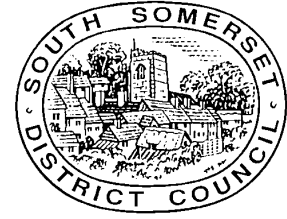


South Somerset District Council

Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 27th July 2016

2.00 pm

**Village Hall
New Street
Norton Sub Hamdon
TA14 6SF**

(Disabled access and a hearing loop are available at this meeting venue)



Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than 3.00pm.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Becky Sanders, Democratic Services Officer 01935 462596**, website: www.southsomerset.gov.uk

This Agenda was issued on Tuesday 19 July 2016.

Ian Clarke, Assistant Director (Legal & Corporate Services)

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



Area North Committee Membership

Clare Aparicio Paul
Neil Bloomfield
Adam Dance
Graham Middleton
Tiffany Osborne

Stephen Page
Shane Pledger
Crispin Raikes
Jo Roundell Greene
Dean Ruddle

Sylvia Seal
Sue Steele
Derek Yeomans

South Somerset District Council – Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district. We will:

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

Scrutiny procedure rules

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

Consideration of planning applications

Consideration of planning applications for this month's meeting will commence no earlier than 3.00pm, 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 normally attend Area North Committee quarterly in February, May, August and November – they will be usually be available from 15 minutes before the meeting to answer questions and take comments from members of the Committee. Alternatively, they can be contacted through Somerset County Council on 0300 123 2224.

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 three minutes on agenda items; and
- see agenda reports

Meetings of the Area North Committee are held monthly, usually at 2.00pm (unless specified otherwise), on the fourth Wednesday of the month (except December) in village halls throughout Area North (unless specified otherwise).

Agendas and minutes of area committees are published on the council’s website www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

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

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

Public participation at committees

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

Public question time

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

Planning applications

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

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

At the committee chairman's discretion, members of the public are permitted to speak for up to three minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- Town or Parish Council Spokesperson
- Objectors
- Supporters
- Applicant and/or Agent
- District Council Ward Member

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

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

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

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

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

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

Area North Committee

Wednesday 27 July 2016

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held 29 June 2016.

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 15th 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 Clare Aparicio Paul, Shane Pledger and Sylvia Seal.

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

at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

4. Date of next meeting

Councillors are requested to note that the next Area North Committee meeting is scheduled to be held at 2.00pm on **Wednesday 24 August** at a venue to be confirmed.

5. Public question time

6. Chairman's announcements

7. Reports from members

Items for Discussion

8. Section 106 Obligations (Pages 9 - 36)

9. Area North Development Plan (Pages 37 - 52)

10. Area North Committee Forward Plan (Pages 53 - 54)

11. Planning Appeals (Pages 55 - 80)

12. Schedule of Planning Applications to be Determined By Committee (Pages 81 - 82)

13. Planning Application 16/01761/S73A - Hedgerow Meadow, Street Road, Compton Dundon. (Pages 83 - 91)

14. Planning Application 16/01875/FUL - Land Opposite Hamlyns Farm, Long Load. (Pages 92 - 99)

15. Planning Application 16/00621/FUL - Long Orchard Farm, Pibsbury, Langport. (Pages 100 - 108)

16. Planning Application 16/01819/FUL - Land OS 3769, Badgers Cross Lane, Somerton. (Pages 109 - 123)

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.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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Agenda Item 8

Section 106 Obligations

Assistant Director: *Martin Woods (Economy)*
Service Manager: *David Norris (Development Manager)*
Lead Officer: *Neil Waddleton*
Contact Details: *Neil.Waddleton@southsomerset.gov.uk or (01935) 462603*

Purpose of the Report

Section 106 Officer to provide information on signed Section 106 agreements relating to development within Area North. Agreements containing financial contributions will be presented within the monitoring report (Appendix A). **If any further detail is required on any specific agreement members should contact the officer directly.**

Public Interest

Section 106 Obligations are a key aspect of most major planning development approvals granted by the Authority however they are also necessary to provide additional control in relation to smaller schemes. The items captured within Section 106 Obligations usually deal with the additional infrastructure costs that will be incurred within the area of the Authority arising from the completion of a development. Depending on the scale of the proposed development the sums of money associated with a Section 106 Obligations can be considerable.

This may take the form of changes to highways, contributions toward increased schools provision, creation/maintenance of open spaces, recreational areas and so on. The costs arising from these are often significant and require negotiation and settlement between officer and the developer, through the use of nationally agreed formulae.

There is a variety of ways in which these requirements can be delivered. Normally the developer makes a payment to allow the relevant authority to provide the requirement e.g. Schools or Play areas. Alternatively, the developer may be charged with completing the work directly for example a new highway junction.

By their very nature Section 106 Obligations require specified actions/payments to take place within a pre-defined timescale or event (known as 'triggers') and it is essential that the Section 106 officer has a system and processes in place that ensures the agreements are effectively managed.

Members will appreciate that the level of contribution that was secured from each development was dependent upon several factors, particularly the 'formula' that was being used for calculating the Sports, Arts and Leisure, Education and Highway contributions at the time of each application. It is also important to emphasise that it is very difficult to make meaningful comparisons between obligations that were sought on different developments, as each scheme has to be considered on its own merits.

Recommendation:

Members note and comment on the report and verbal update and endorse the actions taken in respect of the monitoring and managing of Section 106 Planning Obligations.

Background

A Section 106 Officer was appointed on 1 April 2010. This post sits within the planning team with the specific responsibility for ensuring that all requirements of S106 obligations, including the collection and spending of financial contributions are monitored and managed.

Additional Information

Since my last report there has been a significant legislation change that will affect the way that we seek financial planning obligations. Members may recall that when I was at the July 2015 Committee I highlighted a change to the way in which the District Council could be securing planning contributions/obligations from developers. In short, the government introduced guidance that sought to prevent local authorities requiring S106 contributions from schemes of 10 dwellings and below. This was subsequently challenged and the High Court decided that the government had not followed the correct procedures and this guidance was rescinded. The government challenged the High Court judgement at the Court of Appeal and they were successful in getting this ruling overturned.

This ruling means that sites of fewer than 10 homes will no longer have to make an affordable homes contribution, and in addition the council will not be seeking contributions towards local community and leisure projects from these smaller schemes unless there is clear and robust evidence to justify an exception.

CIL Regulations (2011, amended 2013 & 2014)

From April 2015, no more contributions may be sought/collected in respect of a specific infrastructure project or a type of infrastructure through a S106 agreement if 5 or more obligations have been entered into since April 2010 and it is a type of infrastructure that is capable of being funded by CIL.

In Area North this legislation change will mean that no more contributions will be sought for swimming pool or sports hall enhancements at Huish Academy through future application processes.

Audit

We have been awarded “substantial” assurance from a recent Audit undertaken of the processes and controls for S106 management.

Projects

Members may wish to note that the main projects delivered/under way or priorities as a result of appropriate collected S106 monies are:

Langport/Huish Episcopi

- Huish Academy AGP opened September 2015.
- Project plan scoping improvements at Huish Academy Leisure Centre following condition survey.

- Swimming Pool improvements including automatic chlorine dosing system installed. Monies towards larger project of covering the pool, changing rooms and spectator area committed. Work to commence September/October 16.
- Langport play area refurbished.

Ilton

- Cope Lane play area refurbished and opened August 2015.
- Agreement securing new recreation ground & contributions currently being drafted.

South Petherton

- Landscape architect to develop master plan for the sports facilities project.

Curry Rivel

- Community Health & Leisure working with the Parish Council on an application to deliver play and youth projects.

Norton sub Hamdon

- Site survey commissioned and new play equipment installed at Minchingtons by the end of 2016.

Financial Implications

No direct financial implications from this report however members will be aware that ineffective management of planning obligations does have the potential to require the district council to refund contributions to developers.

Corporate Priority Implications

The effective management of planning obligations will be beneficial in achieving all of the Councils Corporate Priorities

Carbon Emissions & Adapting to Climate Change Implications (NI188)

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby contributing to a reduction in carbon emissions and helping to adapt to climate change.

Equality and Diversity Implications

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby ensuring access to facilities, homes and services for all members of our community.

Background Papers: None

Appendix A

Area North Section 106 Monitoring Report – 27th July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: BURROW HILL</p> <p>11/03319/OUT Parish Kingsbury Episcopi</p> <p>Land At Coxs Farm Silver Street Kingsbury Episcopi Martock TA12 6AX</p> <p>Outline application for residential development, (GR 343344 / 121198)</p> <p>Agreement Date: 26/03/2013</p>	<p>Sports and Leisure: Equipped Play Contribution: £9,596 (£6,118 capital & £3,478 revenue as a commuted sum) to enhance play facilities at the Kingsbury Episcopi Recreation Ground.</p> <p>Changing Room Contribution: £6,194 (£5,740 capital & £454 revenue as a commuted sum) to enhance changing facilities at the Kingsbury Episcopi Recreation Ground.</p> <p>Strategic Community Facilities Contribution: £11,246 to be spent as follows: £2,589 for a new indoor swimming pool in the Langport/Huish Episcopi are or an 8 lane swimming pool located centrally within the District. £4,244 improvements/enhancements at the existing sports hall at the Huish Episcopi Academy School or centrally located 8 court sports hall within the District. £1,659 for the development of a centrally located district wide indoor tennis centre. £563 provision of an AGP at the Huish Episcopi Academy School. £2,191 for enhancement/expansion of the Octagon Theatre in Yeovil.</p>	<p>Contributions payable on or before first occupation of first dwelling.</p>		<p>Sports and Leisure: £27,036</p>		<p>Status: Underway</p>	<p>Check status of the scheme.</p>

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CURRY RIVEL</p> <p>09/00023/FUL Parish Curry Rivel</p> <p>Developer: Yarlington Housing Group</p> <p>Land Rear Of Westfield House Westfield Road Curry Rivel Langport TA10 0HX</p> <p>The demolition of 9 dwellings and the replacement with 20 dwellings with associated access, parking and landscaping. (GR 338356/124790)</p> <p>Agreement Date: 09/11/2009</p>	<p>Sports and Leisure: Equipped Play Contribution: £21,715 comprised of £10,321.38 for the acquisition and installation of play equipment and £5,866.63 for long term maintenance on the Recreation Ground, Westfield, Curry Rivel. £4,053.95 for Youth Facilities in Curry Rivel with a further £1,473.04 commuted sum for the long term maintenance. Open Space Contribution: £13,452 towards costs of improvement/enhancement of any recreational area or open space in Curry Rivel. Sports & Leisure Contribution: £30,071 towards costs of improvements/enhancements of any sporting leisure or cultural facilities within or serving District of South Somerset.</p> <p>Affordable Housing: Units Agreed: 20</p>		<p>Sports and Leisure: £52,209</p>			<p>Status: Development Completed</p>	<p>CHL working with Parish Council regarding improvements/ enhancements of pitches, play area & youth facilities at the Westfield Recreation Ground.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CURRY RIVEL</p> <p>13/04224/OUT Parish Curry Rivell</p> <p>Land off Heale Lane Curry Rivell Langport Somerset</p> <p>Outline application for residential development of 6 dwellings (GR 338314/125060)</p> <p>Agreement Date: 05/02/2014</p>	<p>Sports and Leisure: Changing Room Contribution: £5,222.76 (£4,833.89 capital & £388.87 revenue as a commuted sum) towards changing facilities at the Westfield Recreation Ground, Curry Rivell. Community Hall Contribution: £9,253.13 towards enhancement of community hall facilities in Curry Rivell. Equipped Play Contribution: £8,142.56 (£5,161.31 capital & £2,981.25 revenue as a commuted sum) towards play provision at the Westfield Recreation Ground, Curry Rivell. Youth Facilities Contribution: £1,388.13 (£1,013.44 capital & £374.69 revenue as a commuted sum) towards youth facilities at the Westfield Recreation Ground, Curry Rivell. Strategic Facilities Contributions: £1,098.47 towards swimming pool provision in the Langport/Huish Episcopi area or Yeovil. £1,422.13 towards indoor tennis provision located in or near Yeovil. £482.43 AGP provision at Huish Academy School. £1,878.26 towards enhancements/improvements of the Octagon Theatre, Yeovil. £2,286.20 towards enhancing the Huish Episcopi Sports Centre or new provision in Yeovil.</p>	<p>Equipped Play & Youth Facilities Contribution payable on or before 25% of the dwellings occupied. Playing Pitch, Changing Room and Community Hall Contributions payable on or before 50% of the dwellings occupied. Strategic Facilities Contributions payable before on or before 75% of dwellings occupied.</p>		<p>Sports and Leisure: £32,462</p>			<p>Payment Secured 10/12/2015.</p> <p>Local to be spent by Dec'20</p> <p>Strategic to be spent by Dec'25</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CURRY RIVEL</p> <p>14/03154/FUL Parish Curry Rivel</p> <p>Land North Of Stanchester Way Curry Rivel</p> <p>Residential development of 30 dwellings (GR:339480/125610)</p> <p>Agreement Date: 25/08/2015</p>	<p>Sports and Leisure: Sports and Leisure: Equipped Play Contribution: £38,167 comprised of £24,193 capital & £13,974 revenue towards of an on- site play area with commuted sum. Changing Room Contribution: £25,636 comprised of £23,727 capital & £1,909 revenue towards the enhancement of changing facilities in Curry Rivel. Community Hall Contribution: £45,419 towards enhancement of existing or provision of new community hall provision in Curry Rivel. Youth Facilities Contribution: £6,506 comprised of £4,750 capital & £1,756 commuted sum towards enhancing youth facilities at Westfield Recreation Ground. Swimming Pool Contribution: £5,392 towards development of an indoor pool in Langport/Huish Episcopi area Play Area Extension Land.</p> <p>Affordable Housing: Units Agreed: 10</p>	<p>On or before 25% of dwellings occupied: Equipped Play, Youth Facilities and Play Area Extension Land.</p> <p>On or before 50% of dwellings occupied: Changing Room & Community Hall Contribution</p> <p>On or before 75% of dwellings occupied: Swimming Pool Contribution.</p>		<p>Sports and Leisure: £121,120</p>		<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: HAMDON</p> <p>14/04476/FUL Parish Stoke Sub Hamdon</p> <p>Southcombe Bros Ltd</p> <p>Land Adjacent To Great Field Lane Stoke-Sub-Hamdon</p> <p>Demolition of existing buildings and the erection of 14.no dwellings, new vehicular access and associated highway works, garages, parking and landscaping (GR:347175/117530)</p> <p>Agreement Date: 12/06/2015</p>	<p>Sports and Leisure: Changing Room Contribution: £12,240. (£11,329 Capital & £911 Commuted sum) towards enhancements/improvements to the changing room provision at Stoke sub Hamdon Recreation Ground. Equipped Play Contribution: £19,083. (£12,096 Capital & £6,987 Commuted sum) towards enhancements/improvements at the Stoke sub Hamdon Recreation Ground or at the Memorial Hall in Stoke sub Hamdon. Playing Pitch Contribution: £9,562. (£5,580 Capital & £3,982 Commuted sum) towards enhancements/improvements towards the playing pitch provision at Stoke sub Hamdon Recreation Ground. Youth Facilities Contribution: £3,253. (£2,375 Capital & £878 Commuted sum) towards enhancing youth facilities at Stoke sub Hamdon Recreation Ground. Strategic Community Facilities Contribution: £5,358 towards enhancing sports halls in Yeovil or at Stanchester Academy School. CH&L Admin Fee £495</p>	<p>Prior occupation of the 4th dwelling: Equipped Play, Youth Facilities & Admin Fee</p> <p>Prior occupation of the 7th dwelling: Playing Pitch & Changing Room Contributions</p> <p>Prior occupation of the 11 dwelling: Strategic Communities Facilities Contribution.</p>		<p>Sports and Leisure: £49,991</p>		<p>Status: Not Commenced</p>	<p>Some ground works started.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: ISLEMOOR</p> <p>11/02783/FUL Parish Curry Mallet</p> <p>Lyddons Farm Barns Higher Street Curry Mallet Taunton Somerset TA3 6SY</p> <p>The conversion of barns into six residential dwellings, erection of ancillary car port, bin shed and bicycle store (GR 332399/121850)</p> <p>Agreement Date: 04/04/2012</p>	<p>Sports and Leisure: Equipped Play Contribution: Total sum of £6,551 comprised of £4,177 to be used as a contribution towards the costs & expenses of providing a new play area in Curry Mallet together with a commuted sum of £2,374 to provide for the long term maintenance of those facilities. Youth facilities contribution: Total sum of £1,118 comprised of £820 to be used as a contribution towards the costs and expenses of providing new youth facilities in Curry Mallet together with £298 as a commuted payment to provide long term maintenance of those facilities. Strategic Communities Facilities Contribution: Total sum of £7,874 to be used as a contribution towards the following projects a) £1,496 towards expanding and enhancing the Octagon Theatre b) £384 towards the development of a new 3G artificial grass pitch in Langport/Huish Episcopi. c) £1,767 Towards the development of a new indoor swimming pool in Langport/Huish Episcopi area or towards the development of a centrally based 8 lane district wide competition pool in Yeovil. D) £1,330 towards the provision of a new indoor tennis centre in Yeovil e) £2,897 towards the enhancement of the sports hall at Huish Episcopi Academy School or towards the development of a centrally based sports hall in Yeovil.</p>		<p>Sports and Leisure: £15,500</p>			<p>Status: Development Completed</p>	<p>Financial Contributions Secured.</p> <p>CHL working with Huish Academy to identify projects. (Strategic monies)</p> <p>CHL working with Curry Mallet to deliver local projects.</p> <p>Monies to be spent by: June 17 (local) & June 22 (strategic)</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: ISLEMOOR</p> <p>08/05090/FUL Parish Ilton</p> <p>Developer: Yarlington Housing Group</p> <p>Land And Garages At Copse Lane Ilton Ilminster Somerset</p> <p>Demolition of existing buildings and the construction of 40 dwellings (GR335071/117656)</p> <p>Agreement Date: 09/11/2009</p>	<p>Sports and Leisure: Off-Site Recreation Contribution: £30,900 for improvement/refurbishment of the neighbouring Ilton Recreation Ground. Strategic Community Facilities Contribution: £69,781 to be used toward one or both of the following: a) The development of a new sports field to serve the community of Ilton. b) The development of sports, leisure and recreation facilities including provision of synthetic pitches in Langport or Yeovil. Play Equipment Contribution: £32,359 comprised of £22,251 for the acquisitions and installation of play equipment along with £8,065 commuted sum for the long term maintenance of the equipment for the Ilton Recreation Ground. £7,411 for Youth Facilities and £2,697 for long term maintenance in Ilton.</p> <p>Affordable Housing: Units Agreed: 40</p>					<p>Status: Development Completed</p>	<p>CHL & Parish Council working together to deliver identified projects for Ilton.</p> <p>Refurbished play area</p> <p>Remaining monies towards new recreation ground facilities.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: LANGPORT AND HUISH</p> <p>09/02237/FUL Parish Langport</p> <p>Developer: Yarlington Housing Group</p> <p>Land At Eastover Langport Somerset</p> <p>Demolition of 8 PRC dwellings and the erection of 17 dwellings with 32 car parking spaces and associated highway works (GR: 342490/127040)</p> <p>Agreement Date: 22/12/2009</p>	<p>Sports and Leisure: Off-Site Recreation Contribution: £20,044 allocated as follows, £5,206.85 for enhancement/improvements at the Langport Cricket Club. £2,648.63 as a commuted sum payment for the long term maintenance. £12,188.52 for costs and expenses incurred towards the improvements to the Langport & Huish Memorial Recreation Ground. Equipped Play Contribution: £11,843 comprised of £7,550 for the acquisition and installation of equipment and £4,293 for the long term maintenance at the Langport & Huish Memorial Recreation Ground. Youth Facilities Contribution: £4,379 comprised of £3,210 for Youth facilities in Langport and £1,169 to provide long term maintenance of those facilities.</p> <p>Affordable Housing 17</p>					<p>Status: Development Completed</p>	<p>Contribution towards a new scoreboard & hut at Langport & Huish Cricket Club.</p> <p>Grant offer made for enhancing play area.</p> <p>Muga Opened</p> <p>£1,899 capital remaining from enhancements to cricket club. Commuted Sums/Revenue Contributions to be progressed.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: LANGPORT AND HUISH</p> <p>10/03541/FUL Parish Huish Episcopi</p> <p>Land North Of Newtown Park Newtown Park Huish Episcopi Langport Somerset TA10 9TQ</p> <p>Erection of 51 No. dwellings and formation of emergency access to Swallow Hill.(GR 342413/127676)</p> <p>Agreement Date: 25/09/2012</p>	<p>Sports and Leisure: Equipped Play Space Contribution: £61,688 comprised of £39,329 for the installation of equipment and £22,359 as a commuted sum to provide long term maintenance of the facility. Contribution to be spent at the play area, Old Kelways, Langport. Youth Facilities Contribution: £10,532 comprised of £7,722 capital and £2,810 as a commuted sum for the maintenance of the facility. Contributions to be spent at the Memorial Playing fields in Langport. Playing Pitch Contribution: £70,643 towards the provision, improvement or enhancement of playing pitches (including synthetic turf pitches) and changing rooms at Huish Episcopi Academy. Sports Hall Contribution: £29,694 towards the provision of additional capacity in the sports hall in the sports hall at Huish Episcopi Academy. Strategic Facilities Contributions: £29,724 comprised of Swimming Pool contribution (£18,114) towards provision of a new district wide facility & Indoor Tennis contribution (£11,610) towards the provision of indoor tennis facilities in the District. POS Commuted Sum to be calculated at time of transfer.</p> <p>Affordable Housing: Units Agreed: 18</p>		<p>Sports and Leisure: £205,477</p>			<p>Status: Underway</p>	<p>Check status</p> <p>Payment Secured 29/05/13</p> <p>Monies to be spent by May 18 (local) & May 23 (strategic)</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: LANGPORT AND HUISH</p> <p>11/02448/FUL Parish Huish Episcopi</p> <p>Bartletts Elm Field Road Huish Episcopi Langport Somerset TA10 9SP</p> <p>Erection of 52 residential units with associated works, car parking and access ways. (GR 342856/127524)</p> <p>Agreement Date: 13/03/2012</p>	<p>Sports and Leisure: The sum of £3561.51 per Dwelling as a contribution towards the provision and maintenance of Sports, Arts and Leisure Facilities. Sports, Arts & Leisure Facilities mean: Multi Use Games Area at the Memorial Playing Fields, Langport. Indoor swimming pool in the Langport/Huish Episcopi Area or Yeovil</p> <p>Enhancement of pitches & changing rooms at the Memorial Playing Fields, Langport or Huish Episcopi Academy School.</p> <p>Enhancement of the sports hall at Huish Episcopi Academy School or a centrally based 8 court district wide competition sports hall in Yeovil.</p>		<p>Sports and Leisure: £199,097</p>			<p>Status: Underway</p>	<p>Payment secured 10/08/2015. UU so no time limits on expenditure.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: LANGPORT AND HUISH</p> <p>13/03483/OUT Parish Huish Episcopi</p> <p>The Trial Ground</p> <p>Somerton Road Langport</p> <p>Outline application for residential development and the provision of access from Wincanton Road. (GR 342616/127443)</p> <p>Agreement Date: 28/08/2015</p>	<p>Sports and Leisure: Equipped Play Contribution: £860 per two bed or greater dwelling paid for the purpose of enhancing the play area and its facilities at Old Kelways or another play area in a suitable location to serve the development with, in addition a commuted sum of £496.88 per dwelling per two bed dwelling or greater to provide the long term maintenance of those facilities. Changing Room Contribution: £534.72 per one bed dwelling and £805.65 per two bed or greater dwelling to be paid for the purpose of, enhancement or improvement of any existing changing rooms located at Huish & Langport Cricket Club, Langport & Huish Memorial Fields or Huish Academy School and in addition a sum of £43.02 per one bed dwelling and £64.81 per two dwelling or greater as a commuted sum. Playing Pitch Contribution: £263.37 per one bed dwelling and £396.81 per two bed dwelling or greater for the purpose of enhancing the existing pitch facilities at Huish & Langport Cricket Club, Langport & Huish Memorial Fields or Huish Academy School and in addition a sum £187.93 per one bed dwelling and £283.14 per two bed or greater dwelling as a commuted sum. Community Hall Contribution: £345.06 per one bed dwelling and £519.89 per two bed or greater dwelling for the purpose of provision of a new community hall facilities within Langport and/or Huish Episcopi or enhancing existing community hall facilities within Langport. Strategic Community facilities Contribution: £121.51 per one bed dwelling & £183.08 per two bed or greater dwelling for the provision of an indoor swimming pool in the Huish Episcopi area.</p> <p>Highways: Travel Plan (details within 3rd Schedule)</p> <p>Education: Education Contribution of £2,451.40 per dwelling towards the provision of primary educational facilities in or serving Langport & Huish Episcopi.</p> <p>Affordable Housing: Units Agreed: 35% Affordable housing provision agreed</p>	<p>Prior to first occupation £98,056 being that portion of the Education Contribution payable for 40 dwellings. Prior occupation of 40th dwelling the balance of Education Contribution pursuant to the approval. On or before 25% dwellings occupied: Equipped Play & Leisure Admin Fee On or before 50% dwellings occupied: Playing Pitch, Changing Room & Community Hall Contribution. On or before 75% of dwellings occupied: Strategic Facilities Contribution.</p>		<p>Sports and Leisure:</p> <p>Highways:</p> <p>Education:</p>		<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: MARTOCK</p> <p>13/02474/OUT Parish Martock</p> <p>Land South of Coat Road Martock Somerset</p> <p>Outline application for the development of up to 95 dwellings with associated access and landscaping at land south of Coat Road, Martock (access determined with all other detailed matters reserved) (GR:345958/1198750)</p> <p>Agreement Date: 22/07/2014</p>	<p>Sports and Leisure: Changing Room Contribution: £82,963.77 (£76,536.60 capital & £6,157.17 revenue for commuted sum) to be spent local to the site. Community Hall Contribution: £49,389.32 towards the provision of a new local community and youth centre. Playing Pitch Contribution: £64,595.60 (£37,696.98 capital & £26,898.62 revenue for commuted sum) towards enhancements and improvements at the recreation ground in Martock. Youth Facilities Contribution: £21,978.74 (£16,046.18 capital & £5,932.56 revenue for commuted sum) towards enhancements/improvements at the Bracey Road Ground in Martock. Strategic Facilities Contributions: £17,392.38 for the provision of a new indoor swimming pool in Langport/Huish Episcopi. £22,517.06 towards an indoor tennis centre located in or near to Yeovil. £7,638.40 towards AGP at Huish Episcopi Academy School. £29,739.19 towards enhancements/expansion of the Octagon Theatre, Yeovil. £36,198.20 of the existing sports hall at Huish Episcopi Academy School. Play Area and Commuted sum agreed</p> <p>Education: Pre-school and Primary Education Contributions agreed. See schedule for agreed formulae and calculation.</p> <p>Affordable Housing: Units Agreed: 33</p>	<p>Youth Contribution payable upon 25% of dwellings occupied. Changing Room, Playing Pitch & Community Hall Contributions payable upon 50% of dwellings occupied. Equipped Play to be available for public by occupation of 50% of dwellings. Strategic Facilities Contribution payable upon 75% of dwellings occupied. Education - 50% of contribution payable on 25% occupation and remainder payable on 50th occupation.</p>		<p>Sports and Leisure: £332,412.66</p>		<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: MARTOCK</p> <p>12/04897/OUT Parish Martock</p> <p>Ex Showroom/ Garage and Land read of Long Orchard Water Street Martock Somerset TA12 6JW</p> <p>Mixed use development comprising 35 dwellings and site access arrangements (full details) and a youth centre and pavilion with associated parking (outline details, access, layout and scale) (GR: 345972/118927)</p> <p>Agreement Date: 20/05/2014</p>	<p>Sports and Leisure: Off-Site Open Space Contribution: £25,650. Towards maintenance and on- going costs of additional wear and tear and Martock Recreation Ground. Equipped Play Contribution: £44,784.10 (£28,387.20 capital & £16,396.90 revenue as a commuted sum) To be spent at the Martock Recreation Ground. Changing Room Contribution: £29,880.68 (£27,387.20 capital & £2,224.84 revenue as a commuted sum) towards the provision of changing room provision in the local area. Playing Pitch Contribution: £23,341.07 (£13,621.48 capital & £9,719.59 revenues as a commuted sum) towards enhancing and improvements of playing pitch provision at the Martock Recreation Ground. Youth Facilities Contribution: £7,634.72 (£5,573.94 capital & £2,060.78 revenue as a commuted sum) towards enhancement of youth facilities at Martock Recreation Ground or in local area. Community Hall Contribution: £17,846.41 Strategic Facilities Contribution: £6,284.59 towards provision of a new indoor swimming pool in Langport/Huish Episcopi or Yeovil. £8,136.35 towards indoor tennis facilities in or near Yeovil. £2,760.07 towards AGP at Huish Episcopi Academy. £10,746 for the enhancement/expansion of Octagon Theatre in Yeovil. £13,079.91 for enhancing existing sports hall at Huish Episcopi Academy or new facility in Yeovil.</p> <p>Affordable Housing: Units Agreed: 12</p> <p>Miscellaneous Gains: Travel Plan</p>	<p>Equipped Play & Youth Facilities Contribution payable on or before occupation of 25% of the dwellings. Playing Pitch, Changing Room, Community Hall and Off-Site Open Space Contribution payable on or before occupation of 50% of the dwellings Strategic Facilities Contribution payable on or before occupation of 75% of the dwellings.</p>		<p>Sports and Leisure: £109,143.90</p>		<p>Status: Underway</p>	<p>Check status of scheme.</p> <p>Following approval of a DPO application a revised agreement is being drafted – currently with Legal Services.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>05/00046/FUL Parish South Petherton</p> <p>Land At Stoodham South Petherton Somerset</p> <p>Demolition of 10 no. Airey houses, a block of garages and erection of 19 new homes and play area (RSL) (GR 343431/117445)</p> <p>Agreement Date: 24/07/2006</p>	<p>Sports and Leisure: Developer to pay contribution to Parish Council for the purpose of play facilities at the recreation ground at Lightgate Lane, South Petherton</p>					<p>Status: Development Completed</p>	Payment secured.

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>08/03775/FUL Parish South Petherton</p> <p>Flamberts, Prigg Lane South Petherton TA13 5BX</p> <p>Demolition of existing dwelling and garage and the erection of 6 No. dwellings and the conversion of an existing barn into 3 No. dwellings all with associated garages/carports</p> <p>Agreement Date: 02/12/2009</p>	<p>Sports and Leisure: Open Space & Recreational Contribution: £29,115.89 Play Space & Youth Facilities Contribution: £15,078.83</p>					<p>Status: Development Completed</p>	<p>Payment Secured.</p> <p>Commutated Sums/Revenue Contributions to be progressed.</p> <p>Play and Youth monies spent on refurbishment / improvements at Lightgate Lane.</p> <p>£14,994 & £3,057 left towards pitches/changing rooms at Lightgate lane.</p> <p>No time limits to spend these monies.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>07/01252/FUL Parish South Petherton</p> <p>Developer: Yarlington Housing Group</p> <p>Land At West End Close West End View South Petherton Somerset</p> <p>The erection of 49 No. dwellings (including 17 No. affordable homes), new vehicular access, public open space and associated works. (GR 043786/117219) Agreement Date: 11/08/2009</p>	<p>Sports and Leisure: Equipped Play Contribution: £13,643 comprises of £7,504.49 on the acquisition and installation of play equipment on the exiting play area at West End View, South Petherton and £6,138.51 for the long term maintenance of the equipment. Strategic Facilities Contribution: £8,020 to be used towards facilities within the Yeovil area. Youth Facilities Contribution: £1,800 for renovation/improvement of any building/facility for young people in South Petherton</p> <p>Affordable Housing: Units Agreed: 12</p>					<p>Status: Development Completed</p>	Monies secured and spent as per agreement.

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>14/01461/FUL Parish Seavington St Mary</p> <p>Lift West LTD New Road Seavington Ilminster TA190QQ</p> <p>Demolition of existing buildings and the erection of 13 No. dwellinghouses, new vehicular access and associated works</p> <p>Agreement Date: 04/03/2015</p>	<p>Sports and Leisure: Leisure Facilities Contribution: £18,619 towards enhancing the facilities at Seavington Playing Field and/or towards one or more of the following strategic facilities across the district: Theatre & Art Centre, AGP's, Sports Halls, Swimming Pools or Indoor Tennis Centres.</p>	<p>Prior to the 3rd occupation: 50% of the contribution Prior to the 10th occupation: Remaining 50% of the contribution.</p>		<p>Sports and Leisure: £18,619.00</p>		<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>09/00937/FUL Parish South Petherton Developer: Somerset Primary Care Trust</p> <p>South Petherton Hospital Hospital Lane South Petherton TA13 5AR</p> <p>Demolition of existing hospital buildings and erection of a new stroke/rehabilitation/community hospital and ancillary accommodation with car parking, service yard, access drive and improvements and associated works.</p> <p>Agreement Date: 02/10/2009</p>						<p>Status: Development Completed</p>	Monies spent.

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>12/04885/FUL Parish South Petherton</p> <p>Chapel Field Hayes End South Petherton TA13 5AG</p> <p>The erection of 22 No. dwellings with associated access, parking and landscaping.</p> <p>Agreement Date: 08/10/13</p>			£66,117.48	£26,281		<p>Status: Underway</p>	<p>Monies Received: £31,356.48 (Feb'16)</p> <p>£34,,761 (Apr'16)</p> <p>Invoice raised for outstanding monies.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>07/03984/FUL Parish South Petherton</p> <p>Developer: Persimmon Homes</p> <p>Land Adjoining St Michaels Gardens Lightgate Lane South Petherton Somerset</p> <p>The erection of 55 dwellings and associated works (GR 343777/117157)</p> <p>Agreement Date: 14/03/2008</p>	<p>Sports and Leisure: Strategic Community Facilities Contribution: £39,484 towards swimming pool and sports hall provision with South Somerset. Open Space Contribution: £6,669 for the future maintenance of the public open space. Play and Youth Contribution: £107,217 for the provision of Play and Youth facilities within South Somerset.</p> <p>Highways: Bus Pass Contribution: On first occupation of each of the residential units to provide voucher which may be used to claim a Bus Pass from the County Council within 12 months of the first occupation of the residential unit. The sum of £400 to be paid on r</p> <p>Education: Education Contribution: £124,248 for the enhancement of capacity at Stanchester School, Stoke-sub-Hamdon.</p> <p>Affordable Housing: Units Agreed: 19</p>					<p>Status: Development Completed</p>	<p>Monies secured and spent on projects as detailed within the agreement. Local towards projects in South Petherton and strategic towards projects at the Huish Academy.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>13/02239/FUL</p> <p>Parish South Petherton</p> <p>Developer: Persimmon Homes</p> <p>Land Os 7715 And 8129 Part Hospital Lane South Petherton TA13 5AW</p> <p>The erection of 49 No. dwellings (including 17 No. affordable homes), new vehicular access, public open space and associated works. (GR 343786/117219)</p> <p>Agreement Date: 23/12/13</p>	<p>Equipped Play Contribution: £62,626.11</p> <p>Changing Room Contribution: £42,538.22</p> <p>Playing Pitch Contribution: £33,229.19</p> <p>Strategic facilities Contribution: £58,378.93</p>		<p>Equipped Play Contribution: £62,626.11</p> <p>Changing Room Contribution: £42,538.22</p> <p>Playing Pitch Contribution: £33,229.19</p> <p>Strategic facilities Contribution: £58,378.93</p>			<p>Status: Underway</p>	<p>Monies Rec 31st Dec 2015</p> <p>Local to be spent by Dec '20</p> <p>Strategic to be spent by Dec' 25</p>

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>07/01252/FUL</p> <p>Parish South Petherton</p> <p>Developer: Yarlington Housing Group</p> <p>Land At West End Close West End View South Petherton</p> <p>Demolition of Nos. 2-16 (even only) West End Close and garage blocks in West End View and the erection of 19 dwellings and associated additional car parking</p> <p>Agreement Date: 11/08/2009</p>	<p>Sports and Leisure:</p> <p>Equipped Play Contribution: £13,643 comprises of £7,504.49 on the acquisition and installation of play equipment on the exiting play area at West End View, South Petherton and £6,138.51 for the long term maintenance of the equipment.</p> <p>Strategic Facilities Contribution: £8,020 to be used towards facilities within the Yeovil area.</p> <p>Youth Facilities Contribution: £1,800 for renovation/improvement of any building/facility for young people in South Petherton</p> <p>Affordable Housing: Units Agreed: 12</p>					<p>Status: Development Completed</p>	<p>Monies secured and spent as per agreement.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: ST MICHAELS</p> <p>13/03622/FUL Parish Stoke Sub Hamdon</p> <p>Land adj East Stoke House Montacute Road East Stoke Stoke Sub Hamdon Somerset</p> <p>Erection of 18 dwellings and associated works including a new vehicular access, parking, open space and landscaping (GR: 348780/117513)</p> <p>Agreement Date: 18/07/2014</p>	<p>Sports and Leisure: Equipped Play Contribution £24,427.69 (£15,483.93 capital & £8,943.76 revenue for the commuted sum) for enhancement of equipped play provision at Stonehill, Stoke Sub Hamdon or Montacute Recreation Ground. Changing Room Contribution: £15,668.29 (£14,501.67 capital & £1,166.62 revenue for the commuted sum) for new or enhancements to changing room facilities in Stoke Sub Hamdon or Montacute. Playing Pitch Contribution: £12,239.17 (£7,142.59 capital & £5,096.58 revenue for the commuted sum) for enhancements/improvements to community pitches in Stoke Sub Hamdon or Montacute. Youth Facilities Contribution: £4,164.39 (£3,040.33 capital & £1,124.06 revenue for the commuted sum) for the enhancements/improvements of youth facilities at Stoke Sub Hamdon Recreation Ground. Community Hall Contribution: £27,759.38 towards the provision of a new or enhanced community hall provision in Montacute. Strategic Facilities Contribution: £6,656.44 - new swimming pool in Yeovil £4,266.39 - indoor tennis centre located in or near Yeovil £1,447.28 - AGP in Yeovil £5,634.79 enhancement/expansion of the Octagon Theatre in Yeovil £6,858.61 enhancement of sports hall in Yeovil or at Stanchester Academy School.</p> <p>Affordable Housing: Units Agreed: 6</p>	<p>Equipped Play & Youth Facilities Contributions payable upon occupation of 25% of the dwellings. Playing Pitch, Changing Room & Community Hall Contributions payable upon occupation of 50% of the dwellings. Strategic Facilities Contribution payable upon occupation of the 75% of the dwellings.</p>		<p>Sports and Leisure: £109122.43</p>		<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: TURN HILL</p> <p>13/01232/FUL Parish Huish Episcopi</p> <p>Land At Old Kelways Somerton Road Langport Somerset TA10 9HB</p> <p>Erection of 9 dwellings (Plots 53-61) in lieu of approved Employment Units B and C (Revised Scheme) (GR:342562/127643)</p> <p>Agreement Date: 04/10/2013</p>	<p>Sports and Leisure: Equipped Play Contribution: £12,213.84 (£7,741.96 capital & £4,471.88 revenue as a commuted sum) towards enhancements/improvements at the play area at Old Kelways, Langport. Playing Pitch Contribution: £14,677.37 towards the provision of playing pitch including AGP and changing room facilities at Huish Episcopi Academy. Sports Hall Contribution: £3,429.30 towards additional capacity at Huish Episcopi Academy. Swimming Pool Contribution: £1,647.70 towards new indoor facility at Langport/Huish Episcopi or towards a District wide swimming facility. Indoor Tennis Contribution: £2,133.20 towards provision of indoor tennis in the District.</p> <p>Education: Education Contribution: £18,469</p> <p>Affordable Housing: Units Agreed: 3</p>	<p>All contributions payable upon occupation of 3 open market dwellings.</p>		<p>Sports and Leisure: £34101.41</p> <p>Education: £18469</p>		<p>Status: Underway</p>	<p>Check status of the scheme.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: TURN HILL</p> <p>07/03534/FUL Parish Huish Episcopi</p> <p>Developer: C G Fry & Sons LTD</p> <p>Land At Old Kelways Somerton Road Langport Somerset TA10 9HB</p> <p>Erection of 52 no. dwellings, B1 employment floorspace and extension to hotel (GR 342728 / 127727)</p> <p>Agreement Date: 16/09/2008</p>	<p>Sports and Leisure: Off-Site Contribution: £149,253.33 comprised of the following: a) Muga Contribution: £8,151.68 towards provision of floodlit multiuse games area in Langport. b) Playing Pitch Contribution: £104,037.30 towards the provision of playing pitches in Langport. c) Sports Hall Contribution: £24,288.36 towards the provision of additional badminton courts in Langport. d) Swimming Pool Contribution: £12,776.09 towards the provision of additional swimming lanes or pools in Langport. Open Space Contribution: £44,000 commuted sum payment for the maintenance of the children's play area, open space and landscaped area.</p> <p>Highways: Highways Contribution: £55,000 comprised of: a) Safe Routes to School Contribution: £25,000 b) The A372/B3175 Junction and/or Zebra Crossing Contribution: £30,000 Travel Plan: Package of measures to be adopted by owner and/or developers in the management</p> <p>Affordable Housing: Units Agreed: 18</p>					<p>Status: Development Completed</p>	<p>Confirm status and point of transfer of POS.</p>

12/09/2008

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>13/03663/FUL Parish Somerton</p> <p>1-4 West Street Somerton TA11 7PS</p> <p>Demolition of various structures, erection of 7 no. 2 bedroom houses, refurbishment of existing premises along West Street to create 6 retail units and change of use and extension of various 1st floor residential and business accommodation to 7 flats (6</p> <p>Agreement Date: 29/07/2014</p>	<p>Sports and Leisure: Sports Arts & Leisure Facilities Contribution: £49,984</p>	Contribution payable prior to commencement		<p>Sports and Leisure: £49,984.69</p>		<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>12/01501/OUT Parish Somerton</p> <p>Home Farm West End Somerton TA11 6RW</p> <p>Residential development and construction of new access road (GR 348477/128539)</p> <p>Agreement Date: 18/08/2014</p>	<p>Sports and Leisure: Off-site play, Recreation & Leisure Facilities Contribution: £69,245 towards facilities locally within a 10 mile radius of Somerton and/or facilities District Wide.</p>	Payable on or before 50% of the residential units are brought into occupation.		<p>Sports and Leisure: £69,245.00</p>		<p>Status: Technical Commencement made.</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>10/03704/FUL Parish Somerton</p> <p>Land at Northfield Farm Northfield Somerton</p> <p>The erection of 133 dwellings and associated garages, highway works and landscaping (GR: 348022/128828)</p> <p>Agreement Date: 24/04/2013</p>	<p>Sports and Leisure: LEAP Open Space & Commuted Sum Pitch & Changing Room Contribution: £351,489 (£288,934 capital & £62,555 revenue as a commuted sum) towards enhancements/improvements towards pitches and changing facilities at Gassons Lane Recreation Ground, Somerton. Youth Facilities Contribution: £29,725 (£21,794 capital & £7,931 revenue as a commuted sum) towards the provision of a youth shelter and floodlighting of existing youth facilities at Gassons Lane Recreation Ground, Somerton. Strategic Community Facilities Contribution: £210,422 to spent on one or more of the following projects: * New swimming pool in the Langport/Huish Episcopi Area or new 8 lane swimming pool centrally located within the District. * Centrally located eight court District wide competition sports hall. * Indoor tennis provision as part of the Council's proposed Yeovil Sports Zone. * Provision of AGP in Langport Area or STP based in Yeovil.</p> <p>Affordable Housing: Units Agreed: 47</p>	<p>Contributions payable on or before 30 residential units are occupied.</p>		<p>Sports and Leisure: £591,636</p>		<p>Status: Technical Commencement made.</p>	<p>Following approval of a S73 application the original agreement is with Legal Services currently being drafted.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>10/03245/OUT Parish Somerton</p> <p>Town Farm Sutton Road Somerton TA11 6QL</p> <p>Demolition of agricultural buildings, formation of new access and erection of 14 dwellings with garage/parking (GR: 348503/128396)</p> <p>Agreement Date: 10/08/2011</p>	<p>Sports and Leisure: Equipped Play Contribution: £19,192 comprised of £12,236 for improvements of the Etsome Terrace play area, in particular for toddler play equipment. £6,956 commuted sum for long term maintenance.</p> <p>Changing Room Contribution: £24,907 comprised of £22,335 improvements to changing rooms at Gasson's Lane Recreation Ground, Somerton. £2,572 commuted sum payment for long term maintenance.</p> <p>Strategic Community Contribution: £22,491 towards one or more of the following projects:</p> <ol style="list-style-type: none"> 1) Development of a new indoor swimming pool in the Langport Area. 2) Development of a centrally based 8 court District wide competition sports hall halls in Yeovil. 3) Enhancement or expansion of the Octagon Theatre, Yeovil. 4) Development of a new STP in Langport area or sand based Stp in Yeovil. 5) Provision of a new indoor tennis centre in Yeovil, likely to be located within Yeovil Sports Zone. <p>Youth Facilities Contribution: £6,554 comprised of £4,805 towards provision of a youth shelter and floodlighting the existing skate park at Gassons's Lane, Somerton. £1749 commuted sum for long term maintenance.</p>	<p>Contributions payable to the Council index linked on or before the date of first occupation.</p>	<p>Sports and Leisure: £65,830.49</p>			<p>Status: Underway</p>	<p>Monies secured March '16.</p> <p>DPO Pro-rata to 12 units.</p> <p>Local monies to be spent by March '21</p> <p>Strategic Monies to be spent by Mar'26</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>13/03272/OUT Parish Somerton</p> <p>Land South of Langport Road Somerton</p> <p>Outline application for the construction of up to 150 dwellings with new vehicular access from Langport Road. Provision of associated parking, road and drainage infrastructure, a playing pitch, public open space and pedestrian links (all matters reserved)</p> <p>Agreement Date: 25/11/2015</p>	<p>Sports and Leisure: Changing Room Contribution: £130,569 comprised of £120,847 capital & £9,722 revenue towards enhancements of existing changing facilities at Gassons Lane Recreation, Somerton or provision of new facilities to be built on land within Somerton. Playing Pitch Contribution: £26,222 as a contribution towards as long term maintenance of the sports pitch provided by development. Youth Facilities Contribution: £34,703 comprised of £25,336 capital and £9,367 revenue to enhance existing facilities at Gassons Lane Recreation Ground. Strategic Facilities Contribution: £27,462 towards provision of new indoor pool in the Langport/Huish Episcopi Area.</p> <p>Highways: Detailed Highway requirements listed within 5th Schedule of agreement.</p> <p>Education: Education Contribution: Towards providing Primary Education Facilities in Somerton & Secondary Education Facilities in Langport to accommodate pupils generated by the development + £2,451.40 x Total Number of dwellings pursuant to the permission.</p> <p>Affordable Housing: Units Agreed: 53</p>	<p>Leisure Admin Fee and Youth Facilities Contributions payable on or before 25% of dwellings occupied. Changing Room and Playing Pitch Contributions payable on or before 50% of dwellings occupied. Strategic Facilities Contribution payable on or before 75% of dwellings occupied. LEAP POS Education: 50% of contribution payable on/before occupation of 25% of dwellings. Remainder payable on/or before occupation of 50% of the dwellings.</p>		<p>Sports and Leisure: £218,956 .00</p>		<p>Status: Not Commenced</p>	

Agenda Item 9

Area North Development Plan

Assistant Director: Helen Rutter Communities
Service Manager: Sara Kelly, Area Development Lead North
Lead Officer: Sara Kelly, Area Development Lead North
Contact Details: sara.kelly@southsomerset.gov.uk or (01935) 462249

Purpose of the Report

To approve the Area North Development Plan (ADP) for 2016/17.

Public Interest

The plan sets out the work being planned and undertaken locally by the Council to invest in communities across this Area based on needs analysis, Councillor and community concerns and priorities.

Recommendation

That Councillors approve the Area North Development Plan 2016/17.

Background

The Area North Committee revises local priorities on an annual basis within the framework of the overall Council Plan. Through the ADP and other means, it seeks to make progress on these priorities by allocating resources and working with partners and other services within SSDC to achieve results. Area budgets enable the Committee to pump prime the work and projects it wishes to implement or support. The use of resources is also reviewed annually. Progress against the ADP is monitored monthly by staff and reported to Committee at 6 months and then at the year end.

The new Council Plan was published in April 2016. The annual action plan for 2016/17 is attached at Appendix 1.

The ADP captures the main projects and programmes that the Area Development Team (ADT) will work on over the year. This is in addition to the normal, day-to-day responsive work with Councillors to address problems and issues that arise throughout the year.

Area North Priorities

The draft ADP is Appendix 2 to this report. It consists of core work such as the enquiry service and direct support to communities, existing projects that have been rolled forward for completion and new work strands developed in response to your priorities.

A range of projects and initiatives are underway to progress the 4 main priority themes which are:

1. Jobs and the economy
2. Affordable housing
3. Self Help and community facilities
4. Flood and water management

In addition the Committee and Area Development Team are continuously looking at ways to maintain effective links with parishes and community groups, improve the cost effectiveness of the Area Development Team and increase income to offset costs.

Financial Implications

The Team consists of a part time Area Development Lead (0.7 FTE), 3 part time Neighbourhood Development Officers (1.4 FTE), a part time PA/project support officer (0.5 FTE) and a 2 person Community Support Team (1.4 FTE) who provide a front office service in Langport along with administrative and project support.

Corporate Priority Implications

The priorities have been developed taking into account the current Council Action Plan see Appendix 1. The key aspects relevant to our work programme are:

- agree a prioritised action plan to deliver local projects with Regeneration Boards
- support district-wide roll out of superfast broadband
- support Huish Episcopi academy community swimming pool project
- support at least 50 community projects

Carbon Emissions and Climate Change Implications

This is considered on an individual project and programme basis as appropriate. The overall priority is to seek to create more balanced communities where people can live, work and get access to the services and facilities they need on a daily basis

Equality and Diversity Implications

This is considered on an individual project and programme basis as appropriate. All Area Development teams have done an Equality Impact assessment and have an improvement plan in place.

Background Papers: none

Appendix 1 : Annual Action Plan on a Page

Purpose: The Annual Plan outlines agreed high level actions for each year. It will be updated each year, with an annual monitoring report to Full Council.

Priority Levels: Council Plan delivery is designed to be flexible to allow urgent projects to be added mid-year. To aid flexibility, actions are prioritised as **High**, **Medium** and **Low**. Lower priority actions or those in italics will start when capacity allows, when the opportunity arises or if external resource is identified within the project plan.

Our plans for 2016-17

High quality cost effective services

- H** Commence the delivery of the Transformation programme
- H** Set up Income Generation Board and develop prioritised action plan.
- M** Optimise council assets to increase use or receive income.
- H** Take a full role in the Demerging Devolution discussions to ensure the best outcome for South Somerset communities.
- H** Work with Sedgemoor District Council on the formation of a strategic alliance to increase influence, resilience and savings.

Economy

- H** Engage pro-actively with the LEP to maximise investment in South Somerset.
- H** Progress key strategic projects such as Lufton 2000 and Chard Regeneration.
- H** Agree a prioritised action plan to deliver local projects with Regeneration Boards.
- H** Progress the key infrastructure projects that unlock development.
- M** Support district-wide roll out of superfast broadband.
- H** Progress work hubs in Chard and Yeovil.
- H** Progress options to improve access /regeneration of Yeovil Town Centre.
- H** Continue to support intern and apprentice scheme.

Environment

- H** Agree a new waste and recycling collection model to enhance recycling and reduce costs.
- H** Maintain levels of street cleanliness and increase the joint work with parishes via the parish ranger scheme.
- H** Improve gateway to Ham Hill CP through road and high profile signage scheme.
- H** Increase visitor numbers (and YCP café income) via an exciting events programme.
- H** Diversify volunteering opportunities to increase capacity for projects in all Country Parks.
- M** Begin installing 4km of paths within our open spaces to improve 'access for all'.
- H** With SRA, deliver Enhanced Maintenance Programme.
- M** Deliver or enable a range of energy reduction projects

Homes

- H** Increase housing supply to meet local needs by the agreed investment of £2.4m.
- H** Contribute to the review of DFG effectiveness led by the Health and Wellbeing Board.
- H** Work with partners to secure supported hostel and move on accommodation for vulnerable individuals.
- M** Continue to bring empty properties back into use.
- M** Continue to work with CSE on fuel poverty schemes.
- M** Promote Careline to increase take up and enable people to continue living independently.
- M** Develop a Lettings Agency project.
- M** Explore an enhanced landlord accreditation scheme.

Health and Communities

- H** Support residents through national benefit changes including universal credit.
- H** Agree lease, refurbish and relaunch WLC Sport, Conference & Entertainment Facilities.
- H** Deliver Healthy lifestyles projects inc Yr 1 of project to deliver integrated interventions to those with diabetes and hypertension.
- M** Transfer Castle Cary Market House to community.
- H** Enable enhancement of at least 8 play & youth facilities.
- H** Support Huish Episcopi academy community swimming pool project.
- M** Work with partners on public sector hub in Yeovil.
- H** Support at least 50 community projects.
- H** Prepare a plan to develop & deliver leisure facilities in Chard.



Area North Development Plan 2016-17

Our Portfolio Holder – Clare Aparicio Paul

Our Manager – Sara Kelly

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Introduction to the Area Development Service - *North*

In a rural area such as Area North in South Somerset, economies of scale can be harder to achieve for public services. South Somerset District Council aims to address this challenge through its well-established Area Working system, the Council's 'enable-partner-deliver' ethos, and its ambition *"to strive to deliver an improving quality of life for all"*.

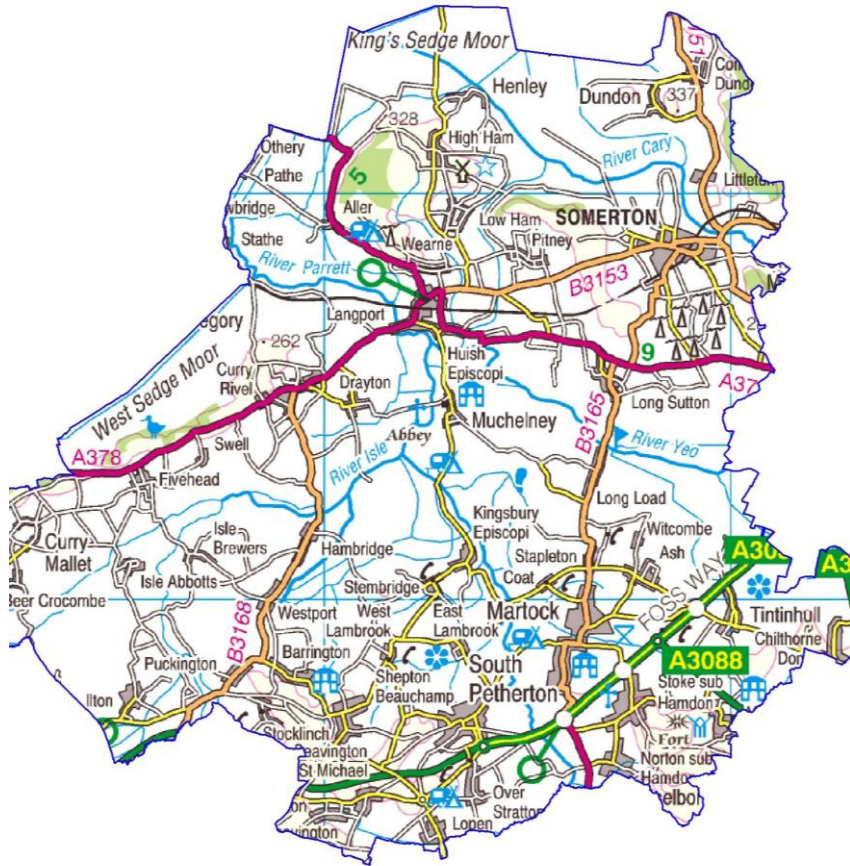
The Area Development Service works closely with Councillors and local communities to help make South Somerset a good place to live, work and visit. We work in four locally based teams - North, East, South and West.

The purpose of the service is to work with and support the development of the skills, ambitions and knowledge to be found in local communities. People using our service include community groups, local town and parish councillors, individuals and businesses.

- We help to design and secure investment into projects, services or community facilities which are run locally and aim to improve local social, economic or environmental well-being under the general direction of the priorities set by district councillors. This may be by Full Council, the Area Committee or ward councillor.
- We manage the Council's successful Community Grants programme and give guidance on alternative sources of funding.
- We provide practical help to help get projects off the ground for example with the hire of meetings rooms, loans of equipment for displays and presentation or help with the design and printing of surveys and publicity for events.
- We help to resolve current issues or local concerns from the neighbourhood or community, and we can help with contacting other services working in the area who may be able to help.
- We manage the council's community office service operating in the area. There is one community office in Area North, based inside the Langport Information Centre.
- We work closely with partners across the area to help residents get the help and information they need, at a time and place to suit them. This includes support to the four locally managed Local Information Centres in South Petherton, Martock, Somerton and Langport, together with helping to improve public access to and availability of help with on-line services.

Maps of Area North are shown on the following page – larger versions are available.

Area North – Ward and Parish boundaries



- Parishes
- Area North Wards
- BURROW HILL
- CURRY RIVEL
- HAMDON
- ISLEMOOR
- LANGPORT AND HUISH
- MARTOCK
- SOUTH PETHERTON
- ST MICHAELS
- TURN HILL
- WESSEX

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Area North Priorities 2016-17

The four Area North priorities provide the framework for work supported or directly managed by the Area North Development team, underpinned by the Area Committee's influence and use of delegated budgets.

- 1. Jobs and the Economy** – we will aim to add value to the economy in Area North through promoting local economic development and the availability of local employment, promoting the availability of Superfast Broadband and enhancing the offer to visitors to extend stay and spend.
- 2. Affordable Housing** – we will promote the delivery of affordable homes in Area North, including support to test and develop new models. Assistance can be provided with local housing needs surveys.
- 3. Self-Help and Community Facilities** – we will promote greater levels of self-help to promote the sustainability of local services and facilities for all ages. This will specifically include support to locally led projects as set out in the service action plan. We will continue to promote our general enquiries service to help residents; councillors; businesses and groups find the help and information they need to make a difference in their local communities
- 4. Flood and Water Management** – we will promote and support locally led solutions which prevent unacceptable flood events in our communities.

Area North Budgets 2016/17

Community grants

The award of grants up to £1000 is delegated to the Area Lead in consultation with ward members. Grants over £1000 are awarded by Area Committee. The budget for support to community led projects in 2016/17 was £10,680. To date, £1,000 has been spent leaving a balance of £9,680.

Capital programme

The Area Committee capital budget is used to improve or create physical assets for local benefit with a value of at least £10,000 for a scheme led by SSDC or as a community grant of at least £250. There is currently £184,655 for future allocation to local priority schemes in the Area North Capital Programme.

Area Reserves

This is a one off fund held as a special reserve by the Area Committee. There is £16,600 to allocate for future years. In addition, £10,000 is allocated to support the progress (in exceptional circumstances) of schemes for affordable housing as part of the Area Committee's priorities. This includes provision to support the creation of a new Community Land Trust in the Seavingtons Parish.

Service Standards for 2016/17 (our core work)	
1.	<p>Community Grants</p> <p>SSDC is committed to supporting community development projects, for which we offer a range of grants. The standards that we expect to fulfil are:</p> <ul style="list-style-type: none"> • Grant application pack to be sent out within 48 hours of request • Acknowledgement letter to be sent out within 3 days of receipt of application form • Award letter and conditions to be sent out within 5 days of Scrutiny call in period •
2.	<p>Front Office</p> <p>The Council has staff available in the Area Community office providing advice and guidance on all Council services, in particular;</p> <ul style="list-style-type: none"> • Verification and processing of housing benefit applications, including fast track applications • Planning applications and decision notices are available to view, as are minutes of Area Committee meetings • Reporting of local issues including waste enquiries
3.	<p>Community Development and Regeneration</p> <p>SSDC's Area Development Team aims to;</p> <ul style="list-style-type: none"> • Answer all community development and regeneration queries and questions received within the timescales set by corporate service standards • Offer advice and support to any community group in Area North wishing to produce a Parish Plan or Neighbourhood Plan • Encourage participation and give at least 6 weeks' notice of workshops, meetings or consultations which will always be held in accessible venues • Offer funding advice to local associations and voluntary groups and signpost to other possible funding providers • Coordinate and arrange meetings and workshops in response to demand from ANC, Parishes and community organisations which bring together key partners and community representatives to jointly tackle issues relating to the well-being of residents in the Area • Actively market the Area as a place to live and work • Keep our web pages up to date and relevant

Service Action Plan: Top level actions - more detail is within individual work programmes/project plans					
Priority Area	Action /Project description	Who	Resource	Milestone/ outcome	When
	Continue to build SSDC engagement with Town & Parish Councils, including guidance on community plans and local investment	All	Within existing resources	6 monthly meetings with clerks/chairs as required	Ongoing
	Monitor progress of Devon & Somerset Broadband Programme and promote local involvement in community and business engagement programmes https://www.connectingdevonandsomerset.co.uk/plans-get-underway-second-stage-superfast-broadband-roll/	PB	Within existing resources	More communities connected to superfast	Ongoing
	Support local community engagement with SSDC and partnerships between agencies to meet local needs (including community safety) and encourage innovation	ALL	Within existing resources	6 monthly meetings with key partners	Ongoing
1. Jobs and the economy	Support our 4 Local Information Centres (Somerton, Martock, Langport, South Petherton) with service level agreements	MO	4 x £500	Release all grant payments by Oct 2016	Ongoing
	Support the Levels and Moors Leader Executive Board to deliver the 2014-2020 Local Development Strategy.	PB	3 days	Quarterly meetings with LAG	Ongoing
	Implement Area North Marketing and signage programme	PB	Area North capital £20k	Increased footfall to a range of businesses & attractions	March 2017

Service Action Plan: Top level actions - more detail is within individual work programmes/project plans					
Priority Area	Action /Project description	Who	Resource	Milestone/ Outcome	When
1. Jobs and the economy	Support Westover Trading Estate businesses to improve local environment for trade and visitors	PB	2 days	Feedback from visitors/ businesses. Quarterly meetings to monitor progress.	Ongoing
	Business Resilience Support Programme	PB	£50K from BIS allocation for flood recovery	Visitor facing small businesses more resilient (regular review meetings)	March 2018
	Legacy for the levels – repair and promotion of the river parrett trail (RPT)	PB	£60k from BIS allocation for flood recovery	Profile of RPT improved. Jobs created or maintained	March 2018
	Support the development of ideas to promote rowing / boating on the Parrett at Langport	PB	5 days	Transfer ownership of Cockle Moor. Funding for infrastructure	2017
	Work with Martock Parish Council and M3 to support creation of a sustainable conservation and regeneration plan at the Parrett Works, Martock	PB	5 days	HLF start up grant to test viability and appraise market and potential economic impact	Ongoing

Service Action Plan: Top level actions - more detail is within individual work programmes/project plans					
Priority Area	Action /Project description	Who	Resource	Milestone/ Outcome	When
2. Affordable Housing	Support progress to secure completion of affordable housing scheme in Compton Dundon	SK	3 days	Work re commences on site.	2017
	Support the setting up of Seavington Community Land trust (SCLT)	MO	Area north reserves £10k & 2 days NDO time	SCLT formally constituted	December 2016
	Continue to offer support with local housing needs surveys as requested	ALL	Within existing resources	Respond to need	2017
3. Self Help and community facilities	Support community-led play days and youth work.	ALL	Community grants budget & existing resources	8 play days summer 2016	Ongoing
	Support the Kingsbury Episcopi Amenities Trust and Community Shop with the development of new community facilities at the recreation ground. http://www.kingsburycommunityshop.co.uk/	MO	£40k Area North capital grant	Phased payments of grant. Build complete Feb 2017	Feb 2017
	Support Kingsbury Episcopi church rooms management committee	MO	£4000 Area North capital grant	Work completed & grant released	October 2016
	Support delivery of Curry Rivel community facilities investment programme at Westfield and SSDC play areas.	SK	2 days	New equipment installed & landscaping completed	October 2016

Service Action Plan: Top level actions - more detail is within individual work programmes/project plans					
Priority Area	Action /Project description	Who	Resource	Milestone/ outcome	When
3. Self Help and community facilities	Support development of community facilities at Huish Leisure Centre	MO	Area North capital grant plus 2 days	Grant app to ANC by end 2016	Ongoing
	Support Robert Sewers Village Hall, Curry Rivel to carry out programme of improvements, including accessibility improvements	SK	2 x Area North capital grants totalling £12.5k plus 4 days	Hearing loop installed and toilets improved to create fully accessible toilet	March 2017
	Support Curry Rivel Parish Plan group to complete local consultation and research for a new parish plan and deliver actions	CSA SK	5 days 2 days	Report to ANC to endorse parish plan	By March 2017
	Support Stoke Sub Hamdon Recreation Trust to implement five year plan.	MO	5 days	6 monthly update meeting Oct 16.	Ongoing
	Support delivery of Ilton community facilities investment programme onto new land at Copse Lane.	CS	Support from legal team plus 10 days	Lease, S106 and deed of easement all finalised	December 2016
	Support Curry Mallet Parish Council and Village Hall to implement improved local play facilities	SK	2 days	New play equipment installed S106 spent	March 2017

Service Action Plan: Top level actions - more detail is within individual work programmes/project plans					
Priority Area	Action /Project description	Who	Resource	Milestone/ outcome	When
3. Self Help and community facilities	Support improvement and transfer of public open space (POS) at Bartletts Elm, Huish Episcopi	SK	3 days	POS successfully transferred	Ongoing
	Support Martock Parish Council to deliver actions identified in the Martock 'Our Place' programme	MO	7 days	SLA signed. Reviewed annually 2016-19	Ongoing
	Support The Seavingtons Playing Field Trust to make access improvements at Seavington Playing Field.	MO	£6k Area North capital grant plus 1 day	Final phase of grant payment released	March 2017
	Support Seavington shop and café to develop its business plan for long term sustainability.	MO	Delegated grant plus 3 days	Funding in place to appoint manager	Ongoing
	Support South Petherton Parish Council to refresh the Parish Plan / create Neighbourhood Plan	SK	2 days	Update to ANC by March 2017	Ongoing
	Support South Petherton Parish Council to deliver community facilities investment programme at Lightgate Lane to include master planning exercise	SK	£1000 community grant towards masterplan plus 4 days	Masterplan produced & first actions commenced	March 2017

Service Action Plan: Top level actions - more detail is within individual work programmes/project plans

Priority Area	Action /Project description	Who	Resource	Milestone/ Outcome	When
3. Self Help and community facilities	Support Chilthorne Domer Recreation Trust to make improvements to the Pavillion for community use	SK	2 x ANC capital grants (total £16k) plus 2 days	New play equipment installed. Car park extended.	March 2017
	Support the village hall committee with improvements to Montacute village hall	CS	£4800 Area North capital grant plus 1.5 days	Grant payment released and work completed	March 2017
	Support completion of feasibility and business plan for new sports changing rooms in Montacute	CS	2 days	Business plan produced and approved by National Trust	2017
	Support Tintinhull Parish Council to progress funding and design for new village hall	CS	£40k Area North capital grant plus 2 days	Work started on site. Build complete	2017
	Support High Ham Parish Council to complete the High Ham Youth Park	SK	£6k Area North capital grant	Final piece of equipment installed	October 2016
	Support Long Sutton Village Hall with their programme of improvements at the village hall, pavilion and playing field	SK	£1,750 community grant plus support from property services and 3 days NDO support	3 year business plan produced. Priority actions identified.	March 2017

Service Action Plan: Top level actions - more detail is within individual work programmes/project plans					
Priority Area	Action /Project description	Who	Resource	Milestone/ Outcome	When
3. Self Help and community facilities	Support Somerton Town Council to provide additional town centre parking	SK	Support from engineering and property services manager plus 3 days	License for mitigation granted by natural England. Work commenced on site.	December 2017
	Support Somerton Recreation Trust to continue master planning for changing and sports facilities	SK	£1000 community grant plus 5 days	Project fully scoped and approved by Trust. Masterplan complete	2017
	Support and coordination of ABP abattoir liaison group	CS	1.5 days	Quarterly meetings arranged and attended	Ongoing
	Support review of community facilities in Ash and ongoing actions that arise from the outcome of the recent survey.	CS	£308 community grant plus 1.5 days	Survey findings published and endorsed. Action plan produced	March 2017
4. Flood and water management	Support the delivery of local priority projects within Somerset 20 Year Flood Action Plan and Somerset Rivers Authority work programme	SK	Within existing resources	Action plan on target	Ongoing

Agenda Item 10

Area North Committee – Forward Plan

Strategic Director: Rina Singh, Place and Performance
Assistant Directors: Helen Rutter & Kim Close, Communities
Service Manager: Charlotte Jones, Area Development (North)
Lead Officer: Becky Sanders, Committee Administrator
Contact Details: becky.sanders@southsomerset.gov.uk or (01935) 462596

Purpose of the Report

This report informs Members of the Area North Committee Forward Plan.

Public Interest

The forward plan sets out items and issues to be discussed over the coming few months. It is reviewed and updated each month, and included within the Area North Committee agenda, where members of the committee may endorse or request amendments.

Recommendation

Members are asked to:

Note and comment upon the Area North Committee Forward Plan as attached, and identify priorities for further reports to be added to the Area North Committee Forward Plan.

Area North Committee Forward Plan

Members of the public, councillors, service managers, and partners may also request an item be placed within the forward plan for a future meeting, by contacting the Agenda Co-ordinator.

Items marked *in italics* are not yet confirmed, due to the attendance of additional representatives.

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

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact the Agenda Co-ordinator; Becky Sanders.

Background Papers: None

Area North Committee Forward Plan

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact the Agenda Co-ordinator; Becky Sanders, becky.sanders@southsomerset.gov.uk

Items marked in italics are not yet confirmed, due to the attendance of additional representatives. Key: SCC = Somerset County Council

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
<i>Aug / Sept '16</i>	<i>Highways Update</i>	<i>Routine update report from the Highways Authority.</i>	<i>SCC Highways</i>
<i>28 Sept '16</i>	<i>Rural Housing Needs</i>	<i>Update report</i>	<i>Alice Knight, Welfare and Careline Manager</i>
<i>26 Oct '16</i>	<i>Policing and Community Safety</i>	<i>Update report / presentation</i>	<i>Steve Brewer, Community Safety Co-ordinator / Representative from Avon and Somerset Police</i>
<i>26 Oct '16</i>	<i>Licensing Service</i>	<i>Update report on the Licensing Service.</i>	<i>Nigel Marston, Licensing Manager</i>
<i>23 Nov '16</i>	<i>Rural Transport</i>	<i>Update report</i>	<i>Nigel Collins, Transport Strategy Officer</i>
<i>TBC</i>	<i>Endorsement of Community Led Plans</i>	<i>Curry Rivel Parish Plan South Petherton Parish Plan and Neighbourhood Plan</i>	<i>Sara Kelly, Area Development Lead (North)</i>

Agenda Item 11

Planning Appeals

Assistant Director: Martin Woods, Economy
Service Manager: David Norris, Development Manager
Lead Officer: As above
Contact Details: david.norris@southsomerset.gov.uk or (01935) 462382

Purpose of the Report

To inform members of the appeals that have been lodged, decided upon or withdrawn.

Public Interest

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

Recommendation

That members comment upon and note the report.

Appeals Lodged

15/02891/FUL – Old Mill Cottage, Langport Road, Huish Episcopi TA10 9QT.
Erection of a mixed used shed building to house historic tractors and nosiness storage. Change of use from agricultural land to commercial use. Replacement of some shed, and the erection of an open-fronted car port for mixed use of B8 (Storage or Distribution) and domestic storage.

15/03232/FUL – Former Highways Depot, Etsome Terrace, Somerton TA11 6LY.
The erection of 10 houses and a convenience store with associated parking and access arrangements.

Appeals Dismissed

15/00446/OUT – Land North of Lavers Oak, Stapleton Road, Martock.
Residential development of up to 91 dwellings (Use Class 3) with public open space, vehicular access and associated infrastructure.

Appeals Allowed

None

The Inspector's decision letter is shown on the following pages.

Appeal Decision

Inquiry opened on 19 April 2016

Site visit made on 28 April 2016

by Keith Manning BSc (Hons) BTP MRTPI

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

Decision date: 22 June 2016

Appeal Ref: APP/R3325/W/15/3131336

Land North of Lavers Oak, Stapleton Road, Martock, Somerset

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Gladman Developments Ltd against the decision of South Somerset District Council.
 - The application Ref 15/00446/OUT, dated 29 January 2015, was refused by notice dated 1 May 2015.
 - The development proposed is residential development of up to 91 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.
-

Decision

1. The appeal is dismissed.

Preliminary and Procedural Matters

2. The Inquiry opened on 19 April 2016 and sat for 6 days closing on 27 April prior to my site visit the following day.
3. A statement of Common Ground (SoCG) was agreed by the parties on the day the inquiry opened.¹
4. The application is in outline with all matters reserved except for access.
5. The unilateral undertaking put forward by the appellant was only available in draft form at the inquiry and I was informed that there were practical difficulties in achieving completion by the end of the inquiry, owing to the absence from the country of one of the signatories. I therefore specified a timescale after the close of the inquiry for the completed undertaking to be submitted; and that timescale was duly met.
6. The undertaking provides that 35% of the dwellings proposed to be developed shall be affordable and that they should all be available before the final completion of the market dwellings in accordance with a mix and disposition within the site to be ultimately controlled by the Council. Financial contributions are provided for in respect of on-site equipped play space, local youth facilities, off-site but local playing pitches and associated changing rooms, a community hall within Martock and a new facility at the Octagon Theatre in Yeovil together with provision for initial maintenance of open space and transfer of this to a management company. Financial contributions are

¹ ID2

also provided for in respect of education, transport improvements within Martock and the monitoring of a travel plan. The scope and content of the undertaking was discussed at the inquiry on a "round table" basis and it contains a so-called "blue pencil clause" which would negate any obligation in the deed I expressly state not to be material or of sufficient weight to be determinative or otherwise not in accordance with the Community Infrastructure Levy Regulations 2010 ('the CIL Regulations').

7. The Council refused the application for five reasons, including lack of provision for reasonable planning obligations at the time of its decision and its view that insufficient information in respect of potential impact on protected species, namely bats, had been provided. The latter has since been addressed by the submission of further survey results and the former would be overcome by the unilateral undertaking. On those bases, the Council does not now pursue reasons 04 and 05. I have no reason to take a contrary view in respect of those matters.

Main Issues

8. Having heard the evidence and visited the site and the area, I consider the main issues to be as follows:-
 - Whether the proposed the proposed development would conflict with the development plan for South Somerset in respect of the settlement strategy embodied within it and, if so, whether it would harmfully undermine the strategy;
 - Whether the effect of the proposed development on designated heritage assets would be harmful in the context of relevant legislation and policy;
 - Whether the effect of the proposed development on the character and appearance of the area would conflict harmfully with the intentions of the development plan;
 - Whether the proposed development would be in a location which is sustainable or could be made sustainable in terms of transport choice; and, overall;
 - Whether the development represents sustainable development for the purposes of the National Planning Policy Framework ('the Framework') and the development plan.

Reasons

The proposed development in context

9. The SocG briefly describes the circa 4.12 hectare appeal site in factual terms. But it is pertinent and helpful for me to describe its geographical characteristics and aspects of the local planning context in some detail, as a prelude to addressing the main issues.
10. The settlement of Martock (with Bower Hinton) is a notably elongated settlement stretching north-south for approximately 3 km along the B3165 across a shallow valley oriented broadly east-west. The settlement runs as a continuous developed area from the vicinity of Ringwell Hill in the south to the southern boundary of the appeal site in the north.

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11. South of the centre defined on the Inset Map 9 of the recently adopted South Somerset Local Plan 2006 -2028 ('the Local Plan'), the original linearity of the settlement is largely retained through Bower Hinton and most of the centre and the settlement to the south is designated as a conservation area, which also extends from the centre along East Street. Northwards of the centre the settlement has been significantly expanded to either side of the B3165 by the accretion of housing developments of varying ages but largely twentieth century, a purpose built small shopping precinct, Moorlands Park, and a significant area of employment premises associated with former railway land to the south of the appeal site and the housing estate known as Lavers Oak.
12. This expanded area of the settlement at Martock is all shown as the defined Development Area for the purposes of the Local Plan but this stops abruptly at the small but well defined watercourse which divides the appeal site from Lavers Oak. That sharp physical distinction between the built-up area and the countryside to the north is continued west across the northern margin of the employment area on Oakland Road and east across the B3165 (here known as Stapleton Road, but becoming North Street down towards the centre of Martock), the housing area at Stapleton Close being similarly bounded by the watercourse. On the east side of Stapleton Road an area of allotments separates Stapleton Close from the dwelling known as Chestnut View, which appears to be associated with a smallholding or similar. A public footpath runs along the south side of the allotments and eastwards along the water course before turning sharply northwards to the outlying hamlet known as Highway.
13. Northwards of the watercourse the land rises gently towards the hamlet of Stapleton, a loose collection of dwellings and farmsteads with associated traditional orchards. The first encounter with this hamlet is at 'Stapleton Cross', literally a crossroads formed by Stapleton Road, Long Load Road (B3165) to the north and the highway running east-west along the higher ground to connect the outlying small villages of Ash and Coat. Stapleton contains a number of listed buildings including a small cluster at the crossroads, 'Stapleton Croft' and two other dwellings.
14. The appeal site to the west side of Stapleton Road fronts Stapleton Road and is separated from the listed buildings by properties known as 'Tredegar' and 'Highridge', together with the house known as 'Orchard View' and the associated remnant of a larger orchard, together with land to the west fronting the road between Stapleton Cross and Coat. This land, together with the remnant orchard and Orchard View, is shown on the application plan 3978_004_A as being within the control of the appellant (land edged blue).
15. Within the appeal site itself, an area of 'ridge and furrow' is discernible to the south of the remnant orchard and the eastern margin of the site north of the proposed access is characterised by a line of mature trees subject to a tree preservation order, including chestnut and beech. The indicative drawing 3978_002_H illustrates the development concept as retaining not only these trees but also the ridge and furrow. Also indicated is the inclusion of some restored orchard and wildflower meadow within the site to the west of the ridge and furrow. All would be incorporated in an area of open space with integral footpath.
16. The western side of the appeal site follows a hedgerow and beyond that a large single field runs down the slope to the employment area. This upper half of this

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field is field is bounded to the west by what appears to now be a dense woodland running south from Longlands Farm, albeit shown on maps as orchard land. Owing to the rising nature of the land the site is slightly elevated above Lavers Oak across the watercourse which, despite its small size, is notably incised along the southern margin of the appeal site.

17. Beyond the appeal site to the north west and east lies gently rolling countryside within which small settlements including Coat, Stapleton and Ash appear as distinct and separate physical entities, albeit in administrative terms Stapleton is within the parish of Martock. Much useful detail about this overall context is shown on the appellant's map of heritage assets within a kilometre of the site.²

Local plan settlement strategy

18. The Local Plan was adopted in March 2015 following independent examination and a finding of soundness in the context of the Framework. The specific merits of its settlement strategy, which is outlined in policy SS1, are not a matter for me, albeit as a general principle I would observe that a spatial strategy concerning the distribution of development tends to be fundamental to plans of this nature, not least in the context of the plan-led system embedded by statute and promoted through the Framework. The Local Plan in this instance is no exception to that principle.
19. So far as housing is concerned, the principle is manifest in this case in policy SS5 'Delivering New Housing Growth', the overall quantum for the District as a whole being established by policy SS4. This sets out very clearly that at least 15,950 houses are to be delivered in the plan period to 2028. It is equally clear from SS5 that at least 7,441 of these houses should be delivered within the urban framework of Yeovil and through the mechanism of two Sustainable Urban Extensions thereto. These are minima and, pending the adoption of the Site Allocations Development Plan Document a permissive approach was to have been taken at these locations and 'directions of growth' at the identified market towns, albeit the intended site allocations planning is, by way of an alternative means to the end, now to be 'slotted into' an early review of the Local Plan.³
20. Policy SS5 states in terms that the overall scale of growth set out (in tabulated form within the body of the policy) and the wider policy framework will be key considerations in taking this approach, with the emphasis being upon maintaining the established settlement hierarchy and ensuring sustainable levels of growth for all settlements. The policy further states that the same considerations should apply when considering housing proposals adjacent to the development area at amongst other locations, the Rural Centres. The policy then introduces the tabulated requirements for individual settlements with the words... "*The distribution of development across the settlement hierarchy will be in line with*" [the numbers in the table]. (The emphasis is mine.)
21. The policy is therefore clear on its face that a minimum delivery aided by a permissive approach in Yeovil and at the market towns will be complemented by a more prescriptive approach to the lower tier settlements of the hierarchy

² Evidence of Mr Clemens – Appendix A

³ Evidence of Mr Lane – paragraph 3.11

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to be maintained. The term "guideline"⁴, when applied to the figures for the lower tier settlements is not to my mind entirely apposite as it carries, in common parlance, connotations of a loose fit, the dictionary definition being "a general rule, principle or piece of advice"⁵. The dictionary definition of "in line with", on the other hand, is "in alignment or accordance with something"⁶ - a rather more precise concept.

22. I therefore have no difficulty in concluding that the policy is intended, in pursuit of maintaining the hierarchy, to be reasonably precise in its requirement for specified housing numbers at the lower order settlements. In the case of Martock⁷, which is classified as a Rural Centre, the housing requirement over the plan period is specified as 230 dwellings.
23. Taking the plan as a whole, I note that the approach to housing growth is closely matched in policy SS3 by a similar approach to employment, with the employment land requirement for Martock/Bower Hinton being specified as 3.19 hectares.
24. Although, as previously noted, I am obliged to take the plan as I find it, it is important to note at this juncture that the approach is not random or arbitrary. Paragraph 5.4 of the Local Plan explains the role of the 2009 *Settlement Role and Function Study* and paragraph 5.8 notes that it recommended, inter alia, that the Rural Centres should meet growth which would cater to more local needs and nearby small settlements. The 'Vision for 2028' set out in the local Plan explains the approach to sustainable growth which underpins it, including the object of greater settlement self-containment in the case of the Rural Centres, and strategic objective 6 aims for a balanced housing market, delivered through a sustainable district settlement strategy and hierarchy. In short, the Local Plan is pro-growth, in a purposeful and balanced fashion, and, subject to being kept up-to-date, I have no reason to consider it to be anything other than in accordance with the core principles set out in paragraph 17 of the Framework. It is a central consideration.
25. In broad terms the housing growth proposed for South Somerset in the Local Plan aims for 79% to be in Yeovil and the Market Towns, 7% within the six Rural Centres, with the balance being widely distributed across the numerous rural settlements of the District.⁸
26. It would of course be absurd to suppose that the planned growth figures will materialise exactly as planned, or to ascribe a spurious precision to the figures for any particular settlement. Nevertheless, the central purpose of the plan led system, within the context of relevant legislation and national policy is to deliver sustainable development in the right places at the right time in accordance with the vision and aspiration of local communities. That much is clear from the Framework, including the detailed policy set out in paragraphs 150 – 185. Hence development which would conflict with and undermine the strategy of a local plan so formulated would, in planning terms, be harmful.

⁴ ID 32 paragraph 19

⁵ Compact Oxford English Dictionary (Third Edition)

⁶ Ibid

⁷ Confirmed to be a reference to Martock/Bower Hinton

⁸ See Local Plan paragraph 5.65

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27. The appellant's planning witness queried whether simple failure to accord with policy intentions, as opposed to more tangible or visible harm such as negative impact on valued or designated landscape, would be harmful. However, the concept of harm to policy intentions is long established, most notably and crisply in the case of Green Belts, and I have no difficulty in concluding that development which conflicts with a development plan in a way which could potentially undermine its strategic intentions is of itself harmful unless justified by material considerations. Accordance with the development plan, unless there is a sufficiently good reason to depart from it, is a principle enshrined in statute, and the recent *Hopkins Homes* ruling in the Court of Appeal⁹ confirms beyond doubt the approach that must be followed, starting with the "statutory presumption in favour of the development plan".¹⁰
28. Whether or not a plan is up-to-date is a significant material consideration, but the simple fact of being out-of-date or not fully up-to-date does not negate or render irrelevant a development plan or policy within it; rather it affects the weight to be accorded by the decision maker relative to other material considerations.
29. In this case, it is common ground that the Council cannot currently demonstrate a five year supply of deliverable housing sites, notwithstanding the recent adoption of the Local Plan and therefore it is also common ground, by virtue of paragraph 49 of the Framework, that relevant policies for the supply of housing may not be considered up-to-date and that the presumption in favour of sustainable development set out in paragraph 14 is therefore engaged. This is a material consideration to which due weight must be accorded, a matter to which I return in the planning balance.
30. At this juncture it is more pertinent to consider the implications of the proposal for the strategy, the starting point being that Martock is a Rural Centre and that policy SS5 establishes that housing development over the plan period should be in line with the figure of 230 which the policy anticipates.
31. By virtue of existing commitments, it is uncontroversial that, as at 31st March 2015 (the latest date for which monitoring provides a complete picture), 254 dwellings had been built or committed at Martock (77 built and 177 permitted or under construction). To my mind, avoiding spurious precision, this is broadly in line with the strategy. By simplified calculation the temporal dimension of the planned housing requirement for Martock is 10½ houses per annum overall, the actual rate achieved over the first 9 years of the plan period (2006 – 2015) being in the order of 8½ houses per annum. The rate of build to meet the remainder of the planned requirement would equate to around 12 houses per annum maximum (230 - 77 = 153: 153/13yrs = 11.76). Bearing in mind the recessionary conditions from 2008 until relatively recently, and the 177 plots already committed at the settlement, a build rate of that order does not seem at all unrealistic if the presently more buoyant housing market continues to encourage house-building. The apparent popularity of Martock as a settlement seems credible, as the evidence of my own eyes indicated during my visit to the town centre that estate agents appeared to doing a brisk enough trade.

⁹ [2016] EWCA Civ 168

¹⁰ Ibid - paragraph 42

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32. It would seem from my analysis, and no evidence was presented to suggest otherwise, that demand is likely to ensure that house-building in Martock is very likely to be delivered in line with the SS5 strategy. On the contrary, the appellant stressed that a short timescale permission would be in order, if the appeal was allowed, to encourage rapid delivery to address the current acknowledged District-wide shortfall in deliverable sites. This stood, in September 2015, at 618 sites.¹¹
33. The implications of this are fairly clear. If the appeal is allowed, approximately 15% of the current District-wide shortfall would be immediately resolved by virtue of the appeal site being made available for development. Of itself, and viewed in isolation, that would undoubtedly be a good thing as it would contribute not only to the District's housing needs, including for Affordable Housing, but would also contribute nationally to the Framework's stated imperative to boost housing supply. But it is not appropriate in the plan-led system to view matters so simply or narrowly and the Framework does not demand that it should. On a proper interpretation, following *Hopkins Homes*, it adds weight to the contention that the housing should be allowed but it does not of itself demand that the intentions of the development plan should necessarily be overridden.
34. The question arises; what harm would the development inflict upon the SS5 spatial strategy for housing? The arithmetic context is that 15% of the current (and possibly short-lived¹²) housing land availability shortfall would be met now by means of allowing up to 91 houses at one of six Rural Centre settlements earmarked for limited growth and which are intended in aggregate to accommodate only 7% of the overall housing requirement (albeit this latter total is a minimum) for the District over the period to 2028, whereas the lion's share (79% at least) of housing development is intended for Yeovil and the Market Towns. Martock itself is intended to accommodate only 1.4% of the District-wide minimum requirement.¹³ Undoubtedly supply would be rapidly boosted in the settlement but a more pertinent figure locally is that also put by the Council, namely that the housing land supply at Martock would essentially be boosted to 345 dwellings, or 50% more, available over the next few years, than the strategy contemplates over the period to 2028, 12 years from now.
35. Notwithstanding the apparently permissive approach taken in the officer's report on the Ringwell application in Martock¹⁴ I am clear that, given the proper interpretation of policy SS5, which cites the figures for the higher tier settlements as minima but requires housing development at Rural Centres to be in line with the specified figure in each particular case, exceeding that figure by 50%, moreover at a point in time only 10 years into a 22 year strategy, carries with it the risk of significantly skewing the spatial pattern of housing growth away its intended form. The growth of Martock at such a pace and to such a scale is simply not what the development plan intends.
36. The question then arises as to what harm arises beyond damage to the credibility, intent and stated point of the policy – what would be the real world consequences? I accept that there has been presented no evidence to suggest

¹¹ CD 12.11 paragraphs 5.1 and 5.2

¹² See below under 'planning balance'

¹³ Evidence of Mr Lane paragraph 4.8

¹⁴ ID 32 paragraph 6a.

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that developers contemplating development in the priority areas in Yeovil or areas in need of regeneration such as Chard would be deterred from making the necessary investment or have objected to this proposal specifically. However, as a matter of logic it must be the case that in any housing market area such as South Somerset, which the Council points out to be relatively homogenous and linked, if people satisfy their housing needs in one area they will not look to satisfy them in another. The appellant's planning witness did accept, moreover, that there was the potential, at least, for such an outcome.

37. Given the strategic objective of achieving a balanced pattern of sustainable growth as between the various settlements in the hierarchy and broadly maintaining it to encourage self-containment and minimise unnecessary commuting, it is pertinent to consider local employment opportunities and who might occupy the proposed housing. In doing so, however, I am conscious that, with the exception of the affordable element, to some degree, there is no way of telling who might occupy the proposed housing, where they might work, or indeed whether they would be economically active at all, given the changing age profile of the population nationally and the apparent attractiveness of rural Somerset to retirees.
38. As noted previously, policy SS3 provides for complementary employment growth to increase the jobs available in Martock in balance with the additional housing planned for and it does appear that there could be more jobs available to Martock residents locally than the Council suggests, owing to the more rural Lower Super Output Areas around the settlement having been excluded by reason of the methodology adopted in the development planning process. However, the appellant's evidence on this was ultimately of limited utility as relevant figures could not actually be compared like with like.
39. As to who might occupy the houses, the appellant's figure were not in the event helpful at all, because it became clear through cross-examination that the statistics deployed revealed only the age categories of people in need of a mortgage, whereas the more mature segments of the population tend not to require finance for house purchase (albeit recent moves reported in the media to make mortgages available to the more elderly suggest that this may become less of a marked tendency).
40. In all the circumstances, I conclude that there is no special reason to depart from the generality of the plan strategy for Martock by reason of particular age or employment characteristics of potential occupiers. There is no reason to suppose that the market houses would necessarily be occupied by local people who might live and work in the village as opposed to those who might choose to live there but work in a larger centre, but there is a logic in the suggestion that a significantly more generous supply than planned for would tend to encourage out-commuting to other destinations by the economically active.
41. Paragraph 55 of the Framework says that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities but I am not persuaded, in the context of planned limited growth for the Rural Centre of Martock in line with the 230 additional houses specified (and around 3 hectares of employment land) over the plan period that the principle is being ignored or requires, in this particular case, any reinforcement. It seems to me, having regard to paragraph 5.27 of its explanatory text in the overview of the Rural Settlements of the hierarchy, that

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the principle is of more direct relevance to the circumstances that might be experienced in the wider countryside in which these are situated. Whilst this is clearly not a sealed system in reality or a sealed category of the Local Plan for these purposes,¹⁵ there is, in the context of the Local Plan as a whole, no convincing evidence of stagnation or decline in Martock to suggest that significantly more houses than planned for are required to address concerns about vitality.

42. All in all, taking the above considerations into account, I can only conclude that, on any assessment, exceeding the planned housing figure for Martock by 50% cannot be said to be in line with the policy figure specified, and that to do so at any point in the life of the plan, but particularly in the early-middle years, carries with it a very real risk of distorting the spatial strategy for sustainable development across the district with real and tangibly harmful consequences which are contrary to the Council's intentions as set out in its development plan.
43. Given the fundamental role of the development plan in statutory and national policy terms, this is a harmful conflict with Local Plan policy intentions generally, and policies SS1 and SS5 specifically, to which I accord substantial weight. That said, I accept that by virtue of paragraph 49 of the Framework these policies cannot be considered fully up-to-date, owing to the current absence of a five year deliverable supply of housing sites, and that paragraph 14 is therefore engaged – a matter to which I return in the planning balance.

Heritage considerations

44. It is common ground that... *"any alleged harm to the setting or significance of the designated heritage assets, at Stapleton Cross and the Church of the Holy Trinity at Ash, could only be considered as less than substantial"*.¹⁶
45. The Council does not raise heritage issues as a reason for refusal or a cause of conflict with the development plan and offers no evidence specific to the matters helpfully covered by the appellant's specialist witness on the topic.
46. I am required in any event, by virtue of s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the setting of the listed buildings I have described at Stapleton Cross and the Church of the Holy Trinity at Ash, also a listed building and plainly visible from the site.
47. To deal with the church first, my assessment is that the appeal site is plainly within its wider setting in the sense that the tower is a prominent feature in the landscape visible from many points, as originally intended. The church is significant as a visible place of worship within the rural landscape in which it was first built and which for the most part remains rural, save for the developed area of Martock which has progressed northwards as far as the appeal site and the allotments opposite. Many such listed churches are inter-visible with village development areas and, given the distance and broad scale of the wider setting of the church, the proposed development would represent a relatively small increment within that setting relative to the elongated settlement of Martock. It is a matter of degree, but in that context I do not

¹⁵ See discussion of accessibility issue below

¹⁶ SoCG paragraph 4.9.1

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consider that the proposed development would materially diminish the significance of the church as a listed building by fundamentally altering its wider setting given that this already includes substantial development which would not come physically closer or encroach eastwards onto the rural land between the church and Stapleton Road.

48. The listed buildings at Stapleton Cross are a more complex matter in my opinion. Stapleton as a whole, although not a conservation area, exhibits a form of development now referred to as a 'shrunken village', being the remnants of an agricultural community indivisible in functional and historic terms from its rural setting. It contains a number of listed buildings and the relevant ones for present purposes are essentially those at the southern end of the settlement, i.e. Stapleton Cross. The two listed houses to the north-west of Stapleton Croft front the highway traversing the ridge of higher ground between Ash and Coat and are for the most part visually separated from the northern environs of the appeal site, part of their intermediate agricultural setting, by the dwellings known as Tredegar, Orchard View and Highridge.
49. Stapleton Croft, on the other hand is comparatively prominent in view on approach to Stapleton Croft up Stapleton Road alongside the appeal site and there is intervisibility through the remnant orchard, which forms a close part of its setting, with the appeal site to the south clearly linked to it as part of its intermediate agricultural setting. Insofar as this would change to an essentially suburban landscape through the addition of a housing estate, I consider that its rural setting would not be preserved and would be changed moreover in a way which would in some small measure harm its significance, albeit the proposed preservation of the ridge and furrow and disposition of open space would materially assist in mitigating that harm.
50. For these reasons, although I do not concur with the finding of "no harm" claimed by the appellant's witness, I have no hesitation in concluding that the harm would be less than substantial and, as suggested, would be "towards the bottom of the less-than-substantial harm spectrum", as he puts it. There would be no substantial conflict with the intentions of policy EQ3 of the Local Plan concerning the historic environment, albeit the less than substantial harm I have identified in respect of Stapleton Croft is required to be balanced against public benefit by virtue of paragraph 134 of the Framework.

Character and appearance of area

51. Paragraph 13.28 of the Local Plan explains that policy EQ2... *"aims to ensure that development contributes to social, economic and environmental sustainability and makes a positive difference to people's lives to help to provide homes, jobs and better opportunities for everyone. At the same time, it aims to protect and enhance the natural environment, and conserve the countryside and open spaces that are important to everyone"*. Although out-of-date by virtue of paragraph 49 to the extent that it might in any particular set of circumstances constrain housing delivery, there is no suggestion that the policy itself is anything other than broadly consistent with the general intentions of the Framework and, indeed, this explanation seems to me to encapsulate much of the balanced approach that lies at the very heart of the Framework. The policy itself, which concerns general criteria for development management, lists a number of aims against which proposals to develop are to be considered, including; *"creation of quality places"*; *"conserving and*

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enhancing the landscape character of the area”; “reinforcing local distinctiveness and respect local context”; and “local area character”.

52. As I have previously noted, Martock/Bower Hinton has historically grown in markedly linear fashion across the floor of a shallow valley. Martock has tended to broaden out but has nevertheless continued its northward progression either side of the B3165 to the point where it is bounded by the watercourse at the foot of a gentle but perceptible increase in slope up towards Stapleton Cross.
53. The watercourse is of no great topographic significance beyond marking that subtle change in the topography and, bearing in mind its small size, most certainly does not present an obvious physical constraint to further development. Nevertheless, I do concur with the Council’s landscape witness, to some degree in this particular matter, in that it appears to mark a legible physical distinction between the distinctly rural area within which Stapleton, Ash and Coat are situated and the built-up confines of the much larger settlement of Martock, here characterised by suburban housing at Stapleton Close and Lavers Oak and the industrial estate west of the latter on Oakland Road.
54. I do not consider the allotments and associated structures, or the single property and associated structures at Chestnut View detract unduly from the rural character which is noticeably encountered at this point. West of Stapleton Road the boundary of the housing areas is rendered somewhat abrupt by the relationship of the watercourse and various domestic treatments of its southern bank in Lavers Oak, whilst the boundary of the industrial estate to the west of the appeal site is very noticeable from within the western part of the site and the field west of Highridge. But this is private land and, excepting the boundary of Lavers Oak from a short section of Stapleton Road, not generally visible in the public domain. The opportunities for viewing this northern margin of Martock from the Coat–Stapleton Cross road are limited by its nature and configuration, whilst to the north the public footpath affords only very limited views of the site as a whole in any event. As the landscape witnesses agree, the topography, vegetation and disposition of other physical features in the area generally serve to contain views of the appeal site from the west and north. Equally, and for similar reasons, I do not consider the case is strong for using development to create a more visually pleasing northern boundary to the village.
55. Along Stapleton Road itself the site is of course clearly apparent but perception of it is dominated by the mature protected trees along the eastern margin with a pleasing impression of open rural land beyond. Again the circumstances reduce negative impressions of the rear of the Lavers Oak development. The main impression is of the pleasant rural aspect created by the trees and the former orchard land to the west and it is unsurprising that this has been singled out as *“Landscape with a low capacity to accommodate built development”* in the *Council’s Peripheral Landscape Study – Martock*.¹⁷
56. Although not designated for its landscape value or otherwise formally recognised as a “valued landscape” for the purposes of paragraph 109 of the Framework, that thorough and systematic local analysis for development

¹⁷ CD 11.3

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- planning purposes clearly indicates that it has qualities which are valued and which merit protection, albeit the appellant has taken this unequivocally into account by proposing to exclude the protected trees, the discernible ridge and furrow and an area of orchard land to be restored from the development area within the site.
57. Whilst by no means intended as a token gesture, this does not, however, address the full picture regarding landscape impact and the distinctive character and appearance of the local area.
58. The separate small settlements of Ash, Stapleton and Coat are within a wider rural landscape characterised by gently rolling topography, orchards, hedgerows and woodlands at, approaching and beyond the rim of the shallow valley across which Martock has latterly grown in a northerly direction supplemented by some broadening out as I have noted. Stapleton Cross is the closest manifestation of this pattern of rural development scattered within the landscape and marks the beginning of a traditional agricultural settlement much more loosely configured than Martock which continues northwards for a short distance on the higher ground before the road gently descends towards the linear settlement of Long Load, from which it is well separated by intervening countryside.
59. The linear pattern is a notable local characteristic, and this is essentially a manifestation of the historic geography of the area of the area, intimately related to its agricultural traditions and historic transport routes. Whilst Martock has grown northwards by accretion of estates behind the original road frontage, a pattern that diminishes at Stapleton Close and Lavers Oak, where estate development is more directly related to the B3165, this more recent pattern nevertheless stops sharply and distinctly at the watercourse, beyond which the scene changes markedly to the distinctive rural pattern I have described. Consequently, the very perceptible rural gap between Martock and the physically very distinct and separate settlement of Stapleton does assume an importance as part of the locally distinctive rural landscape belied by its lack of any special protection in the Local Plan, albeit paragraph 5.5 of the Peripheral Landscape Study for Martock specifically refers to the fields which separate the settlements.
60. Protection of local gaps is not a feature of the Local Plan. However, that does not negate the importance of such gaps within the rural scene where they contribute to the local distinctiveness, context and character which its policy EQ2 seeks to protect, inter alia through conservation of local landscape character, which in this instance would be harmfully intruded upon by the insertion of an estate of houses, even though set back behind the protected trees and open space proposed within the appeal site. It seems to me that creation of quality places must necessarily encompass these subtle concepts in addition to protecting the most obvious features and implementing mitigation through landscaping measures, bearing in mind the permanence and irreversibility of built development of the type proposed.
61. For these reasons I consider the existing separation between Martock and Stapleton to be important to the basic intentions and individual aims of policy EQ2 as the Council maintains.

62. Moreover, this separation is not merely something to be experienced by users of Stapleton Road. My site visit took in the viewpoints identified by the landscape witnesses and, whilst from the north and west, there would be little harm owing to the visual containment of the site by topography and other features, the perception from the east and south east would be quite different, notably from the public footpath south of Highway, albeit this is screened by vegetation for much of its length, but more particularly so from around the point where this turns to the west back towards Stapleton Road and the allotments. The view from this latter location and from the approach to it from the east would change from an essentially open and rural landscape to the west to one dominated by an estate of houses extending up the slope almost as far as Stapleton Cross. The masking effect of the protected trees would only serve to hide the small separation proposed to be retained. The perception would be of the large settlement of Martock having extended up the slope into its rural hinterland to form a continuous belt across the gap between it and Stapleton. This effect, being on the public footpath approach and also the allotment land would be very much in the public domain of those enjoying the countryside around the settlements.
63. The differences between the appellant's landscape witness and Council are well documented in their evidence and were clear at the inquiry. Ultimately the systematic analyses they conducted were in many respects concluded by differences in nuance and judgement (which would also seem to account for the differences in substance, such as they are, between the appellant's landscape witness and the author of the Landscape and Visual Impact assessment originally submitted with the application¹⁸). However, having examined the proposal in detail on my formal site visit and prior to that on my preliminary visit to the site and surrounding area, I prefer, for the reasons given above, the effective conclusion of the Council's witness that, in terms of the objects of Local Plan policy EQ2, and also the more generalised policies of the Framework in relevant respects, the proposed development would be significantly harmful. This is a planning harm to which I accord substantial weight.

Accessibility

64. The Council's third reason for refusal is uncompromising in stating that the proposed development would be unsustainable by virtue of poor accessibility, with alternatives to the use of the private car being significantly reduced. On the face of it, this does not sit well with the concept of directing some growth to the Rural Centres but it is pertinent that relevant explanatory text in the Local Plan, at paragraph 5.21, recognises that... "growth in smaller but still sizeable settlements [i.e. the Rural Centres –paragraph 5.22] is likely to be less sustainable and so should be geared to meet local needs and address affordable housing issues...".
65. In principle, the plan recognises that some growth is necessary in the Rural Centres but that for accessibility reasons amongst others, this should be relatively limited. Whilst that principle is fundamental to the first issue it has a bearing also on the specifics of the instant proposal, bearing in mind that the proposed housing would be situated on currently undeveloped land adjacent to the northern extremity of the linear settlement of Martock. The Council's

¹⁸ CD

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proposition is not inherently unreasonable in the circumstances but planning decisions turn on a mixture of principle and practice as the former element must necessarily accommodate real world circumstances on the ground. On that basis, the appellant's proposition that a package of measures (as detailed in the evidence) to improve accessibility and the suggestion that a Travel Plan should assist in this aim is not inevitably hopeless. The Framework specifically endorses the latter instrument at paragraph 36, which should of course be read in the context not only of paragraph 35 but also paragraph 34. This effectively recognises that a degree of flexibility may be needed in rural areas in particular to accommodate other planning objectives. Moreover, it is a core principle of the Framework that significant development should be focussed in... "*locations which are or can be made sustainable*".

66. The Local Plan policy TA5, for its part, requires that new development should be designed to maximise the potential for sustainable transport through, amongst other things..... "*Securing inclusive, safe and convenient access on foot, cycle, and by public and private transport that addresses the needs of all*". Together with the fifth requirement in respect of transport assessments (addressed at the time of application) this second requirement of the policy is the most directly relevant of those listed to the development at issue. Clearly, the 'needs of all' accords with the intentions of paragraphs 32 and 35 of the Framework and embraces the needs of children, the elderly and those with mobility and sight impairments as well as the more able-bodied adult majority. Distance to facilities is relevant to all and quality, safety and ease of route are relatively more important to the less able-bodied and experienced who, amongst other things may not have the ability to use private transport in any event.
67. It is common ground that the site has existing bus stops within walking distance, so as to access locations including Yeovil and Taunton, and that the nearest main centres are... "*well served during the main part of the day allowing for work, shopping and daytime leisure trips.*" The Council's concern, apart from a more general point about public transport, is more specifically to do with local accessibility for day to day needs.
68. The parties' transport witnesses helpfully agreed a list of walking distances from the centre of the site to the range of services and facilities in Martock, the nearest on the list including the allotments opposite (at 200m) and bus stops (250m); the furthest including the local doctors' surgery (1,600m) and Martock Recreation Ground (1,940m).
69. The basic generic measure of local accessibility, to my mind, must be the walk to the local town or village centre which is the focus for most day to day needs, in this case a reasonable proxy being the Moorlands Park Shopping Centre (1,330m), albeit as a consequence of the linearity and historic development of Martock there is a range of shops and services arrayed along the B3165 between the appeal site and the centre, including a convenience store at the petrol filling station.
70. I have no doubt that the desire line between the site and the centre is the Stapleton Road/North Street Route, which is beset with numerous physical inadequacies which could be challenging for the mobility impaired and potentially prohibitive for wheelchair users, albeit during the course of my site visit I did observe mobility scooters using the main highway to circumvent

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certain of these – a perfectly legal if less than ideal practice. Moreover, the accident record for the route does not suggest that it is unduly dangerous – possibly because, as the Parish council representative suggested, the presence of numerous parked cars in the relatively narrow carriageway has a traffic-calming effect.

71. Notwithstanding that desire line, a broadly parallel if somewhat winding route is available to those with a little local knowledge. This runs east of the B3165, essentially via Stapleton Close and Bracey Road and so through to the Moorfields Shopping Centre car park. During the course of my site visit I walked both routes and found this alternative, involving around 15 minutes' walking at a moderately steady pace, to be calm and safe and within normal expectations of a significant suburban walk to a shopping centre. For an able-bodied adult it presents no particular problem and would be capable of use as a safer and less fraught alternative to the B3165 for the less mobile or for cyclists.
72. The primary route along the latter, the obvious desire line, is a different proposition for those categories, as tends to be the case in towns and villages throughout the country which have evolved from linear settlements whose original growth reflected the needs of the horse and cart, with properties fronting narrow highways with narrow pavements at best and little prospect of substantial improvement in the absence of potentially draconian and destructive measures damaging to the essential character legacy.
73. Martock is no exception to that tendency and its marked linearity means that it is a persistent tendency over much of the distance from the site to the centre, albeit the package of measures proposed by the appellant would offer some relief and I have no doubt that, despite the apparent difficulty of finding a location for a southbound bus shelter (given the curious reluctance, reportedly, of the County Council to entertain new shelters on highway land), a solution to that particular impediment could ultimately be agreed.
74. Considering the above context, including the historical development of Martock and the reasonable alternative to the use of the main spine route through it to access the centre, I do not accept the stated conviction of the Council's highways witness that the poor characteristics of that desire line for pedestrians and cyclists should of itself be prohibitive of development, in principle, on the appeal site. As the advocate for the appellant put it, that would be a "counsel of perfection" that would routinely prevent much needed housing development in many such situations, including, possibly, elsewhere in Martock.
75. That said, the location of the site relative to the centre, although within certain of the guideline preferred maximum walking distances cited, would not in my view positively encourage alternatives to the use of the car in the way that eminently 'walkable' urban neighbourhoods do. Realistically, it is unlikely that even the able-bodied, certainly the economically active amongst them with time constraints, would routinely opt for walking as an alternative to private transport, albeit cycling would be a time saving option for those so inclined.
76. However, that tendency to use the car, for speed and convenience, in any event, is not confined to the situation under consideration here and the requirements of national policy are to provide for alternatives, as is clear from

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paragraph 29 of the Framework, according to geographic circumstances. As far as the latter point is concerned it is pertinent that whilst clearly not an urban situation, the site is not located in the deep countryside, where expectations of real transport choice could be unrealistic, but rather Martock is a Rural Centre, identified for a modicum of housing growth because, although furnished with a range of services that could be supported and extended by such growth, “*is likely to be less sustainable*”¹⁹ [than the higher tier settlements].

77. The Local Plan policy TA5 requirement, amongst other things, is to maximise the potential for sustainable transport. One of the policy requirements in this context is to secure safe and convenient access for all and whilst the package of measures put forward by the appellant addresses the first aspect of that requirement as best it can, the notably peripheral location of the site at the northern extremity of the village means that, notwithstanding the alternative to the B3165 legacy route down the spine of the settlement, which is convenient enough for the able-bodied, should they be inclined to take the time, many facilities including those such as the doctors’ surgery from the centre southwards cannot be said to be truly ‘convenient’.
78. Sustainability of location is clearly a spectrum and a judgement in the round and it is neither appropriate nor possible to be overly prescriptive as to what is or is not ‘sustainable’ in that sense. Hence walking distance guidelines tend to be expressed as desirable maxima rather than absolutes.
79. In this instance, I find the Council’s approach to be unduly prescriptive and absolute. Insofar as the sustainability of the location represents a point on a spectrum, I would place it towards (but not at) the less sustainable end with mitigation (which would also benefit established residents) moving it a little further to the centre. The disadvantages of the site’s location can be mitigated to a degree, as it would need to be, and is proposed to be, to accord with policy TA5. All other things being equal, therefore, in the context of demonstrable housing need, the location of the site per se would not in my estimation be prohibitive of housing development bearing in mind that Martock is identified as a Rural Centre.
80. For the above reasons, accessibility considerations are not in my view decisive against the proposal as the Council contends. Equally they do not commend the site as a housing location of first choice in an ideal world. Bearing in mind that planning rarely operates in an environment of that nature, I do not consider the site’s accessibility characteristics to be unacceptably harmful, but neither do they weigh in favour of the proposal. Given the less direct alternative route and the appellant’s willingness and firm intention to mitigate the difficulties encountered on the B3165, to the extent that appears to be possible, and the Rural Centre context, I accord little weight either way to this aspect of the proposal because, as a matter of pragmatic judgement in the round, the intentions of policy TA5 could be more or less satisfied.

Other matters and the planning balance

81. The fact of the land being Best and Most Versatile agricultural land would not of itself justify refusal given the limited land take and the District Context of apparently limited choice of greenfield land not falling within that category, but

¹⁹ Local Plan paragraph 5.21
<https://www.gov.uk/government/organisations/planning-inspectorate>

- nevertheless the loss does not weigh on the positive side of the balance in the way that use of previously developed or lower grade land might.
82. The impact on the social infrastructure of Martock was originally a reason for refusal but would be comprehensively addressed by the unilateral undertaking proposed, to the extent that this provides for what is necessary, reasonable and related to the impact of the proposed development.
83. It is common ground that the presumption in paragraph 14 of the Framework is engaged by reason of the housing land supply being currently inadequate in terms of the requisite five year supply of deliverable sites. I do not agree with the Council²⁰ that the shortfall is not significant or that the suppression of delivery by recessionary conditions over much of the early plan period in any way mitigates the need to address the matter. Similarly, recent adoption of the Local Plan is not, of itself, significant if, as here, relevant policies for the supply of housing cannot be considered up-to-date and it is a matter of concern that specific allocations are not yet in firm prospect to address the matter; although I acknowledge the Council's aspiration to adopt site allocations in an early review of the Local Plan by early 2018. The mere fact of reviewing the evidence base in anticipation of that does nothing to alter the fact of shortfall now and the national imperative to boost the supply of housing means that the shortfall is a matter which must be accorded significant weight. Exactly how significant that weight should be relative to other considerations in any particular case is a matter for the decision maker.
84. That principle is established beyond doubt by the recent Appeal Court Ruling in *Hopkins Homes* which establishes, moreover, that lack of a five year supply of housing land should not automatically override other planning harms or render out-of-date policies irrelevant or of no real consequence. Rather it is a matter to which appropriate weight must be accorded by the decision maker, influential as appropriate in the circumstances of the case, in the context of the plan-led system that is the statutory basis for decision taking; and central to the overall intentions of the Framework in respect of sustainable development as defined through paragraphs 18 to 219 taken as a whole.
85. The relatively poor universal accessibility of the site is not a matter I accord significant weight to on either side of the balance, for the reasons I have given, albeit it would not otherwise feature on the positive side. The fundamental issues concern the basic intentions of the development plan strategy and the impact of the proposal on the character and appearance of the area.
86. Of course the economic and social benefits of affordable and market housing are to be accorded significant weight and I do so. But I am also very conscious that, notwithstanding the district-wide shortfall in housing land supply, the contribution in terms of commitments anticipated by the spatial strategy of the development plan has already exceeded by around 10% (24 units) the figure that it is intended to be in line with; and I have no evidence to suggest that those existing commitments will not be delivered. If the appeal proposals were to be delivered, as I have no doubt they would be, this would most certainly not be in line with the specified figure but would exceed it by a very substantial margin indeed. The net result would be a serious distortion of the carefully considered spatial strategy of the development plan recently found sound in

²⁰ Evidence of Mr Lane – paragraph 4.33
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the context of the Framework and adopted accordingly. I have no doubt that this could, potentially, lead to harmful consequences elsewhere notwithstanding the lack of specific objection from other house builders with aspirations to develop elsewhere and the lack of objection from those who wish to implement existing commitments in Martock lends weight the proposition that demand for houses in this settlement would cause the strategy to be distorted in real terms and not just on paper. To significantly undermine an adopted development plan strategy balanced for sustainability, as I consider this proposal would, constitutes a seriously adverse consequence, potentially with social, economic and environmental disadvantages, for example through excessive commuting, that strikes at the heart of the plan-led system which is integral to the Framework concept of sustainability. I therefore accord what I consider to be the very significantly harmful conflict with policies SS1 and SS5 of the Local Plan commensurately substantial weight in this particular instance, notwithstanding that for the purposes of paragraph 49 of the Framework they cannot currently be considered up to-to-date and as a general principle merit less weight than might otherwise be the case.

87. I have carefully considered the environmental effects of the proposal and, notwithstanding that there could be some biodiversity enhancement, as can often be the case with well thought through landscaping at detailed design stage, the major impact would be on the broader character and appearance of the area and, for the reasons I have given, I consider the perception of discernible significant separation of the freestanding settlement of Stapleton to be an important aspect of that in the local circumstances which is not in any way changed by the fact that the Local Plan has no specific policies concerning 'gaps'. I consider the local distinctiveness which policy EQ2 seeks to reinforce and respect would be seriously and irreversibly compromised by the appeal proposal, notwithstanding the appellant's best efforts to embed mitigation in the principle of the outline scheme as promoted. This seriously harmful conflict with the intentions of that policy is also a planning harm to which I therefore accord commensurately substantial weight, notwithstanding that this must also be tempered to some by virtue of paragraph 49 of the Framework because it has the potential to restrict housing land supply.
88. The less than substantial harm to the heritage asset of Stapleton Cross, specifically, that is part of the character and distinctiveness of the locality adds to that harm but does not define it. Other buildings visible in the rural landscape as it has evolved, together with the interaction of topography, field patterns and vegetation and the distinctive separateness within that landscape of Stapleton and Martock combine to create those qualities. The harm to local distinctiveness and context would arise if none of the buildings at Stapleton Cross were designated assets.
89. Turning now to paragraph 14 of the Framework, I consider, for the two principal reasons I have given, augmented by the relatively minor disadvantages I have referred to, that on this occasion the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. (The public benefit to be weighed against the less than substantial harm to Stapleton Croft is effectively subsumed in the overall planning balance.) It follows, therefore, that the proposed development does not represent sustainable development for the purposes of the Framework and that the

presumption in favour of which, as set out in paragraph 14, although relevant and engaged by virtue of paragraph 49, cannot therefore apply in this instance. The proposed development would, moreover, conflict harmfully with the overarching policy SD1 of the Local Plan, which embodies a parallel approach to assessing sustainability.

Overall conclusion

90. For all the reasons I have given, I consider the proposed development conflicts harmfully with the development plan and cannot otherwise be considered sustainable notwithstanding an acknowledged housing land shortfall at the present time. I have considered all other matters raised but there is nothing amongst them to alter that fundamental conclusion. I therefore conclude that the appeal should be dismissed.

Keith Manning

Inspector

APPEARANCES

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INTERESTED PERSONS:

Roger Powell	Martock Parish Council
Cllr. Neil Bloomfield	Ward Councillor
Cllr Graham Middleton	Ward Councillor

INQUIRY DOCUMENTS

- ID 1 Appearances list for appellant
- ID 2 Statement of Common Ground
- ID 3 Opening Statement for appellant
- ID 4 Decision notice 14/04723/FUL Ringwell Hill, Martock
- ID 5 Jointly agreed note on site accessibility

- ID 6 Parameters plan (Appeal decision APP/L3245/W/15/3011886) Longden Road, Shrewsbury
- ID 7 Map showing housing proposals in Martock
- ID 8 Weekly Highways Consultant's Comments 2015 September 15 -17
- ID 9 Email chain finishing with message from Access for All to Michael Bellamy on 19 April 2016 @ 09:50
- ID 10 Officer's report on planning application 15/05167/FUL – Stoke Road, Martock
- ID 11 Draft Unilateral Undertaking
- ID 12 Copy of Appendix 2 to Robert Archer's evidence with agreed site limits marked
- ID 13 Summary Judgement *MacTaggart & Mickel Homes Ltd v SSCLG*
- ID 14 Employment levels in settlement in South Somerset ABI 2006 data
- ID 15 Map showing Lower Super Output Areas for Martock and surrounding areas
- ID 16 2011 workplace population statistics (official labour market statistics)
- ID 17 Draft planning conditions
- ID 18 Extract from National Travel Survey for England 2014
- ID 19 Email chain finishing with message from Somerset County Council to Simon Ashley on 11 April 2016 @ 17:36
- ID 20 Extract from former Planning Policy Statement 1
- ID 21 Review of footway widths plotted by Michael Bellamy
- ID 22 Appeal site: Revised Road Safety Audit Stage 1
- ID 23 Text from reverse of cycle routes map
- ID 24 *Housing Requirement for South Somerset and Yeovil* - January 2011
South Somerset District Council
- ID 25 Parallel schedules of draft conditions highlighting differences between parties
- ID 26 Letter to Gladman Developments from Greenslade Taylor Hunt dated 26 April 2016
- ID 27 CIL compliance statement re sport and recreation facilities
- ID 28 Revised draft unilateral undertaking
- ID 29 Unified list of draft conditions
- ID 30 Closing submissions for Council
- ID 31 Court of Appeal transcript (*Hopkins Homes Ltd*) [2016] EWCA Civ 168
- ID 32 Closing submissions for appellant

CORE DOCUMENTS

CD1

- 1.1 Application Covering Letter, Application Form and Certificates
- 1.2 Location Plan (referenced 3978_004_A)
- 1.3 Topographical Survey (referenced S14-486)
- 1.4 Development Framework Plan (referenced 3978_002_Rev F)
- 1.5 Planning Statement (dated January 2015)
- 1.6 Housing Land Supply Assessment (dated January 2015)
- 1.7 Design & Access Statement (dated January 2015)
- 1.8 Landscape and Visual Impact Appraisal (dated January 2015)
- 1.9 Transport Assessment (dated January 2015)
- 1.10 Residential Travel Plan (dated January 2105)
- 1.11 Proposed access junction layout plan (referenced 11878-T101-D2)
- 1.12 Proposed access swept path analysis plan (referenced 11878-T102-D1)
- 1.13 Ecological Appraisal Survey Report (dated January 2015)
- 1.14 Arboricultural Assessment (dated January 2015)
- 1.15 Archaeological Assessment (dated January 2015)
- 1.16 Built Heritage Assessment (dated January 2015)

CD1

- 1.17 Flood Risk Assessment (dated 9 January 2105)
- 1.18 Phase 1 Site Investigation Report (dated October 2014)
- 1.19 Noise Assessment (dated 7 January 2015)
- 1.20 Air Quality Assessment (dated 7 November 2014)
- 1.21 Utilities and Infrastructure Statement (dated January 2015)
- 1.22 Foul Drainage Analysis (dated January 2015)
- 1.23 Socio-Economic Impact Report (dated January 2015)
- 1.24 Statement of Community Involvement (dated January 2015)
- 1.25 Soil Resources and Agricultural Use & Quality Report (dated January 2015)

CD2

- 2.1 LVIA Response (dated 12 March 2015)
- 2.2 Foul Drainage Analysis Supplementary Report (dated 9 April 2015)
- 2.3 Revised Framework Plan (referenced 3978_002_H)
- 2.4 Geophysical Survey Report (dated April 2015)

CD3

- 3.1 Pre-Application Request Letter (dated 23 November 2014) 1 - 4
- 3.2 EIA Screening Request (dated 9 January 2015) 5 - 10
- 3.3 Application Validation (dated 10 February 2015) 11-12
- 3.4 Landowner Notification (Chain) (dated 26 February 2015) 13-14
- 3.5 GDL Update Letter (dated 31 March 2015) 15-18
- 3.6 GDL Letter - Revised Framework Plan (date 9 April 2015) 19-20
- 3.7 GDL Letter - Ecology (date 9 April 2015) 21-22
- 3.8 GDL Letter - Foul Drainage (date 9 April 2015) 23-24
- 3.9 Supplementary Bat Information (dated 14 April 2015) 25-28
- 3.10 GDL Letter - Archaeology (dated 28 April 2015) 29-30
- 3.11 SSDC EIA Screening Response (dated 30 April 2015) 31-32
- 3.12 GDL Letter - S106 Contributions (dated 30 April 2015) 33-36

CD4

- 4.1 Ash Parish Council (dated 5 February 2015) 1-2
- 4.2 SCC Education (dated 11 February 2015) 3-6

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- 4.3 SSDC Climate Change Officer (dated 12 February 2015) 7-8
- 4.4 Crime Prevention Design Advisor (dated 13 February 2015) 9-10
- 4.5 Somerset Wildlife Trust (dated 17 February 2015) 11-12
- 4.6 Natural England (dated 19 February 2015) 13-14
- 4.7 Public Open Space (dated 24 February 2015) 15-16
- 4.8 Environment Agency (dated 25 February 2015) 17-20
- 4.9 Long Load Parish Council (dated 25 February 2015) 21-22
- 4.10 Somerset Drainage Board (dated 26 February 2015) 23-24
- 4.11 SSDC Ecologist (dated 3 March 2015) 25-26
- 4.12 SSDC POS (dated 3 March 2015) 27-40
- 4.13 SSCD Landscape (dated 4 March 2015) 41-42
- 4.14 SCC Archaeology (dated 10 March 2015) 43-44
- 4.15 Wessex Water (dated 12 March 2015) 45-46
- 4.16 SSDC Policy (dated 13 March 2015) 47-50
- 4.17 SCC Highways (dated 13 March 2015) 51-56
- 4.18 SSDC Housing (dated 17 March 2015) 57-58
- 4.19 SSDC Ecologist (dated 18 March 2015) 59-60
- 4.20 SSDC Ecologist (dated 7 April 2015) 61-62
- 4.21 Long Sutton Parish Council (dated 13 April 2015) 63-64
- 4.22 SCC Archaeology (dated 14 April 2015) 65-66
- 4.23 Somerset Drainage Board (dated 14 Apr 2015) 67-70
- 4.24 SSDC Ecologist (dated 14 April 2015) 71-72
- 4.25 SSDC POS (dated 14 April 2015) 73-86
- 4.26 SSDC Trees & Hedgerows (dated 29 April 2015) 87-88
- 4.27 SSDC Conservation (dated 30 April 2015) 89-90

CD5

- 5.1 Delegated Officers Report (dated 1 May 2015)
- 5.2 Delegated Decision Notice (dated 1 May 2015)

CD6

- 6.1 2015-07-30 GDL to PINS Appeal Submission 1-4
- 6.2 2015-07-30 GDL to SSDC Appeal Submission 5-6
- 6.3 2015-09-14 PINS Appeal start letter 7-8
- 6.4 2015-10-15 SSDC to GDL Statement of Common Ground 9-10
- 6.5 2015-11-05 PINS offer of Inquiry Date 11-12
- 6.6 2015-11-06 PINS offer of Inquiry Date 13-14
- 6.7 2015-11-12 PINS fixing Inquiry Date 15-16
- 6.8 2016-02-15 GDL to SSDC - Legal Agreement (Chain) 17-18
- 6.9 2016-03-08 GDL to SSDC - Leisure S106 (Chain) 19-22
- 6.10 2015-03-09 GDL to SSDC on S106 (Chain) 23-32
- 6.11 2016-03-10 GDL to SCC - SoCG Highways (Chain) 33-36
- 6.12 2016-03-15 GDL to SSDC - Legal Agreement (Chain) 37-38
- 6.13 2016-03-16 GDL to SSDC - CIL Compliance (Chain) 39-44
- 6.14 2016-03-16 GDL to SSDC - Heritage SoCG (Chain) 45-46
- 6.15 2016-03-17 GDL to SCC - Education Contribution 47-48

CD7

- 7.1 South Somerset Local Plan 2006-2028 – adopted March 2015 (extracts)

CD8

- 8.1 Land off Nantwich Road, Tarporley, Cheshire APP/A0665/A/11/2167430 Dated 29 August 2013
- 8.2 Land at Gaydon Road, Bishop's Itchington, Southam, Warwickshire APP/J3720/A/13/2202961 Dated 29 January 2014
- 8.3 Land opposite Rose Cottages, Holmes Chapel Road, Brereton Heath, Cheshire APP/R0660/A/13/2192192 Dated 12 February 2014
- 8.4 Land North of West End Lane, Henfield APP/Z3825/A/13/2205204 Dated 2 June 2014
- 8.5 Land at Chapel Lane, Wymondham, Norfolk APP/L2630/A/13/2196884 Dated 7 August 2014
- 8.6 Land at Razor's Farm, Chineham, Basingstoke APP/H1705/A/13/2205929 Dated 22 September 2014

<https://www.gov.uk/government/organisations/planning-inspectorate>

- 8.7 Land south of Cirencester Road Fairford APP/F1610/A/14/2213318 Dated 22 September 2014
- 8.8 Land at Javelin Park, near Haresfield, Gloucestershire APP/T1600/A/13/2200210 Dated 16 January 2015
- 8.9 Land off Banady Lane, Stoke Orchard, near Tewkesbury, Gloucestershire APP/G1630/A/14/2223858 Dated 22 January 2015
- 8.10 Land off Walden Road, Thaxted APP/C1570/A/14/2222958 Dated 1 June 2015
- 8.11 Land South of Wotton Road, Charfield, Gloucestershire APP/P0119/A/14/2220291 Dated 8 June 2015
- 8.12 Land off Worcester Road, Drakes Broughton, Worcestershire APP/H1840/W/15/3008340 Dated 14 January 2016
- 8.13 Land west of Beech Hill Road, Spencers Wood, Berkshire APP/X0360/A/13/2209286 Dated 9 June 2015
- 8.14 Land north of Upper Chapel, Launceston APP/D0840/A/13/2209757 Dated 11 April 2014
- 8.15 Land to The South Of Shutterton Lane, Dawlish, Devon APP/P1133/A/12/2188938 Dated 10 September 2013
- 8.16 Land at Fountain Lane, Davenham, Cheshire APP/A0665/A/14/2226994 Dated 3 September 2015
- 8.17 Money Hill, Land North Of Wood Street, Ashby-De-La-Zouch APP/G2435/A/14/2228806 Dated 15 February 2016

CD9

- 9.1 Bedford Borough Council v SSCLG and NUON UK Ltd [2012] EWHC 4344 (Admin)
- 9.2 East Northamptonshire DC v Barnwell JT [2014] EWCA Civ 137
- 9.3 Mordue v SSCLG [2015] EWHC 539 (Admin)
- 9.4 Jones v Mordue & Anor [2015] EWCA Civ 1243
- 9.5 Freemont v Denbighshire CC [2016] EWHC 482 (Admin)
- 9.6 Forest of Dean DC v SSCLG [2016] EWHC 421 (Admin)
- 9.7 Stroud DC v SSCLG [2015] EWHC 488 (Admin)
- 9.8 CEC v SSCLG [2016] EWHC 571 (Admin)

- 9.9 Colman v North Devon DC - [2013] EWHC 1138LDER

CD10

- 10.1 Conservation Principles, Policies and Guidance (April 2008)
- 10.2 Historic Environment Good Practice Advice in Planning: Note 3: The Setting of Heritage Assets (March 2015)
- 10.3 Historic Environment Good Practice Advice in Planning: Note 2: Managing Significance in Decision-Taking in the Historic Environment (March 2015)

CD11

- 11.1 National Character Area Profile 140 Yeovil Scarplands (Extracts)
- 11.2 The Landscape Assessment of South Somerset, SSDC (October 1993)
- 11.3 SSDC Peripheral Landscape Study – Martock (June 2008)

CD12

- 12.1 DEFRA: Rural Productivity Plan (August 2015)
- 12.2 George Osborne & Elizabeth Truss (Telegraph Article dated 20 August 2015)
- 12.3 South Somerset Community Strategy (2008-2026) (extracts)
- 12.4 ACRE Policy Position Paper: Children and Younger People (2014)
- 12.5 South Somerset Settlement Role and Function Study (April 2009) (extracts)
- 12.6 Gov.uk Official Statistics on Home Working (March 2015)
- 12.7 DEFRA Report on Rural Economy (March 2015)
- 12.8 South Somerset's settlement hierarchy workshop discussion paper March 2011 Rural Service Provision
- 12.9 Rural Service Provision Appendix
- 12.10 ACRE Policy Position Paper: Community Planning (2014)
- 12.11 South Somerset Five Year Housing Land Supply Paper (September 2015)
- 12.12 Taunton and South Somerset Strategic Housing Market Assessments – South Somerset Final Report (February 2009) (Extracts)

CD13

<https://www.gov.uk/government/organisations/planning-inspectorate>

- 13.1 Supplementary Ecological Report (Dated January 2016)
- 13.2 SSDC Ecologist (dated 15 February 2016) (LPA TO PROVIDE)
- 13.3 SSDC Ecologist (dated 17 February 2016) (LPA TO PROVIDE)

CD14

- 14.1 Land off Brinsea Road, Congresbury, North Somerset APP/D0121/W/15/3004788 Dated 30 November 2015
- 14.2 Land East of Mount Hindrance Farm, Mount Hindrance Lane, Chard APP/R3325/A/13/2209680 and Land East of Crimchard, Chard APP/R3325/A/13/2203867 Dated 3 June 2015
- 14.3 Land to the North of Hospital Lane, to the South of Mill Lane and to the East of Bouskell Park, Blaby S62A/2014/0001 Dated 22 July 2014
- 14.4 Land to the south of The Forty, Cricklade APP/Y3940/A/14/2223354 Dated 15 April 2015
- 14.5 Land at Well Meadow, Well Street, Malpas, Cheshire APP/A0665/A/14/2214400 Dated 7 January 2015
- 14.6 East site, Laverton Triangle, Norton St Philip APP/Q3305/A/14/2221776 and West land adjacent to Fortescue Street, Norton St Philip APP/Q3305/A/14/2224073 Dated 28 April 2015
- 14.7 Land off Brinsea Road, Congresbury APP/D0121/W/15/3004788 Dated 30 November 2015

CD14

- 14.8 Longden Road, Shrewsbury, Shropshire APP/L3245/W/15/3011886 Dated 19 January 2016
- 14.9 Land East of Holywell, West Coker Road, Yeovil APP/R3325/W/15/3003376 Dated 8 February 2016

CD15

- 15.1 Ivan Crane v SSCLG [2015] EWHC 425 (Admin)
- 15.2 Woodcock Holdings V SSCLG [2015] EWHC 1173 (Admin)
- 15.3 Edward Ware Homes Ltd V SSCLG [2016] EWHC 103 (Admin)

CD16

- 16.1 Housing Market Areas and Functional Economic Market Areas in Somerset (September 2015)
- 16.2 South Somerset District Council Local Development Scheme (August 2015)
- 16.3 Theatres and Arts Centre Infrastructure Delivery Strategy

CD17

- 17.1 Local Transport Note 1/95 – The Assessment of Pedestrian Crossings (1995)
- 17.2 Local Transport Note 2/95 - The Design of Pedestrian Crossings (1995)
- 17.3 DfT Guidance on the Use of Tactile paving (1998)
- 17.4 IHT Guidelines for Planning for Public Transport in Development (1999)
- 17.5 IHT Guidelines for Providing for Journeys on Foot (2000)
- 17.6 DfT Inclusive Mobility (2002)
- 17.7 Accessible bus stop design guidance (Mayor of London 2006 London Transport)
- 17.8 DfT Making Residential Travel Plans Works (2007)
- 17.9 Manual for the Streets (2007)
- 17.10 Manual for Street 2 (2010)
- 17.11 CIHT Planning for Cycling (2014)
- 17.12 CIHT Designing for Walking (2015)
- 17.13 CIHT Planning for Walking (2015)
- 17.14 BS 8300:2009 Design of buildings and their approaches to meet the needs of disabled people – Code of Practice

Agenda Item 12

Schedule of Planning Applications to be Determined by Committee

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 North Committee at this meeting.

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 3.00pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 2.55pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
13	WESSEX	16/01761/S73	Application to vary multiple conditions of approval 13/04943/FUL to regularise the existing development, 2 additional touring vans, external lighting etc.	Hedgerow Meadow, Street Road, Compton Dundon.	Ms E Brown
14	MARTOCK	16/01875/FUL	Proposed demolition of two existing agricultural buildings and the erection of two replacement agricultural buildings.	Land opposite Hamlyns Farm, Long Load.	Mr DW & JM Walters
15	LANGPORT & HUISSH	16/00621/FUL	Conversion of double garage into a one bedroom dwelling (retrospective)	Long Orchard Farm, Pibsbury, Langport.	Mr J Crossman
16	WESSEX	16/01819/FUL	Erection of commercial building under Use Class B2.	Land OS 3769, Badgers Cross Lane, Somerton.	Pitney Fabrication Co.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 has 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.

Agenda Item 13

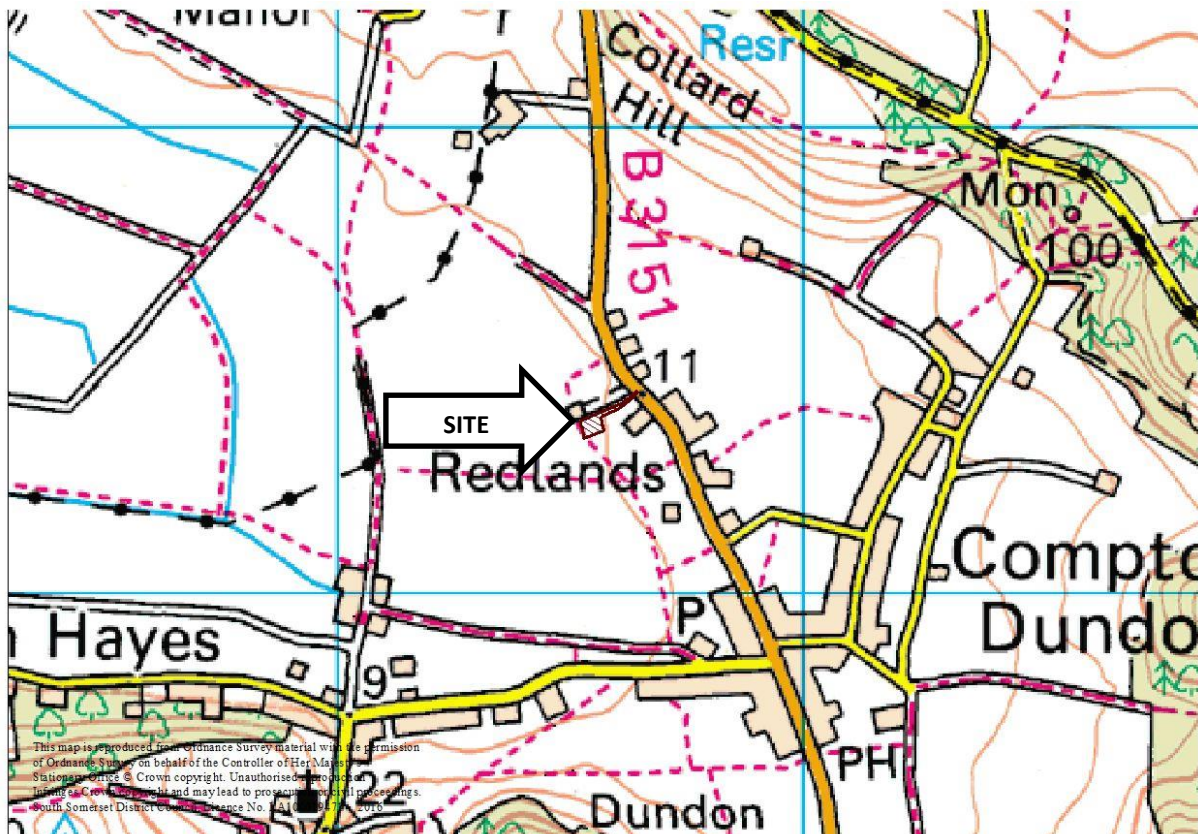
Officer Report On Planning Application: 16/01761/S73A

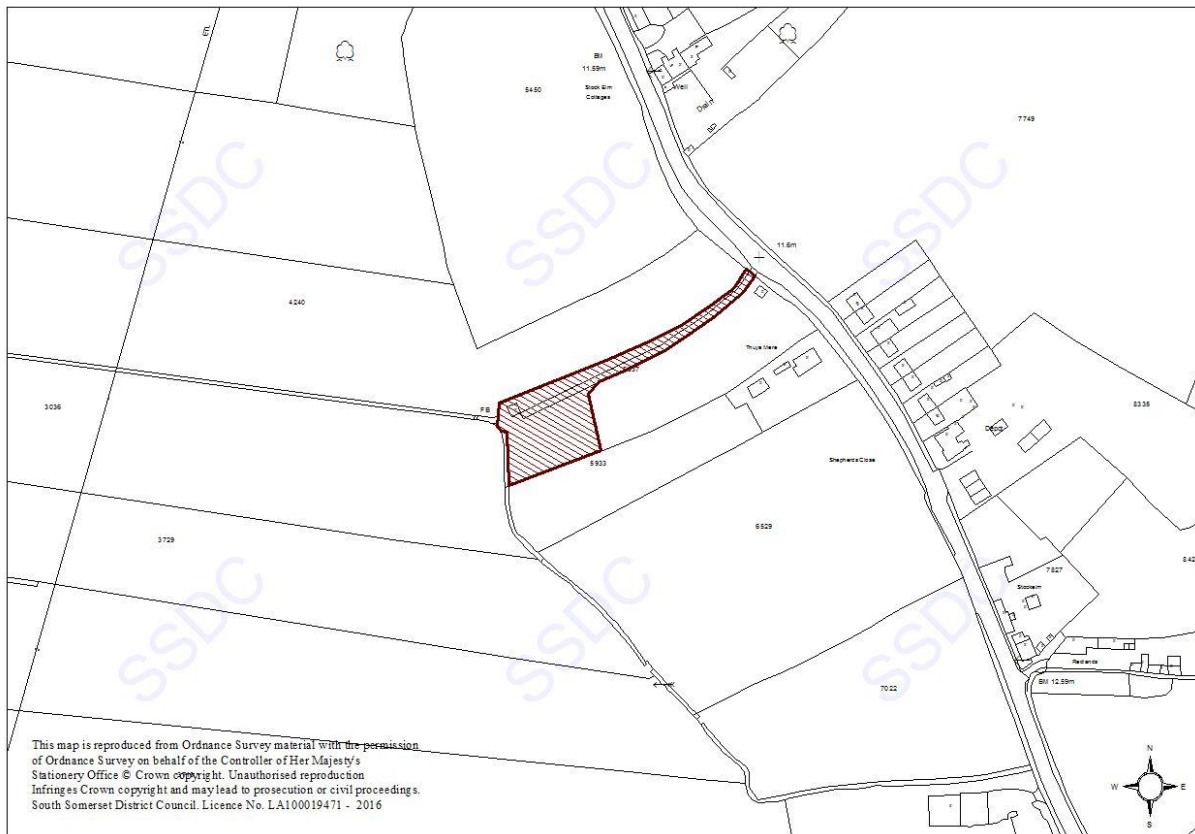
Proposal :	Application to vary Conditions 2,3,4,6,7,8,9 and 10 of approval 13/04943/FUL to regularise the existing development ; 2 additional touring vans; external lighting; turning and parking area and hardstanding; landscaping schedule;1 additional storage container materials and the substitution of plans.
Site Address:	Hedgerow Meadow, Street Road, Compton Dundon.
Parish:	Compton Dundon
WESSEX Ward (SSDC Members)	Cllr Stephen Page Cllr Dean Ruddle
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	21st June 2016
Applicant :	Ms E Brown
Agent: (no agent if blank)	Dr Simon Ruston, The Picton Street Centre, 10-12 Picton Street, Montpelier BS6 5QA
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The report is referred to the Area Chair at the request of the Ward Members, who are of the view that the application should be referred to the Committee for a decision in the interests of a full discussion of the relevant issues.

SITE DESCRIPTION AND PROPOSAL





The site is located approximately 0.5 Km north of Compton Dundon, on the west side of the B3151 (Street Road). It comprises the rear portion (approx. 2000 sq m) of a field, set back 200m from the highway. The field is bordered by hedging and surrounded by open agricultural land. On the land to the south of the site a bungalow is sited adjacent to the highway. The bungalow is some 200m from the eastern edge of the site. There is a ribbon strip of dwellinghouses on the east side of Street Road, across the road from the bungalow.

Permission was granted (13/04943/FUL) for the creation of a single, permanent traveller pitch, with the siting of 1 Static Caravan (Mobile Home) , 1 Touring Caravan, 1 ISO container, 1 storage shed, a composting toilet and a polytunnel.

An amendment to this permission has now been sought, to make the following changes:

- stationing of two additional touring caravans on the site at any one time
- clarification and rearrangement of areas of hard surfacing within the pitch
- a revised landscaping and planting scheme
- siting of one additional storage container, for business purposes

HISTORY

13/04943/FUL - Change of use of land to 1 No Traveller pitch and associated works comprising 1 No mobile home; 1 No Touring Caravan; 1 No ISO container; 1 No shed; 1 No compost toilet and a polytunnel; use of shed and land for siting/storage of domestic items; access and associated hardstanding - permitted with conditions

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 Sustainable Development
HG7 Gypsies, Travellers and Travelling Showpeople
TA5 Transport Impact of New Development
TA6 Parking Standards
EQ2 General Development
EQ3 Historic Environment
EQ4 Biodiversity

National Planning Policy Framework (March 2012):

3. Supporting a prosperous rural economy
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment

National Planning Practice Guidance - Department of Communities and Local Government, 2014.

Planning Policy for Traveller Sites - Department of Communities and Local Government, August 2015

Policy-related Material Considerations

Somerset County Council Parking Strategy, March 2012 and September 2013.
Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: The PC recommends refusal for the following reasons:

The original application 13/04943/FUL was already retrospective as is this application, indicating a total disregard for any planning laws and any conditions determined. The Area North Committee minutes of 26.03.2014 indicate members' commenting on the need for reassurance that conditions will be adhered to. This has not been the case and probably will not be in the future.

The block plan (EB16-Block) shows the location of two "touring" caravans, a residential caravan and a Mobile Home all behind the post and rail fencing and inaccessible by the double gated entrance shown - implying that none is to be used for touring as claimed.

The reason given for a variation of Condition 8 is stated as "to regularise the addition of 1 no. additional storage container". However the proposed wording is actually changing the Condition that "no part of the site other than the storage container shall be used for business purposes or commercial storage of any kind". In fact this variation is sanctioning a retrospective change of use from a single traveller's pitch with a container for storage, to a scrap business in open countryside. Additionally, the proposed variation of Condition 2 allowing for a second touring caravan for the purposes of renovation is sanctioning a further business to be run from "another part of the site".

The water table in this location is very high. Concerns were raised during the original application that no testing had been carried out to assess drainage and natural sewage handling on the site. This application proposes an increase in accommodation units and there is no assurance that the current scrap business is not creating water pollution. Concern has been raised by the fact that Environmental Protection has been called to the site on several occasions following the burning of scrap.

If any of the conditions were to be varied the Council strongly recommends that before any further accommodation is permitted the landscaping plan should be implemented in full and allowed to become established. Any lighting approved should be limited by lumen intensity. Material used for hardstanding should be as defined and the use of concrete forbidden.

Highways Authority: No objection.

SSDC Landscape Officer: No objection. A suggested increase in the amount of new planting has been incorporated in an amended plan submitted by the applicant.

SSDC Environmental Protection Officer: No comments received.

Wessex Water: Pointed out the existence of a water main to the west of the site. No further issues are raised.

Somerset Drainage Board: No comment received.

Mendip District Council: No comment received.

County Gypsy Liaison: No comment received.

REPRESENTATIONS

11 letters of representation have been received, making the following main points:

- there are concerns about using agricultural land for this purpose;
- the proposal would be visually harmful and represent over-development of the site;
- the number of caravans and containers is excessive for one family;
- occupancy by more than one family is likely;
- the suitability of the compost toilet is queried;
- the site is being used for business purposes, which this application seeks to increase;
- the application is retrospective;

- the site is visible from various vantage points;
- there are drainage concerns about the site; no expansion should be allowed without investigating this impact;
- conditions imposed have not been adhered to; future adherence to conditions is questioned;
- the fact that 8 of the conditions are now being amended indicates the degree of non-compliance with conditions;
- lighting is a concern;
- landscaping has not been carried out

CONSIDERATIONS

Principle of Development

The site has been approved as a traveller pitch, personal to the current occupant and owner, and her family. The proposed changes are minor in nature, and do not extend the size of the pitch or the occupancy level of the pitch. The overall principle of the development is accepted, and each of the proposed changes falls to be assessed on its merits.

Two Additional Touring Caravans

The applicant has applied for an increase in the number of touring caravans on the site on the basis that she restores and re-sells caravans when the opportunity arises, never more than one at a time. The other additional caravan is to be a holiday caravan for use by the family in addition to the two larger caravans on the site in which the family permanently lives. The applicant notes that it is customary to allow a day room on traveller sites, as ancillary accommodation to the static caravan allowed under the permission. The touring caravan on the site (the second caravan as allowed under the original permission) is, in fact, used for this purpose. This means that when the family tours an additional caravan is required.

An additional caravan instead of a permanent built structure minimises the visual impact of the pitch, and the arrangement is considered acceptable in this context.

Undertaking work on a single caravan on the site for resale is would not create any harmful impact within the overall operation of the site, or the locality. It is considered reasonable to allow this in the context of residential occupation by this traveller family, provided that it is clear that no permission is being granted for a general caravan trading, dealing or repair business. These concerns can be adequately covered by condition.

The site is of adequate size to permit the storage of an additional touring caravan for use by the family on site.

Areas of Hard Surfacing

The proposed areas of hard surfacing form part of a clear layout for the pitch, which includes grassed areas and linking paths between the various components. They fall within the pitch as originally approved, and have no significant impact on the appearance of the site.

Landscaping

The scheme of landscaping originally approved has not been completed. In accordance with the advice of the Council's Landscape Architect, a revised scheme has been provided to ensure adequate planting to demarcate the pitch and provide screening. The scheme would improve the satisfactory embedding of the pitch within this setting.

Additional Storage Container

Also within the area already approved, permission is sought for the siting of an additional container for storage use in association with the business of the applicant's spouse. This container would assist in keeping stored materials within a defined space. It can be accommodated within the pitch without causing any visual harm.

Impact on Residential Amenity

The proposed minor changes will have no impact on the amenity of local residents, the closest of which is 200m away.

Highway Safety

These minor changes would not alter the approved intensity of use of the site, and would therefore not have any significant impact on highway safety.

Concerns raised by Parish Council

The main issues have been dealt with in the report. However, the following additional comments should be made:

- Notwithstanding the retrospective nature of the application, the substance of what is being sought is required to be assessed on its own merits. A judgement on likely adherence to conditions in the future is not a material consideration.
- It is not considered that the site layout would inhibit the moving of a caravan into/out of the pitch (i.e. for touring use, and also for removing the caravan being worked on). Such movement would not be frequent, and moving across the grassed area towards the gates would be manageable.
- The proposed wording of the condition relating to containers on site is not fundamentally changed from the wording in the existing permission, which is *No part of the site other than the storage container hereby approved shall be used for business purposes or commercial storage of any kind*. The application seeks to change the wording to allow for two containers instead of one. This does not change the essential nature of the pitch, which is a residential pitch on which the owners use some space for their employment activities.
- The changes proposed are not so significant as to alter the current drainage arrangements on the site.
- Landscaping, lighting and hardstanding proposals are submitted with the application for detailed consideration.

Concerns of Local Residents

These issues have largely been dealt with in the report. However, the following points require comment:

- The principle of the use of the site - and all aspects relating to highway safety, drainage, appropriateness of the use, etc. - has been determined. Only matters relevant to the minor changes applied for are considered in formulating a recommendation.
- It is not agreed that there would be significant visual harm resulting from the changes - which essentially amount to two additional caravans and a container on the large site, the area of which is in excess of 2000m². The pitch is well back from the highway, and well screened by hedges. The three additional items within this spacious pitch are not considered to have so serious an impact as to warrant a refusal.
- No application has been made to increase the numbers of occupants on the site, and the original occupancy conditions remain.
- The original permission acknowledged that the applicant and her spouse are self

employed and would make partial use of the site for this purpose. Business storage was limited to one container, and the application seeks to increase this to two. In addition, one caravan would be kept on site at any time for purposes of restoration and resale. No other business use is sought or recommended should this permission now be granted.

- Retrospective permission is an accepted response where a breach of planning control has occurred. The original application was approved on this basis. The current application for changes to the original permission has partially arisen out of concerns raised locally that some aspects of the permission were not being adhered to. In response to an investigation of an allegation of a breach of planning control, the applicant has made the appropriate application, including all the changes she considers necessary for her future requirements. This application now has to be considered on its planning merits.
- The application requires changes to a number of conditions only because conditions cross-reference plan numbers and that would require each and every condition to be amended to reflect the substitution of new plans (which is largely what this Section 73 application seeks to do).

Conclusion

The minor changes sought do not change the fundamental use for which the site was approved, i.e., as a single pitch for a traveller family, or the intensity of use of the site. The changes reflect the small changes in needs of the applicant which have emerged over the two years since the permission was granted, and are not considered to have any significant effect on the setting, local amenity or highway safety. Subject to appropriately amended conditions, the application is recommended for approval.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Grant permission.

01. The proposed minor changes to the approved use of a traveller pitch on this site would have no significant impact on the character and appearance of the setting, residential amenity or highway safety, and accord with the aims of Government advice contained in Planning Policy for Traveller Sites and the NPPF, and Policies EQ2 and HG7 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

01. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of the Planning Policy for Traveller Sites (August 2015).

Reason: In the interests of sustainable development and to comply with the aims of the document Planning Policy for Travellers and Policy HG7 of the South Somerset Local Plan.

02. There shall be no more than 1 pitch on the site, and no more than 4 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, shall be stationed at any time, of which only 1 caravan shall be a static caravan.

Reason: In the interests of sustainable development and to accord with the NPPF and Policy HG7 of the South Somerset Local Plan.

03. No external lighting other than that shown on the submitted plan ref. EB16-BLOCK Rev B (and specified in the submitted details) shall be installed or erected on the site unless the details have first been agreed in writing with the Local Planning Authority.

Reason: To safeguard the character of the area and in the interests of preventing light pollution in accordance with Policies EQ2 and EQ7 of the South Somerset Local Plan.

04. The parking and turning areas shown on the submitted site layout plan ref. EB16-BLOCK Rev B shall be kept clear and used only for the parking and turning of motor vehicles.

Reason: In the interests of highway safety and to ensure that vehicles leave the site in forward gear, in accordance with the aims of Policy TA5 of the South Somerset Local Plan.

05. At the proposed access there shall be no obstruction to visibility greater than 300mm above adjoining road level within the visibility splay shown along the entire site frontage on the submitted plan - Drawing No J327/02 rev B, submitted with the original planning application 13/04943/FUL . Such visibility splay shall be maintained at all times.

Reason: In the interests of highway safety and to ensure that vehicles leave the site in forward gear, in accordance with the aims of Policy TA5 of the South Somerset Local Plan.

06. No hard surfaces and hardstanding, including hardstanding to be established under vehicles used for residential accommodation, shall be created on the site except in accordance with the submitted plan ref. EB16-BLOCK Rev B unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenity of the area and to accord with Policy HG7 of the South Somerset Local Plan.

07. During the first planting season following the grant of this permission, the agreed scheme of landscape mitigation planting shown on the plan ref EB16-BLOCK Rev B received by email on 31 May 2016 shall be fully implemented. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out and any trees or plants which within a period of five years from the completion of the planting 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. Thereafter, the scheme of planting shall be permanently retained and maintained.

Reason: To safeguard the character and appearance of the area, and to accord with the NPPF and Policies EQ2 and HG7 of the South Somerset Local Plan.

08. No part of the site other than the 2 storage containers hereby approved and the part of the site being used to site a single touring caravan for refurbishment shall be used for business purposes or commercial storage of any kind.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies EQ2 and HG7 of the South Somerset Local Plan.

09. The submitted details of the design and materials of the cladding and roof to be applied to the two containers hereby approved shall be fully implemented on installation of the containers, and thereafter retained and maintained.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies EQ2 and HG7 of the South Somerset Local Plan.

10. The development hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. J327/01, J327/02 Rev C, J327/04, J327/05, J32706 and EB16-BLOCK Rev D.

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

11. The use hereby permitted shall be carried on only by the applicant, Ms E Brown, together with any spouse or dependants. When the premises cease to be occupied by Ms E Brown, the use hereby permitted shall cease and all materials and equipment brought onto the premises in connection with the use shall be removed.

Reason: In the interests of securing the site for the identified need of the applicant.

12. No electrical power generation equipment or machinery shall be operated or installed on the site other than in accordance with the details approved under application 14/01757/DOC (Discharge of Conditions) as set out in the letter to Ms E Brown dated 15 May 2014. or such other details as may be approved in writing by the Local Planning Authority. The approved details shall be fully implemented and thereafter retained and maintained as long as the equipment is operated on the site.

Reason: In the interests of residential amenity and to accord with Policy EQ2 of the South Somerset Local Plan.

13. No more than one touring caravan on the site at any one time shall be retained on the site for purposes of restoration and re-sale by the applicant, and no other buying, selling or dealing in caravans, or the storage of any materials or parts in connection with such activities shall take place on or from the site.

Reason: In the interests of amenity and sustainable development, and to accord with the aims of the NPPF and Policies EQ2 and HG7 of the South Somerset Local Plan.

14. No more than three of the caravans on the site shall be used for domestic occupation by the applicant together with any spouse or dependants.

Reason: In the interests of clarity in defining the scope of the permission.

Agenda Item 14

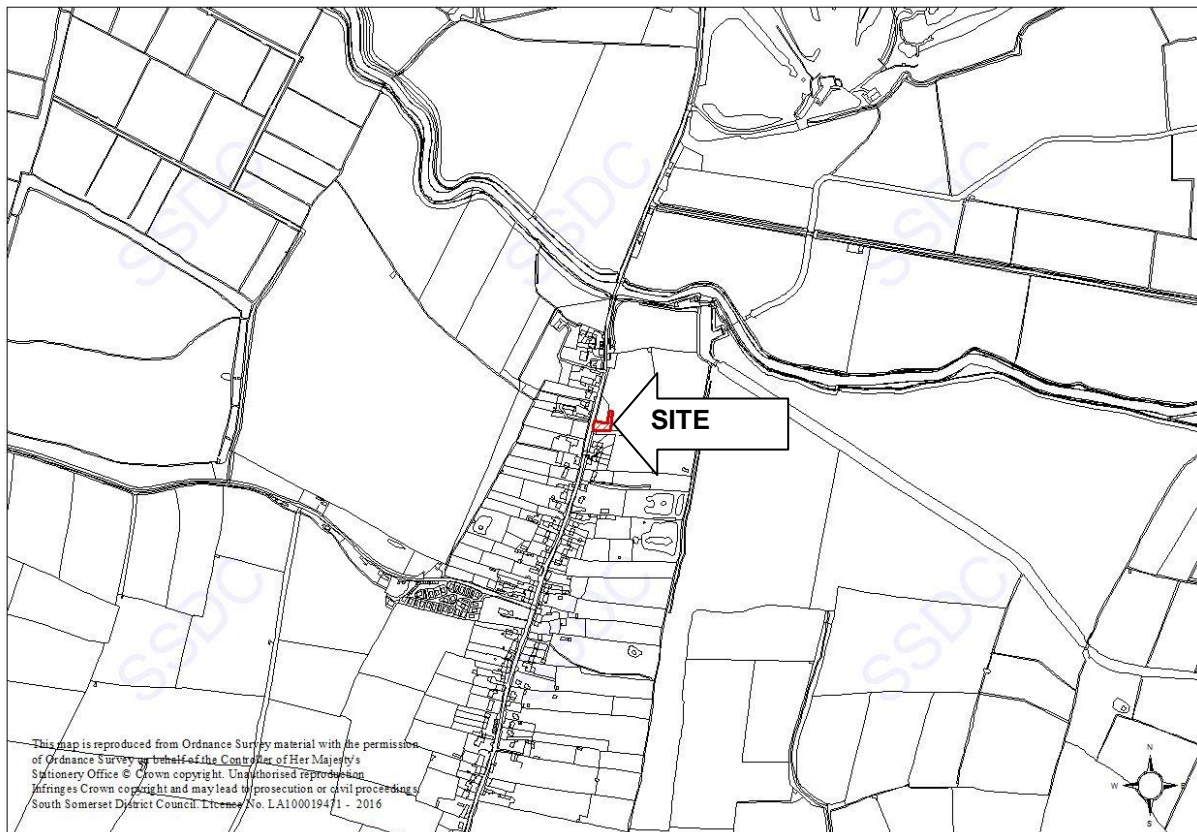
Officer Report On Planning Application: 16/01875/FUL

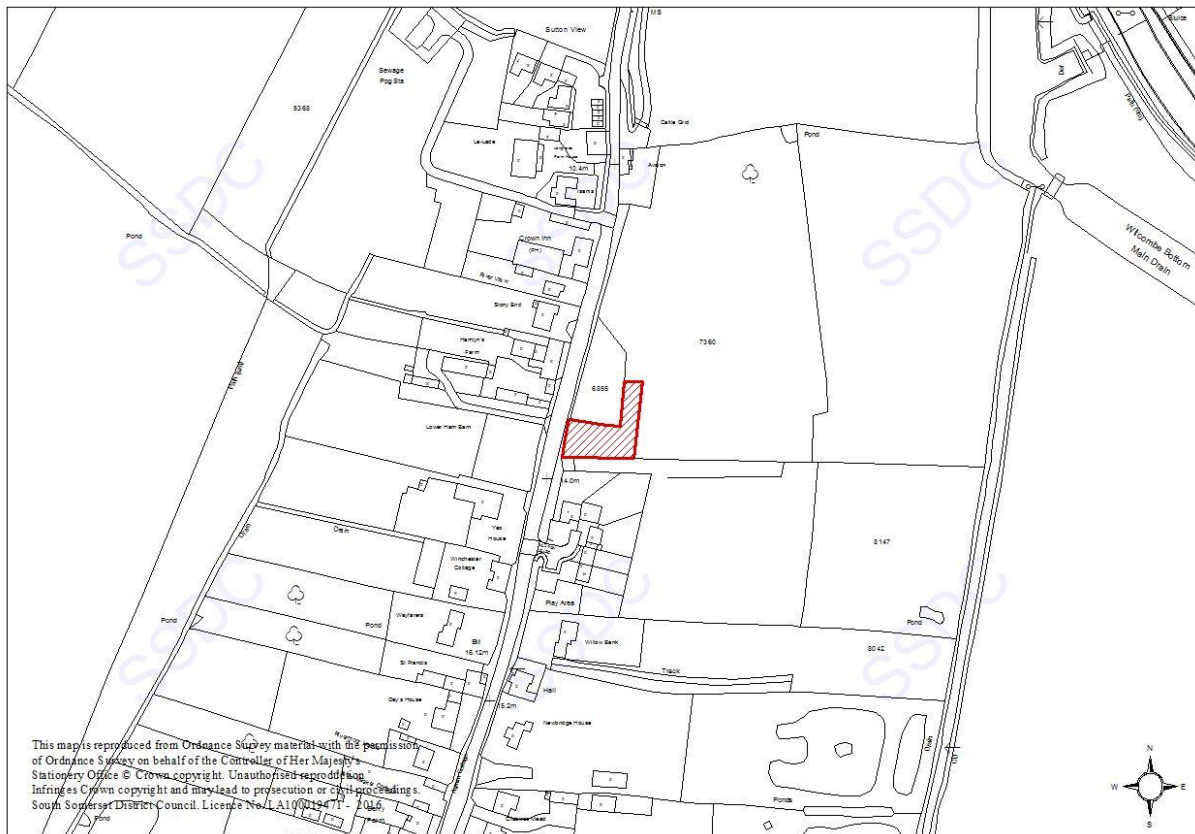
Proposal :	Proposed demolition of two existing agricultural buildings and the erection of two replacement agricultural buildings
Site Address:	Land Opposite Hamlyns Farm, Long Load, Langport.
Parish:	Long Load
MARTOCK Ward (SSDC Member)	Cllr Graham Middleton Cllr Neil Bloomfield
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	23rd June 2016
Applicant :	Mr D W & J M Walters
Agent: (no agent if blank)	Mr Richard Rowntree, Lake View, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee at the request of the Ward Member to enable a full discussion of the issues raised by the application.

SITE DESCRIPTION AND PROPOSAL





The site is located on the east side of the Somerton Road (B 3165), directly opposite Hamlyns Farm, a historically important farmyard complex with 4 buildings listed Grade 2. The site is bounded by mature vegetation onto the highway, with open agricultural land to the north and east. Beyond a narrow gap of agricultural land to the south is a group of houses approved in 1995. On site are two small structures: a small concrete block building of approx 6 sq. m; and a semi-ruined stone shed with metal roof extending to approx. 25sq. m.(No survey information on this building has been made available with the application).

Permission is sought for the demolition of the existing structures and the erection of two new agricultural buildings, with a combined floor area of 270 sq. m.

HISTORY

15/03025/OUT - Proposed demolition of dilapidated farm buildings and erection of 2no. detached and 2 no. semi-detached dwellings on land opposite Hamlyn's Farm (revised application) - refused. The decision was appealed and the appeal was dismissed: 10 March 2016

14/05428/OUT - Demolition of dilapidated farm buildings and erection of 3no. detached dwellings (with some matters reserved) - refused

10/03751/FUL - Erection of 2 replacement steel framed cattle sheds - permitted with conditions. Officer note: Not implemented; subsequently expired.

05/00770/FUL - Replacement of 2 cattle sheds with 1 ridged and 1 monopitch building of steel frame construction. Approved. Officer Note: The Permission was not undertaken subsequently expired.

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 Sustainable Development
TA1 Low Carbon Travel
TA5 Transport Impact of New Development
EQ1 Addressing Climate Change in South Somerset
EQ2 General Development
EQ3 Historic Environment
EQ4 Biodiversity
EQ7 Pollution Control

National Planning Policy Framework (March 2012):

1. Building a strong, competitive economy
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
7. Requiring good design
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

National Planning Practice Guidance - Department of Communities and Local Government, 2014.

Policy-related Material Considerations

Somerset County Council Parking Strategy, March 2012 and September 2013.
Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: No objections.

Highways Authority: Standing Advice applies.

SSDC Conservation Officer: *You will recall that the last application on this land for dwellings was refused and dismissed at appeal recently for reasons that include harm to the setting of listed buildings.*

One of these proposed farm buildings is closer to the road and has more massing than the proposal for the dwellings, and in my view is harmful to the setting.

Consent was first granted in 2005 and since then there has been a change in policy and High Court judgements which conclude that a finding of harm leads to a strong presumption against development.

Given that the buildings have not been needed for the past 11 years, and that the centre of the farming operation would appear to be elsewhere, I do not see that these farm buildings are reasonable necessary for the purposes of agriculture in this position, and that we should attach such weight to their need to override the statutory objection.

I would therefore object to the proposal.

SSDC Landscape Officer: I recollect the site from an earlier proposal seeking to construct 3 dwellings [Officer note: the proposal was for 4 dwellings]. Two new farm buildings are now intended. A number of the issues that I have raised previously have some bearing here.

Long Load is a village settlement with a strong linear character, the majority of its housing being concentrated along the main through route of the B3165. To the east side of this main street, the prime extent of built form ends at Milton Leaze to the south side of this site, thereafter the village edge is characterised by small pastures, which buffer the village from the wider moorland landscape context, and it is within one of these small pastures that this farm building proposal is sited, with the new forms in the location of earlier, smaller structures.

Stock buildings generally tend to lay outside the immediate village extent, in singular locations, unless related to the host farmhouse. This proposal intends an increase in built form immediately alongside a small residential estate (which may not be desirable) and opposite Hamlyns Farm, a listed building whose setting embraces an immediate prospect to its east that is relatively open, upon which this proposal would bring a degree of intrusion. Within the recent appeal decision against housing, the Planning Inspector stated in relation to Hamlyn's Farm (paras 27 & 28);

... ' From my observations, I consider that this area of former garden, and the adjoining agricultural land forms part of the setting of the Farmhouse and adjoining buildings. The development of the appeal site with housing would clearly alter the character of the appeal site. I find that this loss of openness would have an adverse effect upon the setting of the heritage assets identified. The appeal scheme would not preserve or enhance the setting of the listed buildings at Hamlyn's Farm, which would be in conflict with the objectives of Policy EQ3 of the Local Plan.'

As with the housing, this proposal intends an increase in the mass of built form over the existing structures, to reduce the extent of openness. Whilst there have been previous consents given for stock housing here, as you are aware, the NPPF has raised the bar re; the protection of heritage assets, and I consider there to be grounds for objection, drawing on the views expressed in the recent appeal decision. Accepting a site for new farm buildings is sought, I would suggest that other locations are reviewed, which may be more consistent with local character, i.e; to lay outside the immediate village extent, or to be closely related to the host farmhouse.

SSDC Ecologist: No comments or recommendations.

SSDC Environmental Protection Officer: Due to scale of the proposed development and its close proximity to residential properties, I would have to recommend refusal on the grounds of potential noise odours and flies affecting the amenity of the local residents.

County Archaeologist: No objection.

Natural England: *Provided that normal safeguards are in place to protect ground/surface water pollution we have no objection to the scheme.*

Somerset Drainage Boards (Parrett Drainage Board): No objection, subject to prior agreement of drainage arrangements.

REPRESENTATIONS

None received.

CONSIDERATIONS

Principle of Development

The proposal is for agricultural buildings in connection with an existing large farming business. The principle of such development in the countryside is accepted where there is a clear farming need, subject to satisfactory compliance with other policies and material considerations.

In this instance, it is noted that two previous permissions (2005 and 2010) were never implemented. Furthermore, a recent application was submitted by the applicant for housing. Given the extent and disposition of the applicant's land holding, shown on plans submitted as additional information, it is not clear why new buildings in this position, somewhat isolated from the main body of the holding and poorly related to other groups of buildings, are now necessary.

Applicant's Case

The application was made initially as 'Proposed renewal of previously approved planning applications.'. [As there is no procedure for this, the application has been treated as an application for demolition of existing structures and erection of two new buildings.]. The applicant operates a large farming business and, notwithstanding the lapse of two previous permissions on this site, requires to use the site to accommodate livestock. In response to points raised by consultees, the case has been elaborated, making the following points:

- the site has existing agricultural use;
- there have been no objections from neighbours;
- the replacement buildings are on a similar footprint to the existing;
- the site is not inside the village extent;
- the buildings are lower in height than the proposed houses recently refused - reference to this previous case is of little relevance to the current proposal;
- the same development has twice been previously approved.

Change in Policy Since Previous Applications

Since the two previous permissions (10/03751/FUL: October 2010; and 05/00770/FUL: May 2005), there have been significant policy changes, particularly the publication of the National Planning Policy Framework (NPPF) in March 2012; and the adoption of the new South Somerset Local Plan in March 2015. These have meant a more critical approach being taken

by the LPA in relation issues such as protection of heritage assets and the standard of residential amenity.

Visual and Landscape Impact

The Landscape Officer has set out a comprehensive objection on landscape grounds (above), which is supported. The proposal seeks to establish buildings of significant scale close to the road, within an open area of pasture which forms an important component of the established character of this linear village. This would be at odds with the existing character and appearance of the village, and contrary to the stated aims of Policy EQ2 of the Local Plan.

Impact on Listed Buildings

Both the Conservation Officer and the Landscape Officer make reference to the most recent case considered on this site. The Inspector, at appeal, was clear that this land forms part of the setting of the group of Grade II listed buildings across the road (Hamlyn's Farmhouse, a detached, extended 17th Century farmhouse with a thatched roof; The Cider House attached to the west of Hamlyn's Farmhouse; the Stables and Haybarn located to the south of the farmhouse and a Cattle Shelter to the south west of the farmhouse). As set out by both the Conservation and Landscape Officers, the proposed structures would have a significant, harmful impact on this setting. Given the changes in policy over the period during which this site has remained vacant, it is now incumbent on the Local Authority to apportion great weight to the protection of heritage assets.

Residential Amenity

Within 25m of the larger of the two proposed buildings (towards the south) are dwellinghouses fronting onto Milton Leaze. The proposed buildings are also within 25 - 30m of Hamlyn's Farm, a residence unrelated to the applicant's farming business. An objection has been raised by the Council's EPU Officer on the basis that this proximity would result in an unsatisfactory standard of amenity being enjoyed by occupants of nearby dwellings, owing to the presence of flies, odour and noise from the livestock accommodation. In this regard, the proposal is contrary to one of the core principles of the NPPF, namely that development should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".

Drainage

Both the Drainage Board and Natural England have made reference to the need for adequate drainage to protect the ground water environment and minimise flood risk. Accommodation of livestock is subject to separate legislation in relation to pollution reduction (dealing with animal waste). Matters of adequate drainage are considered appropriate for control by condition in this instance.

Comment of Applicant's Case

The applicant states that the replacement buildings are on the same footprint as the existing structures. As mentioned in the introduction, a site visit indicates that there are only two small structures on site, with a total covered floor area of around 30 sq. m. There is a concrete slab, but there is no other covered, enclosed space. The proposal is not, therefore, considered to be a replacement of like for like space, but comprises a large amount of new development (resulting in a total covered floorspace of 270sq. m.)

As discussed above, there have been changes in policy since the approval of the previous

applications. An assessment in the light of these policies highlights harm raised by the proposals that could previously have been given lower weight. As regards amenity concerns, regardless of previous decisions, it is clear that placing this scale of accommodation for livestock within 25m of dwellinghouses would result in unacceptable standards of amenity for occupants of the houses, and the advice of the EPU Officer is therefore given appropriate weight in the recommendation.

EIA Regulations

Not relevant.

Conclusion

It is noted that two applications have previously been approved for similar development on the site since 2005. However, neither of these has been implemented, and an alternative application for housing has just been refused, which does raise a concern about the need for new farm buildings in this isolated part of the applicant's land holding.

It is also noted that there have been policy changes since the last of the previous permissions - particularly the NPPF, published in 2012.

The proposed development is not considered to respect the established character and appearance of the village, and would be harmful to the setting of heritage assets (the four listed buildings comprised in a group related to Hamlyn's Farm house). Furthermore, accommodation for livestock, in close proximity to existing dwellinghouses, would not be conducive to the creation of a good standard of residential amenity for existing occupants.

In these respects the proposal is contrary to the aims of the NPPF and Policies within the Local Plan, and it is accordingly recommended for refusal.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Refuse.

FOR THE FOLLOWING REASONS:

01. The proposal, by reason of its design and siting, fails to respect the established character and appearance of the village and the setting of the listed buildings associated with Hamlyn's Farm. The harm caused to the setting, in particular the setting of scheduled heritage assets, is not demonstrably outweighed by the stated business need for the development. In these respects, the proposal is contrary to the aims of the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.
02. The proposal, by reason of the potential nuisance caused by noise, flies and odours associated with livestock accommodation, would result in a poor standard of amenity for existing occupants of nearby dwellinghouses, contrary to the aims and principles of the NPPF.

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 did not take the opportunity to enter into pre-application discussions and there were no material planning considerations to outweigh these problems.

Agenda Item 15

Officer Report On Planning Application: 16/00621/FUL

Proposal :	Conversion of a double garage into a one bedroom dwelling (retrospective).
Site Address:	Long Orchard Farm, Pibsbury, Langport.
Parish:	Huish Episcopi
LANGPORT AND HUISH Ward (SSDC Member)	Cllr Clare Aparicio Paul
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	20th April 2016
Applicant :	Mr John Crossman
Agent: (no agent if blank)	Mr Dathan Trent, Della Valle Architects, Lake View, The Maltings, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Minor Dwellings 1-9 site less than 1ha

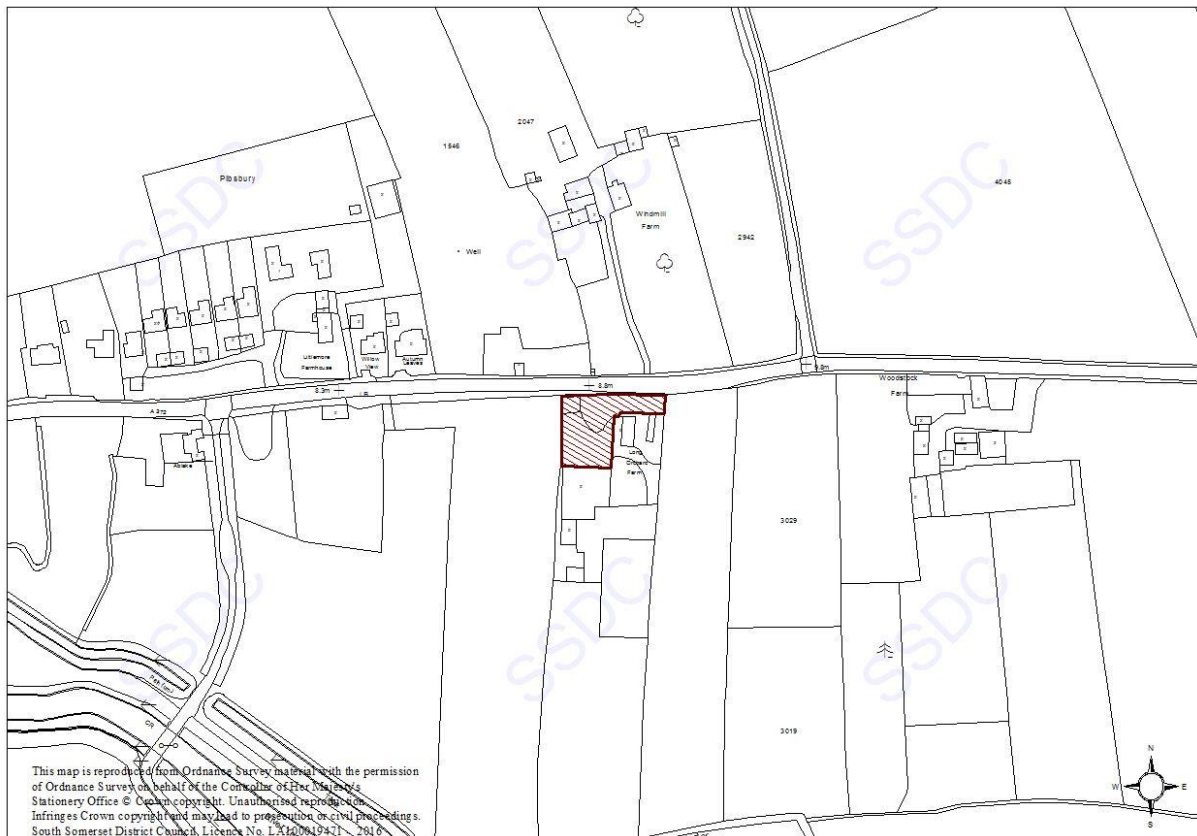
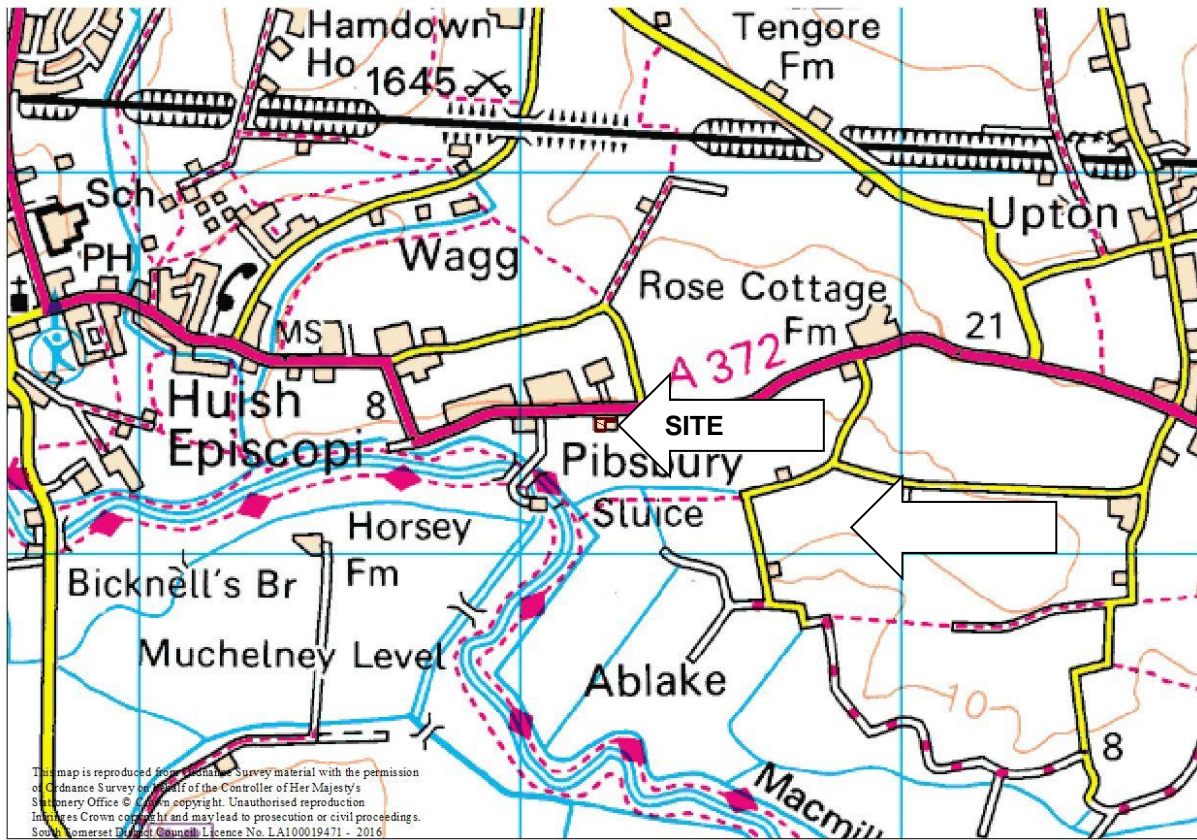
UPDATE

The application is to be considered again at Area North Committee following deferral at the meeting of April 27th 2016. This deferral was to allow formal clarification in respect to the ownership of the application site in order to fully consider possible restrictions on occupancy should planning permission be granted. The land is confirmed as being unregistered, however the applicant has provided an Epitome of Title, which seeks to prove ownership of the land. A further update will be made to members following consideration by SSDC Legal Services.

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Chairman to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL



The site is located to the south of the A372, to the east of the developed core of Pibsbury, a settlement comprising a small group of buildings between Langport and Long Sutton. There are no local services within the settlement and it is located approximately over 1km from the western edge of Huish Episcopi and Langport. The site comprises a large detached dwelling within a wider farm yard and a smaller one bedroom dwelling, to which this application relates. The larger dwelling referred to as Long Orchard Farm, was approved as an agricultural workers dwelling by outline planning permission and subsequent reserved matters application in 1994 and 1999 respectively. The proposal included a detached double garage. While initial commenced in 2003, the dwelling was not fully constructed until 2010. At the same time, an application (10/03749/FUL) was made for the provision of a residential annex in place of the approved garage. This application was refused on the basis that there was no agricultural justification for the provision of additional ancillary living accommodation at this site. Following refusal, the existing building, which now forms a separate one bedroom dwelling was constructed without the benefit of planning permission and is now occupied by the applicant and his wife as a stand-alone dwelling. It is stated that the structure was initially built as the garage approved under the original 1990s planning permission and then converted into a dwelling. These conversion works have taken place between April 2013 and March 2014, at which point the property was occupied. A retrospective application seeking to retain the existing dwelling has been recently refused under planning application 15/01229/FUL.

The application is a resubmission of that application, and still seeks consent to retain the unauthorised dwelling. The applicant has sought to address the reasons for refusal by providing additional information and altering the proposed site layout and formalising the residential curtilage and parking arrangements.

HISTORY

15/02022/COL: Application for a Certificate of Lawfulness for the use of dwelling to comply with the agricultural tie/S106 agreement - Refused 4th March 2016.

15/01229/FUL: Conversion of double garage to one-bedroomed dwelling (Retrospective) - Refused 12 November 2015.

10/03749/FUL: The erection of a residential annexe - Refused 28 October 2010

9902303REM: Erection of Agricultural workers dwelling and garage - Approved. (Building Control records commencement of development in 2003).

94/01798/OUT: The Erection of an Agricultural Workers Dwellinghouse and garage - Approved 19 November 1998

95/06650/FUL: The continued use of land as a site for a mobile home for agricultural worker and the erection of a porch thereto - Approved.

94/06650/FUL: The continued use of land as a site for a mobile home for agricultural worker. Approved. The original permission ref: 893107 - Approved 11 June 1990.

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 - Sustainable Development
SS1 - Settlement Strategy
SS2 - Development in Rural Settlements
TA5 - Transport Impact of New Development
TA6 - Parking Standards
EQ2 - General Development
EQ4 - Biodiversity

National Planning Policy Framework

Core Planning Principles - Paragraph 17
Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 11 - Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

Design
Natural Environment
Rural Housing

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2015)

CONSULTATIONS

Parish Council: No objections - The Parish Council have advised that they were happier with the amended application, despite it being retrospective, but did also advise that the dwelling must remain agriculturally tied.

SCC Highway Authority: County Council Standing Advice should be applied, specifically provision of appropriate visibility splays, properly consolidated access, positive drainage arrangements to ensure no surface water runoff onto the public highway and appropriate parking and turning provision on-site.

SSDC Highway Consultant: Consider sustainability issues (transport) and the distance to local services and facilities. The development would lead to an increase in use of the existing vehicular access. The plans need to show the extent of the existing visibility splays at the access, including improvements if the existing sight-lines are not to full standard. It would also be beneficial to confirm that the existing access is 5.0m wide to allow two vehicles to pass each other given the location of the site off the A372.

Natural England: Advised that the previous comments apply equally, as the proposed amendments are unlikely to have a significantly different impact on the natural environment than the original application.

The previous comments stated no objections but did note the proximity to the Somerset Levels and Moors Special Protection Area (SPA), which is a European designated site. It was advised that European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010 (as amended). It was also listed as a Ramsar site and notified at a national level as Wet Moor Site of Special Scientific Interest (SSSI). Despite the proximity to these

designated sites, no harm was anticipated as a result of the development, as proposed.

REPRESENTATIONS

Four letters of objection and two letters of support have been received. The main points raised in objection are as follows:

- The application is the same as previously refused. How is it possible to convert a garage into a dwelling without planning permission, have retrospective planning permission refused and then apply again. How often can an application be made before it is finally resolved?
- Providing a two metre fence and obscuring the roof lights will not prevent the applicant overhearing what is being said in the adjoining property's garden.
- Reference has been made to the proximity of neighbouring houses in housing estates. The occupier of the neighbouring dwelling has stated that this is not a housing estate and they would not have spent the money they did on the land and building the house if they wanted to live so close to another dwelling.
- The proposed fence will take up a section of the neighbour's garden and will restrict access to their backdoor. It will also block access to the neighbour's manhole cover, which services a drain that the applicant has tapped into without permission. The neighbour has advised that they have given notice that they will be removing the applicant's connection to this drain in the near future.
- The property has a wood burning stove, that gives off noxious fumes, forcing the adjoining property's windows to be left closed, even in summer.
- The proposed shed is to provide kennelling for dogs, not bicycle storage. Dog faeces is disposed of in the adjoining field and can cause offensive odours in the summer.
- Since the applicant moved into Long Orchard Farm, the wider site has become untidy and unsightly.
- The adjoining house was surrounded by flood water two years ago so there is a risk of flooding.

The main points raised in the two letters of support are as follows:

- The new plans are an improvement to the look of the building and its surroundings and will be an improvement to the area. They would also make the property more private to the existing dwelling.
- Two houses have been approved only 1 field away so it would be inconsistent not to approve this plan.

CONSIDERATIONS

History and Principle of Development

Permission for the retention of this dwelling was recently refused under planning application 15/01229/FUL. The fact that a similar scheme to that now proposed has been refused so recently, must be given great weight in determining the current scheme. This scheme must therefore be determined on the basis of whether any changes to the proposal or the policy environment address the previous reasons for refusal. The reasons for refusal of the most recent application were:

01. The proposal would represent new residential development in open countryside, for

which an overriding essential need has not been justified. The application site is remote from local services and as such will increase the need for journeys to be made by private vehicles. The proposed development therefore constitutes unsustainable development that is contrary to policies SD1, SS1 and SS2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.

02. The proposed dwelling, by virtue of the window positions and close proximity to the adjoining dwelling, hereby referred to as 'Long Orchard Farm', would lead to the unacceptable harm to the residential amenity of the occupiers of both properties due to mutual overlooking, as well as resulting in an overbearing and unneighbourly form of development that will cause unacceptable harm to the residential amenity of the occupiers of 'Long Orchard Farm'. As such, the proposal is contrary to policies SD1 and EQ2 of the South Somerset Local Plan (2006-2028) and to the core planning principles (paragraph 17) of the National Planning Policy Framework.

Reason for Refusal 01

By way of providing a history of the site, a previous application (10/03749/FUL) was submitted to provide an annexe to the main dwelling, Long Orchard Farm, in which the applicant was to reside. However, as the main dwelling is agriculturally tied, this application was refused on the basis of that there was no justification for additional living accommodation. Due to more recent bad relations between the applicant and his daughter, who occupies the main dwelling, there is no prospect of there being any formal relationship between the two properties, hence the current situation, where the building is being proposed as a completely separate single dwelling.

Despite the refusal of the 2010 application, the applicant started to construct the existing building in 2012, apparently in line with the approved garage from the original 1990s permission. Prior to the full completion of the 'garage' further works were undertaken from April 2014 to 'convert' the structure into a self-contained dwelling, which is now occupied by the applicant and his wife. This followed discussions with planning officers, in which advice was given that planning permission would be required and any continued development would be at the applicant's risk. Despite the assertion that this is a conversion of the approved garage, it is noted that the built structure did not fully accord with the approved plans in that there is a slight increase in height, changes to some of the details, as well as the addition of roof lights prior to completion. It is further noted that the garage doors were never installed with conversion also taking place prior to completion of the garage works. It also has to be taken into account that at the time of construction, the garage was built separately from the main dwelling, therefore even if in line with the approved plans, it would not have been for a use incidental to the domestic use of the main dwelling, as originally intended. For these reasons, it was considered appropriate to consider the retention of this dwelling in the same manner as a new dwelling from the outset rather than against policy guidance, such as paragraph 55 of the NPPF, aimed at supporting the conversion of redundant and disused buildings.

In this case, the application site lies to the east of the main group of dwellings that make up Pibsbury, a settlement with no local services of its own. The site is therefore subject to the same degree of protection as the open countryside. In assessing planning application 15/01229/FUL, it was therefore considered to be unsustainable by virtue of its distance from key local services. Furthermore, it was noted there are no footpaths from the site linking it to any nearby public footways. As such, any occupiers would be reliant on the use of a motor vehicle, unless they wished to walk along and cross an unpaved and unlit stretch of the A372, which would clearly not be desirable from a public safety point of view. For these reasons, the proposed development of the site was not considered to accord with local and national policies for the protection of the countryside, thereby failing to meet the aims of sustainable

development identified within the Local Plan and NPPF, and therefore refused under delegated powers following a recommendation of refusal from the Parish Council and adjoining occupier.

The applicant now seeks to demonstrate that the proposal is sustainably located, and therefore acceptable. They have quoted an appeal decision (APP/R3325/W/15/3011490), which followed the refusal of a dwelling some 800m from the developed edge of Curry Rivel. This appeal was allowed, with the Inspector stating that 800m was a reasonable walking distance, quoting the 800m referred to Manual for Streets, which states *"walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800m) walking distance of residential areas which residents may access comfortably on foot."* This paragraph continues *"However, this is not an upper limit and PPS13 4 states that walking offers the greatest potential to replace short car trips, particularly those under 2km."* In this case, the application site is significantly more than 800m from the nearest local services, being approximately 1.35km from the Rose and Crown public house and bus stop, 1.6km from St Marys Church and 1.7km from Huish Academy. The larger services within Langport are a greater distance beyond these. The applicant has based their justification on the 2km referred to in the now superseded PPS13 (Planning Policy Statement 13) and has further sought to justify the acceptability of these distances by referring to 'statutory walking distance', which dictates whether school pupils qualify for free school transport. While this is acknowledged, it is noted that 'walkable neighbourhoods', as referred to in Manual for Streets, very much relates to the design and layout of roads and streets within built-up, urban environments, where walking is likely to be more convenient and safer. PPS13 also made reference to the fact that in rural areas, the potential for using public transport and for non-recreational walking and cycling is more limited than in urban areas. Likewise the 'statutory walking distance' is not a measure of sustainability, but a defined distance used to determine whether free transport is applicable. In all cases, there is a reference to being able to walk in 'reasonable safety'. As already mentioned above, not only is the site significantly distant from the nearest services, there is a still the need to cross a busy 'A' road.

The applicant does also refer to a recent approval of two houses on 'Land Opposite Autumn Leaves', approximately 100m to the west. This was a scheme approved by Area North Committee, however it is also noted that there was a previous extant permission for one dwelling on that site. In considering the development of this application site, the development is even further away from local services and extends built form further into open countryside beyond the current developed edge of Pibsbury, and further away from the footway, which links the settlement of Pibsbury to the nearer, more sustainable locations.

Overall, despite the additional information submitted in support of the application, the circumstances remain exactly the same as when the previous application was refused. Since this decision, there has been no significant shift in planning policy, or alteration to the proposal. For this reason, the proposed development is still considered to be unacceptable and is again recommended for refusal.

It is further noted that the Parish Council no longer object to the proposal, however do state that the property should be agriculturally tied. It should be noted that the applicant has not applied on the basis of this being an agricultural worker's dwelling and nevertheless, it is not considered that there is any justification for such a rural workers dwelling in any case.

Reason for Refusal 02

The second refusal reason on previous application 15/01229/FUL, related to the relationship between the dwelling and the adjoining property, which are approximately 3m apart. The siting is not such that there were any identified issues as a result of overshadowing, however

concern was raised in respect to potential for mutual overlooking and a general overbearing impact as a result of the proximity. While there are no windows immediately facing each other, the windows of both of the main dwelling and the application dwelling do have views towards each other. This and the close proximity were considered to lead to an inappropriate unneighbourly and overbearing impact.

In seeking to address the amenity issues, the applicant has shown a site layout that was lacking in the previous application. A clearly defined residential curtilage running to the north, west and east of dwelling is shown, as is a defined parking area. It is also proposed to obscure east facing roof lights and provide a 2m high fence between the proposed curtilage and that of the neighbouring property. It is also argued that the proximity of dwellings are no different from many development sites in district.

In considering the proximity, it is felt that this does differ slightly from other development sites, in that the dwelling has been provided unlawfully, in a rural location, where such close relationships may not be expected, however the provision of clearly defined curtilage arrangements do improve the situation in that domestic activities will be directed further away from the adjoining dwelling, which is likely to improve the mutual relationship between the properties and provide private amenity space away from overlooking. The proposed garden area to the east is also likely to be adequately private with no unacceptable impact on residential amenity. One area of concern is that this area is currently used as garden of the adjoining property, however there is a complicated relationship between ownership of the land on the application site and the wider site, including the land on which the adjoining house is located, which results from the family relationship between the applicant and adjoining neighbour (father and daughter). While it is not ideal to show the sub-division of the garden, which appears to be in the ownership of the adjoining occupant, the applicant has provided sight of conveyance deeds, which do indicate that the entirety of the site is registered to the applicant. This may be disputed but no evidence has been provided to the contrary. Ultimately however, this will be a civil matter between the applicant and the adjoining resident. From a planning point of view, there are no significant concerns if the proposed dwelling were to be approved and only have access to the undisputed areas of garden curtilage shown. Similarly, while the neighbouring occupier would still expect reasonable access to their manhole cover, this is also largely a civil matter, and would not constitute unacceptable harm to residential amenity that would warrant refusal of the application.

On balance, the revisions to the proposal, to include a defined curtilage and improve privacy for the occupiers of both properties, reduces the impact of the dwelling proposed to a degree that is considered to adequately address refusal reason 2.

Highway Safety

In considering the highway safety issues, the County Council Highway Authority have referred to their Standing Advice, however in considering the previously refused application, they gave more detailed comments, referring to a former commercial element to the farm, with a number of employment uses having occurred. Taking this into account, the Highways Authority considered that the generation of vehicle movements associated with the proposed dwelling, along with the current use of the farm, the existing dwelling, the extant commercial uses could generate an increase in traffic generation, where there is considered to be sub-standard access. The Highway Authority noted that by only using a small part of the site, the other uses could continue uncontrolled, which could also lead to a conflict in traffic movements. In order to address these concerns, it was suggested that there should be a reduction in traffic movements or an improvement in the visibility splays. Being a 60mph road, it was suggested that splays of 2.4m by 215m would be required. The Council's Highway Consultant did not raise concerns in principle, subject to the establishment of splays to the east that accord with

submitted drawing, which equates to a visibility splay of 50m to the east. It is also suggested that by setting the gate back by 6m, properly consolidating the access and providing appropriate turning and parking space could negate any highway safety issues. Having taken both of these views into account, it was noted that visibility to the east is impeded by vegetation, however the suggested visibility splay of 50m to the east is a condition of outline planning permission 94/01798/OUT so this could realistically be provided. It was also noted that there are clear distant views in both directions, notwithstanding any land ownership issues. As such, it is considered that there was scope for appropriate alterations to address highway safety issues and as such was not considered necessary to refuse on highway safety grounds.

In commenting on this latest application, the Highway Consultant refers to showing the extent of visibility again and suggests the widening of the access to 5m to allow vehicles to pass. At present, the access is short of the 5m, however there is plenty of space to the west of the existing access to widen, further improving access. It is therefore considered that should the application be approved, a condition could be imposed to require the access to be increased to 5m in width, as well as requiring the aforementioned visibility, a properly consolidated access and appropriate drainage arrangements. Otherwise, the proposal incorporates an appropriate level of parking and there is sufficient turning space within the wider site.

Other Issues

The site is near to the Somerset Levels and Moors Special Protection Area (SPA), which is a European designated site, and also listed as a Ramsar site and notified at a national level as Wet Moor Site of Special Scientific Interest (SSSI). Despite the proximity to these designated sites, the proposed development is not considered to have any adverse impact on these national and locally important sites.

Conclusion

Despite amending the scheme to improve the previously identified harm tot residential amenity, it is still considered that the site is poorly related to key local services, by virtue of distance to these services, and the development fails to provide for an essential need.

RECOMMENDATION

Refuse permission

FOR THE FOLLOWING REASON:

01. The proposal would represent new residential development in a rural location outside of established settlement boundaries, for which an overriding essential need has not been justified. By virtue of distance and lack of safe means of pedestrian access, the application site is poorly related to local services and as such will increase the need for journeys to be made by private vehicles. The proposed development therefore constitutes unsustainable development that is contrary to policies SD1, SS1 and SS2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.

Agenda Item 16

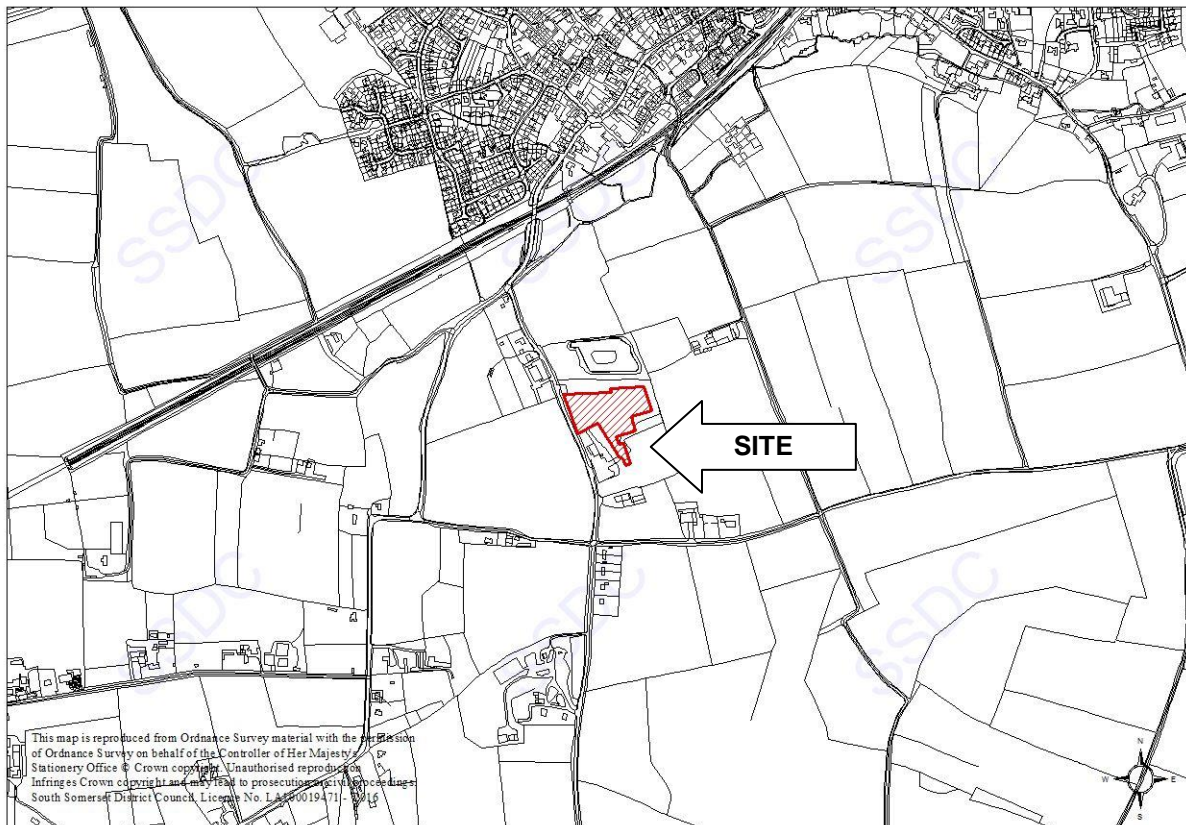
Officer Report On Planning Application: 16/01819/FUL

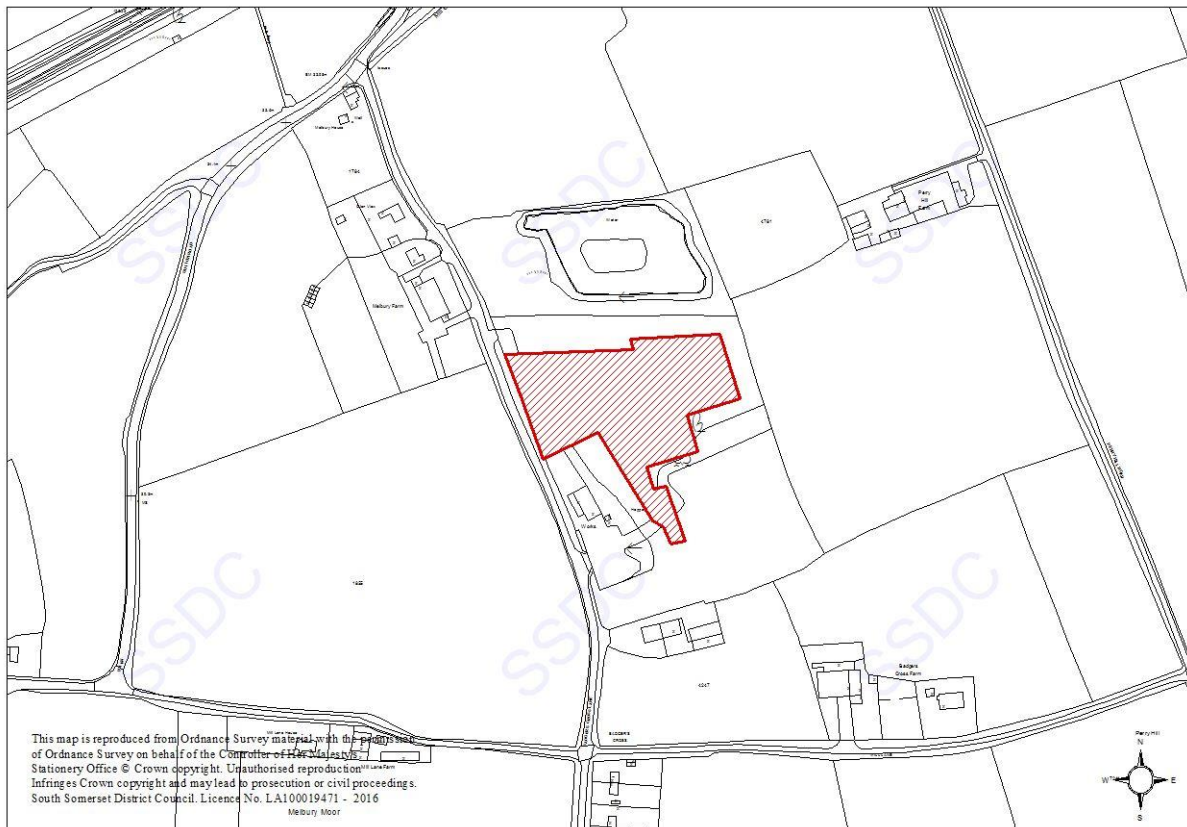
Proposal :	Erection of Commercial Building under Use Class B2 of the Town and Country Planning (Use Classes Order) 1987.
Site Address:	Land OS 3769, Badgers Cross Lane, Somerton.
Parish:	Somerton
WESSEX Ward (SSDC Member)	Cllr S Page Cllr D Ruddle
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	3rd August 2016
Applicant :	Pitney Fabrication Co. Ltd.
Agent: (no agent if blank)	Mr Shaun Travers - 3637 Motivo, Alvington, Yeovil BA20 2FG
Application Type :	Major Manfr f/space 1,000 sq.m or 1ha+

REASON FOR REFERRAL

The application has been brought to committee at the request of the Development Manager and the agreement of the Area Chair to allow the issues of principle and other related planning matters to be considered further.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission to erect an industrial building with a footprint of 3929 square metres) to accommodate a single business falling within Use Class B2 (general industry). The application follows the granting of permission of several previous schemes for industrial development and an educational facility on this wider quarry site.

The application site forms part of a wider former quarry site, which whilst it is still considered to be a mineral safeguarding area has according to Somerset County Council been previously extracted. The site is located in the open countryside approximately 1.5km from the town centre of Somerton and is accessed via Badgers Cross Lane which passes along the western boundary of the site. A stonemason's business already operates from another part of the quarry site, on land which formed the quarry depot, and one of the buildings approved under application 15/00559/FUL has also now been completed and is in use by a training business.

As part of the stonemasons development a new access was formed leading on to Badgers Cross Lane which is of a width and nature suitable for accommodating industrial traffic. It is intended that this access would also serve the proposed new industrial unit as well as those already approved within the quarry site.

Native hedgerows are growing along the east, west and south boundaries of the application site. The levels of the site have been raised up as a result of an in-filling exercise undertaken by the landowner and is at a similar level to the wider site and raised up above the adjacent land to the south and east and road to the west. At the time of visiting the site it was in an uncultivated state.

There are a number of residential properties in the locality with the closest dwelling situated approximately 60m to the northwest on the opposite side of Badgers Cross Lane.

RELEVANT HISTORY

- 16/01849/S73: Application to vary condition 2 (approved plans) of planning approval 15/05513/FUL to allow the removal of part of the proposed landscaping bund. Pending consideration.
- 16/01847/S73: Application to vary condition 2 (approved plans) of planning approval 15/00559/FUL to allow substitution of plans to accommodate landscaping scheme. Pending consideration.
- 15/05514/S73: Application to vary condition 2 (approved plans) of planning approval 15/00559/FUL. Permitted.
- 15/05513/FUL: Erection of commercial building to accommodate mixed uses (Use Classes B1, B2 and B8). Permitted.
- 15/00559/FUL: Erection of Commercial Buildings to accommodate mixed uses (Use Classes B1, B2, and B8 Town and Country Planning (Use Classes Order) 1987 (Block 1) and Use D1(Town and Country Planning (Use Classes Order) 1987 (Block 2). Permitted.
- 14/04180/FUL: Erection of a commercial building to accommodate mixed uses (Use Classes B1, B2 and B8). Permitted.
- 12/04095/FUL: Extension of building and change of use of land to accommodate an extension and yard for B2 use. Permitted.
- 11/02594/FUL: Application to extend time limit of extant permission 08/03000/FUL, to erect 2 agricultural buildings for storage of fodder and machinery and erection of two polytunnels. Permitted.
- 11/00609/COL: Application for a certificate of lawfulness for the proposed use of the site and building thereon for any purpose falling within B2 use class. Refused.
- 10/02027/FUL: Use of existing building for B2 use, refurbishment and extension of existing building and associated improvements to access and landscaping. Permitted.
- 09/03655/CPO: Construction of a household waste recycling centre. Withdrawn.
- 08/03000/FUL: Erection of two agricultural buildings for storage of fodder and machinery and erection of two polytunnels. Permitted.
- 08/01021/AGN: Erection of an agricultural building for the over-wintering of cattle and calving. Permission required.
- 01/01430/COU: Use of land and buildings for storage, repair and retail of damaged motor vehicles, carry out engineering works and erection of a new covered area for accident damaged cars. Permitted.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS3 - Delivering New Employment Land

LMT3 - Somerton Direction of Growth

TA1 - Low Carbon Travel

TA5 - Transport Impact of New Development

TA6 - Parking Standards
EQ2 - General Development
EQ4 - Biodiversity
EQ7 - Pollution Control

National Planning Policy Framework:

Part 1 - Building a strong, competitive economy

Part 3 - Supporting a prosperous rural economy

Part 4 - Promoting sustainable transport

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 13 - Facilitating the sustainable use of minerals

CONSULTATIONS

Somerton Town Council: Support application

County Highways: No objection, subject to conditions to address surface water runoff to prevent it running into the highway and to secure the on-site parking and turning provision. The existing access is sufficient to cope with the existing and proposed traffic. Badgers Cross Lane is a classified un-numbered road with a speed limit of 60mph. The width of the road varies between 4.8m and 5.5m which is wide enough to allow a vehicle to pass an HGV lorry. The previous applications have allowed the increase in use of the road and again it would be unreasonable to make an objection on this matter. The vehicle tracking plan shows that an articulated lorry can enter the site and has enough space to turn around and exit in forward gear. The proposal provides for adequate on-site car parking that meets SCC's parking strategy.

County Minerals: No comments received

Environmental Protection: Recommended conditions to control the following:

- Hours of operation;
- Fitting of noise attenuated reversing alarms to any forklift trucks operating on the site;
- Prevent any shot blasting, paint spraying being carried out out of the building;
- A noise mitigation scheme; and
- Remedial measures to address contamination.

Environment Agency: No objection subject to a condition to address contamination concerns.

Lead Local Flood Authority: No objection subject to a drainage condition to safeguard against potential increased flood risk.

Wessex Water: Raised no objection.

Planning Policy: It is noted that this is the fourth planning application for commercial uses to have been submitted on this site in a relatively short period of time. The three previous applications have been approved (14/04180/FUL, 15/00559/FUL, 15/05513/FUL) - the same key policies will apply to the current application, so please refer to these previous comments for general policy principles.

Regarding issues specific to the current application, the proposed site covers some 1.24 ha and comprises a B2 use building of 3,929 sq m. The end user is identified as Pitney Fabrications, a steel manufacturer currently located at Bancombe Road Trading Estate. The adopted Local Plan includes a direction of growth for new development to the west of Somerton (Policy LMT3), and it is noted that the direction of growth is located adjacent to Pitney Fabrications' existing premises (albeit beyond a field boundary). The Design and Access Statement states that the likely residential hope value is likely to preclude new employment land in the direction of growth; however, this falls short of confirming that this land is not available following discussions with the relevant landowner.

Overall, as with the previous proposals, there are concerns relating to its isolated location with regards to the strategy set out in the Local Plan. Given the approach in the Local Plan, and the existing location of the business, the option to extend/locate the proposal in the direction of growth should be fully explored. It is recognised that significant weight should be given to supporting sustainable economic growth (NPPF, para 19). In determining the application, it should be considered whether material considerations outweigh the conflict with the Local Plan.

Economic Development: Support this application as it will bring forward new employment land in the district and represent an opportunity for an established local business to expand and employ more people.

Notwithstanding the comments of the SSSDC Policy Planner regarding availability or otherwise of the land adjacent to the end user's current site and within the direction of growth for Somerton, I am supportive of this application as from an Economic Development perspective:

- Employment land is constrained in the Somerton area and this will deliver substantial commercial space;
- There is an end user already secured for the site;
- The end user, Pitney Fabrications, is an established local business desperate to expand as soon as possible but is constrained in its current location;
- The end user has estimated that the new site will enable them to create 65 additional jobs which would be of significant benefit to the local economy.

Ecology: No objection or recommendations.

Climate Change Officer: Encourages the orientation of the building to be reconsidered to improve potential solar gain. He further observes that there are few constraints that impact on the orientation of the building and would have liked to have seen justification for the solar orientation of the building.

Landscape Officer: Raises concerns.

Latest comments - It is ironic that in sorting out the level issues, we have arrived at a slab level that is 30cm higher than previously presented - relative to external site levels, that increases the massing extent.

I acknowledge that the additional land available for planting (and we need confirmation of this) to the east of the building will enable a more substantive planting belt, which may help to balance out the increased massing impact, and as before, I agree that the building design is well considered, to play down the worst excesses of massing effects, and to create a horizontal emphasis. However, that doesn't mitigate the overall landscape impact arising

from the scale and mass of the proposal, nor from the cumulative building presence on this rural site, as set out in detail in my consultation response, thus I still consider the proposal to fail to meet the requirements of LP policy EQ2, and this offers a basis for refusal unless the economic development case is more compelling.

Initial comments - This application proposes the construction of a substantially-scaled single commercial building, circa 0.37ha footprint, and height to ridge of 9.83 metres, on a former quarry site that is now characterised in-part by recently constructed employment buildings over the southern half of the site. Its immediate surround is characterised by agricultural fields, which are primarily pasture and defined by enclosure hedgerows, whilst the urban edge of Somerton lays circa 0.4km to the north.

The site clearly lays within a rural context, despite the close proximity of the town's edge. Whilst the land to the south and west of the town is primarily open, with little development presence, there are a number of sporadic building groups and small farm clusters to either side of the B3165 Long Sutton road, to introduce the characteristic of scattered development form within the farmland context through this broad corridor. As such, the present site development is not greatly at variance with this local characteristic. However, the scale of this application proposal is clearly substantial, and in excess of those currently constructed on the site, and those of the surrounding holdings, to thus be likely to appear incongruous, whilst the cumulative impact of both the constructed; consented; and proposed buildings will establish a building group that express a development mass which is at variance with those that characterise the locality. In this respect, and given the farmland context, there are potentially landscape grounds for refusal, LP policy EQ2.

This erosion of local landscape character will be apparent in immediate; passing and local public views. Visibility becomes an issue where a proposal is assessed as likely to generate adverse or uncharacteristic landscape effects, and those effects are apparent to public perception. The extent of this impact is reviewed by a landscape and visual impact assessment (LVIA) submitted with application. The LVIA primarily reviews the views from local lanes, and it is apparent that the zone of visual influence is closely drawn, to thus place a limit on potential adverse effects. In most part the LVIA considers the significance of the effects arising from development impact to be minor, rising to moderate where viewed from Perry Hill Road, which hosts the route of the McMillan Way. It further contends that these effects can be reduced by the form of the building design, and on-site planting mitigation.

I agree that the building has a local visual profile only to limit adverse effects (though I consider these effects on receptors using the local lane network will also be shared by a small number of residential properties that have a prospect of the site) and that the design - particularly its roof profile; horizontal treatments; and cladding tones, will help to play down its presence. I am not convinced however, that the scale of the building can be successfully mitigated as suggested, particularly if established at the datum levels shown. Whilst the D&A statement places an emphasis upon the building being dug-in, a datum level of 49.00 places the building at the same level as the Medusa Stone building, and only 1.00 metre below the recently consented workshop range, which stands on made-up ground to the immediate south. I do not consider this building datum to be set sufficiently low to moderate the landscape impact predicted by the LVIA, and without a reduction in the building profile relative to its landscape surround, consider both the scale and mass of the proposal, and the cumulative building presence on this rural site, to fail to conform with the requirement of LP policy EQ2.

I acknowledge that the building design has been evolved with a great deal of thought to play down massing effects and create a horizontal emphasis, and with careful selection of cladding and roofing tones, I agree it to be the right approach to accommodating an outside

building on a small site. However, to integrate it successfully into its landscape context, and thus overcome the landscape objection, I would advise;

- (a) The building profile is reduced. If the overall height of the structure cannot be reduced, then seek to genuinely lower the building platform, and;
- (b) Shift the building circa 5 metres to the west, to create sufficient space for a robust planting scheme, which will then have the capacity to moderate the landscape impact as advised by the LVIA.

Given the scale of the proposal, I also consider it essential that a planting and ground modelling proposal is agreed pre-determination, and with the above amendments, will provide the package necessary to secure appropriate landscape mitigation.

REPRESENTATIONS

Written representations have been received from five local residents raising the following objections and concerns:

- Clear that a staged approach has been deliberately adopted to develop this site which is unacceptable.
- Piecemeal development.
- This is not about bringing more jobs and saving the economy, Pitney Fabrications already exists in Somerton.
- Harm to visual amenity.
- Not in keeping with the rural area.
- This is an enormous development, is set in an elevated position and will have a serious impact on this rural area.
- As yet the planting scheme for the implemented schemes has not been carried out. The developer has planted a cheap laurel hedge instead of a native hedgerow on the roadside by the new building. Is there any reassurance that any of the proposed planting schemes will be adhered to.
- Harm to the local environment.
- The quarry was supposed to be returned to nature once the quarrying had finished.
- Increased noise and light pollution.
- Steel fabrication is very noisy, the plans do not adequately deal with this.
- There is already light pollution coming from the site, which is on all night long.
- We already put up with noise from the stone masons.
- Sound proofing of this building needs to be of the highest specification so ensure it does not impact on local residents.
- Inadequate road infrastructure to serve this level of development.
- Despite the owner's assertion that there will be a very low increase in traffic, Badgers Cross Lane and the associated road network has already seen a large escalation of HGV traffic to this site.
- Lorries turning in and out of this access on a blind bend is a severe road hazard. Plus the junctions to the south and north of the lane (leading to the A372 and Sutton Road) are not conducive to large amounts of industrial traffic.
- This application will double the amount of traffic in and out of the site on this minor country lane.
- Badgers Cross Lane is currently a quiet country lane and regularly used for recreational purposes (horse riding, jogging, dog walking etc). The increase in traffic resulting from the development will deter recreational use and greatly increase the risk of a road traffic accident. Many of the entrances leading on to the lane are on

blind bends.

- This will make a dangerous traffic situation worse.
- The safety concerns of local residents in respect of the entrance to the site are well documented. There is an independent assessment which documents the unsuitability of this road for what has now become an industrial complex. This is not trumped by a further assessment by the same individual in another capacity saying otherwise.
- Additional traffic onto the small roads is damaging tourism in the area.
- There are no options for employees to get to the site other than by driving in a private vehicle.
- The Sutton Road end of the lane already suffers from flooding during wet weather. The run-off from the buildings on this site and raised landscaping will increase the probability of flooding.
- Contamination. The site was previously a quarry and has been landfilled with industrial, commercial and domestic waste since the 1960's, probably with no control of hazardous contamination. Is it safe to build on?
- Run-off from the site will be huge. Water already gathers at the bottom of Badgers Cross Lane by Melbury House during prolonged rain events, this proposal can only add to this problem. If approved there should be an attenuation pond to allow slower dissipation to minimise flooding.

CONSIDERATIONS

This application is seeking full planning permission to erect an industrial building for Use Class B2 comprising a footprint of 3929 square metres. The application follows the granting of permission of several previous schemes for the industrial development of this site.

Principle

The application site forms part of a former quarry site, which is classed as greenfield land, and is located beyond any development area within open countryside and approximately 1.5km from the centre of Somerton.

The local plan sets out the overall scale of employment growth for South Somerset in policy SS3, with an additional requirement of 5.07 hectares of employment land for Somerton to deliver the jobs required to support the town and wider district. Policy LMT3 identifies the direction of growth as being to the west of the town, i.e. close to the existing Bancombe Road trading estate. The application site however sits away from the identified direction of growth and does not therefore strictly conform with policy LMT3.

The application has been submitted with a specific business in mind and as such is not speculative in nature. Economic Development are supportive of this proposal noting that employment land in the Somerton area is constrained and that it will allow an existing established business, Pitney Fabrications, to expand and to create an additional 35 full-time jobs.

It is noted that the applicant has stated in his Design and Access Statement that the likely residential hope value is likely to preclude new employment land within the direction of growth, which falls short of confirming that this land is not available. SSDC's Policy Officer goes on to raise concerns about the relatively isolated location of the site and the extent to which the option to extend / locate within the direction of growth has been explored. He acknowledges however that significant weight should be given to supporting sustainable economic growth (paragraph 19 of the NPPF) and that it should be considered whether material considerations outweigh the conflict with the local plan.

In response to these concerns the applicant has confirmed that there is insufficient space to expand at their current site and that neither Pitney Fabrications or the owner of much of the Bancombe Road Trading Estate (and the current application site) do not have control over any other land within the direction of growth. No other sites of a size capable of accommodating this development have come forward or have been identified as being available to meet this need at the present time. Furthermore, the applicant has stated that the reason for looking to expand the business now is both due to the success of the business but also because of a grant that is currently available which would help to meet the costs of this expansion project, the grant however is only available for a very limited period.

At present the prospect of new employment land becoming available that could accommodate this development in the preferred area at any time in the near future cannot be relied upon. The Core Principles (paragraph 17) of the NPPF, states that planning should "proactively drive and support sustainable economic development", and is particularly pertinent in the considerations of the application and given considerable weight.

As advised by the Policy Officer it is accepted that the development of this site for industrial purposes would be contrary to policy LMT3 which seeks to direct such development in Somerton to the west / southwest side of the town. It is therefore necessary to consider whether there are such exceptional circumstances that the development of this site can be supported.

Although the application site is in policy terms greenfield and not industrial its previous use as a quarry can hardly be described as an unfettered greenfield site. Although it would be preferable for the site to be physically more closely connected to Somerton with good pedestrian links etc, it is within a relatively short distance of the main hub of Somerton and within a distance that could realistically be walked or cycled with relative ease. The Planning Policy team has acknowledged in comments for an earlier application on this quarry site that the site is part of the functional economic area for Somerton. Furthermore, there is no evidence to suggest that the approval of this development would detract from the existing employment land to be found within the town.

Bearing all of these factors in mind, along with the lack of available sites in a more preferred location and the applicant's time constraints in regard to their grant application, it is considered that the economic and social merits of this scheme, in this instance, outweigh the identified conflict with development plan policy. On this basis it is considered that a policy exception is justified in these circumstances subject to the consideration of the impacts of the locality of the proposal.

Highway Safety

One of the principle concerns raised by local residents relates to highway safety and traffic generation upon the local road network, which they consider unsuitable for the traffic that this scheme is likely to generate.

Access to the development will be via the existing access which is / will be shared with the other businesses already permitted on the wider quarry site. The highway authority has raised no objection to this access or to the level of on-site parking, cycle storage and turning proposed. A Transport Statement accompanied the application setting out detailed likely traffic generation information both in terms of HGV traffic (36 two-way trips per day, staff vehicles (72 two-way trips per day) and peak traffic movements. The highway authority has raised no objection to these traffic levels or the cumulative impact this will have along with the other schemes already approved on site upon the local highway network. There is no evidence that counters the highway authority's views in regard to traffic and highway safety

matters and for these reasons it is concluded that the development should not lead to any substantive highway safety concerns.

Residential Amenity

The nearest residential property to this site is located approximately 60m to the northwest. The proposed industrial use and associated activities could potentially generate noise and disturbance to surrounding neighbours.

Environmental Health has been consulted in regard to the application and raised no objection to the proposal. The applicant has stated that other than loading, unloading and vehicle access all activities are performed within the building and that they do not operate on a shift system. Therefore, subject to a number of conditions to secure hours of operation (to between 0700 and 1800 hours Monday to Saturday), to prevent activities other than loading/unloading/ storage occurring outside the building, noise attenuation conditions and to prevent any panel beating/shot blasting/paint spraying taking place anywhere on the site, the development is not considered to cause any demonstrable harm to neighbour amenity or the rural amenities of the locality. Nor, given the intervening distance of the site from the nearest neighbours does it raise any more general concerns such as loss of light, privacy etc. For these reasons, the development is not considered to raise any significant amenity concerns for nearby residents.

Visual and Landscape Amenity

Local Plan policy EQ2 requires development to conserve and enhance the landscape character of the area and to respect local context.

The application site lies within a rural context in an area that is open in character but with some sporadic building groups and in this respect the site at present is not greatly at variance with this context. The sheer scale of the development however is not reflective of these building groups or of that already permitted on this site and so from this perspective has a certain incongruity within the surrounding landscape.

The application has been submitted following pre-application discussions and it is accepted that the design of the building does much to break up its overall massing and that combined with a comprehensive landscaping scheme will help to mitigate its presence within the landscape. The Landscape Officer however is concerned about the levels and noted that although the building will be dug-in it will still have a datum level of 49.30 which will result in a ridge height 1.23 metres higher than that of the industrial building approved immediately alongside to the south and will not be sufficiently low to fully moderate its landscape impact. He also made a request to widen the landscaping belt along the east boundary.

Whilst the applicant has amended the position of the development to facilitate the wider planting area they have been unable to reduce the height or finished floor level of the building and so this remains an outstanding concern. The Landscape Officer is of the opinion that due to its height the proposal will have a greater presence within the landscape than would be desirable and as such its scale and massing remain a matter of concern and the scheme therefore does not strictly accord with the objectives of policy EQ2. He goes on to suggest that this could be a sufficient reason to refuse the application if the economic development case is not sufficiently justified.

Planning Balance

The development will enable Pitney Fabrication, an established local firm, to carry out their expansion program whilst remaining in the Somerton area and it is anticipated that this project will result in the creation of an additional 34 jobs. Paragraph 19 of the NPPF makes it clear that "significant weight should be placed on the need to support economic growth" as

such it is considered that the economic and social benefits associated with this development should be afforded considerable weight.

The concerns raised by the Landscape Officer must also be acknowledged and that in this regard the proposal fails to strictly accord with the requirements of LP policy EQ2. The application site, however, is not located in an area that is subject to any special landscape or wildlife / biodiversity designations and the level of harm identified by the Landscape Officer, whilst significant, is not in this instance considered to be so severe as to outweigh the economic and social benefits that will arise. Indeed the Landscape Officer has acknowledged that if the economic arguments are sufficiently compelling that this may override his landscape concerns.

On this basis it is considered that it is justified to make a policy exception in this instance.

Other Matters

Local concerns regarding the piecemeal nature of development coming forward on the quarry site are noted however the applicant is at liberty to do this.

The site is located within flood zone 1 and as such is not considered to be at risk of flooding. A Surface Water Drainage Strategy has been provided with the application, neither the Environment Agency or the Lead Local Flood Authority have raised any objection to this proposal, subject to a condition being imposed requiring a detailed surface water drainage scheme.

Bearing in mind the site's former quarry status and the landfill that has been carried out in the vicinity there is the risk of landfill related gas and other contamination affecting the site. Conditions have therefore been recommended to address these concerns.

There are no identified ecology issues and the Council's Ecologist has raised no objection or recommendations in respect of the proposal.

A local resident has stated that the site was supposed to revert back to nature once the quarrying had ceased. Whilst this might have been a condition on the original quarrying consent the LPA are obliged to consider the scheme submitted and its merits.

Conclusion

Notwithstanding the concerns and objections raised by local residents, it is considered that for the reasons set out above the proposal is an appropriate form of development that broadly meets the aims and objectives of the NPPF for sustainable economic development. The identified landscape concerns, subject to the proposed landscape mitigation measures, are not considered to be so severe as to outweigh the social and economic benefits resulting from the expansion of this local firm. Furthermore, the proposal raises no other substantive environmental, highway safety, visual or residential amenity concerns that cannot be adequately addressed by condition. The application is therefore recommended for approval.

RECOMMENDATION

Grant permission for the following reason:

This proposal for new industrial development will result in the creation of new employment opportunities in the locality and make a valuable contribution towards the delivering the Council's employment land requirements. Notwithstanding the landscape impact concerns, the proposal is considered to accord with the principles of sustainable development without

resulting in any substantive residential amenity, highway safety or environmental concerns and to therefore accord with the aims and objectives of policies SD1, SS1, SS3, TA5, TA6, EQ2, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered 3637/PL/100 and 3637/PL/105 received 25/04/2016, 3637/PL/104 received 04/05/2016, 3637/PL/102 and 3637/PL/103 received 06/05/2016 and 3637/PL/101 Rev A and 3637/PL/106 Rev A received 20/06/2016

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

03. The building hereby permitted shall not be used other than for those activities which fall within the definition of Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: The local planning authority would not have been prepared to grant planning permission but for the need for additional employment land to accord with the aims and objectives of the NPPF and policy SS3 of the South Somerset Local Plan.

04. The accommodation comprised in the development hereby permitted shall not be used other than as part of the premises of a single business operating from the site outlined in red on the submitted site plan (drawing number 3637/PL/100). There shall be no subdivision without the prior express grant of planning permission by the local planning authority.

Reason: In order to determine the scope of this permission and in the interest of highway safety and the rural amenity of the area to accord with policies EQ2, TA5 and EQ2 of the South Somerset Local Plan.

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

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

06. No external lighting or illuminated signage shall be installed on site unless plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting assessment shall consider the Institute of Engineers lighting zone. The lighting approved shall be installed and shall thereafter be maintained in perpetuity in accordance with the approved details.

Reason: To minimise light pollution and safeguard the rural amenities of the area to accord with policies EQ2 and EQ7 of the South Somerset Local Plan.

07. No works shall commence unless the detailed designs for the surface water drainage, together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the local planning authority. Such works shall be carried out in accordance with the approved details and be permanently retained and maintained thereafter.

Reason: To prevent the risk of flooding and to ensure that the development is served by a satisfactory system of surface water drainage and to secure the future maintenance of the surface water drainage system in accordance with the requirements of the National Planning Policy Framework.

08. No work shall be carried out on the site on any Sunday, Bank or Public Holidays, or other than between the hours of 0700 and 1800 hours on weekdays and Saturdays.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

09. No deliveries shall be taken at or despatched from the site between the hours of 1830 and 0630 on weekdays and Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

10. The development hereby permitted shall not begin until a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:

1. A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175 : 2011 Investigation of Potentially Contaminated Sites - Code of Practice.
2. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites - Code of Practice. The report should include a detailed quantitative human health and environmental risk assessment.
3. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation should be stated, such as site contaminant levels or a risk management action, and how this will be validated. Any ongoing monitoring should also be outlined.
4. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority.

5. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with policy EQ7 of the South Somerset Local Plan.

11. Before the development commences a scheme shall be submitted to and agreed in writing by the Local Planning Authority that specifies the provisions to be made for the control of noise emanating from the site. The noise mitigation scheme shall be maintained and shall not be altered without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

12. No shot blasting or paint spraying shall be carried out in any building or otherwise on the subject land.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

13. Any forklift trucks used on the application site shall be fitted with noise attenuated reversing alarms. All such alarms are to be kept in working condition and operable wherever a forklift truck is used on the site.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

14. There shall be no external storage unless a scheme detailing the nature of the goods / equipment to be stored, the method of storage (if appropriate), the area to be used and maximum height for such goods. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to safeguard the environment and rural amenities of the area, in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

15. No manufacturing, fabrication or other industrial process shall take place outside the confines of the building on the site.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

16. There shall be no burning of any produce or material whatsoever on the site other than in a properly installed incinerator within a building.

Reason: In the interests of the local amenities of the area, in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

17. No system of public address, loudspeaker, amplifier, relay or other audio equipment shall be operated outside the building hereby permitted.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

18. The internal ground floor levels for the building hereby permitted and the altered site levels shall accord with the details set out on drawings XXX, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

19. The landscaping scheme, as detailed on drawing XXX and the accompanying written schedule XXX, shall be planted in the first planting and seeding season following either the completion of the development or the first occupation of the building hereby permitted, whichever is the sooner. 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 otherwise 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 policy EQ2 of the South Somerset Local Plan.

20. The area allocated for parking and turning on drawing number 3637/PL/101 Rev A, shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interest of highway safety to accord with policy TA5 of the South Somerset Local Plan.

Informatives:

01. The applicant's attention is drawn to the advice and recommendations set out in the Environment Agency's letter dated 25/05/2016.