

South Somerset District Council

Notice of Meeting



Area West Committee

Making a difference where it counts

Wednesday 20th November 2013

5.30 pm

**The Shrubbery Hotel
Station Road
Ilminster
Somerset TA19 9AR**

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



The public and press are welcome to attend.

Please note: Planning applications will be considered no earlier than 6.30 p.m.

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

This Agenda was issued on Monday 11th November 2013

Ian Clarke, Assistant Director (Legal & Corporate Services)

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



INVESTOR IN PEOPLE

Area West Membership

Chairman: Angie Singleton
Vice-Chairman: Paul Maxwell

Michael Best
David Bulmer
John Dyke
Carol Goodall
Brennie Halse

Jenny Kenton
Nigel Mermagen
Sue Osborne
Ric Pallister
Ros Roderigo

Kim Turner
Andrew Turpin
Linda Vijeh
Martin Wale

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 will commence no earlier than 6.30 pm, 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 SSSC 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 3rd Wednesday of the month in venues throughout Area West (unless specified otherwise).

Agendas and minutes of Area Committees are published on the Council’s website 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 20th November 2013

Agenda

Preliminary Items

1. **To approve as a correct record the minutes of the previous meeting held on 16th October 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

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

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Please note that the decisions taken by Area Committees may be called in for scrutiny by the Council's Scrutiny Committee prior to implementation.

This does not apply to decisions taken on planning applications.

Area West Committee – 20th November 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.

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) Feedback on Planning Applications referred to the Regulation Committee
 - (b) Chairman's announcements
 - (c) Public Question Time

Meeting Date	Agenda Item	Background / Purpose	Lead Officer
11 th December 2013	Area West Development Work Programme Overview 2013-14 and budget report	To present an overview of projects in the Area West Development Work Programme 2013-14 and an update on the budget position.	Andrew Gillespie, Area Development Manager (West)
11 th December 2013	Affordable Housing Development Programme	To update members on the current position with the Affordable Housing Development Programme.	Colin McDonald, Corporate Strategic Housing Manager
11 th December 2013	Crewkerne Heritage Centre	Reports from members on Outside Organisations	Cllr. John Dyke
11 th December 2013	Crewkerne Community Planning Update & A Better Crewkerne and District (ABCD)	For Information	Zoe Harris, Neighbourhood Development Officer (Communities) & Cllr. Mike Best
11 th December 2013	Chard Regeneration Scheme	Report on progress.	Andrew Gillespie, Area Development Manager (West) David Julian, Economic Development Manager David Norris, Development Manager
22 nd January 2014	Ile Youth Centre Management Committee (Ilminster)	Reports from members on Outside Organisations	Cllr. Kim Turner

Meeting Date	Agenda Item	Background / Purpose	Lead Officer
22 nd January 2014	S106 Obligations	Monitoring Report	Neil Waddleton, Section 106 Monitoring Officer
22 nd January 2014	Area West Community Safety Update Police Performance and Neighbourhood Policing	Report on activities and achievements of neighbourhood policing and partnership working to reduce crime and fear of crime in Area West.	Chief Inspector Richard Corrigan, Avon and Somerset Police, and Steve Brewer, Community Safety & Projects Co-ordinator Inspector Tim Coombe/Sgt. Richard Barnett
22 nd January 2014	Draft Asset Management Strategy	For Information and comment	Vega Sturgess, Strategic Director (Operations & Customer Focus) Donna Parham, Assistant Director (Finance & Corporate Services)
19 th February 2014	Community Health and Leisure Service Update	An update on the work of the Community Health and Leisure Service in Area West.	Linda Pincombe, Community Health & Leisure Manager
19 th March 2014	<i>Historic Buildings at Risk (Confidential Item)</i>	<i>Update report.</i>	<i>Adron Duckworth, Conservation Manager Greg Venn, Conservation Officer</i>
16 th April 2014	<i>Report on the Performance of the Streetscene Service</i>	<i>Service report on performance and priority issues in Area West</i>	<i>Chris Cooper, Streetscene Manager</i>

Area West Committee – 20th November 2013

7. County Highway Authority Report

Lead Officer: Mike Fear, Assistant Highway Service Manager, South Somerset Highways

Contact Details: Countyroads-southsom@somerset.gov.uk or 0845 345 9155

Purpose of the Report

The report is to inform members of the work carried out by the County Highway Authority and the remaining proposed work programme for the year.

Recommendation

That members note the report.

Report

Surface Dressing

The weather this year has allowed a productive season of Surface Dressing and early indication is that the treatment has been successful. It was envisaged that the failed sites from 2012 would receive remedial works during this season's program but this has not been achievable, therefore the remedial works will be prioritised within the 2014 Surface Dressing season.

Surface Dressing is the practice of applying a bitumen tack coat to the existing road surface and rolling in stone chippings. Whilst this practice is not the most PR friendly, when carried out correctly it is highly effective and can bring significant cost saving improvements to the highway infrastructure.

Verge Cutting

Grass cutting is carried out between the months of May and September on a network exceeding 3500km in length.

The County Council policy and procedures in place are to ensure the work is carried out in the most safe, effective and economic way. In a world of ever increasing risk assessment and claim/liability scenarios, the policy must take into account the range of road classifications across the network and prioritises them accordingly.

We were able to carry out 2 cuts on A and B roads together with one cut on C and D class roads this year. The complexity of judging when to commence grass cutting, to achieve the most benefit, always proves difficult. Flexibility in this maintenance type meant that the programme of cutting was started later than normal and proved to be successful.

Winter Maintenance

The preparation for this year's winter maintenance programme has commenced and the salt supply for the upcoming season has been delivered to the depot.

Local parishes will again be invited to collect their allocation of ten 20kg grit bags.

Many of the structural maintenance schemes for this year have been completed and are listed below:

Structural Schemes Completed 2013/14 (Area West)

Combe St Nicholas	Combe Hill	Resurfacing
Chard	Victoria Avenue	Resurfacing
Chard	Coronation Street/Summerfeilds	Footways
Chard	St Mary's Close	Footways
Combe St Nicholas	Street Ash	Drainage
Combe St Nicholas	Cuttifords Door	Drainage
Whitestaunton	Howley Road	Drainage
Haselbury Plucknett	Claycastle	Drainage

Outstanding Structural Schemes 2013/14 (Area West)

Tatworth and Forton	Wellings Close	Footways
Chard	Touchstone Lane	Footways
Broadway	Broadway Street	Drainage

DfT funding 2013/2014

As stated in the April 2013 report, Somerset County Council received additional funds from the Department for Transport to undertake highway maintenance 2013-2015. In order to achieve the aims and conditions of the grant to improve the highway network and to reduce congestion SCC proposed that the grant be used to address the following two issues:

- Deterioration of the highway carriageway surface resulting in pothole formation.
- Damage caused to the highway by flooding events.

Schemes include (Area West);

Chaffcombe	Chaffcombe Gate	Drainage
West Crewkerne	Dunsham Lane	Drainage
Chillington	Hebers/Fisherway Lane	Drainage/Resurfacing
Misterton	Knowle Lane	Resurfacing

Background Papers: None.

Area West Committee – 20th November 2013

8. Chard Town Team

Strategic Director: Rina Singh (Place and Performance)
Assistant Directors: Helen Rutter/Kim Close (Communities)
Service Manager: Andrew Gillespie, Area Development Manager (West)
Lead Officer: Paul Philpott, Neighbourhood Development Officer
Contact Details: paul.philpott@southsomerset.gov.uk or 01460 260359

Purpose of the Report

To report on the development of Chard Town Team and the contribution of the Team to the regeneration of Chard Town Centre.

Public Interest

As noted in the Chard Regeneration Scheme's suite of documents, published on the SSDC website, Chard has a number of significant challenges and development opportunities. If these are met, the Town will remain and grow as an attractive place to live, work and visit. The current Chard Town Team was formed in Spring 2012 to support this effort. It is now a key forum for designing and implementing regeneration projects in the town centre.

Recommendation

That the work of Chard Town Team in 2012/13 is commended.

Background

The first Chard Town Team was established in 2009 to provide local input to the Chard Regeneration Strategy as part of the brief given to LDA Design consultants. In January of that year, the Area West Committee appointed Cllrs. Dan Shortland and Nigel Mermagen to sit on the Town Team with around 20 other members drawn from the County and Town Councils, the local business sector and other public sector organisations. The Town Team successfully fulfilled their initial remit which was to examine closely and if necessary challenge and improve upon the ideas put forward by LDA Design consultants in their proposals for a Chard Regeneration Framework and Implementation Plan.

It was SSDC's intention that the Town Team remained in place as part of the recognised project governance structure, to guide the delivery of the Chard Regeneration Scheme after the completed Chard Framework and Plans were adopted in late 2010.

However, the subsequent focus of the Chard Regeneration Board on the disposal of the ACI site meant that the role envisaged for the Town Team was no longer required. No further meetings were called after 2010.

The opportunity for the Area West Development Team to support the creation of a second Chard Town Team followed the publication in December 2011 of the Portas Review into the future of high streets and the subsequent invitation to bid to become one of the 27 Town Team "pilot" schemes funded by central government. The Portas Review highlighted many of the issues already recognised in Chard that can result in reduced

town centre “footfall” and which must be tackled to keep the town centre vibrant and successful.

A key focus for the pilots was the creation of a “Town Team” able to drive innovation and improvement in the way the current high street is managed, develop a strategic and collaborative approach, and be made up of a wide range of local interests including landlords, retailers, local authorities and local communities.

With considerable support from Chard Town Council, a new Town Team was established. Although the bid to become a pilot was not successful – nationally the Chard bid was one of over 400 bids – support for a Chard Town Team was still strong enough for it to be established. In a relatively short time it has become an effective forum for designing and delivering successful town centre regeneration projects.

Who is involved?

All members of the Town Team are unpaid volunteers. From the outset the Town Team has attracted a wide range of expertise from across the business sector and the community. The team includes craftsmen, solicitors, a florist, a publican and local councillors. Larger companies in the Town have also offered their support. The strength in depth of skills has helped avoid the common pitfall of overreliance on a single champion.

The Town Team Constitution

The Town Team is constituted as a not for profit organisation. Elections to office are for a two year term. Cllr. Garry Shortland was elected Chair of the Team in September 2012. The quarterly Town Team meetings are open to any business or resident of Chard interested in supporting the Team’s work. Smaller working groups or individuals are nominated to take forward Town Team projects.

Voluntary Team Capacity and District Council Support

The capacity of the Town Team to deliver projects is limited only by the time each volunteer can make available outside of their normal working day. However, a key strength of the team has been the intention from the outset not to aspire to unrealistic ambitions.

The projects undertaken to date were considered deliverable given the time each project member could make available. Some of these projects fell into the relatively easy albeit time consuming category, whilst others proved to provide bigger challenges.

From the outset, the Area West Neighbourhood Development Officer has provided the Town Team with project management support and links to other SSDC departments of the Council including Planning and Street Scene, who have greatly assisted in project delivery.

Chard Regeneration Scheme and the Town Team

As members are aware, an update on plans for the redevelopment of the former BodenMill/ACI site will be made to the Area Committee in December. It is hoped that the Town Team will be able to play a key part in local discussions about the delivery of this element of the CRS, although the timetable has yet to be agreed.

The Town Team is able to progress other developments within the Chard Regeneration Plan to revitalise Chard. For example the Plan emphasises a need to support the existing retail cores around Fore Street and Holyrood Street with improvements to streets and spaces.

Achievements (September 2012 – October 2013)

The Traders Board and the Stringfellow Gallery

A first 'quick win' for the Town Team in 2012 was the introduction of a Traders Board with the co-operation and assistance of Sainsbury's who host the board on the wall of their supermarket. This is at the entrance to Pig Lane, a busy thoroughfare into the town centre. The board provides shoppers with an easy reference point for the types of business in the town and their location.

Installation of the Traders Board was part of a linked vision to revitalise what had become a tired and unsightly area of the Town Centre. The principal building at this entrance to the town centre, the Stringfellow Gallery had peeling paint, broken signage and empty retail units.

SSDC provided grant support to enable redecoration of the Gallery's frontage. The works has transformed the building into somewhere a business would be happy to trade. Looking down Pig Lane from the trader's board, the view to the town centre is greatly improved and the Stringfellow Gallery shop units are now fully let. The pathway of Pig Lane, which is a strategic component for revitalising this area of the High Street is to be resurfaced.

Bus Parking Configuration in Boden Street

Until recently Boden Street suffered from insufficient bus parking bays. The buses had to park abreast leading to frequent traffic jams. The Town Team lobbied Somerset Highways to increase the number of marked out parking bays during a road resurfacing programme. The result has allowed the buses to park in allocated bays which has greatly improved traffic flow.

Free Town Centre Christmas Parking

The Town Team sponsored an additional free weekend of parking in the car parks in the run up to Christmas last year to supplement the 2 free Saturdays supported by the Area West Committee.

Christmas Lights

The Town Team organised and managed a very successful grand switch on of the Christmas lights last year. Plans are already advanced for this year.

Easter Traders Event

The Town Team ran an Easter bunny hunt around the town centre shops which resulted in enthusiastic children marching their parents into shops in search of the prize.

Business Breakfast

The first business breakfast was hosted last December with 30 businesses attending and was very well received.

Business Fair at the Guildhall

The business fair in June was facilitated by the Town Team and considered a great success with 50 Businesses on display and hundreds of visitors in attendance.

Bubble and Speak Community Kitchen

In addition to economic and environmental projects, the Town Team are also supportive of projects that benefit the well being of the local community.

The Town Team administer the Bubble and Speak project which received funding from the County Council and South Somerset District Council via the community pounds project. With support from SSDC's Healthy Lifestyles Officer, a healthy cooking course is held in the Guildhall kitchen every Wednesday between 11am and 2 pm for up to 12 people. The course is funded until September 2014.

Town Centre Tree Project

The South Somerset Market Towns Investment Group (MTIG) invited project proposals in 2012 which led to two further Town Team projects.

The town centre tree project was led by Town Councillors Dave Bulmer and Sandra Pittwood who proposed the removal of the oversized trees around the Guildhall and their replacement with trees of a more appropriate size and associated flower planters for hanging baskets. The Town Team successfully secured funding from MTIG with further contributions provided by Chard Town Council and Chard in Bloom/Chard 2000. This project has proved an excellent example of co-operation between the Town Team and Chard Town Council and the results have significantly improved the landscape of the town centre.

The effect of this project has been to completely change the appearance of the town centre, especially in the summer. During 2012 the Guildhall was invisible behind a dense canopy of foliage that blocked out sunlight to both the Guildhall and the adjacent shops. This project has provided the town centre with a feel good factor that residents have really appreciated, with many voicing their thanks to the Town Clerk.

To continue its support for revitalisation of the Holyrood Street area of the town centre, the Town Team identified the Stringfellow Gallery as a location for a new business initiative for Chard, a Pop Up shop. The location reflects the Town Team's whole town approach to supporting regeneration.

Pop Up Chard

The Town Team looked at ways to encourage new business start-ups in Chard with the longer term aim of bringing empty shop units in the town centre back into use.

They devised a 12 month project funded by MTIG in association with Pop Up Britain. The Pop Up Chard shop enables entrepreneurs to trial their business ideas in a retail environment on short term tenancies at minimal financial risk. The tenants also benefit from free professional business development advice and profiles on the Pop Up Britain and South Somerset District Council websites.

A lot of time donated by many members of the Town Team ensured that the Pop Up Chard shop located in Unit 2 of the Stringfellow Gallery, Holyrood Street was ready for the official opening on the 27th August.

A typical example of tenant feedback has been:

“Last week no one knew I existed, now I have a web presence and I am selling my products”.

One of the first three entrepreneurs has already gone on to open his first retail unit in Holyrood Street and another Chard resident has branched out and is now trading at Montacute Market. The third went on to manage a craft fair two weeks after she left and intends to return to the Pop Up shop later in the twelve month project. A fourth trader moved in on the 8th October. By the next day her collection of bonnets had already been co-opted by a local theatre company as props. A furniture restorer moved in on the 5th November and three more tenants will move in during November so that the shop should be operating at its maximum capacity for the Christmas period.

All the tenants have emphasised the importance of the business development advice they received, which turned their bright ideas into viable business plans.

The South Somerset Market Town Guide App

A further district wide MTIG initiative has been the development of the Town Guide app project, to provide locally managed advertising for Chard businesses on mobile phones and tablets. The Town Team is working closely with MTIG to promote the project in Chard, with considerable enthusiasm already generated and nearly 100 businesses signed up to date. The project is now in the final stages of development before a formal launch.

Dare to Dream - Business Start-up Event

This successful Somerset Business Agency event organised in partnership with SSDC Economic Development team took place in Chard on 18th October. The Town Team were one of the event sponsors, taking the opportunity to support new business start-ups in Chard and to promote the Pop Up shop. The event was very well attended and interest was expressed in future Pop Up shop tenancies.

Halloween Event

The Town Team hired the Guildhall and organised this event. Children arrived to find a disco and a local dance studio performing a Halloween routine. Chard's hairdressers were there to face paint and provide make up for the children before they headed out to trick or treat around the town's shops. The whole event was considered a great success with 41 shops staying open and hundreds of children and their parents in attendance.

More projects in the pipeline.....

Christmas Lights

The Town Team are organising this year's Christmas lights and preparing a grand switch-on.

Signage De-clutter Project

A survey and report has been presented to the Town Team by one of its members, with recommendations for signage de-clutter in Chard town centre. This will form the basis of a forthcoming project.

Summary

The fourteen projects undertaken to date and the projects coming forward demonstrate the wide range of initiatives coming from the Chard Town Team, from high profile town centre revitalisation projects to support for a healthy eating programme. This report shows that the Town Team is concentrating on the projects where it can make a difference.

In a relatively short time Chard Town Team has proved to be an effective organisation for discussing and delivering town centre regeneration projects. As the Town Team Regional Co-ordinator for the South West of England observed, 'close partnership working with the Town and District Councils has contributed to its success.' There is still room for further stakeholder representation, particularly with large town centre redevelopments anticipated in the near future, so further work to build on an excellent start will be required. Additional projects are also coming forward at various stages of development, which will help to ensure that the Town Team maintains its momentum.

As the Portas Report makes clear, the future for high streets can no longer just be retail, there has to be a broad mix of uses to ensure their long term viability.

Financial Implications

Chard Town Team has applied successfully for "High Street Improvement" project funding through the SSDC Market Towns Investment Group.

SSDC, through the Area West Development Manager, is also the accountable body for a dedicated Town Team partners central government grant allocated to Chard Town Team.

Carbon Emissions & Adapting to Climate Change Implications (NI 188)

Improvements to the Chard town centre retail experience may encourage fewer car journeys to town centres elsewhere.

Equality and Diversity Implications

The Town Team is open to all members of the business and wider community who wish to assist with town centre regeneration projects.

Background Papers:

Area West Committee January 2009

The Portas Review into the future of our high streets. December 2011

South Somerset District Council. Our Plan – Your Future 2012 to 2015

Area West Committee – 20th November 2013

9. Area West – Reports from Members on Outside Bodies

Strategic Director: Rina Singh, Place and Performance
Assistant Directors: Helen Rutter / Kim Close, Communities
Service Manager: Andrew Gillespie, Area Development Manager (West)
Lead Officer: Andrew Gillespie, Area Development Manager (West)
Contact Details: andrew.gillespie@southsomerset.gov.uk or (01460) 260426

Purpose of the Report

To introduce reports from members appointed to outside bodies in Area West.

Public Interest

Each year Area West Committee appoints local Councillors to serve on outside bodies (local organisations) in Area West. During the year Councillors make a report on the achievements of those organisations and other relevant issues.

Background

To replace “Reports from members on outside organisations” as a generic standing agenda item it was agreed at the August 2012 meeting to include specific reports about each organisation in the Committee’s forward plan.

Members were appointed to serve on nine outside bodies at the June 2013 meeting.

Reports

Reports can be verbal or written. There is no standard format, but if possible they include an explanation of the organisations aims, their recent activities, achievements and any issues of concern.

This month the member report is:

Meeting House Arts Centre, Ilminster – Cllr Sue Osborne

Recommendation

That the report is noted.

Financial Implications

None.

Council Plan Implications

Focus Four: Health and Communities – We want communities that are healthy, self reliant and have individuals who are willing to help each other.

Background Papers: None

Area West Committee – 20th November 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.

Area West Committee – 20th November 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

Ashill – The display of 2 No. free standing signs (GR 331191/118119), Grass Verge Adjoining Stewley, Ashill, Ilminster, Somerset – Mrs Inga Marcinkoniene

Appeal Withdrawn

Ilminster – The erection of a mix of two, three and four bedroom dwellings and new access (outline) (GR 335206/115028), Former Factory, Winterhay Lane, Ilminster, Somerset – Powermatic Ltd

Background Papers: None

Area West Committee – 20th November 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 17.

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 – 20th November 2013

13. Date and Venue for Next Meeting

The next scheduled meeting of the Committee will be held on Wednesday, 11th December 2013 at 5.30 p.m. at Horton Village Hall.

Planning Applications – 20th November 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
19	CREWKERNE	13/03129/FUL	The erection of 3 No. detached dwellings with attached garages, a replacement garage for Hilltop and formation of a new access. (GR 343811/109014)	Land To The Rear Of Hill Top Lyme Road Crewkerne	Marst Developments Ltd
33	BLACKDOWN	13/03145/FUL	The erection of an agricultural building (Revised Application of 12/01733/FUL). (GR 327552/112007)	Land At Beetham Higher Beetham Whitestaunton	Mr K Parris
49	ILMINSTER	13/02740/FUL	The erection of 65 No. dwellings and associated works. (GR 334845/114681)	Land At Canal Way Ilminster	Persimmon Homes (SW) Ltd

Area West Committee – 20th November 2013

Officer Report on Planning Application: 13/03129/FUL

Proposal :	The erection of 3 No. detached dwellings with attached garages, a replacement garage for Hilltop and formation of a new access. (GR 343811/109014)
Site Address:	Land To The Rear Of Hill Top Lyme Road Crewkerne
Parish:	Crewkerne
CREWKERNE TOWN Ward (SSDC Member)	Cllr J Dyke Cllr M Best Cllr A Singleton
Recommending Case Officer:	Diana Watts Tel: (01935) 462483 Email: diana.watts@southsomerset.gov.uk
Target date :	9th October 2013
Applicant :	Marst Developments Ltd
Agent: (no agent if blank)	Mr Clive Miller Clive Miller Associates Ltd Sanderley Studio Kennel Lane, Langport Somerset, TA10 9SB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR COMMITTEE CONSIDERATION

This application has been referred to the Area West Committee at the request of the Ward Members, with the agreement of the Vice Chairman. This is to enable the issues raised by the Town Council (neighbour's amenity, overcrowding and insufficient parking provision) to be fully discussed.





SITE DESCRIPTION AND PROPOSAL

The site lies within the Development Area of Crewkerne and is located to the rear (north-west) of a bungalow known as 'Hilltop', in Lyme Road. There is a detached house to the north-east (Middlefield), and to the north-west is the cul-de-sac Fairfield with a number of detached houses.

This is a full application seeking planning permission to erect 3 x 3 bed detached chalet style dwellings with bedrooms in the roofspace. The existing access would be closed and a new access introduced at the southern corner of the plot to serve Hilltop and the new dwellings to the rear. Each new dwelling would be served by an attached single garage and Hilltop would be provided with a detached garage to the rear.

Outline consent was granted in 2009 for 3 dwellings but this has since lapsed.

Brick (Terca Kassandra Multibrick) and Hamstone would be used for the walls, with a slate roof. The windows would be cream finished aluminium and the fascia boards would be wood or plastic in a black finish. Black rainwater goods would be used and the driveway would be surfaced in block paviours (Hanson Formpave Aquaflo, colour Red Brindle). A tarmac surface would be provided for about the first 26m of the new access drive and the dormer would be faced in lead.

The wall to the front of Hilltop would be hamstone with cock and hen coping, and to form the visibility splay to the front of Cedarwood, tying in with the existing pale yellow brick wall where it meets the outer end of the visibility. Native species of plants would be planted behind the new wall. A pedestrian footpath would lead into the site following the new access drive, on the right hand side, adjacent the new wall and fence serving Hilltop.

A Design and Access Statement has been submitted to explain and support the application:

- The application site is 0.243 hectare in size and comprises a largely undeveloped area of grass paddock plus an existing dwelling which is to be provided with a

replacement garage. The north, south and east boundaries are defined by tall evergreen hedging which extends along the southern edge to adjoin a close boarded fence adjacent to Cedar Wood.

- The bungalows would be sited centrally within the plot in a linear form, as was indicated at outline planning stage. Plot 1 and 2 would be of identical design and handed with the lower height garage element to the north west of each unit. Plot 3 is of a slightly different layout and design with a dormer window on the south west elevation and handed to the right.
- Each dwelling would be one and a half storeys in height and would contain a kitchen/diner, lounge, one en-suite bedroom, hall, utility and attached garage at ground floor level and two further en suite bedrooms and dressing room at first floor level. The primary elevation of the dwellings would face to the south west to maximise the use of natural daylight.
- New dwellings designed to be of a simple unfussy appearance with the use of a range of materials intended to reflect the range of building materials, and in particular colours, of other development in the vicinity.
- Plots 1 and 2 would have a private garden to the rear of the dwellings and Plot 3 would have a wrap-around garden to the rear, side and front.
- All existing boundary hedging would be retained; new specimen trees would be introduced along the south west boundary.
- Although to some extent the site is considered to stand in isolation to neighbouring properties, given the high boundary hedging, the new units would follow the line of Hilltop and then lead logically onto No. 1, 3 and 5 Fairfield reflecting the existing built form.
- Proposal is intended to be an efficient use of the land whilst not being unduly out of keeping with the density of surrounding development. Each unit is of a size and design which ensures that sufficient parking and garden space is provided. The use of a combination of one and half and single storey elements of the building would assist in providing a degree of openness by providing "air space" between dwellings. The result is that the site would not appear overdeveloped and views through from neighbouring properties would be retained.
- Scale of the dwellings has been given very careful consideration, particularly in respect of the topography of the locality and the relative scale of neighbouring buildings. The key objective has been to ensure that the level and height of the new dwellings would not be overly dominant.
- Section drawings illustrate that the ridge height of the dwellings would reflect the terrain and would sit comfortably within neighbouring properties without appearing bulky.
- Choice of materials has been strongly influenced by surrounding traditional and modern built development. Natural stone and red brick are commonly used materials within this part of Crewkerne. Materials used for fascia boards, windows, and doors and guttering are intended to be of a muted finish to ensure that they do not detract from the appearance of the overall building. The buildings would be constructed to the highest possible standard to result in a quality development which makes a positive contribution to this part of the town.
- Layout of the site ensures that appropriate levels of residential amenity would be afforded to occupiers of the new dwellings. The units would be sited end facing end and gable windows have been kept to a minimum and would be largely screened by the garages. Therefore appropriate levels of privacy would be achieved in respect of habitable rooms and gardens.
- A key consideration in both design and layout has been the impact of the proposed dwellings on all surrounding residential properties. Ground floor windows would not result in any privacy issues given the height of the intervening boundary landscaping. At first floor level, the roof lights on the south west elevation would be sited at a high level within the rooms to ensure that no direct

views would be afforded to within Cedar Wood or No's 8 or 10 Fairfield or their respective gardens (see section plans). Nonetheless, it is proposed that specimen trees would be planted along the southwest to reinforce the boundary and to also assist in reducing any perception of overlooking that might be experienced.

- Plot 3 includes a dormer window to bedroom 2. Although this faces towards No.8 Fairfield, the distance between buildings would be 31.5 metres at the closest point and separated by the existing boundary hedge and proposed new tree planting. As such, detrimental loss of privacy to No.8 Fairfield would not be experienced.
- No.5 Fairfield lies immediately adjacent to the northwest boundary of the site and the gable end first floor window would face Plot 3. However, it is our understanding that this window is to a bathroom and furthermore there are no windows on the facing elevation of Plot 3. Therefore it is considered reasonable to suggest that no loss of privacy would be experienced by this neighbour either.
- At outline planning application stage, agreement was reached with the highway authority in respect of the position of the access road and the provision of visibility splays. This current full planning application addresses all relevant matters of detail required by the highway authority within the outline permission conditions.
- The access from Lyme Road through the Hilltop site would be properly consolidated and surfaced with tarmac to ensure that materials do not encroach on the public highway. Three parking spaces are provided for each dwelling (including Hilltop which is a 2 bedroom property) to accord with the parking level requirements. Furthermore sufficient turning space is provided within the site to ensure that vehicles can depart from the site in a forward motion.

Additional comments were also provided by the agent in response to the Town Council and neighbours' objections:

1. Loss of privacy/amenity
 - Given that there is a distance of at least 30 metres between Plot 3 and 8 Fairfield with intervening hedging and a proposed new cherry tree, we consider that loss of privacy to No.8 Fairfield cannot be reasonably sustained as an objection.
 - The close proximity of no.10 Fairfield to the application site was a key concern in the design process and negotiations were undertaken to ensure that the existing privacy of 10 Fairfield would not be compromised. The first floor velux windows are designed at a high height within the first floor of Plots 1 and 2 and views from the dormer on Plot 3 would be blocked by the ground floor bedroom/first floor ensuite section of the building.
 - Furthermore, the new tree planting proposed along the boundary at this point would serve to reinforce the existing dense boundary hedgerow. This new planting would be maintained by the owners of the site and is unlikely to reduce the daylight into the east elevation of No.10 Fairfield over and above that already experienced as a result of the existing hedge. Any views into the site from the front elevation of No.10 Fairfield would be indirect and at an acute angle and would therefore also not have a detrimental impact on privacy.
2. Overcrowding
 - The site area for the three new bungalows (excluding Hilltop), is approximately 0.15 hectare. The resulting density of the proposed development per hectare is therefore approximately 20 dwellings, much lower than the density of 30 dwellings per hectare for all new housing developments advocated in Policy HG4 of the Local Plan. The size of the dwellings proposed is intended to make efficient use of the land available (albeit at a lower density than other new

housing schemes) but also to reflect the density of neighbouring development. In this respect, the plot size in relation to the size of the buildings is not at all dissimilar to that of No's 1 and 3 Fairfield and to the terraces of properties at the junction of Fairfield and Curriott Hill Road. The buildings are designed so that existing views through the site are not interrupted to any great extent and the different roof heights and handing of the dwellings retains air-space between. Each dwelling has good sized private garden areas and parking facilities which meet the highway authority requirements.

3. Insufficient car parking provision
 - Each unit includes car parking provision for three vehicles. This fully accords with the highway authority requirements for three bedroom dwellings.

HISTORY

09/03949/OUT - Erect 3 dwellings and form new vehicular access - approved subject to conditions including condition 04 that the dwellings should be single storey only. The Planning Officer considered that given the site's size constraints and relationship with neighbouring properties, two-storey properties could cause an unacceptable level of overlooking at first floor level, both within and outside the site.

Pre-application negotiations were undertaken 2013.

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.

The policies of most relevance to the proposal are:

South Somerset Local Plan (Adopted April 2006)
 ST6 - Quality of Development
 ST5 - General Principles for Development

Policy related material considerations

National Planning Policy Framework - March 2012
 Chapter 4. Promoting Sustainable Transport
 Chapter 7. Requiring Good Design

CONSULTATIONS

Crewkerne Town Council:

Recommend REFUSAL on the following grounds:

- Detrimental effect on neighbour's privacy and amenity
- Overcrowding on the site (consider there to be insufficient space for 3 large 2 storey bungalows).
- Concerns about insufficient car parking provision

Also it was noted that there are no comments as yet from Highways with regard to the acceptability of the access. The outline permission had been given for 3 modest bungalows but it is considered that this application for 3 larger, 3 bedroom properties would potentially create access problems because of additional vehicles.

Locally and nationally there is a shortage of small accommodation for downsizing which is relevant to Crewkerne with its increasing elderly population.

County Highway Authority:

I refer to the above mentioned planning application received on 28 August 2013 and have the following observations on the highway and transportation aspects of this proposal.

The site is located within the development boundaries for Crewkerne within walking distance of the local services and facilities such as a post office and Primary School and as a consequence there is no objection to the proposal in principle.

In detail, the proposal is seeking to create a small-scale residential development served off a new access directly off the B3165, which was previously designated as a County Route in the Somerset and Exmoor National Park Joint Structure Plan Review. Whilst the Structure Plan has now been extinguished, the Highway Authority still has a duty to protect the route hierarchy and any new development that derives access onto/from this road, needs to be carefully assessed.

It is noted that permission has previously been sought and granted on this site, against planning application 09/03949/OUT. I have been advised by the Planning Officer that this latest scheme is seeking to change the design of the dwellings and the highway elements are largely unchanged.

Please find attached an extract of road record denoting the highway limits in respect of the proposal for further information.

I have liaised with the Estate Roads Team who have made the following observations in light of this being this new "Full" application:

Comments based on drawing 6326-02B by Paul Day

Access is off the B3165 with the applicant showing visibility splays that cannot be achieved, the actual clear splays are; 34m to the north, and to the south 13m as the wall is 900mm high and the maximum permitted for a private access is 600mm and adoptable 300mm. Even with obstructions removed the visibility splay passes through third party land and therefore needs to be secured by a appropriate legal agreement tied through the planning process.

The estate shows no turning for refuse vehicles and bin collection has not been catered for.

There is no drainage outfall provision shown and this needs to be addressed prior to planning being granted.

The pedestrian footpath has been omitted as part of this latest application.

The lack of information and concerns over drainage and visibility means that refusal is recommended. If the LPA deem to grant permission then the following comments need to be included in addition to appropriate highway conditions.

This development is unsuitable for adoption as a public highway but it must be noted that the Advance Payments Code is applicable as it constitutes the laying out of a private street. Please contact the Estate Roads Team on 01823 356687 for further information about this.

The appropriate licences must be applied for from the highway authority namely a section 171 licence from the Traffic & Transport Development Group and a section 184 licence from the area office prior to any works being undertaken.

I would like to that the issue of visibility, in that whilst notice may have been served on the adjoining land owners, if the required splays cannot be incorporated and thereafter maintained in perpetuity, particularly if there was nothing to prevent the adjoining land owners from not allowing the works to be carried out to implement the splays (i.e. to the south); or if the current or subsequent owner, decide for example to do works to their own land which could result in the splay becoming obstructed. Furthermore the fact that it may be in the mutual benefit of parties concerned is not sufficient justification, unless that land is subject is also subject to an enforceable condition.

Furthermore if this scheme is relying on the visibility that was secured as part of the garage site located to the north, p/a 11/00142/FUL, it would be beneficial if this was shown to see how this links in with this site.

It would also appear as part of this latest application that there is an additional access onto the new private access road to/from Cedarwood which does not appear to have been included as part of the previous application and I would question as to why and for what purpose this is now required, particularly as Cedarwood has an existing vehicular access.

Taking the above points into consideration, and given that the LPA have granted consent on this site previously, the LPA may consider a highway objection unreasonable, however, every application is assessed on its own merits and the provision of appropriate splays are a key highway safety issue.

Comments on 2009 application:

The Highways Authority initially objected to the proposal, as:

"The visibility splay achieved to the north encroaches on to third party land in connection with the adjacent Garage and as such cannot be conditioned and permanently secured. As a result, the level of visibility achieved to the north is slightly restricted. Whilst it is acknowledged that vehicles approaching from the south are on the nearside carriageway and as such it could be argued that this is the more important direction, it was noted from the site visits that there is an abundance of on street parking in this location and as such it is likely that vehicles approaching from the north will encroach on to the nearside carriageway at this point. As a consequence, it is felt essential that the appropriate visibility be provided in this direction. As a result, I would recommend that the application be refused on highway grounds for the following reason: 1. The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) and Policy ST5 of the South Somerset District Local Plan Structure Plan Review since the proposed access to the development does not incorporate the necessary visibility splays which are essential in the interests of highway safety."

However, subsequent correspondence between the Highways Authority and the agent led to the following favourable response from the Highway Authority:

"As I am sure you are aware the Highway Authority in its initial response to the planning application recommended refusal on the basis that adequate visibility could not be achieved from the access. Since that response further information has been submitted by the applicant on which I have the following comments: In order to achieve the necessary visibility to the north it appears that the splay crosses over third party land."

However, on closer inspection it is noted that the land in which the splay crosses is in fact the vehicular access to the adjacent property. Given that this is the only means of vehicular access to this dwelling it is unlikely that this area of land will be physically blocked and therefore the visibility achieved in this direction is unlikely to be compromised. As a consequence, in light of the above the Highway Authority is content that an acceptable level of visibility can be achieved in the northern direction by emerging vehicles.

"As a result, I would advise you that from a highway point of view there is no objection to the proposal. However, in the event of permission being granted I would recommend that the following conditions be imposed in the interest of highway and pedestrian safety"

Technical:

No comment

Environmental Protection Officer:

No objections

REPRESENTATIONS

Neighbouring properties have been notified and a site notice erected (General Interest). Two letters of objection have been received (8 and 10 Fairfield), making the following points:

- Previous permission required dwellings to be single storey only
- This application is for 3 larger chalet style dwellings with an increased number of windows at first floor level, resulting in greater loss of privacy to adjoining properties than earlier application
- No changes to adjoining properties and therefore no reason to change original decision to permit bungalows only
- The site is surrounded by 5 individual dwellings each with large gardens and would be best suited to individual detached single storey bungalows
- Chalet bungalows are not inkeeping with anything else in the area
- Unlike the other two plots, a dormer window is proposed on plot 3 which would look directly into sitting room of no.8 Fairfield
- We therefore request that the bedroom is redesigned and the dormer moved to the rear or is replaced with a rooflight
- Consideration should be given to a brown tiled roof similar to no.5 Fairfield rather than a dull grey slate roof
- 2 dwellings would be preferable and all facing the main road
- I shall be able to look through my side window no.10 Fairfield (5 ft to boundary) and see whole site
- Upstairs, the 3 bedrooms would look into the front of the buildings
- They cannot plant trees in the hedge as the hedge belongs to myself and neighbour
- We do not want more trees to maintain and lessen light and sun
- I thought there was a law stating that there must be 6 ft space between a neighbour's boundary

CONSIDERATIONS

The main issues are:

Principle and visual impact

The application site is located within the Development Area of Crewkerne and therefore

the erection of new dwellings is acceptable provided that it is in accordance with other Development Plan policies and proposals.

Permission has been previously agreed for residential development here (09/03949/OUT). The area is typified by houses, and therefore a two storey form of property would be inkeeping with the surrounding built form. However, this is an awkward site given its elongated form, running behind Hilltop bungalow, with the resulting layout automatically contrasting with the surrounding pattern of development. Therefore, it is important for any new dwellings not to dominate the site and to maintain a spacious layout.

The proposed dwellings have a 'broken' form with attached single storey extensions providing a utility room and garage. This helps to reduce the bulk and scale of the dwellings. A section has been provided though the length of the site (NW-SE) showing the relative roof heights, with the main roofs of the proposed dwellings sitting 2.2m below the ridgeline of no.5 Fairfield, 0.2m above the ridgeline of Middlefield and 1.4m above the ridgeline of the bungalow Hilltop. It is considered that this demonstrates that the height of the proposed roofs would sit comfortably with the adjacent properties and not dominate the skyline.

The drawing also illustrates the spacing between the dwellings, with 9.2m between the main roofs of plot 3 and 5 Fairfield, 12.5m between plots 2 and 3, 7.2m between plots 1 and 2, and 7.6m between plot 1 and Hilltop. There would be approximately 11m between the front gable of plot 2 and the side wall of no.10 Fairfield, and 16m between the rear gable of plot 3 and Middlefield (the closest points). The proposed dwellings would be much closer together at ground floor level, with 2m between the new buildings but bearing in mind that it is mainly the gaps at first floor level, which would be seen above the boundary hedges/fences, it is felt that the development would look inkeeping with the surrounding spatial character and the site would not appear overdeveloped or overcrowded.

Cross sections running SW-NE demonstrate this further, showing the discreet relationship of plot 2 in relation to nos 5 and 10 Fairfield and Middlefield in terms of its height and the space retained around the new plot.

The dwellings would be 6.6m high to ridge, with simple steeply pitched roofs and traditional gables. This would reflect the local vernacular and the proposed use of slate would pick up on the traditional roof material in the area and blend with the dark brown tiles on the more modern houses nearby. The proposed natural hamstone walls on the front gables of the dwellings are welcomed, and the boundary walls, with the traditional cock and hen coping, adjacent Hilltop and either side of the access, would provide an attractive approach into the development, inkeeping with other similar natural stone walls in Lyme Road. The Planning Officer has viewed samples of all the proposed materials on site and it is considered that the proposed soft red/orange bricks for the dwellings would reflect the use of brick in the area (Lyme Road) and compliment the hamstone. The grey/red pavements proposed for the access road are also considered appropriate, together with the cream finished aluminium windows and black fascias and rainwater goods.

Some planting is indicated on the plans behind the new hamstone wall to the front which would help to soften the impact of the hard landscaping. Further shrub planting and small trees are proposed within the site to enhance the appearance of the development and again, soften the impact of the hard landscaping. The retention/enhancement of all boundary hedgerows is important to screen the site and maintain privacy.

Residential amenity

The previous permission was an outline permission only with no details of the design and form of the dwellings. In the absence of plans to prove otherwise, the Officer erred on the side of caution requiring the dwellings to be single storey in order to avoid any overlooking from first floor windows. This does not mean that if a scheme can be devised with first floor accommodation which would not overlook, it should be refused.

The number and nature of first floor windows proposed are restricted to rooflights (which would be positioned sufficiently high so as to prevent any overlooking), gable windows looking south east or north west, and one dormer window facing south-west (plot 3).

Views from the gable windows would be largely obscured by the adjacent new garages and are not considered to create any overlooking problem.

It is appreciated that the neighbours at 8 Fairfield object strongly to the proposed dormer window (plot 3) looking towards their sitting room window. The Planning Officer has visited their property and viewed the site from the sitting room window. However, it is considered that refusing permission on the grounds of loss of privacy could not be justified here. This is because of the distance between the window and the proposed dormer (about 34m), the fact that it is a front elevation facing a front elevation with intervening public space, the open nature of the front of no.8, the existing first floor windows on no. 5 Fairfield, and the distance between the front elevations of 1-6 Fairfield. The applicant was nevertheless asked to relocate the dormer window to the rear but he declined, pointing out that the window would then overlook the private garden area of Middlefield.

The proposed dwellings would have private rear gardens given the intervening high hedge between the 3 new plots and Middlefield.

Any permission would need to be made subject to conditions restricting future additional openings at first floor level and agreeing boundary treatment, including the provision of fencing between the rear gardens of the new dwellings and the retention of boundary hedgerows.

A private garden area for Hilltop would be secured through the provision of a new wall and 1.2m high close boarded fence along the edge of the new access drive, and a new stone wall with planting at the front.

The objection from 10 Fairfield regarding looking into the site is noted but given the position of the house at an angle to the site, and the ground floor position of the side window , the 'overlooking' towards the front of the new dwellings is not considered to cause loss of privacy or to cause such detriment to the outlook of no.10 to justify refusing permission. A note could be added to any permission to draw the applicant's attention to the comments regarding tree planting so as to ensure any landscaping scheme takes account of loss of light.

Highway safety

In response to the Highway Authority's comments, the applicant has provided a further plan with clarification of the visibility splay to the north (outline of approved development now shown), and the wall to the south is now shown to be reduced to 600mm within the visibility splay. As the proposed access road would be private, it is envisaged that residents would put their bins on the road edge. The drainage detail would be provided pursuant to a condition and the access into Cedarwood has always been there and the

neighbour would like it to be retained. The provision of a footpath along Lyme Road has already been discussed with the Planning Officer and is considered illogical given that there is no existing pavement on this side of Lyme Road for any new footpath to join up with.

The planning permission for the adjacent garage site (11/00142/FUL) requires there to be no obstruction greater than 900mm across the entire site frontage to a depth of 2m. The access to the bungalow in between the garage site and Hilltop has a steeply sloping driveway with gates and pillars set well back from the road, which are clear of the proposed visibility splay. It would be extremely unlikely that anyone would wish to obstruct this driveway or place the gates closer to the road, as acknowledged by the Highway Officer previously. In any event, 43m long visibility splays can be achieved as similarly agreed by the outline permission and this scheme improves that visibility further, with the wall in front of Cedarwood reduced to 600mm.

The Town Council's concern about the additional vehicular activity which would be generated by this scheme compared with the outline scheme is noted. The outline permission did not approve a size of bungalow and therefore the number of bedrooms were not agreed. However, this scheme provides parking space for 12 cars to serve 3x 3bed properties and the existing bungalow Hilltop, which would meet the Parking Strategy. There is also ample space to turn vehicles in order to ensure that they could leave the site in a forward gear.

Conclusion

It is appreciated that there is local concern about the proposal but the applicant and agent have worked hard to put together a carefully considered scheme, amending the plans several times to address issues raised, including highway safety, visual impact and residential amenity. It is considered that the scheme is now acceptable in planning terms.

RECOMMENDATION

Grant Permission

01. It is considered that the proposed development would be inkeeping with the character and appearance of the area, cause no demonstrable harm to residential amenity or highway safety in accordance with the aims and objectives of policies ST5 (General Principles for Development) and ST6 (Quality of Development) of the South Somerset Local Plan (Adopted April 2006).

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: drawing nos. 6326-01 received 2 August 2013, 6326-02 (planting only) received 28 August 2013, 6326-02B (surfacing only) accompanying agent's e-mail of 17 September 2013, 6326-02C received 2 October 2013, 6326-03 received 2 August 2013, 6326-04A received 14 August 2013, 6326-05A received 14 August 2013, and 6326-06 received 2 August 2013.

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

03. The development hereby permitted shall be carried out using the materials stipulated in the agent's e-mails of 2 and 17 September 2013, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policies ST5 and ST6 of the South Somerset Local Plan 2006.

04. The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan 2006.

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no additional windows or other openings formed at first floor level in any of the dwellings hereby permitted without the prior express grant of planning permission.

Reason: In the interests of residential amenity in accordance with policy ST6 of the South Somerset Local Plan 2006.

06. The development hereby approved shall not be commenced unless details of the full boundary treatment of the site, including all fencing between the new dwellings, and the existing hedgerows around the site, including the height at which they are to be maintained, have been submitted to and agreed in writing by the Local Planning Authority. Such agreed boundary treatment shall be completed before the dwellings are first occupied and shall be maintained thereafter.

Reason: In the interests of visual and residential amenity, in accordance with policies ST5 and ST6 of the South Somerset Local Plan 2006.

07. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of the boundary hedgerows to be retained, together with measures for their protection during the course of the development, additional planting to enhance the boundary planting and 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: In the interests of visual amenity, in accordance with policies ST5 and ST6 of the South Somerset Local Plan 2006.

08. The proposed access road, including any turning space, shall be constructed in such a manner so as to ensure that each dwelling is served by a properly consolidated and surfaced road between the dwelling and the existing highway,

before it is occupied.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted 2006).

09. The existing vehicular access shall be stopped up and its use permanently abandoned within one month of the new access hereby permitted being first brought into use.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted 2006).

10. There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2.4m back and extending to a point on the nearside carriageway edge 43m to the north-east of the access, and there shall be no obstruction to visibility greater than 600mm above adjoining road level forward of a line drawn 2.4m back and extending to a point on the nearside carriageway edge 43m to the south-west of the access, as outlined in red on the approved plan. Such visibility shall be fully provided before works commence on any of the dwellings hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted 2006).

11. The gradient of the proposed access shall not be steeper than 1 in 10.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted 2006).

12. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such measures shall be fully implemented before the development hereby permitted is first occupied and shall thereafter be maintained at all times

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan.

13. The development hereby approved shall not be commenced unless details of the attenuation tank have been approved in writing by the Local Planning Authority, and such agreed details shall be fully implemented before the development hereby permitted is first occupied, and thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) as defined in Classes A, B, and C of Part 1, Schedule 2 there shall be no extensions to the dwellings including alterations to the roof without the prior express grant of planning permission.

Reason In the interests of visual and residential amenity, in accordance with policy ST6 of the South Somerset Local Plan (Adopted April 2006).

15. Work shall not commence on the construction of any natural stone walls comprised in the development hereby approved unless a sample panel of stonework has been prepared for inspection on site to show the final appearance and finish of the stone external walls and has been approved in writing by the Local Planning Authority.

Reason In the interests of visual amenity, in accordance with policy ST6 of the South Somerset Local Plan (Adopted April 2006).

16. Notwithstanding what is shown on the approved plans, the new wall to the front of Hilltop, and either side of the access, shall be constructed in natural hamstone with cock and hen coping in accordance with the agent's e-mails of 11 and 17 September 2013.

Reason In the interests of visual amenity, in accordance with policy ST6 of the South Somerset Local Plan (Adopted April 2006).

Informatives:

01. When finalising the landscaping plans pursuant to condition 7 above , the applicant 's attention is drawn to the neighbour's comments regarding tree planting and the potential for loss of light.
02. This development is unsuitable for adoption as a public highway but it must be noted that the Advance Payments Code is applicable as it constitutes the laying out of a private street. Please contact the Estate Roads Team on 01823 356687 for further information about this.
03. The appropriate licences must be applied for from the Highway Authority namely a section 171 licence from the Traffic &Transport Development Group and a section 184 licence from the area office prior to any works being undertaken.
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Area West Committee – 20th November 2013

Officer Report on Planning Application: 13/03145/FUL

Proposal :	The erection of an agricultural building (Revised Application of 12/01733/FUL). (GR 327552/112007)
Site Address:	Land At Beetham Higher Beetham Whitestaunton
Parish:	Whitestaunton
BLACKDOWN Ward (SSDC Member)	Cllr R Roderigo
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	3rd October 2013
Applicant :	Mr K Parris
Agent: (no agent if blank)	Sheamus Machin St Ivel House Station Road Hemyock, Cullompton Devon, EX15 3SE
Application Type :	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. This application follows a previous submission, 12/01733/FUL, which Members resolved to refuse planning permission at Area West Committee of 19th September 2012. As a result, it is felt that the resubmission should be given further consideration by members, to assess the potential impact.





SITE DESCRIPTION AND PROPOSAL

This application relates to a proposed new agricultural barn, for the winter accommodation of livestock on land adjacent to Higher Beetham Farm, near Whitestaunton. The site is located in open countryside and is within the Blackdown Hills AONB. It is located just to the west of Higher Beetham Farm, an agricultural holding itself, and several dwellings within the original farm complex. There is another residential dwelling and a holiday caravan park located further up the road, to the west.

The applicant's holding in this locality comprises approximately 114 acres of mainly grassland. The applicant also has other land and the main farm unit, Birch Oak Farm, which is located just outside of the District, to the west near Yarcombe. It is advised that the current facilities at the other unit are now filled to capacity and additional accommodation is now required for additional livestock, which is grazed on land around the application site, land that is also mowed for grass to provide winter feed for cattle.

The proposed agricultural building is to have an approximate footprint of 12m by 32m and a height of 4.5m. It is to be clad with concrete panels and Yorkshire boarding and will have profiled roof sheeting. The building is also proposed to be open fronted with gates at either end and the cattle are proposed to be 'loose housed' on bedded straw.

This application follows a previous scheme, 12/01733/FUL, that was refused at Area West Committee on 19th September 2012, as it was considered that it has not been satisfactorily demonstrated that the building was required in this location and that it would not adversely impact on local groundwater. An earlier scheme, 09/04232/FUL, for the provision of a similar building approximately 350m to the north west, further up the lane, was also refused. This re-submission hopes to deal with previous concerns relating to justification for the location proposed and potential impact on groundwater.

HISTORY

12/01733/FUL: Erection of an agricultural building - Refused.

09/04232/FUL: The erection of an agricultural building (Revised Application) - Refused.

08/01978/FUL: The erection of an agricultural building - Application withdrawn.
01/00388/OUT: Erection of an agricultural building and a slurry store - Application withdrawn.

POLICY

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

Relevant Development Plan Documents

South Somerset Local Plan 2006:
ST5 - General Principles of Development
ST6 - The Quality of Development
EC2 - Area of Outstanding Natural Beauty
EC3 - Landscape Character
EP7 - Potential Odour Generating Developments
EP9 - Control of Other Potentially Polluting Uses

Policy-related Material Considerations

National Planning Policy Framework:
Core Planning Principles - Paragraph 17
Chapter 3 - Supporting a Prosperous Rural Economy
Chapter 4 - Promoting Sustainable Transport
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 5 - High Performance Local Economy: A competitive, high performing economy that is diverse, adaptable and resource efficient.
Goal 8 - Quality Development: Sustainably sited and constructed high quality homes, buildings and public spaces where people can live and work in an environmentally friendly and healthy way.
Goal 11 - Environment: Protection and enhancement of our material environment and biodiversity.

CONSULTATIONS

Parish Council: No comments received.

SSDC Technical Services: 5th September 2013 Picking up on the various messages relating to the above and a couple of phone calls from one of the residents I would comment as follows.

The first thing I would say is that my expertise is in flooding which normally comes about due to watercourses overflowing or from surface water flows. I have no concerns relating to the development proposals in this respect.

Sub-surface flows are often unpredictable and I am by no means an expert in this respect but would offer the following observations.

One of the concerns expressed by nearby residents relates to possible contamination of their spring-fed water supplies. Such concerns are understood but we have to consider whether or not they would actually be realised as a result of the proposed development. There are 2 principal issues here

- a) Would the development generate a degree of pollution that might affect the groundwater.
- b) If so, what direction of flow would this pollution take.

a) The proposals, as I understand it, are for over-wintering of stock on a 'loose-housed' basis whereby contaminated straw bedding in the form of manure is spread on agricultural land in accordance with normal agricultural practice. If effluent generation, collection and disposal are an issue the 'Informatives' suggested by the EA in relation to the previous application seem reasonable although I'm not sure how these would be enforced.

b) I note the content of the 'Drainage Path Study' submitted by the applicant and I am generally in agreement with the conclusions of this. The study refers to a number of boreholes in the Beetham area but there is some doubt as to the relationship of these boreholes with the spring fed water source at Higher Beetham. I would however agree with the conclusion that the direction of surface water flows from the site are in a south-easterly direction as indicated in the report and this is supported by the contoured OS plan attached. This direction of flow passes to the south of properties at Higher Beetham. In the absence of any other information it is reasonable to assume that subsurface flows would go in a similar direction.

The unknown element is where the water supply to the existing properties actually comes from. I've attached extracts from the 1888 and 1903 OS maps which indicated some drainage features (ditches) running southwards to meet the road adjacent to Higher Beetham Farm. There is also a 'P' (pump) marked in front of Higher Beetham Farmhouse south of the road. My conclusion from this would be that the spring-fed water supply comes from the area to the northeast of Beetham Farm possibly from OS 549 (see 1888 map) which is shown as 'marshland'.

There are some drainage features shown on the OS maps to the south of Higher Beetham Farm but these are possibly to do with drainage of the land to the northwest (development site) and may not be related to the source of spring water.

I can't say that any of this is particularly conclusive evidence and perhaps the only way to determine source of the spring water to the properties in question is through a series of trial holes and/or dye testing.

An alternative location for the barn would seem to be the sensible option but this seems to have already been explored.

11th September 2011 The location of the source of the water supply is certainly relevant in that it now seems to be in the area that could well be affected by any effluent from the site. In my previous email I had assumed that the water supply was from the land to the north by gravity but it would appear that it is actually pumped (via hydraulic ram) from the area to the south east.

I still express my lack of expertise regarding sub-surface flows but the surface flows from the site are certainly in the direction of the water supply source. It's difficult to estimate how much effluent, if any, might be discharged from the site of the proposed barn on the basis of 'loose-housing' activity but the findings of the 'water supply risk assessment' carried out last year are difficult to ignore.

I'm not sure what Paul's view is but, on the basis of the latest information, I would certainly express reservations about this development proposal.

County Highway Authority: Previous comments apply (12/01733/FUL), see below:

The proposal relates to the erection of an agricultural building. The Highway Authority provided pre-application advice to the Local Planning Authority in which we raised concerns over the lack of visibility splays. In response to this the applicant provided details on the level of vehicle movements which would be associated with the above proposal.

According to the information provided the applicant envisages that there would be one movement per day over the winter months while the rest of the year, vehicle movements would remain unchanged from what he is able to do without planning permission. Therefore taking into account the minimal increase in vehicle movements that this proposal would generate, I raise no objection to this proposal.

County Rights of Way: There is a public right of way (PROW) recorded on the Definitive Map that runs nearby to the access of the site at the present time (footpath CH 7/48). I have enclosed a plan for your information.

We have no objections to the proposal, but the following should be noted:

The health and safety of public using the footpath must be taken into consideration during works to carry out the proposed development. Somerset County Council (SSC) has maintenance responsibilities for the surface of the footpath, but only to a standard suitable for pedestrians. SCC will not be responsible for putting right any damage to the surface of the footpath resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the following outcomes listed below, then authorisation for these works must be sought from SCC Rights Of Way Group.

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would

- Make a PROW less convenient for continued public use (or)
- Create a hazard to users of a PROW

Then a temporary closure order will be necessary and a suitable alternative route must be provided. A temporary closure can be obtained from Sarah Hooper on (01823) 483069.

SSDC Rights of Way: No objections.

Health and Safety Executive: HSE does not advise, on safety grounds, against the granting of planning permission in this case.

As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this:

- The operator may have a legal interest (easement, wayleave, etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline.

- The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

HSE's advice is based on the situation as currently exists, our advice in this case will not be altered by the outcome of any consultation you may have with the pipeline operator.

National Grid: National Grid has No Objection to the above proposal which is in close proximity to a high-pressure gas pipeline - Feeder 14 Barrington to Aylesbeare.

Environment Agency: Please note that whilst it is outside of the Environment Agency's consultation checklist and therefore we should not be commenting. However, we have **no objection** to the proposed development, but we have the **following advice** to ensure that they comply with environmental legislation.

Impact on Water Supply

We note that some issues have been raised about the potential to impact on water supply for human consumption. Your Authority's Environmental Health Officers should lead on this matter.

Drainage

The site must be drained on a separate system with all clean roof and surface water being kept separate from foul drainage. There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

Pollution Prevention during Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Nitrate Vulnerable Zones

If the site is located within a Nitrate Vulnerable Zone (NVZ) then the Nitrate Pollution Prevention Regulations 2008 may apply. The applicant should refer to DEFRA at the following link:

<http://www.defra.gov.uk/food-farm/land-manage/nitrates-watercourses/nitrates/>

Manure

Manure/dung heaps must be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off. The subsequent disposal of collected wastes must be undertaken in accordance with the "Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land

managers" which can be found at:

<https://www.gov.uk/government/publications/protecting-our-water-soil-and-air>

Oil and Chemical Storage

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

Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which can be found at: <http://www.environment-agency.gov.uk/business/topics/oil/>

Please contact our local Environment Management team via 03708 506 506 if you have any queries.

SSDC Environmental Protection: I would recommend that the Environment Agency be consulted with regard to this application. That aside I have no other recommendations.

SSDC Environmental Monitoring Officer: A private water supply serving a single domestic property at Pitstones, Higher Beetham, TA20 3PX is located approximately 400m west, southwest of the planned development, I do not think it will affect this supply.

A private water supply serving two domestic properties at Higher Beetham Farmhouse is from a spring source. The source is located approximately 500m to the southwest of the planned development, however the Drainage Path Study does appear to show that surface run-off may pass over this area, this may be an issue depending on how well the source is protected from surface run-off.

Blackdown Hills AONB Partnership: The primary purpose of the AONB designation is to conserve and enhance natural beauty, but in pursuing this main purpose account needs taken of the needs of agriculture, and the economic and social need of local communities.

The AONB Partnership accepts that the applicant has demonstrated a need for the agricultural building, but any large modern structure will have an impact on this attractive, unspoilt, rural landscape. However by siting the building as low as possible down the slope and where it is visually associated with the buildings at Higher Beetham diminishes its prominence.

The site falls in the 'Upper Farmed and Wooded Slopes' landscape character type where one of the management guidelines in the Blackdown Hills AONB Landscape Character Assessment is to encourage the conservation of hedgerow trees to maintain and enhance the well-treed character of this type. To achieve this objective a landscape condition is recommended that requires the hedges to the north and east of the proposed building to be allowed to grow up, the existing hedgerow trees to be retained, and others encouraged by planting or protecting selected saplings; this condition will also help to further screen the proposed building in the wider landscape.

One of the special qualities of the AONB is its tranquillity. To maintain this characteristic there should be no external lighting and light escaping from the building itself should be kept to a minimum.

In addition there is a derelict Dutch barn to the north-west and above the proposed site - it is suggested that this should be removed as a further planning condition to enhance the landscape of the AONB.

The application makes no reference to the access to this new building, and it is assumed that there will be a track from the road north of the site. There should be a condition governing the design and materials of this track (hardcore with a grassed centre, for example) in order to minimise visual impact. The access onto the lane should be kept to a minimum size with no additional visibility splay to avoid damage to the existing hedgerow and lessen the impact on the landscape of the AONB.

The AONB Partnership welcomes the detailed conditions proposed in the planning report for the previous application 12/01733/FUL and assumes that these will remain. We particularly commend the condition regarding foul and surface water drainage details, which is in line with the AONB's management plan Policy EQC 1/A: Encourage, support and promote initiatives that safeguard ... water resources, as we understand there are a number of private water supplies in the valley below which must be protected.

The AONB Partnership is extremely concerned that should this application be granted, this building should remain an ancillary outpost of the main farm at Yarcombe and there should be no assumption for further development at this site.

SSDC Landscape Architect: I note the application, which appears to be a repeat of the earlier proposal for this site. My comments from that time follow. I would add, noting the concern of local people, that a block of tree and shrub planting between the site and adjacent properties, should be added to the landscape detail, which should be submitted per-commencement if you are minded to approve this application.

I have reviewed the above application seeking the construction of an agricultural building at the above site. I also recollect previous discussions relating to this holding, where consent had been sought for a similar building in an alternative location.

The site lies within the Blackdown Hills AONB, where policy emphasis is upon the conservation of the natural beauty of the landscape. Such emphasis does not preclude the construction of new agricultural buildings, but the expectation is that any new build should be appropriately sited; suitably designed; and there should be clear justification. On this latter point, as I understand it, the case for the building is accepted in this instance.

With this application, a location has been selected that lays in close proximity to the settlement of Higher Beetham. Whilst the site does not provide a close correspondence with the current settlement footprint, it is sufficiently related to be viewed as part of the hamlet, rather than standing in isolation. It is also noted that from the majority of local vantage points, the site is seen to correspond with the adjacent built form, and it is not prominent to wider perception. From previous reviews of the farm holding, I am aware that there are few other options for a landscape-sympathetic site location. Hence on balance, I do not consider there to be over-riding landscape grounds on which to base a refusal to this application. However, on the detail of the building materials, and landscape impact, I would advise the following conditions;

1) Roofing materials should be agreed before site commencement, as most views of the building will primarily see the roof, which is below the skyline. Hence the roof should avoid a bright finish, and be of muted tones. I would advise a product/finish similar to the 'farmscape' range, in 'anthracite' as suitable;

2) Landscape treatment is necessary, given the context. I recollect during the pre-application discussions that it was agreed the application field's north boundary hedge could be allowed to draw-up year on year, to a minimum of 3.0 metre height. A landscape proposal detailing this form of management should be sought.

I believe we agreed the access track was going to be consolidated hardcore, thus not too obtrusive. Is that confirmed by the app? If not, can we agree it, or something similarly visually discreet.

REPRESENTATIONS

The application has been advertised by press and site notice for the requisite period. Letters of objection have been received from six local residents. The main points raise concerns that the proposed development is unchanged from the previously refused scheme and that the same objections remain in respect to potential impact on residential amenity due to noise and smells, potential contamination of local water supplies as a result of contamination of springs by groundwater runoff, slurry on local roads, highway safety issues related to increased large vehicle movements, impact on the character of the AONB and the concern that approval will set a precedent for further development of this site. It is again repeated that there may be a S106 agreement in place from the time the neighbouring barn conversions were approved, stating that no buildings could be placed on any of the land at Higher Beetham and that it could be used for grazing only.

In response to the drainage path study supplied in support of the application, it has been pointed out that the local water supply is drawn from springs and not boreholes in the positions suggested. A copy of a report, commissioned by a neighbouring resident, has been supplied indicating that existing agricultural use of surrounding land is already having a negative effect on the water supply and additional information from another contributor suggests that the catchment area supplying the springs includes land to the south of the proposed development, which is approximately 150m away.

CONSIDERATIONS

Principle of Development

The proposed development relates to the provision of a new agricultural building for the winter accommodation for cattle that graze in the fields in the local vicinity, over the summer months. The applicant currently runs their business from the main unit at Birch Oak Farm, approximately 2.5 miles to the southwest. It is advised that not only have the facilities at this site reached full capacity, it is the applicant's desire to make use of the land around Higher Beetham to accommodate the surplus stock that cannot be housed or based at Birch Oak Farm. It is therefore intended to winter house the animals that graze the area around Higher Beetham during the summer months. The proposal will also reduce the number of vehicle movements associated with moving stock from the application site and the land around the main farm, as well as improving animal welfare and bio-security arrangements. The application is supported by an agricultural appraisal that further discusses the justification for the proposed development and as was the case in the previous applications, it is considered that there is adequate justification for the provision of a new building to service the block of land in the area.

Since the refusal of the last application, rather than appealing the decision, the applicant decided to explore further alternatives in the immediate area. Officers have discussed these alternatives at the pre-application stage, however the available sites were all ruled out for various reasons. Some of the sites were considered too prominent and likely to

result in unacceptable harm to the AONB, while other site more acceptable in landscape grounds were ruled out due to practical reasons such as limited access or constraints such as the presence of overhead power lines. Ultimately, the application site has again been identified as the most suitable location for the proposed development. As the applicant still contends that the proposal will not result in contamination of local water supplies and that other alternative site have been explored but legitimately discounted, the application is resubmitted at this location.

Having considered that there is adequate justification for the proposed development, particular consideration needs to be given to the impact of the proposed development on the amenities of the locality, local landscape character and highway safety.

Landscape Character

While new development in the open countryside is generally resisted, it is noted that where there is an accepted proven need for a building to support agricultural enterprise, these may be acceptable in principle. One of the main considerations at this site, is the fact that it is within an AONB and as such Local Plan policy EC2 advises that "development proposals which would cause harm to the natural beauty of AONBs will not be permitted". The applicant has undertaken extensive pre-application negotiations with the Council Officers, prior to and following the previous refusals and has again returned to this site.

The Council's Landscape Architect raised no objections in principle previously and again maintains the same position, considering that there are no over-riding landscape grounds on which to base a refusal of the proposed development. The site is deemed to be the most favourable location in respect to local landscape character and impact on the AONB, as it is fairly well related to the existing built form to the east, even though it does not have a particularly close correspondence to it. However, in terms of wider views, the site is relatively low lying, with the proposed development being seen in the context of other development. In terms of location, only one building is proposed and it is sited within the field to be against an existing field boundary on a lower lying position, where views will be reduced. Subject to consideration of roofing material details, surface finish of the access track and an adequate landscaping scheme to increase the height of adjacent hedgerows and planting of a block of tree and shrub planting, it is considered that the proposal will have an acceptable impact on local landscape character and will not harm the natural beauty of the AONB.

The Blackdown Hills AONB Partnership have also commented on the application this time and have raised no objections. They do accept the need for the proposed building and have considered its limited prominence. The AONB Partnership would wish to see an appropriate landscaping scheme, confirmation of the track details, restrictions on external lighting and agreement of appropriate drainage arrangements, details of which they indicate can be addressed by the repeating of previously proposed conditions in relation to application 12/01733/FUL. The Partnership have expressed their concern that the agricultural building, if approved, should remain an ancillary outpost to the main farm unit and that no assumption of further development should be given. This is also a concern raised by local residents and as before, it is advised that approval would set no precedent to the acceptability of future development. Information in support of the application confirms that the applicant has no intention of providing any more buildings on this site, nonetheless any future proposal would be considered on their own merits with all relevant considerations taken into account.

In their comments, the AONB Partnership also suggest that the removal of a redundant Dutch barn to the north west of the application site would further enhance the local

landscape and have asked if this can be conditioned. It is noted that the barn in question is outside of the application and set a fair distance from the proposed building so requiring its removal by condition is considered to be unreasonable as well as it being questionable whether such a condition would valid when considered against the 'six tests for conditions' identified within Planning Circular 11/95. Despite this, the applicant has expressed a willingness to demolish the structure so it may be appropriate to add an informative in respect to this issue.

Local Amenity

Other than considering the principle of the development and impact on landscape character, the main concerns raised in relation to this application are regarding the impact on the residential amenity of local residents, the nearest of which are occupiers of Higher Beetham Farm and a number of converted buildings within part of the original farm site. These range from just over 120m to 160m away from the proposed building. In addition to concerns that regarding the potential odours from the occupation of livestock, as the major objection is that pollution from the site could contaminate local groundwater, which feeds springs that provide the private water supply for a number of the local properties and the adjoining farm. The previous application, 12/01733/FUL, was refused partly due to a failure to satisfactorily demonstrate that the proposal would not have an adverse impact on ground water.

Following this previous refusal, nothing has been changed in respect to the proposed building and its drainage arrangements, although additional information has been provided in regard to the potential impact contamination of local groundwater and subsequent contamination of the private water supply to local residential properties. The main case put forward to support the application is still that the provision of loose housed accommodation will mean that no slurry will be produced and being covered, there will be no dirty water run-off. This is a common agricultural practice where the building is then cleaned, usually once or twice a year, and the resultant farm yard manure is spread on the land in accordance with normal agricultural practice. This practice is currently exercised on the land in the vicinity, although the farm yard manure is brought onto the land from other buildings on the applicant's holding. All clean water from the roof is proposed to be harvested in water troughs or go to a soakaway.

The supporting information, in the form of a 'Drainage Path Study' seeks to show that surface water from the application site and surrounding land will avoid the source of the local water supply. Unfortunately, this report indicates that the source of the water supplies is likely to be from local boreholes, which has been shown to be incorrect by local residents who have confirmed that the source of the water is actually from springs at Bettermoor Copse, approximately 400m to the south east of the site, and for which the catchment area spreads to the south of the site, just over 150m from the proposed building. In some respect, the drainage path study goes some way to confirm that surface water runoff may reach the source of the springs supplying local water. Various consultees have made observations on this proposal, including the Environment Agency and the Environmental Protection Officer, however the most relevant comments are those made by the Council's Drainage Engineer and Environmental Monitoring Officer. Both of these consultees have indicated that ground water emanating from the site would be likely to pass into the source area for the springs, however it is important to recognise that this is only a matter of concern if contaminated water was to be released into the local groundwater and that the manner in which dirty water is controlled at its source is the key to assessing the acceptability of this proposal. In this case, it is considered that the applicant has clearly demonstrated that the proposed accommodation and waste management arrangements will prevent runoff of contaminated water into the local groundwater network.

Notwithstanding this, the control of waste and the appropriate provision of drainage, in regard to agricultural developments, are controlled by separate legislation, which is enforced by the Environment Agency and needs to be provided in accordance with guidance such as DEFRA publication *'Protecting our water, Soil and Air: A Code of Good Practice for Farmers, Growers and Land Managers.'* This code of practice clarifies that it is an *"offence to cause or knowingly permit a discharge of poisonous, noxious or polluting matter or any waste matter into controlled waters (this includes groundwater...rivers, streams...and field ditches)"*. An adverse impact on local water supply will only be caused where the applicant fails to adhere to the relevant regulations and codes of practice. In this respect, the Local Planning Authority have no control over how the site will be managed but are entitled to assume that it will be well managed and maintained in accordance with this relevant legislation. For this reason, it is not considered reasonable to refuse planning permission on these grounds. It is still however considered appropriate to impose a condition for the provision of details of foul and surface water drainage details to be provided and agreed, prior to commencement. While clear indication has been given as to the manner of dirty waste management, this will allow some Local Planning Authority control in respect to drainage provision were the proposed management arrangements to change in the future.

A report has been provided by a local resident, which indicates that current levels of agricultural activity in the locality are already having a negative impact on water supply, however it is noted that there are no controls over the numbers of livestock that could potentially graze the applicant's land or any adjoining agricultural land in other ownership. As indicated above, the application is solely for the provision of this agricultural building and any contamination from animals housed in it will be contained within the building and not further contribute to existing problems. Despite the assertions that the proposal will not lead to pollution of local groundwater, the applicant has still taken time to investigate alternative sites to alleviate local concern, however as discussed earlier in this report, no other suitable sites were identified.

In considering the impact of noise and odour on local residents, it is not considered that such a harmful impact would be expected from the proposed development due to the relative distance from the nearest residential properties and the fact that this is not an intensive operation. It is also noted that there is also a working farm with agricultural buildings in use, situated immediately adjacent to the neighbouring residential units. This existing agricultural holding is located directly between the application site and the neighbouring properties.

Consideration has been given to the need for conditions to control the use of the building and the numbers of livestock that can use it. It is noted that while about 60 head of cattle are proposed, the previous application suggested between 95-100 cattle. The building is slightly smaller than previously proposed but in this case, based on guidance within "The Agricultural Budgeting and Costing Book", the building capacity is between about 75 and 95 head of cattle. This assumes a requirement to provide between 4-5 square metres floor area per animal, depending on type. Assuming that no more than approximately 95 head of cattle could be accommodated within the building, and considering that this is at a level likely to avoid unacceptable harm to residential amenity, taking into account site circumstances, it is not deemed necessary to restrict the numbers of cattle by condition. In order to reduce the likelihood of odours affecting neighbouring properties, it is considered reasonable to impose a condition restricting the buildings use only for cattle and not for other intensive agriculture, such as poultry or pigs. Any future application for consent to relax such a condition could then be assessed on its own merits.

Further to the impact of agricultural buildings on residential amenity, it is noted that there is a Section 52 Agreement attached to the approval of the barn conversion on the neighbouring 'Higher Beetham Farm', which is also referred to by an objector. The objector states that this legal agreement restricts further buildings from being provided on any of the Higher Beetham Farm land, part of which extends to the applicant's holding in the vicinity. In considering this point, it should be noted that this legal agreement does not actually prohibit the erection of new buildings but imposes the requirement to apply for planning permission to erect any new buildings. This does not mean that the owner of the land is not entitled to apply for new buildings and the impact of any proposed buildings can be properly considered.

Highway Safety

Objections have also been received, raising concern about increased vehicle movements and larger vehicles accessing the site and using what is a relatively narrow lane, which already caters for several residential properties, existing agricultural operations, walkers and users of the neighbouring caravan site.

The proposed building is to be located in a field that already benefits from an existing access and is already used in relation to the agriculture taking place on the land. The County Highway Authority did originally have concerns about the level of visibility out of the existing access but having considered that there is only envisaged to be one additional movement per day over winter months and any other movements are associated with existing activities, which don't require the benefit of planning permission. Therefore, taking into account the minimal increase in vehicle movements, no objection is raised.

Conclusion

Overall, there is considered to be adequate justification for the proposed building and it is also deemed that with an appropriate landscaping scheme, the proposal will not have a detrimental impact on local landscape character and the natural beauty of the AONB. It is also considered that there will be no adverse impact on highway safety or on residential amenity of local residents. As such, it is considered appropriate to recommend approval of the proposed scheme.

RECOMMENDATION

Approval with conditions

01. The proposed development, by reason of siting, size, scale and materials, is considered to have no adverse impact on local landscape character or on the natural beauty of the AONB. Furthermore, it is not considered that there will be any unacceptable harm to residential amenity, highway safety or the local water environment, in accordance with the aims and objectives of saved policies ST5, ST6, EC2, EC3, EP7 and EP9 of the South Somerset Local Plan 2006 and the core planning principles and provisions of chapters 3, 4, 7, 10 and 11 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: 'Location Plan SM2', '1208/101', '1208/102', '1208/103', '1208/104' and '1208/105', received 8th August 2013.

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 particulars of the materials (including colour and finish) to be used for the roof of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the area, in accordance with saved policies ST5, ST6, EC2 and EC3 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 11 of the National Planning Policy Framework.

04. No development shall be carried out on site unless particulars of the materials and finish for the surfacing of the access track to the development hereby approved have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the area, in accordance with saved policies ST5, ST6, EC2 and EC3 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 11 of the National Planning Policy Framework.

05. No development shall be carried out on site unless foul and surface water drainage details to serve the development hereby approved have been 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 or implementation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To safeguard the amenities of the area and to protect the local water environment, in accordance with saved policies ST5, ST6, EP7 and EP9 of the South Somerset Local Plan 2006 and the provision of the core planning principles and chapter 10 of the National Planning Policy Framework.

06. No work shall be carried in relation to the development hereby approved unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, 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. The landscaping scheme shall include a management scheme for the maintenance and improvement of existing field boundaries and the addition of tree and shrub planting, as referred in

the Council Landscape Architect's comments dated 30th August 2013 and as agreed in written correspondence dated 9th September 2013.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the area, in accordance with saved policies ST5, ST6, EC2 and EC3 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 11 of the National Planning Policy Framework.

07. No means of external lighting or other illumination shall be installed on or within the building hereby approved or operated on any part of the subject land unless details of all new lighting have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written agreement of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the area, in accordance with saved policies ST5, ST6, EC2 and EC3 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 11 of the National Planning Policy Framework.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the agricultural building hereby approved shall not be used for the purposes of intensive livestock rearing (i.e. pigs and poultry) or the accommodation of any livestock other than cattle, without the prior express grant of planning permission.

Reason: In the interests of residential amenity to accord with saved policies ST6, EP7 and EP9 of the South Somerset Local Plan 2006 and the provision of the core planning principles of the National Planning Policy Framework.

Informatives:

01. The applicant is reminded of the comments of the Blackdown Hills AONB Partnership, in respect to the redundant Dutch barn on land adjoining the application site and would request that consideration is given to its removal, as agreed in principle in correspondence dated 9th September 2013.
02. The applicant's attention is directed to the consultation response from National Grid, dated 3rd September 2013, and any requirements that need to be satisfied prior to the development hereby approved taking place.
03. Drainage
The site must be drained on a separate system with all clean roof and surface water being kept separate from foul drainage. There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

Pollution Prevention during Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- The use of plant and machinery
- Oils/chemicals and materials
- The use and routing of plant and vehicles
- The location and form of work and storage areas and compounds

- The control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Nitrate Vulnerable Zones

If the site is located within a Nitrate Vulnerable Zone (NVZ) then the Nitrate Pollution Prevention Regulations 2008 may apply. The applicant should refer to DEFRA at the following link:

<http://www.defra.gov.uk/food-farm/land-manage/nitrates-watercourses/nitrates/>

Manure

Manure/dung heaps must be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off. The subsequent disposal of collected wastes must be undertaken in accordance with the "Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land managers" which can be found at:

<https://www.gov.uk/government/publications/protecting-our-water-soil-and-air>

Oil and Chemical Storage

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

Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which can be found at: <http://www.environment-agency.gov.uk/business/topics/oil/>

Please contact the Environment Agency's local Environment Management team via 03708 506 506 if you have any queries.

Area West Committee – 20th November 2013

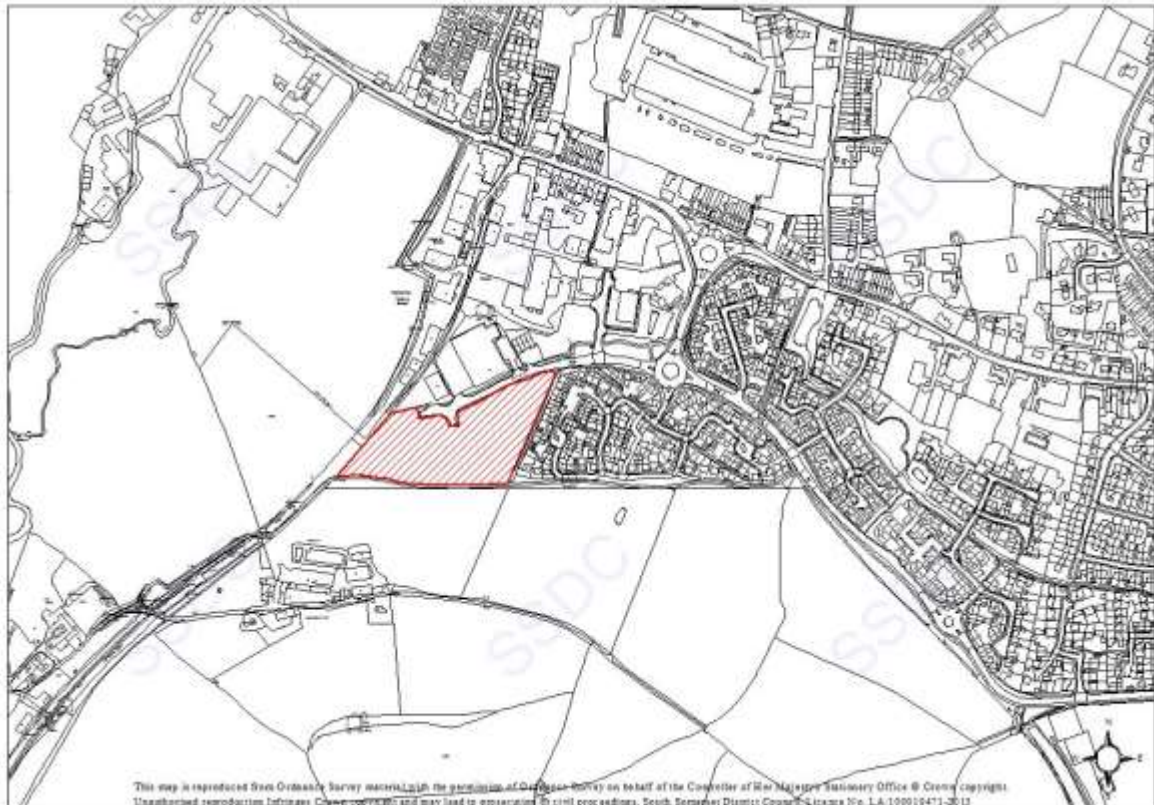
Officer Report on Planning Application: 13/02740/FUL

Proposal :	The erection of 65 No. dwellings and associated works. (GR 334845/114681)
Site Address:	Land At Canal Way Ilminster
Parish:	Ilminster
ILMINSTER TOWN Ward (SSDC Member)	Cllr C Goodall Cllr K T Turner
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	17th October 2013
Applicant :	Persimmon Homes (SW) Ltd
Agent: (no agent if blank)	Mrs Catherine Knee WYG Hawkridge House Chelston Business Park Wellington, Somerset TA21 8YA
Application Type :	Major Dwlg 10 or more or site 0.5ha+

REASONS FOR REFERRAL TO COMMITTEE

The application is classed as a 'major major' (2 hectares or more) and therefore in accordance with the Council's adopted scheme of delegation, has to be referred to Area West Committee.

SITE DESCRIPTION AND PROPOSAL





The site is located towards the western side of Ilminster, on the southern side of Canal Way. The site is currently grassed and adjoins a residential area to the east and business units to the north. To the south and west is countryside. Public footpaths adjoin the site along its eastern and southern boundaries, with a cycle path to the north and to the south. The application site is approximately 2 hectares in size and forms the remaining undeveloped area within a larger 21.6 hectare development site, which includes the adjoining housing and commercial developments. It is within the Ilminster development area and is referred to as a commercial area of major change in the saved South Somerset Local Plan. Approval was granted in 2008 for the provision of 4 industrial buildings, however this consent has now elapsed. The southern and eastern boundaries of the site benefit from fairly extensive landscaping, with mature boundary hedges present. This will be enhanced with additional planting both along the frontage to the site as well as internally along the entrance into the site.

The application proposes the erection of 65 dwellings and garages, along with associated works including laying out of new estate roads, surface water attenuation, other drainage and landscaping arrangements. A range of dwellings are proposed from 1 bedroom flats to 4/5 bedroom homes. 23 affordable dwellings are proposed and are to be clustered to the north east of the site. The dwellings incorporate a simple range of materials, comprising Fortacrete reconstituted stone (Blackmoore Olde Heather) and Ibstock Brunswick bricks (Wilton Yellow and Autumn) with Redland Richmond and Mini Stonewold roof tiles. The layout incorporates a main spine road from an existing hammerhead into the site from Canal Way, with shared surface roads into the remainder of the development site. A small area of public open space is proposed at the south west corner of the site, with links onto the existing public footpath and cycle network to be provided in a number of places.

Since submission, the application has been amended to significantly alter the site layout, housing types and designs, site levels and increase the number of units from 59 to 65.

Further amendments have also been made to the landscaping and drainage arrangements.

The application is supported by:

- Design and Access Statement and Planning Statement
- Flood Risk and Drainage Assessment
- Transport Statement
- Travel Plan
- Ground Conditions Desk Study Report
- Habitats Survey (Phase 1 Survey, Bat and Dormouse Survey Reports)
- Archaeology and heritage Desk Based Assessment
- Arboricultural Constraints Report
- Statement of Community Involvement

HISTORY

12/04878/EIASS: Proposed residential development of up to 60 dwellings - EIA not required.

09/00459/S73: Application to delete condition 3 of decision notice 08/01602/FUL dated 12.09.08 (to be replaced by a new condition allowing B1, B2 and B8 use across the whole site but limiting 50% of block 4 for B2 use) and vary condition 19 by replacing the word opening with delivery and amend hours to 07.00-19.00 Monday to Saturday and 09.00-16.30 Sundays, Bank and Public Holidays Permitted with conditions.

08/01602/FUL: The erection of 4 industrial buildings and associated parking - permitted with conditions.

97/01637/OUT - development of 21.6 hectares of land for residential development and employment purposes (approved 1998).

A large number of applications have previously been submitted with regard to other aspects of the larger site, including the now developed adjoining sites.

POLICY

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

Relevant Development Plan Documents

South Somerset Local Plan 2006:

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

ST7 - Public Space

ST10 - Planning Obligations

EC3 - Landscape Character

EC8 - Protected Species

EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological Interest

EP1 - Pollution and Noise

EP5 - Contaminated Land

EP6 - Demolition and Construction Sites

EP9 - Control of other Potentially Polluting Uses

EU4 - Drainage

TP1 - New Development and Pedestrian Movements
 TP2 - Travel Plans
 TP4 - Road Design
 ME3 - Employment within Development Areas
 HG7 - Affordable Housing
 CR2 - Provision of Outdoor Playing and Amenity Space in New Development
 CR3 - Off Site Provision
 CR4 - Provision of Amenity Space

Policy-related Material Considerations

National Planning Policy Framework (March 2012):
 Core Planning Principles - Paragraph 17
 Chapter 4 - Promoting Sustainable Transport
 Chapter 6 - Delivering a Wide Choice of High Quality Homes
 Chapter 7 - Requiring Good Design
 Chapter 8 - Promoting Healthy Communities
 Chapter 10 - Climate Change and Flooding
 Chapter 11 - Conserving and Enhancing the Natural Environment
 Chapter 12 - Conserving and Enhancing the Historic Environment

Somerset County Council Parking Strategy (March 2012)

South Somerset Sustainable Community Strategy (2008-2026):
 Goal 3 - Healthy Environments
 Goal 4 - Quality Public Services
 Goal 8 - Quality Development
 Goal 9 - Homes
 Goal 11 - Environment

CONSULTATIONS

The responses from the following consultees are provided below in summary form only. The full responses are available on the public planning file.

Iminster Town Council:

Recommend refusal on a number of grounds:

- Overdevelopment, particularly in the area identified for affordable housing.
- Concern about the practicality of room sizes/living space, particularly in respect to the affordable housing. Would like to see comments on the layout and living space from social housing providers.
- Concerned that the flood information is out of date and following recent flooding incidents, it is felt that the site is at risk of flooding.
- Possible negative impact on existing infrastructure, particularly sewage and rainwater drainage.
- A small play area for pre-school children should be provided as it is not so easy to reach the main recreation ground.
- Need to clarify responsibility for shared surface street.
- There is only a single entrance to the development, which is a concern for emergency vehicle access.
- The social housing is not split up as requested by SSDC Housing.

Donyatt Parish Council:

No objections in principle, however concerned that proposed development in Chard and

Cuttiford's Door will add to surface water run-off to the River Isle, through Donyatt, which may impact on the flood plain. Donyatt PC would like to be sure that the interactions with this site have been considered.

County Rights of Way:

No objection. The proposed pedestrian and cycle access routes are welcomed, although these will need to be discussed with the Rights of Way Team in more detail.

SSDC Rights of Way:

No comment.

County Archaeology:

An on-site evaluation revealed Roman and Prehistoric remains. As such, the applicant will be required to archaeologically excavate and provide a report on discoveries made. Model condition 55 is suggested. Otherwise, there are no objections raised.

County Education:

Confirmed that Greenfylde First School is overcrowded, with nine first school places required as a result of the development proposal. At a cost of £12,257 per place, there is a need for development contributions of £110,313.

SSDC Climate Change Officer:

Has referred to Building Regulations and emerging Local Plan policies requiring consideration of high-efficiency alternative energy systems and requirement to build to Code for Sustainable Homes level 4. Does not support the revised layout as the number of south facing roof slopes has decreased.

SSDC Economic Development:

The site has previously been marketed to a level that is consistent with the Council's guidance in respect to marketing land for employment use prior to consideration of a change of use. Notwithstanding this, the site is not designated as employment land and therefore the proposal would not lead to a net loss of employment space. While it would have been preferred that this site was used for employment purposes, there is no current employment use and with the lack of designation, there are no grounds to recommend refusal.

SSDC Environmental Protection Officer:

Initially requested that a noise assessment be carried out to assess the potential impact of commercial premises in the locality. Following amendments to layout, the distance of the nearest house to the existing industrial sites and the provision of a generous buffer zone are such that a survey is no longer considered necessary and no objections are raised.

Wessex Water:

No objections raised. It is advised that the site will be served by separate systems of drainage constructed to current adoptable standards. There are public and foul sewers and a public water supply available for connection, details to be agreed. It is noted that there is a water main crossing the site, which will require diversion at the cost of the developer. Following receipt of an amended drainage proposal, any further comments shall be reported at the committee meeting.

SSDC Housing:

23 affordable units (out of 65), meets the 35% requirement. A split of 2/3 social rent and 1/3 shared ownership or other intermediate solutions, is expected. Properties should be pepper potted through the site and that all dwellings comply with at least HCA minimum

space standards for affordable housing.

Current Housing Register data indicates requirement for Ilminster of 6 x 1 bed, 11 x 2 bed, 3 x 3 bed and 1 x 4 bed properties (based on the original proposal for 59 houses). The proposed mix is 4 x 1 bed units (all affordable rent), 12 x 2 bed units (6 x social rent and 6 x shared ownership) 6 x 3 bed units (4 x social rent and 2 x shared ownership) and 1 x 4 bed unit (social rent). The proposed affordable housing scheme is considered to fall short on a number of points. The 2 and 3 bed units fall just below the expected minimum space standards, there is one too many shared ownership properties and there are considered to be slightly too few 1 bed units and slightly too many 3 bed units. Additionally the proposed affordable rent properties would usually be expected to be included within the 1/3 of the mix (shared ownership or intermediate solutions), although in this case it is effectively being included within the 2/3 social rent element. While this is not usually accepted, no objection is raised on this occasion as the affordable rent properties are all 1 bedroom and the current rents are similar in both the social rent and affordable rent regimes.

SSDC Community, Health and Leisure:

A contribution of £374,930.58 (£5768.16 per dwelling) is sought towards the increased demand for outdoor play space, sport and recreation facilities, should the scheme be approved. The following contribution request is made:

- £214,563.07 towards local facilities.
- £76,040.92 towards strategic facilities.
- £80,614.40 as a commuted sum towards local services.
- £3,712.18 as the Community, Health and Leisure Service administration fee.

The requested sums include a payment towards off-site outdoor equipped play provision. It had been requested that on site play provision to a minimum standard of a LEAP be provided. In this case, this is not provided and the applicant has instead proposed an off-site contribution to enhance the existing play area at Ilminster Recreation Ground. If Members are prepared to accept this, a payment is suggested for an amount equivalent to the cost of providing and maintaining a LEAP.

It is recommended that £167,104.85 is required upon occupation of the first 25% of the proposed dwellings, £131,784.81 upon the occupation of 50% of the proposed dwellings and the final £76,040.92 upon occupation of 75% of the proposed dwellings.

SSDC Open Spaces Officer:

No objection, as proposed.

Environment Agency:

No objections, subject to imposition of conditions (or inclusion within a S106 legal agreement) to agree the technical details of the proposed drainage scheme, detail of management and future maintenance of the drainage arrangements and appropriate measures to be taken in the event of contamination being found on site. Standard informatives are suggested also. Following receipt of an amended drainage proposal, any further comments shall be reported at the committee meeting.

SSDC Technical Services:

Satisfied with proposed drainage arrangements prior to latest amendment. Use of culverts are acceptable as Wessex Water no longer has a policy of adopting crate attenuation. Any further comments shall be reported at the committee meeting.

County Highway Authority:

No objections to the layout of the estate roads, access and parking arrangements and to the expected levels of traffic generation. The Travel Plan was however considered to be inadequate and revisions required to the proposed drainage scheme. It was suggested that the proposed 'Geocellular Crate Storage' attenuation should be substituted with culverted attenuation. Following amendments to this effect, further concern was raised about the attenuation being located under the highway. Further amendments have been made to provide this attenuation below private parking areas, off the highway, which is acceptable in principle to the Highway Authority, subject to technical details being approved by condition. Other standard highway conditions and informatives are also requested, if planning permission is approved.

SSDC Conservation Manager:

No objection in principle however some comments received in respect to house designs and site layout, regarding boundary treatments and design issues. It is requested that amendments be sought to provide expressed lintels to all ground floor openings and that windows are required to be of a balanced casement design.

SSDC Ecologist:

There is evidence of bat activity within the retained boundary hedges, however these are mainly common species that would not be expected to be significantly impacted on by the proposed development. Low levels of other species were recorded but these are of such a small amount that they are also not considered to be a constraint to the development. No dormice or badgers were found to be present on site. No objections to the proposal subject to conditions relating to additional checks for badger presence and for provision of biodiversity enhancements.

SSDC Landscape Architect:

Following amendments to the scheme, which includes changes to site layout, design and landscaping scheme, there are no objections to the proposal. It is considered that the revised layout works better than originally proposed and the landscaping scheme is appropriate.

SSDC Tree Officer:

No significant arboriculture issues identified and no objection raised.

REPRESENTATIONS

The application has been advertised by site notice and in the local press for the requisite period. One letter has been received from a local resident, objecting on the basis that the land should be retained for commercial use and that there may not have been appropriate marketing of the previous commercial permission and employment status of the site. It is further requested that if planning permission is granted, the design of the buildings reflects the character of Ilminster, rather than being "bland box construction build".

CONSIDERATIONS**Principle of Development**

The application is made for the provision of 65 homes on an undeveloped plot of land at the edge of Ilminster. The plot is located within the defined development area of Ilminster and as such the proposal is considered acceptable in principle subject to it being in accordance with relevant local and national policy.

There was a question mark over the status of the land, as it was previously intended for employment provision. This is shown within the current saved Local Plan by the site being shown within a 'commercial area of major change'. This is however, an indicative designation, effectively indicating that at the time, there was a live consent for employment use of this land. This previous consent has now expired and there is no formal designation of the site. As a result, the land is simply considered to be development area within Ilminster, with there being no employment policy grounds to resist residential development.

While the principle of the development is supported, consideration will have to be given to the impact the proposal will have, mainly in respect to impact on highway safety, impact upon neighbouring residential amenity, design and appearance, flood risk and planning obligations.

Scale, Design and Appearance

The development is proposed at a density of approximately 32 dwellings per hectare, with the majority of houses being laid out around secondary road branches either side of a main spine road, which runs southwards from the access off Canal Way. The site is constrained by its size and shape, however the latest submission follows discussions with Planning Officers, the Council's Landscape Officer and Conservation Manager and is considered to be a well laid out to make best use of the available space. The houses are orientated to form attractive formal street scenes within the site. It had originally been intended that the line of houses along Canal Way would address the main road but following the revisions to the layout, an attractive brick wall will form this site frontage, set back to allow some landscaping to soften its impact. As this boundary of the site will address the industrial estate opposite, there is less of a formal residential appearance to conform to in the immediate vicinity. This will also provide an effective buffer to the industrial development and allow the development to address the internal street scene.

The proposed dwellings are simply designed and proportioned, with materials and a scale similar to the nearby residential development. The layout incorporates mainly frontage car parking, which is softened by a comprehensive landscaping scheme and proposed use of brick walls and railings for boundaries onto the public domain. Timber fencing is proposed only where gardens back onto existing hedge boundaries or other proposed dwellings. Some design issues have been flagged up in respect to boundary treatments and the position and finish of meter boxes, however these have been adequately addressed in the scheme and subject to final approval of meter box positions and finishes, have led to no objections. The Conservation Manager has requested the inclusion of express lintels to the ground floor openings of the proposed dwellings, however the applicant has chosen not to implement this recommendation, other than on a few of the focal buildings in more prominent locations. While this is disappointing, it is not considered to be of such importance that would warrant a recommendation of refusal.

The proposal includes good links to the existing footpath and cycle networks in the vicinity of the development.

The Town Council have objected to the density of the proposal, feeling that it is overdevelopment of the site. The density is however approximately 32 dwellings per hectares, which is not considered to be too high and is similar to the adjoining development. The layout has been scrutinised by the relevant consultees and no objections have been raised. The plot sizes are deemed to be acceptable in principle, with gardens of a reasonable size all of which have rear access. Overall, it is considered that the layout makes effective use of the space available and is carefully designed to

remain an attractive development with adequate space throughout. As such, it is not considered to be overdevelopment of the site.

Highway Safety

The County Highway Authority have confirmed that they have no objections to the development in respect to its layout, access arrangements and arrangements for private off-street parking. A Transport Assessment submitted by the applicant has been fully assessed by the Highway Authority and they have raised no concerns relating to expected levels of traffic movements and associated trip patterns.

The Town Council are concerned that there is only one access to the whole development, which they feel may be an issue for emergency vehicles, however this is not something that has been identified as a concern by the Highway Authority, who are content with the proposed layout and access. As such, it is considered that the proposed development satisfies the Highway Authority in this respect and will have no adverse impact on highway safety.

Residential Amenity

The site borders an existing residential development (Adams Meadow) to the east, with open fields to the south and west and industrial development to the north. In this case, the dwellings proposed along the eastern boundary of the site back onto an existing mature hedgerow that will restrict any views towards the nearest properties in the adjoining residential development. Notwithstanding this, there is a good distance between the respective developments, which are further separated by the adjoining public footpath and another hedge on the Adams Meadow side. As a result of the existing boundary treatments and distance between the nearest properties on the proposed and adjoining development, it is not considered that there will be any unacceptable harm caused to the residential amenity of existing or future residents.

In respect to the proposed dwellings, there is an existing industrial development to the north. The Council's Environmental Protection Officer has considered the proposal and after originally requesting a noise assessment, was finally satisfied with the proposal following the revised layout that stepped the houses adjoining Canal Way back from the road, which effectively increased the buffer zone between the two developments. It is also noted that the nearest businesses do not carry out operations that would be considered to have an adverse impact on residential amenity. Overall, the relationship between the industrial area and proposed development is considered to be acceptable.

Any impact on adjoining residents and businesses as a result of this proposal is more likely to occur during the short term construction phase. In order to reduce any adverse impact, it is proposed to impose a condition requiring a Construction and Environmental Management Plan (CEMP) to cover work hours, vehicle movements, parking, etc.

Drainage/Flood Risk

The application is supported by a flood risk assessment and drainage assessment, which concludes that the site is within Flood Zone 1 and at low risk of flooding, and therefore suitable for residential development. The site is adjacent to a larger flood plain to the west, which includes Flood Risk Zones 2 and 3, however it is not considered that there is a significant risk of flooding. It is understood that there have been historic local flooding incidents and as such, the Town Council feel that the assessment is out of date, however the Environment Agency and the Council's Drainage Engineer have raised no concerns with the information submitted, with the latter also being satisfied that the

proposed drainage arrangements are appropriate to reducing the risk of flooding locally.

It is proposed that a new surface water drainage system will be provided within the site, comprising two separate networks, with controlled connections to existing public sewer network along Canal Way. Foul water is also proposed to be connected to the existing network. The applicant has been in negotiations with Wessex Water and have confirmed that the new drainage networks will be adopted by them and that there is capacity for the proposed development to be accommodated locally.

The Highway Authority raised no objection with the principle of the arrangements, other than that they would not accept the proposed attenuation culverts under the roads that they are due to adopt. The technical details of the drainage arrangements can be dealt with by condition, however revised details of the culverts under private parking areas have been submitted, which are acceptable in principle. Any final comments from the relevant consultees can be presented to Members at the meeting, however the applicant is confident that these arrangements will prove acceptable. Overall, the development is considered to be acceptable in this location and appropriate arrangements are to be put in place to void the risk of increased flooding by ensuring that all foul and surface water is dealt with appropriately.

Planning Obligations

The SSDC Community, Health and Leisure department have sought contributions towards local and strategic outdoor playing space, sport and recreation facilities of £374,930.58 (£5768.16 per dwelling). This includes a significant contribution towards enhancing existing equipped play space at Ilminster Recreation Ground, as there is inadequate space within the site to provide a play area to the minimum standards expected for a LEAP. While this arrangement is not ideal, the Community, Health and Leisure team are satisfied that the provision of a contribution towards these local enhancements and future maintenance will be acceptable, if members are minded to accept the development with no on-site play area.

The County Education Department have identified a shortage of first school places locally, with the need for an additional 9 places resulting from the proposed development. At a cost of £12,257 per place, development contributions of £110,313 are sought.

The Travel Plan submitted with the application was deemed to be lacking in certain areas, however the developer will be required to agree the appropriate content as part of the S106 agreement. This is not a matter that should be a constraint on approving planning permission.

The proposal meets the District Council's requirement for 35% affordable housing, however the split of rents, mix of housing types and sizes of the 2 and 3 bedroom units do fall slightly short of the Housing Team's requested requirements, which are based on local housing need data. In respect to size, the units only just fall outside the Council's expected minimum space standards, however there is no policy basis to refuse permission and even so, the sizes are not considered to be unreasonable or likely to cause unacceptable harm to the residential amenity of future occupiers. The rental split is out by one too many shared ownership properties and Housing have identified that there are too many 3 bed units and too few 1 bed units. Notwithstanding this, the applicant has made it clear that they have been in negotiations with several affordable housing providers, prior to finalising the layout of the scheme and the proposed mix of property sizes and split of rents. They have confirmed the submitted proposal is in agreement with these affordable housing providers, who are satisfied that it reflects their

needs. For this reason, it is not considered reasonable to refuse planning permission, as it is deemed that the proposal meets an identified local need, if not entirely consistent with the Housing Team's request.

Should the application be approved, a Section 106 agreement will be required to address these matters identified above.

Ecology

The Council's Ecologist has assessed the habitat surveys carried out on site and is content that no reptile or dormice are present. While bat activity has been identified on site, this is not at a level considered to be a constraint on development. No objection is raised subject to conditions requiring biodiversity enhancements, such as appropriate planting and provision of bat boxes, etc. and that checks are carried out in relation to presence of badgers, prior to the development commencing, if approved.

Archaeology

An initial evaluation of the site has revealed Roman and Prehistoric. While not a reason to refuse planning permission, an archaeological condition is to be imposed requiring excavation of the heritage asset and a report being made on any discoveries.

Sustainable Energy

The Council's Climate Change Mitigation does not support the revised layout as this has reduced the number of south facing roof slopes available for the provision of solar panels. While this is acknowledged, there are no policy grounds to object on this basis. Otherwise, the applicant has advised that they intend to construct the dwellings to a minimum requirement of Code for Sustainable Homes level 4, however this is an issue that is to be addressed at the Building Regulations stage, when energy ratings will be applied to the dwellings.

Environmental Impact Assessment

The proposal falls within the scope of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Accordingly, a screening opinion was submitted in December 2012 (12/04878/EIASS). The basic test of the need for Environmental Impact Assessment in a particular case is the likelihood of significant environmental effects on the environment. It was determined that in this case an Environmental Impact Assessment was not required.

Conclusion

The site is located within the defined development area of Ilminster and as such the proposal is considered to be sustainably located. It is considered that the impact on the local flood risk, ecology, archaeology, surrounding landscape character, residential amenity and highway safety will be acceptable. The applicant has agreed to pay the appropriate contributions. The application is considered to be acceptable in all other regards.

RECOMMENDATION

The application be approved subject to:-

- (i) 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, to secure the following:

(a) The agreed contribution towards the provision of sport, play and strategic facilities (to the satisfaction of the Local Planning Authority).

£214,563.07 to be used for local facilities.

£76,040.92 to be used for strategic facilities.

£80,614.40 as a commuted sum towards local services.

£3,712.18 as the Community, Health and Leisure Service administration fee;

b) To ensure that 23 of the residential units are affordable and remain available long term to satisfy local need as set out by policy HG9 of the South Somerset Local Plan (to the satisfaction of the Local Planning Authority);

c) Contribution towards education of £110,313 to provide an additional 9 first school places.

d) An appropriate Travel Plan

e) To ensure that appropriate measures are put in place to secure the on-going management and maintenance of areas of public open space.

f) To ensure that appropriate measures are put in place to secure the on-going management and maintenance of areas of the surface water drainage scheme.

g) S106 Monitoring fee based on 20% of the planning fee paid.

and;

(ii) conditions, as set out below:

01. The proposed development comprising 65 residential units, by reason of its appearance, landscaping, layout and scale is considered to be acceptable and will contribute to the Council's housing supply. Furthermore, the proposal provides sufficient parking, drainage and landscaping measures to mitigate the impact of the development and would have no adverse impact on highway safety, local flood risk and residential amenity, in accordance with the aims and objectives of saved policies ST3, ST5, ST6, ST7, ST10, EC3, EC8, EH12, EP1, EP5, EP6, EP9, EU4, TP1, TP2, TP4, ME3, HG7, CR2, CR3 and CR4 of the South Somerset Local Plan 2006 and the provisions of the chapters 4, 6, 7, 8, 10, 11, 12 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 complete accordance with the following approved plans: 'D01 Rev A', received 17th July 2013, '0870-P-S1 Rev A', '2420-P-S1 Rev B', '3520-P-S1 Rev B', '4720-P-S1', '1210-PA-S1', '999-P-S2 Rev A', '0761-P-S2', '0969C-P-S1', '0969-P-S1', '999C-P-S1', '999-P-S2',

'999-P-S1 Rev A', '0631-P-S1 Rev A', '0761-P-S1 Rev A', '1096-P-S1', '1222-P-S1', '1414-P-S1', '1414-P-S2', received 9th September 2013, 'L.01 Rev F', 'L.02 Rev C', received 23rd October 2013 and '2013 ILLM sk110 P2', '2013 ILLM sk111 P3', '2013 ILLM sk112 P2', '2013 ILLM sk300 P2', received 28th October 2013.

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

03. No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority;

- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b) panels of brickwork and stonework shall be provided on site for inspection;
- c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any roof lights) and doors;
- d) particulars of all boundary treatments and hard surfacing materials. Such details shall include the use of porous materials to the parking and turning areas;
- e) details of position and colour finish of meter cupboards, gas boxes, rainwater goods, soil and waste pipes (soil and waste pipes are expected to be run internally);
- f) internal floor levels of the buildings

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan and the provisions of Chapter 7 of the National Planning Policy Framework.

04. Before the development hereby permitted is a commenced, foul water drainage detail 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 any part of 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 satisfactory drainage at the site and for the prevention of flood risk, in accordance with saved policy EU4 of the South Somerset Local Plan.

05. No development shall commence until a surface water drainage scheme for the site, based on the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. Such drainage scheme shall also include details of gullies, connections, soakaways and means of attenuation on site. The scheme shall subsequently be implemented in accordance with the approved details before any part of the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To prevent the increased risk of flooding, in the interests of highway safety, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, in accordance with saved policies ST5, EU4 and EP9 of the South Somerset Local Plan and the provisions of chapters 4 and 10 of the National Planning Policy Framework.

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

Reason: In the interests of environmental health and to prevent pollution of the water environment, in accordance with saved policies ST5, EP5 and EP9 of the South Somerset Local Plan and the core planning principles and provisions of Chapter 10 of the National Planning Policy Framework.

07. The proposed landscape scheme shall be carried out in accordance with details as indicated on approved plans 'L.01 Rev F' and 'L.02 Rev C'. 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 any part of the development hereby permitted or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan and the provisions of Chapter 7 of the National Planning Policy Framework.

08. The proposed access shall be constructed in accordance with details shown on approved plan '2013 ILLM sk110 P2'. Once constructed the access shall be maintained thereafter in that condition at all times.

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

09. 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, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

10. 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, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

11. In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

12. The area allocated for parking on approved plan '2013 ILLM sk110 P2' 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, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

13. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the adequate opportunity is afforded for investigation of archaeological or other items of interest, in accordance with saved policy EH12 of the South Somerset Local Plan 2006 and the provisions of chapter 12 of the National Planning Policy Framework.

14. Prior to, (and within 2 months of), commencement of each significant stage of ground works, an update survey for badger setts will be undertaken by a competent person, and if any are present within 30 metres (including on adjoining land) of the area of activity, the works shall not commence until a method statement for the protection of badgers has been produced and any necessary Natural England licences have been obtained. The method statement shall be implemented in full.

Reason: For the conservation and protection of legally protected species in accordance with saved policy EC8 of the South Somerset Local Plan, chapter 11 of the National Planning Policy Framework and to ensure compliance with the Wildlife and Countryside Act 1981, and The Protection of Badgers Act 1992.

15. Details of measures for the enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details before any part of the development hereby permitted is first brought into use, unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with saved policy EC8 of the South Somerset Local Plan and the provisions of chapter 11 of the National Planning Policy Framework.

16. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice, pollution prevention measures and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

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

17. Construction works and deliveries to the site shall not take place outside of the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays. No construction work or deliveries to the site shall take place on Sundays or Public/Bank Holidays.

Reason: To safeguard residential amenity, in accordance with saved policies ST6 and EP6 of the South Somerset Local Plan and the core planning principles of the National Planning Policy Framework.

Informatives:

01. The applicant is advised that they will be required to enter into a suitable legal agreement with the County Highway Authority to secure the construction of the highway works necessary as part of the development.

02. Water Efficiency

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. Applicants are advised to refer to the following for further guidance

<http://www.environment-agency.gov.uk/homeandleisure/beinggreen/118941.aspx>
<http://www.savewatersavemoney.co.uk/>

Sustainable Construction

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

The Code for Sustainable Homes should be complied with, achieving the highest level possible. For details on compliance with the Code the applicant is advised to visit:
<http://www.communities.gov.uk/publications/planningandbuilding/codesustainabilitystandards>

Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Waste Management

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant requires more specific guidance it is available on the Environment Agency website www.environment-agency.gov.uk/subjects/waste/

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