



Area East Committee

Wednesday 10th June 2020

9.00 am

A virtual meeting via Zoom meeting software

The following members are requested to attend this meeting:

Robin Bastable
Hayward Burt
Tony Capozzoli
Nick Colbert
Sarah Dyke

Henry Hobhouse
Charlie Hull
Mike Lewis
Kevin Messenger
Paul Rowsell

Lucy Trimmell
William Wallace
Colin Winder

The Planning Application will be considered shortly after 9.00am

Any members of the public wishing to address the virtual meeting during either Public Question Time or regarding a Planning Application, need to email democracy@southsomerset.gov.uk by 9.00am on Tuesday 9 June 2020.

This meeting will be viewable online by selecting the committee meeting at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

For further information on the items to be discussed, please contact:
democracy@southsomerset.gov.uk

This Agenda was issued on Tuesday 2 June 2020.

Alex Parmley, Chief Executive Officer

**This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app**

Information for the Public

In light of the coronavirus pandemic (COVID-19), Area East Committee will meet virtually via video-conferencing to consider and determine reports. For more details on the regulations regarding remote / virtual meetings please refer to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 as part of the Coronavirus Act 2020.

Area East Committee

Meetings of the Area East Committee are usually held monthly, at 9.00am, on the second Wednesday of the month (unless advised otherwise). However during the coronavirus pandemic these meetings will be held remotely via Zoom and the starting time may vary.

Agendas and minutes of meetings are published on the council's website at:
<http://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for 'mod.gov' in the app store for your device, install, and select 'South Somerset' from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

Public participation at meetings (held via Zoom)

Public question time

We recognise that these are challenging times but we still value the public's contribution to our virtual meetings.

If you would like to address the virtual meeting during Public Question Time or regarding a Planning Application, please email democracy@southsomerset.gov.uk by 9.00am on Tuesday 9 June 2020. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

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

This meeting will be streamed online via YouTube at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Virtual meeting etiquette:

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman or Administrator will un-mute your microphone at the appropriate time. We also respectfully request that you turn off video cameras until asked to speak.
- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

Planning applications

It is important that you register your request to speak at the virtual meeting by emailing democracy@southsomerset.gov.uk by 9.00am Tuesday 9 June 2020. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and 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.

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

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

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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Area East Committee

Wednesday 10 June 2020

Agenda

Preliminary Items

1. Minutes of Previous Meeting

To approve as a correct record the minutes of the previous meetings held on 11 March 2020 and 13 May 2020 (Area East Informal Meeting).

2. Apologies for absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), 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.

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. 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.

Planning Applications Referred to the Regulation Committee

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

Councillors Henry Hobhouse, Paul Rowsell and William Wallace.

Where planning applications are referred by this Committee to the Regulation Committee for determination, 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

Members are asked to note that the next scheduled meeting of the committee will be held at 9.00am on Wednesday 8 July 2020 using Zoom virtual meeting software.

5. Public Question Time

6. Chairman Announcements

7. Reports from Members

Items for Discussion

- 8. Area East - Covid-19 Community Response** (Pages 7 - 8)
- 9. Area East Committee Forward Plan** (Pages 9 - 10)
- 10. Planning Appeals** (Pages 11 - 15)
- 11. Schedule of Planning Applications to be Determined by Committee** (Pages 16 - 17)
- 12. Planning Application 19/01593/OUT - Land At Hook Valley Farm, Part OS 0028, Lawrence Hill, Wincanton.** (Pages 18 - 30)

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.

Agenda Item 8

Area East – Covid-19 Community Response

Director: Netta Meadows, Service Delivery
Manager: Tim Cook, Locality Manager
Lead Officer: Tim Cook, Locality Manager
Contact Details: tim.cook@southsomerset.gov.uk

Purpose of the Report

To provide Members of the Area East Committee with an opportunity to discuss the current situation regarding the response to the Covid-19 pandemic and to raise issues or concerns in their wards.

Public Interest

The community response to the Covid-19 pandemic has been extraordinary. This report provides an overview of support available to groups and individuals and provides an opportunity to check that the needs of vulnerable people and the volunteers supporting them continue to be met.

Recommendation

That members comment and feedback and raise any issues or concerns relating to the current situation in their ward.

Background

A request for a report on the support available to Town and Parish Councils and community organisations during the Covid-19 pandemic was made by Area South Committee in April. Area East members agreed that a report would provide members with an opportunity to feedback any concerns and share examples of good practice.

A great deal of information, advice and guidance is provided on the SSDC website.
<https://www.southsomerset.gov.uk/life-events/coronavirus-support/coronavirus-self-help-hub/>

The situation continues to change rapidly. This report offers a brief overview which is subject to change. A verbal update will be given at the meeting.

Support to local communities

Members will be aware of the work that has been done by individuals and groups in their own wards as a direct response to the Covid-19 pandemic. Work was undertaken with Parish and Town Councils to map the services that had become available to support the vulnerable people in communities. This identified that local solutions had been put in place in almost every parish. These solutions range from an individual parish contact to coordinate support to highly organised groups offering shopping, prescription collection, welfare calls, food boxes and in some cases accommodation for key workers or those at risk at home. This mapping work will not have captured the vast amount of informal help given by friends, neighbours and family members. The information gathered has enabled a flow of information and mutual referral between the groups and the SSDC wellbeing hub.

The above, alongside the support for the established community and voluntary sector has been co-ordinated and supported extremely effectively by Spark Somerset.

Funding for groups

Somerset Community Foundation (SCF) immediately established the Somerset Coronavirus Appeal which offers grants to new and existing groups that are providing support to vulnerable people. A fund of over £640,000 has been established for direct funding and donations. As of 15th May, £339,166 has been given out in grants. The map of grants awarded shows that 3 awards have been made to groups in Area East. Further details are available on the SCF website.

<https://www.somersetcf.org.uk/news/361/73/Somerset-Community-Foundation-s-response-to-COVID-19>

New funding streams are being announced all the time and we will continue to work with colleagues in other districts and the county to ensure that information is disseminated to local groups and town and parish councils.

Support for Business

Information, advice and links to financial and other support is available on the SSDC website. <https://www.southsomerset.gov.uk/life-events/coronavirus-support/business-support/>

Local food and drink promotion

Many local businesses have adapted their offer with many establishing takeaway and delivery services. Local food and drink producers and suppliers have also looked to support the local market. A directory of local food and drink producers and suppliers has been created and is available on the SSDC website. The aim is to develop the directory to help recovery through promoting food and drink businesses and encouraging a greater emphasis on buying local produce.

Economic Development specialists continue to provide support to businesses and are focused on preparing for the recovery phase.

Financial Implications

There are no financial implications arising directly from this report.

Corporate Priority Implications

The priorities have been developed taking into account the SSDC Corporate plan priorities.

Carbon Emissions & 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. Area working (Area+) helps to improve access to facilities, activities and services, reducing the need to travel.

Equality and Diversity Implications

This is considered on an individual project and programme basis as appropriate.

Background Papers

None

Agenda Item 9

Area East Forward Plan

Director:: Kirsty Larkins, Interim Director (Strategy & Commissioning)
Lead Officer: Case Officers (Strategy & Commissioning)
Contact Details: democracy@southsomerset.gov.uk

Purpose of the Report

This report informs Members of the agreed Area East Forward Plan.

Recommendation

Members are asked to:-

- (1) Comment upon and note the proposed Area East Forward Plan as attached;
- (2) Identify priorities for further reports to be added to the Area East Forward Plan, developed by the SSDC lead officers.

Area East Committee Forward Plan

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 Committee agenda, where members of the Area Committee may endorse or request amendments.

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

Further details on these items, or to suggest / request an agenda item for the Area East Committee, please contact democracy@southsomerset.gov.uk

Background Papers: None

Appendix A

Area East Committee Forward Plan

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
TBC	Retail Support Initiative Grant Scheme Overview	Review of the Retail Support Initiative Grant Scheme	Pam Williams
TBC	Appeal Decisions during 2019*	To consider and learn from Appeal decisions during the previous year	Simon Fox
TBC	Update on SSDC Transformation Programme		Toffer Beattie

*Simon Fox has confirmed that this report request will be part of a district wide report which will come forward later in the year following proper assessment

Agenda Item 10

Planning Appeals

Director: Netta Meadows, Service Delivery
Lead Officer: Simon Fox, Lead Specialist (Planning)
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

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

None

Appeals Dismissed

None

Appeals Allowed

None

Appeals Quashed

Enforcement Appeal – 18/00193/OPERA - Land at Old Embankment, Mill Lane, Pitcombe,

The Inspector's decision letter is attached.



Appeal Decision

Site visit made on 11 March 2020

by Roy Curnow MA BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 May 2020

Appeal Ref: APP/R3325/C/18/3219307

Land at The Old Embankment, Mill Lane, Pitcombe, Bruton (parcel 1) and Land North of Mill Lane, Strutter Hill, Pitcombe, Bruton, (parcel 2)

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr T Palmer against an enforcement notice issued by South Somerset District Council.
 - The enforcement notice, numbered 18/00193/OPERA, was issued on 20 November 2018.
 - The breach of planning control as alleged in the notice is without planning permission:
(1) The unauthorised change of use of the land to a storage use by the storage of 2 shipping containers and a touring caravan, plant and machinery; (2) The unauthorised formation and use of two vehicular accesses on the land, those access [sic] marked A and B and hatched green on the plan by the removal of the native hedgerow and laying of hardstanding and erection of gates and fences; and (3) Unauthorised engineering work by the excavating of earth to form a track on the land.
 - The requirements of the notice are: (1) Permanently cease the use of the unauthorised vehicular accesses A and B; (2) Cease the use of the land for storage; (3) Remove from the land the two storage containers, the touring caravan and restore the land upon which they have been sited to its former condition; (4) Cease all engineering works; (5) Remove from the land all hard core and hardstanding (including apron), gates and fencing and other paraphernalia associated with the creation of the unauthorised vehicular access [sic] A and B and any other associated works; (6) Restore the land (where the unauthorised excavation has taken place) to its former condition before the excavation of the track began and remove all plant, machinery and vehicles from the land; and (7) Block up the unauthorised vehicular accesses A and B by replacing and restoring the roadside hedging with native species.
 - The period for compliance with the requirements is: As to requirements (4), (5) and (6) 21 days from the date of this notice takes effect; and, as to requirements (1), (2) and (3) 28 days from the date this notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (b), (c), (e) and (g) of the Town and Country Planning Act 1990 as amended.
-

Decision

1. The enforcement notice is quashed.

Ground (e)

2. This ground of appeal is that copies of the notice were not served as required by section 172 of the Town and Country Planning Act 1990 (the Act). Section 172(2) of the Act provides that a copy of the notice shall be served on the owner and occupier of land to which it relates, and any other person having an interest in the land, including mortgagees, tenants and sub-tenants, being an interest which, in the opinion of the LPA, is materially affected.

3. The Official Copy of Register of Title from the Land Registry ('the Title Documents') show that the land that is the subject of the notice comprises two separate parcels¹. These Title Documents show that the owners of both parcels are Thomas Phillip Palmer and Alison Sharon Palmer.
4. It is common ground between the parties that a copy of the notice was addressed to Mrs S Palmer. However, the evidence shows that this was delivered by hand to Mrs Alison Palmer's address and that an email from her to the Council, dated 11 December 2018 and giving the Council's reference for this enforcement case, was written with reference to "the Planning Enforcement and Stop Notice issued in respect of Land at Mill Lane, Pitcombe".
5. This leads me to find that, even with the incorrect initial on the letter, Mrs Palmer was fully aware of the notice and its terms, before the notice came into effect.
6. Notwithstanding this, the Council states that a copy of the notices that were addressed to the 'Owner/Occupier' were fixed to the entrance gate. This is not challenged by the appellant. This method of serving notices is included within the terms of section 329 of the Act, which deals with such matters.
7. In these circumstances, I find that a copy of the notice was served on the site's owners in the manner required by section 172 of the Act and that the methodology for this was in accordance with section 329 of the Act. Therefore, for the reasons given above, I conclude that the appeal on ground (e) should fail.

Ground (b)

8. The notice alleges three separate breaches of planning control, in brief these are: the change of use of the land to a storage use; unauthorised engineering works to form a track on the land; and the formation of two vehicular accesses to the land.
9. The land is made up of a length of an abandoned railway line, that runs in a northwest to southeast direction. At its northwest end, as it approaches a bridge across a road, it is raised above the surrounding land on an embankment. The sides of this embankment are, to a large degree, wooded. The embankment decreases in height away from the bridge before the route of the line is set in a deep and steep-sided cutting. Beyond this, the line ran along a further embankment that increases in height to a point where it appears there would once have been a bridge across the A359. The remainder of the land, where that bridge would have been, is at a lower level and is thickly treed.
10. Part of the basis of the first of the allegations in the notice is that two shipping containers have been stored on the land. However, the Council has agreed in its submissions that there is only one container on the land. During its investigations, the Council did not inspect the interior of the container, and I have no firm evidence to show that it inspected the interior of the caravan. It determined that, as both had been placed on the land without any justification, they were being stored there. According to the first of the allegations in the notice, the consequence of this is that the land as a whole, defined by the red line on the plan attached to the notice, was used for storage purposes.

¹ WS81769 and WS83474

11. The appellant states that both the caravan and the container were sited on the land for purposes related to its use for agricultural purposes. He states that the caravan's purpose is to provide shelter in poor weather and to provide a space to take refreshment in, and that the container was used for storage purposes ancillary to the agricultural use of the land.
12. However, the appellant's evidence that the land was in agricultural use is scant. It recites his wife's intention to keep goats and to grow grape vines/hops, vegetables and herbs, but I have no evidence that this has been undertaken nor did I see evidence of this at my site visit. In addition, he states that nearly 200 trees have been planted as a setting for the farmland and I saw that a considerable number of trees had been planted along the sides of the embankments and cutting. Included within the definition of agriculture² is "the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes". Therefore, the planting of trees and the use of the wooded areas on the site could be classed as an agricultural use, if this was ancillary to other agricultural purposes being carried out on the land.
13. The appellant's submissions do not provide clear evidence showing that the land is in agricultural use. Furthermore, I did not see definitive evidence that the land, which is of a relatively limited area and of a physical form that would preclude many forms of agriculture, was being put to an agricultural use.
14. I saw that water had been brought to the site and that a trough had been installed. Amongst the paraphernalia kept in the open on the land were a wheelbarrow, young trees in pots, various plant pots, metal fence panels and several piles of stones and timber. I inspected the interior of the caravan and the container. The former contained few things but did have facilities for the making of refreshments. The latter had, amongst other things, a quad bike, a small tractor, a chainsaw, a strimmer, guards to protect young trees, fencing materials and various small tools.
15. Having regard to the evidence and what I saw on-site, I find that the first breach of planning control is incorrect as the land is not in a storage use. However, I am also not persuaded that the land is being used for agricultural purposes. The available evidence points to the probability that the use of the land can be described as a leisure plot, to which the caravan and container appear to have been used for ancillary purposes.
16. As the notice is not missing some vital element, as defined in S.173 of the Act, I do not find it to be a nullity. Using the powers conferred by S.176(1) of the Act, it is possible to correct any defect, error or misdescription in a notice. However, these powers can only be used where I can be satisfied that the correction will not cause injustice to the appellant or local planning authority.
17. In this instance, correcting the notice to reflect what has occurred would require the fundamental re-writing of the alleged breach of planning control and requirements. The corrected notice would be substantially different from what had been described by the Council. Subsequently, the envisaged corrections to the allegation and requirements would undermine the basis of the issued notice. This would require both parties to advance markedly different cases to those that they have put forward and, therefore, both would suffer injustice.

² S.336(1) of The Town and Country Planning Act 1990, as amended

Conclusion

18. For the reasons given above, the ground (e) appeal fails. I further conclude on ground (b) that the enforcement notice does not specify with sufficient clarity the alleged breach of planning control.
19. It is not open to me to correct the error in accordance with my powers under section 176(1)(a) of the 1990 Act as amended, since injustice would be caused were I to do so. The enforcement notice is invalid and will be quashed.
20. In these circumstances, the appeal on the grounds set out in section 174(2)(a), (c) and (g) of the 1990 Act as amended and the application for planning permission deemed to have been made under section 177(5) of the 1990 Act as amended do not fall to be considered.

Roy Curnow

INSPECTOR

Agenda Item 11

Schedule of Planning Applications to be Determined by Committee

Director: Netta Meadows, Service Delivery
Service Manager: Simon Fox, Lead Specialist (Planning)
Contact Details: simon.fox@southsomerset.gov.uk

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 9.00am.

The meeting will be viewable online by selecting the committee at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Any member of the public wishing to address the virtual meeting regarding a Planning Application need to email democracy@southsomerset.gov.uk by 9.00am on 9 June 2020.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
12	WINCANTON	19/01593/OUT	Outline application for up to 210 dwellings with public open space, landscaping and sustainable drainage system, vehicular access point from West Hill.	Land at Hook Valley Farm, Part OS 0028, Lawrence Hill, Wincanton.	Gladman

Further information about planning applications is shown on the following page 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 12

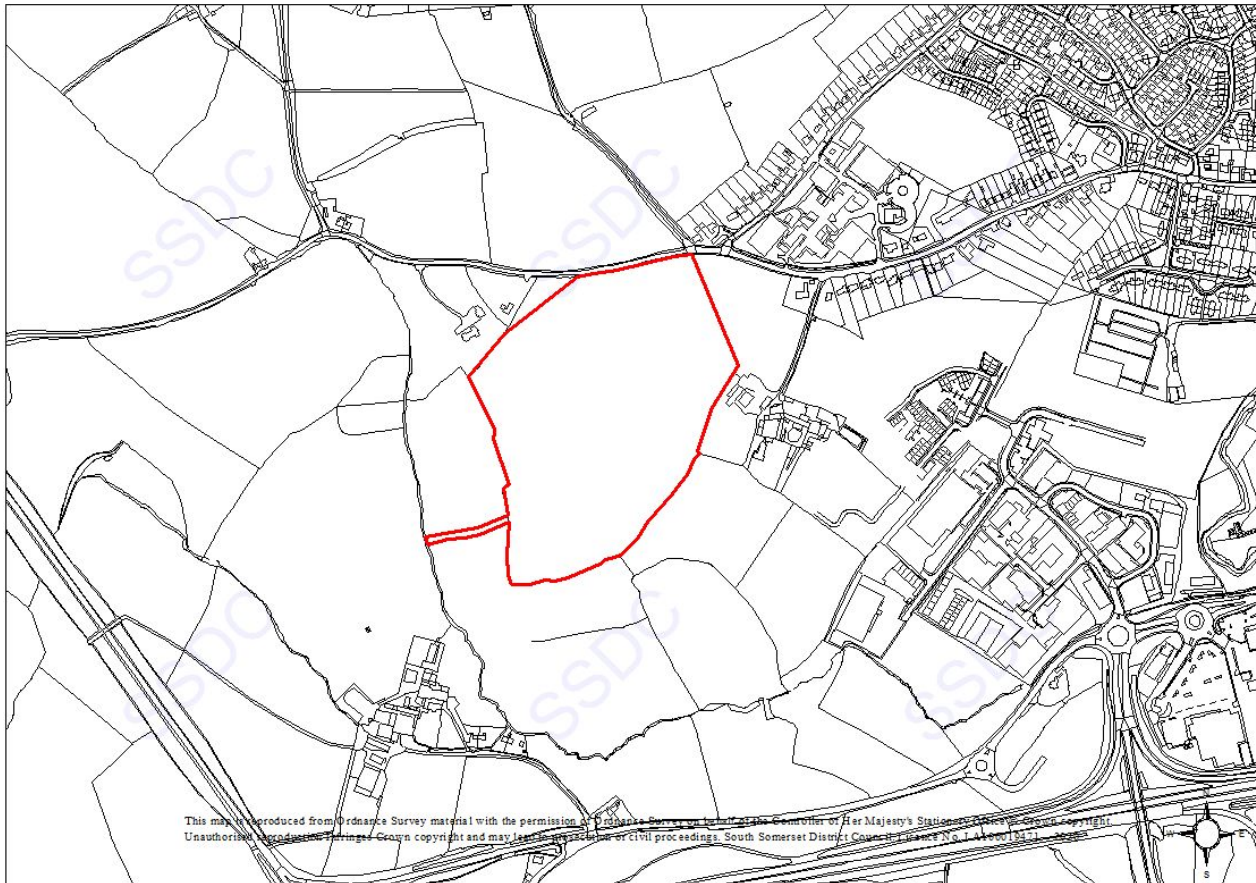
Officer Report on Planning Application: 19/01593/OUT

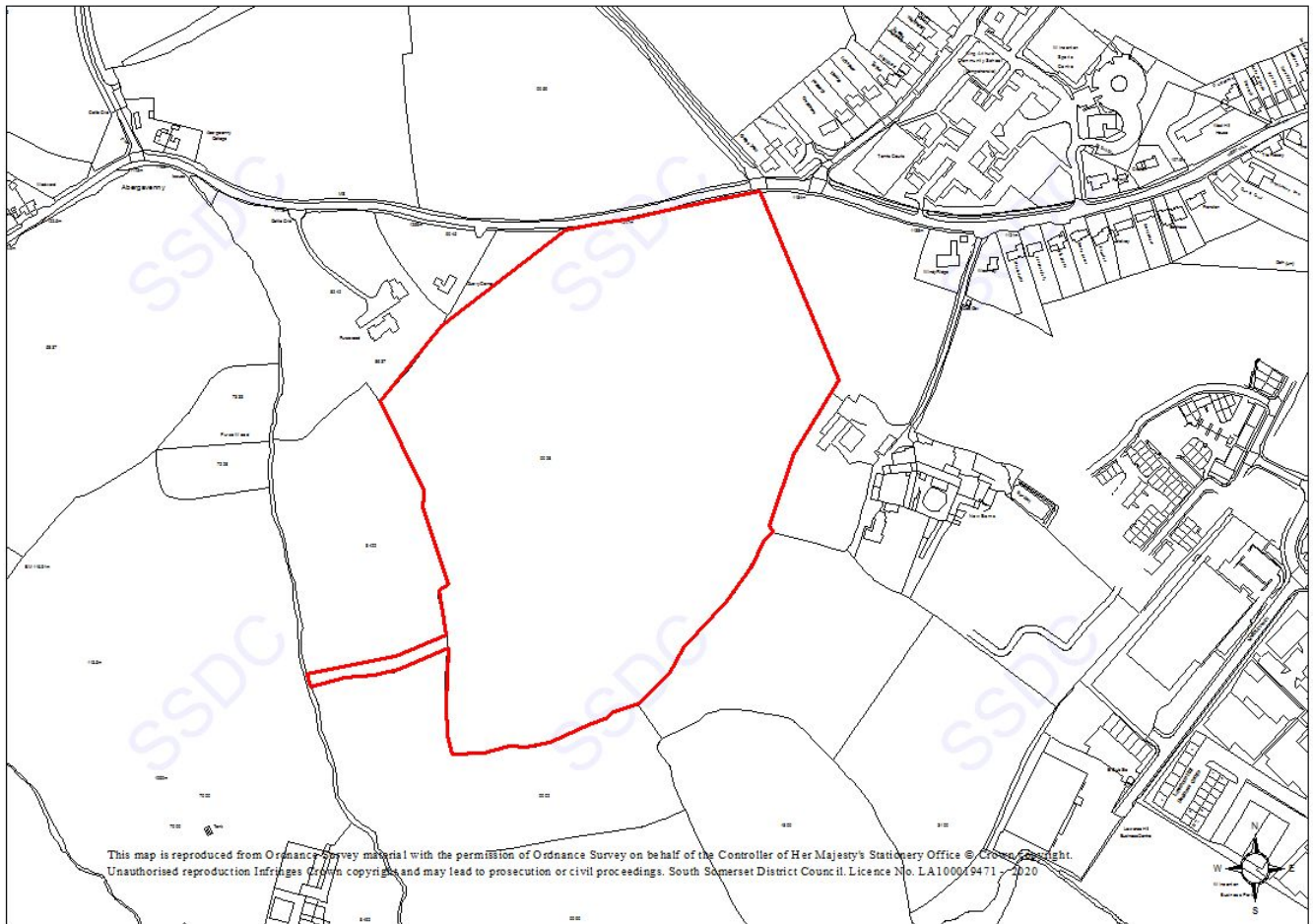
Proposal:	Outline planning application for the erection of up to 210 dwellings with public open space, landscaping and sustainable drainage system (SuDS), vehicular access point from West Hill.
Site Address:	Land at Hook Valley Farm, Part Os 0028, Lawrence Hill, Wincanton.
Parish:	Wincanton
WINCANTON Ward (SSDC Members)	Cllr N Colbert Cllr C Winder
Recommending Case Officer:	Stephen Baimbridge Tel: (01935) 462497 Email: stephen.baimbridge@southsomerset.gov.uk
Target date:	4th September 2019
Applicant:	Gladman
Agent: (no agent if blank)	
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

In line with the Council's Scheme of Delegation procedures, the application is referred directly to the Area East Committee because, as a scheme of up to 210 dwellings, it falls under the 'major, major' category.

SITE DESCRIPTION AND PROPOSAL





The site lies to the west of Wincanton on the rising land alongside West Hill. To the direct north of the site is West Hill road, which serves as one of the entry/exit routes into the town from the A371 to the west. The application site sits to the west of existing residential development on Atkins Hill. The site is currently in agricultural use; its boundaries are a mixture of fencing and vegetation. A public right of way (WN30/50) runs inside the southeastern boundary. An area of archaeological interest lies beyond the site to the southeast.

The application is in outline with all matters reserved apart from access, for which approval is being sought at this stage. A Development Framework Plan has been submitted which shows the proposed access point on the northern boundary on West Hill leading southwards into areas of built development, serving a spine street and a network of secondary streets. An area of green space with planting is shown to wrap around from east to south, and there is also a green space located centrally within built development (the Planning Statement indicates that over 45% of the gross site area will be given to formal or informal open space). A play area (LEAP) is proposed in the eastern part of the open space, alongside a pedestrian route.

An area is shown to the south of the built development, within the green space, for the provision of SUDS.

The Development Framework Plan shows pedestrian routes within the site, including the existing public right of way, and enhanced links beyond the site's boundaries. As noted above, access is to be considered in full at this stage and a plan showing the proposed junction and footway onto West Hill has also been submitted.

In addition to the plans, a number of documents have been submitted in support of the application. This

includes: a Planning Statement; Landscape and Visual Impact Assessment; Design and Access Statement; Framework Travel Plan; Transport Assessment; Ecological Appraisal; Arboricultural Assessment; Flood Risk Assessment; Foul Drainage Analysis; Air Quality Assessment; Desk-based Heritage and Archaeological Assessment; Statement of Community Involvement; Socio-Economic Sustainability Statement; Utilities Statement; and Noise Assessment.

Environmental Impact Assessment Regulation - the planning application falls within the scope of Schedule 2 Section 10(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations'). The Local Planning Authority is required to make a formal screening decision as to the requirement for Environmental Impact Assessment because the proposed development includes more than 200 dwellings, and the site exceeds 5 hectares. The screening opinion was issued on the 30th August 2019 and concluded that the development is unlikely to have significant environmental effects and therefore an Environmental Statement was not required (reference 19/01758/EIASS).

PLANNING HISTORY

There is no relevant planning history relating to this site.

PLANNING POLICY AND GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2 and 47 of the NPPF, state 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) and the Wincanton Neighbourhood Plan adopted January 2018.

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

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS4 - District Wide Housing Provision

Policy SS5 - Delivering New Housing Growth

Policy SS6 - Infrastructure Delivery

Policy PMT4 - Wincanton Direction of Growth

Policy HG3 - Provision of Affordable Housing

Policy HG5 - Achieving a Mix of Market Housing

Policy TA1 - Low Carbon Travel

Policy TA4 - Travel Plans

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

Policy HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy EQ5 - Green Infrastructure

Wincanton Neighbourhood Plan 2018-2028

The Plan was made on 08 February 2018 following the appropriate procedures, and its contents must therefore be considered when determining this outline application.

Policy 1 - Visually Sensitive Areas

Policy 3 - Trees and Hedgerows

Policy 5 - Development on the outskirts of the town

Policy 7 - Mix of housing types

Policy 8 - Starter homes for local people

Policy 14 - Key Pedestrian and Cycle Routes

National Planning Policy Framework (as revised)

Chapter 2 - Achieving sustainable development

Chapter 4 - Decision-making

Chapter 5 - Delivering a Wide Choice of High Quality Homes

Chapter 8 - Promoting healthy and safe communities

Chapter 9 - Promoting sustainable transport

Chapter 11 - Making effective use of land

Chapter 12 - Achieving well-designed places

Chapter 14 - Meeting the challenge of climate change, flooding and coastal change

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 - Conserving and Enhancing the Historic Environment

National Design Guide (NDG)

The National Design Guide is a material consideration when making planning decisions, and sets out how well-designed places can be achieved and forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. The NDG sets out the ten characteristics of well-designed places.

CONSULTATIONS

Wincanton Town Council

Recommend refusal. Wincanton Neighbourhood Plan has been adopted and states the south west of the town should not become visually intrusive by further building. Wincanton's status in the Local Plan has been fulfilled. Planned access off West Hill is not considered safe and will create a major impact on that road. The area should not be built upon. The development will create more stress on infrastructure.

Highway Authority

No objection. West Hill has the capacity to accommodate the traffic associated with this development. Traffic figures in the Transport Assessment are accepted. A detailed Travel Plan would need to be submitted and approved, secured via Section 106 agreement, along with citing Section 278 of the Highways Act 1980 to secure the access works and a cycleway/footway across the site frontage. Recommend a number of conditions if permission is granted.

Highways England

No objection. Note that the site is outside the Wincanton Development Area and is not allocated, and the Council's Preferred Options consultation did not include this site for allocation. The nearest access to the A303(T) is a grade-separated junction with the A371 to the immediate south of the town. HE have some reservations over the Transport Assessment however their own assessment found no evidence

of significant queues as a result of this development. HE is therefore minded to accept that the impact of the development upon the safe and efficient operation of the strategic road network is unlikely to be severe, in line with the NPPF.

Nevertheless, in light of a number of recent applications for development in the Wincanton area and proposals for additional development allocations set out in the South Somerset Local Plan Review, it is recommended that the Local Planning Authority gives further consideration to the effective capacity of the A371/ Dyke's Way roundabout, and the adequacy of the existing merge and diverge layouts for the A303(T) junction, as part of the Local Plan Review to account for forecast traffic demand over the Plan period. Any future development proposals which increase vehicular demand at the A303(T) junction which results in mainline queuing (or increases in length, duration or frequency of existing mainline queuing), will be considered as having an unacceptable impact on highway safety and Highways England may recommend that part or full occupation of these sites be restricted until such time as any necessary infrastructure improvements are identified and delivered.

SCC as Lead Local Flood Authority

The site is located within Flood Zone 1, outside the maximum extents of flooding in the 1 in 1,000 year return period event from any nearby main rivers. The site is largely at a very low risk from surface water flooding as identified on the Environment Agency surface water flood risk map. A surface water drainage strategy has been provided that proposes limiting the surface water discharge rate from the site to the QBar greenfield discharge rate of 26.6l/s and identifies 2016m³ of storage is required for this event. An attenuation basin is identified, which drains via a conveyance swale and outfalls into a drainage ditch west of the site.

The proposed development would be considered acceptable to Somerset County Council as the Lead Local Flood Authority if appropriate information and details (infiltration tests, construction details, etc.) are requested within planning conditions.

SDDC Open Space

No objection. Based on 210 dwellings the population would increase by 469. Local Plan Policy HW1 notes standard of 17.4sqm per person, 0.82 hectares. The Development Framework Plan shows an amount of public open space far in excess of what is required. Encouraged by the centrally located and accessible area of POS, would be ideally suited to provide a village green style area with bow top fencing, seating and other amenities. The rest of the POS provision incorporates the development with its surroundings and allows for a variety of different features such as the SuDS and LEAP provisions as well as different planting styles and uses for the residents.

SCC as Local Education Authority

A development of 210 homes in this location would generate the following number of pupils;

210 x 0.05=10.5 (11) early years

210 x 0.32=67.2 (68) Primary

210 x 0.14=29.4 (30) Secondary

There are currently spaces available in the nursery/early years providers and the secondary providers, however this level of primary school children would create pressure on primary spaces therefore we require education contributions for Primary school expansion or build as follows: 68 x £17,074= £1,161,032.00

The housing allocation (WN1) on the boundary of this site with a policy reference KS/WINC/1 - Land at

New Barns Farm, Wincanton; states - Site for new primary school (1.5 hectares/3.8 acres). The funding would be to contribute to the build there, or improvements/ extensions to the current primary site if it is decided that the pupils from this development can be accommodated at the current site.

Landscape Consultant

The LVIA scope and methodology broadly follow the process set out in best practice guidance for a non-EIA development. We note some inconsistencies between the stated method and how it has been applied in practice but we are generally satisfied that the assessment has been undertaken methodically and in a generally competent manner within the context of a non-EIA development.

The proposed development would cause significant, permanent harm (i.e. substantial adverse effects) to the landscape of the site itself, as it will be permanently changed from open countryside to urban development. The rural character of the immediate surrounding landscape of the Hook Valley will also experience a significant level of harm from the intrusion of built development for many years, until screen planting is fully matured.

These areas form an integral part of the wider Dissected Dip Slope landscape that may potentially merit locally 'valued landscape' status. The extent of landscape significantly affected is comparatively localised but the development would nevertheless potentially result in the permanent harm to part of South Somerset's wider 'valued landscape' resource.

The site (i.e. higher ground to the west of New Barns Farm') is also specifically identified in the Neighbourhood Plan as a visually sensitive area 'where development would cause substantial harm to local character and the setting of the town'. The proposed development would therefore cause considerable harm to landscape that is recognised as important to the setting and character of Wincanton.

The development would also result in permanent significant effects on the visual amenity of those groups of people who live or use the local road and footpath network within and around the edges of the site. The proposed development conflicts with a variety of planning policies and, in our opinion, is inappropriate in terms of the level of potential adverse impacts it will have on the landscape and visual environment and the setting of Wincanton.

Environment Agency

The site falls outside the Environment Agency External Checklist and therefore have no comments to make.

Somerset Ecology Services

Will need the results from the further survey work recommended by CSA Environmental before being able to fully assess the ecological impact of the proposals. Once the results of these surveys have been returned please can they be forwarded on so I can review. Holding objection to the application pending the further information.

Further information was provided and the Ecology Services were reconsulted

From going through the ecology report I cannot see any reason for an ecological objection. I will get my recommended conditions to you within the week.

South West Heritage

The applicant has submitted an archaeological desk-based assessment and geophysical survey in support of this application. The survey results show that there are archaeological features of potentially

prehistoric or Roman date. At present the information does not adequately describe the significance of the archaeology on the site as required by the NPPF paragraph 189.

For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This will require a field evaluation comprising trial trenching based on the results of the geophysical survey.

The Archaeologist later agreed that there was justification in this instance for the additional information to be provided pre-commencement, to which the agent agreed.

REPRESENTATIONS

206 responders have submitted comments, 202 of which have objected (mainly local residents but also the Campaign to Protect Rural England, summarised below:

- The site is not allocated for development and is not identified for growth
- The site is visually prominent; the adopted Neighbourhood Plan refers to the site as a visually sensitive area. Development would influence distance views including into/out of the nearest AONBs
- The development would be highly intrusive, particularly the most northern part, and add to the sense of urban sprawl when entering the town from this direction
- The substantial adverse effect of the proposal upon landscape character is not significantly and demonstrably outweighed by the benefits. The proposal is therefore contrary to Policies SD1 and EQ2 of the adopted Local Plan
- The proposal is not in accordance with the Neighbourhood Plan; approving this application would fundamentally undermine the local community's ability to forge and decide its own future, prejudicing the development plan process
- Wincanton has already exceeded its quota of new dwellings and enough is enough
- The applicant's view that the principle of development accords with the development plan is flawed and overly simplistic
- Alternative sites (including brownfield) are available in Wincanton to meet needs without resulting in such landscape harm
- The proposal is too far from the town's services
- Wincanton has already had too much development and the town's services are barely able to cope; there is not enough infrastructure (including school provision) to support these dwellings and it will not be sustainable development
- Wincanton does not have a railway station and has poor public transport; the vast majority of residents are reliant on car use and will commute to work, this is unsustainable
- Primary care services nationally and in Somerset specifically are struggling with recruitment and retention of clinical staff, particularly doctors. The health centre is already at capacity and we are having to decline hosting extra services as we do not have sufficient clinical space. Even if the building were enlarged it is extremely challenging to attract clinical staff to this area of the country. We are already noticing an increase in workload with the new houses that are already built or in the process of being built in the town - further building will mean that we could no longer provide safe and timely care for our patients
- Surface water cannot dissipate after heavy rainfall, where will it go if more development takes place on West Hill. Springs have been drained by existing development, this will make the matter worse
- The site is of archaeological interest
- Traffic around Atkins Hill is already heavy and parking on the roads causes problems, including air pollution. Traffic in the town is also problematic
- The access is from a narrow road with poor visibility around corners
- The development will probably mean around 400 cars, these will be parked on streets and pavements of the new development, destroying the look of the place
- More fields will be lost to this development, impacting agriculture and wildlife.

- The land has a high agricultural classification, constitutes best and most versatile agricultural land, and the NPPF indicates that it should be justified why lower grade land hasn't been developed instead
- There are insufficient employment opportunities for local residents already
- Dwellings elsewhere are for sale and not selling; there is a surplus of cheap housing standing empty
- Concern about overlooking and loss of privacy
- Applicant has failed to engage public in proper and thorough consultation
- Site is a natural habitat for a wide range of wildlife such as deer, badgers, hares, foxes, hedgehogs, snakes, which will be displaced by this development. Site is also popular green space for walkers
- If approved the housing on the higher ground immediately adjacent to West Hill should be removed and replaced by a belt of contiguous native woodland 50m deep which would give a green backdrop and improve the skyline when viewed from the south. In addition it would reduce the perception of urban sprawl, preserve the local character of the area and improve the attractiveness of the entrance into Wincanton
- The District Council has recognised a climate and ecological emergency
- Concern about the proposal to provide mains gas. Planning permission should only be given to developers who provide sustainable zero carbon eco housing
- The representations of support are summarised as follows:
- Far better to live in a vibrant growing town than one left to stagnate
- Businesses on the high street and our industrial estates could thrive with the increase in local footfall
- King Arthur's School could once again become the bustling busy go-to school it once was
- Our clubs, societies and churches would benefit from an injection of new blood
- The plans for the new site seem to show a modern, light and sympathetic development with lots of open spaces and special provision for flood avoidance
- Currently there is a lack of three bed homes for sale

CONSIDERATIONS

Principle of Development

The site lies outside the defined settlement area of Wincanton as shown in the adopted Local Plan. It is not allocated or identified for further residential development.

Policy PMT4 of the Local Plan shows a direction of strategic growth for Wincanton, shown on Inset Map 14. The application site lies beyond this area identified for further development.

The Wincanton Neighbourhood Plan 2018-2028 includes the objective "identifying the most sustainable locations for further development". Whilst it does not allocate sites it does note that landscape character should be taken into account when directing development to the most appropriate locations. Policy 1 of the Plan refers to Visually Sensitive Areas where new buildings would cause substantial harm to local character and the setting of the town. The Proposals Map indicates the lower (southeastern) limit of this sensitive area, and the application site itself is within this area.

The Council's Preferred Options consultation document was consulted on in 2019 and it did not include this site for consideration for further development. Whilst only very limited weight can be given to its contents due to the infancy of its emergence towards adoption, it is noted the Neighbourhood Plan's reference to the land within which the site is located as visually sensitive, and where development would be prominent in the skyline.

The Council's five-year housing land supply is referred to in the applicant's submission as justification

why development should be allowed in this location. The Council can currently demonstrate 4.5 years and as such acknowledges that the presumption in favour of sustainable development and the 'tilted balance' are in play. The application will be determined on the basis that the policies most important to the determination of the application are out of date and that the application should be approved unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

However, whilst the current deficiency in the housing land supply situation is one significant planning consideration to take into account it is not necessarily an overriding factor. Appropriate development plan policies remain relevant. A proposal is required to demonstrate that it will result in sustainable development and comply with relevant policies, and it is insufficient to simply argue that the Council's five year land supply position and the nation's housing situation are of more importance than all other sound planning considerations.

Through showing a direction of growth that avoids this site, and by referring to it as a visually sensitive area there is a clear steer in the adopted development plan that the application site is not favoured for future development.

Given the considerations above, taking into account the development plan and the Council's five-year land supply situation, the principle of development on this site is not accepted as the proposal is not in accordance with relevant policies in the adopted development plan or the National Planning Policy Framework.

Landscape and Visual Impact

The Wincanton Neighbourhood Plan 2018-2028 is the most recently adopted development plan document and along with the objective of directing development to the most appropriate locations it notes the visual sensitivity of the area within which the site is located. Policy 1 refers specifically to Visually Sensitive Areas, and the lower boundary drawn on the Proposals Map shows that the application site is contained within this area. This policy states:

Visually sensitive areas (identified in the Proposals Map) are locations where new buildings would cause substantial harm to local character and setting of the town. This includes:

- *the higher ground west of New Barns Farm where development would be visually prominent on the skyline;*
- *Lawrence Hill;*
- *the higher ground to the north of the town*

Proposals for new buildings within these visually sensitive areas are not supported, unless necessary to support the rural economy.

It is therefore important that the landscape and visual impacts of a development on this site are carefully considered, and if it were to be accepted on landscape terms, whether it would be necessary to support the rural economy.

The application is supported by a 'Landscape and Visual Impact Assessment'. A consultant was appointed by the Council to consider the submitted information. The scope and methodology has been noted as broadly following the process set out in best practice guidance for a non-EIA development.

It is considered that the proposed development would cause significant and permanent harm, equating to substantial adverse effects, to the landscape of the site itself as it will be permanently changed from open countryside/farmland to residential development. The rural character of the immediate surrounding landscape will also experience a significant level of harm from the intrusion of built development for many years, until screen planting is fully matured.

The consultant notes that these areas form an integral part of the wider Dissected Dip Slope landscape that may potentially merit locally 'valued landscape' status, a view the case officer considers is supported by the designation of the land in Policy 1 of the Neighbourhood Plan. The extent of landscape significantly affected may be comparatively localised but the development would nevertheless result in the permanent harm to part of South Somerset's wider 'valued landscape' resource.

The site is on higher ground beyond the town and is specifically identified in Policy 1 in the Neighbourhood Plan as a visually sensitive area "where development would cause substantial harm to local character and the setting of the town".

The Development Framework Plan shows a swathe of green open space on the southeast and southern part of the site, and the built area focused a) nearest to West Hill and b) the higher part of the site. Whilst additional green space is welcomed as part of a development, the overall effect is that the built development is more disconnected from the existing development of the town. Although the plan is indicative only, it is reasonable to assess the plans and documents as submitted. It appears clear that the submission reflects a layout that Gladman have chosen as optimal for the site. This creates a disjointed/detached development due to the green corridor. The Development Framework Plan shows where the agent/applicant expect development to take place on the site; the Planning Statement refers to a "design-led approach" being used; the D&A refers to a proposal that "respects the transition between the existing built edge and the adjacent countryside", and makes specific reference to the creation of a green corridor across the south eastern, southern and western areas of the site. Therefore, the proposed development would cause considerable harm to a prominent area of landscape that is recognised as important to the setting and character of Wincanton.

Along with a landscape impact there is also the visual impact to consider. It is considered that the development at this site would result in permanent and significant effects on visual amenity of people who reside in close proximity and who use the local road and footpath network. The LVIA indicates that the worst affected are those who live around the edges of the site or use the local road and footpath network (path WN30/50 runs along the southern edge of the site). It considers that these viewers will experience substantial adverse effects at year one but concludes that, with the benefit of mitigation planting, these effects will be reduced to moderate after 15 years. The Council's consultant does not agree with the range and localised nature of the main viewers affected but accepts that the proposed planting will provide substantial mitigation. The local receptors are assessed as experiencing substantial or substantial-moderate adverse effects during the life of the development. Beyond the most local receptors, potential visual receptors are judged to experience slight-negligible adverse effects on their visual amenity.

Having assessed the landscape and visual amenity issues presented by the proposal it is considered that the development will have a significant and permanent adverse impact in terms of landscape and visual amenity. The site is identified as being sensitive in the development plan, and development upon it would be contrary to the principles enshrined within those policies. Whilst there are actions such as planting, which can provide some mitigation, it is not considered to be sufficient to make the proposal acceptable in landscape and visual terms.

The development will also impact upon the landscape setting of Wincanton; whilst the LVIA argues that the development follows a pattern of growth to the east of the site it is considered that the development will extend built form up West Hill inappropriately and, due development being proposed on the higher parts of the site and separated from the existing development by a band of open space, it will appear in views as an isolated and disconnected development.

It is considered that the proposal would result in harm to the character of the landscape, the setting of the town and on visual amenity, and is therefore not acceptable from these perspectives.

Site Layout and Design

The application is in outline form only, with the only illustrative details of how development would be undertaken being the Development Framework Plan. This Plan shows a band of green space as a buffer between existing development and the proposal's development area. As noted above, spatially there is a clear disconnect between the existing development and the main built area of this proposal due to the swathe of green space that forms the south/southeastern area of the site. However, given the limited information submitted at this outline stage it is not possible to make a comprehensive assessment of the site's layout and design.

Transport/Access

The application was accompanied by a Transport Assessment (TA) and Travel Plan. It notes the speed limit past the site is 40mph, changing to 30mph to the east. The TA notes that within a 2km radius (suitable for walking) there are a large amount of services and facilities that residents would require. Public transport is available in close proximity. Base traffic flows were assessed, and AM and PM peak flows added to them to assess the overall potential traffic impact. Collision data was also assessed, and it was noted that there is unlikely to be an additional road safety risk caused by the development.

The County Council has confirmed in its consultation response that West Hill can accommodate the traffic likely to be generated by the development. Consideration was given to the lack of a right turn lane into the site and this was also accepted by the Highway Authority.

The Highway Authority recommended a number of conditions to impose of planning permission was to be granted, along with measures secured via legal agreement.

Drainage

The application is supported by a Flood Risk Assessment to allow consideration of the potential drainage implications of developing this site. The Development Framework Plan shows an area for SUDS within the green space. Having had regard to the information submitted and subject to suitable conditions the LLFA has confirmed that the development could be acceptable from a drainage perspective.

Ecology

An Ecological Impact Assessment has been submitted with the application and notes that the site is an arable field partly bounded by native hedgerows and trees. Given its agricultural use the field was judged to have low ecological value, with the hedgerows presenting most interest.

The Assessment notes that a Construction and Environment Management Plan (CEMP), Landscape and Ecology Management Plan (LEMP) and a sensitive lighting strategy should be prepared at the detailed design stage if the development commences to that stage. Pre-commencement checks for bat roosts, badgers and nesting birds are also recommended. Additional opportunities for enhancement, according with the NPPF relating to biodiversity net gain, may also be incorporated at the detailed stage (such as bat and bird boxes, extensive planting of appropriate species, and management of existing and new habitats).

On receipt of the additional information, the Ecologist has confirmed that they have no objections to the scheme subject to conditions.

Education

A development of this scale would generate 11 early years, 68 primary and 30 secondary school pupils. The County Council advises that there are currently spaces available in the nursery/early years

providers and the secondary providers, however this level of primary school children would create pressure on primary spaces. If granted consent therefore a permission would need to be accompanied by a Section 106 agreement requiring education contributions for primary school expansion or new build totalling £1,161,032 (68 x £17,074).

Noise

The site is located adjacent to West Hill, which provides a link from the town to the A371. The Noise Assessment indicates that the majority of the site would not need measures to be incorporated to manage noise impacts in response to the main likely generators of noise - traffic on the A371, West Hill, A303, and from Wincanton Business Park. However, the northern and southern parts of the site closest to the roads would benefit from some mitigation measures (for example it recommends noise sensitive rooms are carefully positioned within the building envelope and that gardens could be located on the far side of the dwellings, or alternatively 1.8m close hard boundary treatment such as close boarded fencing could be employed; whilst close boarded fencing could have acoustic benefits they could have negative visual impact on external boundaries facing public viewpoints).

When considering the potential impacts of noise impact upon new residents, it is considered that a development could be accommodated on this site, with some mitigation measures incorporated, without significant detriment.

Historic Environment

The proposal would not result in demonstrable harm to the significance of the designated Conservation Area or listed buildings. Furthermore, with the imposition of pre-commencement conditions to ensure that any on-site archaeology be appropriately addressed, it was not considered that the limited archaeological information submitted warranted the refusal of the application.

Conclusion

This site is currently farmland and lies outside the defined settlement of Wincanton on higher ground. It is not allocated for development or identified as an area for strategic growth. The site is within an area that is recognised as visually sensitive, and the Neighbourhood Plan contains a policy specifically referencing this fact.

Development of this site would extend into the open countryside in a manner that would have a detrimental impact upon the landscape character and on visual amenity.

A development of 210 dwellings on this site would have a negative and significant impact upon the landscape, on visual amenity and on the setting of the town, and it is for these reasons that permission should be refused.

RECOMMENDATION

Refusal for the following reason:

01. The site is outside the settlement of Wincanton, in a prominent location on rising land and in an identified visually sensitive area. The site is not allocated for development in the South Somerset Local Plan (2006-2028) or identified as an area for growth. Development of this site will have a significant and demonstrably detrimental impact upon the character of the landscape, the visual amenity of the site and locality, and upon the setting of Wincanton. The application is therefore

contrary to Policy EQ2 of the South Somerset Local Plan (2006-2028), Policy 1 of the Wincanton Neighbourhood Plan, and the National Planning Policy Framework.

Informatives:

01. In accordance with paragraph 38 of the NPPF, the council, as local planning authority, approaches decisions on proposed development in a positive and creative way, working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area 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 there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.
