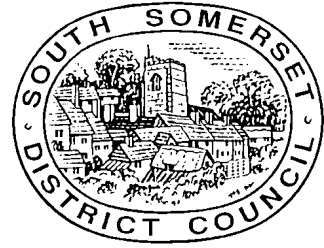


**South Somerset District Council**

*Notice of Meeting*



**Area West Committee**

*Making a difference where it counts*

**Wednesday 19th November 2014**

**5.30 pm**

**Merriott Village Hall  
51 Broadway  
Merriott  
TA16 5QH**

(disabled access is available at this meeting venue)



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The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than 7.00 pm.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Morris 01935 462055**, website: [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

This Agenda was issued on Monday 10<sup>th</sup> November 2014.

A handwritten signature in black ink that reads 'Ian Clarke'.

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

This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)



INVESTORS IN PEOPLE

# Area West Committee Membership

The following members are requested to attend the meeting:

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

Mike Best  
Dave 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 – Council Plan

**Our focuses are:** (all equal)

- Jobs – We want a strong economy which has low unemployment and thriving businesses
- Environment – We want an attractive environment to live in with increased recycling and lower energy use
- Homes – We want decent housing for our residents that matches their income
- Health 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 7.00 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 3<sup>rd</sup> 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/councillors-and-democracy/meetings-and-decisions](http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions)

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

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

## Public Participation at Committees

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

## Public Question Time

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

## **Planning Applications**

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

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

At the Committee Chairman's discretion, members of the public are permitted to speak for up to 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

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

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

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

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

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

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

# Area West Committee

## Wednesday 19 November 2014

### Agenda

#### *Preliminary Items*

1. **To approve as a correct record the Minutes of the Previous Meeting held on 15th October 2014**
2. **Apologies for Absence**
3. **Declarations of Interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. As a result of the change made to the Code of Conduct by this Council at its meeting on 15<sup>th</sup> May 2014, where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

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

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

Councillors. Mike Best, Angie Singleton and Linda Vijeh

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

#### **4. Public Question Time**

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

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

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

#### **5. Chairman's Announcements**

##### *Items for Discussion*

- 6. Area West Committee - Forward Plan** (Pages 1 - 3)
- 7. Somerset County Council Highways Update Report** (Pages 4 - 5)
- 8. Presentation by South Somerset Association for Voluntary and Community Action** (Page 6)
- 9. Community Offices Update** (Pages 7 - 17)
- 10. Request for a Community Grant** (Pages 18 - 21)
- 11. Area West - Reports from Members on Outside Organisations** (Pages 22 - 24)
- 12. Feedback on Planning Applications Referred to the Regulation Committee** (Page 25)
- 13. Planning Appeals** (Pages 26 - 55)
- 14. Schedule of Planning Applications to be Determined by Committee** (Pages 56 - 57)
- 15. Planning Application 14/01289/FUL - Barns at Lower Dairy Wood, Close Lane, Allowenshay** (Pages 58 - 65)
- 16. Planning Application 14/03678/FUL - Land Part of Wambrook Farm, Weston Road, Wambrook** (Pages 66 - 79)
- 17. Date and Venue for Next Meeting** (Page 80)

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

**This does not apply to decisions taken on planning applications.**

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# Agenda Item 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.
- (2) identify priorities for further reports to be added to the Area West Committee Forward Plan.

### **Forward Plan**

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

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

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

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

**Background Papers:** None.

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## Notes

- (1) Items marked in italics are not yet confirmed, due to the attendance of additional representatives.
- (2) Further details on these items, or to suggest / request an agenda item for the Area Committee, please contact the Agenda Co-ordinator; Jo Morris, 01935 462055 or e-mail jo.morris@southsomerset.gov.uk
- (3) Standing items include:
  - (a) 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(s) SSDC unless stated otherwise
17 <sup>th</sup> December 2014	Blackdown Hills Area of Outstanding Natural Beauty (AONB)	To update members on the work of the Blackdown Hills AONB since the last report to Area West Committee.	Zoe Harris, Neighbourhood Development Officer (Communities) Cllr. Ros Roderigo
17 <sup>th</sup> December 2014	Update on Chard Regeneration Scheme (Confidential report)	Members requested a report on progress at the September Area West Committee meeting.	Andrew Gillespie, Area Development Manager (West) David Julian, Economic Development Manager David Norris, Development Manager
17 <sup>th</sup> December 2014	Historic Buildings at Risk (Confidential report)	Report to update members on current Historic Buildings at Risk cases in Area West.	Greg Venn, Conservation Officer
17 <sup>th</sup> December 2014	LEADER Programme for Rural Economic Development	To report on the outcome of applications for funding.	Helen Rutter, Assistant Director (Communities)
21 <sup>st</sup> January 2015	Area West Community Safety Police Performance and Neighbourhood Policing	Report on the activities and achievements on neighbourhood policing and partnership working to reduce crime and the fear of crime.	Sgt. Rob Jameson
21 <sup>st</sup> January 2015	Ilminster Forum	Reports from members on Outside Organisations	Zoe Harris, Neighbourhood Development Officer (Communities) Cllr. Carol Goodall
21 <sup>st</sup> January 2015	A Better Crewkerne and District (ABCD)	Reports from members on Outside Organisations	Zoe Harris, Neighbourhood Development Officer (Communities) Cllr. Mike Best



<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
18 <sup>th</sup> February 2015	Area West Development Work Programme Overview	To present an overview of projects in the Area West Development Work Programme 2014/15	Andrew Gillespie, Area Development Manager (West)
18 <sup>th</sup> February 2015	Conservation Team Update Report	An update on the work of the Conservation Team.	Adron Duckworth, Conservation Manager
18 <sup>th</sup> March 2015	Report on the Performance of the Streetscene Service	Service report on performance and priority issues in Area West	Chris Cooper, Streetscene Manager
18 <sup>th</sup> March 2015	Flooding, Drainage & Civil Contingencies	Report on issues in Area West.	Pam Harvey, Civil Contingencies & Business Continuity Manager Gary Green, Engineering & Property Services Manager
15 <sup>th</sup> April 2015	Section 106 Obligations	Monitoring Report	Neil Waddleton, Section 106 Monitoring Officer
15 <sup>th</sup> April 2015	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
<i>TBC</i>	<i>Update on Assets in Area West</i>	<i>A representative from the Strategic Asset Steering Group (SASG) to give an update on the assets in Area West.</i>	<i>Vega Sturgess, Strategic Director (Operations &amp; Customer Focus) Donna Parham, Assistant Director (Finance &amp; Corporate Services)</i>
<i>TBC</i>	<i>Promoting Crewkerne and Ilminster Project</i>	<i>Update on progress</i>	<i>Zoe Harris, Neighbourhood Development Officer (Communities)</i>

# Agenda Item 7

## **Somerset County Council Highways Update Report**

*Lead Officer: Mike Fear, Assistant Highway Service Manager, Somerset County Council*

*Contact Details: Tel: 0845 345 9155*

### **Purpose of the Report**

Somerset County Council Highways Interim report for the period April 2014 to March 2015, to provide an update on works progress.

### **Recommendation**

That members note the report.

### **Surface Dressing**

Surface Dressing is the practice of applying a bitumen tack coat to the existing road surface and then rolling in stone chippings. Whilst this practice is not the most PR friendly, it is highly effective in preserving the integrity of the road surface.

The Surface Dressing was completed within the programmed timescale for the 2014 'season' and various remedial sites from last year's program were attended to as well.

This year's Surface Dressing sites are currently receiving their final inspections prior to acceptance by SCC.

### **Grass Cutting**

The verge cutting of main A and B roads commenced in mid May followed by the C and D roads and then the final cut of the A and B roads. There was some delay experienced in the C and D road cutting program and this was unfortunately due to re-distribution of resource by the Term Maintenance contractor.

I would note that the enquiries relating to this year's grass cutting were less than the previous year, which I trust is a good indication of getting the timing of the cutting right.

### **Winter Maintenance**

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

It is likely that similar to previous years the local parishes will be invited to collect their allocation of ten 20kg grit bags. Confirmation will be submitted to Parish Clerks as soon as this is approved by the Winter Maintenance Manager.

To provide efficiencies in resource time for filling the parish grit bins, a request will be submitted to the parish clerks to identify, check and inform SCC of the current situation with regards to accessibility and filling requirements for their grit bins.

## Structural maintenance Schemes 2014/15

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

<b>Town/Village</b>	<b>Location</b>	<b>Works</b>	<b>Expected Completion</b>
Donyatt	A358 Peasmarsh	Drainage	Completed
Tatworth and Forton	Forton Rd/Blacklands Lane	Drainage	November 2014
Chaffcombe	Summer Lane	Drainage	Completed
Ilminster	Blackdown View	Footway	Completed
Ilminster	Butts/High Street	Footway	February 2015
Ilminster	Listers Hill	Surfacing	Completed
Chard	Millfield	Surfacing	December 2014
Wayford	Dunsham Lane	Drainage	November 2014
Combe St Nicholas	Scrapton Lane	Surfacing	Completed
Crewkerne	Severalls Park Avenue	Patching	Completed
Merriott	Moorlands Road	Reconstruction	Completed
Chillington	Lamberts Lane	Reconstruction	March 2015
Ilton	Cad Green	Drainage	February 2015

### **B3168 Beacon, Ilminster**

Contract for this repair work has been let to Bed Rock who has started on site with effect from 27<sup>th</sup> October 2014. This is a week earlier than publically forecast.

The build time is predicted to be seven weeks which will allow the road to be open before Christmas.

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# Agenda Item 8

## **Presentation by South Somerset Association for Voluntary and Community Action (SSVCA)**

*Contact Details: Sam Best, Chief Executive Officer, SSVCA.  
Tel: 01935 475914 or SamBest@ssvca.org.uk*

Sam Best, SSVCA Chief Executive Officer, will attend the meeting and provide members with a short presentation on the work of the SSVCA, giving an update and overview on the following issues:

- Voluntary Sector Support
- Furnicare
- Community Transport
- Flood Recovery work

Members will be given the opportunity to question the SSVCA Chief Executive Officer on these issues particularly in relation to the services provided in Area West.

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# Agenda Item 9

## Community Offices Update

*Strategic Director:* Rina Singh, Place and Performance  
*Assistant Director:* Helen Rutter / Kim Close, Communities  
*Service Manager:* Andrew Gillespie, Area Development Manager West  
*Lead Officer:* Lisa Davis, Community Office Support Manager  
*Contact Details:* [lisa.davis@southsomerset.gov.uk](mailto:lisa.davis@southsomerset.gov.uk) 01935 462746

### Purpose of the Report

To update Councillors on the yearly footfall/enquiry figures across the district and the results of the recent customer satisfaction survey.

### Public Interest

South Somerset District Council (SSDC) has six community offices which enable the public to access a wide range of Council and related information and assistance. This supports the other ways of contacting SSDC, which is by phone or the website. This report gives an update of the number of customers who visit the offices and also includes results of the customer survey carried out in September 2014.

### Recommendation

That Area West Committee members note the contents of this report.

### Background

The community offices are located in Yeovil, Crewkerne, Chard, Ilminster, Langport and Wincanton and are managed by the Community Office Support Manager and Deputy Community Office Support Manager. The Community Support Assistants also provide administrative and project support to the Area Development team.

### The Community Offices

The opening hours are as follows:

<b>Chard</b>	Monday to Friday 9am to 1pm, 1:30pm to 3:30pm
<b>Crewkerne</b>	Monday to Wednesday & Friday 9am to 1pm, 1:30pm to 3:30pm Thursday 9am to 1pm
<b>Ilminster</b>	Monday, Tuesday & Thursday 9:30am to 12pm
<b>Langport</b>	Monday, Tuesday & Thursday 9am to 2pm
<b>Wincanton</b>	Monday to Friday 9am to 1pm
<b>Petters House Yeovil</b>	Monday to Friday 9am to 4pm

The main SSDC services provided for our customers are for the following services:

Housing and Council Tax Benefits	Receipt, verification and scanning of applications forms and evidence, general advice and guidance
Council Tax	Advice and guidance on moving in/out of area, discounts and exemptions and instalment plans, processing of payments (debit cards)
Housing	Verification of evidence
Waste and Recycling	Advice on collection days, missed collection reports, ordering of new/replacement bins, payment of garden waste bins/bags
StreetScene	Report litter, fly tipping, dead animals, discarded needles, dangerous and stray dogs, dog fouling and graffiti
Community Protection	Report pest problems (rats, wasps, insects)
Horticulture	Report problems with shrub / tree / hedge maintenance
Planning and Building Control	Hand out application forms
Community Safety	Recording incidents

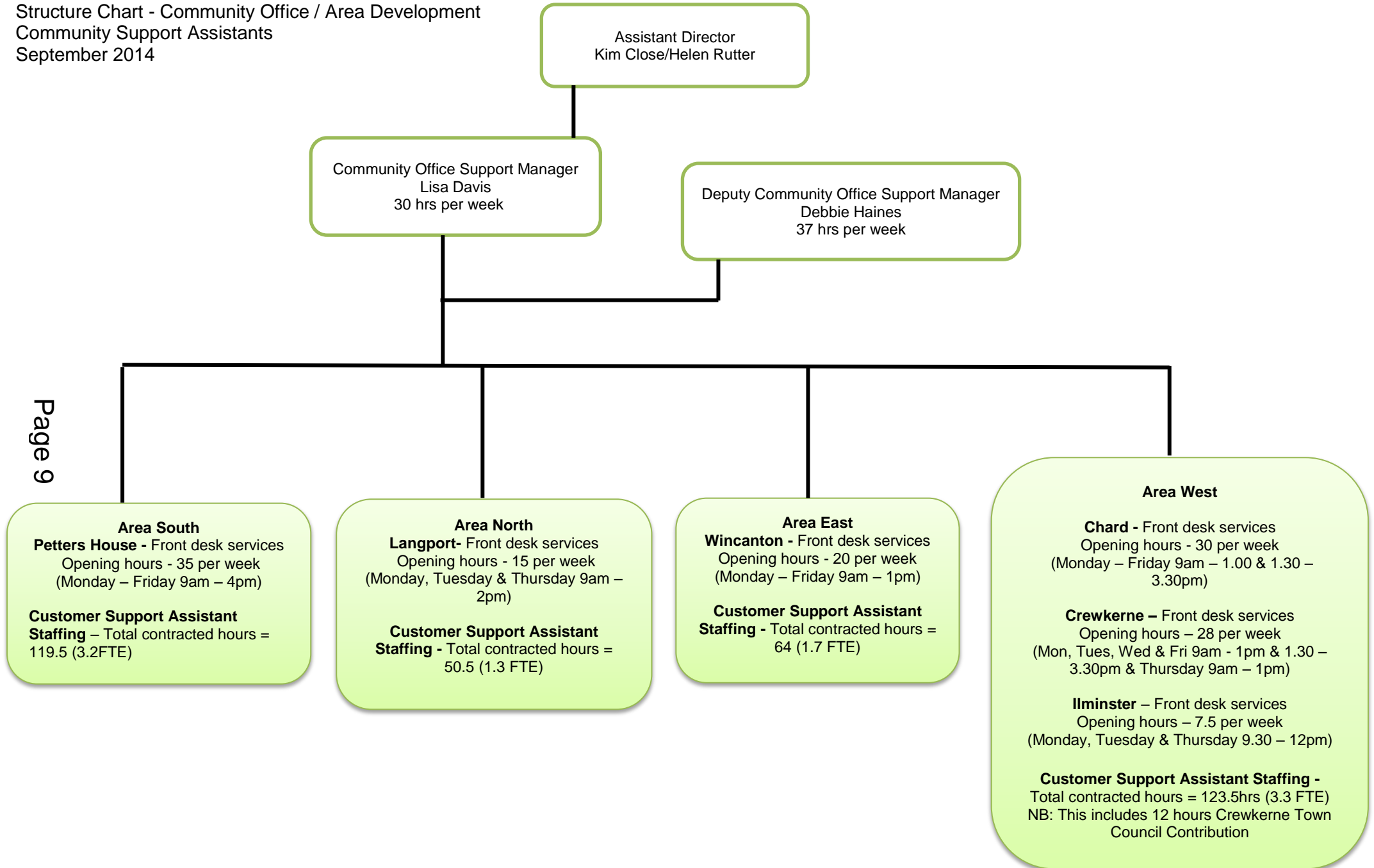
Not all offices have exactly the same facilities either because of location or number of customers.

- Chard and Petters House have the highest number of customers. Cash machines have been installed and are used mostly for the payments of council tax and parking fines.
- Petters House reception is co-located with the SSDC Tourist Information Centre. Visitors to Petters House can also access a range of other services including Housing, Welfare Benefits and South Somerset Voluntary Community Action (SSVCA) and Citizen's Advice Bureau (CAB).
- Langport reception is co-located with the Langport Local Information Centre and South Somerset Links Transport Service.
- The Wincanton community office is successfully co-located with the Police and Somerset County Council have two small offices that provide hot desk space for employees.
- All offices except Langport and Ilminster have a public computer.
- All front offices have a hearing loop
- Free phones to internal services are provided in Wincanton, Petters House and Chard.
- Chard is co-located with the Library. Crewkerne is co-located with the Local Information Centre and Town Council and Ilminster is also co-located with the Town Council.
- Chard has a Job point machine and phone run by Job Centre Plus which was installed when the Job Centre closed in the town centre, however the Job point is to be removed at the end of November and the Job Phone is currently under review. There is also a reception facility provided on the days that the Somerset County Council Registrar is available. Somerset County Council Social Services team also occupy space within the building.

The community offices provide a face to face service which is particularly important to the more vulnerable members of the community. This enables customers to receive advice and assistance with many SSDC services. All community offices with the exception of Langport have a public computer which enables customers to access online services through self-service or assisted self-service. These computers are generally used to register for Homefinder or bid for Social Housing properties, apply for Benefits or view planning applications. During the last 12 months customers have been increasingly encouraged to submit online applications for benefits and Homefinder. An increased number of services have also been made available on the SSDC website enabling people to access more services from home.

The following structure chart shows the current level of staffing for each area

Structure Chart - Community Office / Area Development  
Community Support Assistants  
September 2014



During the past 12 months we have invested time to ensure that all Community Support Assistants are trained to deal with the wide range of front office enquiries and members of the team are now familiar with various front offices which ensures that planned and emergency cover can be provided. I am pleased to report that despite staffing levels being low at times we have been able to maintain full opening hours at all front offices since the new structure came into effect following the lean review. The community offices provide access to services for more vulnerable members of the community and also those who are unable or find it difficult to contact SSDC online or by phone.

All Community Support Assistants are now trained to provide phone cover for the Customer Service team. This has enabled support to be provided for their fortnightly team meetings and also enables calls to be taken in the event of increased call volumes/waiting times. These volumes and waiting times are monitored by the Community Office Support Manager/Deputy Community Office Support Manager alongside the Customer Services Manager so that the need for assistance can be identified promptly and resource provided as appropriate. Improved technology means that we are now able to take calls at any location providing a greater opportunity for support to be provided to the Customer Service team. During the period June – August 2014, the Community Support team spent 85 hours taking calls to assist the Customer Service team. June – August was particularly problematic for the Customer Service Team due to a range of issues but there has since been less of a need for the Community Support Assistants to provide phone cover. Although this is still monitored on a regular basis and we still assist when required.

The Community Support team have access to the online referral system which enables them to refer customers as appropriate to the Welfare Benefits team and outside agencies such as CAB, SSVCA. The Welfare Benefits Advisors provide support and advice to many of the visitors to the front office and work closely with the Community Support team to raise awareness of the benefits that they may be entitled to.

### Footfall figures

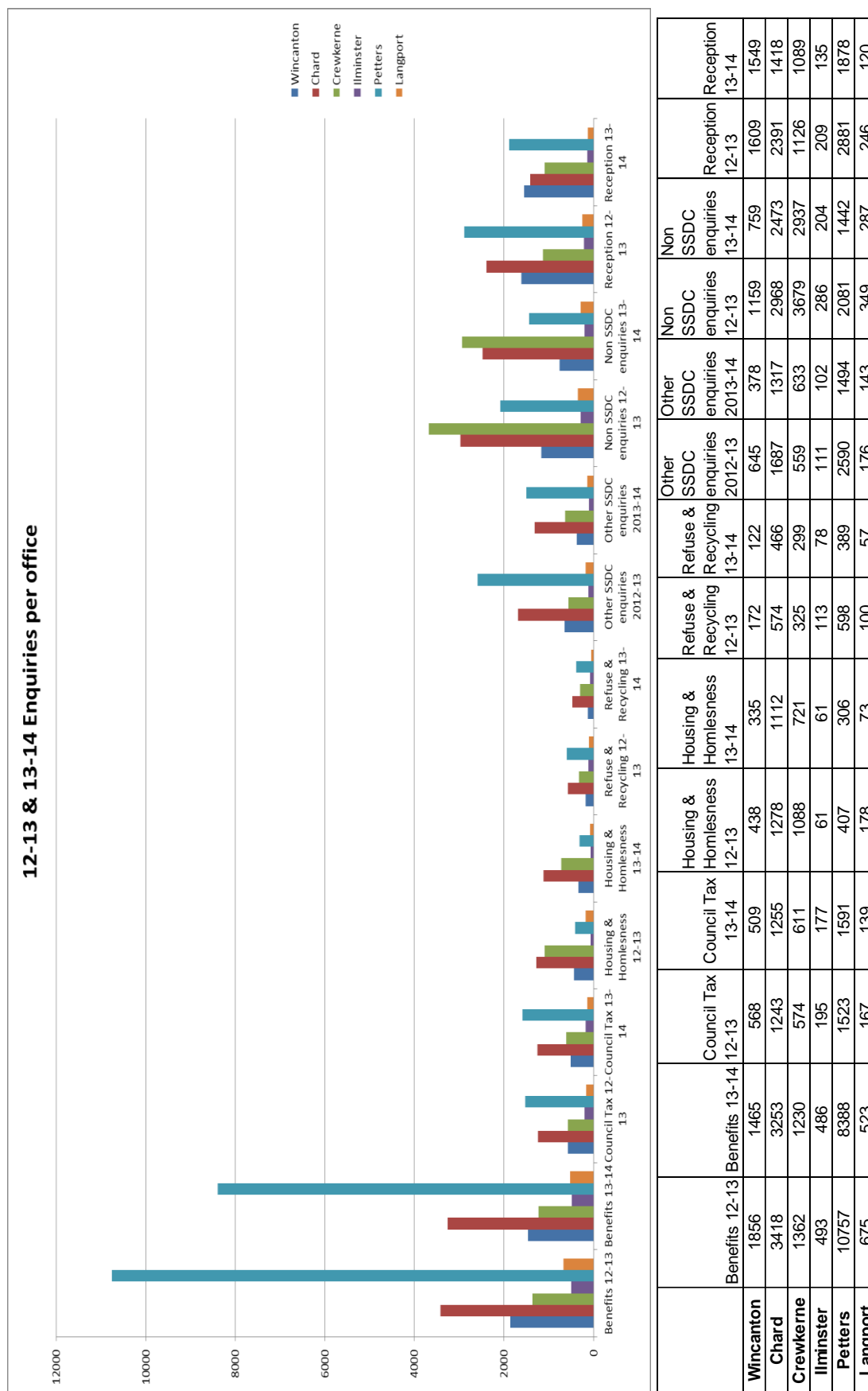
The following table shows the number of enquiries in the last year for every office, this highlights the differences between offices.

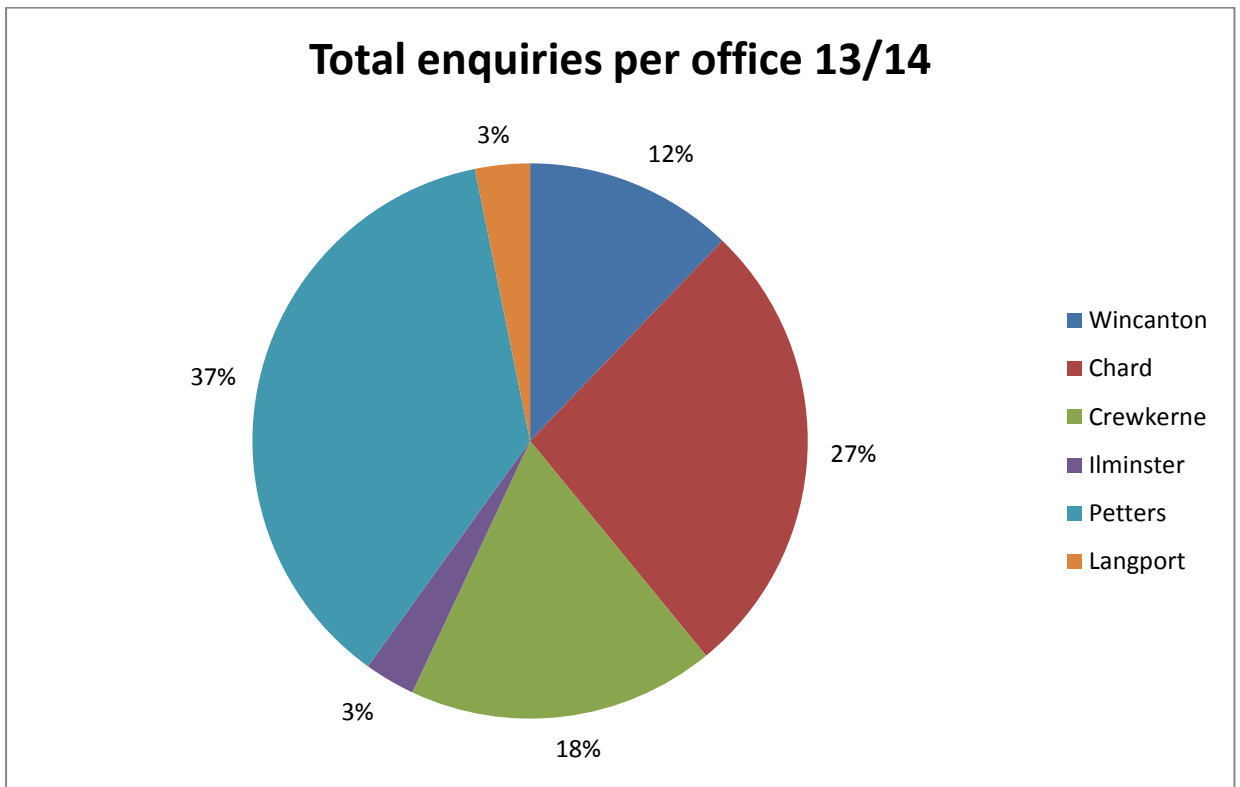
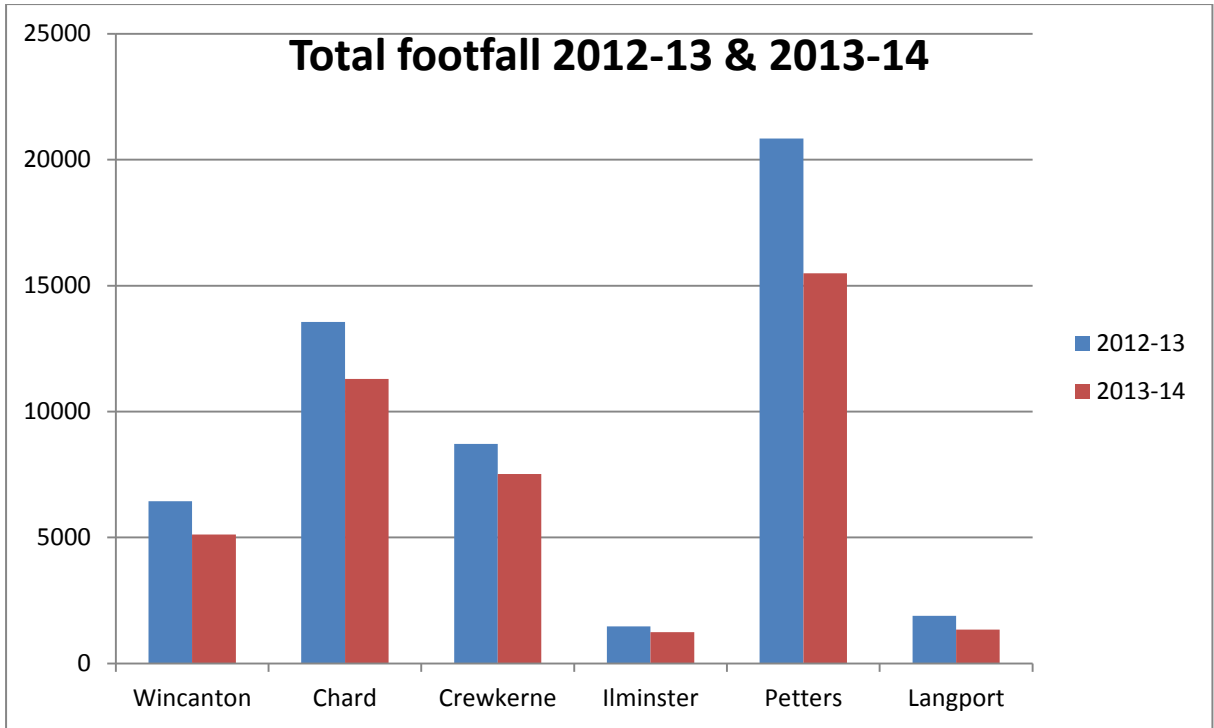
	<b>Wincanton</b>	<b>Chard</b>	<b>Crewkerne</b>	<b>Ilminster</b>	<b>Petters</b>	<b>Langport</b>	<b>Total</b>
Benefits	1465	3253	1230	486	8388	523	<b>15345</b>
Council Tax	509	1255	611	177	1591	139	<b>4282</b>
Housing & Homelessness	335	1112	721	61	306	73	<b>2608</b>
Refuse & Recycling	122	466	299	78	389	57	<b>1411</b>
<b>Core service total *</b>	<b>2431</b>	<b>6086</b>	<b>2861</b>	<b>802</b>	<b>10674</b>	<b>792</b>	<b>23646</b>
Other SSDC enquiries	378	1317	633	102	1494	143	<b>4067</b>
Non SSDC enquiries	759	2473	2937	204	1442	287	<b>8102</b>
Reception duties	1549	1418	1089	135	1878	120	<b>6189</b>
<b>Total Footfall</b>	<b>5117</b>	<b>11294</b>	<b>7520</b>	<b>1243</b>	<b>15488</b>	<b>1342</b>	<b>42004</b>

- Core services are Benefits, Council Tax, Housing & Homelessness and Refuse & Recycling

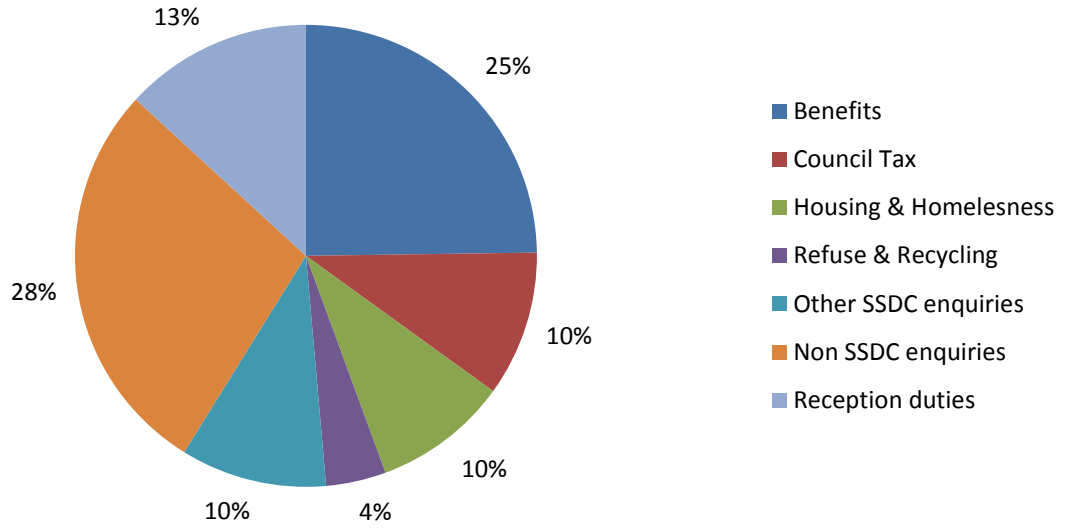


The charts below show a comparison of footfall and enquiries received at all offices in 2012-13 and 2013-14 and also a breakdown of enquiry types dealt with at Chard, Crewkerne & Ilminster Community offices.

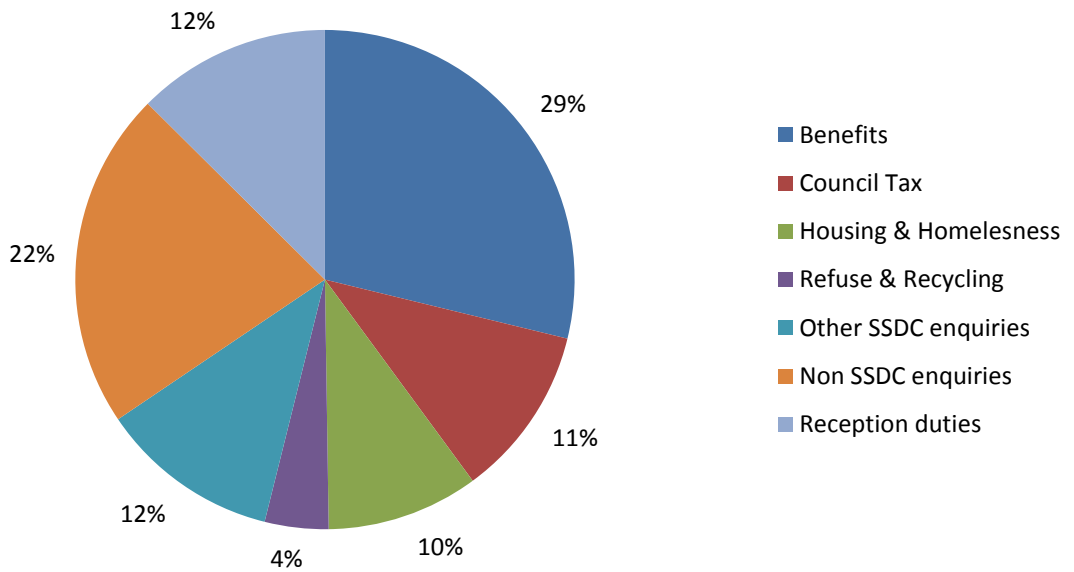




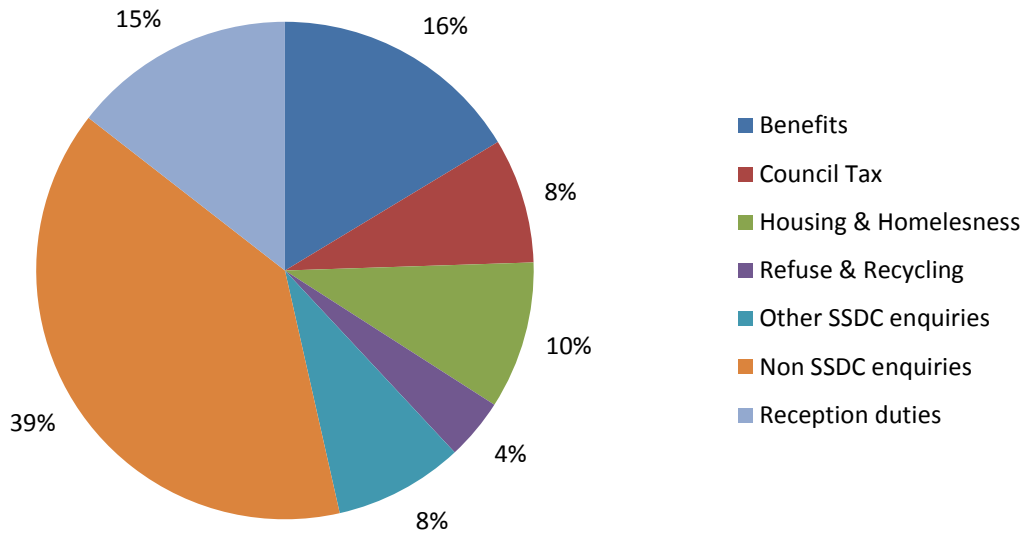
### Total % enquiries 2013/14 Area West (Chard, Crewkerne and Ilminster)



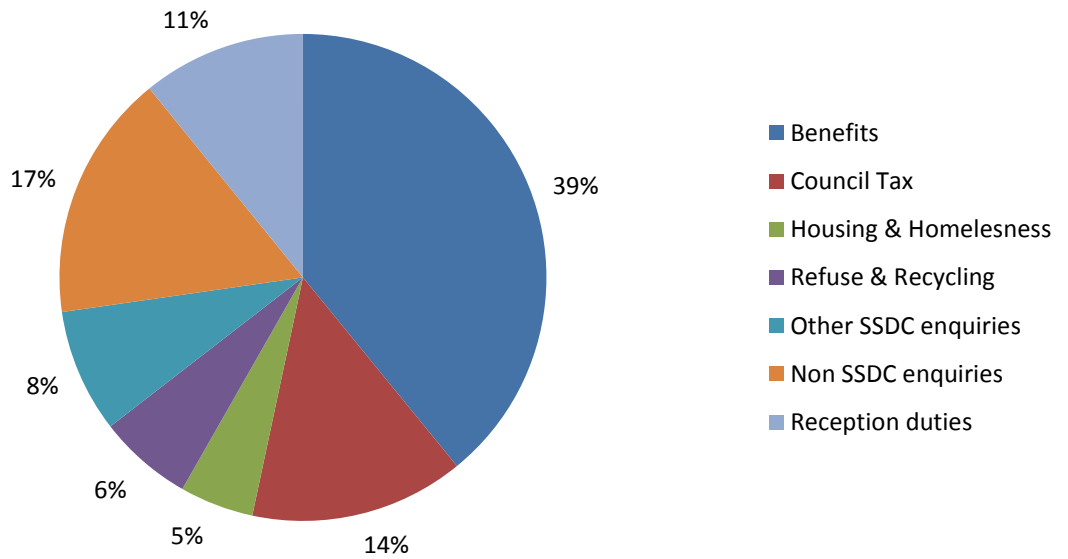
### Chard total enquiries for 13/14



### Crewkerne total enquiries for 13/14



### Ilminster total enquiries for 13/14



It should be noted that the non SSDC enquiries include bus pass enquiries/issue of forms, visitors for organisations co-located with SSDC, Town Council and SCC enquiries and any other enquiries that fall outside of SSDC's remit.

The complexity of enquiries at the front office can vary, the following table gives an indication of the average time spent dealing with the more frequent enquiry types.

<b>Enquiry type</b>	<b>Average time spent dealing with enquiry</b>	<b>Enquiry type</b>	<b>Average time spent dealing with enquiry</b>
Car Parking enquiry	8 minutes	Request for waste containers	5 minutes
Council Tax bill/banding enquiry	5 minutes	Pest Control enquiry	5 minutes
Council Tax move	10 minutes	Garden bin renewals	5 minutes
Housing Benefit enquiry	10 minutes	Bulky collections	5 minutes
Housing Benefit application submission (assuming form fully completed by applicant)	20 minutes	Environmental Health/Streetscene enquiry (mapping)	10 minutes
Homefinder/Housing enquiry	10 minutes	Licensing enquiry	8 minutes
Planning/Building Control enquiry	2 minutes	Elections enquiry	5 minutes
Report missed waste collection	5 minutes	Reception service/issue form	1 minute

### **Chard**

SSDC staff provide help for visitors with issues such as Housing and Welfare Benefits, together with general enquires relating to council services.

The total number of customers at the Chard reception (often referred to as footfall) for the 2013/14 financial year was 11,294 which is a decrease from 13,559 in 2012/13. The highest proportion of work undertaken by the Community Support Assistants in the front office relate to Benefits.

The job point and phone located in the front office is available for public use. During the period January – December 2013 2,448 calls were made using the job phone. The phone gives customer access to DWP (Department of Work and Pension) information including Job Centre Plus, Pension Service, National Insurance information as well as Tax Credits. However as mentioned previously this is under review.

### **Crewkerne**

The total number of customers at the Crewkerne reception for the 2013/14 financial year was 7,520 which is a decrease from 8,713 in 2012/13. The highest proportion of work undertaken by the Community Support Assistants relate to non SSDC enquiries. A Welfare Benefits surgery is held weekly and Crewkerne Town Council provide an equivalent of 12 hours Community Support Assistant funding per week to help support the Community Office and encourage a wider variety of enquiries.

### **Iminster**

The total number of customers at the Iminster office for the 2013/14 financial year was 1,243 which is a decrease from 1,468 in 2012/13. The highest proportion of work undertaken by the Community Support Assistants in the front office relate to Benefits.

There has been an overall decrease in footfall across all SSDC Community Offices.

The Area West offices received 48% of total enquiries throughout the district during 2013/14.

### Customer Survey

A customer satisfaction survey was carried out during two weeks of September 2014 in all of the community offices. 395 responses were received. The team received a 99% satisfaction score of Good or Very Good in questions 3 to 5 shown in Table 1 relating to their professionalism.

98% of our customers rated how welcoming our receptions are as Good or Very Good. Lastly, 96% said that the waiting time is Good or Very Good.

**Table 1 Comparison of customer responses between 2013 and 2014 for all offices**

		Very Poor	Poor	Neither	Good	Very Good
How welcoming did you find our reception area?	2014	0.2%	0.5%	1.2%	25%	73%
	2013	0%	1%	1%	21%	77%
How would you rate your waiting time before being seen?	2014	0%	0.5%	3.5%	21%	73%
	2013	0%	0.4%	2%	20%	78%
How welcoming were our staff?	2014	0%	0.2%	0.7%	18%	80%
	2013	0%	0%	0%	14%	86%
How would you rate the overall service you received?	2014	0%	0%	1%	17%	81%
	2013	0%	0%	0%	13%	87%
How knowledgeable were our staff?	2014	0%	0.2%	0.8%	18%	81%
	2013	0%	0%	0%	13%	87%

The following responses were received with regard to accessing SSDC services:

Do you use the SSDC website?		
Yes	22%	
No	78%	
If no, what is the reason?		
No internet access	27%	
Prefer to visit community office	73%	
Do you contact SSDC by phone?		
Yes	46%	
No	54%	
If no, what is the reason?		
No access to a phone	7%	
Prefer to visit community office	93%	
Was the Community Support Assistant able to give you the information or help that you needed?		
Yes	98%	
No	2%	NB. these customers were referred to another agency

The results for Chard show that 2% of customers completing the survey would find it very difficult to get to another office, 7% do not have access to a pc or website access on

a phone and 6% find it easier to communicate face to face due to speech, hearing or language problems.

The results for Crewkerne show that 7% of customers completing the survey would find it very difficult to get to another office, 8% do not have access to a pc or website access on a phone and 7% find it easier to communicate face to face due to speech, hearing or language problems.

The results for Ilminster show that 6% of customers completing the survey would find it very difficult to get to another office, 6% do not have access to a pc or website access on a phone and 13% find it easier to communicate face to face due to speech, hearing or language problems.

This highlights the importance of local offices for the more vulnerable residents who are unable or find it difficult to contact SSDC online or by phone or who would be unable to access a central office.

### **Financial Implications**

None arising directly from this report.

### **Council Plan Implications**

Focus on Health and Communities. Continue to provide Welfare Benefits support and advice to tackle poverty for our vulnerable residents.

### **Carbon Emissions & Climate Change Implications**

Reduce carbon emissions by increasing awareness of local offices and use of alternative methods of contact i.e. online transactions

### **Equality and Diversity Implications**

All front desk services are accessible, except our Ilminster office, which can only be improved if suitable premises can be found.

**Background Papers:** None

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# Agenda Item 10

## **Request for a Community Grant (Executive Decision)**

*Strategic Director:* Rina Singh (Place and Performance)  
*Assistant Director:* Helen Rutter (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 consider one application for financial assistance from the Area West Community Grant Scheme. Combe St Nicholas Village Hall Committee have replaced outdated toilet facilities within the hall.

### **Public Interest**

This report considers one application made under the Area West Community Grant Scheme. This Scheme was established to assist local communities to bring forward projects that benefit their town or village.

### **Recommendation**

1. That members approve the following grant:

<b>Applicant</b>	<b>Project</b>	<b>Grant requested</b>
<b>Combe St Nicholas Village Hall Committee</b>	Replacement of toilet fittings and flooring.	£4,530.36

2. That the award is made subject to normal grant conditions apart from grant policy 10 (retrospective support) which members are requested to set aside.

### **Combe St Nicholas Village Hall**

#### **Background**

The village hall has hosted a wide variety of clubs and societies since 1987, providing the opportunity for children and adults to access activities and classes close to home. The hall also provides a facility which is well used by individuals and groups from outside of the village.

The Area West Committee of January 2012 awarded a grant towards replacement of the hall kitchen which by then was no longer fit for purpose. The resulting improvement to the facilities has led to a significant increase in hall bookings and permitted provision of the now established and successful Combe Café which opens every Wednesday and provides Sunday lunch menus on the last Sunday of each month.

The success of the kitchen and increased footfall within the hall raised a further challenge. The toilet facilities proved inadequate and the disabled toilet facility no longer conformed to modern standards.



The new design incorporates both a specialised disabled unit and a baby changing facility which will make the hall a more inclusive provider within the community.

This project also offers a much more attractive venue for larger user groups such as wedding receptions and parties who until now travelled elsewhere. An anticipated increase in bookings will also contribute towards the long term financial viability of the hall.

There are two considerations to note with this application. SSDC grant policy guidelines require a gap of three years before a subsequent grant can be awarded to the same project. The Neighbourhood Development Officer has taken the view that whilst both the kitchen and the toilet replacement projects are within the village hall, they are distinct from each other.

The second consideration is that if a grant is awarded it will be retrospective. The hall committee made the decision to proceed for two reasons. They took advice from the contractor that there would be a substantial delay unless work could start immediately and the National Lottery Awards for All required the project to start within three months of the grant offer which was dated 1<sup>st</sup> August 2014.

The grant application to SSDC was received on the 2nd September and the additional information requested was received on the 10th October. Works began on the 22<sup>nd</sup> September and were completed during the week of 24<sup>th</sup> October.

The grant awarded in 2012 towards the kitchen refurbishment was £8,500. If this grant request is approved it will take the total awarded in this period to £13,030.36.

SSDC grant policy sets a maximum award per project of £12,500. The Neighbourhood Development Officer has taken the view that the two projects are distinct and the grant if approved will therefore be within the financial limit of the scheme.

There is also an existing precedent to consider a retrospective application. In August 2013 Area West Committee approved a grant towards the Merriott sports pavilion project.

The financial accounts for the hall committee show annual running costs of circa £7,500. The October 2014 accounts showed a balance of £1,587.35. It is normally thought prudent for a community organisation of this sort to maintain a reserve equivalent to twelve months running costs.

### **Project Description**

The existing ladies toilet has been removed and the space restructured to install a newly designed facility comprising two toilets, one of which incorporates disabled access and baby changing facilities. The lack of easily accessible and reliable hot water provision has also been addressed. The project works have now been completed.

### **Project costs**

Quotes were obtained and the total cost for this project was £21,230.36.

Table 1:

Labour and materials	£17,765.36
Electrical work	£2,400
Flooring	£1,065
<b>Total Project Cost</b>	<b>£21,230.36</b>

## Funding

The hall committee have raised £5,000 towards this project with a further £500 raised by the Gala Association and £200 raised by CSN Local Ladies. The committee received £1,000 from the Parish Council and have secured a further £10,000 from the Big Lottery Fund, Awards for All.

Table 2:

<b>Funding Source</b>		
Own Funds	£5,000	Secured
Parish Council	£1,000	Secured
Awards For All	£10,000	Secured
Gala Association	£500	Secured
CSN Local Ladies	£200	Secured
SSDC	£4,530.36	Pending
<b>Total Project Cost</b>		<b>£21,230.36</b>

## Assessment

Table 3:

<b>Category</b>	<b>Score</b>	<b>Maximum score</b>
Eligibility	Y	
Target Groups	5	7
Project	4	5
Capacity of Organisation	11	15
Financial need	6	7
Innovation	1	3
<b>TOTAL</b>	<b>27</b>	<b>37</b>

The Neighbourhood Development Officer has assessed the application and the project has reached an overall score of 27 as outlined in the table above. This application exceeds the minimum score required for funding to be considered.

## Recommendation

The Neighbourhood Development Officer recommends that the grant be awarded in full.

## 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.

## Carbon Emissions & Climate Change Implications

Improvements to the hall facilities may reduce car travel outside of the village.

## Equality and Diversity Implications

South West Disability Forum have advised the hall committee on the design of this project.

## **Financial Implications**

A grant of £4,530.36 can be awarded from the Area West capital programme. This would reduce the unallocated balance from £99,242 to £94,711.64.

### ***Background Papers:***

*([www.southsomerset.gov.uk/communities/funding-for-your-group-or-project](http://www.southsomerset.gov.uk/communities/funding-for-your-group-or-project))*

*Area West Committee January 2012*

*Area West Committee August 2013*

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# Agenda Item 11

## **Area West – Reports from Members on Outside Organisations**

*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 organisations in Area West.

### **Public Interest**

Each year Area West Committee appoints local Councillors to serve on outside 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 ten outside organisations at the June 2014 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 reports are:

Crewkerne Heritage Centre – Cllr. John Dyke  
Chard and District Museum – Cllr. Brennie Halse

### **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

## **Crewkerne Museum and Heritage Centre: Report for 2014**

Crewkerne Museum and Heritage Centre (CMHC) has been operating from its current location in the town centre for well over a decade. Its purpose is to preserve artefacts relating to the town and to promote interest in Crewkerne's history and heritage.

2014 has been another successful year, with sustained improvement in overall use of the building and facilities. The financial situation has remained stable and the budget has balanced - even making a small surplus - thanks to diligent housekeeping and valiant fundraising efforts. Once again, the Friends of the Museum have played an important part in the success of the Heritage Centre, contributing both significant financial support and a lively social atmosphere. The support of volunteers has been pronounced as they maintain the building, steward the Museum and Local History resources and generally "keep things going".

### **Exhibitions**

In addition to the permanent displays, 2 special exhibitions were held this year: one telling the story of the town before WW1 and an exhibition relating to the stories of local soldiers who went to the war and the effect it had on the town.

"Art in the Museum" enabled local artists and craftsmen to display and sell their art, whilst increasing visitor footfall and raising funds by way of commissions on art sales.

### **Maintenance**

The windows in the Leslie Andrew Room have been lined with Perspex panels to cut heating costs and noise. The exterior of the building has been painted and looks much refreshed.

A substantial amount of ongoing maintenance has been carried out by volunteers, both in the building and in the museum courtyard.

### **Schools & Groups**

Several visits from local schools have supported their students' learning. CMHC are addressing the new history curriculum by adding fresh subjects.

Local schools have enjoyed being part of the "Hooves, Paws and Claws" project for which CMHC have achieved Heritage Lottery funding. Background information about animals in war has been given and the school-children worked with a local sculptor to produce models of the animals.

As in previous years, free activities for children have been offered during school holidays. Local children took part in Halloween activities at half term as they did during the Easter holidays.

During the summer months CMHC featured an exhibition by GCSE photography students from Wadham School.

A group from Dillington House Photography course visited in the spring and again in the autumn to make use of the exhibitions and the courtyard for their work.

Heritage Week was again marked with 4 Heritage Open Days. An exhibition of some of the stored collection was held. A booklet was published so that visitors could take a tour of the Market Square area with an explanation of the architecture.

## **Collection**

The Museum has acquired a set of WW1 letters which are a significant contribution to the WW1 exhibition.

The old Crewkerne Cinema window has been restored thanks to a generous bequest. The window is now on display in Reception along with the cinema clock and photographs.

## **Community links**

The Management Team has worked with Crewkerne Town Council to help produce a new advertising leaflet. CMHC have also developed a collaborative relationship with Crewkerne Library on talks and projects. Researchers have been looking into the names of all soldiers on all the memorials to give Crewkerne Town Council a complete list. Working in cooperation with the Royal British Legion and others the researchers have helped the Town Council to place a completed memorial in Crewkerne.

## **Other**

Acquisition of a PRS Music Licence has given CMHC the opportunity to hold live events such as the Music Hall evening, and to enhance exhibitions with appropriate music.

The shop has been very successful once again this year, with sales of traditional toys and souvenirs continuing to grow.

Plans to add digital aids to the museum are going ahead. A map display with old photographs of streets in the town is planned. "Discovery pens" will guide the public around the galleries giving additional information and a programme specifically for children. This project will be ready for the 2015 season.

## **Summary**

All in all an extremely successful year in terms of events, support, interest and financial stability. All essentially brought about by the huge voluntary effort and interest of the many people who really "care" for the history and heritage of Crewkerne.

**Councillor John Dyke**

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# Agenda Item 12

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

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

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# Agenda Item 13

## 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

14/03414/FUL – 54 Old Town, Chard, Somerset, TA20 2BE  
Creation of off road parking (GR 332422/108383)

14/01496/FUL – 27 Hervey Road, Chard, Somerset, TA20 2BH  
The erection of 1 No. dwellinghouse with associated access (revised application) (GR 332697/108382)

14/03679/FUL – 38 Lower Street, Merriott, Somerset, TA16 5NN  
The erection of a single story rear extension and the creation of a dormer window on rear elevation (GR 344493/112347)

14/03680/LBC – 38 Lower Street, Merriott, Somerset, TA20 2BH  
Alterations and the erection of a single storey rear extension (GR 344493/112347)

14/02673/FUL – 108 Furnham Road, Chard, Somerset, TA20 1BE  
The erection of 1 No. detached dwellinghouse with associated parking (Revised Application) (GR 333059/109740)

### Appeals Allowed

14/01604/FUL – 12, Newchester Cross, Merriott, Somerset, TA16 5QJ (Officer Decision)  
Erection of two story extension to dwellinghouse (GR 343900/112608)

13/03145/FUL – Land at Beetham, Higher Beetham, Whitestaunton, Chard, TA20 3PY (Committee Decision)  
The erection of an agricultural building (revised application of 12/01733/FUL) (GR 327552/112007)



## **Appeals Dismissed**

13/02941/OUT – Land at Goldwell Farm, Yeovil Road, Crewkerne, Somerset  
Residential development of up to 110 dwellings, plus associated open space (including allotments and areas of habitat enhancement), foul and surface water infrastructure, internal footpaths, cycle routes and estate roads and an access on to the A30. (GR 345007/110338)

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

***Background Papers: None***

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## Appeal Decision

Site visit made on 16 October 2014

**by G Powys Jones MSc FRTPI**

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

**Decision date: 20 October 2014**

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**Appeal Ref: APP/R3325/D/14/2224506**

**12 Newchester Cross, Merriott, Somerset, TA16 5QJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs Nigel Simcock against the decision of South Somerset District Council.
  - The application Ref 14/01604/FUL, dated 30 March 2014, was refused by notice dated 3 June 2014.
  - The development proposed is a two-storey extension to dwelling house.
- 

### Decision

1. The appeal is allowed and planning permission is granted for a two-storey extension to dwelling house at 12 Newchester Cross, Merriott, Somerset, TA16 5QJ in accordance with the terms of the application Ref 14/01604/FUL, dated 30 March 2014, subject to the conditions set out in the attached Schedule.

### The main issues

2. The main issues are: (a) the effect of the proposal on the character and appearance of the host property and surrounding area and (b) on the living conditions of the residents either side of the appeal property, at 10 & 14 Newchester Cross, with specific reference to sunlight, daylight and visual impact.

### Reasons

#### *Character & appearance*

3. The extension would be added to the rear of the property, and would not be visible from the highway in Newchester Cross or Broadway. Whilst it would be seen across open land when approaching along Church Street, it would be viewed from there in the context of the similarly massed rear extensions added to the next-door property No 14, and the house beyond that, at No 16 Newchester Cross. The type of extension proposed, given that two similar ones exist in close proximity, would not therefore be uncharacteristic of the area.
4. Although the extension would be slightly longer than that built next-door, it is well designed, with a visually subservient pitched, hipped roof, and proposed in materials to match the extant dwelling. I consider the proposal to be sympathetically designed, and would sit acceptably in its visual context both in terms of the wider surroundings and the scale, mass and appearance of the host property.

5. I conclude that the proposed extension is acceptably designed and would not therefore conflict with that requirement of policy ST6 of the South Somerset Local Plan designed to ensure that new development respects and relates to the character of its surroundings.

*Living conditions*

6. The appeal dwelling is sited in the middle of a small terrace of three dwellings, and its rear wall faces north-east. Given its daily path, the sun would not strike the rear wall of the terrace other than in early morning or very late evening in high summer, even if it were undeveloped with extensions. For most of the day, virtually all year, the rear wall of this small terrace, and its windows, would thus be in shade as a result of the shadow cast by its own bulk. Given the normal daily path of the sun and the orientation of the windows central to its concern, the Council has not adequately explained why the extension would cause unacceptable overshadowing of neighbouring residents' windows.
7. The appellant would be entitled under permitted development rights to extend in two-storey fashion, albeit not at the height or length proposed in this case. This is a material consideration attracting substantial weight. Any such extension would affect the amount of daylight entering No 14's adjoining windows, which is already constrained by No 14's own extension. The extension proposed in this case would have no greater effect on No 14's rear windows in terms of daylight than that which the appellant would be entitled to build without formal consent.
8. No 10 has a small rear brick-built extension leading onto a substantial conservatory; its side wall faces towards the appeal property. Although the side wall contains glazing at a high level, it is built predominantly of brick. A high timber fence also separates the conservatory from the appeal property.
9. The conservatory's main glazing is therefore in its other walls, to the rear and at the far side, away from the appeal property, and in its roof. Accordingly, and given that the proposed extension would be sited away from the side boundary with No 10, and reasonably separated from the conservatory, I do not consider that the proposed extension would materially affect internal living conditions in the conservatory, with specific reference to sun- or daylight.
10. Since the high timber fence already referred to and the single storey brick extension already affect it, the kitchen window in No 10's rear wall would not suffer material loss of daylight as a result of the proposed extension being built.
11. The Council is concerned that the extension would appear overbearing to the residents either side. In my view, it would have no significantly greater visual impact on neighbours than their rear extensions/conservatory has on the appellants, and I do not consider these to be harmful in this regard. I am therefore content that the development would not cause harm in terms of its visual impact on the neighbouring residents.
12. I conclude that the development would not harmfully affect the living conditions of the neighbouring residents either side with regard to sunlight, daylight or visual impact. Accordingly, there is no conflict with those provisions of policy ST6 of the South Somerset Local Plan requiring new development not

to unacceptably harm the residential amenity of occupiers of adjacent properties.

**Conditions**

13. In the interests of visual amenity a condition in relation to materials is imposed.
14. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning.

**Other matters**

15. I have taken account of all other matters raised in the representations, and note the Council's view that some of the appellants' drawings may have been labelled incorrectly. However, especially having regard to the north point shown on the location plan, the drawings depict the appellants' intentions clearly, and any mislabelling should not be the cause of any misunderstanding in this respect. No other matter raised is of such strength or significance as to outweigh the considerations that led me to my conclusions.

*G Powys Jones*

INSPECTOR

**Schedule of Conditions**

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The materials to be used on the external surfaces, including the roof, shall match those of the existing building.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: the location plan and Drawing Nos. 817 01, 02 & 03.



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## Appeal Decision

Hearing held on 30 September 2014

Site visit made on 30 September 2014

**by R C Kirby BA (Hons) DipTP MRTPI**

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

Decision date: 27 October 2014

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**Appeal Ref: APP/R3325/A/14/2216466**

**Land at 327702 112050, Higher Beetham, Whitestaunton, Chard**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr K Parris against the decision of South Somerset District Council.
  - The application Ref 13/03145/FUL, dated 2 August 2013, was refused by notice dated 27 November 2013.
  - The development proposed is an agricultural building and associated hardstanding.
- 

### Decision

1. The appeal is allowed and planning permission is granted for an agricultural building and associated hardstanding at land at 327702 112050, Higher Beetham, Whitestaunton, Chard, in accordance with the terms of the application Ref 13/03145/FUL dated 2 August 2013, subject to the 8 conditions in the attached Schedule.

### Application for costs

2. At the Hearing an application for costs was made by Mr K Parris against South Somerset District Council. This application is the subject of a separate Decision.

### Procedural Matters

3. The site address described above was agreed between the parties at the Hearing as it more accurately describes the location of the appeal site than that described on the application and appeal forms.
4. At the Hearing, the appellant drew my attention to an error on drawing No 1208/103E which shows the side elevations of the new building. The East Elevation should read West Elevation, and the West Elevation should read East Elevation. No party would be prejudiced by this amendment and accordingly, I have determined the appeal on the basis of the plans submitted with the application and this amendment.

### Main Issues

5. The main issues are:
  - the effect of the proposal on the character and appearance of the Blackdown Hills Area of Outstanding Natural Beauty (AONB), having particular regard to the siting, scale and need for the building, and

- the effect of the use of the building on ground water, having particular regard to the local springs in the area.

## **Reasons**

### *AONB*

6. The appeal site is located within the open countryside, within the Blackdown Hills AONB. The primary purpose of the AONB designation is to conserve and enhance natural beauty, but in pursuing this main purpose account needs to be taken of the needs of agriculture, and the economic and social needs of local communities. An important characteristic of the AONB is its tranquil, rural and relatively remote landscape.
7. Policy EC2 of the South Somerset Local Development Framework (SSLDF) sets out criteria for major development in the AONB. In considering such proposals an assessment of need, alternative sites and mitigation will be considered. At paragraph 115, the National Planning Policy Framework (the Framework) advises that great weight should be given to conserving landscape and scenic beauty in AONB.

### *Need*

8. The appellant's holding in the vicinity of the appeal site is approximately 46 hectares, laid to grass. The land is used predominantly for grazing male cattle and non-dairy heifers and the mowing/conserving of grass to provide winter feed for them. The appellant lives and also farms at Birch Oak Farm, Yarcombe on a full Agricultural Tenancy. This farm is approximately 3 miles from the appeal site and is home to a dairy herd. The facilities at Birch Oak Farm have reached capacity and a letter submitted at the Hearing confirms that the owners of Birch Oak Farm are not prepared to allow further development at the farmstead.
9. The new agricultural building is required to over winter cattle which graze the pastures in the summer, for both bio security and animal welfare reasons. No evidence was submitted at the Hearing that there are any other suitable buildings upon the holding at Higher Beetham which could accommodate cattle. The dutch barn to the north west of the appeal site, is in a dilapidated condition and would be unsuitable for accommodating the number of livestock proposed.
10. The Framework advises that economic growth in rural areas should be supported and in order to support this, the development of agriculture should be promoted. Given the size of the holding at Higher Beetham and the lack of available facilities for overwintering cattle at the appellant's tenanted farm, I consider that there is a functional need for a building to over winter cattle. In reaching this conclusion, I have had regard to the comments of the Landscape Officer and the AONB Partnership in respect of need which are set out in the Officer's report to committee. I also note that support for the proposal was received from the local branch of the NFU.

### *Other sites*

11. Since the refusal of planning permission for a similar building on the appeal site, the appellant has been in discussion with Council officers to explore the possibility of finding an alternative site for the over-wintering facility. Several sites were looked at and were deemed not suitable by Council Officers because

Drainage Path Study suggest that further investigations would be necessary to identify the sub surface drainage paths from the site in order to fully assess the impact of the building on the private water supplies. Given the nature and scale of the building and that there are mechanisms to control run off from both the building and hardstanding I consider that such investigation would be disproportionate to the nature and scale of the proposal. The concerns relating to seepage of waste and effluent from the building could be addressed through the imposition of suitably worded planning conditions relating to drainage, and also through the detailed design of the front and sides of the building.

19. Furthermore, I must have regard to the fact that there is a separate regulatory system that controls private water supplies. Private water supplies are tested by the Council and there are measures that can be taken if the water supply is found to be unsafe. Moreover, the control of waste and drainage provision in relation to agricultural development is controlled and enforced by the Environment Agency. Farmers are required to follow the DEFRA guidance *Protecting our Water, Soil and Air – A Code of Good Practice for Farmers, Growers and Land Managers*. It must be assumed that the pollution control regimes will be properly applied and enforced. In light of the foregoing, I am satisfied that the new building would not pose a significant risk to the quality of local water supplies. There would therefore be no conflict with the objectives of Policy EP9 of the SSLDF in relation to pollution control.

#### **Other Matters**

20. Concerns have been raised by local residents that the proposal would result in highway safety issues. An existing field gate would be used to access the site and a new track would be provided to the proposed building. I note from the Officer's report to Committee that the Highway Authority raised no objections to the proposal. Furthermore, highway safety did not form one of the Council's refusal reasons. In the absence of substantive evidence to the contrary, I have no reason to reach a different conclusion to the Highway Authority and Council in this respect.
21. Local residents have raised concern about the effect of the building on their living conditions, particularly as a result of odours from the building. The new building is separated from residential properties by a native hedge and part of a field, and in between are existing agricultural buildings at Higher Beetham Farm. Given these characteristics, I consider that the proposed use of the building would not be harmful to existing living conditions as a result of smells from the building. However, a more intensive agricultural use of the building could occur which may result in harm to living conditions. I consider that this should be controlled to protect the amenities of local residents.
22. The Freshmoor Site of Special Scientific Interest is located to the north east of the appeal site. There are archaeological sites within the vicinity of the appeal site. However, I have no substantive evidence that the proposal would adversely affect either of these features. Accordingly I am only able to attach limited weight to these matters.
23. Local residents have drawn my attention to a legal agreement on the appeal site. This agreement prevents any buildings being constructed on the land unless an application for planning permission is submitted. The appellant has submitted such an application and there is therefore no conflict with the Legal

agreement dated 20 February 1996 relating to the conversion of the barns at Higher Beetham Farm.

### **Conditions**

24. The Council has suggested a number of conditions in writing which it considers would be appropriate were I minded to allow the appeal. The conditions were agreed between the 2 main parties within the Statement of Common Ground. An additional condition relating to the design of the building to prevent the discharge of effluent from it was discussed at the Hearing. The appellant and Council have agreed a form of wording in respect of this. I have considered the suggested conditions below, in accordance with the advice on conditions within the Planning Practice Guidance.
25. A condition is necessary to ensure that the development is carried out in accordance with the approved plans. In the interests of the character and appearance of the area, conditions are necessary to control the materials to be used for the development, the surfacing of the access track, to control external lighting and to ensure that the site is suitably landscaped. In the interests of sustainable development and to protect ground water supplies, a condition relating to the submission of a drainage scheme for surface water and foul water is necessary. In order to prevent the discharge of effluent from the building, a condition requiring details of the design of the feed trough, concrete pad and gates to the building is necessary. A condition preventing the building from being used for intensive livestock rearing is also necessary to ensure that the living conditions of nearby residents is protected.

### **Conclusion**

26. For the above reasons, and having regard to all other matters raised, the appeal is allowed.

*R C Kirby*

INSPECTOR



## **SCHEDULE**

### **CONDITIONS**

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan SM2; Drawing Nos 1208/101; 1208/102; 1208/103; 1208/104 and 1208/105.
3. Notwithstanding the details shown on the approved plans, no development shall take place until details relating to the design of the feed trough, concrete pad and gates to the side elevations have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No development shall take place until samples/details of the materials to be used in the construction of the external surfaces of the building and access track have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. No development shall take place until both foul and surface water drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
6. No development shall take place until full details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The submitted scheme shall include measures to manage and maintain the existing field boundaries. All planting comprised in the approved details of landscaping shall be carried out in the first planting 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 5 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 approval to any variation.
7. No external lighting shall be installed until details of an external lighting scheme have been submitted to and approved in writing by the Local Planning Authority. External lighting shall only be carried out in accordance with the approved scheme.
8. 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 shall not be used for the purposes of intensive pig or poultry livestock rearing or the accommodation of livestock other than cattle or sheep.

## **APPEARANCES**

### FOR THE APPELLANT

Mr Kevin Parris	Appellant
Mrs Susan Parris	Appellant's wife
Mr Sheamus Machin	Agent

### FOR THE COUNCIL

Mr Michael Hicks	Planning Officer
Cllr Ros Roderigo	District Councillor
Cllr Sue Osborne	District Councillor

### INTERESTED PARTIES

Mr Andrew Warren	Local resident
Mr John Hunt	A.P.Chant Building Services
Mrs Hilary Cumming	Local resident
Mr Ian Cumming	Local resident
Mrs Mary Herring	Local resident
Miss Marion Edwards	Local resident

## **DOCUMENTS SUBMITTED AT THE HEARING**

1. Copy of letter from Balfours dated 16 September 2014
2. Copy of aerial photograph showing appeal site in relation to Higher Beetham Farm
3. Copy of DEFRA Document 'Protecting our Water, Soil and Air - A Code of Good Agricultural Practice for farmers, growers and land managers'

## **DOCUMENTS SUBMITTED AFTER HEARING**

1. Blackdown Hills Area of Outstanding Natural Beauty – Design Guide for Houses Pp1, 4 and 5
2. Copy of legal agreement dated 20 February 1996 in respect of Higher Beetham Farm
3. Suggested wording of condition 3



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## Costs Decision

Hearing held on 30 September 2014

Site visit made on 30 September 2014

by **R C Kirby BA (Hons) DipTP MRTPI**

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

Decision date: 27 October 2014

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### **Costs application in relation to Appeal Ref: APP/R3325/A/14/2216466 Land at 327702 112050, Higher Beetham, Whitestaunton, Chard**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Mr K Parris for a full award of costs against South Somerset District Council.
  - The Hearing was in connection with an appeal against the refusal of planning permission for an agricultural building and associated hardstanding.
- 

### **Decision**

1. The application for an award of costs is refused.

### **The submissions for Mr K Parris**

2. The Planning Committee ignored technical advice relating to possible pollution and advice on the impact of the development on the Area of Outstanding Natural Beauty (AONB), having regard to the social and economic well being of the AONB and the farming community within it.
3. Since a previous planning application was refused, the appellant had gone to extraordinary lengths to meet the concerns raised. The application was refused for a second time on reasons which ignore common sense and basic government advice.
4. The appellant considers that the Council acted unreasonably in refusing the application and unnecessary and wasted expense in preparing for and attending the appeal has been incurred as a result.

### **The response by South Somerset District Council**

5. The Council contend that it is not uncommon for members of the Committee, in this case the Area West Committee, to make a decision, contrary to the Officer recommendation.
6. The Committee was not satisfied on the basis of the information submitted with the application that there was a need for the new building. For example no evidence was submitted to explain why the building could not be provided at Birch Oak Farm. The Committee therefore considered that there was not sufficient justification to allow a building in the AONB where that building impacts on landscape character.

7. In respect of ground water supplies, the Committee considered the report prepared by On Tap and also the appellant's Drainage Path Study. Inaccuracies in the appellant's report concerned the Committee with reference being made to boreholes where none were present. Concern was also expressed that the appellant did not respond to local residents' concerns about possible pollution of the shallow wells from where drinking water is obtained. The Committee therefore considered that the concerns raised about possible pollution had not been satisfactorily addressed and there was therefore uncertainty as to the impact of the livestock building on private water sources.
8. In view of the above, the Council contend that it did not act unreasonably. In reaching its decision the Committee considered all the evidence for and against the proposal. The application was debated at length in a public forum which was well attended by members of the public.

### **Reasons**

9. The Planning Practice Guidance (PPG) was published on 6 March 2014. It advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
10. The PPG provides examples of circumstances which may lead to an award of costs against a local planning authority. These include preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations; vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis and failure to produce evidence to substantiate each reason for refusal on appeal.
11. In respect of the appeal proposal, whilst I reached a different conclusion to the Council in respect of the need for the development and the building's impact of the proposal on the AONB, I am satisfied that the Council produced evidence to substantiate its concern. Furthermore, in terms of need, at the application stage, the Council did not have evidence to demonstrate why the building could not be provided at Birch Oak Farm. It was not until the Hearing that a letter was submitted from the owner of this farm stating that the Estate was not prepared to allow further development at this farmstead.
12. In terms of the building's impact on private water sources, the evidence submitted was not conclusive from either the appellant or interested parties. Whilst I found in favour of the appellant, and considered that the concerns raised could be suitably addressed by planning conditions, the Council did not act unreasonably in refusing the application on this basis. Furthermore, I am satisfied that the Council produced evidence to substantiate its concern.
13. In light of the foregoing, I find that unreasonable behaviour resulting in unnecessary expense, as described in the PPG has not been demonstrated.
14. For the reasons given above, I refuse the application for an award of costs.

*R. C Kirby*

INSPECTOR

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## Appeal Decision

Inquiry held on 23 - 25 April 2014, and 24 September 2014

Site visit made on 25 April 2014

**by Anthony Lyman BSc(Hons) DipTP MRTPI**

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

**Decision date: 4 November 2014**

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**Appeal Ref: APP/R3325/A/13/2210545**

**Land at Gold Well Farm, Yeovil Road, Crewkerne, Somerset.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
  - The appeal is made by Gleeson Developments Ltd against South Somerset District Council.
  - The application Ref 13/02941/OUT is dated 17 July 2013.
  - The development proposed is residential development of up to 110 dwellings, plus associated open space (including allotments and areas of habitat enhancement), foul and surface water infrastructure, internal footpaths, cycle routes and estate roads and an access on to the A30.
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### Decision

1. The appeal is dismissed.

### Application for Costs

2. At the Inquiry an application for costs was made by Gleeson Developments Ltd against South Somerset District Council. This application is the subject of a separate Decision.

### Preliminary Matters

3. The application is made in outline with all matters except means of access reserved for future determination. I have determined the application on that basis, although I have had regard to the illustrative Development Concept Plan which indicates how the development would be carried out.
4. I undertook an accompanied site visit on 25 April and other unaccompanied site visits to the area both during and after the close of the Inquiry. On the evening of 24 April 2014, I viewed the site from parts of the Monarch's Way footpath and the public right of way to the north of the site.
5. The appeal was made against the Council's failure to determine the application. Subsequently the Council's Area West Committee resolved to defend the appeal on a number of grounds, one of which relating to archaeology was resolved before the Inquiry. The two remaining areas of concern to the Council related to the impact on landscape character and the accessibility of the site.

6. At the time the Inquiry opened, it was agreed between the parties in the Statement of Common Ground (SoCG) that the Council could not demonstrate a five year housing land supply (HLS). It was further agreed that paragraph 49 of the National Planning Policy Framework (the Framework) was engaged and that development plan policies relevant to the supply of housing were, therefore, not up-to-date. After the Inquiry closed, the Council wrote to the Planning Inspectorate on 11 June 2014, advising that a five year HLS could now be demonstrated and that this would be considered further at the resumed Local Plan Examination that month.
7. In view of this fundamental change in the Council's position, the Inquiry re-opened on 24 September 2014 to hear evidence from both parties on the revised five year HLS.

### **Main Issues**

8. The main issues are, i) the effect of the proposed development on the character and appearance of the surrounding countryside and the A30 corridor, ii) the sustainability of the site with regard to accessibility to local services, iii) the effects of other material considerations including potential public benefits and housing land supply on the planning balance.

### **Reasons**

#### *Background*

9. The appeal site comprises five fields in open countryside just outside the existing settlement boundary of the market town of Crewkerne. The proposal seeks outline permission for up to 110 dwellings, including 35% affordable homes, to be accessed from a new road and traffic light controlled junction on the A30.
10. On the opposite side of the A30, outline permission has been granted for a large residential development on the Crewkerne Keysite also known as the CLR site, allocated in the South Somerset Local Plan (the Local Plan) adopted in April 2006. The first phase of over 200 dwellings has full planning permission and preparatory work for the new access road to serve that development from the southern side of the A30 had started before the opening of the Inquiry. This new road will eventually form the Crewkerne link road between the A30 and the A356 and is intended, amongst other things, to take some through traffic out of the narrow streets in the historic town centre and to provide improved access to an industrial area.
11. The appeal site forms part of a more extensive area known as the Longstrings site which was put forward alongside the CLR site in the deposit draft Local Plan, to accommodate future growth in Crewkerne. Subsequently, it was considered that the town did not need two large strategic sites and, prior to the Local Plan Inquiry, the Council proposed the deletion of the Longstrings site. However, the Local Plan Inspector in 2003 recommended that the CLR site should be deleted from the plan and the Longstrings site reinstated mostly on environmental and landscape grounds which the Inspector considered preferable. In making that recommendation, the Inspector opined that the site would not have an unacceptable damaging impact on the setting of the town, provided the higher most prominent parts of the area were kept free of development and the existing hedgerows,

green lanes and field patterns were retained. The higher, more prominent parts of the proposed Longstrings allocation, include areas of the appeal site.

12. The Council did not accept the Inspector's recommendation and the Longstrings allocation was not included in the adopted Local Plan. The Council considered that the benefits that would arise from the development of the CLR site, including the link road giving better access to employment areas and removing some through traffic from the town centre would be greater than would be generated by the Longstrings site, and that these CLR benefits would outweigh any visual impact on the landscape.

*Character and appearance – surrounding countryside*

13. Crewkerne nestles in a hollow surrounded by rising ground on several sides. As the settlement has grown, development has largely spread up the hillsides from the town centre with some of the most recent development having taken place on the hilltop plateau to the north. Little development has taken place on the outward facing slopes of the hills. Consequently, on the approach to Crewkerne from Yeovil along the A30, most of the town on the inward facing slopes is concealed from view by the wooded hills, apart from a relatively modern residential development along Ashlands Road and Middle Hill.
14. The Ashlands Road development together with the cluster of buildings associated with Higher Easthams Hill Farm lie to the south-west of the site with high hedgerows alongside a public right of way predominantly buffering views of the dwellings. The A30, in a deep tree lined cutting, forms the south-eastern boundary. The other two sides of the roughly rectangular site abut Gold Well Farm buildings and the surrounding open countryside. The undulating site slopes generally downhill to the east and to the north. There is a small coombe valley along the northern edge.
15. The appeal site and the surrounding countryside have no established landscape designation. Nevertheless, that does not mean that the area is not a valued landscape which the Framework advocates should be protected and enhanced. It is a highly attractive undulating landscape in which the relatively small fields, said by the Council to be pre-C17<sup>th</sup> ancient enclosures, are largely defined by well established hedgerows and intermittent mature trees. The site acts as an intimate scale buffer between the town's built edge and the larger agricultural rolling fields of the surrounding landscape. The area has intrinsic character and beauty, which the Framework, in one of its core planning principles, advocates should be recognised.
16. A Peripheral Landscape Study (PLS) for Crewkerne dated March 2008, was prepared as part of the evidence base to inform the allocation of new development sites in the emerging South Somerset Local Plan (formerly the draft Core Strategy). The appeal site is within an area defined as the "Northern Hillsides" local character area. The study identifies that the hillside slopes with their faces away from the town, their clear rural expression, and with hedgerows offering a buffering function to the development on the plateau, are of high landscape sensitivity, with which I agree. Nevertheless, there are some parts of the appeal site which have more moderate landscape sensitivity.

17. The illustrative Development Concept Plan shows the retention of most of the important hedgerows with housing largely compartmentalised within existing field boundaries to help minimise visual impact and to retain the historic field pattern of the area. The internal estate roads would largely make use of existing gaps in the hedges, retaining as much of the vegetation as possible. Field No. 4 which is particularly prominent in short and long distant views is shown as 'open space parkland' and would remain undeveloped with further tree planting.
18. The site is visible from a number of public vantage points. From the Monarch's Way long distance footpath, close to Rushy Wood Farm, the site can be clearly seen mainly against a backdrop of trees along the A30 and on the ridge. Although from this viewpoint dwellings in Ashlands Road can be seen, generally that development is screened by vegetation. The CLR site is also visible from this viewpoint, but it is not as prominent as the appeal site as it is slightly more distant and partly obscured by the A30 tree belt.
19. In views from the Monarch's Way and the A30 on the approach to the town, the proposal would appear to fill in the rural green buffer between the CLR site and the Ashlands Road/Middle Hill development. This would substantially erode the local landscape character, cumulatively extending the visual massing of urban development into the landscape of high sensitivity. The appellants have suggested that one and a half storey housing on some of the sloping land would reduce visual impact. However, I am not convinced that this design feature would significantly reduce the massing impact of the tiered built development.
20. There are much closer views of the site from the nearby public right of way which runs roughly parallel with the site, eastwards from Middle Hill. Once walkers along this footpath have left the Middle Hill development, they are very quickly within an area of tranquil and deeply rural character with mature hedgerows, wildlife and attractive views over the surrounding undulating countryside, as I experienced on my evening walk along this path. From various viewpoints substantial parts of the appeal fields can be seen relatively nearby against the backdrop of trees. The proposed development on the elevated land to the south of the path would be highly prominent, visually intrusive and would significantly harm the quality of the tranquil countryside environment enjoyed by the users of the path.
21. The CLR site is largely obscured from these views due to the topography and the tree belt. Consequently, from this footpath the proposed development would be seen as an isolated, incongruous projection of urban development into this highly nuanced and intimate landscape. The urbanising impact of over 100 dwellings in these fields would be further exaggerated by the lights from numerous cars, windows, external house lighting and potentially street lighting. I do not consider that the proposed dwellings, particularly on the more elevated parts of the site would be adequately screened to mitigate their adverse urbanising impact, even allowing for the eventual growth over time of the proposed tree belts.
22. The PLS noted that in previous landscape studies the CLR site was also considered to be highly visible, poorly related to the town and lay over the outward falling slopes of this character area. Nevertheless, the Council considered that the multiple benefits of that scheme, over and above any



that might arise from the Longstrings site, outweighed the potential landscape harm.

23. In conclusion, I am not persuaded by the appellant's contention that *the design of the proposed residential scheme fully respects the form, character and setting of the locality*. The development would have a significant and adverse impact on the character and quality of the local landscape particularly when viewed from nearby publicly accessible vantage points, contrary to the objectives of saved Local Plan Policies ST5 and EC3.

#### *Character and appearance – A30 corridor*

24. The A30 provides a delightful, distinctive approach to Crewkerne in a deeply incised man-made cutting, the steep sides and shoulders of which are heavily wooded. The access to the site would involve substantial engineering works including, excavating into the deep northern side of the cutting and into the bank beyond to form a wide bell mouth on to the A30 and the inclined sinuous access road into the development. Steep earthwork banks and extensive retaining walls would also be created. These works would necessitate the felling of a substantial area of trees and shrubs which line the cutting. The appellants argued that the existing roadside vegetation on the embankment comprises mainly self seeded trees and shrubs of low quality. Irrespective of the individual quality of plants, cumulatively they create a distinctive and attractive landscape feature of the area.
25. Replanting with native trees and shrubs would be included in the scheme. Nevertheless, the distinctive character of the A30 approach to Crewkerne would be significantly eroded by the substantial highway works and the loss of trees and shrubs to create the access. The works on the south side of the A30 to provide the CLR link road will lead to some erosion of the distinctive character of the former turnpike road. However, with the consented access in place, the A30 would still retain its containing wooded embankment opposite thereby largely preserving the incised tree lined appearance. The cumulative effect of the proposed access would be to create an extensive open highway junction, of a scale which would harm the distinctive character and appearance of the approach to Crewkerne. The extensive lengths of retaining walls, (albeit using local materials), and the potential introduction of highway lighting would be further urbanising features which would appear incongruous at the entrance to a small historic market town. I conclude that the proposed access arrangements would be contrary to the environmental objectives of saved Local Plan Policies ST5 and EC3.

#### *Sustainability and accessibility*

26. Crewkerne is a market town with a wide range of services and facilities and is recognised as a sustainable location for further residential development. The emerging South Somerset Local Plan identifies Crewkerne as one of the 'Primary Market Towns' wherein *provision will be made for housing, employment, shopping and other services that increase their self containment and enhance their role as service centres*. At the time this Inquiry opened, the examination of the emerging plan had been suspended by the examining Inspector. However, the main areas of concern to the Local Plan Inspector (LPI) did not relate to Crewkerne's proposed designation as a sustainable location for development. Following the resumed local plan examination in June 2014, the Inspector asked the Council to consult on a

small number of further modifications including a suggested amendment to Policy SS5 to allow a permissive approach to housing proposals adjacent to development areas of towns and rural centres, including Crewkerne, until such time as a Sites Allocation Development Plan Document is adopted. That consultation exercise had not been completed at the time that this Inquiry re-opened.

27. There was no dispute between the parties that the development would generate substantial economic benefits for Crewkerne through the increased support for local businesses by future occupants and the significant investment in the local economy during the construction phase. The proposal would also generate significant social gains through the provision of market and affordable houses. Nevertheless, most of the residents of the proposed development would be highly dependent on the private car as the proposed development would not be sustainably located in relation to the facilities of Crewkerne, having regard to the distances involved, highway infrastructure and local topography.
28. The centre of the proposed residential area on the appeal site would be, with a few exceptions, within about 1.25 to 2.5km of most of the town's shops, first and middle schools, health and employment facilities. The most direct route from the site to the majority of the facilities would be along the A30 which mostly slopes downhill to the town centre. The pavements alongside the road are, in places, relatively narrow and inclined and the heavy traffic in peak periods detracts from the enjoyment of the walk. I am not convinced that the nature of the largely historic highway infrastructure in Crewkerne and the gradient, particularly along Mount Pleasant, are conducive to encouraging increased walking or cycling, particularly for the elderly, disabled or parents with children. Interested parties at the Inquiry stated that cycle usage in the town was very low, due the narrowness of the roads and the traffic, and this appears to be confirmed in the appellants' traffic surveys and my own observations during my visits to the town.
29. With reference to documents such as Manual for Streets, the appellants considered that 800m is a 'comfortable' distance to walk and that 2km is a 'reasonable' walking distance, although not a maximum. I agree with these generalised statements. However, the Maiden Beech Middle School, which caters for children aged 9 to 13, is on the southern side of Crewkerne approximately 2.5 km from the site. Despite the differing advice on acceptable walking distances in various documents referred to by the appellants, in reality, given the nature of the route to that school along the busy A30 and through the town centre, I can well understand reservations that parents might have about allowing their children as young as 9, to walk to the school unsupervised. The alternative for parents would be to spend hours each day walking the round trip of 5km twice or to take the car which the appellants accepted may not be a real alternative for some of the occupants of the affordable houses in the scheme.
30. The public transport services in the town would not assist with this situation. At the time the Inquiry opened, there were regular bus services passing relatively close to the appeal site. Nevertheless, it was stated at the Inquiry that financial support for rural buses was being reduced and that funding for the No. 47 bus route along the A30 would be likely to cease in June 2014. Although I have been given no further evidence on this matter,

the appeal site would be left with only a limited bus service to the town centre along Ashlands Road, (other than college buses). The level of service would not be conducive to encouraging residents of the proposed development to reduce the use of their cars.

31. The Framework confirms the need for people to be given a real choice about how they travel and advocates, amongst other things, that developments should be located to give priority to pedestrian and cycle movements, have access to high quality public transport facilities, and should consider the needs of people with disabilities by all modes of transport. Nevertheless, the Framework also recognises that in different communities, different sustainable transport solutions will be required and will vary from urban to rural areas.
32. The Framework confirms that travel plans are a key tool to promote the sustainable development credentials of a site. The appellants' travel plan sets out a range of measures to facilitate and encourage sustainable modes including, amongst other things, the appointment of a travel plan coordinator; residential travel information packs; green travel vouchers for every household; information relating to the provision of home broadband, cycle routes, bus and rail timetables; measures to encourage walking and cycling and the setting up of a cycle users' group. The travel plan also includes improvements to the existing transport network, such as the provision of town centre cycle parking, bus shelters, the introduction of dropped kerbs and tactile pavements. School travel contributions are also suggested.
33. The highway authority accepted the travel plan and confirmed that the peak hour traffic generation would have no detrimental impact on the local highway network. The Council's transport consultant on the travel plan stated - *Without the benefit of detailed local knowledge, my view is that these measures (in the travel plan) are about as good as can reasonably be achieved. My view is that what will be achieved by these initiatives, or similar, is necessary for the development to be suitably sustainable.* This does not appear to me to be a resounding endorsement of the travel plan and does not confirm that the measures would actually be achieved. Ward councillors and Crewkerne Town Council gave evidence at the Inquiry and considered that, from their detailed local knowledge, the proposed measures in the travel plan would not achieve the shift in modal choices, even to the extent of the small percentage sought.
34. Many of the measures included in the travel plan would be implementable. However, on the evidence before me, I am not convinced that future residents of the new development would have a real choice about how they travel as advocated by the Framework. The travel plan has a built-in monitoring and review mechanism to get the objectives 'back on track' if the anticipated modal shift is not being achieved. However, given the specific circumstances relating to Crewkerne and the appeal site, it is not clear on the evidence before me, how the travel plan could be altered or what new incentives could be introduced to make the required percentage change more achievable. I conclude that, in reality, future residents of this site would be likely to be reliant on the use of private cars and that therefore, the development would fail to satisfy the sustainable transport objectives of the Framework and Policy ST5 of the Local Plan.

35. The appellants argued that many of these accessibility issues were no different on the CLR site for which permission had already been granted. However, that site was allocated in the adopted local plan and the Council resolved to grant permission, subject to completion of s106 Agreements, before the publication of the Framework with its sustainable development provisions. I must determine this appeal on the specific circumstances before me.

*Other matters – Housing land supply*

36. At the outset of the Inquiry, both parties accepted that the Council could not demonstrate a five year HLS and that, therefore, in accordance with paragraph 49 of the Framework, relevant policies for the supply of housing were not up-to-date. For that reason the Council confirmed at that time, that Policy ST3 (Development Areas) of the adopted Local Plan was no longer applicable to constrain housing to within development limits and that development on sites outside the adopted boundaries was acceptable in principle.
37. Subsequently, after the close of the Inquiry, the Council advised that it had reviewed the housing situation in preparation for the resumption of the Local Plan Examination in June 2014. The outcome of that review was that the Council maintained at the Examination, that a robust five year HLS could be demonstrated based on data to 31 March 2014. By the time that this appeal Inquiry re-opened in September, the Council had updated the figures further to 31 July 2014, and claimed a supply of 5 years and 5 months.
38. The appellants disputed that a 5 year HLS existed, claiming that both the housing requirement calculation and the housing land supply figures were flawed. In their rebuttal proof to the re-opened Inquiry, the appellants also argued that little weight should be given to the Council's updated evidence and that the Inquiry should focus on the full 31 March 2014 assessment, which was the document on which the decision to re-open the Inquiry was taken. I am not persuaded by this latter argument as I must have regard to the evidence put to the Inquiry.
39. Planning Practice Guidance (PPG) advises that up-to-date housing requirements and the deliverability of sites to meet a five year supply will have been thoroughly considered and examined prior to adoption, in a way that cannot be replicated in the course of determining individual applications or appeals. The Court of Appeal Judgement relating to Hunston Properties Limited<sup>1</sup> similarly found that, *"It is not for an Inspector on a Section 78 appeal to seek to carry out some sort of local plan process as part of determining an appeal, so as to arrive at a constrained housing requirement figure. An Inspector in that situation is not in a position to carry out such an exercise in a proper fashion, since it is impossible for any rounded assessment similar to the local plan process to be done. That process is an elaborate one involving many parties who are not present at or involved in the Section 78 appeal."*
40. The emerging South Somerset Local Plan (2006-2028) has not yet been adopted. Nevertheless, it is at an advanced stage having been through two

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<sup>1</sup> St Albans City and District Council v Hunston Properties Ltd and Secretary of State for Communities and Local Government, [2013] EWCA Civ 1610.

rounds of examination in May/June 2013 and June 2014. Consultation on the LPI's main modifications has been undertaken and the Inspector's final report is anticipated in the not too distant future.

41. With regard to the PPG advice and the Hunston Judgement above, it is not for me to carry out a forensic analysis of the housing statistics. Nevertheless, I will address the broader issues advanced by the appellants in disputing the five year HLS, considering first the housing requirement.

#### *Housing requirement*

42. Policy SS5 of the emerging Local Plan sets out a housing requirement figure of 15,950 which equates to an annual requirement of 725 homes. In the summary proof of evidence to the re-opened Inquiry, the appellants stated that *it has been agreed with the Council that the emerging housing provision of 15,950 dwellings (725 per year) should be used for the purposes of the five year land supply calculation. Matters not in dispute are (amongst other things) – the annual provision of 725 dwellings.*
43. However, in the main proof of evidence the appellants argued that 15,950 does not represent the full objectively assessed housing needs and may therefore, be subject to legal challenge. According to the appellants this was because the full affordable housing need identified in the Strategic Housing Market Assessment 2009 (SHMA) of 659 affordable homes per year had not been included. Nevertheless, in the subsequent rebuttal proof of evidence, the appellants' witness stated – *Whilst I am not suggesting that the 659 affordable dwellings should be added to the 725, it is clear that the actual needs are higher than 725 units per year.* However, the appellants did not suggest what they considered the actual needs figure should be.
44. PPG advises that the amount of affordable housing to be included in objectively assessed need should realistically reflect the amount that can be delivered by market housing led developments. The Council's methodology and its requirement of 15,950 dwellings or 725 units per year has been scrutinised at the Local Plan examination, and has not been the subject of concern in the LPI's recent preliminary findings. There is no suggestion that the housing position adopted by the Council is unsound or is not properly evidence based. It is reasonable to assume, therefore, that the figures will be retained in the adopted plan as the most up-to-date objectively assessed need, which carry significant weight in this appeal
45. I note the appellants' arguments that these are constrained figures rather than full objectively assessed need and that a section 78 Inquiry can only look at supply against need. Nevertheless, the appellants have not provided convincing evidence as to why I should depart from these figures which, for the purposes of this Inquiry, were agreed in the SoCG.

#### *Housing land supply*

46. The appellants disputed the likely windfall projections in the Council's calculations and the rate of delivery from a number of the sites based on their experience and *particular insight into landownership, viability and planning process issues which stand between achieving an allocation and delivering a completed home.* The appellants claimed that from their experience some of the site projections are *'overly optimistic'* and opined

that 625 dwellings should be deleted from the five year HLS in relation to these sites and that a further 44 windfall dwellings should be removed from the calculations.

47. The windfall projections, the deliverability of the sites and their contribution to housing supply over the next five years of the plan period were the subject of discussions at the Local Plan Examination, which the Council described as 'thorough'. The LPI raised no concerns about these sites or their projected delivery in his preliminary findings, and they are not the subject of main modifications. Having regard to the advice in PPG, it is not appropriate for me to re-visit the in-depth Local Plan Examination, on the basis of the opinions of another developer. Furthermore, it is reasonable to assume that those individual developers/promoters working closely with the Council over a long period of time would have a better, in depth understanding of their own sites and their ability to finance and deliver houses than the appellants.
48. Whilst I do not doubt the expertise of the appellants' witness in these matters generally, I attach little weight to the appellants' criticism of the contents of some of the Statements of Common Ground between the Council and the promoter/developers of individual sites which were presented in evidence to the Local Plan Examination only a few months before this Inquiry re-opened. Following the round table discussion at the re-opened Inquiry, I have considered all of the appellants' concerns about the housing land supply. However, I conclude that the appellants' arguments based on 'experience' and 'opinion' fail to demonstrate convincing justification for dismissing the Council's detailed and considered housing land supply assessment to which I attribute significant weight in this appeal.
49. The appellants also challenged the Council's partial roll-forward of housing land supply information to 31 July 2014, arguing that all components of both requirement and supply should have been updated, in particular, completions and any lapsed permissions over the extended period. I agree that any update should be comprehensive. The Council subsequently confirmed that during the four month period, from 31 March to 31 July 2014 there had been no lapsed planning permissions. In their rebuttal proof of evidence, the Council, recognising the appellants' concerns, re-calculated the five year HLS to take account of the shortfall in completions throughout the four month period. This increased the backlog to 970 dwellings, resulting in a total five year requirement of 5,320 homes, made up as follows:  $(725 \times 5) \times 20\% + 970$ . Against a claimed land supply of 5,789 dwellings, this gives a supply comfortably in excess of five years as at 31 July 2014.
50. Housing land availability is a snapshot in time which constantly changes. I am satisfied that it was appropriate for the Council to provide the re-opened Inquiry with the most up-to-date information available, which in this case was to 31 July 2014.

#### *Under-delivery and application of the buffer*

51. The Council does not dispute that there has been persistent under-delivery of housing in previous years of the plan period and that the backlog should be accounted for using the Sedgfield method. In the circumstances, the application of a 20% buffer, in accordance with paragraph 47 of the Framework, is agreed between the parties. I have no reason to disagree.

52. The dispute between the parties is whether the 20% buffer should be applied to the five year requirement or to the five year requirement plus the backlog. The appellants argued that the application of the buffer should include the backlog, thereby increasing the five year housing requirement, and reducing the HLS to less than five years based on 31 March 2014 assessment. The Framework makes clear that the buffer is to ensure choice and competition in the market for land, that it should be supply brought forward from future years of the plan period. I am persuaded by the Council's argument that applying the buffer to the sum of the five year requirement and the backlog would increase the total housing requirement over the lifetime of the plan, and that this approach would represent a penalty on the Council which is not intended by the Framework. I conclude that, having also had regard to various appeal decisions referred to me by both parties, the appellants' claim that the buffer should be applied to the backlog as well as 5 year requirement has not been justified.
53. Notwithstanding my conclusion, even if the 20% buffer was applied to the revised backlog of 970 dwellings set out in paragraph 49 above, the housing requirement would increase by 194 units. Given the housing figures at 31 July 2014 also set out in paragraph 49 above, this would still leave the Council with sufficient surplus to satisfy the five year housing requirement.

*Housing conclusion*

54. Having regard to the recent preliminary findings of the LPI following the resumed local plan examination in June this year, and on the evidence before me, I conclude that on the balance of probability, the Council has demonstrated a five year supply of deliverable housing land. Consequently, paragraph 49 of the Framework is not engaged and local plan policies relevant to the supply of housing are up-to-date, subject to their consistency with the Framework as set out in paragraph 215.

**Overall Planning Balance**

55. The Framework seeks to boost significantly the supply of housing. Given my conclusion on the Council's 5 year HLS however, the appeal site is not required to meet the area's identified housing need. Therefore, little weight can be attached to the release of this unallocated, greenfield site to meet housing need.
56. The settlement boundaries within which Policy ST3 seeks to contain development are not up-to-date with regard to paragraph 215 of the Framework. Nevertheless, the objectives of Policy ST3, to resist unsustainable development that does not enhance the environment and encourages growth in the need to travel, are still relevant and accord with the Framework which confirms a presumption in favour of sustainable development.
57. The proposal would generate substantial economic benefits during the construction phase and through the ongoing support for local businesses in Crewkerne by future occupants of the new dwellings. The scheme would also provide a mix of housing types and tenure, including affordable housing at the Council's preferred rate, thereby satisfying the social dimension of sustainable development. In terms of environmental gain, the proposal

would involve tree and hedge planting and would create an area of public open space where currently there is no public access.

58. On the other hand, there would be significant harm to the character and appearance of the countryside and the distinctive qualities of the A30 corridor, in conflict with the development plan policies referred to earlier and the policies of the Framework to conserve and enhance the natural environment. Furthermore, the lack of realistic sustainable transport options and the failure to demonstrate convincingly, that future occupants would have a real choice about how they travel, other than the predominant use of the private car, contrary to the objectives of Policy ST3 and ST5, carry significant weight against the proposal. Although Crewkerne is a sustainable location, having regard to the provisions of the Framework, the appeal proposal on this site would not represent sustainable development.
59. The main modification to Policy SS5 of the emerging South Somerset Local Plan would allow for a permissive approach to be taken when considering housing proposals adjacent to the development area at, amongst other places, Crewkerne. Given the advanced stage of the document, the amended draft Policy carries weight. However, the Policy does not imply that the permissive approach should over-ride all other harmful considerations.
60. Boosting significantly the supply of housing will inevitably require housing to be built on some greenfield sites which will result in changes to local environments. Nevertheless, the substantial and specific harm to the natural environment that would arise from this development, and the shortcomings of the location in terms of its accessibility and sustainability would significantly and demonstrably outweigh the acknowledged benefits of the proposal. Therefore, I conclude that the appeal must fail.

### **Planning Obligation**

61. A signed and dated s106 Obligation was submitted by the appellant. This would secure the affordable housing and commit the appellant to making financial contributions to a number of facilities and services to mitigate the impact of the development if permission were to be granted. The Council and the County Council submitted evidence to justify the contributions sought. However, given my conclusion on the appeal, there is no need for me to consider this matter further.

### **Conclusion**

62. For the reasons given above and having had regard to all other matters raised, including various appeal decisions and judgements of the courts<sup>2</sup> referred to by the parties, the appeal is dismissed.

*Anthony Lyman*

INSPECTOR

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<sup>2</sup> Including: - i) St Albans City and District Council v Hunston Properties Ltd and Secretary of State for Communities and Local Government, [2013] EWCA Civ 1610. ii) Gallagher Estates Limited & Lioncourt Homes Limited v Solihull Metropolitan Borough Council [2014] EWHC 1283 (Admin)



## **APPEARANCES**

### FOR THE LOCAL PLANNING AUTHORITY:

John Pugh-Smith & Victoria Hutton                      Of Counsel

Called

Robert Archer	Landscape Architect – South Somerset District Council
Councillor Mike Best	Chairman of the Council and Local Member for Crewkerne Town Ward
Adrian Noon	Team Leader – Planning – South Somerset District Council
David Anthony Clews	Corporate Planning Officer – Somerset County Council
Lynda Pincombe	Community Health and Leisure Manager – South Somerset District Council
Paul Wheatley	Principal Spatial Planner – South Somerset District Council

### FOR THE APPELLANT:

Christopher Boyle                      Queen's Counsel

He called

Graham Floyd	Floyd Matcham - Chartered Landscape Architects
James Bevis	i-Transport LLP
Robert Sellwood	Sellwood Planning

### INTERESTED PERSONS:

Councillor John Dyke	Local Member for Crewkerne Town Ward
Councillor Angie Singleton	Local Member for Crewkerne Town Ward
Mrs J Warner	Crewkerne Town Council

## **DOCUMENTS**

### **Submitted at the Inquiry by the Council**

- 1 Opening Statement on behalf of the Council
- 2 Supplementary Statement of Common Ground
- 3 Email from John O'Brien dated 17 April 2014
- 4 Decision Notice re 07/04736/Ful

- 5 Unilateral Undertaking re Maiden Beech, dated 13 August 2010
- 6 Report to Area West Committee re 05/00661/OUT
- 7 Minutes of the Area West Committee held on 14 December 2011
- 8 S106 Agreement between Taylor Wimpey and South Somerset District Council, dated 31 January 2013 re Crewkerne Key Site
- 9 S106 Agreement between Taylor Wimpey and Somerset County Council, dated 31 January 2013 re Crewkerne Key Site
- 10 SHLAA 2010 Extract
- 11 Community, Health and Leisure Service Planning Obligations re 2 bed dwelling
- 12 Community, Health and Leisure Service Planning Obligations re 1 bed dwelling
- 13 Two maps showing distribution of Octagon Theatre customers
- 14 Closing submissions on behalf of South Somerset District Council dated 25 April 2014
- 15 Copies of Local Plan Policies ST3, ST4, ST5

**Submitted at the Inquiry by the Appellant**

- 1 Supplementary Transport Evidence dated 17 April 2014
- 2 Summary Proof of Evidence re Graham Floyd
- 3 Summary Proof of Evidence re R M Sellwood
- 4 S106 Agreement dated 25 April 2014
- 5 Closing Submissions on behalf of Appellants dated 25 April 2014
- 6 Appellants' Suggested Modified Land Supply
- 7 Officer Report on Planning Application 14/01055/OUT
- 8 Letter from Jamie Lewis to David Norris dated 2 September 2014
- 9 Extract from Council's Housing Monitoring Report – January 2014
- 10 Timetable relating to two appeals in Chard
- 11 Council's Housing Land Supply Paper (June 2014)

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## Costs Decision

Inquiry held on 23 - 25 April 2014 and 24 September 2014.

Site visit made on 25 April 2014

**by Anthony Lyman BSc(Hons) DipTP MRTPI**

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

**Decision date: 4 November 2014**

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### **Costs application in relation to Appeal Ref: APP/R3325/A/13/2210545 Land at Gold Well Farm, Yeovil Road, Crewkerne, Somerset**

- The application is made under the Town and Country Planning Act 1990, sections 78, 320 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Gleeson Developments Ltd for a partial award of costs against South Somerset District Council.
  - The inquiry was in connection with an appeal against the failure of the Council to issue a notice of their decision within the prescribed period on an application for planning permission for residential development of up to 110 dwellings, plus associated open space (including allotments and areas of habitat enhancement), foul and surface water infrastructure, internal footpaths, cycle routes and estate roads and access on to the A30.
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### **Decision**

1. The application for an award of costs is refused.

### **The submissions for Gleeson Developments Ltd**

2. With reference to paragraph 49 of the Planning Practice Guidance (PPG) the local planning authority have behaved unreasonably by delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and other material consideration. The Council failed to produce evidence to substantiate their second area of concern and on appeal produced only vague, generalised assertions about the proposal's sustainability which were unsupported by any objective analysis.
3. The Council argued that the submitted travel plan was not achievable, contrary to the views of highway experts. The Council instead relied on 'local knowledge' which it claimed, had not been used to inform the travel plan. On the contrary, the concerns of local ward members had been made known to both the County Council and the Council's own transport expert Vectos. Many of the measures in the travel plan were not challenged by the Council as to whether they could be implemented and local members appeared ignorant of the monitoring and review provisions built into the travel plan.
4. The Council had other reasons for resisting the proposal, including concerns about the impact of the development on the viability of the large approved scheme opposite the appeal site on the southern side of the A30.
5. The outstanding matters relating to the second area of concern were capable of resolution, but Members were reluctant to accept that solution. No expert

witnesses were called to support the continued opposition to the travel plan. No part of the 'local knowledge' was unknown to the transport experts who had reached agreement and therefore, there was no objective justification for continuing to refuse to accept the advice of both the Council's own expert and the applicants' consultant. That disagreement resulted in the discussions at this Inquiry with all the associated costs for which a partial award of costs is sought.

### **The response by South Somerset District Council**

6. The Council is of the view that most of the travel plan could be implemented and it is incorrect of the applicant to claim that the Council's case was completely contrary to that of the County Council and their own expert Vectos. However, the Council do not believe that the travel plan would be fully achievable in that it will not offer a 'real choice' to the residents of the proposed development. Neither the County Council nor Vectos commented upon this issue. The National Planning Policy Framework requires there to be 'real choice' of transport modes and therefore, it was proper and lawful for the Council to pursue this argument.
7. The Council has backed up its case with a significant amount of evidence based on substantial local knowledge which highlighted errors in some of the applicants' evidence, thereby highlighting the benefit of local input. The Council took a policy compliant approach regarding the travel plan. Their conclusion that the travel plan was not sufficiently achievable to make the development sustainable was entirely properly based on evidence derived from local knowledge, which the County Council and Vectos did not have in formulating their opinions.
8. PPG does not list disagreement with another government body or an independent expert as an example of unreasonable behaviour, although the Council recognises that the list is not exhaustive. The Council has not acted unreasonably in this regard.

### **Reasons**

9. PPG advises that costs may be awarded where a party has behaved unreasonably and this has directly caused another party to incur unnecessary or wasted expense in the appeal process. Local planning authorities are encouraged to rely only on reasons which stand up to scrutiny on the planning merits of the case.
10. The Council's second argument against the proposal is in two parts. The first part relates to the Council's view that the site is too distant from services and facilities and that the route via the A30, due to its configuration, gradient and traffic would not be attractive to cyclists, pedestrians or anyone with impaired mobility. The second part related to the submitted travel plan which the Council considered did not demonstrate satisfactorily that future residents would have a real choice of transport modes and would, therefore, have to rely on the private car.
11. The first part of the argument is largely subjective. Having been invited to walk the route and having regard to the evidence of local people who live in Crewkerne and experience its traffic issues daily, I concluded in my parallel decision that those concerns had substance. In view of this conclusion, the

paucity of public transport and the circumstances particular to Crewkerne, I concluded that it was difficult to see how the agreed travel plan could realistically achieve a shift in transport modes. Although the travel plan included provisions for monitoring and review, little evidence was provided as to how the plan could be modified, if the required modal shift was not achieved. The Council's own consultant concluded that without local knowledge the travel plan was about as good as can reasonably be achieved. The fact that the Council did not fully endorse the highway authority's acceptance of the plan does not amount to unreasonable behaviour, provided there were adequate grounds for that stance.

12. The evidence of local ward councillors and Crewkerne Town Council, regarding the achievability of the travel plan was based on detailed local knowledge and was to my mind convincing and carried weight. It was not vague or generalised and was sufficient to substantiate the Council's second concern regarding this appeal. The discussions on this matter at the Inquiry were entirely justified.
13. Therefore, I find that unreasonable behaviour resulting in unnecessary expense, as described in PPG, has not been demonstrated and that an award of costs is not justified.

*Anthony Lyman*

INSPECTOR

# Agenda Item 14

## Schedule of Planning Applications to be Determined by Committee

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

### Purpose of the Report

The schedule of planning applications sets out the applications to be determined by Area West Committee at this meeting.

### Recommendation

Members are asked to note the schedule of planning applications.

**Planning Applications will be considered no earlier than 7.00 pm.**

Members of the public who wish to speak about a particular planning item are recommended to arrive for 6.50 pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
14	WINDWHISTLE	14/01289/FUL	Alterations to include demolition of building, conversion of outbuilding to form 2 No. dwellings, the erection of a single storey extension and the erection of a detached garage. (GR 339505/113272)	Barns At Lower Dairy Wood Close Lane Allowenshay	Messrs Rutter Brothers
15	BLACKDOWN	14/03678/FUL	Installation of 4.08MW solar farm, access, associated infrastructure and landscaping (GR 330614/108791)	Land Part Of Wambrook Farm Weston Road Wambrook	Sunsave 19 (Wambrook) Ltd

Further information about planning applications is shown below and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda had been prepared.

## **Referral to the Regulation Committee**

The inclusion of two stars (\*\*) as part of the Development Manager's recommendation indicates that the application will need to be referred to the District Council's Regulation Committee if the Area Committee is unwilling to accept that recommendation.

The Lead Planning Officer, at the Committee, in consultation with the Chairman and Solicitor, will also be able to recommend that an application should be referred to District Council's Regulation Committee even if it has not been two starred on the Agenda.

## **Human Rights Act Statement**

The Human Rights Act 1998 makes it unlawful, subject to certain expectations, for a public authority to act in a way which is incompatible with a Convention Right. However when a planning decision is to be made there is further provision that a public authority must take into account the public interest. Existing planning law has for many years demanded a balancing exercise between private rights and public interest and this authority's decision making takes into account this balance. If there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues then these will be referred to in the relevant report.

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# Agenda Item 15

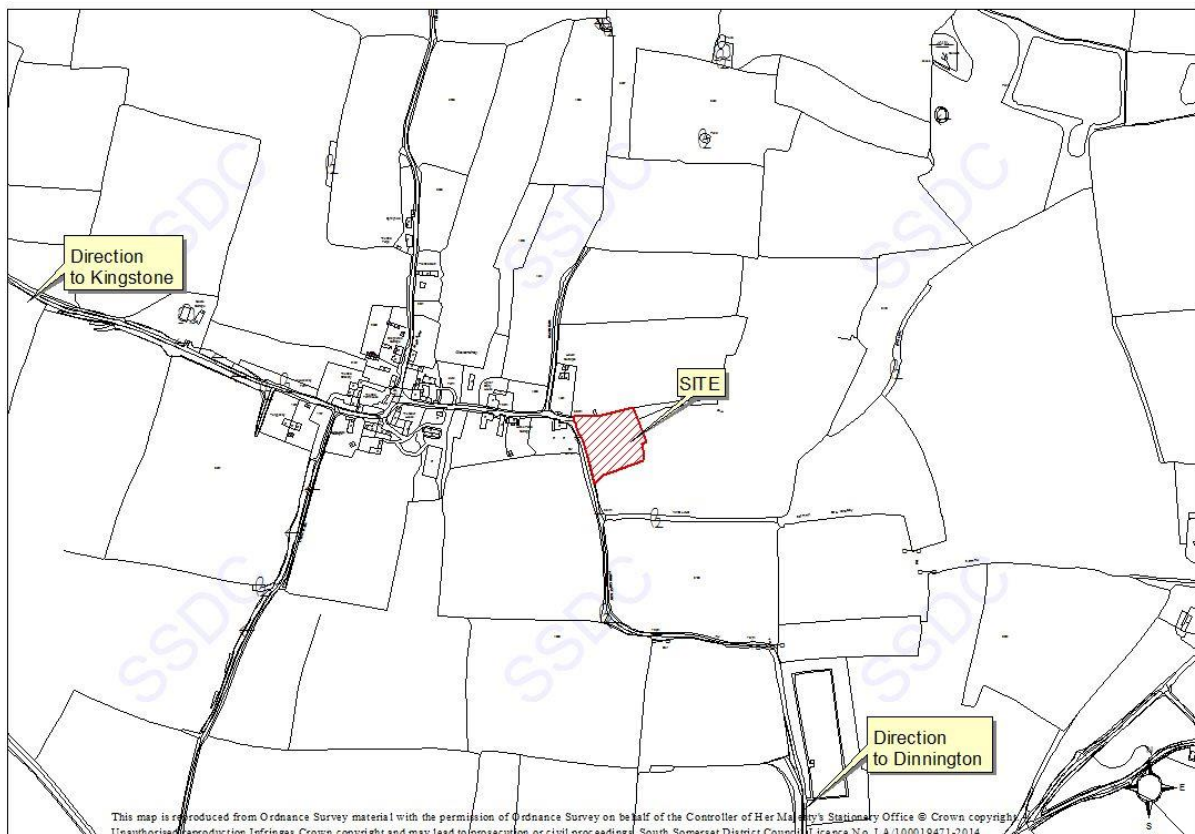
## Officer Report On Planning Application: 14/01289/FUL

<b>Proposal:</b>	Alterations to include demolition of building, conversion of outbuilding to form 2 No. dwellings, the erection of a single storey extension and the erection of a detached garage. (GR 339505/113272)
<b>Site Address:</b>	Barns At Lower Dairy Wood Close Lane Allowenshay
<b>Parish:</b>	Kingstone
<b>WINDWHISTLE Ward (SSDC Member)</b>	Cllr S Osborne
<b>Recommending Case Officer:</b>	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
<b>Target date:</b>	4th July 2014
<b>Applicant:</b>	Messrs Rutter Brothers
<b>Agent: (no agent if blank)</b>	James Ewart Fox 55 The Park Yeovil Somerset BA20 1DF
<b>Application Type:</b>	Minor Dwellings 1-9 site less than 1ha

### REASON 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, to enable the concerns of the Environmental Protection Officer to be fully debated.

### SITE DESCRIPTION AND PROPOSAL







The application relates to a pair of barns situated to the west of Allowenshay; the barns sit adjacent to an existing agricultural unit. The barns are otherwise surrounded by open farm land with a residential property directly opposite. The barns are constructed in local natural stone with red bricks quoins and double Roman roof tiles.

The application proposes the conversion of the larger barn into two 2-bedroom properties with the demolition of a small lean-to to be replaced by a small timber extension. Also proposed is the demolition of the smaller barn to allow for a driveway and parking area and a new timber garage to provide parking for each property. The application covering letter advises that the proposal includes for the development to be served by a new borehole.

The application is supported by a wildlife survey and, in response to concerns raised regarding the private water supply in the village, the applicant submitted a Hydrogeological Assessment. A further statement has also been submitted with regard to the proximity of the existing agricultural uses/buildings and the proposed residential conversions.

The site lies within the open countryside.

**HISTORY**

78912 - Erection of a building for use as a silage store and accommodation for cattle. Approved 1967.

**POLICY**

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

considerations indicate otherwise.

#### Relevant Development Plan Documents

Saved policies of the South Somerset Local Plan:

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EC8 - Protected Species

EU4 - Water Services

National Guidance

National Planning Policy Framework (NPPF) - March 2012:

6 - Delivering a wide choice of high quality homes.

7 - Requiring good design.

11 - Conserving and enhancing the natural environment

12 - Conserving and enhancing the historic environment

### **CONSULTATIONS**

#### **Allowenshay and Kingstone Parish Meeting:**

'The reuse of the existing barn buildings is generally accepted but there are issues which must be addressed and resolved if planning approval is to be granted.

The issues are:

1. Use: The District Council supports the principle of promoting workplace homes in the countryside outside development areas. This development is an opportunity to reuse the redundant agricultural buildings and provide a more sustainable development that will ensure future occupiers can work from home rather than having to drive elsewhere. The proposal offers two under-sized units with poor accommodation whereas a single residential unit with a workshop attached would preserve the integrity of the dairy as a place of work/employment, which would otherwise be lost forever.

2. Built Form: Although the buildings are not listed they represent an irreplaceable record of the past and contribute to the character of the hamlet. The barns form a cohesive group which it is proposed to destroy with the demolition of the north outbuilding. The demolition of the north building will have an impact on the character of the site. It is also considered that the proposal to use powder coated aluminium window sections is inappropriate and out of character to the surrounding properties.

3. Highways: The approach roads within the hamlet are of single vehicle width with only a limited number of passing spaces. The proposal for two dwelling units will result in increased traffic and aggravate the existing manoeuvrability on the highway.

4. Environmental Health: The proximity of the existing farm buildings to the planning proposal will have an impact on the residential units in respect of odours, noise and flies.

5. Water: The current water supply to the hamlet is by way of a private spring which is supplemented by a borehole in the centre of the village. The District Council Environmental Health department is aware that the supply of water to the Allowenshay community is under threat due to the deteriorating condition of the infrastructure and that the village is on notice by the water supplier that the system is not fit for purpose and will imminently need replacing. The applicant is proposing to provide a separate borehole for the use of the two dwellings but

there has been no assessment submitted to show what impact this will have on the effectiveness of the existing borehole in the hamlet which at present will have to continue to provide water to the community. Any proposal to provide water to the new development should be viewed in the context of the existing failing infrastructure and crumbling supply.

If the planning officer was minded to approve the application we would ask for the following:

1. Determination of the application be deferred until the issues above have been satisfactorily resolved
2. Permitted development rights should be withdrawn from each of the two dwelling units to ensure that inappropriate development to the historic fabric is controlled
3. The application should be determined by Area West planning committee so that members can understand the sensitive issues that are of concern to the Allowenshay community.'

### **County Highway Authority:**

Standing Advice

### **Environmental Protection:**

In relation to the issues regarding the proposed borehole:

'After further consideration of the Hydrogeological Assessment we understand that the proposed borehole for the new development will not affect the existing private water supply with regard to sufficiency.

Therefore we raise no objections to the development.

That said we would appreciate if an informative could be included advising that any future development that may depend on the borehole for its water supply will require a further hydrogeological assessment to be undertaken.

Firstly to confirm continued sufficiency of supply and also to insure that should the 20m<sup>3</sup>/day limit be reached then a license from the Environment Agency will be required.'

In relation to the proximity of the application barns and the agricultural barns/uses:

'I believe the future occupiers could well suffer from flies and odours etc. all associated with farming practices, would suggest that restricting the use of the remaining buildings to calf rearing only would not remove my concerns therefore would have to suggest the possible refusal of this application on grounds of potential loss of amenity to future occupiers.'

(Officer Note: Following a site visit by the Environmental Protection Officer, the applicant submitted additional information regarding possible restrictions to the occupation of the farm buildings and potential for the uses to be relocated nearer to the village but the Environmental Protection Officer maintains his objection and recommends refusal of the application.)

### **Environment Agency:**

Advise that the owner of the private water supply is responsible to ensure sufficiency at all times; guidance confirms that the owner of the supply needs to develop an emergency plan which should identify an alternative supply during times of insufficiency.

They request that informatives be attached with regard to abstraction licence; protection of legal waters; sustainable construction/water efficiency; pollution prevention during construction; and waste management.

**Wessex Water:**

Advise that waste water connections will be required from Wessex Water. Also advise that a public surface water sewer is shown on record plans as being within the application site and recommend that the applicant contact Wessex Water for further advice on this issue.

**Senior Historic Environment Officer:**

'As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.'

**REPRESENTATIONS**

15 letters of representation have been received: 5 in support with 10 responses objecting to initial application (without the Hydrogeological Assessment). The supporting responses make the following comments:

- Can see no good reason why the application should be refused.
- Very much in favour of derelict buildings being developed into dwellings.
- Wood Close Lane is little used and has passing places.
- Up to prospective purchaser to decide whether to live next to a working cattle farm.
- Proposal will not only retain the character of the area but enhance it greatly.
- Hope proposal will provide affordable housing.

The objectors make the following comments:

- There is a private water supply in the village (operated by Rutter Bros, the applicant) that it is not fit for purpose and needs replacing. The new borehole proposed could have a detrimental impact upon the village water supply. Request application is deferred until the water supply issues in the village have been resolved.
- If permission is granted it should be conditional upon the restoration of a satisfactory water supply before building works start and satisfactory surveys to show that new borehole would not affect output from another borehole nearby.
- Water supply has previously been contaminated.
- These buildings are last potential employment-generating space in the village; this development will sterilise any future employment use.
- Recognise difficulties with future re-use but would suggest a mix of residential and craft/office use in alignment with sustainability and employment policies. Previous live/work unit has been lost within the village.
- Object to the wanton demolition of the small stone barn which could easily be worked into the scheme. Loss of honest, vernacular stone buildings is unacceptable.
- Highly likely that applications will be made to extend the buildings once permission is issued; request permission is granted for one unit and plans revised for more realistically sized units.
- New dwellings will be very close to the farm animals and cattle and this is likely to cause problems of noise and smell.
- New properties should only be served by a new Water Authority mains water supply due to problems with water supply in the village.
- Request application is considered by Area West Committee.

In response to the submission of the Hydrogeological Assessment (and subsequent revision) an additional 3 letters of objection have been received emphasising some of the above points and making the following comments:-

- The Hydrogeological Assessment clearly demonstrates that there is no scope for any additional loading on the existing water supply infrastructure to the village.
- Report has been prepared without reference to the wider needs of the village; reinforces the view that the proposed development should be supplied by a new mains supply.
- It would be reckless to add to the water supply problems by granting permission for any new dwellings before the water supply issues for the village are resolved or a new mains supply provided.
- Note that the site for the existing borehole is shown in the wrong location in the report.
- Allowenshay residents must be involved in any decisions made about the water supply.

## **APPLICANTS CASE**

In response to the comments of the Environmental Protection Officer the applicant's agent submitted a statement and plan making the following points:

- The proposal is for two-bedroom properties which are apparently badly needed in the area.
- Anyone purchasing the barns will be aware of their proximity to the farm buildings and the purchase price will reflect this.
- Only young cows will be housed in the buildings, not pigs or poultry and only during winter when there are few flies.
- There have never been any complaints from the occupiers of the adjacent cottage; they support the application.
- If the calves have to be moved they will remain in Allowenshay into farm buildings within the village which may be of more concern to Environmental Health.
- If the calves were kept in the adjacent field they could move up to the boundary of the site.
- The majority of people love little calves and are not likely to object to their presence in the countryside.
- The calves would be kept on the parts of the barn furthest from the site and the rest of the buildings used for storage.

## **CONSIDERATIONS**

### **Principle**

Guidance within the National Planning Policy Framework (NPPF) now forms the predominant advice in terms of the conversion of rural buildings as the relevant Local Plan policies (EH6 and EH7) are not in compliance with the NPPF. The relevant paragraph within the NPPF states that re-use of redundant or disused buildings is acceptable where there is an enhancement of the immediate setting.

In addition, the recently released revision to the General Permitted Development Order 1995 allows for the conversion of agricultural buildings into 3 units of residential accommodation without the need for planning permission (subject to accordance with relevant requirements). As such, there is clear policy support for the conversion of redundant agricultural buildings into residential units. In this case, the buildings are in a rather poor state and the conversion will improve the immediate setting. Whilst the removal of the smaller building is regretted, it must be noted that this building is not protected and could be demolished at the present time without any need for planning permission.

As such, it is considered that there is in principle support for the conversion of the barn into residential accommodation.

## **Residential Amenity**

In terms of the potential impacts upon future occupiers the proposed dwellings are to be located in close proximity to a working farmyard and large agricultural buildings. The Environmental Protection Officer has raised a clear objection on this basis being concerned that future occupants would experience a poor standard of amenity resulting from noise, odour and other nuisances from the adjacent agriculture uses contrary to the aims of both the Local Plan and the NPPF. As can be seen above, the applicant and his agent have responded to the concerns of the Environmental Protection Officer but having considered all of the new information the Environmental Protection Officer maintains his objection.

With regard to the potential impacts upon existing nearby houses, it is not considered that the proposals will have any adverse impact upon existing residential properties near the application site as the new openings will not result in any unacceptable overlooking of the property opposite.

## **Water supply Issues**

Policy EU4 states that development will only be permitted where:

- existing or proposed water supplies are sufficient and wholesome, and do not adversely affect the water environment;
- Adequate drainage, sewerage and sewage treatment facilities are available or where suitable arrangements are made for their provision;
- In sewered areas, foul discharge from new development is connected to mains foul sewerage unless it is demonstrated that such a connection is not feasible.

In this case, there is clearly local concern about the current water supply for the village. It is important to note however that it would not be appropriate or reasonable to require the proposed development for two additional dwellings to resolve these issues. In accordance with the above policy, the applicant has been required to show that the proposal for a new borehole to serve the new dwellings would not adversely impact upon the current supply and thus the Hydrogeological Assessment was submitted to accompany the application. Both the Environment Agency and the Environmental Protection Team have examined the application and the Hydrogeological Assessment and on the basis of the evidence submitted neither has raised an objection to the proposal (both are fully aware of the water supply issues within the village). As such, subject to the imposition of appropriate conditions regarding the provision of a new borehole the application is considered to comply with policy EU4 and advice within the NPPF.

## **Design issues**

The existing building benefits from a number of openings which will be used in the new conversion and as such it is felt that the character of the building will be retained. Where new openings are proposed these are considered to be of an appropriate design that will respect the character of the building. In the main, the new openings are not on the publicly viewable elevations of the building.

The proposed garage will be timber clad and of a low key design which will sit appropriately within this rural context. As discussed above, whilst the demolition of the smaller barn is regretted this can be removed without the need for planning permission and as such it is not felt that the application could be reasonably refused on the basis of the loss of this small building.

Overall this is considered to be a well-designed scheme that respects the character of the

existing building and rural context. Conditions can be imposed to restrict extensions and alterations to the building as the plots are relatively small and extensions could result in overdevelopment.

### **Highways**

The access to the site has limited visibility but given that the entrance provides access to an existing farm site it is not considered that the proposal will result in an increase in traffic movements compared to what could be generated from the site. It is noted that the lane is unclassified and lightly trafficked and as such it is not considered that the proposal could be refused on the basis of adverse impact upon highway safety.

### **Protected Species**

The Protected Species Survey that accompanied the application identified that the barns have been used by nesting birds and are used as a roost site by small number of Brown long-eared bats. It advises that the conversion will require an EPS licence from Natural England and the inclusion of appropriate mitigation measures, appropriate conditions can be imposed to deal with these matters.

### **Summary**

Whilst this proposal accords with relevant policy with regard to re-use of farm buildings; impact upon amenity; and sufficient evidence has been submitted with regard to the water supply issue, it has not been possible to resolve the concerns regarding proximity of the dwellings to the remaining farm yard. As such, whilst in all other respects the application is acceptable; it is not possible to recommend approval when this important aspect cannot be resolved.

### **RECOMMENDATION**

Refuse

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

01. The proposed dwellings, by reason of their location adjacent to a working farmyard, would offer an unacceptable standard of amenity for future occupants, in respect of noise, pests and odour generated by the farmyard, contrary to the aims and objectives of the NPPF and saved Policy ST6 of the South Somerset Local Plan 2006.

### **Informatives:**

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
  - offering a pre-application advice service, and
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent worked with Planning and Environmental Protection Officers but it was not possible to overcome the significant concerns caused by the proposals.

# Agenda Item 16

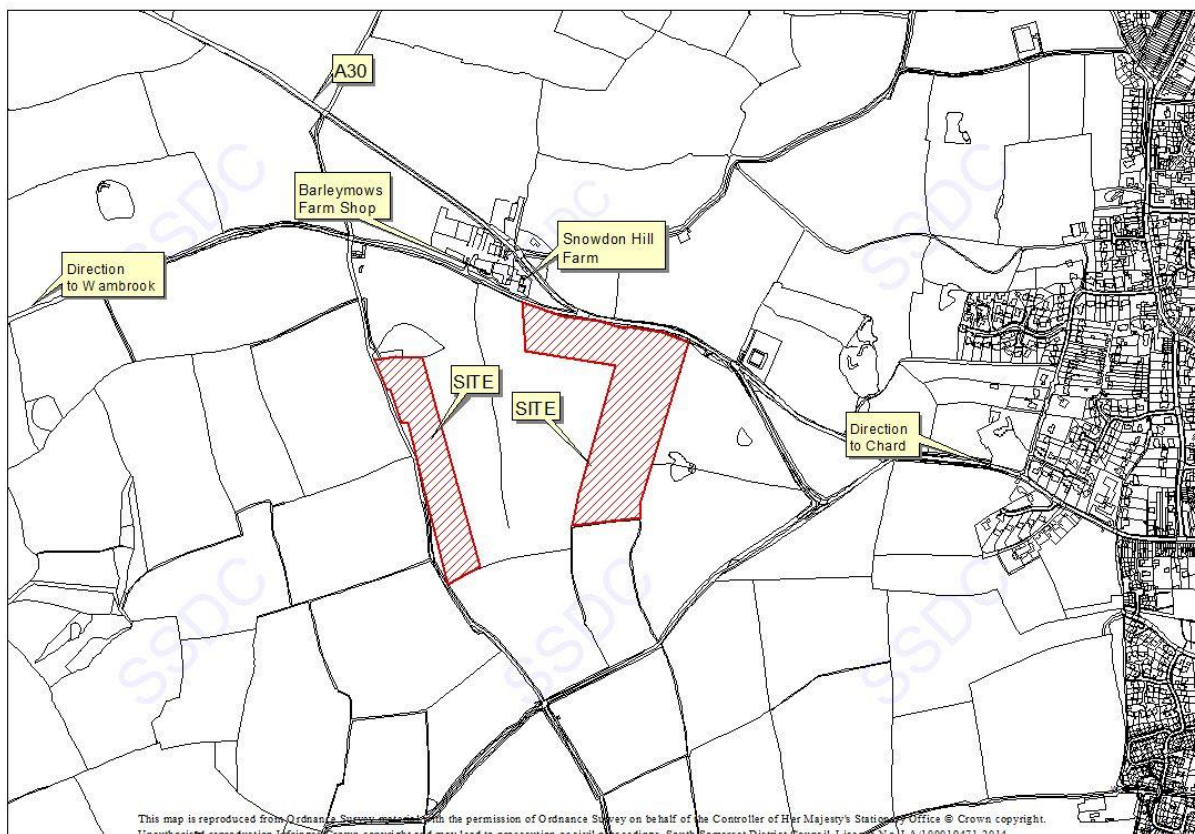
## Officer Report On Planning Application: 14/03678/FUL

<b>Proposal:</b>	Installation of 4.08MW solar farm, access, associated infrastructure and landscaping (GR 330614/108791)
<b>Site Address:</b>	Land Part Of Wambrook Farm Weston Road Wambrook
<b>Parish:</b>	Wambrook
<b>BLACKDOWN Ward (SSDC Member)</b>	Cllr R Roderigo
<b>Recommending Case Officer:</b>	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
<b>Target date:</b>	12th November 2014
<b>Applicant:</b>	Sunsave 19 (Wambrook) Ltd
<b>Agent: (no agent if blank)</b>	Miss Debbie Marriage Suite S10 Waterside Centre North Street Lewes East Sussex BN7 2PE
<b>Application Type:</b>	Major Other f/space 1,000 sq.m or 1 ha+

### REASON FOR REFERRAL TO COMMITTEE

The size of the proposed development is such that under the Scheme of Delegation the application must be determined by Committee.

### SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission to erect a 4.08Mw solar farm on two sites (Field 1 (runs alongside Palfrey's Lane; Field 2 runs south from the A30 with a field in between) with a combined area of 7.62 hectare site to generate electricity to feed into the national grid over a 25 year period, after which time the infrastructure will be removed and the land restored. The plans have been amended to reduce the size of the array; the original plans proposed a solar farm capable of generating 6.8Mw. The access has also been altered in order to address the concerns of the County Highway Authority. The application sites lie 1km to the east of Chard town centre, to the south-west of the A30. The Blackdown Hills AONB sits directly across Palfrey's Lane from Field 1. There is a farm to the north of the sites (across Weston Road) but other than that the sites are surrounded by fields.

The scheme seeks to erect photovoltaic panels to be mounted on metal posts driven into the ground with a maximum overall height of 2m, orientated to face south and arranged into rows aligned in a west to east direction. The ground beneath will be left to grass over to allow the land to be grazed. Other associated infrastructure includes inverters and transformers, security fencing, and maintenance track.

The application site covers agricultural fields (Grade 3b agricultural land), 7.62 hectares in area and is in an isolated open countryside location remote from any defined development areas with access currently derived via an existing farm access from Weston Road.

This application is supported by the following documents:

- Design and Access Statement
- Planning and Statement
- Landscape and Visual Assessment
- Ecological Survey and Biodiversity Management Plan
- Flood Risk Assessment
- Agricultural Land Classification Report
- Farm Diversification Justification
- Construction Traffic Management Plan
- Statement of Community Involvement
- Tree and Hedge Report

## **RELEVANT HISTORY**

14/03219/EIASS: Request for screening opinion from proposed ground based photovoltaic solar farm. Determined no EIA required 4/8/2014.

14/02420/EIASS: Request for screening opinion - ground based photovoltaic solar farm. Determined no EIA required 17/6/2014.

## **POLICY**

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

For the purposes of determining current applications the Local Planning Authority considers that the relevant development plan primarily comprises the saved policies of the adopted South Somerset Local Plan (2006). However, the emerging Local Plan which will replace the adopted Local Plan is in an advanced stage of adoption. The proposed 'Submission South

Somerset Local Plan (2006 - 2028)' was submitted to the Planning Inspectorate for Independent Examination in January 2013. A series of Examination Hearing Sessions were held during May and June 2013, which resulted in the Inspector issuing a Preliminary Findings Letter to the Council outlining some issues of concern. The Examination resumed in June 2014 following additional work being undertaken by the Council to address the Inspector's concerns. It is anticipated that the emerging Local Plan will be ready for adoption early in 2015. Having regard to the advanced stage in the adoption of the emerging Local Plan, emerging policies can be afforded some weight in determining the application.

Saved Policies of the Local Plan 2006:

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EC1 - Protecting the Best Agricultural Land

EC2 - Areas of Outstanding Natural Beauty

EC3 - Landscape Character

EC8 - Protected Species

EH1 - Development Proposals Affecting the Setting of Listed Buildings

Policies of Submission South Somerset Local Plan (2006 - 2028)

EQ1 - Addressing Climate Change in South Somerset

EQ2 - Design

EQ3 - Biodiversity

### **International and European Policy Context**

There are a range of International and European policy drivers that are relevant to the consideration of renewable energy developments. Under the Kyoto Protocol 1997, the UK has agreed to reduce emissions of the 'basket' of six greenhouse gases by 12.5% below 1990 levels by the period 2008-12.

Under the Copenhagen Accord (2010), the UK, as part of the EU, has since agreed to make further emissions cuts of between 20% and 30% by 2020 on 1990 levels (the higher figure being subject to certain caveats). This agreement is based on achieving a reduction in global emissions to limit average increases in global temperature to no more than 2°C.

The draft European Renewable Energy Directive 2008 states that, in 2007, the European Union (EU) leaders had agreed to adopt a binding target requiring 20% of the EU's energy (electricity, heat and transport) to come from renewable energy sources by 2020. This Directive is also intended to promote the use of renewable energy across the European Union. In particular, this Directive commits the UK to a target of generating 15% of its total energy from renewable sources by 2020.

### **National Policy Context**

At the national level, there are a range of statutory and non-statutory policy drivers and initiatives which are relevant to the consideration of this planning application. The 2008 UK Climate Change Bill increases the 60% target in greenhouse gas emissions to an 80% reduction by 2050 (based on 1990 levels). The UK Committee on Climate Change 2008, entitled 'Building a Low Carbon Economy', provides guidance in the form of recommendations in terms of meeting the 80% target set out in the Climate Change Bill, and also sets out five-year carbon budgets for the UK. The 2009 UK Renewable Energy Strategy (RES) provides a series of measures to meet the legally-binding target set in the aforementioned Renewable Energy Directive. The RES envisages that more than 30% of UK

electricity should be generated from renewable sources.

The 2003 Energy White Paper provides a target of generating 40% of national electricity from renewable sources by 2050, with interim targets of 10% by 2010 and 20% by 2020. The 2007 Energy White Paper contains a range of proposals which address the climate change and energy challenge, for example by securing a mix of clean, low carbon energy sources and by streamlining the planning process for energy projects. The Planning and Energy Act 2008 is also relevant in that it enables local planning authorities (LPAs) to set requirements for energy use and energy efficiency in local plans.

UK Solar Strategy Part 2: Delivering a Brighter Future (April 2014)

Sets out advice in relation to large scale ground-mounted solar PV farms and suggests that LPAs will need to consider:-

- encouraging the effective use of land by focusing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

## **National Planning Policy Framework**

Part 1 - Building a strong, competitive economy

Part 3 - Supporting a prosperous rural economy

Part 7 - Requiring good design

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

The NPPF outlines that local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:

- have a positive strategy to promote energy from renewable and low carbon sources;
- design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources; and
- identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for collocating potential heat customers and suppliers.

The NPPF further advises that when determining planning applications, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

The NPPF states that planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

In determining applications, the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

It is considered that the main thrust of the NPPF is to positively support sustainable development, and there is positive encouragement for renewable energy projects. However the NPPF reiterates the importance of protecting important landscapes, especially Areas of Outstanding Natural Beauty, as well as heritage and ecology assets.

#### Other Material Considerations

South Somerset Sustainable Community Strategy:

Goal 1 - Safe and Inclusive

Goal 3 - Healthy Environments

Goal 4 - Quality Public Services

Goal 5 - High Performance Local Economy

Goal 7 - Distinctiveness  
Goal 8 - Quality Development  
Goal 10 - Energy  
Goal 11 - Environment

South Somerset Carbon Reduction and Climate Change Adaption Strategy 2010- 2014

## **CONSULTATIONS**

### **Wambrook Parish Meeting:**

No comments received.

### **Tatworth and Forton Parish Council (adjoining Parish):**

Recommended refusal of both the original and amended plans due to the Area of Outstanding Natural Beauty.

### **County Highway Authority:**

In response to the amended plans, the County Highway Authority has confirmed that they have no objection to the application subject to the imposition of conditions relating to; the Construction Traffic Management Plan; a requirement that the access be perpendicular; and cleaning of highway during construction.

### **Landscape Officer:**

The Landscape Officer objected to the original application due to concern about possible visibility from sensitive receptors to the west. The Landscape Officer has now considered the amended plans which reduced the size of the array in Field 1 and has commented:

*'You will know that I considered the landscape case of the initial scheme to be finely balanced. In the final assessment it was the sensitivity afforded the site due to its Blackdowns setting, adding weight to the adverse character impact - as viewed from sensitive receptors within the AONB - that tipped the balance toward advising there to be sufficient landscape case upon which to base an objection. The main effects arising from the changes indicated by the amended plan (which shows the Field 1 array layout restricted to the lower land within that field) is to make the scheme less visible in the landscape, such that it is only elevated land to the northwest of the application site that potentially has view of the proposed array. The cumulative effect of the array and the aerobic digesters at Snowden Hill Farm is also reduced - albeit marginally.*

*The proposed changes do not dispense with the landscape and visual impacts noted in my initial response, but I do consider the adverse effects of the proposed development to potentially be partially reduced by this amended layout. However, if we can also agree some additional landscape treatment at the north edge of the array, then I believe we may arrive at a scheme where the landscape balance is no longer weighted against this application. To that end, I would suggest additional tree and shrub planting is undertaken all around the head of the disused quarry site (and within its upper sides if conditions allow) to provide a substantive woody feature in the landscape, which will heighten screening potential as viewed from the north and northwest, and provide a landscape feature that assists the separation of this site from the Snowden Hill ADs to the north.*

*If the applicant is agreeable to these landscape works, in tandem with the amended layout,*

*then the landscape case is no longer so substantive as to provide over-riding grounds for objection.'*

**Blackdown Hills AONB Partnership:**

Comment that given the close proximity of the site at one of main gateways to the Blackdown Hills, seen in association with the AONB that it is quite appropriate to consider this application in relation to its impact on the AONB. They consider the application in light of the relevant policies of the Blackdown Hills Management Plan 2014-19 and advise:

*'It appears that the location and siting has been considered by the applicants in order to minimise visual impact and the impact on landscape character, being self-contained units within the established field pattern, surrounded by mature hedges, hedgerow trees and small copses. The introduction of industrial, urban features into open countryside will inevitably have some impact on local character, however the reduction in size and extent of the array in Field 1 would seem to reduce the appearance and visibility of the arrays from public viewpoints, and together with the filtering effects of topography and vegetation it is considered that the impact on the AONB would ultimately be of limited extent.'*

They request that consideration be given to the use of dark hues for all structures; avoidance of lighting; a landscaping management plan; locally characteristic hedgerows; and establishment of a local community fund.

**Natural England:**

Raised no objection and have referred to their standing advice and Technical Information Note with regard to Solar Parks

**Ecologist (SSDC):**

'I'm satisfied with the submitted ecological survey report and I don't have any particular concerns. I've also noted comments from the RSPB and the revised Biodiversity Management Plan. I recommend its implementation should be required by condition.'

**RSPB:**

No comments on updated plans. (Officer Note: The fencing has been relocated and the Biodiversity Management Plan updated in order to address the comments of the RSPB)

**Archaeology:**

Having received the results of a geophysical survey of the site the County Archaeologist confirms that given the largely negative results they do not require any further archaeological investigations in the area.

**Environment Agency:**

No objection but recommends imposition of informatives.

**Climate Change Officer:**

Supports the application.

**NATS:**

No safeguarding objection.

**MOD:**

No safeguarding objections.

**Area Engineer:**

Confirms that there are no drainage issues with regard to the proposal.

**REPRESENTATIONS**

20 representations have been received: 14 in support with 6 responses objecting to the development. The supporting responses make the following comments:

- Proposal is environmentally friendly; renewable energy is essential to safeguard the future
- Proposal will not be seen by any local residents
- Without solar panels, huge electric power stations would increase which is worse for the environment.
- Proposal is well hidden and not near any houses.
- Solar is the greenest form of energy
- The land is of poor quality (Grade 3) and can be returned to agricultural use
- Other solar farm on A303 is more visible and near a house
- Little traffic will enter and exit the site once development is complete.
- Solar generation of electricity is part of government policy; it is clean, does not monopolise land on which it stands and is benign
- Have no objections to the bio digester which is close to application site and AONB and visible from the village - this has been passed by planning.

The objectors make the following comments:

- Misuse of agricultural land with a long tie - 30 years; the grazing of sheep for a few weeks of each year does not constitute agricultural use.
- There are no immediate benefits to the community ; the power will be sold to the usual providers and any employment will be short term (construction)
- Biodiversity and environmental claims are very optimistic and unlikely.
- Approval would create a precedent for the continuing nibbling away at agricultural land close to towns/villages.
- Appalled at the offer of £25,000 by Vogt Solar for the use of the village - this surely constitutes a bribe. Suggest the money is unnecessary.
- Suggest that the views expressed in the LVIA (Landscape and Visual Impact Assessment) are different than those who live and work in the vicinity. Disagree with the LVIA that the impact is insignificant. Deciduous planting will offer only limited screening during a significant part of the year.
- Believe that the plan has an adverse impact upon the integrity of the Landscape Character of the Blackdown Hills AONB. The proposal erodes the existing landscape character and so paves the way for similar projects.
- South Somerset does not yet have a Renewable Energy Strategy or Local Development framework - without one in place it is hard to measure the contribution this proposal would make to renewable energy targets.
- The proposal will make Palfrey's Lane a no go zone for horse riders in the area.

- Suggest the use of brown field sites and roofs of industrial buildings are preferable as suggested by the CPRE.
- Request that adherence to a habitat management programme is written into the permissions
- Do not believe that the benefits of the scheme outweigh the impact upon the landscape.
- Proposal is adjacent to an existing agro-industrial area which is unsightly with no screening in place. A survey of residents showed a majority (70%) were opposed to the Vogt proposal.
- A change in legislation could allow for the extension of the 25 years or the re-classification of the land as a 'brown field' site.
- The landowner has rejected the idea of the community buying an equal share of the land to ensure restoration of the site.
- The Statement of Community Involvement contains false and misleading information.
- A drawing submitted as part of the original application has been manipulated to make the arrays look further apart than they are.
- Community benefit offered by the developer is low when compared with the industry norm. Community benefits have not been maximised.
- The Planning Statement uses transparently false argument to claim that less than 4% of land is lost to the solar farm and contains numerical errors.
- The Biodiversity Management Plan gives a completely misleading impression
- The Design and Access Statement is unfit for purpose.
- Some of the supporting documents are deficient in accuracy and content.
- Covering agricultural land with pv panels is another example of misguided government policy.

## **CONSIDERATIONS**

This application is seeking planning permission to erect a 4.08MW solar farm on two sites totalling 7.62 hectares comprising agricultural fields in the open countryside, remote from any development areas, directly abutting the Blackdown Hills AONB. The solar farm comprises the erection of solar arrays (arranged in rows from west to east and orientated to face south), inverter housing, transformer, communications and switchgear buildings, security fencing, and maintenance track. The development is sought for a 25 year period, after which time the infrastructure will be removed and the land restored.

The main considerations for this application are considered to relate to the principle of the development, landscape character and visual amenity, impact on ecology, impact on archaeology and highway safety.

### **Principle:**

Part 10 of the National Planning Policy Framework (NPPF) states that local authorities should "have a positive strategy to promote energy for renewable and low carbon sources" and "design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts". Additional supplementary guidance National Planning Practice Guidance (NPPG), published in March, accompanies the NPPF and is referred to in the policy section above.

In terms of the land classification, the site is designated as Grade 3b agricultural land and therefore is not considered to be the 'best and most versatile' land. A planning condition restricting the development to 25 years is considered to be reasonable and conditions can also be imposed to require appropriate restoration and continued agricultural use of the land.



In any event, the array could be removed before then should the landowner wish to revert to agriculture or use of the array to generate electricity cease.

The applicant has confirmed that during the operating lifetime of the solar farm the site will be available for grazing and it is acknowledged that the scheme incorporates additional landscape planting and biodiversity enhancements. In this regard the development is considered to comply with the aims and objects of the NPPF and its accompanying practice guidance and to be acceptable in principle.

#### **Landscape character and visual amenity:**

The Landscape Architect has carried out a thorough assessment of the proposal and assessed the submitted Landscape and Visual Impact Assessment and, in his view, with the proposed landscape mitigation the proposal will not result in such a significant adverse impact as to justify a refusal on landscape grounds. The Landscape Officer notes that the application sites occupy a hilltop location with both sites being physically and visually divorced from Chard, which is the nearest settlement. Field 1 (to the west) falls gently to the west and as such inclines toward the AONB whose boundary runs along the site's west edge. Field 2 (east) lies over relatively level ground at the head of the plateau. The Landscape Officer comments that both fields are broadly typical of the scale and openness of the fields that lay over the heads of the Blackdowns' dissected plateau, characteristically defined by managed hedgerows that correspond in most part to a rectilinear field pattern. The Landscape Officer further comments that the hedges of Field 2 offer a substantive degree of enclosure, due to the site's plateau head situation and specimen trees within the hedgerow but enclosure of Field 1 is less due to the site's falling ground. The plans were therefore amended to reduce the size of the array on Field 1.

In the view of the Landscape Officer, the proposals disrupt neither the fabric nor the pattern of the landscape, and landscape components within and defining the site will remain in evidence. The array will be a passive element within the landscape as it does not generate sound or movement. Whilst it is accepted that the PV panels can be viewed as industrial in nature and therefore at variance with the rural context, it is accepted that the panels will be set low in the ground and with the existing on site hedging and tress and the additional planting that is proposed they can be accommodated in the landscape without undue landscape impact. The Landscape Officer concludes that the amended scheme will be less visible in the landscape such that it is only elevated land to the north-west of the application site that potentially has view of the proposed array. With the additional planting that has been agreed the Landscape Officer advises that the landscape case is no longer so substantive as to provide over-riding grounds for objection.

Therefore, subject to the imposition of conditions to secure appropriate landscape proposals and secure restoration of the site the proposal is not considered to raise any substantive landscape or visual amenity concerns.

#### **Residential amenity:**

There are no residential properties immediately adjoining the site, those to the north of site are considered to be sufficient distance away as to not be adversely impacted by the proposal.

#### **Access and highway safety:**

The plans have been amended to alter the access to the site; use will now be made of an existing access further along Weston Road to ensure that construction vehicles will not be

held up near the A30. This will require the crown lifting of a beech tree adjacent to the access along with coppicing of the hedgerow. A Tree and Hedge Report has been submitted to ensure that the works will not affect the long term health of either the tree or the hedgerow.

The County Highway Authority has now confirmed that it is content with the proposals and as such it is not considered that the proposal will adversely impact upon highway safety. Whilst it is clear that there will be a significant number of movements connected with the construction of the site, once the works are completed the site will generate very few movements as only minimal maintenance is required.

### **Ecology:**

The Ecologist has assessed the Ecological Appraisal that accompanies the application and broadly agrees with its conclusion. In order to minimise any potential risk to secure biodiversity enhancements the council's Ecologist has recommended a condition to require the implementation of the Biodiversity Management Plan. On this basis the proposal is not considered to raise any substantive ecology related issues.

### **Other matters:**

Environmental Impact Assessment - The proposal falls within the scope of Schedule 2, sub-section 3a of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 requiring that a formal screening decision be carried out. This was carried out prior to the submission of this current application when it was concluded that an Environmental Impact Assessment was not required.

### **Conclusion:**

Government advice is clear. Planning Authorities should approve applications for renewable energy projects where impacts are (or can be made) acceptable (NPPF Para 98). The current application has raised some concerns in relation to highway safety, visual amenity, landscape character, archaeology and ecology. A thorough assessment of the potential impacts of the development indicates that, for the most part, they are acceptable - or can be made acceptable by appropriate mitigation measures - in the context of Government advice and the clear need for renewable energy sources. Where impacts can be overcome by way of pre-commencement or other conditions (i.e. archaeology, ecology, landscaping) appropriate conditions are recommended. Subject to the appropriate controls set out in conditions, it is considered that the impacts of the proposal can be considered 'acceptable' as set out in Government guidance. Notwithstanding the objections received, the proposal is considered to represent sustainable development.

## **RECOMMENDATION**

Approve

01. Notwithstanding local concerns it is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact of the proposed PV panels on the local landscape character and adjacent Blackdown Hills AONB. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, the National Planning Practice Guidance and Policies ST3, ST5, ST6, EC1, EC2, EC3, EC8 and EP3 of the South Somerset Local Plan 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 No.'s:

2162.AP.001.0.E Rev E received 17/10/2014  
2162.AP.003.1.B Rev B received 16/9/2014  
2162.AP.007.4 Rev B received 16/9/2014  
2162.AP.004.2 received 12/8/2014  
2162.AP.009.2 received 12/8/2014  
2162.AP.010.2 received 12/8/2014  
2162.AP.006.3 received 12/8/2014  
2162.AP.008.4.0 received 12/8/2014  
5595/101 received 17/10/2014

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

03. The development hereby permitted shall be removed and the land restored to its former condition before 31/12/2039 or within six months of the cessation of the use of the solar farm for the generation of electricity whichever is the sooner in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all structures, materials and any associated goods and chattels from the site.

Reason: In the interests of landscape character and visual amenity in accordance with Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan.

04. The supporting posts to the solar array shall not be concreted into the ground.

Reason: In the interests of sustainable construction and to accord with Part 10 of the NPPF.

05. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, 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 scheme of landscaping shall include additional tree and shrub planting around the head and upper sides of the disused quarry site.

Reason: In the interests of visual amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

06. No means of external illumination/lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

07. No CCTV equipment shall be installed on the site unless agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

08. No form of audible alarm shall be installed on the site without the prior written consent of the local planning authority.

Reason: In the interest of residential amenity and the rural amenities of the area to accord with Policy ST6 of the South Somerset Local Plan.

09. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction of the Local Planning Authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with NPPF and Policy EC8 of the South Somerset Local Plan 2006, The Habitats Regulations 2010, and The Wildlife and Countryside Act 1981 (as amended).

10. The management plan and ecological mitigation measures for the site, as detailed within the Biodiversity Management Plan by Dr John Feltwell of Wildlife Matters dated 23/09/2014, shall be fully implemented for the duration of the use hereby permitted, unless any variation is agreed by the local planning authority.

Reason: In the interests of visual amenity and landscape character in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

11. Prior to the commencement of the development hereby permitted, an amended Construction Traffic Management Plan (amended in accordance with the County Highway Authority's comments of 31st October 2014) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be delivered in accordance with the approved Construction Traffic Management Plan.

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

12. Prior to the commencement of the development hereby approved, the site access track shall be constructed so that it is perpendicular to Weston Road and its surface properly consolidated, not loose stone or gravel, for the first 20m of its length from the carriageway edge.

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

13. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to construction, and thereafter maintained until construction is complete.

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

14. The construction of the works hereby approved shall take place in full accordance with the Arboricultural Method Statement Tree prepared by B.J. Unwin Forestry Consultancy received 24 October 2014 unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and landscape character in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

**Informatives:**

01. The Applicant is advised that the Highway Service Manager for South Somerset Area at The Highways Depot, Mead Avenue, Houndstone Business Park, BA22 8RT Tel: 0845 345 9155, email: countyroads-southsom@somerset.gov.uk must be consulted with regard to the proposed temporary signage.
  02. Please be aware of the comments set out within the Environment Agency's letter dated 05/09/2014.
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# Agenda Item 17

## **Date and Venue for Next Meeting**

The next scheduled meeting of the Committee will be held on Wednesday 17th December 2014 at 5.30pm at the Henhayes Centre, Crewkerne.

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