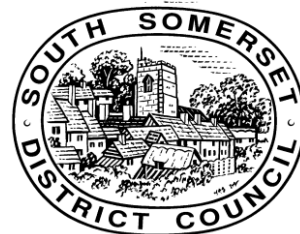


# South Somerset District Council

Notice of Meeting



## Area West Committee

*Making a difference where it counts*

**Wednesday 20<sup>th</sup> February 2013**

**5.30 pm**

**Town Hall,  
Guildhall,  
Fore Street, Chard,  
Somerset TA20 1PP**

(location plan overleaf - disabled access is available at this meeting venue)



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The public and press are welcome to attend.

Please note: Planning applications will be considered no earlier than 6.30 pm

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, Jo Morris on Yeovil (01935) 462462  
email: [jo.morris@southsomerset.gov.uk](mailto:jo.morris@southsomerset.gov.uk)

This Agenda was issued on Monday, 11<sup>th</sup> February 2013

*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  
website: [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)



INVESTOR IN PEOPLE

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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 Vjeh  
 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)

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

### Scrutiny Procedure Rules

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

### Consideration of Planning Applications

Consideration of planning applications usually commences no earlier than 6.30pm, following a break for refreshments, in the order shown on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

### Highways

A representative from the Area Highways Office will attend the Committee quarterly in February, May, August and November. They 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.

## **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 SDC 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 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 and/or Agent  
District Council Ward Member  
County Council Division Member

If a member of the public wishes to speak they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing. This must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

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

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

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

Under the new Code of Conduct adopted by this Council in July 2012, a Councillor with a personal and prejudicial interest (which is not also a DPI) will be afforded the same right as a

member of the public to speak in relation to the relevant business and may also answer any questions, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

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## Area West Committee

Wednesday 20<sup>th</sup> February 2013

### Agenda

#### *Preliminary Items*

1. **To approve as a correct record the minutes of the previous meeting held on 16<sup>th</sup> January 2013**
2. **Apologies for Absence**
3. **Declarations of Interest**

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

#### *Planning Applications Referred to the Regulation Committee*

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

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.

#### 4. 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.

#### 5. Chairman's Announcements

##### *Items for Discussion*

##### *Page Number*

6.	Area West Committee - Forward Plan.....	1
7.	Budget Monitoring Report for the Period Ending 31 <sup>st</sup> December 2012.....	4
8.	Community Health and Leisure Service Update .....	10
9.	Report for Area West Committee on the Performance of the Streetscene Service.....	22
10.	Feedback on Planning Applications referred to the Regulation Committee .....	26
11.	Planning Appeals.....	27
12.	Planning Applications .....	31
13.	Date and Venue for Next Meeting.....	32

**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 – 20<sup>th</sup> February 2013

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

*Strategic Director:* Rina Singh (Place and Performance)  
*Assistant Director:* Helen Rutter/Kim Close (Communities)  
*Service Manager:* Andrew Gillespie, Area Development Manager (West)  
*Agenda Co-ordinator:* Jo Morris, Democratic Services Officer , Legal & Democratic Services  
*Contact Details:* jo.morris@southsomerset.gov.uk or (01935) 462055

### **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.

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## 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; Jo Morris, 01935 462055 or e-mail jo.morris@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	Lead Officer
20 <sup>th</sup> March 2013	Flooding, Drainage & Civil Contingencies	Report on issues in Area West	Pam Harvey, Civil Contingencies & Business Continuity Manager Roger Meecham, Engineer
20 <sup>th</sup> March 2013	Historic Buildings at Risk (Confidential Item)	Update report	Greg Venn, Conservation Officer
15 <sup>th</sup> May 2013	Section 106 Obligations	Monitoring Report	Neil Waddleton, Section 106 Monitoring Officer
15 <sup>th</sup> May 2013	Ile Youth Centre Management Committee (Ilminster)	Reports from Members on Outside Organisations	Cllr Kim Turner
15 <sup>th</sup> May 2013	Highways Maintenance Programme	To update members on the highways maintenance work carried out by the County Highway Authority	Mike Fear, Assistant Highway Service Manager, Somerset County Council
19 <sup>th</sup> June 2013	2012/13 Budget Outturn Report	To inform members of the actual spend against budgets for 2012/13 over which the Committee exercises financial control.	Catherine Hood, Corporate Accountant Andrew Gillespie, Area Development Manager (West)
19 <sup>th</sup> June 2013	Area West Working Groups – Appointment of Members 2012/13	To review the appointment of members to various working groups.	Jo Morris, Democratic Services Officer
19 <sup>th</sup> June 2013	Appointment of Members to Outside Organisations 2012/13	To review the appointment of members to serve on outside organisations.	Jo Morris, Democratic Services Officer

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer</b>
19 <sup>th</sup> June 2013	Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice-Chairman	To review the appointment of two members to act as substitutes for the Chairman and Vice-Chairman in the exercising of the Scheme of Delegation for planning and related applications.	Jo Morris, Democratic Services Officer
<i>To be confirmed</i>	<i>Chard and District Museum Society</i>	<i>Reports from Members on Outside Organisations</i>	<i>Deferred</i>
<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>	<i>Donna Parham, Assistant Director (Finance and Corporate Services) Andrew Gillespie, Area Development Manager (West)</i>
<i>To be confirmed</i>	<i>Review of Area Working</i>	<i>To consider the outcome of the Area Review</i>	
<i>To be confirmed</i>	<i>Area West Community Safety Devon &amp; Somerset Fire &amp; Rescue Service</i>	<i>Update on the work of the Fire and Rescue Service to promote fire safety</i>	
<i>As necessary.</i>	<i>Crewkerne Community Planning Update</i>	<i>For Information</i>	<i>Zoë Harris, Community Regeneration Officer Area Development (West)</i>
<i>As necessary</i>	<i>Ilminster Community Planning Update</i>	<i>For Information</i>	<i>Zoë Harris, Community Regeneration Officer Area Development (West)</i>

Area Committee West – 20<sup>th</sup> February 2013

## 7. Budget Monitoring Report for the Period Ending 31<sup>st</sup> December 2012

Chief Executive: *Mark Williams, Chief Executive*  
 Assistant Director: *Donna Parham – Finance and Corporate Services*  
*Amanda Card, Finance Manager*

Service Manager:  
 Lead Officer: *Catherine Hood, Corporate Accountant*  
 Contact Details: *catherine.hood@southsomerset.gov.uk or (01935) 462157*

### Purpose of the Report

The purpose of this report is to inform Members of the budgetary position of the Area West Committee as at the end of December 2012.

### Public Interest

This report gives an update on the financial position of Area West Committee after nine months of the financial year 2012/13.

### Recommendations

Members are recommended to:

- (1) review and comment on the current financial position Area West Budgets;
- (2) note the position of the Area West Revenue Reserve.

## REVENUE BUDGETS

### Background

Full Council in February 2012 set the General Revenue Account Budgets for 2012/13 and delegated the monitoring of the budgets to the four Area Committees and District Executive. Area West now has delegated responsibility for the Area West development revenue budgets, which include revenue grants and regeneration, the Area West Capital Programme and the Area West Reserve.

### Financial Position

The table below shows the position of revenue budgets as at 31<sup>st</sup> December 2012. This includes transfers to or from reserves.

	£
<b>Approved base budget as at Feb 2012 (Original Budget)</b>	<b>312,470</b>
Budget Carry forwards approved June 2012	18,080
Allocation of training budgets	2,390
<b>Revised Budget as at 31<sup>st</sup> December 2012</b>	<b>332,940</b>

A summary of the revenue position as at 31<sup>st</sup> December 2012 is as follows:

Element	Original Budget	Revised Budget	Year End Forecast	Favourable Variance	Adverse Variance	%
	£	£	£	£	£	
<b>Development</b>						
Expenditure	365,420	389,260	389,260			-
Income	(73,140)	(79,310)	(79,310)			-
<b>Projects</b>						
Expenditure	18,630	46,150	46,150			-
Income	(13,930)	(41,450)	(41,450)			-
<b>Grants</b>						
Expenditure	35,520	38,320	38,320			-
Income	(20,030)	(20,030)	(20,030)			-
<b>Group Total</b>						
Expenditure	419,570	473,730	473,730			-
Income	(107,100)	(140,790)	(140,790)			-
<b>Net Expenditure</b>	<b>312,470</b>	<b>332,940</b>	<b>332,940</b>			-

#### Area Development Manager's Comments

Revenue expenditure was as expected up to 31<sup>st</sup> December and we expect to meet the year end forecast as indicated above.

It has not been necessary to draw down any of the provisional allocations in the Area reserve during the reporting period. However, as reported earlier this financial year, considerable progress has been made with regard to both the re-establishment of an Area West Community Grants programme and the future development of local street markets.

#### Budget Virements

Under the financial procedure rules the following virements have taken place since the last report:

Amount £	From	To	Details
2,390	Strategic Management	Area West service budgets	Allocation of corporate training budget.

#### AREA RESERVE

The position on the Area West Reserve is as follows:

		£
<b>Position as at 1<sup>st</sup> April 2012</b>		<b>54,120</b>
Less amounts transferred for use in 2012/13:	0	
<b>Current balance in Reserve at 31<sup>st</sup> December 2012</b>		<b>54,120</b>
Less amounts allocated but not yet transferred:		

Underwrite Community Grants	(40,500)	
Provision for Street Market improvements (some contribution agreed in principle – subject to detail)	(13,500)	
		(54,000)
<b>Uncommitted balance remaining</b>		<b>120</b>

## CAPITAL PROGRAMME

The revised capital programme for this financial year and beyond is attached following this report together with a progress report on each scheme either Area or District Wide that are current within Area West. Currently the estimated spend for the Area West programme is £59,079 which is all profiled for the current financial year.

In addition there are reserve schemes (approved in principle and unallocated) totalling £93,475 as detailed in the table below.

Schemes	Provision 2012/13 £	Est. Spend 2012/13 £	Future Spend £	Grand Total £
Markets Improvement Group	5,660			
Community Grants		3,421		
Ilminster Community Office			20,000	
Unallocated Capital Reserve			64,394	
<b>TOTALS</b>	<b>5,660</b>	<b>3,421</b>	<b>84,394</b>	<b>93,475</b>

If Members would like further details on any of the Area West budgets or services they should contact the relevant budget holder or responsible officer.

## Corporate Plan Implications

The budget is closely linked to the Corporate Plan.

## Carbon Emissions & Adapting to Climate Change Implications (NI188)

There are no implications currently in approving this report.

## Equality and Diversity Implications

When the Area West budget was set any savings made included an assessment of the impact on equalities as part of that exercise.

**Background Papers – Financial Services Area West budget file**

Area West Committee – 20<sup>th</sup> February 2013

## 8. Community Health and Leisure Service Update

*Strategic Director:* Vega Sturgess – Operations and Customer Focus  
*Assistant Director:* Steve Joel – Health and Wellbeing  
*Service Manager:* Lynda Pincombe – Community Health and Leisure Manager  
*Lead Officer:* Lynda Pincombe – Community Health and Leisure Manager  
*Contact Details:* e-mail: [lynda.pincombe@southsomerset.gov.uk](mailto: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 2013/14 are being drafted and refined over the next few months.

### Background

The Community Health and Leisure 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 services, the Community Resource Centre and the play and youth facilities team.

## Community Resource Service

The service provides:

- **Community Resource Service:** There are approximately 170 community groups and 600 individual users registered from Area West. In total there are approximately 1070 groups and 5500 individuals registered.
- **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.
- **Community Playscheme Support:** For organisations running summer community playschemes.

In the school summer holidays, staff arranged for the (Yarlington) community bus to travel to Swanmead School, Ilminster (a total of 24 attended) and Manor Court School, Chard (32 attended) to deliver free art and craft activities. In the autumn half term, the bus was sent to Jocelyn Park, Chard (25 attended) and Swanmead School, Ilminster (28 attended) to deliver free arts and crafts activities.

### Changes at the Community Resource Centre

The Resource Centre has now moved from its old premises at Garrett Road in Yeovil to Manor Stables (former museum) in the centre of Yeovil and re-opened on 28<sup>th</sup> November 2012. The centre has been busy since re-opening.

During 2012, officers have sought, received and assessed bids for the transfer of the Community Resource Service to a third party operator in order to continue to provide the service at a lower cost to the council. It is likely that the management of the service will transfer from April 2013 although the same core services will continue to be delivered.

## Play Area Projects

**Furzehill Play Area, Chard** – In June 2012 local residents and stakeholders were consulted on their aspirations for this play area. Following this consultation, sketch designs were produced and these have now been developed into final designs for the play area. Quotations are going to be sought in February and the play area improvements are expected to be undertaken early this summer.

**Blackdown View Play Area, Ilminster** – The District Council has been working closely with Ilminster Town Council and Yarlington Housing Group to develop this project. A consultation exercise was carried out at Blackdown View on the 9<sup>th</sup> May 2012 and secured lots of feedback from residents. Sketch designs were produced and then final design completed in December 2012. Quotations have been received and a funding application submitted to Yarlington Housing Group. On the 8<sup>th</sup> December 2012 a community tree-planting event was held at the play area and 420 trees planted. The event was jointly organised by SSSC, Yarlington Housing Group and Ilminster Town Council. The trees were donated by the Woodland Trust as part of their Queens Jubilee Project and included an Oak sapling sourced from the Royal Estates. Construction of the play area improvement is due to start in April 2013 and is expected to be completed by June 2013.

**Henhayes Play Area, Crewkerne** – A steering group has been established by Crewkerne Town Council to develop plans for their play area. The team has been providing support and working with the steering group to help them transform the play area at this location.

## Youth Facility Projects

**Iminster Skate Park & Multi Use Games Area (MUGA)** – The team has supported Iminster Town Council with the development of their new skate park and is continuing to support them with the development of plans for a MUGA.

**Misterton Multi Use Games Area** – The team is supporting the Parish Council with the development of Floodlit Multi Use Games Area at their Unity Lane Recreation Ground. This project has been made possible as a result of SSDC securing £100,000 from the Betterment Homes Housing Development. There has been extensive public consultation carried out and plans have been finalised. A planning application has been submitted as the Floodlighting and ball stop netting is outside the Parish Council's permitted development rights. Should the planning application be approved it is expected construction of the MUGA will start in April and be completed by the end of May 2013.

## Play Development

**Holiday Playscheme Awards** – The following award has been awarded in Area West:

- Misterton were awarded £100 to support their holiday play activities.

## Playground Inspection Service

**Annual Playground Inspections** – The team has carried out nine annual playground inspections to parish councils in Area West.

**Operational Playground Inspections** – The team carries out five operational playground inspections every quarter on behalf of not for profit play area providers in Area West.

**Playground Risk Assessments** – The team has carried out two playground risk assessments to parish and town councils in Area West.

**Play Area Management** – The team continue to manage and undertake the maintenance for seven play areas in Area West.

## Youth Development

**Gold Star Awards** – To formally recognise and support volunteers working with young people, the Gold Star Awards was held this year on 30<sup>th</sup> October 2012 at Octagon Theatre. From Area West Brandon Ellis was awarded Sports Coach of the Year for his contributions towards cycling, Weibke Rietz won Senior Sports Performer for her contributions towards Chard Cycling Club and Pete May won Young People Project of Year for the work of his Active Learning + Skills project.

**Youth Clubs** - The Young Peoples Officer continues to provide advice and support to the 7 Youth Clubs that run in Area West.

**Youth Development Awards** – A Youth Development Award of £420 was given to the Winsham Youth Café, Iminster Young People were awarded £250 for their Mega Monday nights, Crewkerne Fun Time Fridays were awarded £250 and Chard Saturday Nights were awarded £500.



**CRB disclosures** – Fifty-two CRB forms have been processed for volunteers in Area West and paid for out of the Young Peoples Officer Budget to encourage more volunteers to work with young people.

**Youth Work Training Workshops** – As part of our teams work to support volunteers working with young people in the district we have organised several training events in 2012/13. A First Aid training day was attended by nine volunteers and Child Protection training was attended by 21 volunteers.

A Food Hygiene Level 2 training day is also planned for 13<sup>th</sup> February 2013 and has been set up to accommodate up to 20 volunteers. All these training days have been or will be held at Chard Young Peoples Centre.

## **Sports Development**

### **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.

The coach provided support to the Crewkerne Jubilee Games at Henhayes Recreation Ground, which took place in June 2012, by delivering a Startrack roadshow event for pupils from Maiden Beech and Crewkerne Middle Schools.

**Cycling** – Continued to work 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 guided into the club.

Since September 2011, some of the achievements within cycling in Area West have been as follows:

- British Cycling currently working with Wadham and Swanmead schools providing 4 weeks of coaching. 40 pupils have received coaching through curriculum and after school delivery.
- Supported 1<sup>st</sup> Chard Wheelers to deliver a feeder primary schools cycling event at Holyrood Academy in May 2012, which was attended by 22 pupils from Ashill, Buckland St Mary, Manor Court, Neroche and Tatworth schools.
- 1<sup>st</sup> Chard Wheelers CC provided the cycling events at the Crewkerne Jubilee Games at Henhayes Recreation Ground, which took place in June 2012.
- 1<sup>st</sup> Chard Wheelers CC will be working at Maiden Beech to deliver an after school cycling club after February half term.
- Supporting two school cyclo cross competitions in March 2013 at Swanmead for primary and Year 7 & 8 pupils.
- The club now has six approved club coaches, almost 25% of those in the South West region; these were funded through the Sport England small grants scheme that we secured in 2010.
- 1<sup>st</sup> Chard Wheelers was one of six clubs asked to provide a youth team for the finish line events at the 2012 Tour of Britain in Dartmouth where they rode in club colours.

**Tennis** – Chard Tennis Club along with five other tennis clubs across the district took part in the 4<sup>th</sup> South Somerset Mini Tennis Red Schools Project. The club linked with five primary schools, which took part in a cluster competition at the club. Twenty-two

pupils from Ashill, Buckland St Mary, Manor Court, Neroche and Tatworth primary schools took part.

Unfortunately, the two other tennis clubs in Area West at Misterton and Iminster did not take part in the project as their coaching programme is provided by Service Line, who did not want to take part. However the School Games Organiser provided coaching and a competition for schools in Iminster and Crewkerne clusters. Thirty pupils from Merriott, Haselbury, St Barts, Shepton Beauchamp, Barrington and Ilton primary schools took part.

Neroche, Merriott and St Bartholomews (Crewkerne) primary schools from Area West qualified for the South Somerset Mini Tennis Red Final at Martock Tennis Club in June 2012. The project was co-ordinated and funded by the South Somerset Tennis Development Group, which was set up by the Sports Development team in 2006.

Iminster, Chard and Misterton Tennis Clubs continue to be active members of the South Somerset Tennis Development Group, which meets three times a year.

### **South Somerset Mini Tennis Series**

Now in its sixth year, the South Somerset Mini Tennis continues to provide winter and summer junior inter club competitions. The programme provides competitive opportunities for junior tennis players across the district. 94 (30% increase on 2010/11) took part in the Mini Tennis Winter Series 2011/12 and 149 (24% increase on 2011) junior players took part in the Summer Series, which took place from April to August 2012.

Chard Tennis Club in Area West is one of six clubs across South Somerset who continues to take part in the Mini Tennis Series. This Series gives junior tennis players the opportunity to compete in Mini Tennis Red, Orange, Green and Yellow tournaments across South Somerset, organised by South Somerset Tennis Development Group.

**Badminton** – The South Somerset Community Badminton Network (CBN), which was set up by the team in 2009 has continued to lead the development of badminton across South Somerset in partnership with key partners and Badminton England.

Since September 2011, some of the achievements by the Network in Area West have been as follows:

- Chief Executive of Badminton England, Adrian Christy visited on 30<sup>th</sup> March 2012 to see the work of the South Somerset Community Badminton Network as it is considered to be one of the best networks in the South West and classified as 'World Leading'.
- Delivered a new 6<sup>th</sup> form badminton session at Holyrood Academy attended by 25 participants aged 16-19. This was funded by the academy and delivered by the Community Badminton Network coach.
- Continue to deliver an after school primary badminton club in Chard at CRESTA, which provides an increase in the junior badminton opportunities in the area. Currently offering taster sessions for primary schools in Chard area to feed into this club.

- Holyrood, Wadham and Maiden Beech took part in the National Center Parcs 2012 schools badminton competition. The 1<sup>st</sup> round was played at Holyrood Academy in Chard.
- Delivered a Sportivate badminton project at Wadham Academy in September 2012 for 8 weeks, which was funded by Sport England and delivered by the CBN coach. 15 participants took part in this and it now continues to run delivered by PE staff at the academy.
- Set up a new secondary schools badminton league, which has attracted 17 teams and Holyrood, Wadham and Maiden Beech from Area West are taking part in this which takes place in January and February.
- Continue to support the two 'Pay and Play' badminton sessions at Crewkerne Sports Centre which were set up as part of the No Strings Badminton programme in September 2011. The sessions regular attract 20+ participants each week at the two sessions.

### **Sport England Funding**

Sport England recently announced National Governing Body funding for 2013 – 2017. Some sports have gained additional funding and some have lost funding. It is currently unclear whether this will have much impact locally, but we hope delivery at a district council level will be largely unaffected.

### **Healthy Lifestyles Development**

The Healthy Lifestyles programme is delivered in partnership with the NHS Somerset.

#### **Healthy Workplaces - SSDC Staff:**

A variety of Healthy Lifestyles initiatives have been delivered for the benefit of SSDC staff including blood pressure testing which was offered to raise awareness of know your numbers week, a weight loss challenge, stop smoking advice and support, two rounders tournaments, a dodgeball tournament, weekly rush hockey sessions, two Pilates classes, stress awareness information and lunchtime health walks.

The 2013 weight loss challenge is currently being delivered; two teams have entered from SSDC's Chard office totalling eight staff from Area West.

#### **Health Inequalities:**

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

The team is also working with Rethink and South Somerset Mind outreach workers in Area West to provide knowledge of healthy lifestyle opportunities suitable for clients they may have in the local community.

Working in partnership with The Watch Project to help set up healthy lifestyle initiatives, the group are looking to set up their own cycling and walking groups through the support of the team to access training at no cost.

#### **Healthy Communities:**

A 12-18 month healthy communities project focussed in Chard has been launched. The project has been running for five months with consultation taking place with key local

groups and organisations. Partnership funding of £4,410.00 has been secured from Yarlington Housing Group.

The key aims of the healthy communities project is to:

- a) Reduce levels of overweight and obese adults and children;
- b) Promote and develop sustainable opportunities for adults and children to increase their physical activity levels;
- c) Increase the use of green space.

So far the following has been delivered:

- Secured 16 lost/stolen or abandoned bikes from Avon and Somerset Police at Yeovil Police Station for a bike recycling project which is taking place at The Watch Project. These bikes will be fixed by the group and then used by group members, sold or loaned to local residents;
- Arranged for a group of volunteers to receive a series of sessions on bike repair and maintenance training at The Watch Project;
- Arranged to visit three supported housing schemes to promote and deliver some physical activity sessions and promote local opportunities;
- Supported StreetSpace youth project with health testing for young people and sign posting to drug awareness support and training for group leaders;
- Set up six new low cost physical activity courses using local community facilities including; move it or lose it with Age UK, Kettlebell, bootcamp, Pilates and Bokwa;
- Recruitment of volunteers in the form of local residents to help map 3, 2 and 1 mile walking and running routes in Chard, which will be formally signposted, mapped and promoted;
- Attended Chard Community Day on 8<sup>th</sup> September at Henson Park. Offered information on local physical activity opportunities, taster Bokwa and Zumba sessions and consulted residents asking what would help them to improve their health.

Chard Community £s project is a five month pilot project taking place in Chard and the surrounding area, this project is being delivered in partnership with Chard Town Team, NHS Somerset, and health trainers from Somerset Partnership NHS trust. Residents of Chard and the surrounding area are being encouraged to sign up and pledge to lose weight in order to fund raise for the Chard community. Through being signed up to the project participants get discounted access to a range of physical activity and exercise opportunities, depending on demand we will also run cooking and weight management courses.

Activities include bootcamp, circuits, Bokwa, walking groups, Kettlebell, Pilates, and legs, bums and tums. Anyone signed up to the Community £s project can access these activities for £1. The activities are also open to those not signed up to the Community £s project who can access the opportunities for just £3.00. So far 41 participants are signed up to the scheme. For every lb in weight lost by those signed up before the end of the project in March £1 will be given back to the community to spend on healthy lifestyles initiatives. The project runs until March 2013 and is not funded by SSDC. To be eligible to be part of the community £s project, residents must; live in Chard or the surrounding area, be aged 16 or over, not be pregnant and have a BMI of 25 or over.

Several Active Somerset Courses have been delivered in Area West, since January 2012 these include; Zumbalates for mums and babies at Merriott, Keep Fit at Ilminster, and Movements for Daily Living at Crewkerne. These courses are 12 week funded activity courses aimed at utilising local community venues and targeted at those or are inactive or not active enough to benefit their health.

**Active Aging:**

Health testing and healthy lifestyle advice was given at an Active Living session at Crowshute House in Chard.

The team has supported the Yarlington Housing Group Core Café initiative and provided health testing, healthy lifestyle advice and Instant Ping! at the Core Café at Muchelney House in Ilminster. Instant Ping! is a table tennis set that can be set up using any table to make playing table tennis more accessible and inclusive.

**Children's Centres:**

We have supported Ashland's Children's Centre (Crewkerne) and Ile Valley Children's Centre (Ilminster) with health testing and healthy lifestyle advice at the following groups:

- Ashland's PEEP (Peers Early Education Partnership) group x 3
- Ile Valley PEEP group x 3
- Neroche Group in Broadway Village Hall
- Merriott Outreach Group x2
- Ashland's and Ile Valley's Dad's Group

The Healthy Lifestyle Team has attended the Advisory Board and Annual Conversation meetings to help guide and support the Children's Centres to better support their families for Ashland's Children's Centre, Ile Valley Children's Centre and Chard Children's Centre. In addition we have supported Ashland's Children's Centre and Ile Valley Children's Centre when they underwent their Ofsted Inspections as a partner organisation. The Healthy Lifestyle Team also fed back to the Somerset County Council Children Services Review about the work that we do to support the Children's Centres.

Buggy walk training was provided to Ashland's Children's Centre parent volunteers in a tailored way over three sessions at the centre, where individuals could bring their children with them to be able to access the training. This was the first time the training has been delivered this way to enable parents to attend.

As a result, a taster Buggy Walk was delivered in the October half term and another one is planned for February Half Term with a longer term plan to deliver regular buggy walks in the Kithill area of Crewkerne. On-going support is being provided to these parents to enable buggy walks to happen.

As part of the 'Be Healthy' strand of the children's centres remit – a 'Be Healthy' consultation session was facilitated by the Healthy Lifestyles Team at the Ile Valley Children's Centre's parents forum and at their Neroche Group (Broadway). This has led on to a development plan of how the team can support and work with the children's centre to have a positive impact on the health of their families.

A 'Get Set Cook' course is starting in January 2013 for Ile Valley's families, buggy walks training is going ahead in February 2013 for parent volunteers to look to deliver buggy walks in Ilminster, Broadway and possibly Combe St Nicholas. Exercise/ dance classes to be set up for parents and possibly swimming with families in the Greenfylde School pool from April onwards.

Promotion of the Cooking Club Training that is being offered to schools to set up Cooking Clubs through the Health & Wellbeing in Learning Programme to the Children's Centres in Ilminster, Crewkerne and Chard. Staff from Ashland's Children's Centre and Ile Valley Children's Centre are attending the training that is taking place at the Ashland's Primary School.

A British Heart Foundation Active Clubs training day was delivered at the Ashland's Children Centre in Crewkerne and was accessed by staff and volunteers from Chard Children's Centre, Ashland's Children's Centre and Ile Valley Children's Centre to encourage children aged four upwards to be more active.

The training was also accessed by a volunteers from the Merriott PEEP Group, a Beaver Scout leader, the Neroche Playgroup in Broadway and a Children's Centre outreach worker.

#### **Community Based Physical Activity:**

Pad-e; the online physical activity directory, has been developed by the Healthy Lifestyles Team in partnership with the Leisure Projects Officer and the GIS Team at SSDC. With over 600 opportunities listed, the directory shows activity and exercise opportunities available in South Somerset and is searchable both by activity category and postcode. The website will help to support and promote local physical activity and exercise opportunities as well as highlighting gaps in provision. Training on how to use Pad-e has been offered to the Area Office staff and more information is available by visiting [www.pad-e.co.uk](http://www.pad-e.co.uk)

Learning disability (LD) focus work has begun which will lead into a project starting in January 2013 aimed at making activities more accessible for individuals with LD which will be South Somerset wide.

#### **Health Walks:**

Since January 2012 eight residents in Area West have undertaken the health walk leader Training. Five are existing walkers as with a health walk group who have stepped up to become leaders. The other three leaders are new to health walks.

Thirteen new and existing leaders accessed The British Red Cross 'Everyday First Aid Training' over the course of the year.

There are currently 26 active health walk leaders in Area West and ten of these attended a 'thank you' event and stakeholder meeting for the volunteers as an opportunity for the leaders to network, highlighting any support needs and to help to shape the future of the Health Walks programme in South Somerset.

The three existing health walk groups have continued to go from strength to strength increasing in numbers. These groups are Broadway health walks, Chard health walks and Crewkerne health walks and more details can be found on [www.southsomerset.gov.uk/healthwalks](http://www.southsomerset.gov.uk/healthwalks). In the last year in Area West there have been 2,436 attendances and 68 new walkers.

The Broadway health walks group has been offering a new beginners walk over the last year on the 2<sup>nd</sup> Tuesday of the month. Six leaders from the Broadway health walks group provided six walking opportunities at the Somerset Partnership NHS Annual Carers Event at Dillington House. The group celebrated their third anniversary in November 2012.

A new monthly beginners health walk group was set up as part of the Yarlington Housing Group Core Café Initiative. The walks are led by the Community Core Coordinator (who we trained) and start from their St Gilda's Extra Care Scheme in Chard. The walks started in October and happen on the 1<sup>th</sup> Wednesday of the month, they are sedate walks lasting 45 minutes in the Chard area.

Two of the leaders trained are parent volunteers at the Action for Children Ashland's Children's Centre and they led a taster buggy walk in the Kithill area of Crewkerne in the October half term. The longer term plan is to establish regular buggy walks.

One of the new leaders we have been working with plans to run health walks in East Chinnock from March 2013 on a fortnightly basis to complement the moderately paced two hour long walks that currently happen in the village.

**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 28 Flexercise Leaders delivering Flexercise Sessions in Area West in approximately 18 venues. These venues range from Nursing Homes, Residential Homes, Sheltered Housing Schemes, Care Homes, Day Centres and Active Living Centres.

Since January 2012, one Flexercise workshop has been delivered in Area West with eight individuals from Area West attending the training. In addition, two existing Flexercise Leaders have attended Flexercise Update workshops – core stability and parachute activities.

Four leaders from Area West attended the first Stakeholder meeting for the Flexercise programme in South Somerset. The event brought together leaders from across South Somerset to network to share ideas.

**Newsletter:**

The Healthy Lifestyles team produce a quarterly newsletter that goes out to over 500 volunteers, partner organisations, instructors and individuals who are interested in the work of the team. The next newsletter is due to go out in March 2013. If any member or community member wishes to be added to the mailing list, please contact Charlie Coward ([charlie.coward@southsomerset.gov.uk](mailto:charlie.coward@southsomerset.gov.uk)).

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

**Area Specific work:**

- Crewkerne Town Council - £292,719 of capital and Section 106 funding (secured by the team) and officer support was provided to Crewkerne Town Council to assist in the delivery of the new George Reynolds Centre. The building of this new multi-functional sports and community centre was completed in November 2012, will be the new home for the sports clubs who use Henhayes.
- Jocelyn Park (Chard) – initial support is being provided to Chard United FC and Chard Rangers FC who currently use the Chard Town Council football pitches at Jocelyn Park. The clubs are looking to develop plans for new football changing at the site in conjunction with the town council. Further support will be provided to look at ownership, design and funding for this project.

**Planning Applications** – Between 1<sup>st</sup> January 2012 and 31<sup>st</sup> December 2012, the team has provided Development Management with 40 detailed responses to planning consultation requests of which 10 (25%) were for developments in Area West. Our responses set out the leisure obligations required to make developments acceptable in planning terms. The teams also provided information for the Planning Appeal for Land at Mitchell Gardens (APP/R3325/A/12/T2176355), Chard.

**Summary of planning gain secured for Area West by the service (not yet spent):**

<b>Contribution Type Secured</b>	<b>Capital Sums Available</b>	<b>Commuted Sum</b>	<b>Area of Anticipated Spend</b>
Sports Pitches/changing (local contribution)	£23,654	£5,102	Chard
	£91,273	Included within capital sum	Ilminster
Equipped Play (local contribution)	£12,235	£4,805	Chard
	£29,319	£23,987	Ilminster
Youth Facilities (local contribution)	£6,956	£1,749	Chard
	£4,576	£2,464	Ilminster
	£100,000		Misterton – delivery of a MUGA underway
<b>Contribution Type Secured</b>	<b>Capital Sums Available</b>	<b>Commuted Sum</b>	<b>Area of Anticipated Spend</b>
Strategic Facilities (includes sports halls, pools, indoor tennis, theatres/arts centres)	£19,625	n/a	Chard/District
	£29,523		Ilminster/District
Artificial grass pitches (strategic contribution)	£1,516	n/a	Chard
<b>TOTALS</b>	<b>£318,677</b>	<b>£38,107</b>	

In addition, the majority of the allocated £242,728 of S106 contributions has been paid (in the last 12 months) towards the delivery of the new George Reynolds Pavilion at Henhayes, Crewkerne.

Community Health and Leisure officers now work closely with Area Development teams to also seek contributions for community halls where need for additional provision has been identified.

A more detailed breakdown of S106 contributions secured will be contained within the S106 Monitoring Officer's next report to Area West Committee.

**Passport to Leisure scheme** - We currently have 441 live cards in circulation at present; approximately 2% (8) of cardholders live in Area West.

Leisure facilities in Area West do not accept Passport to Leisure Cards but do operate their own concessionary schemes.



## Other Service Achievements

**London 2012 Olympic Torch Relay** – South Somerset residents helped create a special atmosphere when the Olympic Torch Relay visited the district on Tuesday 22<sup>nd</sup> May 2012. Ilminster was one of four towns in South Somerset that welcomed the flame and in excess of 22,000 watched the flame in the district.

The Olympic Torch Relay was co-ordinated by South Somerset District Council in partnership with Ilchester, Somerton, Ilminster and Yeovil town councils. The team played a key role in the co-ordination of this event locally.

**E-newsletter** – The 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 5,600 individuals registered to receive the newsletter, an increase of approximately 7 % in the last year.

## The Year Ahead – Strategy Review

In the year ahead the team will be focusing on the review and refresh of their Next Level and Play and Youth strategies, combining them into one leisure strategy for South Somerset. Members will be invited to take part in the process to prepare a new leisure strategy.

Work has also commenced to update our playing pitch strategy and supporting data. The strategy will help to identify gaps in provision and priorities for development across the district. The information gatherer will also assist with planning consultation responses where contributions for formal playing pitches are sought. This update is being supported by Sport England and the Somerset Activity and Sports Partnership at no cost to the district council other than officer time.

## Financial Implications

No new implications.

## Corporate Priority Implications

The work of the Community Health and Leisure service contributes to the following aims within the Health and Communities Focus of the Council Plan:

- Ensure that the strategic priorities of the Somerset Health and Well-being Board reflect local needs and align council resources to deliver projects to address those needs;
- Maintain and enhance the South Somerset network of leisure and cultural facilities, optimising opportunities for external funding to promote healthy living.

## Equality and Diversity Implications

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

**Background Papers:** *none*

Area West Committee – 20<sup>th</sup> February 2013

## 9. Report for Area West Committee on the Performance of the Streetscene Service

*Strategic Director:* Vega Sturgess, Operations and Customer Focus  
*Assistant Director:* Laurence Willis (Environment)  
*Lead Officer:* Chris Cooper Streetscene Manager  
*Contact Details:* chris.cooper@southsomerset.gov.uk or (01935) 462840

### Purpose of the Report

To update and inform the Area West Committee on the performance of the Streetscene Service in the Area for the period May 2012 to January 2013.

### Recommendation

Members are invited to comment on the report.

### Report

The major focus of the service so far for this period that affect Area West, are listed below.

- Royal Visit
- Olympic torch preparation
- Lean Thinking process for Street cleaning and Environmental Enforcement
- Spring & summer maintenance operations
- Flooding response

### Operational Works

What a year this has been so far! We have experienced the wettest summer for 100 years! Not the best conditions for the delivery of our services, not just the mowing and herbicide applications, but also road sweeping is harder as the sweeper fills with water and bin emptying is considerably more difficult when the bin bag holds several litres of liquid.

However, despite these challenges, we have managed to tackle some major events.

First and foremost was the royal visit. Our team was heavily involved in preparing for the event, working with the town councils involved, followed by the subsequent clear up of the locations where the crowds collected. In particular in Area West we worked with Crewkerne Town council to prepare the town prior to the event to ensure it was ready to receive the huge crowd that was inevitable. The team were simply magnificent, with key works being delivered in the weeks leading up to the event, then working through the night before the visit, erecting crowd barriers and other infrastructure as directed by the police.

Later in the summer, the subsequent jubilee celebrations were supported by the service, often with regards to pre and post celebration cleaning or mowing of the targeted areas.

Following the Queens visit, we then prepared for, and cleared up after the Olympic torch relay which passed through the district as the start of a very memorable sporting year.

## Street Cleaning works

Our street cleaning teams continue to clean the Area on a daily basis, and we have started a work schedule of litter picking along the districts rural roads. We have waited to start this work schedule until recently as we need the grass on the verges to die back, this allows our teams to spot the litter more easily. It is fair to say that we are finding considerable amounts of litter, as well as flytips that have been covered in foliage all summer. It will bring us great satisfaction to address these issues and see the results of this program of work.

Along with this work program we will also be working to ensure that all kerbed areas of roads are clear of soil and detritus & where possible, areas of road and pavements which have walls against them are cleared of soil build-ups. We believe that this will both improve the look of the area and ensure that we get maximum surface water drainage performance.

The team continues to focus on managing the number of flytips found and reported across the district, and this number has continued to rise slightly, however in in Area West from March to December 2012 we have had 358 flytips reported, compared to 575 last year for the same period. The highest percentage of these consists of household waste, this does not include calls for missed refuse or side waste, but is household waste which has been moved and dumped. Our response to the problem has been to divert more enforcement time to tackling this issue and we are have seen a decline in the number of cases; this is very encouraging but also very time demanding. We will have a better idea of the future pattern of tipping in the area when we have carried out the winter litter picking as this will doubtless reveal more issues.

Following the flooding earlier in the year, we recently experienced an amount of disruption following the snow falls. Our teams were sent to help clear pathways in both Crewkerne and Ilminster, while the Chard T.C. teams cleared footways around their town. The snow did effectively disrupt our cleansing programs; however we have now resumed these work programs.

## Horticultural works

Our horticultural teams completed the summer maintenance of grassland, hedges & shrub beds. This has been a challenge throughout the year due to weather conditions; however the teams have persevered and delivered services well in spite of these difficulties.

The teams completed the winter ditch maintenance program for SSDC managed watercourses and continued to maintain the trash screens that are vital in preventing flash flooding on our own land.

All of these works were completed prior to the recent floods and will have helped to prevent property damage in many instances.

The horticultural teams are half way through the winter pruning of shrub beds across the area, and these works will be completed by March.

We have also continued to develop Snowdon Park and have planted a further 150 Cherry trees to develop the 'Cherry Walkway' that is being developed in the open space. The team also carried out repairs to the temporary track way leading in to the car park area.

This area will also be targeted as an open space that we will develop along a largely environmental theme. We have recently started working with a local ecologist to assess the current ecological value of specified sites across the district and from here site specific management plans will be produced to encourage and maximise the environmental potential of each site.

A planting scheme has been installed at The Butts at Ilminster as part of a renewal planting scheme which we aim to extend throughout the areas that we manage. We recognise that many of the planted areas across the district comprise of shrubs that have passed their 'working life' and a program of shrub bed rejuvenation is required to keep our open spaces attractive and in good order.

The service has recently designated one of our teams to focus solely on weed control throughout the year, and this is providing an improvement in service delivery as a result. With regard to weed control, we are currently trialling a new herbicide that is for use on non productive porous surfaces, such as gravel paths, around obstacles, etc., and we are hopeful that this will perform successfully and be an additional 'tool' for us when maintaining the district.

Unfortunately this product is unsuitable for the treatment of street weeds so the team will continue to use Glyphosate to address this issue, however the service has invested in a purpose built quad bike spraying system which will enable us to tackle the street weed spraying program much more efficiently and will, we believe, make a notable difference to the look of the district.

We aim to carry out winter mowing of our grassland areas; however the probability of this seems to be led by the incessant rain!

Our teams also planted spring bulbs with parish councils, with sites at Crewkerne & West Crewkerne, East Chinnock, Hinton St George, Ilminster, Merriott, Misterton, Winsham and Chillington receiving between 1,000 and 2,000 bulbs planted in each of these locations.

Recently we have been discussing working with the Council's Arboricultural Officer to extend the parish planting works to include tree planting schemes where possible across the parishes of the district. This scheme will not only increase the volume of tree cover in the district, but will also help us to meet targets in the open space strategy.

The tree risk assessment process continues to be carried out, works identified and addressed so we maintain a safe and healthy tree stock. The service and other associated services are currently ensuring that we are consciously checking for any traces of the 'new' fungus which has devastated Ash tree species across parts of the continent in order to minimise the chances of this contaminating our tree stock.

The team has also started work with a new apprentice who joined the team in December and is working with the Sports Grounds team.

Over the coming months, one of our teams will again be carrying out risk assessments of all the open spaces that we manage, rectifying any issues that are identified such as replacing damaged fencing or levelling surfaces.

## **Lean Thinking**

As part of the Councils Lean Thinking program, the 'Lean Team' has been working with the Streetscene team looking at the processes used to deliver the street cleaning and

enforcement services. These processes have now been reviewed and the final report on the service is being followed up to realise the savings identified.

I would like to pass our compliments to the lean team for their approach to the review, and thanks for the suggestions that arose from the review.

**What's coming next?**

- Completion of the litter clearance on roadside verges
- Completion of the landscaping improvements
- Continue with highway weed control operations
- The introduction of the Parish tree planting scheme
- Focussing on developing targeted areas for ecological development

**Financial Implications**

All of the matters highlighted in the report have been achieved within service budgets.

**Implications for Corporate Priorities**

- Continue to deliver schemes with local communities that enhance the appearance of their local areas;
- Continue to support communities to minimise floodwater risks;
- Maintain street cleaning high performance across the district.

***Background Papers***

*Progress report to Area Committees on the Performance of the Streetscene service.*

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Area West Committee – 20<sup>th</sup> February 2013

**10. 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 – 20<sup>th</sup> February 2013

## 11. 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

**Cricket St Thomas** – The change of use of land to eco friendly campsite and the erection of wooden decking to site eco pods and separate shower/w.c/kitchen facilities. (GR 337245/107841), Puthill Wood, Cricket St Thomas Estate, Windwhistle, Cricket St Thomas, Chard – 11/04894/FUL.

#### Appeals Allowed

**Misterton** – The erection of replacement garage and workshop (Retrospective Application and revised to include formation of monopitch roof to part of south elevation). (GR 345304/108328), In The Dog House, Station Road, Misterton, Crewkerne, TA18 8LR – 12//03894/FUL.

#### Appeals Withdrawn

**Haselbury Plucknett** – The change of use of land for 2 No. private gypsy/traveller pitches to include 2 No. mobile homes, 2 No. touring caravans, 2 No. day rooms and associated hardstanding, refuse storage, resiting of access and closure of existing access (GR 347413/110447), Land OS 4443 Part Stonage Lane, Haselbury Plucknett, Crewkerne – 11/02044/FUL.

#### **Background Papers:** None

The Inspector's decision letter is shown overleaf.

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Appeal decision In the Doghouse  
3 pages







Area West Committee – 20<sup>th</sup> February 2013

## 12. 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 at page 33.

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.*

Area West Committee – 20<sup>th</sup> February 2013

**13. Date and Venue for Next Meeting**

The next scheduled meeting of the Committee will be held on Wednesday, 20<sup>th</sup> March 2013 at 5.30 p.m. at The Henhayes Centre, South Street Car Park, Crewkerne.

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## Planning Applications – 20<sup>th</sup> February 2013

### Planning Applications will be considered no earlier than 6.30pm

Members of the public who wish to speak about a particular planning item are recommended to arrive for 6.20pm.

#### 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
35	CHARD	12/04194/FUL	Formation of an agricultural access and installation of gate.	Land Rear Of Nursery Gardens And Fordham Grange Nursery Gardens Chard	Mr & Mrs R Trott
43	HORTON	12/04763/FUL	Alterations and change of use of land and buildings to create animal farm park, including the erection of a visitor centre, the creation of parking and associated works.	Horton Cross Farm Old A358 Horton	Montpellier Enterprises Ltd
62	CHARD	12/04262/COU	Use of land as public open space (GR 332870/109782)	Land north of Dolling Close, Chard	Abbey Manor Developments Ltd
69	CHARD	12/04283/FUL	The erection of 41 no. dwellings and 1 no. 68 bedroom care home together with associated highway infrastructure, parking, landscaping and footpath links (GR 333019/109864)	Land off Thorndun Park Drive, Chard	Abbey Manor Developments Ltd



Area West Committee – 20<sup>th</sup> February 2013

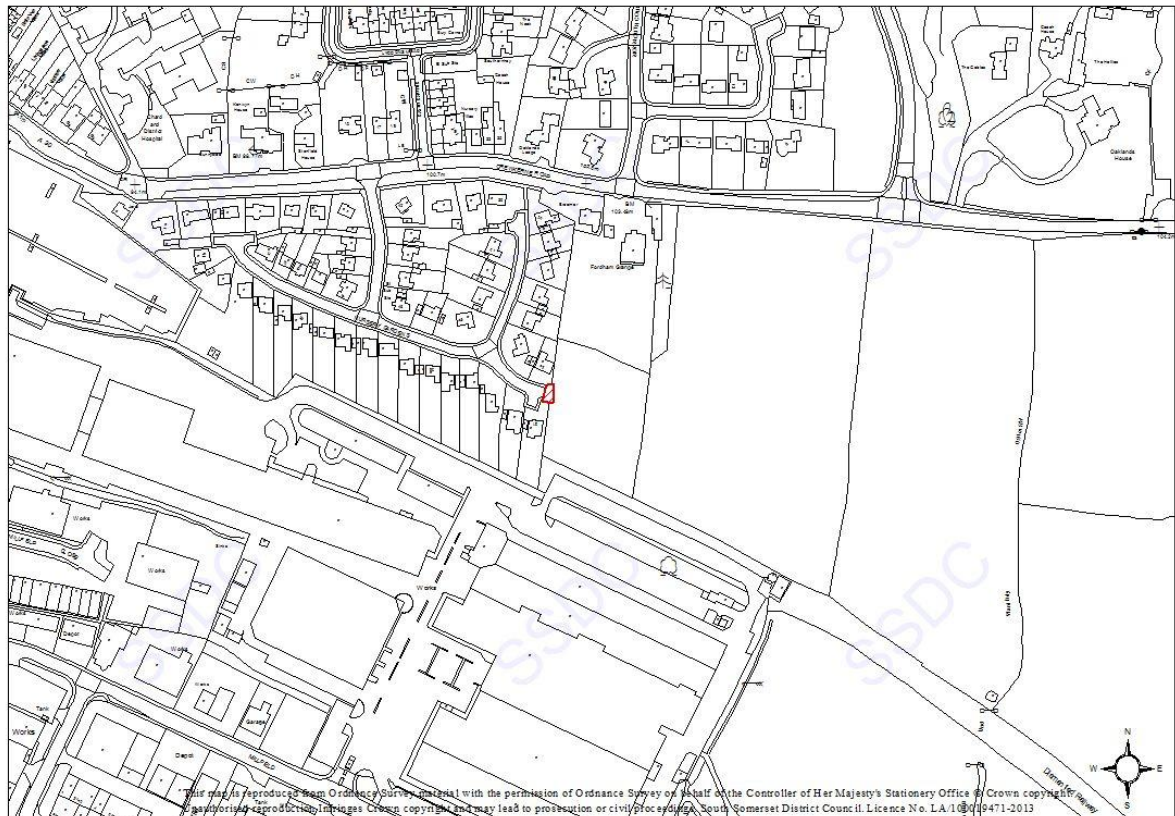
**Officer Report On Planning Application: 12/04194/FUL**

<b>Proposal :</b>	Formation of an agricultural access and installation of gate. (GR 333357/108568)
<b>Site Address:</b>	Land Rear Of Nursery Gardens And Fordham Grange Nursery Gardens Chard
<b>Parish:</b>	Chard
<b>JOCELYN (CHARD) Ward (SSDC Member)</b>	Cllr D M Bulmer
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	3rd January 2013
<b>Applicant :</b>	Mr & Mrs R Trott
<b>Agent: (no agent if blank)</b>	Miss Sarah Hall Hawkrigde House Chelston Business Park Wellington, Somerset, TA21 8YA
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

**REASON(S) 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 application should be given further consideration by members, to consider the potential impact on local amenity.

**SITE DESCRIPTION AND PROPOSAL**



The application relates to a small square-shaped field, which adjoins a number of larger fields on the east edge of Chard, just to the south of the A30. The land is owned by the occupiers of Fordham Grange, a residential dwelling, also adjoining the application site. The west boundary is alongside Nursery Gardens, with the road and turning head stopping just short of the field boundary. The two properties at the end of the cul-de-sac, one of which is a bungalow and the other a house, immediately adjoin the site. There is a small strip of land between the site and the public highway, which is understood to be in the ownership of these two neighbouring properties, 31 and 32 Nursery Gardens.

The application is made to create a vehicular access into the site from Nursery Gardens and install a gate.

## **HISTORY**

12/03170/AGN: The formation of an access and installation of a gate - Planning permission required.

03/02050/FUL: Erection of 16 dwellings and associated road - 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,

### **Relevant Development Plan Documents**

Somerset and Exmoor National Park Joint Structure Plan:  
STR1 - Sustainable Development  
Policy 5 - Landscape Character  
Policy 49 - Transport Requirements of New Development

South Somerset Local Plan 2006:  
ST5 - General Principles of Development  
ST6 - The Quality of Development  
EC3 - Landscape Character  
EC8 - Protected Species  
EP9 - Control of Other Potentially Polluting Uses

### **Policy-related Material Considerations**

National Planning Policy Framework (March 2012):  
Core Planning Principles - Paragraph 17  
Chapter 7 - Requiring Good Design  
Chapter 10 - Climate Change and Flooding  
Chapter 11 - Conserving and Enhancing the Natural Environment

South Somerset Sustainable Community Strategy (2008-2026):  
Goal 11 - Environment: Protection and enhancement of our material environment and biodiversity.

## **CONSULTATIONS**

**Parish Council:** Recommend refusal - The Clerk advised to recommend approval as she considered there was no concern regarding the impact of traffic based on the



information contained within the Design and Access statement. However the Members of the Planning Committee and the Chairman expressed dissatisfaction about the suitability of the access for agricultural vehicles and therefore wish to recommend refusal on the grounds of Highways access.

**SSDC Technical Services:** Looking at the site using Google 'StreetView' I note that the agricultural land falls in a general North/South direction and is about 0.75m above the road which is situated to the west. I would not expect any issues to do with surface water run-off from the agricultural land but to safeguard against this the applicant could be required to install a stone-filled drain across the entrance. To be honest I'm surprised that the County Council haven't requested this as it is fairly standard practice where access onto the highway is being proposed. There could of course be an issue to do with depositing mud on the highway when the access is in use but this is a highway enforcement matter rather than a planning issue.

**County Highway Authority:** The application relates to the formation of an agricultural access and installation of a gate.

The proposal would result in an increase in vehicle movements on Nursery Gardens however this is unlikely to be significant enough to warrant an objection by the Highway Authority on these grounds.

In terms of the access it is apparent from visiting the site that the proposed access would be higher than the existing carriageway. As a consequence the applicant would be required to re-grade the proposed access so it is at the same level as the road. The application detail also shows that the access would be gated. Please note that the Highway Authority would require the entrance gates to be open inwards and set back from the carriageway edge.

Although the applicant has provided a location plan of where the access will be situated it does not provide any design detail. Therefore the applicant would need to provide a drawing showing that the entrance gates have been set back from the carriageway edge although the Local Planning Authority can attach this requirement as a pre commencement condition if they deem it appropriate.

I note from the further information submitted, by the applicant, that there has been questions raised over whether the section of land between the back edge of the highway and the fence and its ownership. The Highway Authority are currently investigating this matter and respond to this under a separate cover once this has been completed.

Therefore to conclude, the proposal is unlikely to generate a significant increase in vehicle movements on Nursery Gardens. In terms of the detail re-grading work would be required so the access can link into the existing highway also a more detailed plan should be provided showing that the entrance gate has been set back from the carriageway edge, although this could be conditioned.

Therefore based on the above information I raise no objection to this proposal and if planning permission were to be granted I would require the following conditions to be attached.

- No work shall commence on the development hereby permitted until a lay out drawing of the access has been submitted to and approved in writing by the Local Planning Authority.
- Any entrance gates erected shall be hung to open inwards and shall be set back

- a minimum distance of 4.5m from the carriageway edge.
- The section of highway between the edge of the carriageway and the entrance gate shall be properly consolidated and surfaced (not loose stone or gravel).

**NOTE:**

Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager, South Somerset Area Highway Office, Mead Avenue, Houndstone Business Park, Yeovil, Tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.

**REPRESENTATIONS**

The application has been advertised by site notice for the requisite period. Letters of objection have been received from twelve local residents and a petition has also been received with 66 signatures on it. The main issues raised are as follows:

- There is no need for agricultural access. The site is a paddock, which is not used for grazing any livestock and there are already several access points.
- Nursery Gardens is a quiet cul-de-sac, unsuitable for use as a through route. It is narrow in places and has restricted visibility at the junction onto the A30, where road users often exceed the speed limit. As such any additional traffic (particularly as a result of large agricultural vehicles) is likely to be detrimental to highway and pedestrian safety, particularly children who play in the street.
- Increased traffic will cause disturbance to residents (i.e. noise and mud on the roads), which will be detrimental to their residential amenity.
- The strip of land between the public highway and the site is owned by the residents at the end of the cul-de-sac and has been maintained to a high standard, being grassed and planted with a high hedge and flower beds. There has never previously been any access via the cul-de sac, in the forty years that the estate has existed.
- Permission was refused in 2003 for the erection of houses on this site. The creation of an access may set a precedent for approving a future application.
- The removal of the hedge would be detrimental to wildlife in the area.

**CONSIDERATIONS**

**Principle of Development**

The proposal relates to the provision of a new access, and associated gate, from Nursery Gardens into the application site. The site itself is a small field, referred to as a paddock on previous planning application 03/02050/FUL. As such, it is agricultural land in open countryside. The site is however within the defined development area of Chard, despite being beyond the existing developed limits of the town.

There is existing access to the field from the applicant's property and other adjoining fields and it would appear that there is no formal agricultural business being carried out. At the time of visiting the site, no animals were present on site. Several of the objections have made reference to a lack of use of the site for agricultural purposes, highlighting a lack of need or justification. It is noted that no justification has been provided for the new access, however it is acknowledged that there is no need for the applicant to justify the proposal. It is for the Local Planning Authority to assess the proposal on its own merits

and in this case, the main considerations will be impact on local landscape character and visual amenity, highway safety and the residential amenity of local residents.

### **Scale and Appearance**

The proposal is relatively small-scale, in terms of appearance, involving the removal of a section of hedge 3m wide and the insertion of a 6 bar metal field gate, consistent with the type used on agricultural land. There is a difference of levels between the carriageway and the application site, however required excavations would be limited. The field to the north of the hedge is at the same level as the top of the grass bank, as seen from Nursery Gardens. In terms of visual impact, it is not considered that the proposal would have any adverse impact on the character of the built environment or local landscape character.

### **Highway Safety and Local Amenities**

The main areas of concern seem to relate to the impact the scheme may have on highway safety and residential amenity due to increased and potential larger vehicle movements. Objectors refer to the junction of Nursery Gardens and the A30 having restricted visibility, along with cars exceeding the speed limit, making this unsuitable for agricultural vehicles, as well as the cul-de-sac being narrow in places and difficult for larger vehicles to manoeuvre. It is also pointed out that the cul-de-sac is currently relatively quiet and safe and as a result, there is potential for increased traffic to pose a risk to the safety of highway users and pedestrians, as well as increased disturbance to local residents. It is noted that permission for a new housing development in 2003, which would have also derived access at this point, was refused with one of the reasons being impact on highway safety and loss of residential amenity.

In terms of impact on highway safety, the County Highway Authority have considered the proposal and raised no objections. They acknowledge that there may be an increase in vehicle movements but these will not be significant enough to recommend refusal. County Highways have requested that the gate be set back 4.5m from the existing carriageway, which has been agreed by the applicant so this may be conditioned along with the details of re-grading part of the land, if approved. The boundary line is currently set back over 3.5m from the highway so this would require the gate being set back only 600-1000mm from existing hedge line.

In regard to residential amenity, it is not considered that the proposal will cause any unacceptable harm either. Even though it is not a through road to any further development, Nursery Gardens is a residential area, with regular vehicle movements expected. As with the issue of highway safety, the proposed development is unlikely to create any significant increase in traffic movements and as a result increased disturbance is likely to be minimal. Concerns have been raised that this proposal could set a precedent for future development; however this should not be the case. Any future development proposal will be considered on its own merits and if likely to lead to a significant increase in vehicle movements, it may be considered differently.

### **Other Issues**

One objector has referred to the potential impact on wildlife as a result of the loss of a section of hedgerow. In this case, it is not considered that this should be a matter of concern. The area of hedge to be removed is only 3m wide and furthermore, the hedge at this point is a domestic species. The fact that it is also forms a domestic boundary means that it is unprotected and could be removed at any point, subject to owner consent.

Consideration had been given to the potential impact of surface water run-off from the field onto the highway but the Council's Engineer does not consider that there is likely to be additional runoff than would be experienced at present. Despite this, they have suggested that a stone-filled drain across the proposed site entrance would safeguard against any potential issue. A standard condition may be imposed to request details of drainage provision to ensure that there is no run-off onto the highway.

An issue raised in relation to this application and the previous one, is that the strip of land over which the access will be derived between the highway and the application site, is within the ownership of the adjoining residents at 31 and 32 Nursery Gardens. The applicant is certain that the land is owned by the County Highway Authority and has provided a highway map indicating that the land is part of the highway; however land registry documents were provided as part of application 03/02050/FUL, which showed that the strip of land was owned by the occupiers of these two neighbouring properties. These documents have been provided again as part of this application, with further correspondence from the applicant's agent, which would seem to confirm that the land was adopted by the County Council, as part of the highway following a legal agreement entered into in 1971. It would seem that despite the land being laid out as garden, adoption by the Highway Authority may have been in place since the estate and associated road network were developed in the 1970s. Notwithstanding these issues of land ownership, the grant of planning permission does not override any other legal requirements, for example the need to gain another land owner's consent to carry out works on their land. This may apply on this site, however it would certainly appear that the strip of land in question is part of the adopted highway. Nonetheless, the concerns raised in regard to land ownership are a civil matter and should not be a reason for refusal.

## **CONCLUSION**

Overall, the proposed development is considered to be acceptable. The visual impact of the proposal will be limited, with no adverse impact on the established street scene or on local landscape character. The potential increase in vehicle movements is not considered to be significant and as a result will have no detrimental impact on highway safety or cause any unacceptable harm to the residential amenity of neighbouring residents. Furthermore, it is not considered that the proposal will increase the likelihood of surface water run-off beyond the site.

## **RECOMMENDATION**

Approval with conditions

01. The proposed development, by reason of its size, scale and materials, respects and relate to the character of the area and causes no unacceptable harm to residential amenity, highway safety, landscape character or local ecology, in accordance with the aims and objectives of policies 5, 49 and STR1 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5, ST6, EC3 and EC8 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 10 and 11 and the core planning principles of the National Planning Policy Framework.

## **SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: '1:2500 Location Plan' and '1:500 Proposed Block Plan', received 29th October 2012.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. No development shall be carried out on site unless a layout drawing of the access has been submitted to and approved in writing by the Local Planning Authority. The layout shall include details of the grading of the access, including changes proposed in existing ground levels, position of the gate hereby approved and details of any new boundary treatment. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and highway safety, in accordance with policies STR1, 5 and 49 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5, ST6 and EC3 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 11 of the National Planning Policy Framework.

04. The design and finish of the field gate hereby permitted shall be carried out in accordance with the details submitted in correspondence, received 8th November 2012.

Reason: In the interests of visual amenity, in accordance with policies STR1 and 5 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5, ST6 and EC3 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 11 of the National Planning Policy Framework.

05. Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5m from the carriageway edge.

Reason: In the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and saved policy ST5 of the South Somerset Local Plan.

06. Prior to the access hereby permitted being first brought into use, the section of highway between the edge of the carriageway and the entrance gate shall be properly consolidated and surfaced (not loose stone or gravel).

Reason: In the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and saved policy ST5 of the South Somerset Local Plan.

07. Provision shall be made within the site for the disposal of water so as to prevent its discharge on to the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first occupied. Following its installation such approved scheme shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and local amenity, in accordance with policies 49 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review, saved policies ST5, ST6 and EP9 of the South Somerset Local Plan and the provisions of chapter 10 of the National Planning Policy Framework.

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Area West Committee – 20<sup>th</sup> February 2013

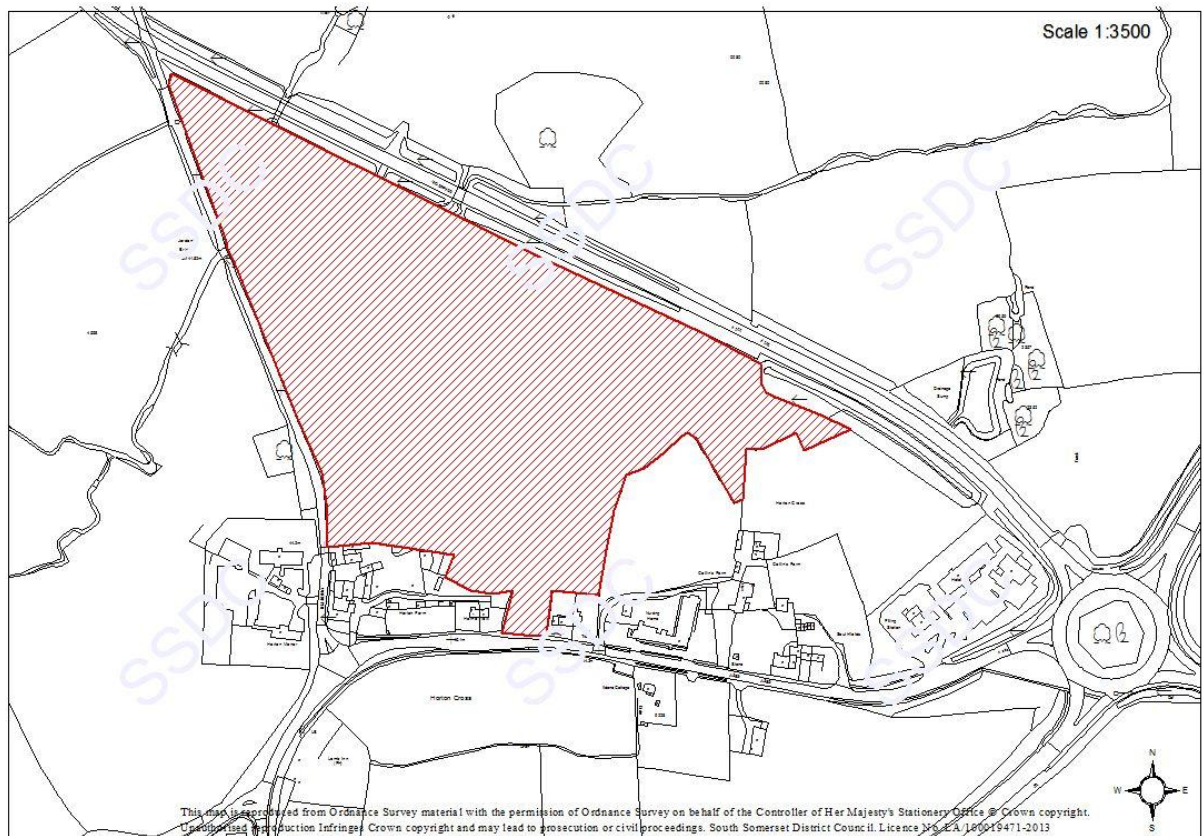
**Officer Report On Planning Application: 12/04763/FUL**

<b>Proposal :</b>	Alterations and change of use of land and buildings to create animal farm park, including the erection of a visitor centre, the creation of parking and associated works. (GR 333653/115348)
<b>Site Address:</b>	Horton Cross Farm Old A358 Horton
<b>Parish:</b>	Horton
<b>NEROCHE Ward (SSDC Member)</b>	Cllr L P Vjeh
<b>Recommending Case Officer:</b>	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
<b>Target date :</b>	15th March 2013
<b>Applicant :</b>	Montpellier Enterprises Ltd
<b>Agent: (no agent if blank)</b>	Michael Williams Sanderley Studio Kennel Lane, Langport, Somerset, TA10 9SB
<b>Application Type :</b>	Major Other f/space 1,000 sq.m or 1 ha+

**REASON(S) FOR REFERRAL TO COMMITTEE**

The application is classed as a ‘major-major’, extending to over 10 hectares in area. Under the council’s scheme of delegation, as the recommendation is to approve, the application must be referred to the Area West Committee.

**SITE DESCRIPTION AND PROPOSAL**



The site is located in countryside on the east of the former A358 road which is now a no through road, and which extends to the north of the current A358 (Chard road). Monks Yard is located to the south along with several residential properties and a nursing home. To the east and west are fields with the A358 (Taunton road) running along the northern boundary of the site. Ilminster is located approximately 2 km to the east with Chard 7 km to the south.

The application site largely comprises 2 grassed fields along with a number of redundant modern farm buildings. The farm buildings are located immediately to the north of a number of traditionally designed and mostly converted former farm buildings known as Monks Yard. These buildings are used for a mix of uses comprising a conference centre, café and business networking centre. A number of the buildings in Monks Yard are listed for their special architectural and historic interest.

The application seeks consent for the change of use of the buildings and associated land to be used as a farm park. The submitted Planning Statement outlines that the development will be based on countryside activities and the keeping of rare breeds, with the aim to provide a high quality, nationally recognised, major tourist attraction. Moreover, that the applicants will enter into a franchise agreement with the Cotswold Farm Park Ltd, which is a leading centre for the conservation of rare breeds.

The key aims of the enterprise are to:

- Promote British farming and locally produced products
- Educate and entertain visitors
- Conserve rare breeds
- Create sustainable local employment
- Deliver a high quality experience for visitors
- Respect the local environment and minimise impact

The current buildings will be used for a number of different activities including an interaction area where children will be able to learn about and have contact with a range of different animals. There will also be a demonstration area which will have different activities throughout the year including milking, shearing, lambing along with lectures and talks to schools and adults. There will also be an educational play area along with an outside play area and adventure playground.

The current agricultural land to the north and north east of the buildings will be used for the display of a wide variety of rare and traditional livestock breeds. This land will be divided into fenced paddocks to which the public will have access over trackways by either foot or tractor rides. Within this area, there will be mobile wooden structures to act as rain/animal shelters, along with permanent toilets and a snack shed.

To the east of the existing buildings, a new single storey visitor centre will be erected which, with a floor area of 527 square metres within which shall include a shop, café, toilets, and a ticket office. The visitor centre will be constructed in a traditional agricultural manner with a simple rectangular shape and gabled roof. It will be constructed using featheredged boarding with external roofing using grey steel sheeting.

The Planning Statement states that a condition restricting the sale of products to park farm visitors only will be acceptable- indeed the site layout will prevent access to the shop by the general public.

The site will be accessed from the adjoining no through road to the west of the site with the southernmost section of the existing southernmost building being demolished to provide a widened access. This access point and first section of the widened internal



access road will be shared with Monks Yard. Vehicles will then head through the buildings to the eastern end of the site where the car and coach parking spaces are to be provided. This area will be consolidated and provide for 200 cars. Further to the east will be an overflow car park. This will only be used during extremely busy periods and will not be consolidated but remain as permanent pasture. To the north of the overflow car park will be a second external play area as part of the rare breeds display. A pedestrian route will be provided into the site from the AE358 to the south, to the east of Spring Cottage. In addition, the application is supported by a Travel Plan that will encourage walking and the use of other modes of transport to access the site.

A landscaping scheme has been submitted with the application with the key aims to help identify the different areas of use on the site and in particular, proving buffers and screening to the parking and paddock areas, plus tree planting in and around the play and car park areas, planting along the access road and buffer planting between the car/coach parks and Monks Yard/Herne View.

It is proposed that the farm park will be open from 1000 to 1700 hours each day from March to October. The aim is to achieve 70,000 visitors per year and to employ up to 33 people (8 full time and 25 part time/seasonal).

The application is supported by a Combined Planning Statement, Heritage Impact Statement and Design and Access Statement, a separate Ecological Survey, Travel Plan, Transport Assessment, Flood Risk Assessment and Economic and Tourism Assessment.

## **HISTORY**

No relevant planning history associated with this site.

## **POLICY**

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

### Relevant Development Plan Documents

Somerset and Exmoor National Park Joint Structure Plan (adopted April 2000)

STR1- Sustainable Development

STR6 – Development outside Towns, rural centres and villages

Policy 1 – Nature Conservation

Policy 5 – Landscape Character

Policy 9 – Built Historic Environment

Policy 23 – Tourism in the Countryside

Policy 38 – Sport and Recreation in the countryside

Policy 49 – Transport Requirements of New Development

South Somerset Local Plan (adopted April 2006)

ST3 – Development in the Countryside

ST5 – Principles of Development

ST6 – Quality of Development

EC3 – Landscape Character

EH5 – Development proposals affecting listed buildings

EH7 – Conversion of buildings in the countryside

TP2 – Travel Plans  
 TP3 – Cycle Parking  
 TP6 – Non residential parking provision.  
 ME5 – Farm Diversification.

National Planning Policy Framework:  
 Chapter 1 – Building a Strong competitive economy  
 Chapter 3 – Supporting a prosperous rural economy  
 Chapter 7- Requiring good design  
 Chapter 11 Conserving and Enhancing the natural environment  
 Chapter 12 – Conserving and enhancing the historic environment

## **CONSULTATIONS**

### **Parish Council:**

No comments received.

### **Highway Authority:**

The proposed development site lies outside any development boundary limits and is therefore distant from services and facilities, whilst public transport services are infrequent. As a consequence, visitors to the new development are likely to be dependent on their private vehicles. Such fostering of growth in the need to travel would be contrary to government advice given in NPPF and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted Apr 00) and Policy TP4 of the South Somerset District Local Plan (adopted Apr 06) 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.

The application includes a Transport Assessment prepared by the applicant's Transport Consultants. This seeks to show that the traffic generated by this development is unlikely to have a significant impact on the capacity at nearby junctions, chiefly the A303/A358 roundabout. For likely traffic generation the typical numbers for a similar farm park in Gloucester have been used and this is considered acceptable. The likely distribution is entirely sensible and it is accepted that most of the visitor traffic to the site is unlikely to be at peak hours. The Highway Authority accepts the conclusions of the Transport Assessment that the impact on the highway network will be minimal.

The applicant has submitted a Measures Only Travel Plan which is appropriate for this type of development. It is sufficiently well written to do as much as is possible and reasonable to encourage sustainable travel to and from the site. The provision of secure cycle parking for staff and making available information about walking and cycling routes to the site are sensible measures. Including suggestions for sustainable travel modes in their marketing, both on line and in other media will help to generate as many non-car visitors as possible. It is difficult with this kind of tourist attraction to take further actions to reduce car trips to the site without inordinate expense and little chance of success. It is therefore agreed that this is a reasonable approach.

The development will gain its access from a lane which is an unclassified road and is

now gated at the north east end. This effectively creates a cul-de-sac in which the site lies. The junction of this lane with the A358 is satisfactory and there is no reason why this junction will become unsafe as a result of the traffic generated by the development. The site is very close to the junction and speeds at the site are unlikely to be high. There are no safety concerns about the site access therefore.

Sufficient parking is proposed to serve the development and the parking spaces are of sufficient size. The parking is laid out in such a way that vehicles will be able to enter and leave the site in forward gear.

As a result, the Highway Authority raises no objection to this application subject to the following conditions:-

The area allocated for parking on the submitted plan, drawing number 221001 S1, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

The provisions of the Measures Only Travel Plan shall be implemented as described and reviewed at regular intervals to assess its effectiveness.

#### **Highways Agency:**

We are content that the proposals will not have any detrimental impact on the Strategic Road Network. On this basis, we offer no objections to the application.

#### **Landscape Officer:**

I have reviewed the above application that seeks to establish a farm park at the above site. I have previously had some pre-application discussion on this proposal, and I am familiar with the site and its context.

The site is located immediately alongside the Horton Cross Farm/Monks Yard complex, and lays between the A358 (Ilminster-Taunton) and the A303 (Ilminster-Honiton) roads, and west of the Southfields roundabout. In that respect, it is well related to built form, and enclosed by the engineered form of - and activity associated with - the major roadways. Whilst the land opens to the west, tree lines associated with the watercourse, and a gentle rise in the level of the land also provides a level of enclosure. Hence I see no landscape issue with the principle of a park farm development in this location.

Turning to the layout, I note that an additional (visitor centre) building is planned to the east of the current farm building group, and a large parking area to its east, and north of Herne View Cottage. The arrangement appears logical, again the building proposal is well-related to the existing farm buildings, whilst the parking area displaces unmanaged pasture, and a former slurry lagoon. Whilst the scale of this part of the layout is larger than its surrounds, I note that the height of the building is restrained, and the expanse of the parking area is broken up with specimen tree planting, with peripheral hedge and shrub mix planting around its sides offering containment, along with an existing hedgerow along its east boundary. Consequently I am satisfied that there is no undue landscape impact with these major works.

I note that the pastures to the north of the buildings are to be divided into pens for rare breeds, with additional visitor facilities. Such an arrangement is not inappropriate for a farmed context, and as noted above, the pasture has a low visual profile. Again I do not foresee undue landscape impact.

A landscape masterplan (drawing SPP 1762.1L) and planting detail (drawing SPP 1762.2) has been submitted, to counter the anticipated impacts of the proposed works, and to provide a framework for the layout. I am satisfied that it intends commensurate landscape treatment, should you be inclined to recommend this for approval, then please condition these landscape works to be implemented in the first planting season following completion of the works.

### **Ecology:**

I've considered this application and the applicant commissioned ecological survey report, and have the following comments.

#### **Otters**

There are records (Somerset Environmental Records Centre) of otter on the River Ding in close proximity to the site and it's very likely that otters do use the part of this river that passes through the north west corner of the site.

Otters typically have a 'home range' of some 2km of watercourse. Given the limited length of river within the site, the fact that it is within an area marked as 'wildlife and conservation area' on the site layout plan, and the nocturnal nature of otters, I conclude there's unlikely to be any significant impacts on otters.

However, given the increase in public presence, and the potential for some disturbance to occur (e.g. if/when an otter uses a 'lying up' spot within the site), I recommend the water courses are subject to some sort of buffering or protecting to minimise the risks of disturbance.

#### **Reptiles**

Marginal habitats at the site have been assessed as having potential to support reptiles (e.g. slow worm, grass snake). It's unlikely that the proposals would have significant impacts due to the limited extent of suitable habitat, but there is potential for harm to reptiles if they are present and development activities aren't undertaken in a sensitive way on parts of the site with greater potential.

All reptile species are protected against 'reckless' killing or injury (such as could occur through development construction) by the Wildlife and Countryside Act 1981 (as amended). I recommend measures to further assess presence, the risks, and avoidance/mitigation are required by condition.

#### **Dormice**

Hedges and woodland around the perimeters offer suitable habitat for dormice, and although it is unknown whether they are present on the site, the presence of dormice in other similar habitat in the wider area in the west of this district gives a reasonable likelihood of their presence on this site.

The nature of the development is such that provided the majority of dormouse habitat is retained (as would appear to be proposed), impacts are likely to be minimal.

However, given the reliance of this species on a well connected network of habitat, and their high conservation status, I recommend a condition requiring further details regarding management of their habitat and measures to minimise risk, unless further surveys confirm their absence, should be submitted for approval.

## Conclusion

Whilst due to the nature of the development, the impacts to protected species are likely to be low, I don't regard the risks to be negligible but do regard them to be minimal provided further details to ensure risks are minimised are worked up and submitted for approval by condition. I recommend these could be dealt with by a single condition requiring a mitigation plan for all the protected species that could be affected:

### Suggested condition

The development hereby permitted shall not be commenced (including any site clearance) until there has been submitted to and approved in writing by the Local Planning Authority a 'Protected Species Mitigation Plan'. Unless further surveys (also to be submitted and approved) suggest their absence, the Mitigation Plan shall detail measures for the protection, mitigation, habitat management and/or compensation of legally protected species, specifically including dormouse, otter, and reptiles.

The works shall be implemented in accordance with the approved details and timing of the Mitigation Plan, unless otherwise approved in writing by the local planning authority.

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

### **Economic Development:**

We have given careful consideration to this application on the basis of the documents submitted. We have consulted with the applicant; their consultant Mr Clarke; Development Control; SSDC's Tourism Service; Somerset County Council Economic Development Officers; former management of the Somerset Rural Renaissance Partnership's Workspace Programme and established local businesses immediately affected by this proposal.

### Overview.

The Economic Development Service welcomes the potential to extend employment opportunities in the area, particularly where it might improve the tourism 'offer' of the District. In this respect we want to support this form of investment.

We would also like a development of this type to offer synergy and co-operation with businesses in the vicinity, especially where thoughtful design can prove to be effective and complimentary.

In its current form, ED recommends this application be refused. We would wish to emphasise that our objection primarily relates to design and the need to co-operate. We feel that some basic modifications at this stage could result in a perfectly acceptable and well supported application.

### Our Concerns:

We appreciate that the timescales involved in reaching a decision on this application are tight given the pre-conditions of DEFRA funding under the Rural Economy Grant. However, we feel that insufficient time has been allowed to consider this significant application received on the 10th December. The following matters need to be

addressed:

1. Business Plan not submitted

The submitted documents make reference to a business plan for the proposed Somerset Farm Park. This is a key piece of evidence in determining the viability of a proposed venture. To date no such plan for this farm diversification has been received by Economic Development for consideration. Whilst we have no wish to challenge either the ambition or the attractiveness of the scheme, on the limited evidence we have it is impossible to give a firm view on the need to diversify, market testing, scheme viability or strategy. This is particularly relevant given the likely scale and local impact of this first franchise agreement with Cotswold Farm Park and their aim to become a 'nationally recognised, major tourist attraction'.

2. Safeguard existing local employment at neighbouring premises

The application does raise a real concern in terms of the car parking and site access arrangements. Specifically we are worried that the proposed car park design neither optimises the space available to the applicant nor takes into consideration the parking needs of an established and successful neighbouring business. Sound design of the car park and its access should be a carefully considered feature of the application.

Adjacent to the proposed application is the established business known as 'The Monk's Yard'. This venture was originally supported with a £91,000 investment from the Somerset Rural Renaissance Partnership. They have been trading successfully for 5 years and already employ a similar number of staff to that proposed in the applicant's new farm venture. The core business of the Monk's Yard is a café, venue and conference facilities.

The owners of the Monk's Yard have made clear that the parking arrangements proposed in the application will impinge significantly on their own current visitor parking arrangements and directly undermine their ability to operate.

If this planning application is approved in its current form, there is a distinct possibility of placing 18 existing jobs and a landmark enterprise at risk.

We highlight the responsibility of ensuring that the application does not impact unnecessarily on the operation of an existing successful business, particularly where that business is largely complimentary and where relatively straightforward design modifications might resolve the concern.

The need to maintain the jobs we have is made very clear in the SSDC Council Plan 2012-2015 (2012). SSDC's Economic Development Strategy (Dec, 2012) also builds on this requirement. It underlines the need to do all we can to support existing enterprises by:

- 1) Help existing businesses survive and grow
- 2) Helping ensure that businesses are able to operate in a vibrant local economic environment that enables existing businesses to thrive and prosper

### 2.1 Parking Design

The application proposes the use of a parking area currently used by the Monk's Yard as parking for their conference delegates. The loss of this parking area would severely limit the Monk's Yard's ability to stage conferences – the main focus of their business. At

present up to 350 delegates a day make use of the 5 conference rooms at the Monk's Yard. The application as proposed would remove 80+ additional spaces currently used by the Monk's Yard leaving them with only 44 spaces in their main parking area. It is our view that with fairly modest amendments to the design plans, the 80 spaces used by the Monk's Yard can be preserved by relocating the applicant's coach parking to:

- 1) The area marked as 'Occasional Overflow Car Parking' (east of the proposed car park), or
- 2) The north-east corner of the proposed car park currently indicated as minimally landscaped.

These options ought to have been explored already as the issues and the impact must have been known to the applicant.

## 2.2 Restricted Shared Access

The access to the proposed site is shared with the Monk's Yard and is very restricted. The proposed scheme envisages this single lane entrance as the main access point for 70,000 annual visitors – many arriving in coaches.

Access to the proposed car park passes between the large listed building currently used as the main Monk's Yard conferencing venue and the proposed Barn redevelopment. Further to increased levels of vehicular noise (inc. coaches) and a possible access bottle neck in the busiest times, it will curtail the current easy access to/from the existing Monk's Yard. We note this issue has been raised in the Statement of Community Involvement.

We are informed that constructive negotiation is taking place between the applicant and the owners of the Monk's Yard but we highlight our concern that satisfactory access and parking design amendments are made before a decision is made.

If time is a severe constraint then approval should be conditioned to include modified parking arrangements that suit both businesses.

## Traffic and Transport

The scheme might eventually generate 70,000 visitors per year (and 500 per day at peak times). The peaks and troughs of visitor flows are notoriously unpredictable but are usually concentrated around school and public holidays and particularly around weekends and periods of sunny weather. These are invariably days where our major highways are already under existing and major pressure.

Whilst it is the remit of the Highways authority to provide an informed and definitive view, we are bound to point out that additional transport pressure will become a reality of this scheme. The submitted TA suggests an overall increase in traffic of 2.1% to 2.3% on the Iminster A358/A303 roundabout with a 7.7% to 8.3% increase on the A358 South junction.

There are local issues for consideration e.g. access to Horton Cross Nursing Home is already difficult given the volume (and speed) of traffic using the A358 and it is noted traffic does back up from the roundabout beyond the applicant's proposed access. The requirement for emergency vehicles to be given uninterrupted access is a concern of both the Director and Operations Manager of the Nursing Home.

The Travel Plan submitted for the applicant by Peter Evans Partnership makes very clear

that this site is not directly served by public transport.

Both of the latter points may have workable solutions through dialogue with local bus companies (changed routes in the summer) or the Highways Agency (hatched road access markings), but both points raise the need for wider consultation if the application moves forward from outline to full-application stage.

#### Summary

##### Concerns:

No sight of business plan. This makes it very difficult to provide informed opinion on the robustness of the proposed farm diversification. In principle however, the idea is certainly one we would like to be able to support.

Increased traffic volume is an inevitable feature of tourism development. Local issues can be addressed as the application moves from outline to full stage planning.

##### Objection:

On car parking and access grounds since the current plans present a direct challenge to existing employment. However, we feel that both of these can be resolved through dialogue and modification to design.

#### **Conservation Officer:**

The site is within the context of the listed farm house and outbuildings. The entrance to the site is very important, as it presents a vista which is read with the front buildings.

I had concerns over this on site, and having looked at the drawings in detail for this section, C adjacent to the public highway, with Robert Archer. We are of the view that more detail is required at this stage. Our concerns relate to the height of the fence which at 2.4m seems excessive, and the maintenance of a natural feel to the new boundary along the road side. We would ask for much more detail at this stage, this should also include the boundary treatment between B and C.

The other area of fencing that needs detailing is that C adjacent to the gravel yard, which again is a vista. I do not think it is appropriate to use the planting D to close off the access to the yard for the partially collapsed buildings. There needs to be a vehicular access maintained into these.

#### **Natural England:**

Protected sites: no objection

The site is in the vicinity of SSSIs such as West Moor that forms part of the extensive grazing marsh grasslands and ditch systems of the Somerset Levels & Moors. We understand the site is drained by the River Ding into the River Isle. Although Natural England does not object to the proposal we would expect that the foul water from the proposed toilet block(s) to be dealt with by a septic tank drainage system under licence from the Environment Agency or via mains drainage.

Protected Species

Natural England Standing Advice is available on our website to help local planning authorities better understand the impact of development on protected or BAP species should they be identified as an issue at particular developments. This also sets out



when, following receipt of survey information, the authority should undertake further consultation with Natural England. A bat survey of the buildings has been undertaken and no bat roosts were identified but it is not clear from the information given if the building that has to be demolished to create an access has been surveyed. We advise it should be before this application is determined.

#### Landscape

This proposal does not appear to be either located within, or within the setting of, any nationally designated landscape. All proposals however should complement and where possible enhance local distinctiveness and be guided by your Authority's landscape character assessment where available, and the policies protecting landscape character in your local plan or development framework.

#### Biodiversity Enhancements

This proposal presents the opportunity to incorporate features into the design which are beneficial to wildlife such as the incorporation of roosting opportunities for bats, the installation of bird nest boxes or the use of native species in the landscape planting. We recommend that should the Council be minded to grant planning permission, measures to enhance the biodiversity of the site are secured from the applicant. This is in accordance with Section 40 of the Natural Environment and Rural Communities Act (2006) which states that '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 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process.

In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England expects to be consulted on any additional matters, as determined by your council that may arise as a result of, or are related to, the present proposal. This includes alterations to the application that could affect its impact on the natural environment. Natural England retains its statutory discretion to modify its present advice or opinion in view of any and all such additional matters or any additional information related to this consultation that may come to our attention.

#### **Climate Change Officer:**

The rationale behind this application appears to be the creation of a sustainable tourist destination with increased employment and as such should be welcomed.

Much is made in the DAS of the sustainability of the application and – on the whole – this is successfully justified within the text.

To further justify the sustainability of this development, I would like to have seen explicit mention of renewable energy to provide (over the course of a year) some or all of the site requirement for electricity and heat. This could easily be achieved at this site to the financial benefit of the developers.

The main buildings have large unshaded south facing roof space with steel sheet roofing that would be very suitable for installation of large photovoltaic arrays. Rectangular arrays would fit well aesthetically with the roofing material. The arrays could even be suitable as a weather barrier. Current prices and feed in tariff rates give around an 8% return on investment.

A single wood chip boiler or manually fed log boiler could supply a heat main for the whole site. Given the location, the wood fuel could be significantly cheaper than the alternatives. The renewable heat incentive supporting such installations is generous and investment in wood heat over the medium to long term is considerably more financially attractive than oil or gas (especially for new rather than retrofit installations).

#### **Tourism Officer/Business Development:**

A high-profile family attraction based around farm animals and the outdoors is entirely in keeping with our marketing of South Somerset as a destination offering enjoyment of the countryside and nature as the principal feature.

The “feel” of the project – providing contact with animals and opportunities to learn and “experience” is also contemporary with Visit England marketing themes.

The involvement of Adam Henson will be highly beneficial to the marketing with his high profile through Countryfile. He is presenting the Somerset Tourism Awards in the spring.

There is no similar attraction close-by. Nearest are Court Farm - west of the M5 and Farmer Giles at Teffont, Wiltshire.

At present the offer for families with young children in South Somerset is sparse, often weather-dependent and seasonal.

Both Tourist Information Centres receive frequent requests for places to visit with children, especially venues that offer wet weather facilities.

Many customers stopping at Cartgate TIC and travelling west, are looking for stopping-off points for an activity break with children.

Cartgate would be a key marketing location for the business.

The situation is well-placed for local visitors and highly accessible for visitors travelling A303 and M5.

Iminster is an attractive town for visitors with excellent small shops, historic Dyers, minster church, choice of eating places in and around town, arts centre etc. There are several quality-assured accommodation businesses in and around the town.

Is it feasible for there to be any coach parking made available for coaches dropping off to Iminster town? This would benefit the town and could also be used to incentivise future visits to the Farm Park.

Some concerns:

Access in the summer with congestion on the Iminster roundabout already a huge source of frustration for visitors

The practicality of shared access with the adjacent Monks Yard and how this will affect both businesses. I understand there are also parking issues to be resolved

#### **Environmental Health Officer:**

Should planning permission be granted I would like to see the following conditions attached in relation to no burning, no public address etc., details of external lighting, and

an informative about any external lighting and food safety.

**Environment Agency:**

No objection subject to conditions and informatives in relation to surface water drainage.

**Council Engineer:**

The submitted FRA satisfactorily addresses issues I raised at pre-application stage.

**REPRESENTATIONS**

3 letters/emails have been received raising the following concerns:

- The additional traffic will have a considerable impact on the road outside of the nursing home
- Traffic backs up during peak times well past the proposed access – concern about access for emergency vehicles.
- There should be a separate entry and exit point
- Will be looking into the overflow car park and associated noise/pollution
- Proposal will have a critical impact on the Monks Yard business due to loss of parking area and the ability to expand.
- The proposed road access will have a detrimental impact on delegates using the ‘My Place’ conference room.
- Business disruption during construction work
- Important to ensure that our business is not undermined by sale of food and drink – need to ensure those facilities only used by paying park farm customers.
- Request equal representation on signage for Monks Yard and the new farm park.
- Impact of outdoor play areas
- Monks yard is a successful business and community facility employing 18 people, with 5 conference rooms and a capacity of up to 350 delegates. Whilst not objecting to the idea of the park farm, there is strong concern about the loss of parking and thus threatening the viability of Monks Yard.

**CONSIDERATIONS****Principle of the proposed Development**

The site is located in the countryside where there is a strict control on development in order to protect the intrinsic beauty of the countryside. However, both national and local policies exist to allow tourist development to occur in the countryside provided that it is of an appropriate form and does not harm the character of the countryside.

In particular, the NPPF clearly supports economic growth in the countryside and especially the promotion of sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. Moreover, the NPPF supports the ‘provision of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres’ (para 28, NPPF). As the starting point for assessing this application, it is considered that the principle of the proposed development is acceptable and is supported by both national and local policies.

## Highways issues

The supporting documents state that up to 70,000 visitors will visit this new development once it is fully established. Whilst it is expected that it will take a few seasons to reach this target, the highways impact of the proposal has to be assessed with that number in mind. Vehicular access will be gained off the old A358 road which is now a no through road and which itself leads off from the current A358 to the south of the site. The access will be shared with the Monks Yard facility, which itself generates up to 60,000 visitors per year. The Transport Assessment undertaken for this development concluded that the development would have limited impact on the local and strategic road network in the weekday morning and evening commuter peak hours. The TA states that the peak traffic period would be a Saturday mid-morning and afternoon during the summer period.

Moreover, the TA further concludes that detailed junction capacity testing at the A303 roundabout junction with the A358 demonstrates that the development would not have a material impact on the operation of the junction. Both the Highway Authority and Highways Agency do not raise an objection to the application.

The scheme will provide 200 parking spaces and a coach park with a further area designated for overspill parking if and when required. It is considered that the levels of parking are appropriate for this development.

One parking issue that has been raised by the operator of Monks Yard is that this proposal will involve the loss of informal parking areas currently used up to twice a week by those visiting Monks Yard. Moreover, that this proposal would remove the possibility of expanding the number of parking spaces for Monks Yard in the future. The concern is that the loss of these parking spaces will seriously undermine the viability of Monks Yard.

From a planning point of view, the position is that 44 spaces were approved as part of the Monks Yard development. These spaces will not be affected by the current proposal. However, Monks Yard has been very successful and clearly requires more spaces than approved and thus an informal arrangement has been reached with the owner to use some of the barns and spaces around them to the north of Monks Yard, as overspill parking. It is understood that up to the equivalent of 80 spaces may be used in this respect, which is clearly a significant number. However, it is important to note that there is no planning permission for this additional parking. Therefore, whilst the current proposal does not affect the planning approval for Monks Yard, it does impact on an informal parking arrangement.

It is not considered reasonable to refuse this current application on the basis that it would result in the loss of informal parking spaces in relation to an adjacent business. However, the point being made by the adjacent business and supported by the Economic Development team is acknowledged. Thus, after having met with and discussed this issue with both parties, and following a separate meeting between the two parties, it was agreed that a planning application would be submitted to seek consent for an extended parking area to the east of the current Monks Yard car park.

Clearly, this would need to be assessed on its own merits but it would appear that an amicable solution in terms of the parking situation may be reached.

It is important to state that the car park application does not form part of the current application and therefore the current application has to be assessed on its merits as submitted.

A further point raised by the manager of Monks Yard is that the internal access road

which will be widened as part of this proposal, runs immediately to the north of one of the main conference buildings known as 'My Place'. Concern is therefore raised that the noise from cars and coaches driving along this road will have a detrimental impact on users of this facility. During discussion with both parties, it was suggested that a row of wooden bollards could be installed to the north of 'My Place' to push vehicles away from the building. It would also provide a safe pedestrian area along the northern side of the building towards the front entrance. During discussion with the manager of Monks Yard, this was acknowledged as an acceptable solution.

### **Landscape issues**

Policies that support tourist development in the countryside make it clear that the character and appearance of the countryside should be protected. The proposal involves over 10 hectares of land and therefore its landscape impact has to be carefully assessed. The Landscape Officer has raised no objection to the park farm in this location concluding that the scheme will be well related to built form given its proximity to the Monks Yard complex and lays between major A roads. Moreover, the new visitor centre building is well related to existing farm buildings and is of an appropriate scale. Also, the expanse of the parking area is broken up with specimen tree planting along with new hedge and shrub planting. The land on the northern side within which pens will be located to accommodate a range of different animals is appropriate for a farmed context and thus there is no harmful landscape impact. The landscape plan submitted with the application will help mitigate the development and will form an important part of any approved scheme.

### **Conservation**

Monks Yard is adjacent to the proposed development and contains a number of listed buildings, many of which have now been converted for conferencing and associated facilities. As the entrance and buildings to be converted are located to the north of the listed buildings, the treatment around the entrance and the requirement to preserve the vista along the old A358 is important. The Conservation Officer has raised a concern about the proposed erection of a fence along the bank adjacent to the road. This would enclose the service area. It was discussed with the agent and was suggest that the existing hedgerow to the north should be extended southwards with a fence on the inside. This would provide a more appropriate boundary treatment. The landscaping alongside the redundant buildings to the south of the site will also be amended to ensure access is maintained to the buildings. Details are awaited and an oral update will be provided at committee.

### **Economic Development**

The Economic Development team support the principle of the development and welcome the potential to extend employment opportunities in the area. However, an objection is raised due to the concern over the parking and access issues that have been outlined above. However, as outlined earlier in the report, it would appear that a satisfactory solution can be found for the overspill parking issue at Monks Yard. Moreover, that the impact of the access road will be mitigated as outlined above. Comment was made that no business plan has been submitted. This has been requested and an oral update will be given in respect of any comments arising. However, it is clear that the submitted Economic and Tourism Assessment goes into details about the need for the park and how it will benefit the local economy and area generally.

## Tourism

The tourism officers support the principle of the park farm development. It would meet the Council's marketing objective as a destination offering enjoyment of the countryside. It would also meet the aims of 'Visit England' in terms of providing contact with animals along with opportunities to learn about a range of different animals including rare breeds. Importantly, there are no similar types of tourist attraction in the area and thus it would clearly meet the NPPF policy of providing a tourist and visitor facility where such a facility is lacking.

Other issues

A construction management condition will be imposed as part of any consent to control the impact of construction on Monks Yard and other neighbouring occupiers. However, the development will not involve any significant new building work so it is not expected that construction works should be unduly harmful to adjacent occupiers.

A condition will also be imposed to state that only paying visitors to the farm park can purchase food and drink from the shop. As outlined above, the layout of the scheme will assist with this aim.

In terms of signage for the new development, in particular any advance signs, the LPA are willing to discuss the needs of both parties.

With regard to the impact of the children's play areas on adjacent occupiers, it is considered that these are located a sufficient distance away from the conference facilities and residential properties to avoid giving rise to noise related issues.

## SECTION 106 PLANNING OBLIGATION/UNILATERAL UNDERTAKING

Not applicable to this application.

## RECOMMENDATION

Subject to satisfactory plans being received in relation to the boundary treatment along the western boundary of the site, the application is recommended for approval.

01. The application by reason of its scale, design, layout and materials will not harm the amenity of adjacent occupiers, will not harm the character and appearance of the adjacent listed buildings, nor the character and appearance of the countryside, will provide an acceptable tourist attraction and provide employment opportunities, will provide a safe means of vehicular and pedestrian access and will provide an appropriate level of car parking. The development is therefore in accordance with policies ST3, ST5, ST6, EC3, EH5, EH7, TP2, TP3, TP6, ME5, of the South Somerset Local Plan and Chapters 1, 3, 7, 11 and 12 of the NPPF.

## SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

02. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for

external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policy ST5 and ST6 of the South Somerset Local Plan.

03. The landscaping scheme as shown on plans Drawing no. SPP1762.1L and drawing no. SPP 1762.2, shall be implemented in the first planting and seeding season following the completion and occupation of the development hereby approved. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To protect the character and appearance of the area to accord with Policy ST5 and ST6 of the South Somerset Local Plan.

04. The area allocated for parking on the submitted plan, drawing number 221001 S1, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

05. The provisions of the Measures Only Travel Plan shall be implemented as described and reviewed at regular intervals to assess its effectiveness.

Reason: In order to promote alternative modes of travel to and from the development to accord with TP2 of the South Somerset Local Plan.

06. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

Details of how the scheme shall be maintained and managed after completion.

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

07. No system of public address, loudspeaker, amplifier, relay or other equipment shall be operated in any building or otherwise on any part of the subject land.

Reason: To protect the amenity of adjacent occupiers to accord with Policy ST5 and ST6 of the South Somerset Local Plan.

08. There shall be no burning of any produce or material whatsoever on the site.

Reason: To protect the amenities of the area to accord with Policy ST5 and ST6 of the South Somerset Local Plan.

09. No external lighting shall be installed until details have been submitted to and approved in writing by the local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the area to accord with Policy ST5 and ST6 of the South Somerset Local Plan.

10. The development hereby permitted shall not be commenced (including any site clearance) until there has been submitted to and approved in writing by the Local Planning Authority a 'Protected Species Mitigation Plan'. Unless further surveys (also to be submitted and approved) suggest their absence, the Mitigation Plan shall detail measures for the protection, mitigation, habitat management and/or compensation of legally protected species, specifically including dormouse, otter, and reptiles.

The works shall be implemented in accordance with the approved details and timing of the Mitigation Plan, unless otherwise approved in writing by the Local Planning Authority.

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

11. The sale of products from the visitors shop shall be limited only to visitors to the farm park and not the general public.

Reason: The visitors shop is only granted in connection with the farm park development hereby approved.

12. The development hereby approved shall be carried out in accordance with the following approved plans:  
Drawing numbers: 221001 S2, SPP.1762.1L, 221001 S2, 221001,S9, 221001 S7, SPP.1762.2, 221001 S4, 221001 S3, 221001 S5, 221001 S6.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

### **Informatives:**

01. The Environment Agency have advised the following:

We would expect to see the following details when discharging condition 6:

- A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe node numbers referred to in the drainage calculations and the invert and cover levels of manholes.
- A manhole schedule
- Model runs to demonstrate that the critical storm duration is being used.
- Confirmation of the agreed discharge rate, with any flow control devices indicated on the plan with the rate of discharge stated.



- Calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 critical duration storm event. If overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths and the likely depths of flooding. A 30% allowance for climate change should be incorporated into the scheme in accordance with Table 5 of the Technical Guidance to the NPPF.
- Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

The applicant proposes to direct all surface water to soakaways. This is the preferred option, providing ground conditions permit and percolation tests demonstrate that they are appropriate.

The surface water soakaways may require the approval of the Local Authority's Building Control Department and should be constructed in accordance with the BRE Digest No 365 or CIRIA Report 156 "Infiltration Drainage, Manual of Good Practice".

Only clean, uncontaminated surface water should be discharged to soakaway

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.

Any work or structures affecting ordinary watercourses, such as any modifications to the existing surface water outfall from the site, may require Land Drainage Consent from the Lead Local Flood Authority (Somerset County Council). Please contact Glyn Parry at Somerset County Council for further guidance on how to apply - tel. 01823 355418, email: gparry@somerset.gov.uk.

Under the Water Resources Act 1991 and The Land Drainage Act 1991 both the Agency and Local Authority 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 (i.e. the owner of the bed and / or bank of river).

The use of a package treatment plant for foul waste may require a Waste Exemption or Environmental Permit from the Environment Agency. The applicant is advised to contact our National Permitting Centre on 03708 506506 to clarify this matter. Further information can be found on the following weblink <http://www.environment-agency.gov.uk/business/topics/water/110593.aspx>

02. In relation to condition 9, the applicant is advised that the details of external lighting required by the condition above should comply with the recommendations of the Institute of Lighting Engineers (ILE) `Guidance Notes for the Reduction of Light Pollution (2005) for Zone E2.

It is also recommended that the applicant consults the Local Planning Authority Environmental Health Team with regard to Food Safety and Health and Safety matters prior to any development taking place.

Area West Committee – 20<sup>th</sup> February 2013

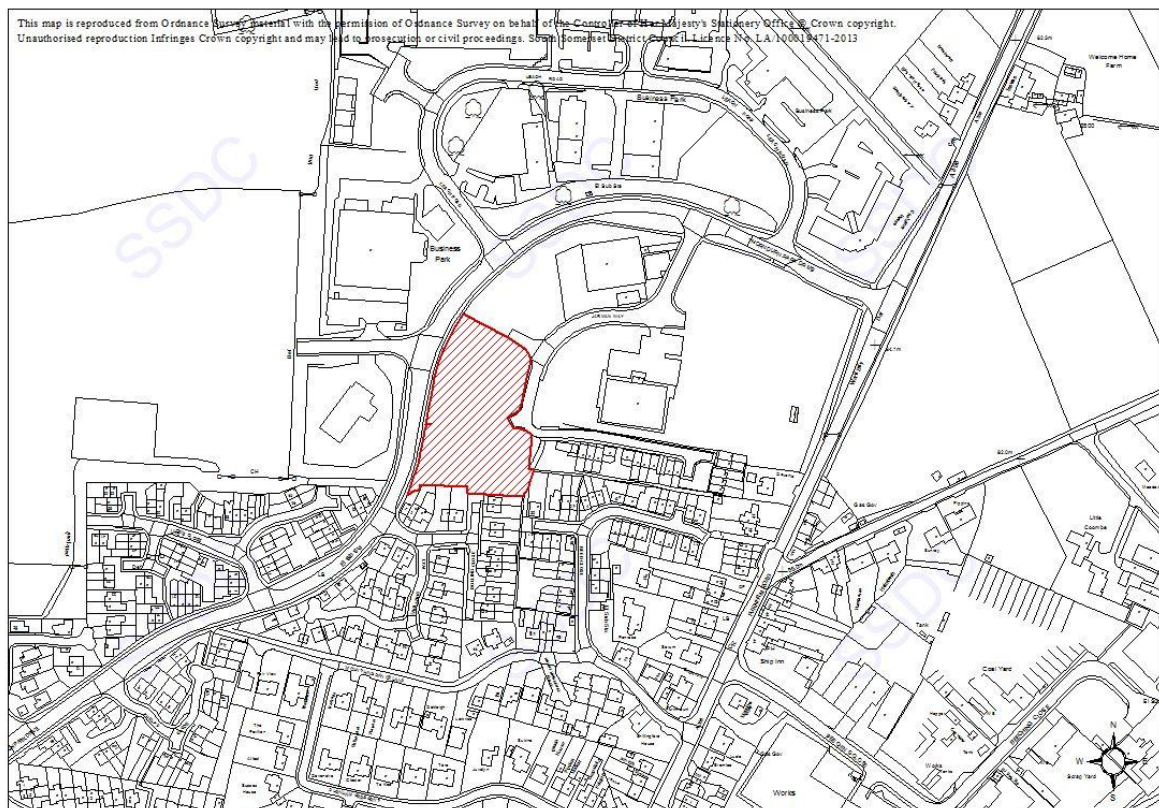
**Officer Report On Planning Application: 12/04262/COU**

<b>Proposal :</b>	Use of land as Public Open Space (GR 332870/109782)
<b>Site Address:</b>	Land North Of Dolling Close Chard
<b>Parish:</b>	Chard
<b>CRIMCHARD (CHARD) Ward (SSDC Member)</b>	Cllr J Kenton
<b>Recommending Case Officer:</b>	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
<b>Target date :</b>	12th March 2013
<b>Applicant :</b>	Abbey Manor Developments Ltd
<b>Agent: (no agent if blank)</b>	Shaun Travers Boon Brown Architects Motivo Alvington Yeovil Somerset BA202FG
<b>Application Type :</b>	Other Change Of Use

**REASON(S) FOR REFERRAL TO COMMITTEE**

South Somerset District Council owns a majority stake in the site with the Blackburn Trust.

**SITE DESCRIPTION AND PROPOSAL**



The site is located towards the northern edge of Chard, on the eastern side of Thorndurn Park Drive and west of Jarman Way. It is located within the larger area originally granted consent in the late 1980's for employment purposes, known as Chard Business Park. The site extends to 0.55 hectares and currently comprises an area of overgrown grass with a number of protected Oak, Scots Pine and Field Maple trees. Residential properties are located to the south and south east with employment units to north east. To the immediate north is vacant land set to grass. To the west are further employment buildings.

This application seeks consent for this land to be used as a piece of amenity land for play and open space purposes. The application has been made for the whole of plot 5 for such use but, subject to any planning approval, the precise amount of land and extent of open and formal play space to be used will be subject to further discussion with officers and the local ward member.

## **HISTORY**

880194 Outline application for the development of land as a business park and the construction of a distributor road (Approved May 1988).

## **POLICY**

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

Relevant Development Plan Documents

South Somerset Local Plan (adopted April 2006)  
 ST5 General Principles of Development  
 ST6 Quality of Development  
 ST10 Planning  
 ME6 Retention of Land and Premises.  
 CR2 Provision of outdoor playing space and amenity space

National Planning Policy Framework:  
 Chapter 8 Promoting Healthy Communities.  
 Chapter 11 Conserving and enhancing the natural environment.

## **CONSULTATIONS**

### **Chard Town Council:**

Comments awaited

### **Economic Development:**

Thank you for requesting a consultation from the Economic Development Service. I am supportive of the application and offer the following comments:

Site History:

Chard Business Park was opened fully by the mid-1990s. It was created as a Business Park with the aim of bringing an additional and broader range of employment opportunity

to Chard. In order to maintain the strong business ambience of the Business Park, development has been regulated by restricting the planning use and restricting the specifications for quality of design and build. These restrictions have enabled the Business Park to retain a high standard of appearance and not be perceived as either an industrial park or a retail park.

Plot 5 is located on the western side of the Business Park. As one leaves the park approaching England's Way, Dolling Close and Reed Close housing developments, the plot is on the left hand side and is frequently seen as providing a green buffer between the Business Park and the residential areas beyond.

At its fullest extent Plot 5 occupies a total area of around 1.18 acres, but a large proportion of the plot is unsuitable for development owing to site constraints.

The site has been jointly owned by South Somerset and the Blackburn Trust since the opening of the Business Park

### Marketing

The site has been continually and extensively marketed over the last fifteen years, forming part of the Chard Business Park brochure available until recently as a PDF document on the SSDC website, registered on the SSDC property database and advertised by prominent sales boards at the Business Park. The availability of land at the Business Park has been well known locally and regionally for a number of years. The marketing campaign over the years has resulted in all of the plots on the business park being sold, with the notable exception of plot 5.

Over the years there has been a reasonable amount and flow of interest in the purchase of plot 5. However prospective purchasers have found the constrained nature of the plot makes it extremely difficult, if not impossible to formulate a development scheme.

### Site Constraints

Plot five suffers from the following site constraints;

A large area to the north of the plot has mature trees with Tree Protection Orders in place. These extend into the central area of the site and to the western boundary. As time progresses the canopy of these trees will enlarge, which will further restrict the developable area underneath them.

The land to the western boundary slopes noticeably upwards towards the road and there is a retained frontage to the full length of this boundary, which cannot be developed. There is also a risk of surface water flooding on the raised roadway to the west. The retained frontage area on Plot 5 would be likely to take any surface water run-off downhill from the road.

The southern boundary adjoins a footpath/cycle-way; which is not in SSDC ownership and is currently overgrown. To the south and east of Plot 5 is residential development (Devonia and Reed Close). Environmental Health has advised that any industrial use on this Plot would have a noise restriction due to the proximity of residents, reducing the appeal to some potential industrial users.

Additionally, that any industrial development should consider that the orientation of an industrial unit should have access and openings facing away from housing ie to the north of the site. This heavily restricts the size and situation of the unit that could be built on

site, as sufficient yard area, vehicle access and turning points will be required between any proposed building and the trees.

The eastern boundary adjoins Jarman Way and provides the angled access point into the plot. Similarly the access determines where vehicles and buildings can be situated to some degree.

Finally, initial ground investigations undertaken by an interested party have revealed that ground conditions in this location would increase costs of development for the foundations, with either raft or pile foundations being required.

In summary, the site constraints leave only c. 0.37 net acre from a 1.18 gross acre site as developable area. The user would need only to have requirements for limited access and yard area; a restricted size of unit with openings only to the north and noise emissions would be limited. Build costs would be higher than average, due to ground conditions and the general specifications of the Business Park requirements for a high quality finish; and there would still be a substantial area of the site that would have a maintenance liability and cost, but no commercial use.

The development proposal

The application seeks to change the use of Plot 5 from employment use to amenity use for 'play and open space'.

The application recognizes the extremely limited potential and likelihood of plot 5 now coming forward for employment use.

There is an unmet demand for open space and play provision within the local area. This has been generated by a number of housing developments in the locality in recent years.

Additionally, the current application for a mixed development at Plot 1 on the Business Park could be satisfied at this location. It should be noted that the requirements for play provision generated at plot 1 could have been met entirely within plot 1. However the applicant has noted the views of local members and officers and offered to locate the play provision off-site via a Section 106 agreement.

The Change of Use at plot 5 would permit the plot to accommodate the local need for open space and play provision in a suitable location and environment. Once the requirements are sited, any useable residual area of Plot 5 could be marketed for alternative use subject to planning permissions.

The applicants planning statement highlights how the change of use would contribute to Local Plan and NPPF aims and objectives

SSDCs Sports and Leisure Service are also supportive of this application.

Conclusion

We raise no objection to the application

**Environmental Health Officer:**

No observations.

**Council Arborist:**

Use of this site as POS could be very compatible with the presence of the protected trees both within the site and adjoining. Any future construction of play areas, hard & soft landscaping etc would need to consider the presence of the trees. If the Applicant would like advice regarding future construction near to the trees, I would be pleased to assist. I have no objection to the proposed change of use.

**Leisure Policy Co-ordinator**

Community, Health and Leisure are supportive of the change of use of this piece of land (Plot 5) to Public Open Space, as there is a lack of informal open space and equipped play space in this part of Chard.

Using our agreed catchment standard of 240m for a LEAP (Local Equipped Area for Play), we have calculated that there are approximately 500 people living within this catchment of Plot 5, all of whom are outside the catchment of any existing LEAP in Chard.

The use of Plot 5 as public open space also allows the needs of the proposed development on Plot 1 to be met (1204283/FUL). There is no public open space proposed for this site, and as highlighted above, there is no other LEAP within a reasonable catchment to allocate an off site contribution towards. The change of use of Plot 5 therefore provides a suitable location to allocate any off site contributions secured from Plot 1 towards equipped play provision.

**Open spaces Officer:**

I have no objection in principle but what provision is being made for the cost of maintaining this land? Are there any proposals to landscape the site and if so who will pay for this? We need to consider the cost to Streetscene if the proposal is to transfer this land without sufficient funds for maintenance.

**Highway Authority:**

No observations on this application.

**REPRESENTATIONS**

No comments have been received.

**CONSIDERATIONS****Principle of development**

The site is located within the development area as defined in the South Somerset Local Plan and thus there is a presumption in favour of development subject to compliance with other relevant local and national policies. The site was originally granted permission as part of the outline consent for Chard Business Park in the late 1980's. However, the site has never been developed for employment purposes and it remains a vacant piece of land. Therefore, whilst the site has historically formed part of the Chard Business Park, and has been actively marketed for employment use over a period of 15 years, the site is not allocated as employment land in the Local Plan nor does it have any current employment permission. Importantly, the NPPF makes it clear that 'planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose'. Thus, notwithstanding the efforts to create employment, the site has yet to deliver any employment use.

Therefore, the principle of considering suitable alternative uses of the land is in accord with policy in the NPPF.

### **Need for the Proposal**

This proposal has arisen following detailed pre-application discussion with regard to Plot 1 at Chard Business Park, now subject of a separate and current application for a care home and affordable housing (application number 12/04283/FUL). Whilst play and open space provision was originally planned as part of the layout for Plot 1, it was agreed that a better solution could be accommodated on Plot 5. It would not only provide an amenity facility for the new occupiers on Plot 1 but could also be used by existing residents who live to the south of the site. The residential developments close to this site have not historically included provision for play and open space. Thus, whilst this development cannot make up for this deficiency, siting the play and open space on Plot 5 on an accessible piece of land for both new and existing residents is fully supported. Thus, it is considered that there is a clear need along with a wider community benefit as a result of this proposal.

### **Site constraints**

The Economic Development Manager has outlined in his response the detailed marketing of the site along with particular site constraints that have prevented the site from being implemented for employment purposes. It is clear that the range of protected trees that are located to the north of the site, which extend into the central area and along the southern edge of the site significantly reduce the amount of developable space. Moreover, the layout and orientation of any proposed employment building, in particular any service areas, will be further restricted when considering the relationship with adjacent residential occupiers as well as the protected trees. Along with the ground conditions and a retained frontage along the western boundary which cannot be developed, it leaves a much reduced site within which any employment building could be located. Given these constraints, it is not surprising that, even in better economic times, the site has not found any takers for employment purposes.

### **Relationship with adjacent occupiers**

It is not considered that the proposed use will create any adverse or harmful amenity issues in relation to business and residential neighbours, certainly not when given that busy employment activities could be taking place on the site. The Council will ensure through the careful design and layout of the amenity space that any formal play area provides the required buffer from the residential properties to the south. This shall include any appropriate landscaping and protection for the existing trees. It should also be noted that the site is clearly well used with desire lines apparent from Jarman Way to Thorndurn park Drive and from Reed Close to Thorndurn Park Drive. Thus, the site clearly acts as an important link for residents, employees and other users. Therefore, the proposal would not only provide a much needed local facility but also enhance the area for both current and future users. It is therefore considered that this proposal will assimilate well into the wider area without detriment to adjacent occupiers.

### **SECTION 106 PLANNING OBLIGATION/UNILATERAL UNDERTAKING**

Not required as part of this application.

### **RECOMMENDATION**

Grant Permission

01. The proposal will provide much needed play and open amenity space to serve the new occupiers and existing local residents. The proposal will enhance the character and appearance of the area and not harm the amenities of neighbouring occupiers. It is in accordance with Policy ST5, ST6, ME6 and CR2 of the South Somerset Local Plan and Chapters 8 and 11 of the NPPF.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

02. No development shall take place until a plan detailing how the play and open space areas will be arranged on site, along with boundary treatments, has been submitted to and approved in writing by the Local Planning Authority.

Reason: No detailed plan has been submitted with the current application and to ensure that an acceptable layout is achieved on site to protect the amenities of the area to accord with Policy ST5 and ST6 of the South Somerset Local Plan.

03. No development shall take place until a plan detailing how the existing trees on site shall be protected during any construction/site clearance works is submitted to and approved in writing by the Local Planning Authority. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To protect the existing trees on site and to protect the amenities of the area in accordance with Policy ST5 and ST6 of the South Somerset Local Plan.

04. The development hereby approved shall be carried out in accordance with the following approved plans:  
Drawing no: 3190/1000 Rev A Site Plan.

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



Area West Committee – 20<sup>th</sup> February 2013

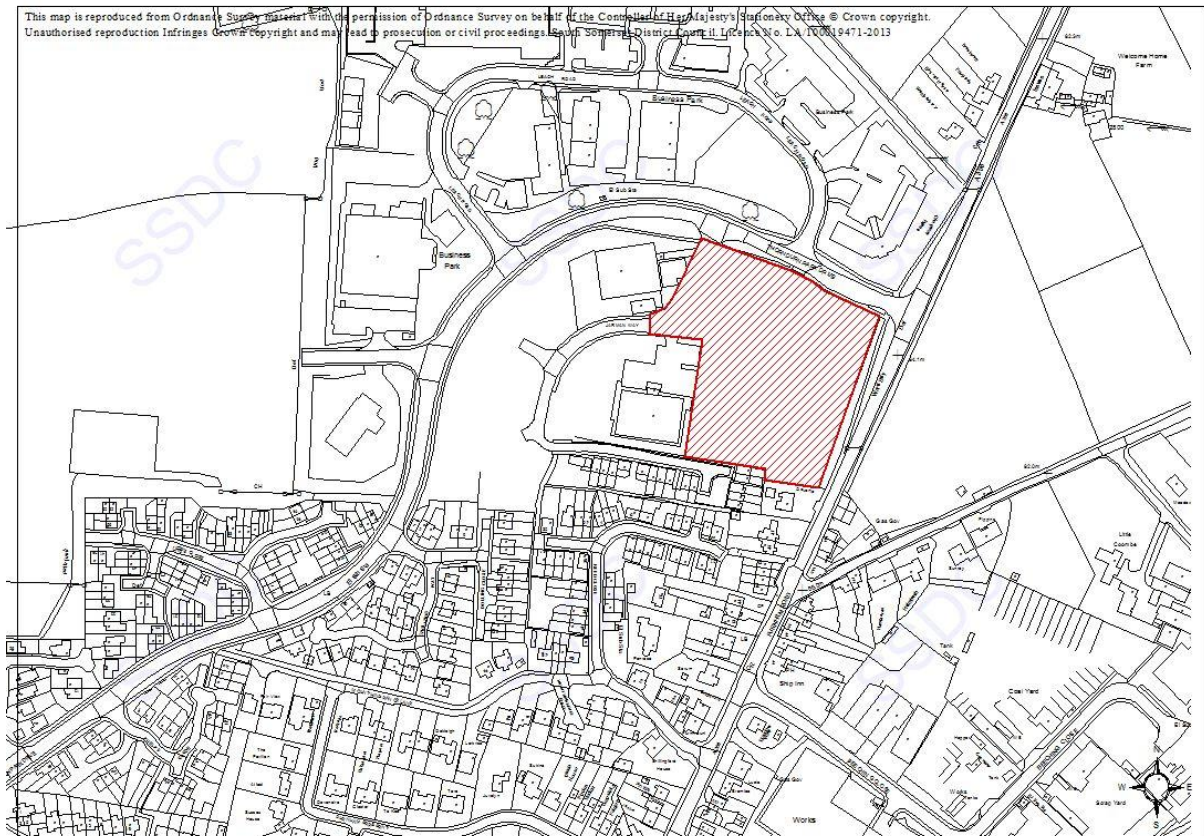
**Officer Report On Planning Application: 12/04283/FUL**

<b>Proposal :</b>	The erection of 41 No. dwellings and 1 No. 68 bedroom care home together with associated highway infrastructure, parking, landscaping and footpath links. (GR 333019/109864)
<b>Site Address:</b>	Land Off Thorndun Park Drive Chard Somerset
<b>Parish:</b>	Chard
<b>CRIMCHARD (CHARD) Ward (SSDC Member)</b>	Cllr J Kenton
<b>Recommending Case Officer:</b>	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
<b>Target date :</b>	13th February 2013
<b>Applicant :</b>	Abbey Manor Developments Ltd
<b>Agent: (no agent if blank)</b>	Shaun Travers (3190) Boon Brown Architects Motivo, Alvington, Yeovil, Somerset BA20 2FG
<b>Application Type :</b>	Major Dwlg's 10 or more or site 0.5ha+

**REASON(S) FOR REFERRAL TO COMMITTEE**

Part of the application site is located on land owned by South Somerset District Council.

**SITE DESCRIPTION AND PROPOSAL**



The site is located on the northern edge of Chard, accessed from and on the western side of the A358 (Furnham Road) and to the south of Thordurn Park Drive. To the north and west of the site are business units comprising part of Chard Business Park. To the east is the A358 and residential properties to the south. It comprises an area of 1.12 hectares of rough grassland and originally formed part of the outline consent in the 1980's for a business park and distributor road. The site is relatively flat with a gradual rise from east to west. Six Plane trees run along the frontage with Furnham Road.

This proposal seeks consent for the erection of 41 no. affordable dwellings and a 68 bed elderly care home along with associated highway infrastructure, parking, landscaping and footpath links. The affordable housing will be provided by Knightstone Housing Association a registered provide of affordable housing. The affordable rented houses will comprise 6 x 1 bed flats, 6 x 2 bed flats, 1 x 2 bed coach house, 8 x 2 bed houses, 9 x 3 bed houses and 1 x 4 bed house. The shared ownership properties will comprise 6 x 2 bed houses and 4 x 3 bed houses. Each of the houses will have their own private garden and sheds will be provided for secure cycle and bin storage. The flats are provided with communal cycle and bin stores and shared open space.

The proposed care home will provide specialist residential care for the elderly, including dementia care, in a building that will meet the latest Care Quality Commission standards. All of the 68 beds are en-suite and other on-site facilities include communal dining, lining rooms and amenity space. A landscaped garden will be provided to the east of the building in the north east corner of the site.

Vehicular access is proposed from Jarman Way to the south of Thordurn Park Drive utilising an existing spur to the west of the site. The internal estate road will be adoptable. 72 car parking spaces are provided for the proposed dwellings along with 11 spaces for the care home and an additional 12 spaces for visitors of both. Footpath links are provided along the internal estate road with 2 pedestrian links at the northern and southern ends of the residential site frontage onto Furnham Road.

In terms of the layout of the scheme, the residential layout is arranged around a single access road and parking courts. Most of the plots are arranged so that the rear elevations face inwards with principle elevations facing towards Furnham Road, the new access access road and the grounds of the proposed care home. The northern elevation of the care home will face onto Thordurn Park Drive. Larger buildings are proposed at the north-eastern and western edges of the development. The development will be constructed using a mix of brick, render, weatherboarding and reconstituted slate roofing.

During pre-application discussions, much attention was focused on the provision of public open space and play facilities. The area in the north east corner of the site was originally proposed by the applicant. However, this area will now provide a garden area for the residents of the care home with open and play space requirements being met via a commuted sum off site on Plot 5 of the Chard Business Park with the applicants proposing to do this with an off site contribution.

## **HISTORY**

880194 - Outline consent for development of land as a business park and construction of a distributor road. This was approved subject to a Design Brief intended to shape future reserved matters applications and achieve high quality designs.

96/01070/FUL Erection of an industrial unit on Plot 1. This is the current application site but the permission was never implemented.

There have been other subsequent applications for units on the adjacent business plots.

## **POLICY**

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

Somerset and Exmoor National Park Joint Structure Plan  
STR1 - Sustainable Development  
Policy 35 - Affordable Housing  
Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (adopted April 2006)  
ST5- General Principles of Development  
ST6 - Quality of Development  
ST10 - Planning Obligations  
EC8 - Protected Species.  
EP1- Pollution and Noise  
TP7 - Parking provision in residential areas  
ME6 - Retention of employment land and premises.  
HG6 - Affordable Housing  
CR2 - Provision of outdoor playing space/amenity space in new development.  
CR3 - Off site provision

National Planning Policy Framework:  
Chapter 1 - Building a strong, competitive economy  
Chapter 6 - delivering a wide choice of high quality homes  
Chapter 7- requiring good design

## **CONSULTATIONS**

### **Chard Town Council:**

Recommend: Deferral pending adequate provision of recreational facilities.

### **Highway Authority:**

Principle

In terms of traffic generation the proposed development may generate a similar level of traffic to that of the extant permission for a B1, B2, B8 use. The nature of the trip patterns connected with the proposed use compared to the current permitted use are likely to be very different with a higher level of longer distance trips.

The site lies at the edges of the settlement and does not accommodate adequate services and facilities, such as, education, employment, health, retail and leisure, and the public transport services in this location are infrequent. As a consequence, occupiers of the new development are likely to be dependent on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in NPPF and RPG10, and to the provision of policy STR1 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted: Apr 00)

Policy TP4 of the South Somerset District Local Plan (adopted Apr 06), and would normally receive a recommendation of refusal from the Highway Authority as a result.

Notwithstanding the aforementioned comments, it must be a matter for the Local Planning Authority to decide whether the planning history or any other overriding planning need, outweighs the transport policies that seek to reduce reliance on the private car.

### Transport Assessment

There are some difficulties with the Transport Assessment but these are relatively minor in relation to the traffic impact. The assumptions made about trip generation and trip distribution are acceptable but the parts concerning traffic impact and accessibility have been queried. The likely implications of these concerns are minimal and would not affect the conclusions.

### Parking

There are more difficult issues relating to the parking on site. This is a full application and seeks to fix the layout and parking level. The parking level offered for the residential element is well below the optimum level given in the County Parking Strategy which is based on car ownership levels for each ward. The plan shows 73 allocated spaces and 12 visitor or unallocated spaces whilst the Parking Strategy would give an optimum level of 98 spaces including the visitor spaces which are required when over 50 percent of the spaces are allocated.

The justification for reduced levels is that the bus connections will make car ownership lower but the census data for this ward shows car ownership levels higher than is typical for Zone B. Bus connections may reduce car use but have no impact on car ownership. The justification for lower parking levels is, therefore, unacceptable.

The parking proposed for the care home is broadly acceptable but the Highway Authority would prefer to see the cycle parking covered since it is likely to be used by staff who will be leaving their bicycle for a whole shift.

Parking space sizes also need to be addressed. Spaces fronting the highway should be 5 metres to prevent vehicles overhanging the highway. Spaces which are obstructed, by a wall or fence at the rear for example, should be 5.5 metres long since cars don't drive in until they hit the obstacle but stop short. Spaces fronting garages should be 6 metres to allow room for the operation of the garage door.

Spaces 74 to 87 are very remote from both the care home and the residential development. They are unlikely to be used by visitors to either part of the site and their location should be reconsidered. The shortfall in parking detailed above is likely to be exacerbated if the unallocated parking offered is so remote from the development that it is hardly used.

The submitted plan shows a disabled parking space as part of a tandem space. This seems odd. Tandem spaces can create problems by causing people to park elsewhere in the vicinity rather than risk conflict with other drivers. If the pairs of tandem spaces are to be allocated to particular plots, it seems odd to allocate a disabled space to a particular plot. Tandem spaces are not acceptable as unallocated visitor parking since both spaces will definitely not be used. This is not a normal approach to the layout of parking for this type of development.

Some of the parking spaces are simply not workable. Spaces 21 to 26 cannot be accessed without a great deal of manoeuvring and will not be available at all when other spaces are occupied in that row. They are also tandem spaces and the earlier comment applies equally.

### Travel Plan

The form of the Travel Plan (TP) is acceptable but the use of a Framework TP is not acceptable since the end users are known in terms of their use type and area, and it is possible to predict the likely trip generation for each proposed use. A full TP is therefore appropriate. Some worthwhile measures have been included in the TP, however, only the most basic measures have been considered and it is unlikely that these will achieve the necessary modal shift.

The corner stone of the TP is the accessibility audit and this is insufficiently detailed. There is mention of more services and facilities locally but no mention of what these are. The pedestrian, cycling and public transport audits should describe the journey to local facilities and to the town centre for each mode so that an impression can be gained of whether this journey is feasible or attractive and whether some mitigation would make it more attractive. Walking, cycling and bus targets are more likely to be met if the routes are attractive and there are no obstacles. This will also inform the measures that can be employed to encourage sustainable travel.

The detail of the monitoring strategy is insufficient. The monitoring period will be between first occupation and 5 years following 80 percent occupation. Annual surveys should be undertaken using the SCC standard formats with 40 percent response rate being considered the minimum. All survey results should be uploaded to iOnTRAVEL so that the meeting or missing of targets can be deduced. In addition to the surveys, ATC installation is essential to validate the survey results.

Safeguard measures have been mentioned but there is no commitment to any specific measures and no safeguard sum has been offered. The safeguard sum is essential to limit the liability of the developer and the best way to arrive at a figure is to devise some safeguard measures and cost them. This will show what is achievable using the sum specified and will give a much greater chance of success should the targets not be met.

The TP will need to be secured by a Section 106 agreement since the financial commitments such as green travel vouchers, the Travel Plan Fee and the safeguard sum cannot be secured by condition. If the TP can be bought up to an acceptable standard, this can be appended to the Section 106 agreement and the words in the agreement kept to a minimum. If a suitable TP cannot be appended, a lengthy and very wordy schedule will be needed to describe the form and content that is expected in the TP.

### Estate Roads

The visibility for the entrance to the care home is not acceptable. The submitted plan shows hedges growing right up to the edge of the access. Some pedestrian visibility is required for emerging vehicles to have sight of approaching pedestrians and there should also be visibility of approaching vehicles on the estate road.

Where there are accesses to parking courts, minimum visibility of 2.4 by 18 metres should be provided with nothing in the splays over 300 millimetres.

Some of the footways shown have widths down to 1.5 metres. While it is acceptable in some circumstances where the use is expected to be low to have footways of 1.5 metres, we would normally expect 1.8 metres.

The turning head at the end of the section marked as adopted must be capable of coping with turning an 11.8 metre 4-axle refuse vehicle. This can be confirmed by swept path analysis but it looks a bit tight as it stands.

The drawings indicate that the main part of the road is to be adopted and it is assumed that the parking courts will be retained jointly by future residents.

If some of the roads are to be adopted, a Section 38 agreement will have to be entered into. All the dwellings will be liable to charge under the Advanced Payment Code (APC) but this may depend on whether the necessary section of Jarman Way is adopted which it is not at present. The parking courts that are to remain private will also be chargeable under APC and the construction of these areas will have to be checked and a management company set up to handle the future maintenance of the road in order for these areas to gain the necessary exemption.

### Drainage

At present there are no details of the drainage outfall. In order for the road to be adopted or exempted from APC, the end disposal agency, Environment Agency or local Drainage Board for example, will need to give their written consent to accept the additional water. There is no confirmation of this with the planning application but we would need to see a right of discharge before any construction work goes ahead.

There are geo-cellular storage tanks proposed as part of the attenuation strategy. These tanks should not be in close proximity to the existing adopted highway or to any highway that is proposed for adoption. This will minimise the potential for damage to these facilities cause by future maintenance of the highway or utilities apparatus within the highw

As a result, the Highway Authority raises no objection to this application subject to 4 conditions.

### Economic Development

Thank you for requesting a consultation from the Economic Development Service. I am supportive of the application and offer the following comments:

#### Site History:

Chard Business Park was opened in the mid 1990s. It was created as a Business Park with the aim of bringing an additional and broader range of employment opportunity to Chard. In order to maintain the strong business ambience of the Business Park, development has been regulated by restricting the planning use and restricting the specifications for quality of design and build. These restrictions have enabled the Business Park to retain a high standard of appearance and not be perceived as either an industrial park or a retail park.

The plots have been developed slowly but steadily since the park opened. In January 2013 all the plots are either occupied or have planning interest expressed in them. It has taken a number of years to fill the park but that said, it is not unusual for Business Parks

to take considerable time to fill. However, it is often unusual to see a Business Park fill completely, and Chard Business Park could soon be fully utilized.

Plot 1 at the business park is the largest and most prominent site on the park. It occupies the gateway to the business park and arguably is the visible gateway to Chard from the northern A358. It had always been hoped that Plot 1 might attract a large, prestigious development, perhaps similar to the building on the opposite entrance plot with its large office development that variously attracted the former Primary Care Trust and Action Aid.

## Marketing

Plot 1 is owned wholly by Abbey Manor Developments. It has been in the ownership of the group for approximately twelve years. During this time the plot has been continuously and extensively marketed and local awareness of the availability of the plot for development has been high. The marketing has included use of the Abbey Manor Group commercial land website (see [http://www.yeovil-property.co.uk/property\\_86.html](http://www.yeovil-property.co.uk/property_86.html) which features prominently on internet search engines), SSDCs own property database and various commercial agencies. Not least the plot had always been promoted through a large sale board placed visibly and prominently to the fore of the plot facing Furnham Road.

The plot has attracted interest over the years. SSDCs Economic Development team themselves handled several enquiries and signposted these to the AMD group.

The planning statement that accompanies the application indicates that enquiries numbered around 4 per year at the height of the economic climate 2005 to 2008.

For various reasons the plot will have had a limited market;

- The plot is approx 3 acres in size and would be likely to attract only large scale end users
- A plot of this size represents a significant capital investment for prospective developers
- The plot would be expensive to sub-divide into a number of smaller serviced plots with no guarantee of finding end users
- The prestigious location has high specifications for design and quality of build as prescribed by the planning authority. The cost of complying with the design specifications (particularly considering the scale of development on such a site) would be considerable
- Several retail developers have made enquiries but their planning use is not permitted on the Business Park

A list of parties interested in developing the plot is given in the planning statement provided by the applicant and these include: Gooch and Housego, Air Control Industries (ACI), Lentells, Jewsons, Protexin, Kingfisher Vets Group. The SSDC Economic Development team can confirm that they received initial enquiries from some of the above and other prospective developers. These enquiries were signposted accordingly.

It must be said that SSDC has also found it difficult to bring forward its own plots at the business park over the same time period. SSDCs plots have now largely been developed out but Plot 1 is far more challenging because of the size of the plot and the scale of any potential development.

It would be fair to describe the marketing of plot 1 as thorough and continuous and that it has been offered on a choice of either a freehold or leasehold basis.

The development proposal

To bring the plot forward, AMD have submitted a planning application that proposes a mixed development for employment use and housing.

The proposed development will be for a nursing home to the fore of the plot, and an affordable housing scheme of approx. 41 dwellings to the rear of the plot. The housing will help meet the current high demand for affordable housing in the town.

Nursing homes on this scale tend to generate around 1 FTE job per bed-space, so it would be reasonable to assume that this scheme could create approx. 70 FTE jobs for the Chard area. The actual number of jobs created is likely to be higher if part-time jobs are taken into account. The employment generated by this scheme will cover a wide range of skills and this would be a very welcome addition to the limited employment opportunities in the town.

It may also be contended that the jobs created will offer a similar or even higher density of employment than many other developments that might have occupied this site. Many factories or distribution depots built on a similar sized plots offer less employment than this proposal.

In considering this development the following points are noteworthy:

- Plot 1 has been vacant since the creation of Chard Business Park despite the ongoing marketing
- This particular vacant site is a conspicuous feature of the Business Park and the Chard gateway and deserves a high quality development
- Development opportunities for employment (at this scale) are rare, especially in the prevailing economic climate
- Refusal of this application will mean that plot 1 will be returned to the market at a time when viable development proposals are scarce. The plot could remain undeveloped for some further time
- The applicant reminds us of the New Planning Policy Framework (paragraph 22) that instructs Planning Authorities not to retain employment land (that has been reasonably marketed for such purpose) where there is little prospect of workspace development in the future. Under the NPPF, plot 1 could return to the planning committee in the future with a legitimate request for 100% housing. This application therefore offers a reasonable proposal that should receive due consideration

It should also be noted that the scheme will now assist in enabling an offsite play provision. The applicant had originally intended to meet the provision generated by this scheme, entirely within Plot 1. However, following discussions with officers and local members the applicant has agreed to assist in providing local open space and play provision on the edge of the business park. Contributions will be taken through a Section 106 agreement and will meet the requirements generated by this application and help SSDC to meet historic unmet provision. The preferred location for open space and play provision will be at Plot 5 on the business park for which the applicant has already submitted a request to change the use of the plot. The application for Plot 5 will be dealt with separately.



## Conclusion

I am supportive of this proposal and raise no objection to the application.

## Landscape Officer:

I have reviewed the above application and its supporting information seeking the construction of 41 new dwellings and a 68-room carehome at the above site, and I am familiar with the landscape context.

In terms of the immediate built context, I note that the proposal occupies an open site initially designated for employment buildings, and that it has housing to its south, and employment buildings to its north and west. By arranging the built form with the larger scale of the care home to the north, and the proposed residential to its south, and abutting the current residential area, an appropriate transition of both building form and scale is enabled. I have no issues with the layout proposal, providing;

- (1) The Council's Arborist is satisfied that there is sufficient offset from the roadside plane trees, and;
- (2) Open space can be delivered to the west of the site, and that its arrangement secures an undisturbed setting for the protected oak trees.

I note that a landscape proposal has been offered that relates to the housing area (drawings 1216-002B: Trees and 1216-001B: Shrubs). I have a number of comments on these, looking first at the tree proposals;

- (a) I would advise against *betula pendula*, and suggest the use of something with a stronger tracery, e.g; *acer campestre* 'streetwise' or *Pyrus calleryana* 'chanticleer'
- (b) Rather than *prunus padus*, which can be a little indifferent in these soils, opt for its cultivar *P.p* 'albertii' which adapts better to urban contexts
- (c) *Malus sylvestris*' fruit is not favoured by our maintenance teams, *M. hupehensis* is a better urban option, with smaller fruits, and its resistance to scab and mildew is also perceived as a positive
- (d) Utilise *Alnus cordata* rather than *A. glutinosa*, as it is more tolerant of dry soil conditions

Regarding the shrub proposals;

- (e) look for an alternative to *euonymus* groundcover, which is often slow and erratic in its cover
- (f) rather than the native form of dogwood, (*Cornus sanguinea*) select a cultivated form for its stem colour/foliage effects, and;
- (g) *vinca minor atropurpurea* - as (e).

Unless I am missing it, I am not seeing a landscape proposal for the care home. However, if you are minded to approve this application, then i am content that this can be conditioned.

## Ecologist

I'm satisfied with the applicant's commissioned ecology report ('Phase 1 Habitat Survey Report', Acorn Ecology Ltd, Sep 2012) and agree with its conclusion that this site has relatively low ecological value. I have no objection and no recommendations to make.

## Engineer:

The drainage principles set out in the Floor Risk Assessment are satisfactory. Details to be submitted for approval.

**Climate Change Officer:**

From a carbon emission perspective there are some pleasing aspects to this development but also some inadequacies in the DAS;

1. As this development is unlikely to be built until 2013, we should expect renewables to be explicitly detailed at the application stage because the carbon emissions requirement Level 4 of the code for sustainable homes being incorporated to building regulations is very unlikely be achieved without an element of renewables and these may have an impact on the appearance of the development. The DAS states the development will only reach Code Level 3. The carbon emission requirement would therefore fail building regulations.
2. Although they will contribute to a low carbon building, the DAS describes mechanical and heat recovery ventilation and high efficiency gas boilers as renewable energy technologies, which they are not.

The majority of the dwellings have east west orientation despite the fact that all dwellings could be arranged to have south facing roof space and back gardens within the constraints of the site. This does not make the most of the opportunity to install solar thermal or solar photovoltaic technologies at the development stage and sterilises the roof space from future installation.

The intention to install photovoltaic arrays to the care home is welcome. Generation during daylight hours would match well with the building's occupation. The inclusion of solar thermal panels to the minority of dwellings with suitable south facing roof spaces on the dwellings is welcome.

This site presents an excellent opportunity to install a central wood chip boiler to power a heat main providing space heating and hot water to all buildings. Connection to the gas main and provision of a separate boiler for each building would then not be required saving on development costs. The larger utility companies can provide the equipment, manage the installation and become the heat service provider for the site if the developer wishes to avoid the initial investment and forego the financial benefit of the renewable heat incentive. Ownership of a wood heat system attracts the very generous renewable heat incentive which makes the investment very worthwhile.

Site arrangement is crucial to successful exploitation of solar gain to enable pleasant sunny gardens (with minimum daily shading), maximum solar light and heat penetration, solar thermal or photovoltaic technologies. We should routinely expect south facing backs (with adequately sized glazing) and roof space. It is clearly evident that inclusion of renewable energy technology has been an afterthought rather than a crucial design element to be considered at the beginning of the design process.

Despite missed opportunities, it is possible that the combination of energy efficient and renewable technologies deployed will meet 2013 building regulations and so I am unable to object.

**Housing Development Officer:**

In respect of the dwellings, I wholly support the provision of 41 affordable homes. There is a high level of housing need in Chard.

Currently there are 544 households on the register seeking Chard as their preferred place to live. This figure represents 11% of the total number of households on the

register for South Somerset. Were this scheme developed it would provide much needed affordable housing in Chard and we are in favour of Knightstone developing this scheme.

#### **Leisure Policy Co-ordinator:**

A total of £4,504.81 per dwelling or a total of £184,697.07 is being sought equipped play, youth facilities, playing pitches, changing rooms, community halls, theatres, synthetic pitches, swimming pools, indoor tennis and sports halls. The breakdown of the contribution is attached at appendix A.

The response acknowledges the potential viability issues and the application only being acceptable if equipped play and youth facilities can be secured on plot 5 as there is no other means of mitigating against the impact of the application. There is also an option of using the pitch contribution towards developing plot 5 if required.

#### **Spatial Policy:**

The proposal site lies within the Development Area for Chard in a location where the principle of development is accepted provided it is in accordance with other saved Local Plan policies and proposals.

#### **Policy ME6: Retention of Land and Premises**

The proposal site forms part of an outline planning permission (application no. 880194) for the development of land for use as a business park and the construction of a distributor road. It is my understanding that reserved matters have been approved and implemented on a number of plots within Chard Business Park, but not on this particular plot, so whilst there is no extant consent the principle of this land being in employment use has been established. Plot 1 has been included as part of the employment land commitment in the Council's Employment Land Review 2009.

Policy ME6 seeks to protect existing or allocated employment land or premises except where there is an over-riding need which outweighs the employment value of the land or premises. The application site covers an area of 1.12 ha, one plot amongst a number within a larger business park. Whilst Chard Business Park has been successful in economic development terms there is obviously an issue in terms of delivery of this site and this will have to be balanced against the fact that this proposals seeks to provide affordable housing and a care home which will offer some local employment and help to meet an identified affordable housing need (see below).

#### **National Planning Policy Framework (NPPF) - The Presumption in Favour of Sustainable Development**

It is noted that the applicant makes reference to paragraph 22 of the NPPF which states:

Planning policies should avoid long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable communities.

The NPPF also places significant weight on the need to support economic growth and planning for new and emerging sectors. In the context of paragraph 22, the Local Planning Authority need to be realistic and if the site has been adequately marketed (this

will be addressed by the Economic Development Team), then you will need to weigh up the job creation and community facilities being delivered through the establishment of a care home and the provision of affordable housing against the realistic potential of the site coming forward for purely employment use.

Paragraph 49 of the NPPF states:

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable sites.

The Appeal Decision for land to the rear of Wincanton Community Hospital, Dancing Lane, Wincanton (APP/R3325/A/12/2170082) has established, as at 29th August 2012, that the Council does not have a 5 year supply of deliverable housing land.

Paragraphs 11-16 of the NPPF specifically address the presumption in favour of sustainable development. Paragraph 14 defines sustainable development in terms of plan-making and decision-taking. The three dimensions to sustainable development are set out in paragraph 7 with further clarification provided in paragraphs 8-10. Sustainable development is expected to perform an economic, a social and an environmental role, paragraph 8 is clear that sustainable development consists of a combination of all three elements.

With regards to an economic role this proposal would provide employment opportunities locally not only for those involved in the construction of any buildings that may be approved, which is a short term benefit, but also longer term employment opportunities through the jobs that would be created at the Care Home.

From a social perspective the proposal would provide much needed affordable housing in Chard and provide specialist care for elderly people. The Taunton and South Somerset Strategic Housing Market Areas Housing Market Assessment (Feb 2009) identifies that there is an annual need for 659 affordable homes in South Somerset. The need at Chard is the second highest after Yeovil . As of 09/10/12 the Housing Register identified 574 households in Chard to be in housing need. It is therefore not disputed that an additional 41 affordable homes in Chard would be welcome. Paragraph 50 of the NPPF refers to the creation of "inclusive and mixed communities" and the clustering of this many affordable homes in one location would not normally be encouraged, however this has to be balanced against the level of need in Chard. Additionally the provision of homes for the increasingly ageing population across the District is an issue recognised in the emerging Local Plan. The evidence submitted with the planning application shows that there are a total of 9 care homes within an 8km radius of Chard offering a total of 236 registered beds, an increase of only 5 beds since 2007.

Whilst not performing any specific environmental protection role a well-designed scheme could potentially positively enhance this prominent site on the edge of Chard.

## Highways

As you are aware a key area of concern with regards to development in Chard and in particular the delivery of the Chard Eastern Development Area is the impact of additional traffic on the central A30/A358 'Convent Link' junction. A Transport Assessment has been submitted with this proposal which concludes that the impact on that junction would be insignificant and could not be considered 'severe' in terms of the NPPF. Consequently no mitigation measures are necessary. The response from the Highway Authority will be important in determining the soundness of this conclusion.

## Conclusion

From a Planning Policy perspective the retention of this employment land must be balanced against the provision of a care home which will provide local employment opportunities as well as a social role and the provision of affordable homes in a location where the need is high. The NPPF is supportive of economic growth in new sectors and the need for affordable housing is not disputed. Plot 1 of Chard Business Park forms a key part of the employment stock for the town for B1 type employment uses and its loss will present a position where there is very little employment land available in Chard for such uses (as at 31 March 2011 there was only 0.59 ha of land committed for B1/C uses). In such circumstances saved Policy ME6, which complies with the NPPF where there is evidence of need for employment land, should therefore apply and on this basis a planning policy objection is lodged.

It is recognised that the applicant has indicated that on-going marketing has failed to bring forward B1 type development and if this marketing is considered sound by the Economic Development Officer then in practical terms it will be difficult to maintain a policy objection particularly given the significant employment provision (albeit not in a B1 type use) and community uses coming from the development.

### Officer comment:

In response to the above comments received from the Spatial Policy Manager, the agent submitted the following comments:

An objection is lodged from the Council's Policy Team on the basis that the proposal is contrary to Policy ME6 of the adopted Local Plan. This objection is fundamentally flawed in my opinion as the application site does not constitute 'employment' land.

As clearly set out within our planning statement, the wording of Policy ME6 specifically refers to: Proposals for the alternative use of existing and allocated employment land and premises. The supporting text to Policy ME6 at paragraph 9.30 explains that It is important to retain employment uses (land or buildings) which are in industrial use or which were last used for this purpose. It must surely be accepted that the application site meets none of these criteria in that it is not:

In existing employment use;  
Allocated employment land; or  
Last used as employment land.

I do not agree that "the principle of the application site being in employment use has been established" This view is simply based on the site forming part of an outline planning unit granted permission in 1988 (25 years ago), which has long since lapsed, and against which reserved matters were never even submitted in relation to the application site. Full permission was granted later in 1996 but also lapsed without implementation in 2001.

To conclude the site is not, and never has been, in use for employment purposes. Neither is it allocated employment land. As such Policy ME6 does not apply. Any planning permissions granted for employment use have lapsed some considerable time ago without implementation. The site cannot surely be considered as an employment 'commitment' on the basis of this brief history of lapsed consents, especially when considering its location within the designated Development Area of the adopted Local Plan where the principle of other new development per se is acceptable in accordance

with Policy ST3. My view on this matter is surely supported by the evolution of the current Local Plan in that:

The site was identified as part of a Major Area of Change/Commercial within the Deposit Draft Local Plan 1998, presumably indicating that an extant permission for commercial use existed at this time;

By the time the Local Plan was adopted in 2006 the "Major Area of Change - Commercial" was no longer identified, presumably as any permission for commercial use had since lapsed and the site could no longer be deemed a commitment.

Notwithstanding that this policy objection may be difficult to maintain having regard to other material considerations (i.e. the marketing exercise and paragraph 22 of the NPPF), it is important that this planning policy position is clarified prior to committee.

**Officer Comment:**

In response to the above comments, the Spatial policy Manager stated:

1. The Planning Policy response did not state that the land is in employment use, the response makes it clear that there is no extant consent for employment use, what it does say is that it has been generally accepted that Plot 1 Chard Business Park forms part of Chard's employment land supply since that outline approval in 1988 and the later full permission. Lapsed employment consents were included as part of the supply for the purposes of the ELR. Stage 1 of the ELR specifically mentions the high profile plot.
2. In terms of ME6 we would therefore argue that existing applies in terms of overall site/Business Park as part of the supply rather than actual use.
3. Plot one is included in the Chard Business Park Development Brief which has been in place for years.
4. The land owner has marketed the site for employment use over a number of years, including since the 1988 outline permission expired , therefore he must have accepted the principle of employment use on that plot.

**Environmental Health:**

Revised comments following an original comments that acknowledged preapp discussion and asking to see the acoustic report.

Further to my previous memo concerning the above application.

I acknowledge that no acoustic report has been submitted and I can confirm that in this case one is not required.

The only response I can provide is that the proposed housing in close proximity to this existing shirt factory would not be subjected to any adverse noise levels.

What does need to be noted is that by allowing such a development of residential properties this close to this industrial unit class use B8, a change of ownership and use may result in future conflict due to noise.

**REPRESENTATIONS**

No representations have been received.

## CONSIDERATIONS

### Principle of Development

The site is located within the development area as defined in the South Somerset Local Plan and thus there is a presumption in favour of development subject to compliance with other relevant local and national policies. The site was originally granted permission as part of the outline consent for the Chard Business Park in the late 1980's. However, this site has never for been developed for employment purposes and there is no current extant planning permission for such uses. It remains an undeveloped piece of land. Therefore, whilst the site has historically formed part of the Chard Business Park, has been actively marketed for employment use over a number of years, and has formed part of the Spatial Policy supply of employment land, the site is not allocated as employment land in the South Somerset Local Plan nor does it have current employment permission. Moreover, notwithstanding the employment land issue, the NPPF (para 22) makes it clear that 'planning policies should avoid the long term protection of site allocated for employment use where there is no reasonable prospect of a site being used for that purpose'. It is clear that, although the site has been actively marketed for employment purposes, the site has not delivered any employment and, even if it was accepted that it had a current employment use, it is perfectly acceptable for the Council to consider suitable alternative uses for the land.

It is important to note that whilst the care home is not strictly an employment use (ie not within the B1 to B8 land use classes), it could generate up to 70 FTE jobs which may possibly far outweigh those that could be generated by a large storage warehouse on the site.

### Need for the proposal

The Council currently does not benefit from a 5 year land supply of housing as required by the NPPF. Therefore, the Council clearly requires housing to meet the needs of its population. In particular, there is a pressing need for the provision of affordable housing, as outlined by the Council's Housing Development Officer. There are 544 households on the register seeking Chard as their preferred place to live representing 11% of the total number of households on the register for South Somerset. The acute need for such housing is therefore very apparent.

Moreover, the demand for high quality elderly persons accommodation is also increasing as the age of the general population increases. This need has been outlined in a Summary Care Home Report undertaken by Pinders and supplied with the application. This states that within an 8 mile radius of the application site, there is currently an elderly population of 325 persons requiring residential care in 2012. However, the stock of available care homes within this catchment area is 236 bed spaces. Thus, there is a clear shortfall between demand and supply. Moreover that this demand will increase in the future. In addition, the submitted Planning Statement makes it clear that a number of the existing care homes in Chard do not meet the latest Care Quality Commission standards. Thus, the current proposal will help to address both qualitative and quantitative issues in respect of care home provision.

### Highways/Parking issues

Whilst the Highway Authority did not raise an objection to the proposed development, as can be viewed above, a number of points were made in respect of the sustainability of the site, parking provision, the Travel Plan, design of the estate roads and drainage.

In terms of the sustainability of the site, it is located within the development area and has previously benefited from permission for employment use. Therefore, the Council contends that the site is not in an unsustainable location and is appropriate for development. The applicant's Transport Consultant has stated in response to the Highway Authority that the bus service runs every hour past the site along with good footways into the town.

In terms of the number of parking spaces, the scheme is providing a total of 85 spaces for the residential development with the Highway Authority seeking a total of 98 spaces. As a result of pre-application discussion, the applicant has provided 12 visitor spaces to the west of the care home, thus providing additional spaces over and above the number of allocated spaces. It must be borne in mind that the County Parking Strategy seeks an optimum number of spaces, not a minimum. Moreover, given that the site is considered to be located in a sustainable location, the number of spaces is considered to be acceptable.

With regard to the comments about the size of parking spaces, the highway consultant has stated that all spaces adjacent to the proposed adopted highway are 5.5 metres long. Moreover, that the parking courts would be private areas and it is only in these areas where the bays are 4.8 metres long. However, as these are in private areas, this is not considered to be an issue that would warrant refusal.

In response to the issue about a disabled space forming part of a tandem space, these disabled bays have been omitted and tandem parking bays would be allocated to a single dwelling. Moreover, a covered cycle parking will now be provided and spaces 18-27 have now been redesigned. Details of an amended Travel Plan can be sought and included as part of the S106. The layout of the estate roads have also been amended along with an increase in the size of the turning head and the footpaths widened.

## Design

It is considered that the design of the scheme is acceptable. The care home will be located along and form a significant part of the northern boundary with Thordurn Park Drive. This will be a three storey building, other than the café area (single storey) and will form a prominent development along the entrance into Thordurn Park Drive. It will also be similar in scale to the existing large commercial units and thus will provide an appropriate transition between the commercial and residential units. The care home will be of contemporary design with connections to Chard's industrial past with the use of large curved brick facades, along with timber cladding and brick parapet walls at roof level. There will also be large panels of glazed curtain walling, zinc roofs to the care home and mono-pitched roofs to some of the dwellings. The dwellings will be a mix of brick, render and timber cladding. Windows will be a mix of Upvc and aluminium. This is considered to be an appropriate palette of materials for this development.

In terms of scale of the proposed dwellings, there will a range of 2 and 3 storey units throughout the site with the 3 storey units being located at more prominent locations within the layout. In particular, plots 17-22 at the entrance to the residential properties, and plots 27-32 in the north-east corner close to the junction of Furnham Road and Thordurn Park Drive. It is considered that this is an appropriate approach and will provide a strong physical focus for the development at prominent locations within the development.



### Impact of the proposal on adjacent occupiers

In terms of the impact of the proposal on adjacent business occupiers, it is not considered that the proposed scheme will create any significant harm that would warrant refusal of the application. Employment units are located to the north, across Thordurn Park Drive and to the west. No objection has been received by those occupiers and it is considered that due to the layout of the scheme, this development can sit amicably alongside the existing employment users. One issue identified at the pre-application stage involved the proximity of the shirt factory located to the south west of the site. However, following discussion with the Environmental Health Officer, it was agreed that the noise restrictions imposed as part of the approval for the shirt factory offers sufficient control to satisfactorily safeguard the residential amenity of future occupiers.

In terms of the impact on existing residential units that are located adjacent to the southern boundary of the site, it is not considered that the development will be overbearing or create any harmful overlooking. The closest existing occupiers located in Reed Close have properties that either face gable end onto the application site or, as in the case of those towards the south west of the site, have their frontages facing towards the site, thus no harmful overlooking will occur. A condition will be imposed to agree boundary treatments, and this will further assist with securing privacy of existing and future occupiers.

### Provision of open and play space

Members will be aware that a development of this scale will require a planning obligation in respect of sport, leisure and open space provision. The applicant was originally proposing to provide this on site, and indeed, the early layout for the scheme placed this in the north east corner of the site. However, following extensive pre-application discussion with the applicant, officers and the ward member, it was considered that wider planning gain could be achieved if this play and open space provision was provided off site. The developer is agreeable to making a commuted sum in this regard. During this discussion, Plot 5 of the Chard Business Park was identified as a suitable site for such play and open space provision. In a similar way to the application site, plot 5 has failed to find any buyers for employment purposes, particularly given site constraints such as protected trees which would reduce the amount of developable space. Plot 5 is now subject to a current application for such a use. It was considered that this plot would provide facilities not only for occupiers of the new development but importantly would also be used by other existing local residents where provision is currently lacking.

### Viability

The applicant has undertaken and submitted a viability appraisal. This has set out the sum of money that the applicant considers the proposed development can reasonably afford to contribute in terms of the planning obligations sought as part of this development. As per Council protocol, the viability appraisal has been forwarded to the District Valuer for an independent assessment. It is hoped that the District Valuer's report will be submitted to the Council in time for the case officer to be able to orally update members at committee.

## **SECTION 106 PLANNING OBLIGATION/UNILATERAL UNDERTAKING**

The application be approved subject to:-

a) the prior completion of a section 106 planning obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued, the said planning permission to cover the following items/issues:

- 1 The provision of affordable housing, and
- 2 A contribution, to include a commuted sum, towards the provision and maintenance of sport, play, strategic facilities and open/amenity space.
- 3 Submission of a Travel Plan

## **RECOMMENDATION**

### Grant Permission

01. The development will provide much needed affordable housing and an elderly persons care home. The scale, design and layout of the development is acceptable and will not harm the character and appearance of the area nor harm any neighbouring amenity. A safe means of vehicular and pedestrian access is provided along with an appropriate level of parking. The development is therefore in accordance with Policy ST5, ST6, ST10, EC8 EP1, TP7 and ME6 of the South Somerset Local Plan and Chapters 1, 6, and 7 of the NPPF.

### **SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

02. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area to accord with Policy ST5 and ST6 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

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

Reason: In the interests of highway safety to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

05. No work shall commence on the development site until an appropriate right of discharge for surface water or agreement with the appropriate authority for a percolation solution has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

06. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and boundary treatments, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To protect the amenities of the area in accordance with Policy ST5 and ST6 of the South Somerset Local Plan.

07. Before the development hereby permitted shall be commenced details of all eaves/fascia board detailing, guttering, downpipes and other rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the area in accordance with Policy ST5 and ST6 of the South Somerset Local Plan.

08. In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of (IN) from the date of occupation of the building for its permitted use.
- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To protect the Plane trees during the course of the development and to maintain the amenity of the area to accord with Policy ST5 and ST6 of the South Somerset Local Plan.

09. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure that the development is satisfactorily drained in accordance with the NPPF.

10. Before any of the development hereby permitted is commenced details of the internal ground floor levels of the building(s) to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the area to accord with Policy ST5 and ST6 of the South Somerset Local Plan.

11. No development shall take place until a Construction Management Plan has been submitted and approved in writing by the Local Planning Authority. The plan shall include days and hours of working and construction deliveries, the routing of construction traffic, details to keep mud/dirt off the local public highways (to include wheel washing facilities) and a plan showing the location of the constructors compound and area for the parking of construction vehicles.

Reason: To protect the amenities of the area to accord with Policy ST5 and ST6 of the South Somerset Local Plan.

12. The development hereby approved shall be undertaken in accordance with the following approved plans:  
Drawing numbers: 3190/17, 3190/01 Rev A, 3190/16, 3190/15, 3190/14, 3190/13, 3190/12, 3220/04,3220/05, 3220/06, 3190/18, 3220/01/rev A, 3220/02,3220/03, 3190/02 rev b, 3190/04 rev b, 3190/03 rev c, 3190/05 rev b, 3190/06/rev b, 3190/07,rev a, 3190/08 rev a,3190/09,rev a, 3190/10,3190/11.

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