance of uses and promotes the principles of sustainable development of uses. In the light of the housing trajectory there is a need for planned urban expansion for Crewkerne its role and function. The proposal, together with commitments, would not result in a disproportionate level of growth for the town. It is considered that the proposal complies with National and Local Plan Policies as set out in this report.

### RECOMMENDATION:

**PERMIT** in accordance with the application form and location plan submitted on 5 May 2005, the Architectural and Design Code received on 27 January 2006 and the revised Master Plan site layout received October 2006, **SUBJECT TO:**

- A) The application be referred to the Secretary of State under the Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000;
- B) The withdrawal of the objection submitted by Natural England with regard to protected species;
- C) In the event that the Secretary of State does not wish to intervene, the following matters and formulation of planning conditions be delegated to the Head of Development and Building Control in consultation with the relevant Portfolio Holders, Area West Chairman, and ward members to conclude should the Secretary of State confirm that the application need not be called in; and the applicant to enter into an agreement under S106 of the Town and Country Planning Act 1990 (as amended).

Detailed S106 contributions and phasing of the development to include the payment of contributions to cover the elements set out above in this report specifically to cover:-

- Highway infrastructure, both on site and off site works
- Public open space and play facilities, and future management
- Education facilities,
- Public transport and travel plan,
- An appropriate level of affordable housing,
- Strategic landscaping and future management
- Strategic drainage and future management
- Ecological mitigation measures and green bridge provision



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**73. Crewkerne Key Site – Comprehensive Mixed Use Development for 525 Dwellings, Employment (B1, B2, B8), Primary School, Community Facilities, Playing Fields, Parkland, Public Open Space, Structural Landscaping and Associated Infrastructure including Link Road and Highway Improvements (GR 345354/109767) – Land East of Crewkerne between A30 (Yeovil Road) and A356 (Dorchester Road) – George Wimpey UK Ltd. (Planning Application No. 05/00661/OUT)**

The Planning Team Leader referred to his report on the agenda, which set out fully the details of this planning application together with the material considerations to be taken into account. A comprehensive presentation was made with the assistance of plans and photographs during which the Planning Team Leader outlined the details of the proposals. He also confirmed that if members agreed to permit the application it would then need to be submitted to the Government Office for the South West (GOSW) because the site involved greenfield development over the threshold size quoted in the Greenfield Land Direction. He indicated that any permission would not be issued until GOSW had informed the Council whether or not they were content for the authority to deal with the application. It would also be necessary to finalise the details of the recommended Section 106 Agreement before any permission was issued.

In presenting the proposals the Planning Team Leader made reference to the site location and to the original Master Plan that showed the main blocks of development at the northern and southern ends of the site. He indicated that a revised Master Plan site layout was to be submitted but had not yet been received. He also referred to the Design Code for the development that had been drawn up in association with the Prince's Foundation for the Built Environment and by way of an Enquiry by Design Workshop, which was held in the town over a period of one week. He referred members to the detailed residential layout and employment area plans that had been submitted. He clarified that this was an outline application at this stage with all matters of detail reserved for future approval except for those relating to the access to the site.

The Planning Team Leader then asked other officers to present details of the application in respect of specific aspects of the proposals. The Principal Landscape Officer detailed the potential landscape impacts of the development and the measures proposed to alleviate them. The Senior Play and Youth Facilities Officer referred to the leisure requirements including outdoor playing space and equipped playing areas, facilities for young people and strategic community facilities. The Council's Ecologist referred to the protected species that existed on the site. He focused particularly on the presence of the most significant, which was the Common Dormouse and detailed measures that would be required in terms of protecting their habitat including the construction of a "green bridge" across the proposed road. The District Rights of Way Officer summarised the issues to be taken into account with regard to the rights of way in connection with the site. The representative of the Highway Authority commented that he had been present at the Enquiry by Design Workshop and had been involved with the layout of the roads. He referred to the Highway Authority not objecting to the application subject to the applicants entering into a Section 106 Agreement for both onsite and offsite works, details of which he described to the Committee. The Committee noted that many of the issues mentioned by the officers had either been agreed with the developers or were subject to negotiations with them and could be dealt with either at the reserved matters stage or incorporated into the Section 106 Agreement.

The Planning Team Leader, in updating members, referred to correspondence that he had received from the applicant's agent clarifying the net developable area of the site. He further reported that when the application was first submitted, the development would have been a

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departure from the Development Plan but he confirmed that the site was now included in the adopted South Somerset Local Plan.

For the purposes of clarification, the Planning Team Leader informed members of some amendments to information given in the agenda report. Those matters included reference to the strategic highway improvements and he reported that they included not only a new link road between the A30 and A356 but also a new link road to the Blacknell Lane and Cropmead Trading Estates. He also reported that the Environment Agency had now confirmed that they would have no objections to the application subject to the inclusion of conditions in any permission. They had, however, requested further information and as long as that was received satisfactorily they would not maintain an objection.

The Planning Team Leader referred to the recommendation being set out in the agenda report, which was one of approval. It was noted, however, that the application would need to be submitted to the Secretary of State and that there were a number of issues that should be dealt with by a Section 106 Legal Agreement. He referred specifically to one of the matters to be included in the Section 106 Agreement, which involved contributions by the developer to a public transport and travel plan. He recommended that, in addition, a management plan for cycleways and footpaths should be included. Any permission would also be dependant on the withdrawal of the objections submitted by Natural England and the Environment Agency.

In response to a comment from a member, the Planning Team Leader clarified that the aspirations in the Local Plan regarding the provision of affordable housing may not be met. He reported that the applicants had submitted cogent reasons to illustrate the difficulty of reaching the 35% provision of affordable housing because of issues concerning the viability of the development. The Planning Team Leader mentioned, however, that there may be an opportunity to improve upon that figure bearing in mind the possibility of receiving grants from the Housing Corporation and other measures. He mentioned that a decision on that matter did not need to be made at this meeting but could be looked at once further investigations had taken place and delegated to the Head of Development and Building Control in consultation with the relevant Portfolio Holders, Area Chairman and ward members. He did not recommend that the Committee stipulate 35% affordable housing at this stage as that would mean effectively refusing the application. He mentioned that the Local Plan required a pragmatic approach and a lower figure could be accepted provided that a robust argument was set out as required by the Local Plan. He indicated that members could give a steer on what figure they would like to see but he did not feel that the application should be refused on the current offer of a lower threshold.

The officers then answered members' questions on points of detail regarding the proposed development. Points addressed included the size of trees to be used for the tree planting, other species that were present on the site other than Dormice, clarification of the position with regard to the utilisation of the contribution towards education facilities, future maintenance of bus stops/shelters, the merits of a bridge rather than a surface crossing for pedestrians on the A30 (it being noted that the Highway Authority were satisfied with the suitability and safety of the surface crossing at this location), the environmental standards of the houses, whether the attenuation ponds could also act as a feature in the landscape, the sufficiency of the employment land and whether the design of the employment area had given sufficient consideration to current market needs and trends.

The Committee then noted the comments of a number of people who wished to make representations about the proposals.

The representative of Crewkerne Town Council, Mr. S. Andrew, commented that they had been studying and consulting on this project for around 15 years and their decision to support it

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had not come lightly. He referred to the value of the link road which he felt would not be provided in any other way. He also referred to the extension of the industrial estate and to the new housing, especially the affordable housing element. It was not felt that the impact on the landscape or the environment would be nearly as bad as people thought. He informed the Committee that the Town Council recommended approval of the application subject to a number of conditions, details of which he outlined and had been included in the appendices to the agenda report. He indicated that the 35% affordable housing element was fairly important to aim for.

The Committee then noted the comments of Mr. N. Fleetwood (representing Wadham Park Residents Association), Mr. H. Best (representing the Campaign to Protect Rural England), Mr. A. Luke, Mr. T. Aldridge, Mr. D. Holmes and Mr. M. Pakes in objection to the proposals. Views expressed included the following:-

- concerns were expressed about increases in the flow of traffic along Ashlands Road as a result of this development. Reference was made to congestion, pollution, vibration and noise caused by additional traffic including heavy goods vehicles which, it was felt, would be detrimental to the amenities of residents. It was questioned whether the foundations of Ashlands Road could take the weight of some of the heavier goods vehicles and concern was expressed about the ability of those vehicles to brake sufficiently on the gradient of the road. Heavy commercial traffic would also be routed past Wadham Community School causing safety problems;
- if this scheme was to go ahead it was felt that the “Longstrings” link road should be provided;
- the proposed 525 dwellings was too many and the existing infrastructure would not be able to cope with the increase. The infrastructure must be improved if this number of properties were to be accommodated. It was suggested that demand for facilities would be increased by around 30%;
- the proposed new link road would go through a residential development and past a new primary school resulting in similar problems to those in Ashlands Road;
- too many dwellings at too low a density together with low proportion of affordable housing. It was suggested that there should be fewer dwellings but at a higher density thereby saving good agricultural land. It was felt that the current proposal was contrary to planning policy guidance in that respect;
- if the application was approved, the design of the road should be looked at carefully bearing in mind the geology of the land in the valley bottom. The house design should be one of high sustainability;
- reference was made to the proximity of the sewage works and to odour problems especially bearing in mind the prevailing wind;
- play areas would need to be placed wisely to minimise disturbance to residents;
- principal concern is the affordable housing element. This element was considered to be most important and it was commented that the Council should insist on the applicant providing 35% of affordable housing.

Mr. S. Sprent, a supporter of the application and a member of Crewkerne Civic Society, commented that the development was welcomed. It was considered to be a bold and

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interesting addition to the fabric of the town that would support traders and other activities. A link road would also be provided from the industrial estate to the A356 and new housing would be provided for the town. He indicated that it was important for affordable homes to be provided and allocated to local people in need of housing.

Mr. P. Durnford from the Crewkerne Civic Society referred to the necessity for the phasing of the link road in relation to the construction of the dwellings to be strictly adhered to. He also spoke in support of space being found for a hall suitable for cultural and artistic events. He questioned whether a stream at the site was a hazard or whether it could be used as an opportunity to provide an amenity feature.

In response to comments made by members of the public, the Planning Team Leader and representative of the Highway Authority gave further explanations with regard to the details of the proposals in order to answer the issues raised.

The applicant's representative, Mr. P. Garber, commented that he had been in negotiation with the Council's officers regarding the proposed development. He referred to the proposal celebrating the site context and its distinctive character with its strong landscape and topographical features, wildlife and biodiversity. He referred to a scheme of quality, excellence and innovation. He indicated that the design team had worked with the Prince's Foundation for the Built Environment and that the proposals had evolved through the Enquiry by Design process and therefore had regard to the views of stakeholders and the community. He referred to an exemplar approach having been used in bringing the proposals forward and mentioned that what was proposed would be able to be delivered. In referring to the details of the proposals, he mentioned that the ecology issues raised by Natural England had been addressed and that the proposed Dormice crossing had been submitted by the applicants. He mentioned that the applicants took all conservation issues seriously and that they had worked closely with professional organisations and officers. Planting was to be provided in strategic locations so that it developed as construction proceeded. He referred to the Greenfield Directive not being unique to this application and in terms of sustainability he indicated that good eco-homes would be provided. He gave a summary of the contributions to be made to education facilities. With reference to play areas, he commented that they were fundamental to the development and to their being provided in appropriate locations. Reference was made to a community hall being linked to the proposed school. A GPs surgery would be provided and the employment site had been designed to facilitate maximum flexibility. In summary he commented that in submitting this application the applicants were trying to provide an exemplar development.

Cllr. Angie Singleton, one of the ward members, referred to the South Somerset Local Plan having been adopted and to the Crewkerne Key Site being an important element in that Plan. She mentioned that Crewkerne was the third largest settlement in South Somerset and to it already having been accepted that it was an appropriate location for a mixed development of this size. She also mentioned that the site's location was suitable because of its relationship with the town centre and associated services, the links to the existing industrial estate and to the railway station. In referring to the Section 106 Agreement which, amongst others, ward members would be a party to, she commented that although, as referred to in the agenda report, it would not be helpful to any party at this stage to insist on any conditions that were inflexible and rigid, she was of the view that there were points that needed to be made clear. She referred to the Local Plan requiring 35% affordable housing on a development of this size and mentioned that any reduction of that figure could only be agreed if there was clear and robust evidence proving that the site would not be viable. She was of the view that the Section 106 Agreement should allow for a renegotiation of the finally agreed figure should circumstances change, for example, if a Housing Corporation grant was secured. She also felt that it was essential that the employment land was brought forward at the same time as the

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housing development and reiterated the importance of the link road between the A30 and A356 together with the link road between that new road and Blacknell Lane being provided in its entirety on the completion of 200 dwellings or four years after occupation of the first dwelling, whichever was the earliest. She also commented that serviced land should be made available on a firm programme of phasing. She was of the view that those elements together with the highway safety measures and the provision of the green bridge for Dormice were non-negotiable. She emphasised that Dormice were a protected species and that if English Nature were not satisfied with the provisions being made the necessary licence would not be granted and the application would fail. Cllr. Singleton further referred to the Design Code that resulted from the Enquiry by Design event and involved extensive consultation with input from statutory and community organisations. She indicated that the code was well received and supported when presented to the community at a public meeting. She felt, therefore, that the Design Code must be a fundamental part of the permission and adhered to by any future developer. On the basis of the officer's assurance that the points that she had raised were encompassed within the recommendations to permit the application set out in the agenda, she proposed that the recommendations be adopted together with the additional amendments made by the Planning Team Leader at this meeting.

Cllr. Geoff Clarke, another ward member, commented that he had little to add. He mentioned that perhaps some measures could be provided with regard to points raised about heavy goods vehicles negotiating the gradient in Ashlands Road. He referred to wanting a mixed development of good quality not dominated by one class or another. He commented that the design had benefited from the input of the Prince's Foundation and that the development was a unique opportunity of which Crewkerne could be proud. He believed that the proposals should be supported and that they would determine the future of Crewkerne. He was of the view, however, that the provision of the affordable housing element was important and that he was determined that 35% should be achieved.

Cllr. Mike Best, also a ward member, indicated that he fully supported the application. He commented that the town centre had been rejuvenated by the proposals for a major supermarket and that the key site proposal would have a positive effect on the town.

Other members also indicated their support for the proposals. The importance of the affordable housing element was, however, referred to with members supporting the view that the Council should try to achieve the objective set out in the Local Plan of 35% affordable housing.

Other more general comments by members were noted. Reference was made to there being little reference to contributions towards secondary education. With regard to the provision of facilities for young people it was suggested that they be consulted on that issue.

Comment was expressed that a footbridge over the A30 may be a safer crossing than one at ground level. The Chairman commented that she understood that given the topography of the site it was not possible to accommodate a bridge that would be suitable for the disabled and safe for children at high level.

The Committee indicated its approval of the application. The importance of trying to achieve the 35% affordable housing element was, however, reiterated.

**RESOLVED:** that planning permission be granted in accordance with the application form and location plan submitted on 5th May 2005, the Architectural and Design Code received on 27th January 2006 and the revised Master Plan site layout (yet to be received) subject to:-



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- (a) the application being referred to the Secretary of State under the Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000;
- (b) the satisfactory receipt of the revised Master Plan site layout, the withdrawal of the objection submitted by Natural England with regard to protected species and of the objection from the Environment Agency;
- (c) in the event that the Secretary of State does not wish to intervene, the following matters including the applicant entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and the formulation of conditions for inclusion in any permission be delegated to the Head of Development and Building Control in consultation with the relevant portfolio holders, Chairman of the Area West Committee and ward members;
- (d) the Section 106 agreement including terms relating to the phasing of the development and the payment of contributions to cover the elements set out in the agenda report specifically relating to:-
  - highway infrastructure, both on site and off site works;
  - public open space and play facilities, and future management;
  - education facilities;
  - public transport and travel plan and a management plan for cycleways and footpaths;
  - an appropriate level of affordable housing;
  - strategic landscaping and future management;
  - strategic drainage and future management;
  - ecological mitigation measures and green bridge provision.

(9 in favour, 0 against).

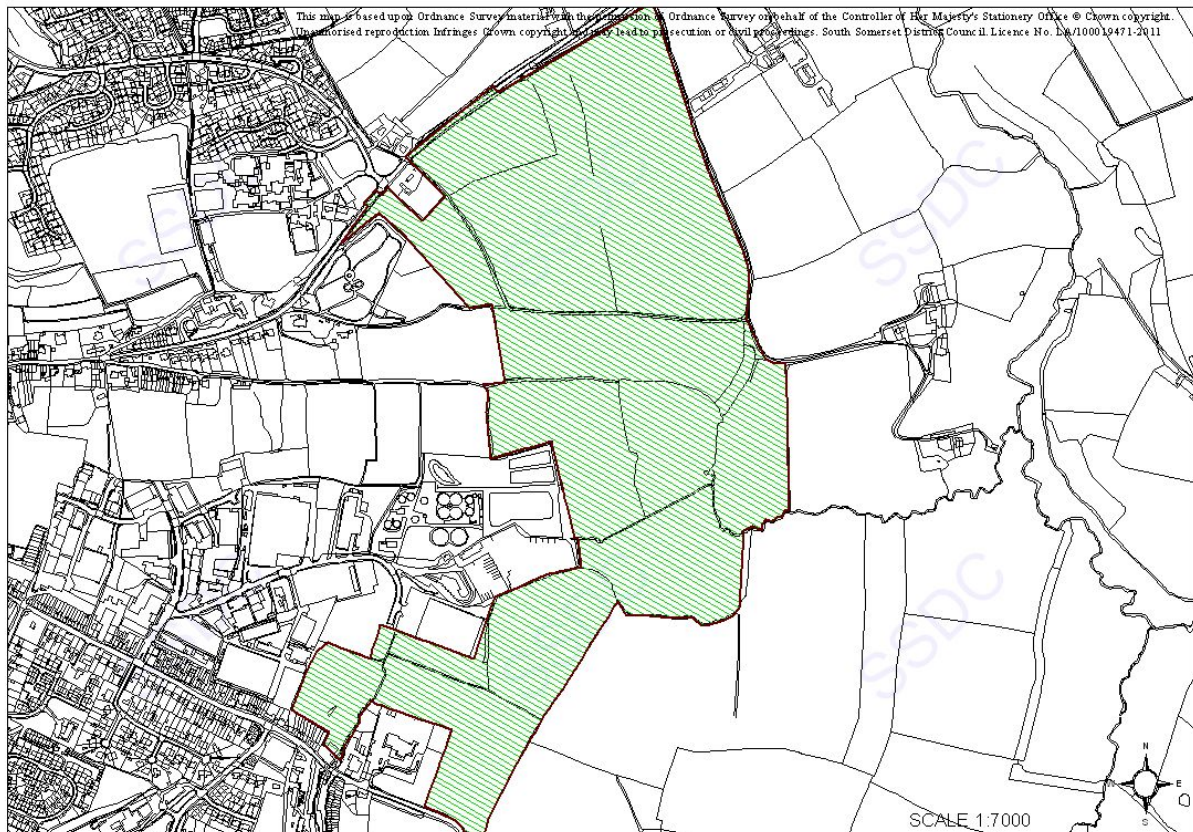
*(Stephen Belli, Planning Team Leader – Holyrood – (01935) 462464)*  
*(stephen.belli@southsomerset.gov.uk)*

## Appendix A – Previous Officer report considered at Area West Committee Meeting – 19th January 2011

### Supplemental Report in Relation to Planning Application: 05/00661/OUT

**Strategic Director:** Rina Singh (Place and Performance)  
**Assistant Director:** Martin Woods (Economy)  
**Service Manager:** David Norris, Development Manager  
**Lead Officer:** Adrian Noon, Area Lead North/East  
**Contact Details:** adrian.noon@southsomerset.gov.uk or 01935 462370

<b>Proposal :</b>	Comprehensive mixed use development for 525 dwellings, employment (B1, B2, B8) primary school, community facilities, playing fields, parkland, P.O.S. structural landscaping and associated infrastructure including link road and highway improvements. GR (345354/109767)
<b>Site Address:</b>	Crewkerne Key Site – Land East of Crewkerne Between A30 (Yeovil Road) And A356 (Dorchester Road)
<b>Parish:</b>	Crewkerne
<b>CREWKERNE TOWN Ward Members</b>	Mr G S Clarke (Cllr) M Best (Cllr) Ms A M Singleton (Cllr)
<b>Recommending Case Officer:</b>	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
<b>Target date:</b>	4th August 2005
<b>Applicant:</b>	Taylor Wimpey UK Ltd
<b>Agent:</b>	Origin3
<b>Application Type:</b>	Major Other f/space 1,000 sq.m or 1 ha+



## **Appendix A – Previous Officer report considered at Area West Committee Meeting – 19th January 2011**

### **Purpose of the Report**

To update members on the progress of the planning application for the development of the Keysite at Crewkerne, known as the CLR site and to seek support for the conclusion of the negotiation of planning obligations prior to the formal determination of the application at a later date.

It is not the purpose of this report to set out the basis for the determination of this application nor is it intended to invite members to review the detail or impact of the development, the supporting information, detailed on site proposals (such as the Masterplan, the dormouse bridge or road layout) or the previous resolution to approve the application. It is simply to provide an opportunity for members, who have previously provided input, to steer officers in the negotiation of the final package of planning obligations. The report will lay out the current offer; identify the areas to be resolved; set out a recommended way forward and, on a without prejudice basis, seek members support to continue negotiations to finalise the details of the section 106 agreement that would deliver the obligations.

This would give both officers and the applicant clarity as to the Council's expectations for this important development in Crewkerne. Subsequently the application would be referred back to Area West Committee with a detailed report for formal determination when members will be able to consider all relevant issues, including whether there have been any material changes to circumstance, the supporting information, detailed on site proposals, including the Masterplan, the dormouse bridge and road layout, and conditions. At that stage the detail of the obligations would be formally considered.

### **Recommendations**

- (1) That members note the progress to date;
- (2) that members confirm their support for the position officers propose to take in relation to the outstanding matters.

### **Background**

At a special meeting of the Area West Committee on 1 November 2006 members unanimously resolved that application 05/00661/OUT be approved subject to:-

- referral to the Secretary of State
- the resolution of objections raised by the Environment Agency and Natural England and the submission of a revised Masterplan
- the agreement of planning obligations under a Section 106 Agreement

with the S106 agreement and conditions to be “delegated to the Head of Development and Building Control in consultation with the relevant portfolio holders, Chairman of the Area West Committee and ward members”.

The application was referred to the Secretary of State who raised no objection to the approval of this application. The revised Masterplan was received and accords with officers' expectations and the Environment Agency's objections have been addressed in line with the officer's report to Committee. Conditions have been agreed in principle between officers and the applicant.

## **Appendix A – Previous Officer report considered at Area West Committee Meeting – 19th January 2011**

Unfortunately there have been substantial delays in resolving Natural England's objections with regard to the impact on dormice and in agreeing the package of obligations. However, following input from the Council's ecologist, Natural England and the District Valuer substantial progress has now been made with the applicant providing a detailed dormouse mitigation strategy that includes a 'dormouse bridge' over the new link road. A detailed package of planning obligations has been tabled, which generally reflects the current viability of the scheme as agreed by the District Valuer.

The dormouse mitigation measures are acceptable to Natural England and the Council's ecologist and the planning obligations have been subject to detailed discussions, including a member's workshop and a meeting convened under the Council's Planning Obligations Protocol. These discussions have guided negotiations to date and have resulted in the applicants revising their offer to reflect the priorities identified.

### **The Current Situation**

With the dormouse mitigation measures now agreed and a revised package of planning obligations offered, the outstanding issues solely relate to the detail of the obligations and the mechanism for review.

The current offer reflects the District Valuer's advice that, in the current market, the development, including the provision of the link road, the school site, landscaped areas and employment land (as per allocation KS/CREW/1 in the local plan) is only viable with 17.5% affordable houses (all for rent) and c. £8.6m towards planning obligations. Included within this figure is an allowance for an enhanced use of natural stone to meet the findings of the Enquiry by Design conducted at the allocation stage.

The original expectation was for 35% affordable houses and c. £15.3m for planning obligations. Whilst the reductions are disappointing, the advice of the District Valuer cannot reasonably be ignored; he does however urge that the Council seek to agree 'overage' clauses in the Section 106 agreement to enable future review of later phases on the development in light of prevailing market conditions.

## Appendix A – Previous Officer report considered at Area West Committee Meeting – 19th January 2011

The following table, which is provided for information, sets out the current offer against the initially requested obligations. Its inclusion is to inform members of the progress of negotiations, and it is not intended that members seek to debate the detail.

	S.106 contributions originally sought	Initial S106 offer (as considered by the DV)	Current S106 offer
<b>Affordable Housing</b>	35%	17.5%	17.5%*(1)
<b>Highways Contributions</b>			
Town Centre Improvement	£ 100,000		
Public Transport/ Travel plans	£ 375,624		£ 300,000
Off site Traffic Calming	£ 335,624	£ 335,624	£ 335,624
<b>Education*(2)</b>			
First School Contribution	£ 919,275		£ 2,000,000*(3)
2 temporary classrooms @ £120,000	£ 240,000		
Pre-school provision Contribution	£ 196,112		
Middle School Contribution	£ 921,780		
College Contribution	£ 1,071,202		
<b>On-site Leisure/Recreation Contributions</b>			
On-site LEAP & NEAP	£ 182,702	£ 182,702	£ 182,702
Community Hall Contribution	£ 1,000,000		
Strategic Landscaping/Woodland Planting	£ 120,000		
Committed sums to above	£ 400,000		
POS/woodland planting as per Masterplan	£ 2,150,000	£ 2,150,000	£ 950,000*(4)
Committed sum	£ 527,000	£ 527,000	
Works/Landscaping at site entrance			£ 550,744*(5)
<b>Off-site Leisure/Recreation Contributions</b>			
Playing Pitches	£ 265,000		£ 260,000
Floodlights	£ 40,000		
Changing Rooms	£ 599,333		
Skate Park	£ 97,000		
Swimming Pools	£ 133,354		
Sports Hall	£ 252,934		
<b>Other Contributions</b>			
School site set up costs	£ 210,467	£ 210,467	£ 210,467
Ecology - Dormice Mitigation	£ 462,134	£ 491,095	£ 491,095
Ecology - Badger protection works	£ 35,000	£ 35,000	£ 35,000
Use of Natural Stone	£ 4,683,000*(6)	£ 4,683,000*(6)	£ 2,740,500*(7)
<b>TOTAL</b>	<b>£ 15,317,541</b>	<b>£ 8,614,888</b>	<b>£ 8,056,132</b>

\*(1) 17.5% to be averaged across the development with 15% in the 1st phase (200 houses) and 19% over second phase (325 houses).



## **Appendix A – Previous Officer report considered at Area West Committee Meeting – 19th January 2011**

- \*(2) Updated figures provided by SCC, 23/07/10
- \*(3) As agreed by SCC and to be designed to facilitate dual use of hall for community use
- \*(4) As agreed with Landscape Architect
- \*(5) Applicants advise that this was originally included in the £2.15m for Strategic Landscaping/Woodland Planting
- \*(6) Cost originally attributed by applicant and included in Build Costs considered by the DV
- \*(7) Reflects reduced use of natural stone following discussions with conservation manager

To address comments offered at the member's workshop and the planning obligations meeting the package of obligations has been 'balanced' by a review of the level of use of natural stone and the landscape planting. This has released £2,591,756, which has been reallocated to education (£2.0m), public transport/travel plans (£300k) and off-site leisure/recreation facilities (£260k). There is however a shortfall of £558,756 compared to the initial offer considered by the District Valuer when formulating his opinion that the scheme is viable with 17.5% affordable housing with £8.6m towards mitigation measures.

The developer has withdrawn the £527,000 initially offered as a commuted sum towards the maintenance of the public open space/woodland planting, which would be maintained by a management company along with all other open space areas (the LEAP and NEAP, the strategic planting, the attenuation areas and the dormouse bridge) for which no commuted sum has been advanced.

### **Areas to be Resolved**

- The shortfall in planning obligations of £558,756 is attributable to the withdrawal of the £527,000 (commuted sum) and £31,756, which appears to be missing from the equation. Given the District Valuer's advice this must be accounted for. The applicant contends that the £527,000 would be used as 'seed' money to prime the management company, however no evidence has been provided to demonstrate that this would be necessary. The missing £31,756 needs to be accounted for.
- Members have indicated that the £100,000 initially sought for town centre improvements is vital. This needs to be provided for.
- The landscape architect has advised the applicant's agents that their costings for the POS/woodland planting should allow for works to existing hedges/trees. A modest sum in the region of £50,000 is suggested.
- The £550,744 for works at the site entrance (off the A30) has only recently been separated out of the POS/Woodland planting budget, whilst it may be reasonable it has not been scrutinised.
- The allowance for £2,740,500 for use of natural stone has not been assessed against the recommendations of the Enquiry by Design. The conservation manager is of the opinion that there may be scope for a further reduction in its use whilst still complying with the Enquiry.
- Whilst the proposed dormouse bridge would ensure that the 'favourable conservation status' of this European protected species would be maintained, the

## **Appendix A – Previous Officer report considered at Area West Committee Meeting – 19th January 2011**

fact remains that the dormouse population that would be affected has not, despite repeated requests by officers, been surveyed. The applicants maintain that there are fundamental difficulties with this, as the land in question (to the west of the site) is in third party ownership and not therefore in the control of the applicant. It has been indicated that they would be willing to make best endeavours to survey the land and devise an alternative strategy if appropriate. Any savings would be used to enhance other obligations.

- The mechanism for review needs to be agreed. The applicants have indicated that two future review points would be acceptable to them, firstly upon submission of the reserved matters for the second phase and secondly three years after the approval of the second phase. Should the entire development be completed within this timescale, this would be acceptable. However it is considered reasonable to assume 525 houses would be built over at least a 5-10 year time scale, if not longer. A more robust review framework is therefore considered necessary.
- The allocation of this site includes the requirement for a connection to be made between the new link road and Blacknell Lane prior to the occupation of the 200<sup>th</sup> house or within 4 years of commencement. The applicants point out that that this would be funded by the development of the employment land for which there is little current demand in Crewkerne and the provision of this should be tied to the phasing of this part of the site.

This position is not considered unreasonable and it is pointed out that the applicants accept the need to provide the link road prior to the occupation of the 200<sup>th</sup> house or within 4 years of commencement. This would enable commercial traffic to avoid the town centre.

### **Suggested Course of Action**

- (1) That the shortfall of £558,756 be clarified and any recovered money be allocated to works to existing hedges/trees as part of the POS/woodland planting (£50,000) and any excess be used to uplift the off-site leisure/recreation contribution.
- (2) That £100,000 of the £300,000 proposed for public transport/travel plans be identified for town centre improvements as originally requested.
- (3) That the £550,744 for works at the site entrance be clarified to the satisfaction of the landscape architect and any money recovered be used to uplift the off-site leisure/recreation contribution.
- (4) That the applicant be asked to further clarify the detail of the proposed management regime.
- (5) That the level of use of natural stone be examined by the conservation manager in light of the recommendations of the Enquiry by Design. Any further savings to be used to uplift the off-site leisure/recreation contribution.
- (6) That the applicant be urged to agree to make best endeavours to survey the affected dormouse population prior to the commencement of development. If an alternative strategy is appropriate any savings to be recycled to other obligations which have been reduced.

## **Appendix A – Previous Officer report considered at Area West Committee Meeting – 19th January 2011**

- (7) That officers negotiate a review mechanism, to be secured by S.106 agreement, based on a three yearly review from occupation of the 200<sup>th</sup> house.
- (8) That officers agree a phasing plan of the employment area that specifies the timing of the Blacknell Lane link.

**Background Papers:** *Planning Application file 05/00661/OUT*

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## **Appendix A – Extract from Minutes of the Area West Committee Meeting – 19th January 2011**

### **111. Supplemental Report in Relation to Planning Application: 05/00661/OUT (Agenda item 12)**

The Area Lead North/East summarised the agenda report, which updated members on the progress of the planning application for the development of the key site at Crewkerne and sought support for the conclusion of the negotiation of planning obligations prior to the formal determination of the application at a later date. It was noted that the report provided an opportunity for members to guide officers in the negotiation of the final package of planning obligations. The report set out the current offer, identified the areas to be resolved, set out a recommended way forward and, on a without prejudice basis, sought members' support to continue negotiations to finalise the details of the Section 106 Agreement that would deliver the obligations. It was noted that subsequently the application would be referred back to the Committee with a detailed report for formal determination of all relevant issues.

The Area Lead North/East explained the areas to be resolved and the suggested course of action, details of which were set out in the agenda report. He also indicated that he wished to amend point 7 regarding the negotiation of a review mechanism, which he suggested should be based on a three yearly review from occupation of the 200th house or four years from the occupation of the first house, whichever was the sooner.

The Committee then noted the comments of Mr. H. Best, representing the Council to Protect Rural England (CPRE). He referred to the CPRE never being enthusiastic about the site but accepted that it was in the Local Plan. He compared, however, the earlier planning obligations relating to the site with those now being put forward and commented that it was clear that the developer could not match those elements offered previously. He also felt that there was doubt about the level of sustainability to which the housing should be built. He further commented that it was not known whether dormice existed on the site and could not understand why the developer did not carry out a survey. He felt that a smaller development of better quality and sustainability with more affordable housing should be looked at.

Mr. D. Holmes, who had also submitted representations about the application, referred to the dormouse bridge and questioned whether the foraging areas would remain green in future. He also questioned whether a short tunnel for traffic had been considered, whether the dormice would survive the disturbance created by the development and whether they could be translocated to another area. He also expressed concern about the possibility of people being able to drop things from the bridge.

The Area Lead North/East in responding to comments made referred to the policy expectation of 35% affordable housing and to there always having been a certain amount of doubt as to whether that would be realised in this case. He mentioned, however, that the rental component, which was most needed had been retained. He also referred to the need for substantial development to enable the provision of the link road. He further indicated that the latest Government Direction meant that Building Control, rather than Planning, dealt with the sustainability issues with regard to the housing provision. The Area Lead North/East in referring to comments about dormice mentioned that a tunnel for traffic would be expensive and translocation of the dormice was not supported by the Ecologist. He also indicated that the dormouse bridge had been designed so that people could not get onto it. In referring to the compatibility of dormice with this form of development, he reported that evidence had shown that they were not bothered particularly as long as there was no lighting.

Members considered the areas to be resolved and course of action to be taken in the negotiations to finalise the details of the Section 106 Agreement that would deliver the

## **Appendix A – Extract from Minutes of the Area West Committee Meeting – 19th January 2011**

planning obligations, during which the Development Manager and Area Lead North/East answered members' questions on points of detail. The following points were particularly discussed:-

- reference was made to the highway contributions and the Committee concurred with the comments of a member who suggested that rather than separating the financial contributions between the individual elements (i.e. town centre improvements, public transport/travel plans and off-site traffic calming), a total sum be sought for all the off-site highway contributions;
- in response to a question, the Area Lead North/East reported that the proposed management company would be responsible for the maintenance of the dormouse bridge. A member expressed a number of comments and concerns about how the management company would be set up and operated including, amongst other things, who would be involved, it being suggested that the Town Council should have some form of involvement; the need for Articles of Association; how directors would be appointed; how householders would be charged; what areas would be included within the management company's responsibility and how much money would be needed to set up the management company etc. Reference was also made to it being desirable to have a formal title for the site to give focus for the community. The Area Lead North/East indicated that the issues around the setting up of the management company would be raised with the developer and he hoped to have more details with regard to heads of terms when he next reported to the Committee. Members agreed that more work was needed on this aspect;
- discussion took place on the provisions to be made for dormice and it was commented that the applicant should be required, rather than urged to agree to make best endeavours, to survey the affected dormouse population as an alternative strategy may become available depending on the results of such a survey;
- reference was made to the review mechanism to be applied to the planning obligations and discussion ensued with regard to the most appropriate review period in order to take into account later phases of the development that may take place in a more favourable economic climate. Having given consideration to this matter, members agreed that officers should negotiate a review mechanism based on a three yearly review from the occupation of the first dwelling and every three years or shorter period thereafter;
- the Committee concurred with the comments of a member who, although content to accept 17.5% affordable housing in the current economic circumstances, felt that provision should be made in the Section 106 Agreement to ensure that an uplift in the affordable housing requirement to 35% could be realised if the economic situation improved;
- the reasons for two entrances to the Blacknell Lane employment area was questioned and, if there were only one, whether that would save money and enable the connecting road to the proposed A30/A358 link road to be provided. Members felt that there should be some work done on costings for the Blacknell Lane link. The Area Lead North/East indicated that the cost of the whole connecting road had not been factored in and given the economics of the site the developers would wait for an interested party to come along to provide that element. Comment was expressed that there must be a way that the link could be phased having regard to its cost. The Committee indicated its support for officers to agree a phasing plan of



## **Appendix A – Extract from Minutes of the Area West Committee Meeting – 19th January 2011**

the employment area that specified the timing of the Blacknell Lane link in light of the cost of that link.

- RESOLVED:** (1) that the progress to date be noted;
- (2) that the following course of action be taken in relation to the outstanding matters:-
- (i) that the shortfall of £558,756 be clarified and any recovered money be allocated to works to existing hedges/trees as part of the public open space/woodland planting (£50,000) and any excess be used to uplift the off-site leisure/recreation contribution;
  - (ii) that £635,624 be sought for off-site highways contributions to include town centre improvements, public transport/travel plans and off-site traffic calming;
  - (iii) that the £550,744 for works at the site entrance be clarified to the satisfaction of the landscape architect and any money recovered be used to uplift the off-site leisure/recreation contribution;
  - (iv) that the applicant be asked to further clarify the details of all aspects of the proposed management regime;
  - (v) that the level of use of natural stone be examined by the conservation manager in light of the recommendations of the Enquiry by Design. Any further savings to be used to uplift the off-site leisure/recreation contributions;
  - (vi) that the applicant be required to survey the affected dormouse population prior to the commencement of development, subject to the agreement of the relevant landowner. If an alternative strategy is appropriate any savings to be recycled to other obligations, which have been reduced;
  - (vii) that officers negotiate a review mechanism, to be secured by Section 106 Agreement, based on a three yearly review from occupation of the first dwelling and every three years or shorter period thereafter;
  - (viii) although content to accept 17.5% affordable housing in the current circumstances, provision be made in the Section 106 Agreement to ensure that an uplift in the affordable housing requirement to 35% can be realised if the economic situation improves;
  - (ix) that officers agree a phasing plan of the employment area that specifies the timing of the Blacknell Lane link in light of the cost of that link.

(Resolution passed without dissent)

*(Adrian Noon, Area Lead North/East – 01935 462370)  
(adrian.noon@southsomerset.gov.uk)*

## **APPENDIX B**

### **DETAILED CONSULTEE RESPONSES**

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**From:** Bull, Richard [mailto:richard.bull@environment-agency.gov.uk]  
**Sent:** 02 December 2011 16:47  
**To:** planning  
**Cc:** Adrian Noon; harry@origin3.co.uk  
**Subject:** 05/00661/OUT - WX/2005/007189

Customer Services (Planning) West  
South Somerset District Council  
The Council Offices  
Brympton Way  
Yeovil  
Somerset  
BA20 2HT

**Our ref:** WX/2005/007189/03-L01  
**Your ref:** 05/00661/OUT  
**Date:** 02 December 2011

Dear Sir/Madam

**COMPREHENSIVE MIXED USE DEVELOPMENT FOR 525 DWELLINGS, EMPLOYMENT (B1, B2, B8) PRIMARY SCHOOL, COMMUNITY FACILITIES, PLAYING FIELDS, PARKLAND, P.O.S, STRUCTURAL LANDSCAPING AND ASSOCIATED INFRASTRUCTURE INCLUDING LINK ROAD AND HIGHWAY IMPROVEMENTS AT CREWKERNE KEY SITE 1, LAND EAST OF CREWKERNE BETWEEN A30 AND A356 YEOVIL ROAD, CREWKERNE - ENVIRONMENTAL IMPACT ASSESSMENT**

Thank you for referring the above application, which was received on 14 November 2011.

The Environment Agency has no objections to the proposed development but wishes to make the following comments.

We have reviewed the updated Flood Risk Assessment (FRA) Supplementary Statement (FRASS) included with this application dated October 2011.

The Local Planning Authority (LPA) should satisfy themselves that the Sequential and Exceptions Tests have been applied and passed according to the guidance provided in Planning Policy Statement (PPS) 25.

We are satisfied that the site has been considered sequentially in respect to flood risk and in accordance with PPS25. Development has only been proposed within Flood Zone 1 the low risk zone, except for the proposed link road from the A30 to the A356 and possibly a small section at the very north of the employment development in the south of the site.

Since the previous FRA's there has also been the publication of your councils Strategic Flood Risk Assessment (SFRA). The SFRA classifies the area of Flood Zone 3 which falls within this site as Flood Zone 3b Functional Flood Plain. It is therefore vital to ensure that all development is kept out of this area.

The proposal of a link road which travels through Flood Zone 3b could be classed in PPS25 as 'essential infrastructure' (Table D.2 Annex D PPS25). PPS25 requires an

exceptions test to be undertaken and the council should satisfy themselves that, should this link be necessary, it is proposed in the correct location, considering the flood risk.

Section 3.2 of the FRASS lists other sources of flooding. The SFRA highlights Crewkerne as a location which suffers from surface water flooding, and this does not appear to have been picked up in the FRASS. However, we have addressed this in our suggested conditions below.

Section 3.3 confirms that the residential, school, retail area and employment area are located in Flood Zone 1. As stated above, the employment area looks like it just creeps into the Flood Zone 3b outline. It would be useful to have a development plan superimposed onto the flood map (now and with climate change) to ensure all development can be kept out of the Flood Zone 3b area. This could be submitted to satisfy the first condition suggested below.

Therefore conditions which meet the following requirements should be included within the Decision Notice:

**CONDITION:**

There shall be no development, except that associated with the link road, within that part of the site liable to flood as shown 1 in 100 year plus climate change floodplain shown in South Somerset District Council's Strategic Flood Risk Assessment drawing Tile Set 3, Tile C.

**REASON:**

To ensure that there will be no risk of flooding to people or property.

**CONDITION:**

No development approved by this permission shall be commenced until a surface water run-off limitation scheme (master plan and phased plans) has been submitted to and approved in writing by the LPA. The scheme must be in accordance with run off limitations proposed in the FRA-Supplementary Statement dated November 2011 by Phoenix Design Partnership Limited. The scheme shall:

- identify details of attenuation features,
- identify future ownership, operation and maintenance liability of all drainage infrastructure works,
- confirm connections to the public/private drainage system,
- detail proposed local SuDs,
- provide details on mitigation from any existing surface water flood risk including risk from the existing culvert under station road,
- flow routes through the site from exceedance or failure,
- provide details of proposed planting scheme(if any),
- be implemented in accordance with the approved programme and details.

**REASON:**

To prevent the increased risk of flooding and to provide satisfactory drainage for the development.

CONDITION:

No development approved by this permission shall be commenced until details of the existing and proposed finished ground and floor levels have been submitted to and approved in writing by the LPA.

REASON:

To ensure that the development is subject to the minimum risk of flooding.

NOTE:

Floor levels should be based on fluvial and surface water flood risk.

CONDITION:

There must be no new buildings, structures or raised ground levels within:

- a) 8.0 metres of the top of any bank of watercourses, and/or
- b) 8.0 metres of any side of an existing culverted watercourse, inside or along the boundary of the site, unless agreed otherwise in writing by the LPA.

REASON:

To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows.

CONDITION:

No development approved by this permission shall be commenced until such time as engineering and hydraulic analysis details of the proposed highway link road crossing of the Viney Brook watercourse have been submitted to and approved by the LPA. The scheme must:

- include flood depths and extents for all events up to and including the 1 in 100 plus climate change.
- Clear indication on the impact on surrounding area.
- Be implemented in accordance with the approved programme and details.

REASON:

To ensure that the link road is not put at flood risk, nor increases flood risk to adjacent third party land upstream of the crossing.

CONDITION:

No development approved by this permission shall be commenced until a scheme for the provision and implementation of compensatory flood storage works has been submitted to and approved in writing by the LPA. The scheme shall be implemented in accordance with the approved programme and details.

REASON:

To alleviate the increased risk of flooding.



NOTE:

Flood water storage compensation is required for any land raising or structures within the flood plain in the 1 in 100 year plus climate change scenario.

CONDITION:

There shall be no temporary or permanent storage of any materials, including soil, within that part of the site liable to flood as shown 1 in 100 year plus climate change floodplain shown in South Somerset District Council's Strategic Flood Risk Assessment drawing Tile Set 3, Tile C.

REASON:

To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

CONDITION:

Flood warning notices shall be erected in the public open space in numbers, positions and with wording all to be agreed with the LPA. The notices shall be kept legible and clear of obstruction.

REASON:

To ensure that users of the land are aware that the land is at risk of flooding.

CONDITION:

The culvert carrying the Viney Brook under the proposed new link road should be designed to allow passage for otters on both banks. Any ledges or separate culverts should be set above high water levels but still have adequate headroom. Guide fencing should be provided where necessary. Dimensions and headroom should follow the guidance given in the Design Manual for Roads and Bridges (Nature Conservation Advice in Relation to Otters).

REASON:

Otters are believed to now occupy nearly all available territory in Somerset. One of the biggest causes of mortality is road traffic accidents especially during periods of high rainfall when routes under bridges are flooded or drowned and otters are tempted to run across roads.

NOTE:

Although the Natural Heritage report indicates in Para 7.6.15 that mammal underpasses would be incorporated in the bridge design with appropriate guide fencing, the cross section drawing of the culvert does not appear to show the passes.

CONDITION:

No development shall commence until an agreement has been established for the future maintenance and management of the proposed areas of open space including the watercourses.

REASON:

To ensure the long term management of the open space and water bodies.

CONDITION:

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the LPA), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the LPA:

- 1) A preliminary risk assessment which has identified:
  - all previous uses,
  - potential contaminants associated with those uses,
  - a conceptual model of the site indicating sources, pathways and receptors,
  - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the LPA. The scheme shall be implemented as approved.

REASON:

To protect controlled waters.

CONDITION:

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

REASON:

To protect controlled waters.

CONDITION:

No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been approved by the LPA. The scheme should include details of the following:

1. Site security.

2. Fuel oil storage, bunding, delivery and use.
  3. How both minor and major spillage will be dealt with.
  4. Containment of silt/soil contaminated run-off.
  5. Disposal of contaminated drainage, including water pumped from excavations.
  6. Site induction for workforce highlighting pollution prevention and awareness.
- Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

**REASON:**

To prevent pollution of the water environment.

**NOTE:**

Measures should be taken to prevent the runoff of any contaminated drainage during the construction phase.

Where conditions have been imposed on the advice of the Agency, details submitted in compliance with the conditions should be submitted to the Agency for comment, before the conditions are discharged.

The following informatives and recommendations should be included in the Decision Notice.

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 8.0 metres of the top of the bank of the River Parrett, designated a 'main river'. This will apply to the construction of any new surface water outfall from the residential site to the River Parrett.

Under the Water Resources Act 1991 and The Land Drainage Act 1991 both the Agency and LPA have permissive powers to maintain watercourses. Their jurisdiction depends on the watercourse designation as 'Main River' or 'Ordinary Watercourse'. However, responsibility for general maintenance of the watercourses and their banks, rest with riparian owners.

The proposal also includes watercourse crossing proposals, the details of which will require the prior formal consent of the Environment Agency under the terms of section 23 of the Land Drainage Act 1991.

Any culverting of a watercourse requires the prior written approval of the Agency under the terms of the Land Drainage Act 1991 or Water Resources Act 1991. The Agency resists culverting on conservation and other grounds, and consent for such works will not normally be granted except for access crossings.

In designing temporary works to facilitate or protect construction in watercourses or flood plain, the applicant/ developer should be aware that flood levels may rise as a result of cofferdams or bunding. Although the Agency's consent is normally required for such works, it is the applicant's responsibility if third party interests are detrimentally affected.

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

It is recommended that you consult with your Technical Services Department, as the Drainage Authority for 'ordinary watercourses', in order to establish that

- a) The development does not obstruct overland flood flow routes, or
- b) Additional surface water drainage from this site discharging to a watercourse, ditch or culvert (excluding statutory main rivers) will not cause or exacerbate flooding in these.

It is recommended that the developer investigate the use of Sustainable Drainage Systems (SuDs) for surface water drainage on this site, in order to reduce the rate of run-off and to reduce pollution risks. These techniques involve controlling the sources of increased surface water, and include:

- a) Interception and reuse
- b) Porous paving/surfaces
- c) Infiltration techniques
- d) Detention/attenuation
- e) Wetlands.

Areas of the public open space are considered to fall within the flood risk zone of the adjacent watercourse, and may be prone to flooding during more extreme conditions in the river.

Please be aware that an important opportunity exists to redirect a section of the Viney Brook that is currently culverted, into a new open channel at the edge of the proposed development. This would enhance the natural environment, and remove the inherent problems that are often associated with culverted watercourses.

There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

Any oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.

In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care. Further information can be found at <http://www.netregs-swmp.co.uk>

A copy of the subsequent decision notice would be appreciated.

We have sent a copy of this letter to the applicant's agent for information.

Please quote the Agency's reference on any future correspondence regarding this matter.

Yours faithfully

**RICHARD BULL**  
**Planning Liaison Officer**

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**From:** Tucker, Linda (NE) [mailto:Linda.Tucker@naturalengland.org.uk]  
**Sent:** 28 November 2011 17:58  
**To:** Adrian Noon  
**Cc:** Terry Franklin  
**Subject:** 05/00661/OUT: Crewkerne Key Site 1 Land East of Crewkerne

For Adrian Noon

copy to Terry Franklin

Dear Adrian

**Consultation on the Addendum to the Environmental Statement of 2005:  
05/00661/OUT: Crewkerne Key Site 1 Land East of Crewkerne**

Thank you for consulting Natural England on the Addendum Environmental Statement, your letter was received by Natural England on 14 November 2011. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We can offer the following comments on ecology. We have not commented on landscape as we defer to Robert Archer your landscape architect.

**Dormice**

We note that the site will be developed over a long period of time and under Article 12 of the Habitats Directive member states, of which this country is one, we are required to prohibit the deterioration and destruction of breeding sites and resting places for EPS. The Commission guidance makes it clear that 'deterioration' must be linked to an action (in this case isolating good quality hedgerows), which can take place over an extended period. The Article 12 guidance summarises this as: *'deterioration can be defined as physical degradation affecting a breeding site or resting place. In contrast to destruction, such degradation might also occur slowly and gradually reduce the functionality of the site or place'*.

The Commission Guidance also goes on to note that breeding sites and resting places are crucial to the life cycle of the animals and that the aim of the protection under the Directive is to safeguard the continued ecological functionality (CEF) of such places. Functionality in the case of the dormouse would mean trying to retain connectivity of dormouse habitat through the maintenance of hedgerows, scrub etc, to allow for an appropriate level of movement of the species for distribution across their habitat but also to maintain woodland, scrub, hedgerows etc for the purposes of breeding and nurturing young.

The installation of a dormouse green bridge over the Link Road is proposed which should ensure that connectivity for the dormice is maintained across the site and that no population fragmentation occurs. We understand that the land to the west has not been surveyed but has been assessed as being suitable habitat for dormice, NE agrees with that assessment. Although as NE's complex casework panel have indicated it would be better for surveys to have been undertaken of that land so the mitigation is appropriate for the impacts on the population and maintaining favourable conservation status (FSC) and continued CEF.

The previous surveys last undertaken in 2008 were not updated as we advised in our scoping letter of 11<sup>th</sup> July 2011 that 2-3 year old surveys should be updated. We accept that dormice are still on the site (one was found in 2011) but it is likely before an EPS licence can be granted by Natural England that more surveys will need to be



done. However, you should note that advice given by the Land Use Operations Team is not a guarantee that NE's licensing team will be able to issue a licence, since this will depend on the specific detail of the scheme submitted to them as part of the licence application. They will require a mitigation scheme that ensures no net loss of habitat, maintains habitat links and secures the long-term management of the site for the benefit of the European protected species. We will expect the consultants to ensure that the habitat quality can be improved as quickly as possible by promoting appropriate planting regimes, with a suitable mix of species.

### **Bats**

A bat roost was recorded within the tree in the north east of the site although the tree would not be directly affected by the proposed development, street lights could have an impact and we would expect mitigation in the form of a buffer to offset the impact. Foraging and commuting bats of light adverse species will also potentially be impacted upon by the new road. Natural England would support a lighting regime that is sympathetic to bats (and dormice) in the open space/green infrastructure area of the development. Somerset County Council Highways may be able to advise on such a scheme as they have done in another district to help ameliorate the impacts upon bats and dormice by a new road and associated development.

### **Badgers**

We note that the proposed development would sever two existing badger territories in the application site and the road would divide the main sett of the northern group from areas of their current territory including the subsidiary sett, adjacent to the cemetery. It is proposed that the dormouse green bridge will provide a safe crossing for badgers. As far as I am aware this has not been discussed with NE. Natural England's standing advice on badgers advises that a development that isolates a badger territory by surrounding it with roads or housing should be avoided as this can often result in problems such as increased road traffic collisions and badger damage to gardens and houses. Therefore, we accept that appropriate mitigation must be provided to avoid road traffic accidents.

### **Reptiles**

We are pleased to note that a reptile exclusion and translocation will be undertaken as a successor to the one carried out in 2008 to the North of the site.

### **Water voles**

We agree that prior to the construction of the bridge/culvert over the water course and drainage outlet, a precautionary survey of impacted reach of the stream including a 100m length upstream and downstream of the proposed Link Road (where accessible) would be undertaken to determine whether water vole are present as evidence of the species was found in 2008.

To conclude there is enough information for your council to determine this application, and we support the preparation of a Landscape and Ecological Management Strategy for the site.

If you have any questions please let me know.

Regards

Linda

Linda Tucker

Land Use Operations

Exeter Team

tel: 0300 060 1941

Mob: 07795 427702

## Conservation Consultation Response (Ecologist)

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To : Adrian Noon  
From : Terry Franklin, Ecologist  
Date : 30 November 2011

Application Ref : 05/00661/OUT – Crewkerne Key Site 1.

Subject : Wildlife issues and Habitats Regulations – concluding response.

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The addendum Environmental Statement (October 2011) chapter 7 provides updated wildlife survey information and assessment to address aspects that were either out of date or absent from earlier information. The additional information includes all that was requested via the EIA scoping opinion. I believe there is now sufficient information to allow determination of this application.

*I have no objections subject to wildlife mitigation and compensation measures being secured by conditions and a Section 106 agreement.*

### Relevant legislation and policy

- Conservation of Habitats and Species Regulations 2010 (a.k.a. 'Habitats Regulations') (European protected animal species)
- Wildlife and Countryside Act 1981 (as amended) (All protected animal species)
- The Protection of Badgers Act 1992
- The Natural Environment and Rural Communities Act 2006 (Section 40: 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 41 lists habitats and species of 'principal importance for the conservation of biodiversity'.)
- EIA Regulations 2011 (impacts to European Protected Species are considered a significant environmental effect)
- PPS9 (Biodiversity and Geological Conservation)
- ODPM Circular 06/2005 (Biodiversity and Geological Conservation)
- Local plan policy EC7 (Networks of natural habitats – hedges)
- Local plan policy EC8 (Protected species)

### Habitats Regulations 2010 and implications for decision making

The committee decision must take account<sup>1</sup> of the legislation applicable to dormouse (the Habitats Regulations 2010) by assessing the development against the three derogation tests below. **Such assessment should be included in the relevant committee report.**

***Permission can only be granted if all three derogation tests are satisfied. If any single test is deemed not to be satisfied, the application should be refused.***

The tests are:

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<sup>1</sup> Confirmed by Judicial Review Judgement, Woolley v Cheshire East Borough Council and Millennium Estates Limited, 2009.

1. the development must meet a purpose of *'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'*
2. *'there is no satisfactory alternative'*
3. the development *'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'*.

These tests need to be assessed in respect of dormouse only. I consider it unlikely that the development will contravene the Habitats Regulations in respect of any other European Protected Species.

Guidance on interpretation of the derogation tests

There is limited guidance on the interpretation of these tests. Natural England guidance (in respect of Licence applications that also have to address the same 3 tests) advises that they will consider or expect the following in respect of:

Test 1:

- the requirement to maintain the nation's health, safety, education, environment (sustainable development, green energy, green transport);
- complying with planning policies and guidance at a national, regional and local level;
- requirements for economic or social development (Nationally Significant Infrastructure Projects, employment, regeneration, mineral extraction, housing, pipelines, .etc.).

Test 2:

- Demonstrate that a reasonable level of effort has been expended in the search for alternative means of achieving the development whilst minimising the impact on the EPS, and provide a justification for the decision to select the preferred option and discount the others from being satisfactory.
- demonstrate that reasonable steps have been taken to minimise the impacts of a development on the EPS. These steps or measures might include (for example) alternative timing of actions, development designs and layouts, and sites.
- Consideration of the 'do nothing' scenario.

Test 3:

- The planning consultation response from Natural England and/or the inhouse ecologist usually addresses this test.

I consider it likely that tests 1 and 2 have been met by the allocation of this site through the local plan process. However, it would be appropriate to include further explanation and detail to demonstrate this.

In consideration of test 3, the main detrimental impacts on dormice, in the absence of any mitigation, are direct and indirect loss of hedge habitat, and fragmentation by the link road of the hedge habitat network thus affecting the ability of dormice to migrate through the local landscape. It is uncertain at best, or probable at worst, that divided populations of dormice remaining either side of the link road would be sufficiently large enough to remain viable in the medium to long term, with the consequence of localised extinction or reduction in range.

The proposed landscape planting is sufficient to adequately compensate the direct and indirect losses of habitat.

The bespoke 'dormouse bridge' replicates the habitat currently used (i.e. a reasonably sized hedge composed of local hedge species) that will restore some of the habitat connectivity, and will be located close to the main area of dormouse habitat that would otherwise become isolated from the wider countryside.

I regard test 3 (maintenance of favourable conservation status) will be met by provision of the proposed mitigation and compensation. **This will need to be secured by a Section 106 agreement.**

## DORMICE – FURTHER EXPLANATION AND COMMENTS

### Dormouse presence

Dormice have been confirmed by surveys (2005 and 2008) to be present on the application site. No formal dormouse surveys have been undertaken since 2008 but one was incidentally observed during other surveys in 2011. In the absence of any significant changes to their habitat, there's no reason question their continued presence.

Their predominant habitat is the network of hedgerows both within and to the west of the application site. The latter are generally tall and wide, and with small field sizes, could be regarded to be of high or optimum quality for dormice.

### Dormouse population estimates

The Environmental Statement includes an assessment of land to the west of the application site, based on extent of habitat considered '*highly likely*' to be used by dormice. This lead to an estimate of between 23 and 72 dormice that would become isolated to the west of the link road. This is a pre-breeding figure which could expand to 100 to 300 in the autumn following breeding when juveniles are included. Natural mortality, predation, and dispersal of young would then bring the figure down again by the following spring.

The population is valued in the Environmental Statement as being of '*District*' level of importance.

It is worth noting (as mentioned in the Environmental Statement) that no formal method exists for dormouse population size assessment. Furthermore, best practice survey methods have limited value towards indicating population size (e.g. nest tube surveys are likely to under represent dormouse numbers where there is an abundance of natural nest sites such as in old hedges, as is in this case).

It is therefore unlikely that an accurate measure of the population size could ever be achieved. However, the estimates arrived at by the applicant's consultant are consistent with my own estimates and expectations.

### Lack of dormouse survey on land to the west of the site

No surveys have been done to confirm the presence of dormice on land to the west of the site. The applicant claimed to be unable to do so due to it not being within their ownership nor control. I consider it a reasonable assumption that dormice are present here due to good connectivity with hedges proven to be used by dormice, and the high quality of this habitat for dormice.

Natural England have indicated that they would normally require a more up to date survey to support the European Protected Species Mitigation Licence application that will be required in this case. Also, their Complex Case Licensing Panel advised (25 Mar 2010) that '*it would have been preferable to have additional survey data for the main area of dormouse habitat further to the west.*' Their earlier response (15 Feb

2010) was *'in a case such as this where a dormouse population is likely to become isolated, data on the distribution of dormouse and its habitat throughout the areas affected by the proposed housing and link road, including those outside the footprint of the development particularly the area to the West would be required.'*

In view of application requirements for the European Protected Species Mitigation Licence, earlier Natural England comments, and the cost associated with providing a 'dormouse bridge', I consider it appropriate and justified to require the developer to make 'best endeavours' to undertake dormouse specific surveys on land to the west of the site. This would help to corroborate estimates of the dormouse population that would become isolated by the link road. **I recommend such a requirement is made part of the Section 106 agreement.**

#### Impact of link road on dormice

Dormice are arboreal and 'reluctant' to cross open spaces including roads. Recent research<sup>2</sup> using radio tracking found that dormice, when encountering a natural gap in a hedge, would occasionally (6% of encounters) cross a gap of 3 metres, but wouldn't cross a gap of 6 metres on any occasion. The gap that would be represented by the proposed link road and associated footway and verges is about 10 metres. Whilst there is evidence from a few locations that dormice have or do occasionally cross roads, the frequency of such crossings is unknown. In the absence of irrefutable evidence to the contrary, the consensus of opinion is that new roads do represent a significant barrier to dormouse movement, which in this case is likely to constitute a significant detrimental impact.

Anecdotal evidence since Victorian times, and scientific monitoring over the last 25 years, have shown a continuing national decline in dormouse numbers, with possible stabilization of this decline in only the last 5 years. One of the contributions to this decline is thought to be fragmentation of habitat, caused in part by developments and new roads.

#### Dormouse mitigation and compensation

The proposed landscape planting is sufficient to adequately compensate the direct and indirect losses of habitat. The timing of delivery of the landscape planting will need to ensure that it is started as early as possible to allow it to mature sufficiently to act as a habitat for dormice in advance of any significant losses of habitat. Such a consideration is an implication of the '*Continued Ecological Functionality*' referred to as a requirement in Natural England's response.

*I therefore recommend the delivery of the landscape and habitat planting is made part of the Section 106 agreement.*

The proposed bespoke 'dormouse bridge' replicates the habitat currently used (i.e. a reasonably sized hedge composed of local hedge species) that will restore some of the habitat connectivity, and will be located close to the main area of dormouse habitat that would otherwise become isolated from the wider countryside. Unless further surveys indicate otherwise, its delivery, including timing, will be essential to maintaining '*Continued Ecological Functionality*' and to maintaining favourable conservation status as required by the Habitats Regulations. **I therefore recommend the timing and delivery of the dormouse bridge is made part of the Section 106 agreement.**

Other mitigation measures will need to include protection for retained hedges, appropriate design of lighting to minimise impact to dormouse habitat, measures for

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<sup>2</sup> 'The behaviour of dormice in hedgerows with gaps', The Dormouse Monitor (the newsletter of the national dormouse monitoring programme), Spring 2011.



the sensitive removal and translocation of hedge habitat, provision of nest boxes, and sensitive timing of operations. **I recommend these details are subject to the proposed overarching 'Landscape and Ecological Management Strategy' and the proposed individual 'Landscape and Ecological Management Plans' for each major phase of the development. The submission of the Strategy to be a condition of the outline consent, and the Plans to be a validation requirement of any detailed application.**

#### Dormouse monitoring clause

Post development monitoring is likely to be a condition of the European Protected Species Mitigation Licence (from Natural England). However, such monitoring is not normally reported to the local planning authority. Given the unusualness of the mitigation in this case, it would be useful, both to this authority and to the wider conservation community, to be able to assess the effectiveness of the implemented mitigation.

*I recommend the Section 106 agreement includes a clause requiring monitoring of dormice at the site (e.g. submission for approval of a 'dormouse monitoring strategy').*

#### EPS licence

A European Protected Species Mitigation Licence (from Natural England) will be required before any hedges or other potential dormouse habitat can be removed. It would be appropriate to make this requirement the subject of a condition or informative.

### DORMICE – POTENTIAL DISCREPANCIES ARISING FROM ENVIRONMENTAL STATEMENT ADDENDUM

#### Arboreal links across A30

*7.4.29 states that 'several mature trees were present either side of the A30, ... and their canopies touched to form a natural bridge for dormouse allowing possible dispersal to the north.'*

Whilst I acknowledge this observation, although would query the 'strength' of this link and also its sustainability (the trees in question are drawn ash that could be removed in future for highway safety reasons), **it should be made clear that it does not offer an alternative to the dormouse bridge.**

The observed link over the A30 would serve only the dormice to the east of the link road and not those to the west of the link road. Following engineering works to create the new junction linking the development to the A30, it's extremely unlikely there would be any viable arboreal links from dormouse habitat to the west of the link road.

Whilst there may also be viable arboreal links for dormice further to the west over the A30 (i.e. in the vicinity of the cemetery), these lead to a fairly limited amount of further dormouse habitat (mature gardens and possibly also extending to Bincombe Beeches Local Nature Reserve). These areas themselves are also isolated from the wider countryside by urban areas of the town, particularly Ashlands Road and associated developed areas.

Therefore, any arboreal links across the A30 to the north currently do not directly nor indirectly connect areas of dormouse habitat to the west of the link road with the wider countryside.

#### Footpath improvements and lighting impacts

The ES non technical summary para. 1.40 mentions '*footpath improvements*'. Some of the footpaths between the site and the town are bordered by hedges likely to be used by dormice. **Any proposals for lighting that could impact upon dormouse habitat would have to be subject to further scrutiny and assessment under the Habitats Regulations, and may have to be refused.**

#### Viewing area

I noted the recently submitted CD containing the Environmental Statement information included

'Figs. 3.2, 3.4 (CSA 2005)' that show a viewing area on Butts Quarry Lane that requires the removal of a section of the 'double hedgerow'. This aspect would be detrimental to dormice and wouldn't satisfy the Habitats Regulations tests. I recall earlier negotiations sought to remove this from the plans. **I would like to emphasize this shouldn't be included or seek confirmation that it is no longer proposed.**

#### MEDIUM PRIORITY ISSUES

The following other wildlife issues are regarded as being of 'medium' priority due to a combination of legal status, level of conservation importance, and level of impact and mitigation required.

#### Bats (all species are 'European Protected Species' and most are of high conservation priority)

One tree on the boundary of the site is used for roosting (one pipistrelle observed entering). Most areas of the site were used for foraging by a total of nine species of bat. The site has been evaluated as being of '*Parish*' level of importance for bats (i.e. the level of use is typical for the size of the site and types of habitat present).

The tree used as a roost is not believed to be directly impacted. However, its use as a roost could be compromised by lighting. Lighting could also compromise the use of the site for foraging and commuting by bats. Loss of foraging habitat and breaks in hedgerows that act as commuting corridors are other impacts.

The compensation planting to be provided for dormice will also benefit bats. The dormouse bridge may also be used by bats as part of a commuting corridor. Proposed mitigation includes further update surveys prior to commencement of works, and provision of bat boxes. Sensitive lighting designs will also be important.

Residual impacts to bats following completion of development and mitigation are concluded to be 'negligible' for light tolerant species, and 'slight adverse' for light sensitive species.

#### Badgers (legally protected)

Two social groups (with separate territories) would be adversely impacted. As a relatively common species in the south west, their ecological value is rated as '*parish*' level.

Some sett closures will be required. Further impacts arise from direct loss of foraging areas and disruption to established commuting routes.

Further update surveys will be required prior to each development phase. These will further inform required mitigation which may include construction of artificial setts, badger tunnel or underpass beneath the link road, and fencing to control badger movements. The landscape and habitat planting for dormice is also likely to partly compensate for loss of badger foraging areas.

### Reptiles - slow worm and grass snake (legally protected)

Surveys identified a 'medium' slow worm population and 'small' grass snake population. The findings are consistent with my expectations and fairly typical for the size and nature of the site. Their ecological value is rated as 'parish' level.

The legislation protects against reckless killing and injury (which includes construction activities) but doesn't directly protect their habitat.

Standard methods are proposed for capture and translocation of reptiles to a safe receptor area (marked as 'area to be maintained as pasture' on the Masterplan). Enhancements and management of this area to benefit reptiles are included.

### Otter and water vole

Both are legally protected and of high conservation importance. Neither have a permanent presence on the site but either could use the water course through the site on a transient basis.

Mitigation is proposed to include pre-construction (of link road) surveys, and an otter ledge in the design of the bridge to prevent otters crossing the road and risking vehicle collisions during times of peak flow or flood.

### **Recommendations in respect of species of medium priority**

**I recommend mitigation measures in respect of dormice, bats, badgers, reptiles, water vole and otter are included in the proposed overarching 'Landscape and Ecological Management Strategy' (to be conditioned at outline consent) and individual 'Landscape and Ecological Management Plans' for each major phase of the development.**

### LOW PRIORITY ISSUES

#### Habitats on site

Hedges are the most significant habitat (in their own right as well as for reasons already covered above) that will be affected (some loss). They are listed as a priority habitat (Section 41 of NERC Act) and also constitute part of a network of natural habitats that are subject to Local Plan Policy EC7. They are evaluated as being of 'parish' level of importance.

Compensation is provided through the proposed landscape and habitat planting and the dormouse bridge.

#### Breeding birds

A number of notable bird species (particularly some 'farmland' species that are included on the NERC Act Section 41 list of 'Priority Species') were recorded breeding on the site. The assemblage of species and numbers are typical for the size and nature of the site.

Provision of bird boxes is proposed as part of mitigation. However, it's likely that the change from farmland to urban will result in a change in the assemblage of species with the replacement of farmland species of conservation priority by species associated with urban habitats.

#### Great Crested Newt

Ponds in the vicinity of the site were surveyed in 2008 and further assessment was made in 2011 to assess their suitability for great crested newt. It was concluded on the basis of negative survey results, the majority of ponds having a low suitability

rating, and the absence of any existing great crested newt records in the area, that they are unlikely to be present.

### **Recommended conditions**

The Environmental Statement Addendum proposes that details of creation and management of proposed and retained habitats would be documented within a '*Landscape and Ecological Management Strategy*'. This should also include the overarching strategies in relation to legally protected species. It would provide a coherent approach between landscape and ecology requirements.

**I recommend a condition on the outline consent requiring submission and approval of a 'Landscape and Ecological Management Strategy' prior to any works commencing on site.**

Also proposed is a more detailed '*Landscape and Ecological Management Plan*' for each development phase. These would need to be based upon further update surveys for protected species. I recommend such plans should be a validation requirement for all future full/reserved matters applications.

I understand that Robert Archer is in agreement with this approach.

## Conservation Consultation Response - Landscape

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TO: Adrian Noon  
FROM: Robert Archer  
DATE: 22 November 2011

**APPLICATION: 05/00661 - Crewkerne Key Site**

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Adrian, I have now had opportunity to review the updated ES and revised masterplan. As I have provided detailed comment throughout the stages of bringing this application to a consideration, I will keep this response brief.

The landscape impacts likely to result from this development have been assessed as a significant issue from the site's earliest days, a view shared by the Local Plan Inspector, who considered the potential landscape impact to be substantial. The prime concerns are the impacts that will result from the housing development, due to the site's elevated topography, and its degree of separation from the town and its setting. The impact of the link road engineering and alignment is also considerable.

At the time of the Planning submission in 2005, an environmental statement was submitted that included a landscape and visual impact assessment (L&VIA). Whilst that assessment was formulated in accord with the L&VIA guidelines, I was not persuaded by the low weight of impact accorded to some of the site's receptors, nor was there sufficient landscape mitigation indicated on the masterplan to convincingly integrate the built form of the site into its wider surround.

This update now presents both a revised L&VIA and masterplan. The masterplan now illustrates a greater extent of landscape mitigation - primarily in the form of substantive planting areas - to better integrate the site into its wider setting, and to visually buffer those elements of the site that would otherwise appear obtrusive. Specifically, it provides;

- a) woodland planting across the scarp to the south of the housing area, to soften the engineered form of the highway embankment and cuttings, and the skyline presence of built form above Butts Quarry Lane;
- b) planting lines within the housing area to break up the massing effect as viewed from the northeast;
- c) retention and substantiation of the majority of the existing boundary features;
- d) additional planting at the east end of the ridge above Butts Quarry Lane, to play down the prominence of the furthest extent of housing toward Haselbury Plucknett;
- e) planting abounding the cemetery, and;
- f) use of planting and suitable hard landscape treatments to modify the engineering works at the point of site access off the A30, and the embankment form at the road's southern end.



The L&VIA finds a greater level of impact than originally found, yet considers the long-term (after 15 years) impact of the development upon its surrounds to be negligible in many instances. In part, this is based upon a positive view of the effectiveness of the landscape mitigation to counter the landscape impacts. I view this updated L&VIA as much better balanced than the earlier submission, though I do not fully agree with a number of the impact level ratings accorded to the site and its receptors resulting from development: SSDC's view has consistently rated the impacts to be greater. However, to a point that is academic, for I would agree that the resultant level of landscape mitigation, as illustrated by the revised masterplan, is appropriate.

Now that we have an acceptable masterplan before us, the success of this site - in design and landscape terms - will now be down to the detailed work that will follow any consent of planning. Whilst much of this detail will form part of reserved matters applications, at this stage I would advise that we need to agree conditions to cover the following topics;

- 1) a programme of planting works based upon the landscape masterplan. Note that this needs to allow for plans to be submitted and approved in time for advance planting along the head of the scarp (outside the highway corridor) in the planting season 2012-2013;
- 2) submission of design codes to guide development of the site, and;
- 3) submission of a landscape and ecology management plan for the whole of the site. As I understand it, the consultant's ecologist has suggested that this is supplied as a strategic document in the first instance, with detailed prescriptions to follow. Providing it is clear (i) what general form of management is intended, to (ii) achieve a specific vegetation type, then I am happy with that approach.

**Robert Archer**  
**Landscape Architect**

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## Area West Committee – 14th December 2011

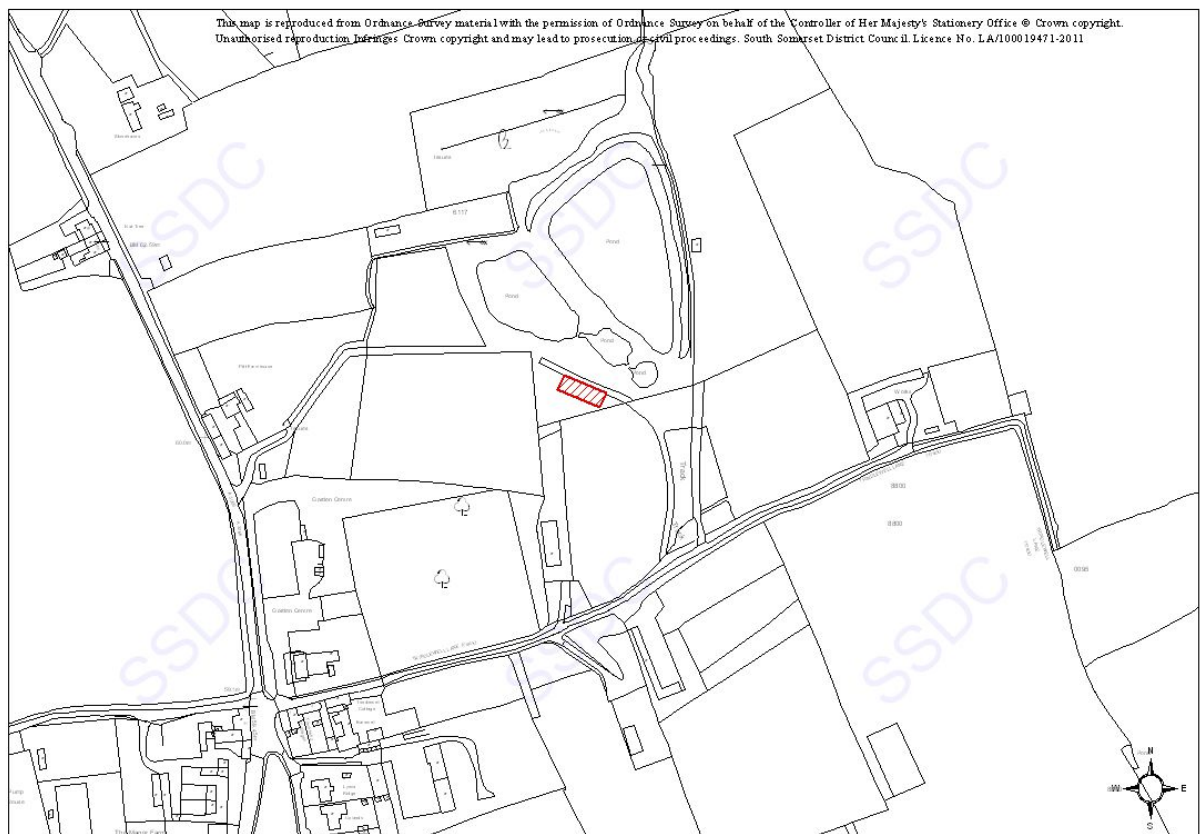
### Officer Report on Planning Application: 11/03247/FUL

<b>Proposal:</b>	The erection of a dual purpose log cabin for use as manager's accommodation/holiday reception for holiday lodges and coarse fishing lakes (Revised Application). (GR 347591/110133)
<b>Site Address:</b>	Watermeadow Fisheries North Perrott Road North Perrott
<b>Parish:</b>	North Perrott
<b>PARRETT Ward (SSDC Member)</b>	Mr R J T Pallister (Cllr)
<b>Recommending Case Officer:</b>	John Millar Tel: 01935 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date:</b>	19th October 2011
<b>Applicant:</b>	Mr Nigel Pike
<b>Agent: (no agent if blank)</b>	
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

### REASONS FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee at the request of the Ward Member, with the agreement of the Area Chair. It is felt that the issues should be given further consideration by members, as a result of local support for the proposal and to allow the need to be fully assessed.

### SITE DESCRIPTION AND PROPOSAL



The application is seeking planning permission for the erection of a 'dual purpose' log cabin for use as manager's accommodation with reception area and additional holiday let accommodation during the summer, in relation to the holiday lodges and coarse fishing lakes at Watermeadow Fisheries, North Perrott, Crewkerne. The site is located outside any Development Area in the open countryside towards the north of the village with an access off Trindlewell Lane. The access to the site leads from Trindlewell Lane by means of an unconsolidated track. Permission has been obtained for the erection of 5 holiday lodges at the site, of which three have now been erected and are in operation. More recent applications for manager's accommodation have been refused.

The application proposes a 6x17m single storey log cabin to be faced in wood with Breckland black tiles. It would have a ridge 3.8m high and would include two bedrooms and an office. This proposal is very similar to the previously refused schemes of 2010 and early 2011. In support of this scheme, the applicant has proposed entering into a legal agreement, thereby agreeing not to fully implement planning permission 05/03082/FUL. This will involve not building the fifth holiday lodge that has been granted permission under this previous consent and building the unit proposed by this application instead.

## **HISTORY**

11/00973/FUL - The erection of a log cabin for use as manager's accommodation for holiday lodges and coarse fishing lakes (Revised Application) - Refused (no justification, unsustainable location and landscape objection).

10/03512/FUL - Erection of a log cabin for use as manager's accommodation for holiday lodges and coarse fishing lakes - Refused (no justification, unsustainable location and landscape objection).

07/02357/FUL - Erection of a log cabin for use as manager's accommodation for holiday lodges and coarse fishing lakes - Refused (no justification, unsustainable location and landscape objection).

05/03082/FUL - Erection of 5 Holiday Lodges - Revised design of application no 04/00741/FUL - Permitted with conditions and subject to Section 106 Agreement to prevent fragmentation of the site and to restrict the use of the lodges to holiday makers.

04/00741/FUL - Erection of 5 holiday lodges - Application permitted with conditions and subject to Section 106 Agreement to prevent fragmentation of the site and to restrict the use of the lodges to holiday makers.

98/00479/COU: Siting of mobile home for animal feed and swimming pool - Refused.

903306: Construction of angling lake and parking facilities - Approved.

903240: Erection of dwelling (outline) - Refused.

901205: Alterations to access - Approved.

900074: Alterations to access and erection of dwelling (outline) - Refused.

## **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.

Somerset and Exmoor National Park Joint Structure Plan

STR1 - Sustainable Development

STR6 - Development outside villages

5 - Landscape Character

23 - Tourism Development in the countryside

South Somerset Local Plan (Adopted April 2006)

ST6 - Quality of Development

ST3 - Development Areas

ST5 - General Principles for Development

HG15 - Agricultural and forestry dwellings

EC3 - Landscape character

ME10 - Tourist Accommodation

Policy-related Material Considerations:

Planning Policy Statement 1 - Delivering Sustainable Development

Planning Policy Statement 4 - Planning for Sustainable Economic Growth

Planning Policy Statement 7 - Sustainable Development in Rural Areas

Planning Policy Guidance 13 - Transport

CLG's Good Practice Guide - Planning for Tourism

South Somerset Sustainable Community Strategy

Goal 4 - Low carbon, quality services and facilities (including transport and ICT) that are designed around the needs of the community, enabling everyone to have fair and equitable access to what they need.

Goal 5 - A competitive high performing economy that is diverse and adaptable.

Goal 8 - Sustainably sited and constructed high quality homes, buildings and public spaces where people can live and work in an environmentally friendly and healthy way.

Goal 11 - Protection and enhancement of our natural environment and biodiversity.

## **CONSULTATIONS**

**North Perrott Parish Council:** Cllrs viewed the above application and visited the site. Cllrs voted unanimously to support the application as it stood.

**SSDC Technical Services:** No comment.

**County Highway Authority:** The proposed development lies outside any Development Boundary Limits and is therefore distant from services and facilities, whilst public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependant on their private vehicles. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000), and Policy ST3 of the South Somerset Local Plan, and would normally receive a recommendation of refusal from the Highway Authority as a result.

However, it is noted that the application is for a tourism use and as such the proposed development must be viewed in conjunction with other policies as set out in National, Regional, County and Local policies. It is therefore a matter for the Local Planning Authority to decide whether the development is appropriate in these terms.

In detail, you will be aware that the Highway Authority in the previous applications at this site raised no objection to the erection of a log cabin for use as a manager's accommodation. This was on the basis that the increase in traffic was unlikely to be significant when compared to the existing levels generated by the permitted use. It is considered that these previous comments are still relevant to this current application and as such I would advise you that from a highway point of view there is no objection to the proposal.

**SSDC Planning Policy:** Having considered the information submitted from the applicant there is no new information to justify manager's accommodation on site - the policy comments that were made on 13th April 2011 (11/00973/FUL) are still applicable to this application.

My concern is that swapping the holiday lodge for 'dual use' accommodation, will lead to a future application for another holiday lodge, and then the applicant would have obtained the accommodation by default without a sufficient justification which is contrary to national guidance.

Previous comments of 13th April 2011 As you are aware, there have been a number of planning policy objections in the past to the development of managers accommodation at Watermeadow Fisheries, the basis of which, have been that the applicant had failed to provide justification for a new dwelling in this countryside location.

This current application again seeks to develop manager's accommodation, and states 'there is a clear functional and financial need for the proposed building with 24 hour on call health and safety and protection for the property, people and livestock at this site'.

PPS7 is clear that new house building (including single dwellings) in the countryside, away from established settlements or from areas allocated for housing in development plans should be strictly controlled. Isolated new houses in the countryside will require special justification for planning permission.

Saved Policy ST3 of the South Somerset Local Plan seeks to control and resist development in the countryside to that which benefits economic activity, maintains or enhances the environment and does not foster the growth in the need to travel.

Annex A of PPS7 identifies the circumstances where a special justification relating to the essential need for a worker to live permanently at or near their place of work, can be satisfied. Given the importance of establishing that the needs of the enterprise require one or more of the people engaged in it to live nearby, PPS7 stipulates that a functional and financial test should be satisfied. A functional test establishes whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. A financial test confirms that the enterprise is economically viable. A functional test must be satisfied before a financial test.

In relation to the functional test above, the applicant states that for safety and security reasons it is essential for a manager to be on site 24 hrs. The fisheries (without accommodation) have been in operation since 1989, and there has been no need for a manager to be on site until recently, yet presumably people would have been exposed to the same level of danger (from deep water) when fishing in the past, albeit they were not sleeping on site. The same argument applies to the need for a manager on site for security reasons, additionally on this point, there are alternative ways to secure the fisheries (CCTV cameras or the like) and PPS7 is clear that the protection of livestock from theft is not in itself sufficient justification for a dwelling.

On the basis of the above, I do not believe that the reasons put forward by the applicant fulfil the functional test and therefore there is no justification for the development of a dwelling in this location. A planning policy objection is raised to the application, as it is contrary to PPS7 and Saved Policy ST3 of the South Somerset Local Plan.

**SSDC Landscape Officer:** I note this further re-application proposing a manager's accommodation at Watermeadow Fisheries, to the east of the A356, North Perrott road.



The application site lays outside the development area of Haselbury, and North Perrott has no development area, hence the site can be regarded as being in a countryside location, where `development will be strictly controlled to that which ... maintains or enhances the environment ... (policy ST3). The proposal before us intends the establishment of a sizeable log cabin, with the attendant surfacing and movement associated with domestic use. Such land cover and use does not inherently add to or sustain the local environment, thus policy ST3 is not satisfied.

I have previously raised concerns over this proposal in terms of its impact upon landscape character, and this is fully set out in my memo to Diana Watts of 20 July 2011. In that response, it was noted that the site is poorly related to the local settlement pattern, and an increase to the building footprint within the valley setting, with the resultant increase in built form, will exacerbate development presence in this rural location. This is at variance with the open, little-developed character of the valley landscape. It will also further erode the open countryside currently separating the two villages of Haselbury and North Perrott.

As a consequence, my assessment was that the application was contrary to the objectives of PPS7 and local plan policy relating to landscape character and the principle of development, thus providing grounds for a landscape objection. I note that this resubmission now refers back to the 5 no. holiday lodges consented by an earlier application (no. 05/03082) and intends to relinquish one of those lodges in favour of this site's development. Whilst this reduces the overall landscape impact of the previous application, the resultant layout would be disaggregated, with a loss of cohesion that was a characteristic of the approved layout. Additionally, at 17.00 metres, this is an uncharacteristically lengthy structure. Hence on balance, grounds for a landscape objection remain, if less emphatic than previously - though if the application were to simply use the footprint of the original 2005 consent as a basis for this application, then there would be no landscape issue.

## **REPRESENTATIONS**

A site notice was posted (General Interest) and one neighbour was notified. No observations have been received.

## **CONSIDERATIONS**

### **Planning Policy and Special Justification**

The site lies outside the Development Area where planning policies aim to strictly control new development in order to safeguard the character and appearance of the countryside. In accordance with PPS7, new agricultural/forestry or 'certain other full-time' workers dwellings are one of the few circumstances where new house building may be justified. In determining such planning applications, regard must be paid to Annex A of PPS7 and functional and financial tests applied. Annex A states that it will often be as convenient and more sustainable for workers to live in nearby towns or villages, or suitable existing dwellings, so avoiding new and potentially intrusive development in the countryside. However, there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close, to the site of their work. Whether this is essential will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals concerned. A functional test establishes whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. A financial test confirms that the enterprise is economically viable. A functional test must be satisfied before a financial test.

It goes on to say that it is essential that all applications are scrutinised thoroughly with the aim of detecting attempts to abuse the concession that the planning system makes for such dwellings. New permanent dwellings should only be allowed to support existing rural based enterprises on well established units, providing:

- a) there is a clearly established functional need i.e. whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times e.g. to be on hand day and night to deal quickly with emergencies and provide essential care to animals at short notice.
- b) the need relates to a full-time worker, or one who is primarily employed in agriculture /rural enterprise
- c) the unit and the rural enterprise have been established for at least three years, have been profitable for one of them, are currently financially sound and have a clear prospect of remaining so
- d) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned. The recent history of the holding, including whether or not there are any buildings suitable for conversion or any dwellings have been recently sold off, which could indicate evidence of a lack of need, should be investigated. The new dwelling should also be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the needs of the unit, should not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of the dwelling that is appropriate to a particular holding; and
- e) other planning requirements are met e.g. in relation to access or impact on the countryside.

PPS 7 goes on to advise that if a new dwelling is essential to support a new enterprise even on an established unit, it should normally be provided by a caravan, a wooden structure, which can be easily dismantled, or other temporary accommodation for the first three years.

### **Applicants Case**

The previous applications for manager's accommodation have been refused due to the lack of adequate justification for a dwelling outside of defined development limits and the impact on local landscape character.

The most recent application (11/00973/FUL) was supported by accounts covering an 18 month period from April 2009 to September 2010, with the agent stating that the business had been operating for 3 years. The accounts showed that from April 2009 to March 2010, the business operated at a loss. From April 2010 to September 2010 they indicated a small profit. The list of bookings provided for 2011 indicated a reasonably good year for the holiday business. The information received in support of this new application shows the updated list of bookings for the three lodges, with more dates filled and bookings into 2012. While this does indicate that the business appears to be running successfully and on a sound footing, no updated financial information has been submitted in support of the proposal.

Notwithstanding the financial viability of the business, there are still concerns relating to the functional need for manager's accommodation. The application states that the dwelling would provide a base for the business to meet and greet customers, wash linen for the lodges, provide full-time first aid and security, and that it would be essential for a manager to be on site day and night to prevent accidental drowning. In addition, it is now

stated that the lakes have been subject to burglary of fish by poachers in the past, with the cost of replenishing fish stocks being over £50,000. It is argued that the proposed accommodation, which is proposed to be sited along the entrance track, will help to deter would-be thieves.

Whilst it might be more convenient to live on site in order to welcome customers, it is not considered necessary for the proper functioning of the business. Holiday makers would usually only need to be met on arrival and possibly on departure, with the provision of clean linen to coincide with this. Full-time first-aid is again helpful but not essential and basic provisions could be provided in the lodges, with contact details for someone living locally who could attend to any emergencies. The danger of deep water is appreciated but seems to be a rather spurious argument particularly since the fisheries have been operating for over 20 years without any drowning accidents. Unless the manager is in a position to observe the lakes at all times, it is unlikely that the risk of drowning would be removed. As far as security and the fishery business is concerned, PPS 7 states that the need to protect against theft or injury of stock is not justification in itself. This is specified in paragraph 6 of Annex A, which states that protection of livestock from theft or injury by intruders will not in itself be sufficient to justify a new dwelling. It is not clear why, with the aid of security systems and CCTV, someone living locally could not patrol the lakes, attend to emergencies and manage the business effectively in terms of checking permits, cutting grass, bait control etc. Appropriate security provision, i.e. regular night patrols, does not require people to live on site.

It is noted that this more recent scheme includes the provision of manager's accommodation, which can be used for holiday-let purposes in the summer. Other than the functional justification put forward by the applicant, which is not supported by the Local Planning Authority, it is argued that the building will increase the business' contribution to the local economy. This argument is also not accepted but it is acknowledged that a management presence on site could assist in the effective management of the site and improve the quality of the holiday accommodation provided. By assessing the application in this respect it may be possible to require the applicant to enter into a legal undertaking that any accommodation be removed in the event of the business ceasing to operate. While this could possibly lead to approval without setting a precedent for a functional need on the site, which as a result may have raised the potential for a permanent dwelling, it is still deemed appropriate to recommend refusal as there is still no overriding need identified for a management presence on site 24 hours a day.

## **Landscape**

As pointed out by the Council's Landscape Architect, the proposed building would be positioned in a location, which is distinctly rural and little-developed. It would be some distance from the approved lodges, the site is poorly related to the local settlement pattern, and an increase to the building footprint within the valley setting, with the resultant increase in built form, would exacerbate development presence in this rural location. This is at variance with the open, little-developed character of the valley landscape. It would also further erode the open countryside currently separating the two villages of Haselbury and North Perrott. The Landscape Officer acknowledges that this proposal includes relinquishing one of the five lodges approved under planning permission 05/03082/FUL, however this is not considered to alter the previous view. While reducing the overall landscape impact of the previously approved scheme, the resultant layout will still be disaggregated, with a loss of cohesion that was characteristic of the approved scheme. The length of the proposed log cabin, being 17m long, is considered uncharacteristically lengthy. It is the view of the Landscape Officer that if the proposed manager's accommodation was sited on, and retained the originally approved

footprint of the fifth lodge, there would be no objection on landscape grounds. It is noted that prior to the submission of this application, the applicant had carried out further discussions with officers and was advised that if they were intent on resubmitting, they should consider applying to use either one of the as yet unbuilt lodges as managers accommodation or apply for a new building, whilst entering into a unilateral undertaking to agree to not fully implement the 2005 scheme for the provision of 5 lodges. Whilst the applicant is happy to enter into a legal agreement to only build four of the five approved log cabins, they have still applied for a considerably larger structure than those originally approved and one that is poorly related to the existing building group, hence the landscape objection. On further consideration, it would not be unreasonable to approve a larger lodge than the others on site, as it is quite feasible that the building could contain a reception area or be used to sell feed, accessories, etc that may be ancillary to the holiday accommodation or use of fishing lakes on site. The main objection of landscape grounds is likely to remain the siting of the building.

In general terms, it is considered that the landscaping issues could be reduced were the need for the building to be established but as the justification of need is not supported by officers, there is still an in principle landscape objection.

### **Highway Safety**

The County Highway Authority have raised no objection to the proposal on highway safety grounds. It is noted that no objection was raised to the previous application for a holiday-let either, as it is considered that any increase in traffic is unlikely to be significant in comparison to existing levels generated by the current approved use of the site. However, the site lies outside any Development Area where policy ST3 states that development should be strictly controlled and should not foster growth in the need to travel. It is a key objective of national planning policy to ensure that development is located where it would minimise the need to travel. North Perrott is a small village with very limited employment, services or local facilities. It is noted that the agent previously referred to the bus route and a local shop but it is considered that the residents of the proposed dwelling would be heavily reliant on the use of their private vehicles for the majority of their domestic needs. Therefore the proposal would represent an unsustainable form of development contrary to advice contained within PPG 13, policies STR1 and STR6 of the Structure Plan, and saved policies ST3 and ST5 (point 1) of the Local Plan and no special justification has been demonstrated to override this objection.

### **CONCLUSION**

Overall, the proposed development is still considered to be unacceptable as it fails to meet the requirements of Annex A of PPS7 to justify the provision of an occupational dwelling, thus providing an unjustified residential unit outside of defined development limits and is considered to have a detrimental impact on local landscape character. As such, the recommendation to Members is to refuse permission.

### **RECOMMENDATION**

Refuse permission

### **FOR THE FOLLOWING REASON:**

1. The application fails to demonstrate by means of a functional and financial test any justification for the proposed development, which would be outside any Development Area as defined in the South Somerset Local Plan. As a consequence, the proposal is considered to be tantamount to a new dwelling in a

location remote from any urban area and therefore distant from adequate services and facilities, such as, education, employment, health, retail and leisure. Occupiers of the new development would be likely to be dependant on private vehicles for most of their daily needs, fostering growth in the need to travel. The poor relationship of the proposed building to the local settlement pattern, where it would increase the built form, exacerbating development presence and eroding landscape character, would have a detrimental impact on the quality and character of the rural landscape. The proposal is therefore contrary to the aims and objectives of government advice given in PPG13, saved policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan, policies 49, STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan and Annex A of PPS7 - Sustainable Development in Rural Areas.



Area West Committee – 14th December 2011

**14. Date and Venue for Next Meeting**

The next scheduled meeting of the Committee will be held on Wednesday, 18th January 2012 at 5.30 p.m. Venue to be arranged.