

Officer Report On Planning Application: 21/02654/FUL

Proposal: CIL Liable = N	Erection of buildings to store and facilitate the construction of carnival floats
Site Address:	Land OS 6300 Longforward Lane Kingstone
Parish:	Kingstone
WINDWHISTLE Ward (SSDC Member)	Cllr Sue Osborne
Recommending Case Officer:	Ben Gilpin (Case Officer)
Target date/Ext of time	6th December 2021
Applicant :	Ilminster Town Council
Application Type : 05	Major Other f/space 1,000 sq.m or 1 ha+

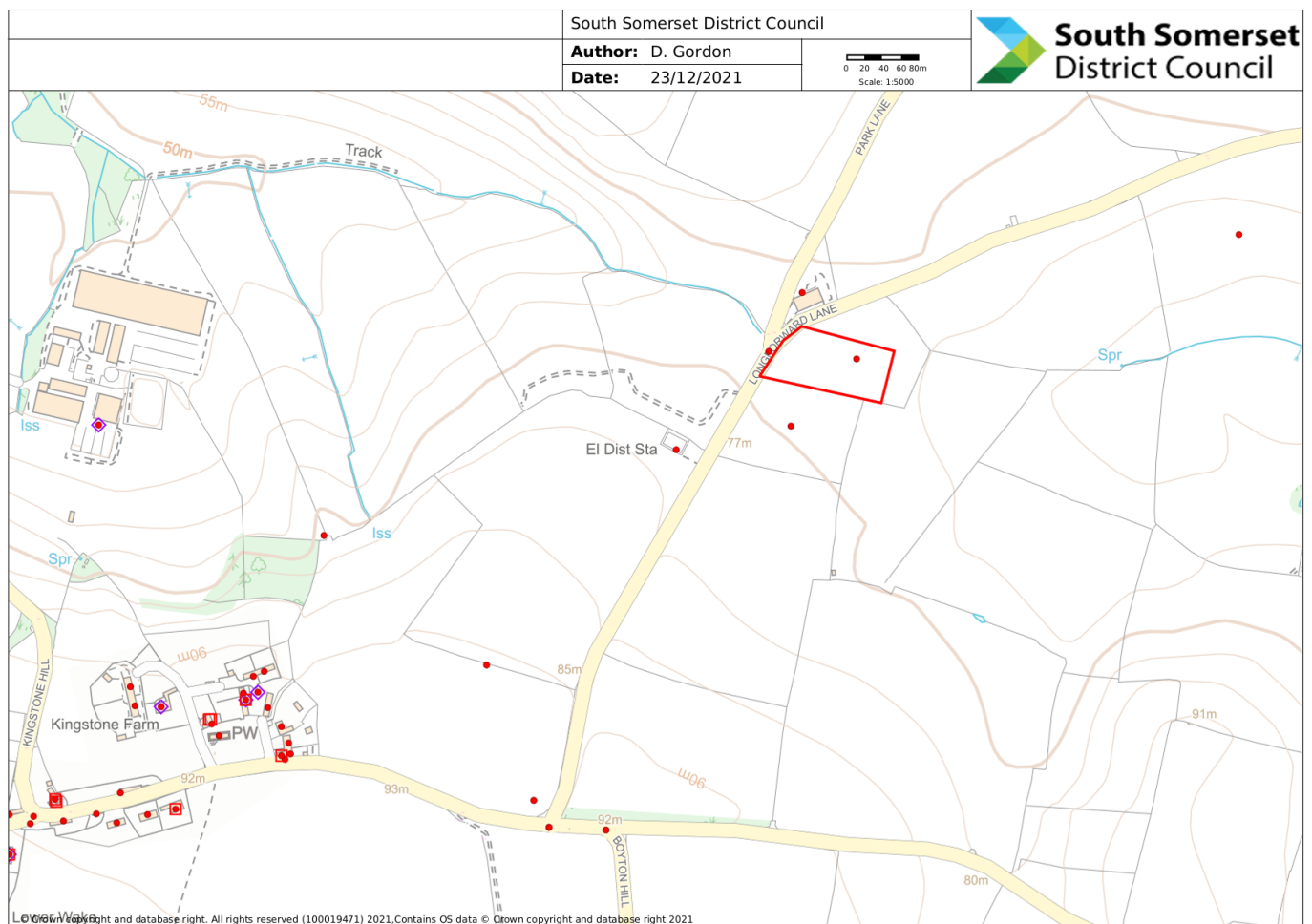
REASON FOR REFERRAL TO COMMITTEE

The application is appropriate for consideration by Ward Members / Planning Committees as comments have been received that are contrary to the officer's recommendation.

The Office of the Local MP have also requested they are notified when / if this application is to be heard at Planning Committee.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission for the erection of buildings to store and aid the construction of carnival floats at land OS 6300 Longforward Lane, Kingstone, Ilminster, TA17 8TB. The site is an agricultural field located within the open countryside to the northeast of Kingstone and to the southwest of Seavington St Mary. To the north of the site is a building that has consent for a carnival club. To the south to the site are two agricultural barns erected during 2018.

The proposal seeks to erect a building that is divided into 5 no. units, four of which will have 3 no. roller doors (2 large and 1 smaller), one will have 2 no. large roller-doors and one unit will have one roller door and internally be split into two rooms.

The proposed building is to be 77m long by 29m wide, and circa 6.3m high (eaves) / 7.3m high (ridge). The development is to have a built footprint of 1,738 square metres.

The building is to be a portal steel frame with profile metal sheet cladding for the walls, and profile metal sheets (with polycarbonate roof lights) for the roof.

Rainwater goods will be metal, draining to onsite soakaway.

External lighting is to be Passive Infrared (PIR) Sensors, with a manual override.

The existing access into the site will be improved and plans have been received to show highway works at the junction of Longforward Lane and Kingstone Main / The Butts (south junction).

The site has no near residential neighbours, with the nearest property being circa 680m to the south west.

To the immediate north of the site is an existing building, used for the production of a carnival float / rig. This use and building have been in situ since 2008.

To the south is a small complex of agricultural buildings, now built out.

The proposed use class for carnival float construction and carnival float storage is considered 'Sui Generis' - in its own use class.

The site has no statutory designations.

RELEVANT HISTORY

18/02609/FUL - Erection of buildings to store and facilitate the construction of carnival floats. Withdrawn 15.07.2021 **

** The application was withdrawn following identification of a technical discrepancy regarding the legitimacy of the applicant's position to be applicant.

This aspect has been resolved in relation to this application.

17/01268/FUL - Erection of agricultural building to house cattle. Formation of new vehicular access, track and hardstanding. Approved 22.05.2017

08/00478/FUL - The erection of single storey barn adjacent and linking to existing barn for mixed use of storage and carnival float construction. Recommended for refusal and approved by Area Committee 08.04.2008

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

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.

South Somerset Local Plan (2006-2028)

Policy SD1 - Sustainable Development
Policy SS1 - Settlement Strategy
Policy SS2 - Development in Rural Settlements
Policy EQ2 - General Development
Policy EQ3 - Historic Environment
Policy EQ4 - Biodiversity
Policy EQ7 - Pollution Control
Policy TA1 - Low Carbon travel
Policy TA5 - Transport impact of new development
Policy TA6 - parking Standards

National Planning Policy Framework - July 2021

Chapter 2: Achieving sustainable development
Chapter 6: Building a strong, competitive economy
Chapter 9: promoting sustainable transport
Chapter 11: making effective use of land
Chapter 12: Achieving well designed places
Chapter 15: Conserving and enhancing the natural environment
National Planning Practice Guidance Design Natural environment

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2017)
National Design Guide - September 2019

ENVIRONMENTAL IMPACT ASSESSMENT

The proposal does not fall within Schedule 1 or 2 and having considered the scale and nature of the development it is not considered to trigger a requirement to ask for a screening opinion.

CONSULTATIONS

Kingstone Parish Meeting: Objection

"Kingstone Parish Meeting met on Monday 18th October to discuss planning application 21/02654/FUL: Erection of buildings to store and facilitate the construction of carnival floats at Land OS 6300 Longforward Lane, Kingstone, TA17 8TB

The meeting voted unanimously to object to the proposal. There were no abstentions or votes against the proposal. The grounds for objection are set out below.

We endorse the comments in the Council to Protect Rural England's submission.

This development is against both national and South Somerset's own local plan policies. The site is not identified for development in the Local Plan.

The Kingstone Parish meeting supports the carnival tradition. The agent and supporters of this planning application argue the case that the justification for the construction of a 2275m² industrial warehouse will save the carnival.

This is not a planning issue and should not be a factor in the decision making process.

This site was not the preferred option, it was a poor second choice out of the five sites offered by Dillington Estate; no other landowners were approached.

The development is not financially viable.

LEGAL PLANNING ISSUES

This is a Major Development. We refer to the SSDC Planning Application Validation Requirements document. The ~~document~~ states that any development over 1000m² should be treated as major development. The floor area of this proposed development is 2,275m², more than twice the area that would be described as minor development (1,000m²).

The red line delineating the site was arbitrarily moved to bring the total area below 1 hectare, to 0.97 ha, in an attempt to take it out of the more onerous major development category. We challenge the accuracy of this measurement because land was added to facilitate drainage. In reducing the red line, a corner of the field, which surrounded by deep ditches, is cut off and essentially 'dead' land.

Major Developments require the following:

Noise and vibration assessment
Landscape and visual impact assessment
Landscape plan and strategy

These are required for the planning application to be determined properly. The following assessments were made in 2019 and are now out of date.

Ecological assessment / Habitat survey

These are required for the planning application to be determined properly.

Local Plan

The site is agricultural land and is not identified for development in the Local Plan. If an application is contrary to the Local Plan - as in this case - the use should be specific and not general. Sui Generis is not specific and therefore not appropriate in this instance. There needs to be a material reason for a breach of the Local Plan, justified by a specific use.

The value of a local plan is questionable if the council is going to ignore its own policies and make arbitrary and questionable planning decisions.

Landscape

This development would be a gross intrusion into a beautiful rural landscape. Much loved peaceful countryside vanishing under steel and stone.

The proposal is industrial in scale and purpose, degrading the intrinsic rural character of our best and most versatile agricultural land, treasured by local residents; contrary to the Local Plan and NPPF Para 174.

This is NOT an agricultural development, as claimed by the applicant, and the presence of a cattle barn on adjacent land does not justify developmental creep. Agricultural buildings are subject to very special planning regulations which are not available to other development.

The Local Plan states that development in rural settlements should be strictly controlled. There is no benefit accruing to local communities therefore it is contrary to NPPF Para 130 and LP Policy EQ2 - General Development, this industrial style development is incongruous in a rural landscape and does not respect the context of the local built environment.

This development does not provide employment opportunities or enhance community facilities for local communities, and is contrary to LP SS2 Development in rural settlements.

It does not meet the criteria set in the Local Plan for a large-scale industrial facility, which is contrary to the Local Plan and NPPF 2021 Chapter 6 Supporting a prosperous rural economy para 82 (b).

Use and location put it at odds with LP Policy SS3 (Delivering New Employment Land).

Dark Skies

The dark skies treasured by residents will be no more because fifty-four large roof lights will flood the night sky, and external security lights will be on until the early hours of the morning from September to the end of November, contrary to NPPF Para 185.

All UK bats species are protected under the Conservation of Habitats and Species Regulations 2017 (as amended), Wildlife & Countryside Act (1981 as amended); National Planning Policy Framework, Natural Environment and Rural Communities Act (2006), and LP Policy EQ4 - Biodiversity. Inevitably, they will be adversely affected by light pollution.

Correspondence from Simon Breeze (SCC County Ecologist) '... the biggest impact to ecology, including foraging and commuting bats, is light spill, therefore as recommended a lighting plan will be required, pre determination or via condition, to ensure the c60 windows/rooflights either contain auto blinds or smart glass to avoid light spill.'

Sustainable Transport

Contrary to NPPF Para 110, the development is not supported by sustainable transport. There are no bus local services, the lanes are narrow with poor visibility making them particularly dangerous for walkers and cyclists on autumn/winter evenings. It is not possible to mitigate the inherent dangers and it is unrealistic to expect volunteers from Ilminster, Chard and further afield to walk or cycle to such a remote location. It is inevitable that the amount of traffic on unsuitable lanes will increase exponentially, which goes against NPPF 2021 Chapter 9 Promoting sustainable transport, para 110.

The development will have an unacceptable impact on local roads and there is no realistic option to promote sustainable access on foot, by bike or public transport. In this circumstance, 'previously developed land, and sites that are physically well-related to existing settlements,

should be encouraged'. This has not happened which is contrary to NPPF Para 85.

A reasonable estimate of the number of additional vehicle movements on the narrow country lanes leading to the site, based on the applicants' own figures, is 732 journeys over a weekend, 366 per day. There isn't parking for a fraction of this number.

Safety is a major issue at road junctions, please refer to the Highways Assessment appended to this document. The negative impact on highway safety engages NPPF Para 111.

SSCPC say, 'Nothing will go through Kingstone or Seavington', 'nothing' presumably being carnival trailers. This means the northern junction of Park Lane and the old A303 at Boxstone Cross (B3168) will be the access route for carnival trailers (and volunteers) to their respective destinations throughout October and November. This junction has not been assessed by SCC Highways, which is a significant oversight given the inadequate sightlines and inherent dangers associated with this junction - four deaths in five years, and many more near misses due to poor sightlines in both directions and strategically placed signage blocking the view towards Ilminster.

Further assessment is required.

Another factor to consider is how traffic will be managed during October and November if there is a major traffic incident on the Ilminster Bypass and carnival trailers are parked on the B3168, effectively blocking it. Usually, traffic transfers from the bypass onto the B3168 (despite the weight restriction at the Butts), but if it is full of carnival trailers the bypass traffic and emergency services could be in significant difficulty.

See: <https://www.gov.uk/guidance/national-planning-policy-framework/9-promoting-sustainable-transport>

A Travel Plan is required in line with LP Policy TA4 and LP Policy TA5 - Transport Impact of New Development Community Support

This proposal is opposed by the three parishes nearest to the site (Dowlish Wake, the Seavingtons and Kingstone). It is wrong and misleading to refer to the list of respondents as "neighbourhood" when a vast majority come from other counties including Worcester and Cardiff. To foist an unwanted development on these communities would be contrary to the aims and aspirations of LP Policy SS2.

The applicant claims that Ilminster Town Council support the application but there is neither letter nor email on the planning portal to support that claim.

People who live miles away from the site support the application. They may have a different view if they saw the state of the Gemini site across the road. Local residents have been tolerant of the mess and noise at the Gemini site since 2008. Although it is relatively tidy, rubbish is still piled up around the site, a portaloo is lying on its side - probably never used; it is a tip. And that isn't going to change because the same people who disrespect our countryside now will not change their ways.

We would encourage elected councillors to visit the Gemini site, which is directly opposite the development site, and see for themselves. Scale it up at least five-fold to understand our

reluctance to have them as neighbours.

SUBSIDIARY PLANNING ISSUES

Hazardous materials

'No' is ticked on the biodiversity checklist for hazardous materials, which is not correct. Hazardous materials such as oil, diesel, paint, solvents, plastic, fibreglass and other toxic and flammable substances are used in the construction of carnival trailers. One cart can be illuminated by ten thousand light bulbs and driven by a polluting diesel engine.

Typically used in construction are wire/steel; Polyvinyl Chloride sheeting (PVC) officially known as "floral sheeting"; Fibreglass which is fibre reinforced plastic, Cement which is also considered to be a very harmful pollutant.

Storage and disposal of hazardous materials are of critical importance to the health and safety of volunteers, emergency services and the wider public.

Surface water will discharge into porous bedrock and discharge into ditches: this won't be rainwater alone it will contain minute dust particles of the toxic chemicals used in construction of floats. There is concern about polluted water entering the water table because there are a large number of drinking water boreholes in the area and of course the effect on flora and fauna.

There is no mention of carbon footprint in any of the documents submitted.

The finished material for the car parking area as stated in the planning application form is "permeable hardcore hardstanding". Managing fuel and solvents on site will exacerbate the Phosphates problem on the Somerset Levels and Moors RAMSAR site and is against the recommendations of Natural England.

Carbon footprint

The huge number of car journeys is significant in terms of emissions, and floats are run on diesel contrary to LPPolicy TA1 - Low Carbon Travel.

The carbon footprint of this development will be enormous if portaloos are being ferried back and forth to be emptied.

Pollution

The hardstanding is proposed to be permeable hardcore making emptying and cleaning portaloos a hazardous enterprise. Sewage will leach into ditches, watercourses and runoff causing pollution that will have ramifications for the Somerset Levels and Moors RAMSAR site which already has a significant problem with phosphate pollution degrading this internationally important wildlife site.

The fuelling or washing of carnival vehicles usually requires an external impermeable hardstanding whereby residual oils and other insoluble substances from runoff water are collected and directed through 3-part separator to avoid polluting the water table. Also see Longforward Lane Preservation Group submission.

Drainage

This is covered in the report compiled by the Longforward Lane Preservation Group but related issues, including sewage disposal and the Dutch-N case (phosphate pollution), are still matters of concern.

There is no mains sewer or mains water on the site, and the applicant suggests that five portaloos, one per shed, will be sufficient for the hundreds of volunteers they say will be using the site.

Portaloos are not female friendly. Many women are not comfortable with shared facilities and this would be a barrier to female volunteers, particularly the young majorettes who will be using the facility.

There is no mention and no evidence of any provision for disabled volunteers, especially wheelchair users. Inclusivity is not mentioned in any of documents submitted in support of the application.

Fire

There is no mains water on site, therefore no pressure for hydrants required by the Devon and Somerset Fire Authority. Anything less than mains water will not have sufficient pressure to deal with fires.

Health and safety of volunteers

Welding and working at heights (these trailers are huge) are dangerous activities, who will ensure that the site is safe for such a large number of volunteers?

All ability access - not mentioned.

Noise nuisance

Cattle in adjacent barns will be disturbed by noise and music which, in the carnival season, carries on late into the night. Cows are more sensitive to noises than humans, especially high-pitched noises that can hurt their ears. Loud noises can scare cows and may cause kicking, charging or running. Surrounding villages can expect to be disturbed, particularly when sound systems are being tested.

Biodiversity

Latest figures reveal that the U.K. is one of the world's most nature depleted countries, in the bottom 10% globally and last of the G7 group of nations. The U.K. has an average of about half of its Biodiversity left, far below the global average of 75%. 90% is considered the safe limit to prevent the world from tipping into meltdown. This is strong evidence that an existing unused or available brownfield site should be used in preference to high quality agricultural land.

Somerset Wildlife Trust objects to this application because the location is not appropriate.

Financial viability

South Somerset Carnival Park Committee self-describes as a Community Interest Company but no such entity is registered on Companies House website. Ilminster and District Carnival Committee Limited and Chard and District Carnival Committee Limited are registered but neither of these is the applicant. Steve Dawe is named only in respect of Harlequin Carnival Club Ltd.

Clarification is requested regarding the existence of SSCPC as a legal entity with powers commensurate with an undertaking of this magnitude, particularly in respects of its ability to raise well over £2M to build out the site, on land it does not own.

If such an entity as the South Somerset Carnival Park Committee exists, it would need to raise over £2M capital alone to build the carnival park, plus considerable revenue funding. There is no information about how this money would be raised, which naturally raises concern about viability. Not owning the land is a significant impediment to getting external funding.

Residents have asked for information regarding financial viability assessment, one exists but it is confidential, so we are told. We question whether such an assessment exists, and if it does, whether it is fact-based and realistic.

The Ilminster and Chard Carnival Committees have about thirty thousand pounds (revenue) between them, which is a drop in the ocean for a project on this scale.

Link: <https://find-and-update.company-information.service.gov.uk/search?q=south+somerset+carnival+park+committee>

To construct the buildings alone, not including car parking, drainage, services, etc. is between £930m2 and £1,030m2 - www.costmodelling.com

The building footprint is 2,275m2 which equates to a build cost of between £2,115,750 and £2,343,250.

SSCPC is not a registered charity, and it will struggle to compete for funding on this scale. It does not have money to put forward as match funding, which is a prerequisite for any successful funding bid. It doesn't own the land on which the carnival park will be built, and generally funders will not subsidise projects that could end up benefiting the landlord rather than intended recipients.

Revenue funding comes for everyday economic activity, of which there has been very little for 18-months because of covid. Carnival does not generate huge profits. It just about washes its face, with a relatively small surplus which is given to worthy causes. Carnival is more often the recipient of small sums of grant funding. The high build cost of these dramatic trailers means that income circulates in a closed system.

Residents are concerned that if this planning application is allowed the carnival clubs will not be able to raise the funding for the construction of the building. The danger is that a material start will be made, validating use for an industrial warehouse, the carnival clubs will not be able to continue the construction and the site will revert to the landowner who will have the benefit of B1, B2 or B8 use.

PROCEDURAL ISSUES

Residents are concerned about procedural irregularities with this application. Strictly speaking they are not planning matters but they are inextricably linked to it and they raise serious legal issues for Ilminster Town Council, the proxy applicant, and South Somerset District Council.

Use class

The site is agricultural land and is not identified for development in the Local Plan. If an application is contrary to the Local Plan - as in this case - the use should be specific and not general. Sui Generis is not specific and therefore not appropriate in this instance. There needs to be a material reason for a breach of the Local Plan, justified by a specific use. Sui Generis is also a convenient way of avoiding having to produce a suite of reports including financial viability, environmental impact, etc.

Construction of carnival trailers, requires a range of engineering activities including: welding/fabricating, electrical engineering, light and sound engineering, carpentry, mechanical engineering, vehicle maintenance and engineering, paint spraying, moulding fibreglass, etc.

None of these activities suggests that Sui Generis is an appropriate descriptor.

SSDC should consider correcting the use class for the resubmitted application of an industrial scale development on agricultural land (not identified for development) in Kingstone parish. The correct use class is General Industrial.

Fee discount:

The question below was put to a Planning Development Management Policy Adviser at the Ministry of Housing, Communities and Local Government.

Q: Is a town council permitted to submit a planning application to the local planning authority on behalf of a third party so that the third party can benefit from the town/parish council's 50% fee reduction?

A: Where a parish or town council is required to apply for planning permission, paragraph 2 of Schedule 1 to the 2012 Fees Regulations sets out that the planning application fee is half the normal fee for the type of application being applied for. This discount applies if the parish or town council is the applicant or if an agent applies on behalf of the parish or town council (but the parish or town council remain the named applicant). The discount does not apply to a third party if that third party is the applicant.

See: Town and parish councils have various rights under Part 12 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 to carry out works without making a planning application. However, where a parish or town council is required to apply for planning permission, paragraph 2 of Schedule 1 to the 2012 Fees Regulations sets out that the planning application fee is half the normal fee for the type of application being applied for.

Paragraph: 038 Reference ID: 22-038-20141017

Revision date: 17 10 2014

Link: <https://www.gov.uk/guidance/fees-for-planning-applications#exemption-or-concession>

From the answer above it is clear that ITC is a proxy applicant and cannot pass on its fee discount to SSCPC.

SUMMARY

A fundamental flaw in this project is that carnival should involve local people. Reliance on support from out of county indicates that local interest has waned. Carnival has been in decline

for years and not for lack of affordable accommodation. There remains a hardcore of supporters but, as the applicants acknowledge in their Design and Access Statement, the writing has been on the wall for a long time.

Kingstone is not a large urban area like Bridgwater, the home and hub of the Carnival movement, with lots of clubs and a huge local following. Butler Park is sustainable because it is on the edge of Glastonbury town and is easily accessible on foot, by bike and bus. Sadly, smaller carnivals have had their day and this is not the right time or financial environment to wake the dead.

There is no evidence of either South Somerset District Council or Ilminster Town Council actively supporting carnival, both have left it to a third party (Dillington Estate) to fund this project. Dillington will make some money from rents if carnival succeeds, and very much more if it fails. Dillington is not a charity, and they clearly have their own agenda. The lack of support from those who profess to be champions of carnival undermines public confidence in their integrity.

SSDC and ITC could provide financial support to carnival. Both could make public land available and both have access to brownfield sites and business parks. Leaving the revival of carnival to an organisation whose motivation is always going to be questioned by the public is indicative of poor judgement."

Seavington Parish Council (adjoining Parish): Objection

"Seavington Parish Council strongly objects to the above renewed application by Ilminster Town Council for the following reasons.

- Overall the size of the development will have a major impact upon what is currently a green field rural area.
- There are multiple road safety issues.
- Access from any direction to the proposed site contravenes National Highways guidance
- Access lanes are very narrow with few passing places further hampering perceived delivery vehicles - both during construction and future use
- Visibility splays at main road access junctions are non-compliant
- The busiest Carnival Cart construction period clashes with the busiest annual agricultural activity - A technical report from Stantec supports this
- There is no pedestrian footway to the site on any of the narrow roads
- There are multiple planning issues.
- A total lack of proper facilities
- Representative Carnival Cart build and repair periods run from at least January through October into November, not just the summer months into October as suggested by Stantec's Highways Report
- The consideration, by the applicant, of the generation, storage and disposal of hazardous waste needs addressing, as does the storage and collection of general and recyclable waste both during build and subsequent use
- No consideration appears to have been made by the Applicant for the potential development's impact, from both light and noise pollution, upon the approved agricultural workers dwelling and the existing agricultural buildings used to house young cattle

- There are considerable documented issues concerning site drainage and potential contamination of local water courses that gravitate towards the Seavingtons, which have not been addressed
- There are severe concerns as to the veracity of the estimate of the proposed number of car parking spaces required within the site. Previous knowledge of site attendance at individual sites for two carnival clubs, as opposed to a proposed five clubs together would lead to the required number of spaces being closer in number to 80 rather than 45, all to be contained within the 'red line' boundary.
- Seavington Parish Council has grave concerns over the process of this planning application - the link between Ilminster Town Council as the Applicant and South Somerset Carnival Park Committee as the Agent seems tenuous, and the identity of the recipient of the 50% reduction in Planning Application Fee is unclear.
- It would seem that were this process applied to any member of the general public applying in a similar way, a 50% reduction in the fee could be the norm?"

Dowlish Wake Parish Council (adjoining Parish): Objection

"Dowlish Wake Parish Council strongly oppose this application. Without repeating all the technical arguments already made from other objecting contributors we find it beyond crazy that an application for a carnival park has been made in open countryside and with such poor road access.

If you take the emotion out of this application and remove the words carnival park with industrial park, which in essence is what it is, the application would fail and this is how it should be judged.

We are more than surprised that Ilminster Council who have made this application cannot find a brownfield site for a carnival park within Ilminster."

Environmental Protection Unit: No objection

"I have reviewed this application and have no objections to make."

SCC Highways: No objection

"The Highway Authority does not wish to make comment further to those previously submitted under application 18/02609/FUL.

As minor improvements are proposed for the junction south of the site, the applicant will be required to enter into an appropriate licence under s171, Highways Act 1980."

Previous Comments - Standing Advice and:

"All comments made are available to view on the electronic file, final comments received on amended plans state;

"I can confirm that the assessments undertaken of the proposal included not only the carts themselves but the volunteers who will attend the site in order to carry out the construction works.

The Highway Authority does not object to the proposal."

Conditions have also been recommended in relation to a traffic management plan, construction environmental management plans, access, and works to the south junction.

SCC HIGHWAYS - CLARIFICATION FOLLOWING FINAL COMMENTS FROM SSDC HIGHWAYS (23.11.2021)

"The Highway Authority has confirmed its position on this matter a number of times over the course of the last couple of years, I would however reiterate this for a final time.

The details of the original application are as follows;

- 1 shed separated into 5 sections (3 larger, 2 smaller)
- The site is adjacent to an existing carnival cart site which has been operational for 10 years without problems
- The developer is promoting car sharing for volunteers turning up to construct the carts
- The traffic associated with the site will be predominantly light vehicles and cars
- Trip level quoted as average 15 movements for each of the larger unit. (Please Note: They do not say 15 vehicles (30 movements) (See DAS page 9 Access detail below)). Taking into account the smaller units as well this could equate to only approx. 40 movements in total (approx. 20 vehicles) dispersed through the evening build sessions, and across the network. This does not account for car sharing which will mean fewer movements.
- There are no collision data for Longforward Lane, and limited data on the wider network but nothing on the junctions north or south of the site
- All build sessions will be outside peak hours (evenings and weekends)
- Finished carts will leave on lorries during October and November and don't always return to the site between carnivals; mileage/location/timing can preclude the return journey

This Authority understands that the volunteers involved with the construction of these floats will generally have day-time jobs meaning the majority of traffic associated with the site will be off-peak visits. The level of conflict between these trips and peak-time traffic is therefore limited.

Whilst the lanes in the vicinity of the site are narrow, all traffic associated with the construction will generally be arriving and leaving in a similar timescale, similarly limiting conflict in the lane. Further, the site is in an agricultural area which means the roads are subject to seasonally variable heavy agricultural vehicles connected with seeding, ploughing, and harvesting. If use of this lane by large vehicle were inherently dangerous it would be reflected in the collision data; there are no collisions reported for the lane.

The construction phase is a year-long process; the traffic is therefore not condensed into a limited period. During the carnival period, when the floats will be leaving the site, again, they will be travelling out in similar directions and will therefore not be in conflict with each other.

If the Local Planning Authority consider the boundary vegetation to be an integral part of the character of the rural lane, and are minded to protect it, appropriate conditions can be applied to any permission granted whereby the development will not detrimentally affect the trees along the route.

If expansion of the site is proposed in future, this will also need planning permission. If the impact on highwaysafety or efficiency at that time is considered severe additional trips can be mitigated against at that time.

This site has a similar setting to Butler Carnival Park, Glastonbury, which similarly has been operating without difficulties for 20 years; this site too is a large shed access from a single track rural/agricultural lane and no collisiondata.

This Authority therefore remains content that the impact of this development on the highway and its users cannotbe considered severe, and that standing advice is appropriate in this case."

SSDC Highway Consultant: commentary / No objection subject to planning conditions (incl. Construction TrafficManagement Plan; revised visibility splay prior to occupation)

The current planning application appears to be similar to the previous 2018 scheme submitted on this site. Pleaserefer to the comments I have made in response to that previous submission.

As a summary, the initial observations I made as SSDC's Highways Consultant following receipt of the 2018planning application were that:

- I was surprised that the SCC Highway Authority considered the planning application should be dealt with under its Standing Advice procedure given the scale of the development and the traffic and transport implications of the scheme.
- I was not convinced that the location of the site provided sufficient options to access the scheme by sustainable modes of transport.
- I was not convinced the location of the site is appropriate given the width and alignment of the approach roads. I commented that the standard of the local network needed to be assessed by the applicant in terms of its suitability to accommodate the type and frequency of traffic movements likely to be generated by the scheme, particularly large floats. The width of the approach roads (Longforward Lane and Park Lane) needed to be identified along with any areas where vehicles can pass one another along their length. The standard of nearby junctions needed to be assessed by the applicant for use by all traffic but particularly taking into account the turning movements of large carnival floats especially in respect of junction geometry and the extent of visibility splays available at the junctions. As a minimum, the junction of Longfurlong Lane with the Kingstone road (to the south) and the junction of Park Lane with the B3168 (to the north) needed to be assessed, but also any other nearby junctions impacted by the scheme. A swept path analysis of the largest float needed to be undertaken to demonstrate that the turning manoeuvres can be safely and efficiently executed. With regard to the means of access, the proposed visibility splays needed to be justified. Again, the geometric layout of the access needed to be tested by undertaking a swept path analysis of the largest float likely to use the entrance in both directions. The proposed level of on-site parking needed to be justified in light of the standards set out in the Somerset Parking Strategy. In light of the above, I recommended the applicant commissioned a transport/highways consultant to address the issues raised above.

With regard to the first point above, the Highway Authority maintained that the planning application should beconsidered under its Standing Advice procedure.

The Standing Advice document makes no mention of the need to assess the standard and suitability of junctions and the approach roads to a development site, nor does it mention the need to assess the traffic impact implications of a development scheme. This is why I considered this planning application to be too significant for the Local Highway Authority not to consider the details in full (i.e., that Standing Advice should not apply in this case) and why I believe the Highway Authority should be providing a comprehensive highways consultation response to the Local Planning Authority on this planning application.

With regard to the second bullet point above an indication was given by the planning officer at the time that the location of the site is likely to be deemed acceptable in planning terms, subject to visual impact. Junctions

Submissions were made by Stantec (on behalf of the applicant) in respect of predicted traffic impact of the scheme and in respect of speed surveys conducted at the junctions of Kingstone/Boyton Hill (to the south) and Park Lane/New Road (to the north).

While the visibility splays at the two junctions are below the recommended standard (using advice set out in Manual for Streets and Manual for Streets 2), the extent of the insufficiencies is not considered significant. The collision record covering the last five years - the recommended time period set out in national guidance for sites that are located within a high accident area - indicates that there have been no recorded personal injury collisions at the two junctions or along the lengths of Longforward Lane and Park Lane during the last available five-year review period, between 2016 and 2020 (inclusive).

However, given that the visibility splays are below standard, I recommended mitigation works in the form of enhanced signing and lining on the eastbound approach to the Kingstone/Boyton Hill junction (the westbound approach to the Park Lane/New Road junction already has highway markings in the form of SLOW markings, transverse bars and signing). But as I do not represent the Local Highway Authority and that such works would take place within the public highway, any such works would have to be presented to, considered, and approved by the Highway Authority.

It is understood that a scheme of signing/lining has subsequently been agreed between Stantec and the Local Highway Authority although I had recommended a little more signing and lining.

With regards to the widths of Longforward Lane and Park Lane, from the Kingstone/ Boyton Hill junction travelling northwards to the application site, the highway is generally wide enough for two light vehicles to pass one another. Park Lane is largely single vehicle width but there are passing places along its length suitable for a light vehicle to pass another vehicle.

Traffic Impact

In terms of traffic impact, there are three phases to consider:

- The construction of the building and the associated works
- The day-to-day movements associated with the construction of the carnival floats
- The transportation of the carnival floats from/to the site during the carnival season

As with all significant development schemes, the traffic impact of the construction phase of the

process in terms of erecting the building, the access, and the associated works within the site can be set out in a Construction Traffic Management Plan, details of which would have to be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority, prior to the commencement of the development scheme. The preparation of such a Plan can be secured by condition.

In terms of the day-to-day vehicular movements associated with the construction of the carnival floats, the Technical Note prepared by Stantec states that for 150 days of the year no additional cars are predicted to access the site. During peak building periods 30 or more additional cars would access the site which is predicted to occur 41 days of the year. The report states that most movements would take place Monday and Wednesday evenings and on Sundays. Such times would coincide with when traffic flows on the wider local highway network are lower. Notwithstanding the fact that the Standing Advice document does not mention the need or contain any guidance on the assessment of traffic impact, it is understood that the Local Highway Authority has raised no objection in this respect.

The movement of large carnival floats to and from the site during the carnival period has to be a significant concern given the widths and alignment of the immediate local road network, particularly bearing in mind that Park Lane (the intended route for floats) is largely single vehicle width with potential vertical alignment issues towards its northern end. As an external highway consultant working for SSDC, I have no jurisdiction or influence on how the movement of such large vehicles can or should be managed on the local highway network. I understand that the Local Highway Authority has considered this aspect of the scheme and has recommended the imposition of a condition requiring the submission of a Traffic Management Plan to be implemented to cover this aspect of the scheme.

Site Access

In terms of the site access, the proposed visibility splay of 2.4m x 71m to the centreline of the road in the southerly direction is considered acceptable having regard to the visibility splay guidance set out in Manual for Streets 2, given that vehicles are decelerating towards the site due to the bend in the road and the Park Lane junction ahead. In the north-easterly direction, a visibility splay of 2.4m x 43m is proposed commensurate with vehicle speeds of 30mph when assessed against the guidance set out in Manual for Streets. I am minded to recommend this latter splay is lengthened slightly to 2.4m x 50m (commensurate with vehicle speeds of 33-34mph) given my estimation of vehicle speeds from that direction. Such an amendment can be achieved within the red line boundary of the site and can be secured by condition. To accord with national and local guidance, there should be no obstruction to visibility greater than 600mm within the visibility splays.

From the swept path analysis submitted, it would appear that the proposed geometric layout of the entrance would be suitable to accommodate the turning movements of a 16.5m long articulated vehicle, assuming that any such vehicles would enter the site from Park Lane and depart in the same direction.

It is recommended that at least the first 6m of the access-way is properly consolidated and surfaced (not loose stone or gravel) and drained to prevent surface water from discharging onto the public highway. These matters can be conditioned.

It is evident that there appears to be sufficient space within the site to accommodate an appropriate level of car parking for the volunteers. If there is any concern with this aspect of the scheme, taking into account that some of the external area may be used for storage purposes, the submission of a detailed parking (indicatively showing the layout of the parking area bearing in mind that individual spaces would not be marked out on the ground) can be requested to be submitted for approval by the Local Planning and Highways Authorities, to be secured by condition.

In overall summary, I believe the assessment of this planning application must be largely a matter for the Local Highway Authority to consider given (a) the lack of guidance set out in Standing Advice on approach roads/junctions and traffic impact, and (b) the scale of the development proposal and its corresponding transport and traffic implications on the local highway network given the nature of the network in the immediate area of the site.

With regards to the means of access and parking/turning (i.e., the types of issues covered in the SCC Highways Development Control Standing Advice document, I believe the proposals are broadly acceptable, subject to the comments and the imposition of conditions set out above.

SSDC HIGHWAYS CONSULTATION - CLARIFICATION ON POSITION (22.11.2021):

"Just to confirm that I stand by the initial concerns I raised at the outset of the planning application submission. However, when it became apparent that the local highway authority was insisting that the application should be dealt with under its Standing Advice procedure, and bearing in mind that there is nothing in the Standing Advice guidance that states the standard and suitability of approach roads and nearby junctions should be assessed, I decided that I would advise the applicant's transport consultants (Stantec) to look at the two junctions (the Longforward Lane/Boyton Hill junction and the Park Lane/New Road junction) in more detail.

Following exchanges of emails between myself and Stantec, broadly summarised under the heading 'Junctions' in my Note that I sent you, on balance I concluded that the scheme could be made acceptable in terms of the projected traffic impact on the local highway network (by volunteers travelling to and from the site) and the standard of the network, on the basis that:

- While the visibility splays at the two junctions are below the recommended standard (using advice set out in Manual for Streets and Manual for Streets 2), the extent of the insufficiencies is not considered significant.
- The junctions do not accommodate STOP lines - the use of STOP lines at priority junctions usually signifies that visibility is particularly poor requiring motorists to take extra care when emerging onto the major arm of a priority junction.
- There have been just two recorded personal injury collisions at or near the Longforward Lane/Boyton Hill junction in the last 22 years and just three recorded personal injury collisions at or near the Park Lane/New Road junction during the same 22-year period.
- Having particular regard to the Longforward Lane/Boyton Hill junction:
- There was no evidence of any skid marks on the eastbound carriageway approach to the junction.
- Vehicles travelling in an eastbound direction towards the Longforward Lane/Boyton Hill junction are decelerating (as evidenced by the speed surveys) on the approach to the junction due to the sharp bend located to the east of the junction.
- From the information submitted, most volunteers would be using the local highway network

on Monday and Wednesday evenings and on Sundays when traffic flow on the road network is generally lighter, and during hours of darkness particularly from October through to March, on Monday and Wednesday evenings the headlights of traffic approaching the two junctions would be visible.

- Signing/lining enhancements would be carried out at the Longforward Lane/Boyton Hill junction.

The issue of how large carnival floats are manoeuvred from and to the site, however, is definitely a matter for the highway authority to consider and assess. As stated in my Note, the movement of large carnival floats to and from the site during the carnival period has to be a significant concern given the widths and alignment of the immediate local road network, particularly bearing in mind that Park Lane (the intended route for floats) is largely single vehicle width with potential vertical alignment issues towards its northern end.

If the highway authority is confident that this aspect of the scheme can be safely and satisfactorily managed under an agreed Traffic Management Plan then that must indicate that the highway authority considers the movement of such large vehicles over what is a relatively condensed period of time (mainly October and the first half of November only and not every day during this time) can be managed in a way that would not cause any significant inconvenience, delay or compromise to road safety. Only the highway authority using its experience of dealing with the carnival season can make this decision."

SCC Highways - additional comments in response to the SSDC Highways comments - are listed above in the SCC Highways section.

SCC ECOLOGY (SES): No objection subject to planning conditions (01.12.2021)

TEP was commissioned by South Somerset Carnival Park Committee (SSCPC) in December 2018 to undertake an updated Ecological Impact Assessment (EclA) of a parcel of land off Longforward Lane, Kingstone, Ilminster, TA178TB. An EclA report was produced by TEP in April 2019.

Based on the combined results of the original and updated Ecological Impact Assessment, both undertaken by TEP, I have the following comments.

The proposal does not provide overnight accommodation. Therefore, in relation to the Somerset Levels and Moors RAMSAR site, the following can be concluded:

Further to discussions with Natural England, the proposed application, with associated low levels of Phosphate production, is unlikely to add significantly to nutrient loading on the Somerset Levels and Moors RAMSAR site. Therefore a Likely Significant Effect under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 can be ruled out.

1. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP Biodiversity) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP Biodiversity shall include the following:

- a. Risk assessment of potentially damaging construction activities;
- b. Identification of biodiversity protection zones;
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including nesting birds habitat clearance measures, badgers buffer zones and precautionary measures including a pre-commencement survey within six weeks of vegetative clearance or groundworks commencing, measures to protect hedgerows and trees, it has been confirmed that trees will not be removed but if this changes precautionary measures for low potential trees for roosting bats should be outlined as well as other safeguarding measures for bats. A risk avoidance Measures Method Statement (RAMMS) detailing a strategy to prevent adverse dust levels, run off from chemical liquids etc.
- d. The location and timing of sensitive works to avoid harm to biodiversity features
- e. The times during construction when specialist ecologists need to be present on site to oversee works
- f. Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
- g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Policy EQ4 of the South Somerset Local Plan 2006-2028.

2. Prior to construction above damp proof course level, a lighting design for bats, following Guidance Note 08/18 Bats and Artificial Lighting in the UK (ILP and BCT 2018) shall be submitted to, and approved in writing by, the Local Planning Authority.

The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating Lux Levels. Lux levels should be below 0.5 Lux on the identified horseshoe bat commuting routes. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Policy EQ4 of the South Somerset Local Plan 2006-2028.

3. All habitat features to be lost (including hedgerows and trees) will need to be proportionately replaced in relation to what will be lost as a result of this development, at a minimum ratio of 2 to 1. All new trees planted on site should ideally be from local native stock,

such as field maple, ash, hornbeam, dogwood, spindle and beech. The new hedgerow(s) to be planted with native species comprising a minimum of 5 of the following species: hazel, blackthorn, hawthorn, field maple, elder, elm, dog rose, bird cherry and spindle. A landscape and planting schedule plan will be submitted to, and approved in writing by, the Local Planning Authority prior to occupation of the development.

Reason: In the interests of no net biodiversity loss as per the NPPF and Policy EQ4 of the South Somerset Local Plan 2006-2028.

4. A Biodiversity Enhancement Plan (BEP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation (or specified phase of development). Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation. The content of the BEP shall include the following:

- a. The new hedgerow (s) to be planted up with native species comprised of a minimum of 5 of the following species: hazel, blackthorn, field maple, elder, elm, dog rose, bird cherry and spindle
- b. Native wildflower rich grassland creation suitable for the site around the north east of the development
- c. All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night flying moths which are a key food source for bats. The Royal Horticultural Society guide 'RHS Perfect for Pollinators' provides a list of suitable plants both native and non-native
- d. Installation of three insect hotels (NT Apex Insect House or similar) to be installed on the southern boundary of the site
- e. Three log piles a resting places for reptiles or amphibians are to be constructed on the southern boundary of the site

Reason: In accordance with Government policy for the enhancement of biodiversity within the development as set out in paragraph 174(d) of the NPPF and the draft Environmental (Principles of Governance) Bill 2018.

Devon and Somerset Fire Service: No objection subject to advisories

"With reference to your application dated 6th September 2021 concerning the above application, the details of the proposals have been examined and the following observations are made:-

1. Means of Escape

Means of escape in case of fire should comply with the Building Regulations 2000 and as such should satisfy the provisions contained in either Approved Document B (ADB) or some other suitable and accepted standard.

Detailed recommendations pertaining to these matters will be made later at Building Regulations consultation stage.

2. Access and Facilities for the Fire & Rescue Service

Access and facilities, which should include where necessary the provision of private fire hydrants for Fire & Rescue Service appliances, should comply with provisions contained within ADB, Part B5 of the Building Regulations 2010."

Avon and Somerset Police Constabulary: No objection

"As the Crime Prevention Design Officer for Somerset East I have no objection to the application. However I do have some comments regarding the security of the buildings.

The location at present only has a very small number of similar style agricultural buildings in close proximity. Therefore opportunities for natural surveillance are negligible. The details and values of items that are going to be stored in the buildings is not documented.

The crime rate in the immediate area is low, however a certain level of crime prevention should be employed in the site and buildings.

Some of my comments are made using guidance and adaption of the principles detailed in the Secured by Design (SBD) Commercial Developments Guide 2015. This guide and police preferred products can be found at website www.securedbydesign.com.

In addition other advice and police preferred products can be located at www.soldsecure.com

1. There are a number of proposed roller shutter doors shown on the building plans providing vehicle/float access. I recommend that they meet the following certification:

STS 202 Burglary Resistance 2 or

LPS 1175 issue 8 B3 or Sold Secure Gold

2. Pedestrian Access Doors/Emergency Doors - There are pedestrian access doors shown in the elevations. I recommend that these meet the following certification:

PAS 24:2016

LPS 1175: Issue 8, B3

STS 201 or STS 202: Issue 3, BR2

3. PIR Security Lighting - I note on the DAS that this is intended to be mounted on the building. This should be positioned to provide coverage of all building entry/exit points and the building frontage/parking areas. An alternative would be to have low energy dusk to dawn LED lighting around the building perimeter.

4. Site Entrance Gate - The boundary to the site appears to be existing hedging and there is no mention of upgrading this. I note that there will be a main site entrance gate installed to control access to the grounds. This gate should be fitted with the top hinges inverted or anti lift devices fitted to prevent the gate being lifted off its hinges. I suspect that the gate will be locked by means of a padlock or chain and padlock. I recommend that these items are certified to Sold Secure Gold Standard.

5. Tools - Any tools left inside of the units can be stored in additional locked cabinets. The use of ground anchorpoints for larger equipment is also recommended. Again the above websites can provide suitable products. All equipment and tools should be marked to ease identification. Each club using the units may wish to compile an asset list for items of value to aid in their recovery and identification if anything is taken. This list should include, makes, models, serial numbers and photographs of the items.

I appreciate that the budget available maybe limited due to the nature of the clubs using the buildings. My recommendations in points 1 and 2 are aimed at securing the building fabric, but obviously I don't know the full specification of the building walling and its resistance to attack. All elements need to provide a consistent and proportionate approach.

In due course CCTV could be considered. Also an alarm system. If these options or other crime prevention advice is needed I would be more than happy to assist."

Environment Agency: No objection

"The Environment Agency have no objection to this proposal but wishes to make the following comments:

With specific reference to the issue of foul drainage, we note that the application form confirms that the foul drainage from the site will be dealt with by 'Other'. The Agency would normally advise that all foul drainage must be kept separate from clean, uncontaminated surface water and, when available, connected to the mains foul sewerage system. Any connection to the mains sewer, must be undertaken with the prior approval of the sewerage undertaker.

If the site is located within an area served by the mains sewerage system, a connection should be made to the sewer, in preference to private drainage options.

The Agency would further advise that, in the event that a connection to the foul sewer is proven to be unfeasible, any proposed use of a private foul drainage system, with a discharge to a watercourse or soakaway, is likely to require an Environmental Permit from the Agency, prior to any discharge. This process can take up to four months to complete and it cannot be guaranteed that a Permit will be granted. The applicant is therefore advised to contact the Environment Agency (tel: 03708 506506) for further details regarding the Environmental Permitting process.

There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches."

Somerset Wildlife Trust (Ecology): Objection (on the grounds of suitability of location)

"We have noted the above mentioned Planning Application. This appears to be a re-submission of the previous Planning Application 18/02609 which was withdrawn. As far as we can see there does not appear to be any significant change from the previous Application such as by the inclusion of toilets. The Ecological Assessment is still the one previously submitted which was dated 2019 and the supporting Planning Statement does not appear to have been significantly changed. We understand the popularity of carnivals in Somerset but we do not feel that this is the most appropriate location and we are therefore repeating our objection to the previous proposal."

Natural England: No objection

Natural England has no comments to make on this application (full comments available on the electronic file).

SCC Lead Local Flood Authority (LLFA): No objection subject to conditions

"The drainage strategy has advised that the parking area will be of a permeable material, and that the area of concrete hardstanding has been included as part of the impermeable

area assessment. Infiltration testing has not been undertaken on the site, therefore an alternative method of discharging surface water from the site has been provided showing an attenuation based system with piped outfall to the watercourse. Initial modelling has been undertaken using FEH data demonstrating that 226.5m³ of attenuation storage is required to attenuate 0.23ha of impermeable area on the site for all events up to and including the 100 year+40% climate change event. This attenuation is shown to the east of the site. Site levels indicate that any exceedance will also flow in this direction. Water will be attenuated at a controlled rate of 1 l/s and discharge to the same location as under previous conditions. 1 l/s has been advised as the minimum practical rate to reduce the risk of blockages.

Overall the LLFA is content with the information provided and recommends the development be conditioned with the following two conditions.

1. No development shall be commenced until details of the sustainable surface water drainage scheme for the site, has been submitted to and approved in writing by the local planning authority. Such scheme should aim to meet the four pillars of SuDS (water quantity, quality, biodiversity, and amenity) to meet wider sustainability aims as specified by The National Planning Policy Framework (July 2018) and the Flood and Water Management Act (2010). The development shall include measures to prevent the control and attenuate surface water and once approved the scheme shall be implemented in accordance with the approved details and maintained at all times thereafter unless agreed otherwise in writing by the local planning authority.

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

2. No development approved by this permission shall be occupied or brought into use until a plan for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed.

Reason: To safeguard the long-term maintenance and operation of the proposed system to ensure development is properly drained in accordance with the NPPF.

We would welcome the following informatives / notes to be provided outlining the information the LLFA will expect to see in order to discharge the above conditions.

- Drawing / plans illustrating the proposed surface water drainage scheme including the sustainable methods employed to delay and control surface water discharged from the site, sewers and manholes, attenuation features, pumping stations (if required) and discharge locations. The current proposals may be treated as a minimum and further SuDS should be considered as part of a 'SuDS management train' approach to provide resilience within the design.
- Detailed, network level calculations demonstrating the performance of the proposed system are required and this should include:
- Details of design criteria etc and where relevant, justification of the approach / events / durations used within the calculations.

- Where relevant, calculations should consider the use of surcharged outfall conditions.
- Performance of the network including water level, surcharged depth, flooded volume, pipe flow, flow/overflow capacity, status of network and outfall details / discharge rates.
- Results should be provided as a summary for each return period (as opposed to each individual storm event).
- Evidence may take the form of software simulation results and should be supported by a suitably labelled plan/schematic to allow cross checking between any calculations and the proposed network
- Detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, pumping stations and outfall structures. These should be feature-specific.
- Infiltration testing, soakaway detailed design and construction in accordance with Building Research Digest 365. Infiltration features must be located more than 5m from building and road foundations and there must be a minimum of 1m between the base of any infiltration feature and maximum ground water level. If soakaways are shown as unviable after further testing, a suitable sustainable drainage scheme shall be shown.
- Details for provision of any temporary drainage during construction. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system. Suitable consideration should also be given to the surface water flood risk during construction such as not locating materials stores or other facilities within this flow route.
- Further information regarding external levels and surface water exceedance routes, both on and offsite (including any flow routes originating offsite and flowing onto the development site) and how these will be directed through the development without exposing properties to flood risk.
- Somerset County Council is the Lead Local Flood Authority (LLFA) as defined by the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009.
- Under section 23 of the Land Drainage Act there is a legal requirement to seek consent from the relevant authority before piping/culverting or obstructing a watercourse, whether permanent or temporary. This may also include repairs to certain existing structures and maintenance works. This requirement still applies even if planning permission has been granted.
- For more information, please visit <https://www.somerset.gov.uk/waste-planning-and-land/apply-for-consent-to-work-on-an-ordinary-watercourse/>
- With regards to maintenance, it should be noted the condition is recommended as a 'pre-occupation' condition.
- The following information will be required
- Detailed information regarding the adoption of features by a relevant body. This may consider an appropriate public body or statutory undertaker (such a water company through an agreed S104 application) or management company.
- A management and maintenance plan for the lifetime of the development which shall outline site specific maintenance information to secure the long-term operation of the drainage system throughout the lifetime of the development."

REPRESENTATIONS

One neighbour was notified, a site notice displayed and major application advert placed. All those that have made comments were further consulted on amended plans received.

There has been a degree of public interest for and against the proposal. At the time of writing this report the system has logged 199 contributors, including comments from the CPRE. The proposal has resulted in:

Objections - 56

Support - 162

Due to the level of interest the main issues raised are summarised below, contributors full comments are available to view online.

Objections:

Highways:

- The investigation into vehicle speeds in the road network around the proposed site is secondary to the known negative impact the project will have on flora and fauna and the people living in the area
 - All roads are primarily single track highways with few passing places used by walking and cyclists for recreational purposes and are used as rat runs. Limited visibility. The proposal will generate a high increase in vehicle movements.
 - Not adequate parking for the volunteers on site leading to random parking on the lanes.
 - Roads could not cope with the large number of floats and associated HGV movements
- Visual Amenity/Character/Environment:
- It is concerning to see the continuation of this planning application, the success of which will be environmentally damaging in our rural area.
 - It is SSDC's responsibility at this time of serious threats to our climate, our wildlife and our own wellbeing to protect the rural environment.
 - We know the damaging effects of pollution; to build a new bigger 'factory' to construct, store and later destroy artefacts made from polluting components is unacceptable.
 - Location is open countryside, characterized by a system of fields and hedgerows therefore harmful to the visual amenity of the area
 - The site is not zoned for industrial development and is sited in prime agricultural territory used for agriculture and recreational purposes. The proposal of industrial style buildings for the use of vehicle development, repair and construction is not appropriate for this location and should be in an urban industrial park. Poor visibility with substandard visibility splays.
 - The proposed units are high with a large number of rooflights causing light pollution in a rural area.
 - More rubbish will be generated on site.
 - Will be largely visible from afar due to the open rural nature.
 - Not in accordance with the district council climate emergency.
- Residential Amenity:
- The construction work will be mainly at weekends and evenings causing noise and light pollution particularly antisocial.
 - Increased noise pollution impacting the residential amenity of neighbouring occupiers and the welfare of nearby livestock

Infrastructure:

- No services on site i.e. no mains water, sewage or electricity.
- Associated Flooding risks with the site. Policy:
- The Local Plan states the site should not be used for anything other than agricultural use.
- The proposed location is contrary to National Planning Policy Guidance
- Non compliant with the emerging local plan
- The Use class applied for 'Sui generis' is incorrect, the application seeks permission for B2 and B8.
- There are many Brownfield sites in and around Ilminster which would be more appropriate

Support:

- Huge social, economic and cultural benefits for the people involved and the area.
- Carnival is an important part of Somerset's heritage- this scheme will protect this.
- Great asset to the community
- Carnival raises money for local causes and charities
- Carnival encourages engagement and develops life skills for youngsters
- The building is of a design that would generally be found in this location
- Carnival floats are transported in sections and are therefore no bigger than many tractors
- Large vehicle movements will be infrequent and other traffic will be generated at times not to coincide with existing vehicular movements
- The site will give carnival in Somerset security for the future
- Over 90% of the time the site will be used for storage and not occupied.

CONSIDERATIONS

The key considerations are:

Background

The principle of development in this location

Alternative sites and viability

Relationship to Policy SS2

Impact upon visual amenity / landscape character

Residential amenity

Ecology Highway Safety

Drainage Heritage assets

Phosphates

Other matters[

Background

Issues raised in regard to how the application was made and who the applicant is have been looked into and it is considered that the application was submitted and made valid in accordance with the relevant legislation. The use is considered to be 'Sui Generis', and not B2 or B8 as the proposed use does not fall within any particular use class ('Sui Generis' is Latin for 'of its own kind' which this development is). Whilst storage would be B8, the works to the carnival floats is not a B2 use, additionally the inclusion an element of training in the project adds another activity that does not easily fall within a B2 or B8 use and as such the overall use is classed as Sui Generis.

Ilminster Town Council are the applicant. Any party can make a planning application whether the development will be carried out by them or not and whether or not it is on their land or not, so long as the correct certificate is signed, which in this case it was (Certificate B). This is the

same when any Parish makes an application or indeed the District Council, and any consents or refusals given are attached to the land and not the applicant or developer.

Principle of development in this location and viability

The application was submitted by South Somerset Carnival Park Committee (Agent) on behalf of the applicant (Ilminster Town Council) for development on land owned by Dinnington Estates. The proposal seeks the creation of 5 self-contained units for use by individual clubs and committees on the South Somerset Carnival Park Committee to store and construct their carnival floats, and is described in the supporting documents as a Carnival Park.

The intention of the application is to "create a secure, sustained and permanent facility where the South Somerset Carnival Clubs can be based, build their entries and develop their clubs for the benefit of carnival and the community as a whole."

An often repeated criticism of the proposed location is that there are more suitable sites available, either within an existing employment park or as part of an employment allocation, or by converting existing farm buildings.

In 2018, pre-application advice was sought with a Location Feasibility Study which set out other sites. In that pre-application response the case officer discounted three of the six sites due to their location within Flood Zone 3. The remaining three sites were then assessed in regard to location, access, services, impact, vulnerability, support and flood risk and this site scored the highest in being the most appropriate site, hence the application before us.

There is no doubt that the site is located within the open countryside where development of new land uses are not normally supported, unless there are benefits which address the sustainability argument, in this instance the general use of the site is the main consideration as it is based on a non-profit making organisation.

The proposal is not for an industrial/commercial use and is unique in it being for the carnival clubs.

Carnivals in Somerset are part of the culture and have been around for hundreds of years. The clubs are non-profit making and help to raise money for charities and also provide work skills for youngsters who get involved with the build process etc. The purpose of this application is to secure permanent facilities so that clubs can grow and be maintained. Currently the clubs operate from different sites and the aim is to bring at least five clubs to one site which will help share the costs to run it.

Alternative sites and viability

The issue of viability has been considered and commented upon in this applications' supporting documentation, although there is no policy basis to require a full report. This submission is on the file ('feasibility note').

The Feasibility Note reads:

"Whilst carnival within South Somerset continues to attract a diverse range of people from all

walks of life carnival has always been closely linked to the farming community. A great number of club members, or their immediate families, are involved in farming who continue to lend skills, machines or general support to carnival clubs and committees.

Historically this support often extended to providing low value farm buildings for little or no rent, to individual clubs to store and construct their entries to the annual parades.

Whilst the support from the farming community remains resolute, carnival clubs have found it increasing(ly) difficult to find new build sites over the last 15 years due in part to a change in the ways farms are managed, changes in planning policy and increased alternative values.

Historically most local farms were tenant farmed with the County Council owning the farms and the land. As long-term tenants retire or move on the County Council has often sought to sell off and split up the farm buildings and land creating less farmyards and more development land. This has often displaced carnival clubs from their build homes.

This change in ownership coupled with the relatively recent (within the last 5 years) change in planning policy, allowing agricultural buildings to be converted (via permitted development) into residential use (Class Q). This has resulted in the value of a typical agricultural barn significantly increasing.

Alternative arrangements have been explored and discussions with commercial agents and landowners have been held including with the agents of the former Horlicks site in Ilminster. Regrettably, but understandably, the outcome of these discussions is the same (as per the position of Harlequins CC scenario as detailed in the full version of the Feasibility Note - available on line). A lease arrangement must be secured to make the project viable and a market rent, service charge and associated costs must be met. Furthermore, landowners often require a certain financial covenant strength and commitment to insulate them from commercial risk through the life of the tenancy. Self-funded carnival clubs are simply unable to pay market rent or provide the financial security required to meet any developers or landowners commercial requirements.

Given the above, it is accepted that any land opportunity within a town is going to face a similar financial challenge. Landowners with brownfield sites or allocations within an urban area will seek a commercial return as the Local plan will focus upon regeneration and making effective use of such sites.

By reason of the values that Class Q (agriculture to housing) and Class R (agriculture to flexible uses) will afford to existing under used rural buildings it is recognised that these uses will return commercial land values and rents and again raise challenges for voluntary organisations seeking to compete for such sites. With farm values increasing and an increased lack of supply, the only realistic option to secure the future of carnival the carnival clubs in terms of a secure bases is to obtain planning consent on land which does not benefit from hope value by reason of being located at the immediate edge of market towns or by exploring prior approval opportunities leading the search towards previously undeveloped fields with the scope to seek grant finance to construct a purpose-built facility to store and construct the carnival entries."

The evidence submitted in support of the withdrawn 2018 application for the same development, at the same site stated that:

- "Local landowners Dillington Estate have agreed to grant South Somerset Carnival Park Committee a lease of the field (see below for more information). We have considered and assessed in-town commercial units (existing and proposed) and the level of rent commanded simply makes this type of building unviable. Furthermore the Carnival Park Committee has no covenant strength or income therefore is not an attractive tenant for a commercial business owner.
- The lease agreed between Dillington Estate (landlord) and South Somerset Carnival Park (tenant) is for an initial period of 25 years at an annual rent of REDACTED akin to agricultural values. The rent will be proportionately split between the clubs and committees occupying the buildings to include Ilminster based Harlequin, Gemini, 1+1 and Xtreme Carnival Clubs, Chard based Eclipse and the four South Somerset federation towns. At present each carnival club pays an annual rent for their existing premises and the proposed rent level of the carnival park is below these current rent levels and is therefore financially viable.
- South Somerset Carnival Park Committee (SSCPC) will be the tenant and will sub-let to the carnival clubs and committees. SSCPC will be the management company and will put in place controls within each sub-lease to control the management of the site.
- If a club fails then how is the shortfall in rent covered? As the immediate landlord SSCPC will charge a rent and service charge (to aid with running costs of the site etc) to each club and committee. Part of this money will be used to build up a sinking fund for management issues and short term rent cover should a club fail."

For context it should be noted that the Gemini Carnival Club has been running successfully for over ten years to the north of this site. It is considered that the proposal presents a more viable alternative to the current situation where clubs rent individual sites, sometimes with short term security of being able to retain their lease, or not being able to find build locations and storage facilities, which over the last 20 years has resulted in a decrease in mounted entries. There is also a significant level of support to retain and support the carnival community.

Notwithstanding comments received, it is considered that the carnival park will bring stability and help secure the growth and development of the clubs which in turn supports the local community (social) and local businesses (economic) and as such offers a cultural, social and economic benefit to the community in accordance with chapter 2 of the NPPF - Achieving sustainable development.

In this instance, of particular importance to consideration are paragraphs 8 and 9 of the NPPF (in Chapter 2). They read:

"8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains cross each of the different objectives):

a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area."

The above elements and guidance are important as they assist in determining this application, in that it is an application / proposal that will need to be considered on 'planning balance' with material weight being attributed to each of the three strands of sustainability identified in paragraph 8.

The principle of development in this location will be considered in the 'Planning Balance' section of this report, as the principle will be determined by varying factors as further discussed.

Policy SS2

The application's relationship to Policy SS2 has been cited by a number of objectors. Paragraph 5.23 describes the purpose of Policy SS2 as:

"Rural Settlements are considered as locations where there will be a presumption against development unless key sustainability criteria can be met. This is explained in Policy SS2. These settlements will no longer have identified development areas and will be considered to be within the open countryside for planning purposes."

Paragraph 5.29 goes on to state:

"Policy SS2 seeks to ensure the development needs of Rural Settlements can be met, whilst restricting the scale of such growth to be consistent with the spatial strategy of focusing development at Yeovil, the Market Towns, and the Rural Centres."

The wording of the policy envisages its application to proposals for meeting local housing needs, employment needs and community infrastructure needs arising from associated settlements. The reference above to the removal of settlement boundaries to afford the relevant rural settlements the protection of being within open countryside is clear, however the policy references to settlements does distinguish the function of the policy from dealing with settlement edge development to meet the needs of that settlement and proposals that are clearly not settlement edge but are located within the parish and serve wider needs.

Where the planning authority are considering development in open countryside which does not meet a purely local need, for example larger agricultural buildings serving national distribution or renewable energy proposals an assessment against Policy SS2 is of limited value as the proposals is not associated with a named community.

In these cases it is more relevant to consider the wider strategy at Policy SS1 and the guidance within the NPPF at Chapters 2 and 6.

Paragraph 8 at Chapter 2 has been set out above. Chapter 6 (Building a strong, competitive economy) Paragraph 85 notes:

"Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."

It has been noted above that this proposals is not a business use by reason of the voluntary nature of the work and training involved, however it is also acknowledged that the function being facilitates, namely carnival club uses do contribute positively to the Somerset economy.

It is considered that the assessment of this particular proposals therefore needs to reflect the assessment criteria applicable to the non-local needs development which will come forwards for assessment in the countryside.

Impact on visual amenity/landscape character

Objections are raised in regard to the location and the developments impact on the character of the area by reason of the site's location within open countryside away from an established settlement. The site is relatively flat and the building will be located along the south boundary to back onto the existing barns to the south, with the existing access to the west and parking area to the north.

The site has been chosen through a feasibility assessment and following pre-application advice, where the Planning Officer advised that any structures should be closely related to other built form. To the north of the site is a detached building in use for carnival float fabrication, and to the immediate south are two large barns, constructed prior to the submission of this application.

Whilst for planning policy purposes the site is considered to be "open countryside" the location itself is characterised by the presence of agricultural buildings to either side of the application site. As such the site as proposed represents a clustering of buildings within a wider open landscape rather than comprising a single and therefore alien structure within an otherwise undeveloped context.

The plans show the first two bays, on entering the site, being lower than the rest of the building and an indication of additional landscaping to the northeast and a landscaping bund to the east.

To further mitigate effects, a landscaping condition is proposed, and if supported we would expect mature specimen trees to be included in such a scheme.

The use of the materials has also been looked into to see if a more natural product such as timber cladding could be used, however due to fire regulations and security the materials remain as proposed, which is profile metal sheeting. The proposed materials are ones which are used in agricultural buildings and as such are seen within the countryside, however the colour would need to be agreed. This can be secured by way of planning condition.

The ridge height of the barns to the south is approx. 6.3 metres and the highest part of the carnival building will be 7.3metres. As such, with the ground level differences between the two sites, the general height of the carnival building will be similar to that of the agricultural barns, thus lessening the impact of the proposed building on your approach from the south. The existing carnival building to the north is on higher ground.

It is considered that there will be some impact on the landscape character, as this is a large building in a rural location. It is accepted that the use of the building is not for agricultural purposes. However, the form and finish of a proposed building that has an element of architectural vernacular to it would not, if the use were for agriculture, be considered unduly alien or incongruous in this particular position.

That said, the use proposed is not for agriculture, and the accepted limited level of impact on the landscape needs to be considered against the proposed use, as well as whether mitigation would alleviate some of the change.

When assessing all the information in regard to its siting next to existing built form, height, materials and potential to provide additional landscaping, together with the material weighting that can be attributed to the cultural, social and economic benefits of the Carnival Park, as assessed earlier within this report, it is considered that the harm is not significant enough to warrant a refusal.

Notwithstanding comments received it is considered that by reason of use, siting, scale, design and materials there will be no significant adverse harm to visual amenity or the landscape character in accordance with policy EQ2 of the south Somerset Local Plan and the NPPF.

Residential Amenity

Environmental Protection have no comments to make.

The application indicates there will be no storage of waste, and that waste will be stored in the buildings and taken away for recycling by club members. A condition will be added to any approval to ensure there is no waste stored outside of the buildings or burning of materials on the site.

There are no immediate residential properties close by however it is considered reasonable to condition that there is no amplified music etc. or external lighting unless details are agreed to minimise any adverse impact and as such, notwithstanding comments received, it is considered that the proposed building will have no adverse impact on the rural amenity by reason of pollution in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan and the

NPPF.

Ecology

SCC Ecology (Somerset Ecology Services) have been consulted, as the statutory consultee, and have raised no objection on ecological grounds (based on the November 2021 Ecological Report Addendum), subject to the inclusion of planning conditions. Somerset Wildlife Trust have objected to the location but on sustainability rather than ecology grounds. In addition Natural England raised no objection.

Notwithstanding comments received, given the most recent review of the applicant's ecology update, it is considered that the development can be carried out, subject to conditions, without any adverse impact on protected species, ecology and can provide a net gain in biodiversity in accordance with policy EQ4 of the South Somerset Local Plan 2006-2028.

Highway Safety

The Highway Authority (SCC Highways) have referred to standing advice and as such the SSDC Highway Consultant provided comments. There is a considerable volume of highway information on the electronic file to address concerns raised by the SSDC Highway Consultant. This report is based on the submitted plans, and these have been considered by both SCC Highways and SSDC Highway Consultant.

Supporting information submitted with the withdrawn application, and applicable in this instance, seeks to set out the traffic implications. In summary these are;

- Most clubs currently have an informal car share scheme within their own membership base but given the dispersed location of each build site, inter-club sharing is currently not possible. By clustering the clubs in one location offers inter-club car sharing opportunities which currently do not exist.
- the number of carnival float movements in any given season, based upon the current carnival dates, means the carnival floats will depart the proposed build site only 5 times per year and all of these movements will be in off peak periods.
- The larger carnival floats (4no. including the club already building in this location) will not have to travel along Longford Lane as is the current arrangement but will access/egress the site in a forward gear and travel via Park Lane to Boxstone Cross before joining the B3168. It will not be possible for the larger carnival floats to turn left or right out of the proposed build site.
- Park Lane and the junction with the B3168 is already used by a carnival club and thus is established as a suitable route for the proposed use. Given the maximum width carnival float already uses this route we do not propose to undertake any further work assessing this lane or junction.
- We have made a parking assessment based upon the worst case number of cars using the development but this level of cars is only likely to be experienced close to and over the carnival season. The proposed site layout has been arranged to ensure the carnival entries can easily manoeuvre on site and access each premise. As a result the site is able to accommodate more parked cars should the need arise thus providing a contingency to

ensure cars are never parked along verges of the surrounding highways network.

- For more than 150 days of the year no additional cars are predicted to access the carnival park. During peak building periods 30 or more additional cars access the site which is predicted to occur on 41 days a year. The build sessions are run as drop-ins and trips are therefore spread across a number of hours. These sessions occur in the evenings or at weekends and therefore most of the trips are off peak.

The proposed development will use the existing access into the site, though improvements will be required. Parking and turning is to be located to the north of the proposed building and the area will be finished with hardcore. The plans indicate that the parking area will not be formally laid out, however it is clear from the plans that there is plenty of space for vehicles to park and turn easily and County Highways have suggested a condition to ensure this area is kept clear of obstruction. Furthermore, and to assist in sustainability objectives, it is recommended that provision be made for electric vehicle charging on site, and for this to be achieved an appropriate planning condition is to be attached that will require the submission of details identifying the number of vehicle parking spaces to be provided on site, as well as the number of electric vehicle charging points (to be 50% of all parking spaces).

There are numerous objections in regard to highway safety issues, which can be seen in full on the electron file. The SSDC Highway Consultant and County Highways have been made aware of the comments received.

The SSDC Highway Consultant acknowledges that the Park Lane/B3168 junction (north junction) is deficient in terms of visibility but considers that most club volunteer traffic would use the Kingstone/Longforward Lane junction (south junction) and as such should be improved. It is considered that the works proposed to the junction of Longforward Lane and Kingstone Main/The Butts will mitigate the movement of traffic generated by the volunteers, as these are likely to be mainly via car and evenings and weekends and the SSDC Highway Consultant and County Highways have raised no objection to the updated scheme. However the SSDC Highways Consultant considers it a matter for County Highways to comment on the traffic movements of the carnival floats on the local road network.

In relation to the above, clarification on the comments and reasoning for the two conclusions has been sought, and received from both SCC Highways and SSDC Highways. The clarification comments have been included in this recommendation, and both parties, in relation to their specific areas of remit have justified their positions, with both having no objection subject to planning conditions.

The works proposed at the southern junction have been confirmed as being acceptable by County Highways. County Highways raise no objection to the proposed development, both in relation to the carnival floats and club member traffic to and from the site, subject to conditions in relation to a traffic management plan, construction environmental management plans, access, and works to the south junction.

There is concern that the development may not come forward due to cost or that if built and fails then the site will become an industrial site. Any approval would need to be conditioned for the use that is proposed. If approved and costs are too high then it will not be built, if the club fails then any new use will require planning permission so that the implications on highway safety can be fully assessed for that new use.

Policy TA1 requires that all new residential development 'should' provide certain elements to ensure low carbon travel. Although this proposal is clearly not for residential use, the principle is considered appropriate and in the interests of delivering on Policy EQ1, it is considered acceptable to condition that an electric vehicle charge point is attached.

Notwithstanding comments received it is considered that the proposed parking, turning and access for the development are acceptable and, subject to conditions, is in accordance with policies TA1, TA5 and TA6 of the South Somerset Local Plan.

Drainage

The site is identified as being in Flood Zone 1. In this instance drainage from the proposal has been considered by the Lead Local Flood Authority (the statutory consultee on such matters) who have determined the proposal is acceptable, subject to the inclusion of planning conditions.

Knowing this, subject to the recommended planning conditions, it is considered the proposal is acceptable from a surface water management / drainage perspective and would accord with Policy EQ1 of the South Somerset Local Plan 2006-2028.

Heritage Assets

The site is 1.27km north east of the nearest boundary of a Conservation Area (being Dowlish Wake CA). The nearest Listed Building (Manor Cottage - Grade II LB) is circa 0.66km south east of the site.

With known distances of separation between the site and identified heritage assets, the degree of indivisibility of the site and those assets is considered minimal.

Knowing this, it is considered that at worst the development would result in 'less than substantial harm', if any harm at all.

Were the scheme to qualify as resulting in 'less than substantial harm', the guidance contained in paragraph 202 of the NPPF is relevant. It reads:

"202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

In this instance, with the proposed design of the development seeking to reflect that of neighbouring agricultural vernacular, and that the distance between the site and heritage assets is considerable, then these elements, coupled with the social and economic benefits (public benefits) are considered sufficient to outweigh any element of 'less than substantial harm', and the scheme is considered to accord with the guidance of the NPPF, as well as Policy EQ3 of the South Somerset Local Plan 2006-2028.

Phosphates

The site as identified falls within the Somerset Levels and Moors Ramsar Site catchment area.

The site is for the construction of a building with no habitable space, and is one that would provide portable WC facilities, with foul water to be discharged offsite (no foul water drainage onsite). Furthermore, with no overnight accommodation onsite and understanding that by the nature of the use the majority of volunteers / members of the associated clubs will be predominantly resident within the Phosphate Catchment area, and that the Development falls outside of the specified development types that would necessitate phosphate mitigation for the Somerset Levels and Moors RAMSAR Site, the development would be considered phosphate neutral and as such accord with the requirements of Policies EQ4 and EQ7 of the South Somerset Local Plan 2006-2028.

Other Matters

It has been raised that the proposal is not in accordance with the District Council emergency Climate change policy (Environment Strategy) and local plan.

The adopted Local Plan policies form part of the Development Plan for South Somerset and as such are the starting point for the determination of planning applications. The Environment Strategy is not a formal Development Plan Document (as set out by legislation) and given that there is still more evidence needed to underpin its aims, nor is it a material consideration in the determination of planning applications. The role of the Environment Strategy is to set the Council's direction and aspirations towards addressing the impacts of climate change, including how the emerging Local Plan Review Policies will be framed. It is only once the Local Plan Review gains weight (as it progresses through further stages in its preparation where no significant objections have been received) that the relevant policies will have an impact on the determination of planning applications.

With regards to objections in relation to the effect of the scheme on dark skies, it is noted that the scheme does propose external lighting and roof lights to the building. To mitigate effects from lighting (external and internal) it is considered appropriate to limit use of the building for the purposes detailed to end at 23.00 hours on any given day, except on the day, and subsequent day of any scheduled Carnival Parade that the onsite clubs are partaking in.

The application is a major development however the Council's validation checklist does allow applicant's to explain why supporting reports may or may not be required and allow officers to arrive at a case by case judgement. In this case officers consider there is sufficient information accompanying the application to allow a full appraisal to be made.

Comments have been issued regarding the use of chemicals and contamination as well a drainage. These are capable of being dealt with by way of planning conditions.

The Public Sector Equalities Duty requires authorities to consider the impacts of development proposals upon particular protected groups. Nothing in the responses to this application indicates that particular protected groups will be adversely impacted by this proposal. The issue here is the impact upon a particular geographic rather than protected group.

Planning Balance

It is evident that there is a considerable numbers of members of the public who both support, and are opposed to this proposals for the reasons set out above.

The technical elements of the proposal have been considered and these (drainage; highways; landscape; ecology etc.) have been deemed acceptable, subject to planning conditions and informatives being attached to any planning decision.

The main crux of consideration is whether the development proposed delivers on the three strands of sustainability detailed in paragraph 8 of the NPPF, and if not, what levels of weight should be apportioned to each element and does one side outweigh another, sufficient to support or refuse the proposal on material planning grounds.

In terms of the economic objective, it is not considered appropriate to view the development in pure isolation as it is evident the scheme would not in itself result in economic benefit (it seeks permission for a Sui Generis use, and not an industrial / commercial use). The sites proposed use, for Carnival Clubs to assemble Carnival Floats, would lead to the facilitation of an activity that contributes to the wider economy of Somerset. The development seeks to ensure those Carnival Clubs have long term assembly capacity, so ensuring they remain operational, and continue to help contribute to the wider economy.

However, the delivery of site a development would allow for the fabrication of the carnival floats that in themselves provide the draw for the public to the towns where each carnival appears, which in return results in the addition revenue to all the associated businesses in those towns.

Carnivals in South Somerset (and other parts of Somerset) are culturally unique and act as a draw to visitors and residents alike, with the resultant spend in and with local businesses. For the reason identified in the Feasibility Note, it is logical that without such a purpose built facility of some sort, carnival in its current form may cease to function, with the subsequent loss of revenue to the wider economy of the District and its' associated businesses.

Such a contribution of this development, to the wider macro-economic area of the District is considered to carry some material weight in deliberations.

It is also acknowledged that, by reason of the value afforded to existing rural buildings and land allocated for commercial development it is recognised that a 'not-for-profit' use, such as Carnival Clubs, will be directed towards a site without the associated 'hope value' or 'residential re-use value' that has arisen as a result of the changes to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as evidenced in Part 3, Schedule 2 of the GPDO (permitted development and change of use).

With regards the social objective, the NPPF states that 'achieving sustainable development' means that the planning system has to support strong, vibrant and healthy communities, as well as reflect current and future needs and support communities' health, social and cultural well-being.

It is accepted that quantifying 'well-being' is an inexact science. In this case, what is evident is that the opportunity for the fabrication of such floats that are core to the cultural identity of the Carnival in South Somerset are diminishing due to the effects of Government and County-level changes in planning and estate management. These, coupled with the demands of business in relation to securing sites implies a lack of genuinely deliverable options, without which the fate

of carnival will be determined.

What is also clear is that Carnival in South Somerset provides a social opportunity for many people who would otherwise be physically and emotionally isolated, to convene and engage in an activity for the wider good of the community (in that contributing to Carnival through float production and display benefits the volunteers, as well as the spectacle they contribute to that is the annual carnival parade in the local towns and large villages in South Somerset).

Such benefits, although not strictly quantifiable in tangible returns, are still evident and important for consideration in deliberations. In this case, the social (and cultural) benefits of the proposal are considered to carry a quantum of material weight slightly less than substantial.

In relation to the environmental objective, the NPPF seeks to ensure development protects and enhances the natural, built and historic environment as well as making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

As considered in the body of the report, it is considered that, in this instance, the scheme would have a benign effect on the built or historic environment.

With regards the natural environment, it is accepted an area of agricultural land would be lost to this development, and that is a material consideration that needs to be considered in balance with the benefits of the proposal. It is accepted that the development could result in a limited degree of landscape harm, but it is considered that with the known site search constraints (as detailed in this report regarding the availability of such space for not-for-profit Carnival Clubs, and the constraints imposed on buildings / land by Hope Values or those values that could be realised through changes introduced in the GPDO), such harm would probably result in a degree of visual harm wherever the building were to be sited. It is accepted the proposal qualifies as a departure from the Local Plan, and the benefits of the development fall to planning balance.

Furthermore, it needs to be understood that, with reference in adopted Policy of the Local Plan, the Local Plan was drafted before the re-use of redundant buildings became a largely GPDO matter. As a result, the Permitted Development Rights for agricultural buildings, as prescribed in the GPDO, have removed significant numbers of structurally sound buildings from the area of search.

On the point of biodiversity, and minimising waste and pollution, such aspects can be mitigated on site through the attachment of planning conditions.

It is noted that the site is geographically isolated from centres of population, which although beneficial for general residential amenity (of those occupants in those residences), increased activity of vehicles on the highway network could be deemed an irritant to people's enjoyment. However, the highway is to serve all users, and in this instance, subject to planning conditions to help off-set carbon impacts, a planning condition is proposed that would ensure 50% of vehicle parking spaces be provided with electrical charging points.

Furthermore, the fabrication of carnival floats has been undertaken in existing rural locations on farms, and the provision of a central facility, in a rural location would not in theory, be

considerably different in that it would still be a predominantly rural activity in a rural location.

In this case, although the building is large, it would be seen in the context of existing large agricultural buildings, and would through planning conditions deliver onsite mitigation to possible carbon emitting uses (vehicles) as well as provide opportunities for biodiversity enhancement.

On considering the aforementioned reasoning it is deemed that, on balance, the material economic and social benefits are sufficient to outweigh the possible environmental effects of the scheme, in part due to the fact that environmental impacts can, to a degree, be off-set with mitigation secured by way of planning condition.

As a result, and on balance, the principle of this location is deemed acceptable, subject to planning conditions.

RECOMMENDATION

Approve with conditions

01. The proposal by reason of use, location, scale, design and materials provides a Carnival Park that will bring social and economic benefits to the community along with retaining cultural benefits, thus achieving sustainable development and does not adversely affect visual amenity, landscape character, residential amenity, ecology or highway safety in accordance with the aims and objectives of Policies SS1 SD1, EQ2, EQ3, EQ4, EQ7, EP4, TA1, TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the guidance contained within the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans (except where directed otherwise by the conditions below)

Site Location Plan (dated September 2021); Red Site Plan Rev. D (dated September 2021);

Drawing no. 41898/5501/SK01 Rev. B (Stantec - dated 22.07.19); Infiltration Concept Drainage Strategy - Figure 2 (Stantec - dated 04.05.21);

Discharge to Watercourse Concept Drainage Strategy - Figure 3 (Stantec - dated 04.05.21); Proposed Site Plan Rev. F (dated April 2021);

Proposed Plan Rev. C (dated April 2020); Proposed Floor Plan Rev. C (dated April 2020);

Proposed Elevations Rev. C (dated April 2020); Swept Path Analysis Rev. C (dated April 2021)

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

03. The development hereby approved shall only be used for the construction and storage of carnival floats (Suigeneris) and associated training and/or meetings in connection with the carnival clubs, and at any one time shall only be occupied by up to a maximum of five separate carnival clubs.

Reason: The application has been assessed on this basis only in regard to sustainability and highway safety and in accordance with policies SD1 and TA5 of the South Somerset Local Plan (2006-2028) and the NPPF.

04. The hereby approved use of profile metal sheeting, as the external material, shall not be installed until the colour finish for the walls and roofs have been submitted to, and approved in writing by, the Local Planning Authority. Once approved such details shall be fully implemented and shall thereafter not be altered unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

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

Reason: in the interest of residential amenity and pollution control and in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan (2006-2028)

06. No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the building(s) or within the storage area(s) as may at any time be approved in writing by the Local Planning Authority.

Reason: in the interest of residential amenity and pollution control and in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan (2006-2028)

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

Reason: in the interest of residential amenity and pollution control and in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan (2006-2028)

08. All 'on-site portable lavatories' shall be located either inside of the building hereby approved building or to the rear (south elevation), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

09. A vehicle parking plan is to be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development. Prior to first occupation of the building hereby permitted, 16amp electric charging points (ECP) for electric vehicles shall be provided within the parking area hereby approved. Provision of such ECP's shall be made for a minimum of 50% of parking spaces.

Once installed such ECP's shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

10. No works shall be undertaken above foundation level until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of landscaping. The submitted scheme shall clearly confirm the details and dimensions of any intended tree or shrub planting, earth-moulding, seeding, turfing and surfacing. All planting stock shall be confirmed as UK-grown, and details shall be provided in regards to the planting locations, numbers of individual species, sizes, forms, root-types/root volumes and the intended timing of planting. The installation details regarding ground-preparation, weed-suppression, staking/supporting, tying, guarding, strimmer-guarding and mulching shall also be included within the submitted scheme. All planting comprised in the approved scheme shall be carried out within the dormant planting season (November to February inclusively) following the commencement of any aspect of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

11. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements
- Construction operation hours
- Construction vehicular routes to and from site including a map showing the route
- Construction delivery hours
- All construction deliveries being made off highway
- On-site turning facility for delivery vehicles and egress onto highway only with guidance of a trained banksman
- Expected number of construction vehicles per day
- All contractor vehicle parking being accommodated off highway including a plan showing the on-site parking arrangements
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice
- A scheme to encourage the use of Public Transport amongst contractors
- The regular use of a road sweeper for local highways

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework. This is a pre-commencement condition due to the need to secure a suitable CEMP prior to any development works, including clearance taking place.

12. The proposed access shall have a minimum width of 6 metres and incorporate radii not less than 6 metres.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

13. Prior to occupation of the development hereby permitted the proposed access over at least the first 10 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

14. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 10 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

15. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before occupation and thereafter maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

16. The Development hereby permitted shall not be occupied until the parking spaces and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with the submitted information. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

17. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 to the south western side of the access and 50 metres to the north eastern side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

18. No carnival floats / carts shall be brought to site unless a Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the routing of all carnival floats / carts to and from the site and the measures to be put in place to avoid conflict with other road users. All movements of carnival floats / carts to and from the site shall thereafter be carried out in accordance with the agreed Plan. An up-to-date register shall be kept logging all movements of floats / carts to and from the site, the time and date of said movements and the name of the Carnival Club that it relates to, this information shall be made available at all reasonable times to the Local Planning Authority upon request.

Reason: In the interests of highway safety and the rural amenities of the area to accord with Policies TA5 and EQ2 of the South Somerset Local Plan 2006-2028.

19. Prior to the first occupation of the building hereby approved the following shall be fully installed/implemented at the junction of Longforward Lane and Kinstone Main/The Butts, and as shown on approved drawing no. 41898/5501/SK01 Rev. B, to the standards agreed by Somerset County Council.

- the Slow marking to be refreshed and yellow bar markings added,
- the warning sign to be replaced,
- the provision of only one white junction marker bollard on either side of the junction
- the centre lines on Kingstone Main to be refreshed
- the existing give way markings on Longforward lane to be refreshed
- adjacent verges to be regraded and vegetation trimmed

Reason: In the interests of highway safety and the rural amenities of the area to accord with Policies TA5 and EQ2 of the South Somerset Local Plan 2006-2028.

20. Retained hedgerows and trees shall be protected from mechanical damage, pollution incidents and compaction of roots in accordance with BS5837:2012 during site clearance works and construction and to ensure materials are not stored at the base of trees, hedgerows and other sensitive habitats.

Reason: In accordance with BS 5837:2012, NPPF 2021 and UK Government guidance on Ancient woodland, ancient trees and veteran trees: protecting them from development 2018

21. No vegetation removal works around the site shall take place between 1st March and 31st

August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the hedgerow and any areas of tall ruderal vegetation to be cleared for active birds nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). Although this is a legal obligation the law does not specify a time period, some species can breed outside the time frame given.

22. No artificial lighting associated with the development, including security lighting and internal lighting seepage, will illuminate the boundary hedgerow and trees, or any proposed bat boxes. A lighting scheme showing how this would be achieved will be submitted for approval by South Somerset District Council for approval before work on site commences.

Reason: All bats are afforded protection under the Habitats Regulations 2017 by which populations are to be maintained at Favourable Conservation Status as defined under Article 1 of the Habitats Directive 1992 and to contribute towards conserving biodiversity and the rural character of the area in accordance with policies EQ2 and EQ4 of the South Somerset Local Plan (2006-2028)

23. All contractors on site must be appropriately briefed by the Site manager, indicating that badgers are legally protected and must not be disturbed.

Any construction excavations over 1 metre deep and left open overnight must be either cover plated or have a means of escape should a badger fall in. A suitable means of escape is a rough wood plank slowly inclined from the base of the excavation to the surrounding ground level.

Any construction opening larger than 125mm diameter or equivalent, must not be left open overnight.

New occupiers must be advised by the Developer that badgers are active in the vicinity and that badgers and badger setts are legally protected.

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006. To ensure compliance with the Protection of Badgers Act 1992, which affords badger setts protection from intentional or reckless interference.

24. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a. Risk assessment of potentially damaging construction activities.
- b. Identification of "biodiversity protection zones".
- c. Practical measures (both physical measures and sensitive working practices) to

avoid or reduce impacts during construction (may be provided as a set of method statements); including nesting birds habitat clearance measures; badgers buffer zones and precautionary measures including a pre-commencement survey within six weeks of vegetative clearance or groundworks commencing; measures to protect hedgerows and tree's; it has been confirmed that tree's will not be removed but if this changes precautionary measures for low potential tree's for roosting bats should be outlined as well as other safeguarding measures for bats; A Risk Avoidance Measures Method Statement (RAMMS) detailing a strategy to prevent adverse dust levels, run off from chemical liquids etc;

d. The location and timing of sensitive works to avoid harm to biodiversity features.

e. The times during construction when specialist ecologists need to be present on site to oversee works.

f. Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority

g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person

h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with policy South Somerset District Council Local Plan - Policy EQ4 Biodiversity. This is a pre-commencement condition due to the need to establish an acceptable solution before any potential loss of biodiversity as part of site clearance.

25. Prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating Lux levels. Lux levels should be below 0.5 Lux on the identified horseshoe bat commuting routes. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with policy South Somerset District Council Local Plan - Policy EQ4 Biodiversity

26. All habitat features to be lost (including hedgerows and potentially tree's) will need to be proportionately replaced in relation to what will be lost as a result of this development, at a minimum ratio of 2:1. All new trees planted on site should ideally be from local native stock, such as field maple, ash, hornbeam, dogwood, spindle and beech. The new hedgerow/s to

be planted up with native species comprised of a minimum of 5 of the following species: hazel, blackthorn, hawthorn, field maple, elder, elm, dog rose, bird cherry and spindle. A landscape and planting schedule plan will be submitted to and approved in writing by the Local Planning Authority prior to occupation of the extension

Reason: In the interest of no net biodiversity loss as per the National Planning Policy South Somerset District Council Local Plan - Policy EQ4 Biodiversity

27. A Biodiversity Enhancement Plan (BEP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation (or specified phase of development). Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation. The content of the BEP shall include the following:
- The new hedgerow (s) to be planted up with native species comprised of a minimum of 5 of the following species: hazel, blackthorn, field maple, elder, elm, dog rose, bird cherry and spindle
 - Native wildflower rich grassland creation suitable for the site around the north east of the development
 - All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night flying moths which are a key foodsource for bats. The Royal Horticultural Society guide 'RHS Perfect for Pollinators' provides a list of suitable plants both native and non-native
 - Installation of three insect hotels (NT Apex Insect House or similar) to be installed on the southern boundary of the site
 - Three log piles a resting places for reptiles or amphibians are to be constructed on the southern boundary of the site

Reason: In accordance with Government policy for the enhancement of biodiversity within the development as set out in paragraph 174(d) of the NPPF and the draft Environmental (Principles of Governance) Bill 2018.

28. A compost box or compost pile will be established to store arisings from any landscape maintenance activities, as removal of arisings will aid in reducing nutrification of habitats (which will lead to dominance of coarse grasses a reduction of biodiversity) and will create additional habitat opportunities for invertebrates and other small animals. Log piles would be similarly beneficial, should suitable arisings be available from hedge removal works during construction and hedge/tree maintenance in the long-term.

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; South Somerset District Council Local Plan - Policy EQ4 Biodiversity; and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

29. Installation of 1 X Kent bat box, purchased or built, on to a mature tree on site, facing south or west, at a height above 3m. Installation of 1 X standard bird nest box, purchased or built, on to a mature tree on site, facing north or east, at a height above 3m.

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; South Somerset District Council Local Plan - Policy EQ4 Biodiversity; and the council's obligations for

biodiversity under the Natural Environment and Rural Communities Act 2006.

30. Once operational, all external and internal lighting shall be manually turned off, on or before 23.00 hours, Mondays to Sundays, except on the days of scheduled Carnival Parades, and the subsequent morning hours after the date of such scheduled Carnival Parades.

Reason: In the interests of minimising light spill and maintaining dark skies, and to accord with the wider character of the area in accordance with Policies EQ2 and EQ4 of the South Somerset Local Plan 2006-2028.

31. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior commencement of the development. The content of the LEMP shall include the following:

- a. Description and evaluation of features to be managed.
- b. Ecological trends and constraints on site that might influence management.
- c. Aims and objectives of management.
- d. Appropriate management options for achieving aims and objectives.
- e. Prescriptions for management actions.
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g. Details of the body or organization responsible for implementation of the plan.
- h. On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with policy South Somerset District Council Local Plan - Policy EQ4 Biodiversity

Informatives:

01. Please note a section 171 licence will be required for any proposed works within or adjacent to the highway, the application form for which is available from the Traffic and Transport Development Group, Somerset County Council: Tel - 01823 356011.

The applicant may be required to enter into a suitable legal agreement to secure the construction of any highway works necessary as part of this development. The developer should contact the Highway Authority to progress this agreement.

02. Landscaping Scheme - during the life of this application there is an expectation for the

landscaping to include mature tree specimens and to be located to the northeast and east of the building hereby approved.

03. Means of Escape

Means of escape in case of fire should comply with the Building Regulations 2000 and as such should satisfy the provisions contained in either Approved Document B (ADB) or some other suitable and accepted standard.

Detailed recommendations pertaining to these matters will be made later at Building Regulations consultation stage.

04. Access and Facilities for the Fire & Rescue Service

Access and facilities, which should include where necessary the provision of private fire hydrants for Fire & Rescue Service appliances, should comply with provisions contained within ADB, Part B5 of the Building Regulations 2010.

05. There are a number of proposed roller shutter doors shown on the building plans providing vehicle/floor access. It is recommended that they meet the following certification:

STS 202 Burglary Resistance 2 or LPS 1175 issue 8 B3 or Sold Secure Gold

Pedestrian Access Doors/Emergency Doors - There are pedestrian access doors shown in the elevations. It is recommended that these meet the following certification:

PAS 24:2016; LPS 1175: Issue 8, B3; STS 201 or STS 202: Issue 3, BR2

PIR Security Lighting - it is noted on the DAS that this is intended to be mounted on the building. This should be positioned to provide coverage of all building entry/exit points and the building frontage/parking areas. An alternative would be to have low energy dusk to dawn LED lighting around the building perimeter.

Site Entrance Gate - The boundary to the site appears to be existing hedging and there is no mention of upgrading this. It is noted that there will be a main site entrance gate installed to control access to the grounds. This gate should be fitted with the top hinges inverted or anti lift devices fitted to prevent the gate being lifted off its hinges. I suspect that the gate will be locked by means of a padlock or chain and padlock. I recommend that these items are certified to Sold Secure Gold Standard.

Tools - Any tools left inside of the units can be stored in additional locked cabinets. The use of ground anchor points for larger equipment is also recommended. The above websites can provide suitable products. All equipment and tools should be marked to ease identification. Each club using the units may wish to compile an asset list for items of value to aid in their recovery and identification if anything is taken.

This list should include, makes, models, serial numbers and photographs of the items.