



Informal Discussion by Members of Area East Committee

Wednesday 13th July 2022

9.00 am

**A virtual consultative meeting via
Zoom meeting software**

The following members are requested to attend this virtual consultation meeting:

Robin Bastable
Hayward Burt
Tony Capozzoli
Nick Colbert
Sarah Dyke

Henry Hobhouse
Charlie Hull
Mike Lewis
Kevin Messenger
Paul Rowsell

Lucy Trimnell
William Wallace
Colin Winder

There are no planning applications to consider this month.

Any members of the public wishing to address the virtual consultative meeting during either Public Question Time or regarding a Planning Application, need to email democracy@southsomerset.gov.uk by 9.00am on Tuesday 12th July 2022.

The meeting will be viewable online at:

https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

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

This Agenda was issued on Tuesday 5th July 2022.

Jane Portman, *Chief Executive Officer*

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

Information for the Public

In light of the coronavirus pandemic (COVID-19), Area East Committee will meet virtually via video-conferencing to consider reports. As of 7 May 2021 some interim arrangements are in place for committee meetings.

At the meeting of Full Council on 15 April 2021 it was agreed to make the following changes to the Council's Constitution:

- a) To continue to enable members to hold remote, virtual meetings using available technology;
- b) To amend Part 3 (Responsibility for Functions) of the Council's Constitution to allow those remote meetings to function as consultative bodies and delegate decisions, including Executive and Quasi-Judicial decisions, that would have been taken by those meetings if the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 had continued in force to the Chief Executive (or the relevant Director in the Chief Executive's absence) in consultation with those meetings and those members to whom the decision would otherwise have been delegated under Part 3 of the Constitution;
- c) The delegated authority given under (b) will expire on 31 July 2021 unless continued by a future decision of this Council;

For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=2981&Ver=4>

Further to the above, at the meeting of Full Council on 8 July 2021, it was agreed to extend the arrangements for a further 6 months to 8 January 2022. For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=3033&Ver=4>

Further to the above, at the meeting of Full Council on 16 December 2021, it was agreed to extend the arrangements for a further 6 months to 8 July 2022 for all meetings apart from Full Council - Full Council will be in person. For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=2991&Ver=4>

Area East Committee

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

Agendas and minutes of meetings are published on the council's website

www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

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

Public participation at meetings (held via Zoom)

Public question time

We recognise that these are challenging times but we still value the public's contribution to our virtual consultative meetings. If you would like to participate and contribute in the meeting, please join on-line through Zoom at: <https://zoom.us/join> You will need an internet connection to do this.

Please email democracy@southsomerset.gov.uk for the details to join the meeting.

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

If you would like to address the virtual consultative meeting during either Public Question Time or regarding a Planning Application, please email democracy@southsomerset.gov.uk by 9.00am on Tuesday 12th July 2022. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

Virtual meeting etiquette:

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

If a member of the public wishes to speak at the virtual meeting they must email democracy@southsomerset.gov.uk by 9.00am on Tuesday 12th July 2022

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

Recording and photography at council meetings

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

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

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

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

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Informal Discussion by Members of Area East Committee

Wednesday 13 July 2022

Agenda

Preliminary Items

1. Minutes of Previous Meeting

To approve as a correct record the minutes of Area East Informal meetings held on 9th March, 13th April and 18th May 2022.

2. Apologies for Absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

Planning Applications Referred to the Regulation Committee

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

Councillors Tony Capozzoli, Sarah Dyke, Paul Rowsell and William Wallace.

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

4. Date of next Meeting

Members are asked to note that the next scheduled meeting of the committee will be held on Wednesday 10th August 2022.

5. Public Question Time

6. Chairman's Announcements

7. Reports from Members

Items for Discussion

- 8. Community Grant - Yarlington Club and Reading Room Group - Village Hall Kitchen Shelter and Patio Shelter (Executive Decision) (Pages 6 - 12)**
- 9. South Somerset Community Accessible Transport Bus - Allocation of Revenue Grant Funding for 2022/23 (Executive Decision) (Pages 13 - 15)**
- 10. Area East Committee Outside Organisations - Appointment of Members 2022/23 (Executive Decision) (Pages 16 - 18)**
- 11. Development control Scheme of Delegation - Nomination of Substitutes for Area East Chairman and Vice Chairman 2022/23 (Executive Decision) (Pages 19 - 20)**
- 12. Area East Forward Plan (Pages 21 - 22)**
- 13. Planning Appeals (for Information) (Pages 23 - 38)**

Please note that members of the Area Committee will make a recommendation on the above reports. The decision will be taken by the Chief Executive.



Community Grant to Yarlington Club and Reading Room Group – Village Hall Kitchen Shelter and Patio Shelter (Executive Decision)

Strategic Director: Kirsty Larkins, Director of Service Deliver
Service Manager: Tim Cook, Locality Manager
Lead Officer: Terena Isaacs, Locality Officer
Contact Details: Terena.isaacs@southsomerset.gov.uk or 01935 462268

Purpose of the Report

Councillors are asked to consider the awarding of a grant of £12,500 towards the village hall kitchen extension and patio shelter.

Public Interest

Awarding grants is a key way that SSDC supports and helps to deliver community projects sponsored by Parishes and voluntary community organisations in the towns and villages across the district.

The Yarlington Club and Reading Room Group has applied to the Area East community grants programme for financial assistance with the costs towards the village hall kitchen extension and patio shelter. The Locality Officer is submitting this report to enable the Area East Committee to make an informed decision about the application and has assessed the application.

Recommendations

It is recommended that Councillors award a grant of £12,500 towards the kitchen extension and patio shelter, the grant to be allocated from the Area East capital programme and subject to SSDC standard conditions for community grants (appendix A)

Application Details

Name of applicant:	Yarlington Club and Reading Room Group
Project:	Kitchen extension and patio shelter
Total project cost:	£82,906
Amount requested from SSDC:	£12,500
% amount requested	15%
Application assessed by:	Terena Isaacs

Community Grants Assessment Score

The table below shows the grant scoring for this application. Applications must meet the minimum score of 22 to be considered for SSDC funding under Community Grants policies.

Category	Max Score available	Officer assessment score
A Supports Council Plan/Area Chapter	1	1
B Supports Equalities & Diversity	1	2
C Supports Environment Strategy	3	1
D Need for Project	10	7
E Capacity of Organisation	15	12
F Financial need	7	7
Total	37	30

Background

The Village hall was renovated to a high standard 9 years ago; at this time it was felt the current kitchen and toilet area would need to be renovated to the same standard at some point in the future. It was minimally renovated twelve years ago by dry lining, but was always viewed as a temporary measure and the group would have to build an adequate structure in the future.

Parish information

Parish*	Yarlington (part of North Cadbury Parish)
Parish Population	950
No. of dwellings	446

*Taken from the 2011 census profile

The project

The Project is to bring the kitchen and outside area up to the same standard as the main hall.

For the new extension, it is simpler to demolish the old kitchen and toilet and start again. Creating a larger more usable kitchen to improve and increase the usage of the hall.

The toilet area is a single brick skin, lean to with a temporary roof (ply and onduline sheet) which has limited lifespan and inadequate insulation. The present toilet dimensions are less than are recommended for a disabled facility and the new structure would meet current recommended standards.



South Somerset District Council

The patio area would be ideal if covered with a timber frame and polycarbonate roof with marquee sides. This would offer users of the hall a more versatile and adaptable space.

Local support / evidence of need

The need has been established at Village Hall meetings, a presentation of proposals at the hall and a survey of local residents. The kitchen was felt to have health and safety concerns if more than one person is using it. Local residents and a chef have wanted to start a supper club for villagers but because of the limitations of the current kitchen have not been able to do so.

The inhabitants of Yarlington and the wider area will benefit. The hall will provide a venue for social, cultural, educational and leisure activities. It will address the problems of an ageing population and living with Covid19 into the future. The redeveloped kitchen will encourage people to get together for social meals, breakfasts etc. and so will address isolation in a rural location. The extra space created by the patio cover will enable better social distancing and thus encourage greater use of the hall by the more vulnerable and elderly residents. It will also give children more space for a party.

Project costs

Project costs	Cost £
Patio cover, sunglaze roofing system, oak frame	11,745
Preferred builder's quote	52,000
Catering kitchen	8,260
Joinery	3,040
Electrician, plumber, tiles, professional services	7,861
Total	82,906

Funding plan

Funding source	Secured or pending	Amount £
Parish	Secured	6,000
Own funds	Secured	28,473
The Newt	Pending	15,000
Garfield Weston	Pending	5,000
Co op local community fund	Pending	5,000
Tesco community grant	Pending	933
Lottery grant	Secured	10,000
SSDC Community Grant	Pending	12,500
Total		82,906

Conclusion and Recommendation

It is recommended that a grant of £12,500 is awarded

Financial Implications

The balance in the Area East Capital programme is £41,804. If the recommended grant of £12,500 is awarded, £29,304 will remain.

Grants are awarded subject to all other funding being secured before the commencement of the project and are on a 15% basis of the full project costs. Payment of the grant cannot exceed the grant award and is proportionally reduced if full project costs are under budget.

Council Plan Implications

Council Plan themes and Areas of focus for 2020/24

Healthy, self-reliant Communities – Priority 2

- Collaborate with local partners to reduce the impact of social isolation and create a feeling of community
- Work with local partners to support people in improving their physical and mental health and wellbeing and reduce inequalities
- Enable quality and inclusive cultural, leisure and sport activities

Carbon Emissions and Climate Change Implications

The applicant recently attended the CCS webinar on Making Space for Wildlife, hosted by Pippa Rayner of the Somerset Wildlife Trust. The group will consider insect shelters in the eves as well as bat and bird boxes together with planting the margins.

Equality and Diversity Implications

<i>An Equality Impact Relevance Check Form has been completed in respect of the Proposal?</i>	Yes
<i>The Impact Relevance Check indicated that a full EIA was required?</i>	No
<i>If an EIA was not required please attach the Impact Relevance Check Form as an Appendix to this report and provide a brief summary of its findings in the comments box below.</i>	
<i>If an EIA was required please attach the completed EIA form as an Appendix to this report and provide a brief summary of the result of your Equality Impact Assessment in the comment box below.</i>	
Additional Comments	



South Somerset District Council

The project aims to improve the hall facilities for the local community.

Background Papers

None

Appendix A

Standard conditions applying to all SSDC Community Grants

The applicant agrees to: -

- Notify SSDC if there is a material change to the information provided in the application.
- Start the project within six months of the grant offer and notify SSDC of any changes to the project or start date as soon as possible.
- Confirm that all other funding sources have been secured before starting the project, if these were not already in place at the time of the application.
Acknowledge SSDC assistance towards the project in any relevant publicity about the project (e.g. leaflets, posters, websites, and promotional materials) and on any permanent acknowledgement (e.g. plaques, signs etc.).
- Work in conjunction with SSDC officers to monitor and share the success of the project and the benefits to the community resulting from SSDC's contribution to the project.
- Provide a project update and/or supply before and after photos if requested
- Supply receipted invoices or receipts which provide evidence of the **full** cost of the project so that the grant can be released.
- Complete an evaluation survey when requested after the completion of the project.
- Note that they cannot apply for another community grant for the same project within a 3 year period of this award.

Standard conditions applying to buildings, facilities and equipment

- Establish and maintain a “sinking fund” to support future replacement of the building / facility / equipment as grant funding is only awarded on a one-off basis.
- Use the SSDC Building Control Service when buildings regulations are required.
- Incorporate disabled access and provide an access statement where relevant.

03/02/2022

Equality Impact Relevance Check Form



The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required.

What is the proposal?	
Name of the proposal	Yarlington Village Hall Kitchen Extension
Type of proposal (new or changed Strategy, policy, project, service or budget):	Project
Brief description of the proposal:	Kitchen Extension and Patio Shelter
Name of lead officer:	Terena Isaacs

You should consider whether the proposal has the potential to negatively impact on citizens or staff in the following ways:

- Access to or participation in a service,
- Levels of representation in our workforce, or
- Reducing quality of life (i.e. health, education, standard of living)

A negative impact is any change that could be considered detrimental. If a negative impact is imposed on any citizens or staff with protected characteristics, the Council has a legal duty to undertake a full Equality Impact Assessment.

Could your proposal negatively impact citizens with protected characteristics? (This includes service users and the wider community)	NO
Could your proposal negatively impact staff with protected characteristics? (i.e. reduction in posts, changes to working hours or locations, changes in pay)	NO

Is a full Equality Impact Assessment required?	NO
If Yes, Please provide a brief description of where there may be negative impacts, and for whom. Then complete a full Equality Impact assessment Form	
If No, Please set out your justification for why not.	
The project has considered all age groups and abilities ensuring the hall facility will be inclusive for the whole community to use and appreciate. The new disabled toilet facility will meet the recommended standards for disabled toilets and the hall is fully accessible to wheelchair users.	
Service Director / Manager sign-off and date	Tim Cook - 14/06/22
Equalities Officer sign-off and date	Dave Crisfield 14 th June 2022



South Somerset Community Accessible Transport Bus – Allocation of Revenue Grant Funding for 2022/23 (Executive Decision)

Strategic Director: Kirsty Larkins, Service Delivery
Service Manager: Tim Cook, Locality Manager
Lead Officer: Terena Isaacs, Locality Officer
Contact Details: Terena.isaacs@southsomerset.gov.uk or 01935 462268

Purpose of the Report

To consider the allocation of funding to South Somerset Community Accessible Transport Bus (SSCAT bus)

Public Interest

Supporting the SSCAT bus to provide a contribution towards the social car service, providing transport to hospital/doctor appointments in the towns and villages across Area East.

Recommendations

It is recommended that members:

1. Award £10,000 to South Somerset Community Accessible Transport Bus for the delivery of the social car service from the Area East Discretionary/Project budget

Background

This community transport scheme was started in June 2002 with a 3-year grant from Rural Bus Challenge. It was initially under council control, and subsequently became an independent limited company registered as a charity in April 2004. There are four aspects to the scheme:-

- A demand-responsive Ring & Ride service throughout the area
- Group hire of minibuses with drivers
- Contract work with schools
- A Social Car scheme using volunteer drivers in their own cars to provide transport for members to hospital/doctor appointments

In February 2022, members received the annual progress report from the Operational Manager of the SSCAT bus. He gave members a full update, explaining that they were

starting to see an increase in the number of CAT bus users, although is encouraging the year would still be challenging financially.

It was proposed that Area East continue to fully support the CAT bus, provide financial and management advice where appropriate and that members would urge the new council to continue to support and fund the CAT bus.

Progress

In line with the discussion in February 2022, meetings have taken place with the Operational Manager to consider the way forward and how best to support the CAT bus.

SSCAT generates income through contracts, membership and fares and also has a good track record of fundraising through grant applications. However, despite the SSCAT best efforts they currently are only able to cover their day-to-day running costs. This has become increasing more difficult with the soaring fuel prices.

Supporting the social car service, which provides transport to hospital/doctor appointments in the towns and villages across area east would increase their financial sustainability. On average this scheme provides 174 journeys per month, it has 24 volunteer drivers and provides transport to the most vulnerable. Presently this service has no funding and uses considerable amount of office hours.

Financial Implications

There is currently £20,290 uncommitted Discretionary/Project budget in Area East Reserve.

If members choose to support the recommendations contained in this report. It will mean that there is £10,290 budget unallocated.

Council Plan Implications

Healthy, self-reliant Communities – Priority 2

To enable healthy communities which are cohesive, sustainable and enjoy a high quality of life

- Work with partners to keep our residents safe and feel safe in their homes and communities
- Collaborate with local partners to reduce the impact of social isolation and create a feeling of community
- Work with local partners to support people in improving their physical and mental health and wellbeing and reduce inequalities
- Enable quality and inclusive cultural, leisure and sport activities

- Proactively support residents facing hardship and tackle the causes of economic & social exclusion, poverty and low social mobility

Carbon Emissions and Climate Change Implications

Providing local access to a range of activities and services reducing the need to travel which therefore reduces carbon emissions.

Equality and Diversity Implications

<i>An Equality Impact Relevance Check Form has been completed in respect of the Proposal?</i>	Yes
<i>The Impact Relevance Check indicated that a full EIA was required?</i>	No
<i>If an EIA was not required please attach the Impact Relevance Check Form as an Appendix to this report and provide a brief summary of its findings in the comments box below.</i>	
<i>If an EIA was required please attach the completed EIA form as an Appendix to this report and provide a brief summary of the result of your Equality Impact Assessment in the comment box below.</i>	
Additional Comments	

Area East Committee Outside Organisations – Appointment of Members 2022/23 (Executive Decision)

Strategic Director: Nicola Hix, Strategy, Support & Environment Services
Specialist: Angela Cox, Specialist - Democratic Services
Lead Officer: Michelle Mainwaring, Case Officer
Contact Details: Michelle.mainwaring@southsomerset.gov.uk

Purpose of the Report

As the Council has entered a new municipal year, the Committee is asked to review its appointments to outside organisations within Area East, having regard to the policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies, which was adopted by District Executive on 1st May 2014.

Recommendations

The Committee is asked to:

1. Review and appoint members to the outside organisations as set out in the report.

Outside Organisations

The organisations which representatives have been appointed by this Committee are set out below. Members will be aware that they reviewed this list of organisations and made several recommendations towards the final policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies, which was adopted by District Executive on 1st May 2014

Members are asked to review and appoint members to the outside organisations for 2022/23, having regard to the adopted policy

Organisation	Representation 2021/22
Dimmer Liaison Group	Mike Lewis
Henstridge Airfield Consultative Committee	William Wallace Hayward Burt
Community Accessible Transport Committee	Colin Winder

Financial Implications

None for the Area East Committee as a direct result of this report.

Council Plan Implications

Council Plan 2020 – 2024 – Council Values:

Getting things done - Empowering dedicated and flexible employees and elected members focussed on delivery.

Working collaboratively - Working with partners to enhance outcomes for our communities.

Carbon Emissions and Climate Change Implications

None.

Equality and Diversity Implications

Full consideration to equalities was given in producing the Policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies.

Background Papers

Minute 16, Area East Committee, 12 June 2013

Minute 10, Area East Committee, June 2014

Minute 184, District Executive, 1 May 2014

SSDC Policy on Roles & Responsibilities of Councillors appointed to Outside Bodies.

Minute 15, Area East Committee, 14 June 2017

Minute 14, Area East Committee, 13 June 2018

Minute 10, Area East Committee, 12th June 2019

Minute 15, Area East (Informal) 9th June 2021

Minute 38, Area East Committee (Informal) 13th October 2021

Area East Outside Bodies Information

Name of Organisation	Number of Council Nominees	Period of Appointment	Aims & Objectives	Legal Status	Status of Councillor	Frequency of Meetings
Viridor Waste Somerset Ltd - Dimmer Liaison Group	1	1 Year	To discuss issues with local people and representatives of the local authorities		Member	Twice a year but more frequently if necessary
Henstridge Airfield Consultative Committee	2	1 years	To act as a means of consultation in relation to Henstridge Aerodrome.	No legal status	Member	When necessary
Community Accessible Transport Committee	1	1 years	The South Somerset Community Accessible Transport is a non-profit making charity, whose objective is to provide transport at an affordable cost to people unable to travel via the normal public transport	Limited Company and Registered Charity	Non-Voting member	4 Times a Year



Development control Scheme of Delegation – Nomination of Substitutes for Area East Chairman and Vice Chairman 2022/23 (Executive Decision)

Strategic Director: Kirsty Larkins, Service Delivery
Lead Officer: John Hammond, Lead Specialist Built Environment
Contact Details: John.hammond@southsomerset.gov.uk

Purpose of the Report

As the Council has entered a new municipal year, the Committee is asked to review the appointment of two members to act as substitutes for the Chairman and Vice Chairman in the exercising of the Scheme of Delegation for planning and related applications. The previous member substitutes were Councillors Hayward Burt (first substitute) and Sarah Dyke (second substitute).

Recommendations

That, in line with the Development Control Revised Scheme of Delegation, two members be nominated to act as substitutes for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s).

Background

The Council's scheme of delegation for Development Control delegates the determination of all applications for planning permission, the approval of reserved matters, the display of advertisements, works to trees with Tree Preservation Orders, listed building and conservation area consents, to the Development Manager except in certain cases, one of which being the following: -

“A ward member makes a specific request for the application to be considered by the Area Committee and the request is agreed by the Area Chairman or, in their absence, the Vice Chairman in consultation with the Development Manager. (This request must be in writing and deal with the planning issues to ensure that the audit trail for making that decision is clear and unambiguous). In the absence of the Chairman and Vice Chairman there should be nominated substitutes to ensure that two other members would be available to make decisions. All assessments and decisions to be in writing.”



Financial Implications

None as a direct result of this report.

Council Plan Implications

None as a direct result of this report.

Carbon Emissions and Climate Change Implications

None as a direct result of this report.

Equality and Diversity Implications

None as a direct result of this report.

Background Papers

Minute 36, Council meeting of 21st July 2005



Area East Forward Plan

Director: Nicola Hix, Support, Strategy and Environmental Services
Agenda Coordinator: Michelle Mainwaring, Case Officer (Strategy & Commissioning)
Contact Details: Michelle.mainwaring@southsomerset.gov.uk

Purpose of the Report

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

Recommendations

Members are asked to note and comment upon the proposed Area East Forward Plan as attached, and to identify priorities for any further reports

Area East Committee Forward Plan

The forward plan sets out items and issues to be discussed over the coming few months. It is reviewed and updated each month, and included within the Area Committee agenda, where members of the Area Committee may endorse or request amendments. Members of the public, councillors, service managers, and partners may also request an item be placed within the forward plan for a future meeting, by contacting the agenda co-ordinator.

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

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

Further details on these items, or to suggest / request an agenda item for the Area East Committee, please contact one of the officer's names above.

Background Papers

None.

Area East Committee Forward Plan

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

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

Meeting Date	Agenda Item	Lead Officer
August 2022	Update on Area East Reserves ring-fenced funds	<i>Tim Cook – Locality Team Manager</i>
<i>TBC</i>	<i>Update on Wincanton Sports Ground</i>	<i>Tim Cook – Locality Team Manager</i>
<i>TBC</i>	<i>Update on Local Community Networks</i>	<i>Tim Cook – Locality Team Manager</i>



Planning Appeals

Director: Kirsty Larkins, Service Delivery
Lead Officer: John Hammond, Lead Specialist Built Environment
Contact Details: John.hammond@southsomerset.gov.uk

Purpose of the Report

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

Recommendations

That the report be noted.

Background

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

Report Detail

Appeals Received

21/03069/PAMB - Maperton Dairy Unit Maperton Wincanton Somerset BA9 8EN. Notification of prior approval for conversion of agricultural barns into 4 residential dwellings (C3 use) and ancillary works. (delegated decision)

22/00677/HOU - 21 Priorygate Court Castle Cary Somerset BA7 7HT. Erection of a single storey glass room to rear of dwelling. (delegated decision)

Appeals Allowed

19/01840/OUT- Land North Of Ansford Hill Ansford Castle Cary Somerset BA7 7PD. Erection of 200 dwellings (70 affordable and 130 open market) with associated highways, drainage, landscaping and public open space. (Committee decision)

Background Papers

Decision Notices attached.



Appeal Decision

Inquiry Held on 9-10 November 2021 and 29 March–1 April 2022

Site visits made on 10 November 2021 and 28 April 2022

by H Butcher BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 May 2022

Appeal Ref: APP/R3325/W/20/3259668

Land north of Ansford Hill, Ansford, Somerset

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Wyke Farms Limited and Andrew Hopkins Concrete Limited against the decision of South Somerset District Council.
 - The application Ref 19/01840/OUT, dated 28 June 2019, was refused by notice dated 15 June 2020.
 - The development proposed is the erection of 200 dwellings (70 affordable and 130 open market) with associated highways, drainage, landscaping and public open space.
-

Decision

1. The appeal is allowed and planning permission is granted for a residential development of 200 dwellings (70 affordable and 130 open market) with associated highways, drainage, landscaping and public open space at land north of Ansford Hill, Ansford, Somerset, in accordance with the terms of the application, Ref 19/01840/OUT, dated 28 June 2019, subject to the conditions in the attached schedule.

Preliminary Matters

2. The inquiry opened on 9 November 2021. However, because of issues with the venue relating to capacity and sound, as well as issues with online streaming, it was not possible to run the inquiry effectively and in a fair manner. The inquiry was therefore adjourned after interested parties who had attended in-person had been heard. The inquiry was subsequently resumed as a virtual event hosted by the Planning Inspectorate at the end of March 2022, which was the earliest date which could be agreed between the main parties.
3. The application is made in outline with only access to be determined at this stage. Accompanying the application, amongst other things, are an Indicative Site Layout Plan and an Alternative Illustrative Masterplan. These have respectively been treated on either an indicative or illustrative basis.
4. Before me is a completed S106 agreement which provides for various obligations. I deal with this in further detail in my decision below.

Main Issues

5. The main issues are:

- The effect of the development on the character and appearance of the surrounding area;
- Whether the site is a suitable location for development having regard to local planning policy;
- The effect of the development on phosphate levels in the Somerset Levels and Moors Ramsar site, and;
- The housing land supply position for South Somerset District.

Reasons

Character and Appearance

6. The appeal site comprises two fields which are located to the north of Ansford and Castle Cary. Further to the north, north of the appeal site, is Castle Cary station. This can be accessed on foot from Ansford and Castle Cary by a Public Right of Way (PRoW) which runs along the east boundary of the site. The appeal site therefore effectively sits between the station and the two market towns.
7. When you look across the appeal site from the south at Ansford Hill the land slopes away across open countryside providing long-distance and wide-reaching views across the Brue Valley to the north-west and towards Glastonbury Tor. The appeal site, being an open and undeveloped site, aids these views.
8. Conversely, when you look across the site from the north, for example from Castle Cary station, the effect is that you see the appeal site sloping upwards, creating a green and undeveloped backdrop to the station in conjunction with the wider open landscape here, and along a highpoint in the distance housing along the edges of Castle Cary and Ansford can be seen. You therefore have a station which appears to sit in a predominantly isolated and rural setting albeit Ansford and Castle Cary are visible and in relatively close proximity.
9. There is no doubt that developing this site as proposed would have visual impacts. It currently contributes to the rural setting of Ansford and Castle Cary and this would be reduced. The far-reaching views from Ansford Hill and the adjacent PRoW, which also forms part of Monarch's Way, an historic route, would be disrupted for people using these, for example, local people accessing the station or recreational walkers. Longer distance views from PRoWs to the north would also be affected. Currently Ansford and Castle Cary are fairly well hidden within the rural landscape when viewed from the north but this development would clearly bring the developed limits of Ansford into sharper view.
10. The setting of Castle Cary station, a non-designated heritage asset, would also be harmed by the development. Part of the significance of the station is that historically it was a Victorian rural station, and this can still be appreciated today due, in part, to the rural backdrop provided by the appeal site. Residential development of the site would therefore harm the rural setting of the station as experienced by those using it, for example, either passing through or alighting at Castle Cary.

11. In spite of the aforementioned attributes the appeal site does not form part of a designated landscape. The Council put forward a case that the appeal site forms part of a 'valued landscape' as per paragraph 174a) in the National Planning Policy Framework (the Framework). I have given much consideration to this having regard to the definition of a valued landscape in the Landscape Institute Technical Guidance Note 02/21 (TGN) as being "*an area identified as having sufficient landscape qualities to elevate it above other more everyday landscapes*" and the range of factors that can be considered when identifying landscape value contained therein at Table 1¹.
12. The Council's witness made the case that the appeal site formed part of a key example of the geomorphologically distinctive clay vale and oolitic limestone scarp landscape. Whilst it may form a part of this much wider landscape, I am not persuaded it is a significant part of it forming, at best, the very end of a scarp. In any event, I find no reason to elevate this landscape above other landscapes in the area. Therefore, I find limited value in terms of the site's contribution to 'Natural Heritage'.
13. Whilst the wider landscape might have remote and tranquil characteristics the appeal site does not contribute to this in a meaningful way given the proximity of the adjacent station, towns, and the A371 which traverses three sides of the site. Therefore, there is very limited 'Perceptual (Wilderness and Tranquillity)' value here. It is also a farmed landscape with some detracting features such as overhead cables meaning the 'Landscape Condition' cannot be said to be of value above that of the everyday.
14. The appeal site does display some notable landscape qualities which loosely align with factors referred to in Table 1 of the TGN. For example, there is some value in terms of 'Cultural Heritage' such as the appeal site forms part of the setting of the non-designated heritage asset: Castle Cary Station. There is also 'Recreational' value, and value from 'Associations' as the PRoW on the east side of the site also forms part of the Monarch's Way, a route which is linked to a notable historic event and part of a cultural trail. It also has some local 'Distinctiveness' value in that it contributes to the rural setting of Castle Cary and Ansford. Furthermore, it has some 'Perceptual (Scenic)' value due to the distant views it provides to Glastonbury Tor and the surrounding landscape.
15. However, these values are predominantly appreciated by the local community rather than being values which draw in people from further afield specifically to appreciate them. This is demonstrated by the very limited, detailed, written evidence of these values before me. The Monarch's Way is the exception to this which may draw wider interest but the appeal site forms only a very small part of this route and there is nothing before me to suggest this section of it is of particularly high value landscape wise. I therefore find that whilst the site has a number of notable landscape qualities these are not of such a magnitude so as to elevate the site, either by itself, or as part of the wider landscape, above that of other more everyday landscapes.
16. Notwithstanding my findings in respect of valued landscapes, I nevertheless find harm to the character and appearance of the surrounding area in terms of harm to local landscape character and the setting of a non-designated heritage asset. It follows, therefore, that it would conflict with the relevant provisions of Policy EQ2 of the South Somerset Local Plan (LP) which seeks to conserve and

¹ Core Document E-02

enhance the landscape character of the area. I also find conflict with policy EQ3 of the LP which seeks to safeguard, or where appropriate, enhance the setting of heritage assets. Insofar as the appeal site forms part of the rural setting to Castle Cary and Ansford I also find conflict with Policy DP1 of the Castle Cary and Ansford Neighbourhood Plan (NP) which requires new development to respect the unique character of these areas.

Suitable Location in Policy Terms

17. Whilst the Council's reason for refusal focuses on an objection in terms of impact on landscape character it also refers to various policies in the LP which set out the Council's strategy for delivering housing to meet the LP housing requirement. Key to this, as set out at Policies SS1 and SS5 is a permissive approach to housing proposals at the Market Towns in the '*directions of growth*'. Policy LMT1 sets out what this means for Ansford and Castle Cary, both defined as Local Market Towns in the development plan, describing the direction of growth here to be '*north of Torbay Road and East and West of Station Road*'. The appeal site can be described as being located to the north of Torbay Road and East of Station Road, but quite an extensive area can be similarly described using such a broad description.
18. To further clarify a map is provided to inform Policy LMT1. This shows brown lines which identify specific areas north of Torbay Road and East and West of Station Road. These lines do not extend to or include the appeal site. I therefore find that the appeal site falls outside of the direction of growth planned for Ansford and Castle Cary.
19. It follows, therefore, that the appeal site is not a suitable location for development as it would conflict with the above housing delivery policies in the development plan.

Phosphates

20. On 17 August 2020 Natural England (NE) advised that the Somerset Levels and Moors Ramsar protected site was in an unfavourable condition. This meant that there was a greater need for scrutiny of the effects of plans or project likely to, either directly or indirectly, increase nutrient loads to this site. Residential development, such as that proposed, is one of the development types that could give rise to such likely significant effects in terms of increased phosphate levels.
21. In response the affected Councils, which included South Somerset District Council, prepared a Phosphate Calculator, in conjunction with NE and the Environment Agency, to inform the calculation of likely phosphate generation arising from any development. The appellant submitted a Fallow Land Strategy with the application applying the Phosphate Calculator to the appeal site and providing mitigation in the form of off-site land use change and fallowing of farmland. This is to be secured by way of a S106 agreement.
22. NE were consulted on the application and raised no objection subject to the mitigation outlined above being secured. However, just before the inquiry was due to resume in March 2022 NE published updated guidance. NE were duly consulted again on the application, and they replied² acknowledging a need for a transitional period where agreed tools and methodologies were in place in

² CD M-05

order to allow local planning authorities to review the new information and make any changes within a reasonable timeframe. With this in mind, NE advised that in the case of this appeal there was no need to revise the calculations used in the appellant's Fallow Land Strategy and consequently their position remained that of no objection.

23. Taking the above points together in conjunction with the completed S106 agreement I find that there would be no adverse effect on the integrity of the Somerset Levels and Moors Ramsar Site. The development would therefore comply with Policy EQ4 of the LP which seeks to protect biodiversity.

Housing Land Supply

24. The main parties agree that the Council cannot currently demonstrate a five-year supply of housing land. At the end of the inquiry the Council calculated supply to be 4.4 years and the appellant 3.7 years. The difference between the two calculations relates to two disputed housing sites and whether to include a windfall allowance when calculating supply.
25. The first site at Crewkerne has an outline permission for 525 dwellings. It is a large site and reserved matters have not yet been submitted nor is there a timetable for this. This site also falls within the phosphate catchment area which will likely protract the determination of reserved matters when they do come in. For these reasons this site should not be considered deliverable for the purposes of this appeal.
26. The second site at Stalbridge Road is smaller and has outline permission for 130 dwellings. A reserved matters application has been submitted and recommended for approval and is due to be heard at the June 2022 Planning Committee. It is also not a site within the phosphate catchment area. Consequently, in this case, there is clear evidence that housing completions will begin on site within five years therefore I find it to be a deliverable site.
27. The Council have made an allowance for windfall developments in their supply calculation of 100 dwellings per annum (dpa) but there is a caveat of no windfall allowance to be made for the first two years of the five year calculation to account for any decrease in permissions due to the phosphates issue. There is compelling evidence before me that an average of 100 dpa has been achieved for the last 10 years. The Council's approach to windfall supply is therefore realistic and eminently reasonable.
28. I note that there are approximately 5011 units currently held up pending a solution to the phosphates issue referred to above. There is a solution being developed; namely the EnTrade phosphate credit programme, and it has support from NE and HM Government, and there is an intention that the first market round of EnTrade credits will be ready in April/May 2022 which will then start to release this housing. However, there have been many delays along the way in respect of this and, given the recent updated advice from NE, there may be further delays yet. At this point in time the date of resolution is more of an aspiration than a certainty, therefore I cannot be sure the Council's housing land supply position will be short-lived.
29. Notwithstanding my findings above in terms of supply, even if I were to take the Council's optimistic estimates, they still cannot demonstrate a 5 year housing land supply at this time. I am also conscious that the Council's housing

land supply position has been falling throughout the duration of the appeal starting at 4.7 years, then dropping to 4.5 years, and now the latest position of 4.4 years. Furthermore, given my findings above, the actual figure will likely reduce again.

Planning Obligations

30. A Section 106 agreement has been submitted with the appeal. In addition to securing the Fallow Land Strategy discussed above it also provides for: affordable housing, a contribution towards changing rooms, provision of equipped play space and youth facilities, a contribution towards education, and the submission of a Travel Plan along with a contribution towards its subsequent monitoring and implementation. It is necessary for me to consider these in detail and reach a finding on them having regard to the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and the Framework at para 57.
31. Policy HG3 of the LP requires 35% affordable housing to be provided as part of a development such as that proposed. The S106 secures on-site provision of this in accordance with the policy.
32. The Council have identified a deficiency in changing room provision in Ansford/Castle Cary. A contribution towards changing rooms is therefore requested. The required amount has been calculated based on the generated need arising from the development using the adopted standard for changing rooms. This contribution would be used towards changing room improvements in Castle Cary/Ansford and there are plans to either replace or refurbish the existing pavilion at Donald Pithers Memorial Ground.
33. The Council have also identified a deficiency in equipped play provision and youth facilities in Ansford/Castle Cary. The S106 agreement requires either a contribution towards providing this or on-site provision. There is space to provide for this on-site based on the submitted indicative layout³.
34. The proposed development would require increased capacity at both early years and primary levels to provide school places for the children generated from the development. This has been calculated using the average of the cost of new school builds across Somerset. The requested education contribution would be used to either extend existing facilities or contribute towards a new school site on Torbay Road.
35. Finally, there is an obligation to submit a Travel Plan in respect of the development and provisions for its future implementation and monitoring. Travel Plans are essential tools in reducing the need to travel, and, where travel is necessary, to encourage such movement to be undertaken by sustainable modes.
36. Taking the above points together I am satisfied that the obligations meet the relevant tests.

Other Matters

37. The proposed access would provide a new right-hand turn lane into the site and new traffic islands. The section of highway on which the access is to be located,

³ Drawing no. GMA-121-01

as demonstrated by the Moss Naylor Young Traffic Survey, is busy with vehicles travelling largely in excess of the 30mph speed limit and includes a high number of heavy goods vehicles. However, the access design is within the tolerances of maximum average speeds recorded along this section of highway. Furthermore, the new access and associated works would help to reduce vehicle speeds and discourage overtaking, whilst maintaining the free flow of traffic. The Highway Authority raised no objection to the proposed access nor in respect of additional traffic generated by the development on the surrounding highway network. I therefore find it is not necessary to require a condition to reconfigure the site access.

38. It has been suggested that a crossing should be provided across the A371 in order to provide safe pedestrian access to Castle Cary for future residents of the development. I noted on my site visits that safely crossing the A371 where it meets the B3152 when walking between the appeal site and Castle Cary is difficult due to a blind corner on the A371. However, an alternative pedestrian route to Castle Cary, via Ansford, can be taken from the appeal site which is essentially the same distance and has preferable conditions in terms of greater visibility for crossing the A371; the natural place to cross being at Elms Lane. A little further along this route there is also a formal crossing back across the A371 to access the Academy and community hall.
39. I therefore find a condition for such a crossing unnecessary to ensure the safety of future occupiers of the development. The findings of other Inspectors on highway safety matters in the area will have been considered on their own merits, as I have done so here.
40. Policy HOU2 of the NP has been brought to my attention. This requires a pause of proposals for housing development within the development plan's directions of growth unless there is clear evidence that the additional housing will help meet a clearly identified local need for affordable housing that is not capable of being met elsewhere. Firstly, I have found that the appeal site falls outside of the directions of growth, therefore, strictly speaking, this policy does not apply and as such, of itself, would not be determinative in this appeal. In any event, looking at the broader picture, the proposal would meet a need for housing/affordable housing which at the present time is not being met elsewhere, and this is a material consideration which weighs positively in the planning balance.
41. Any alteration to public rights of way must be made by legal order. The outcome of this appeal does not, therefore, allow for any alteration to the alignment or existence of any public rights of way, or their diversion or extinguishment. For the avoidance of doubt, a clause has been inserted into the S106 Agreement setting out that the Fallow Land Strategy will not restrict or affect the existing public rights of way across the fallow land in question or the lawful access thereto.
42. There is no detailed, technical evidence before me in respect of adverse effects of the development on local medical facilities and the Council have not suggested mitigation in this respect. This is therefore not a matter on which this decision would turn.
43. Granting planning permission at this site would not pose a risk of further development on green field land in the area. Applications for planning permission must each be determined on their individual planning merits. This

also applies to the various appeal decisions referred to me by interested parties of which full details are not before me in order to make any meaningful comparisons.

44. Development of the site would result in the loss of Grade 2 Best and Most Versatile agricultural land. Whilst regrettable, there are significant areas of higher graded Grade 1 land around Castle Cary/Ansford that would be unaffected by the proposal. This matter is weighed in the planning balance below.

Planning Balance

45. Based on my findings above I find conflict with the development plan as a whole, taking into account the most important policies for determining this appeal as set out in the Statement of Common Ground; both those that oppose and those that support the development.
46. It is common ground that the Council cannot demonstrate a five-year supply of deliverable housing sites. There are no policies in the Framework that provide a clear reason for refusing the development therefore para 11d(ii) of the Framework applies, the so called 'tilted balance', whereby planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. I carry out this balance below.
47. I have found harm to the character and appearance of the surrounding area; harm which I give significant weight. I have also found conflict with development plan policies setting out the Borough's strategy for delivering housing, which is a matter of great importance in a plan-led planning system. Policies SS1, SS5 and LMT1 have more than fulfilled their objectives in terms of providing housing within the directions of strategic growth at Ansford and Castle Cary therefore they attract full weight. Finally, there is some limited harm in terms of a loss of Grade 2 Best and Most Versatile agricultural land.
48. In terms of benefits, the development would provide 200 houses, 35% of which would be affordable. Given the issues surrounding phosphates, which is currently holding up delivery of housing in the area, and that this site is available now as it has a phosphate solution in place, I give the benefit of housing in this case substantial weight.
49. An important benefit in this case is also the adjacent station which provides services to London, Bristol, Bath, Taunton, Weymouth to name but a few. From what I observed during my visits to the site it is a very well used station with frequent services during the week. Occupiers of the development would therefore be exceptionally well placed to access this thereby reducing reliance on the private car in order to access jobs and services. This is a significant benefit for future residents of the development.
50. There are further benefits from the resurfacing of the public right of way along the east side of the appeal site leading to the station which is currently uneven, and overgrown, and does not benefit from any passive surveillance. The resurfacing of the path along with a sensitive layout at reserved matters stage could greatly improve and encourage the use of this path to access the station on foot. The widening of the footway along the south side of the site would also increase pedestrian safety here. These benefits carry moderate weight.

51. The proposal would also provide economic benefits. These would be both in the short-term during construction and in the longer-term as residents access local services. I also give these benefits moderate weight.
52. Cumulatively, when taken together, the benefits in this appeal are substantial and are not significantly and demonstrably outweighed by the adverse impacts. Consequently, as per 11d(ii) of the Framework the proposal indicates a presumption in favour of sustainable development.

Conditions

53. I have consolidated the draft conditions put before me as agreed by the main parties. I have attached conditions in respect of the submission of reserved matters, when these must be submitted by, and when the development must be commenced by. I have also included a plans condition as this provides certainty.
54. A condition limiting the number of houses permitted is necessary to inform the scope of the permission. As access is a matter for approval at this stage it is also necessary to include conditions relating to the creation of the access and its visibility splays.
55. To ensure a suitable housing mix is achieved in line with local planning policy I have attached a condition to this effect. To protect the living conditions of occupiers of neighbouring properties and local highway safety I have also included conditions requiring the submission of a Construction Method Statement and a Construction Traffic Management Plan.
56. To protect biodiversity it is necessary to include conditions requiring an up-to-date Ecological Impact Assessment Report and the submission of a Construction Environmental Management Plan. This condition requires compliance with the agreed plan therefore it is not necessary to include another condition to this effect. Similarly, to protect biodiversity it is also necessary to condition a Landscape and Ecological Management Plan. For the same reason I have also included a condition in respect of lighting and bats. In order to protect existing trees and hedgerows I have further included a condition requiring their protection.
57. To ensure adequate drainage of surface water I have included a condition to this effect. I have also included a standard foul sewerage condition. To ensure adequate access for future occupiers I have included conditions requiring the submission of details of estate roads and footways and, in respect of adjacent public footpaths. To protect any items of archaeological interest discovered during construction I have conditioned the submission of a Written Scheme of Investigation. Finally, to ensure satisfactory living conditions for future residents of the development I have attached a condition in respect of noise.
58. It is not necessary, however, to include conditions relating to materials or finished floor levels as appearance and scale are reserved for consideration at a later stage

Conclusion

59. Local opposition to the development has been considerable. Nevertheless, it is incumbent on me to determine the appeal in accordance with planning law; that is to say, to determine this appeal in accordance with the development

plan, unless material considerations indicate otherwise. The material considerations in this case indicate planning permission should be granted as set out in my planning balance above.

60. The appeal is therefore allowed.

Hayley Butcher

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Philip Robson, Counsel

He called:

Charles Crawford MA (Cantab), DIP LA, CMLI

Jamie Wallace BA (Hons) DIP TP, MRPTI

FOR THE APPELLANT:

Sasha White, QC, assisted by Nick Grant

He called:

Clare Brockhurst FLI, BSc (Hons), Dip LA

Jeff Richards BA(Hons) MTP, MRTPI

Ian Roach BSc (Hons), MSc, MRTPI, MIEMA, CEnv

*Various other people spoke briefly on behalf of the main parties during the planning obligation session.

INTERESTED PERSONS WHO SPOKE AT THE INQUIRY:

Fletcher Robinson - CPRE Somerset

Kenneth Gray - Castle Cary Town Council

Susan Fone – North Cadbury Parish Council

Chris Edwards – Ansford Parish Council

Graham House – Castle Cary & Ansford Neighbourhood Plan Group

Vicki Nobles – Care4Cary/Local resident

Dr Mark Main - Care4Cary/Local resident

Helen Cleaveland – Care4Cary/ Local resident

Pek Peppin – Cary History Society

Chris Puncher - Millbrook Surgery

Shirley Lane – Local resident

Gillian Price – Local resident

Elizabeth Eaton – Local resident

Nell McMoreland-Hunter – Friends Committee Woodland Trust

Marie Helen Robinson – Cary Moor Parish Council/Local resident

Godfrey Jeff Phillips – Local resident

Lady Waddington

DOCUMENTS SUBMITTED DURING THE INQUIRY

1. Note to the Inspector on Affordable Housing Needs
2. LvW Highways Response to report by Moss Naylor Young
3. Suggested 30 minute walk
4. Appellant's and Council's Openings
5. Online Petition
6. Hard copy petition
7. CIL Compliance Statements
8. The Monarch's Way info
9. Draft S106 Agreement
10. Appellant's Supplementary Proof of Evidence: Planning
11. LPA Proof of Evidence Addendum
12. Appellant's rebuttal Proof of Evidence: Planning
13. Updated Statement of Common Ground
14. Natural England Advice
15. Factual Note on 5YS Position
16. CIL Statement Phosphates
17. Somerset Council's position on NE advice and corresponding emails
18. Highways no objection to application 21/03369/REM
19. Council's Closing Submissions
20. Appellant's Closing Submissions
21. Cases referred to in Appellant's Closing submissions
22. CIL Compliance Statement Transport
23. Completed S106 Agreement

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall take place not later than three years from the date of this permission or two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: GMA-0121-02 Existing Site Location Plan, GMA-0121-04 Parameters Plan, 1278_0720_P2 Site Access Layout.
- 5) No more than 200 dwellings shall be constructed on the site.
- 6) The highway access shall be constructed in accordance with the detail shown on the submitted plan 1278_0720_P2 Site Access Layout and shall be available for use before commencement of any other part of the development hereby permitted. Once constructed the access shall be maintained at all times.
- 7) In tandem with the construction of the highway access the approved visibility splays shall be provided in accordance with approved plan 1278_0720_P2 Site Access Layout and maintained as such at all times. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown on the approved plan.
- 8) Prior to occupation of the development the access over at least the first 6 metres of its length, as measured from the edge of the adjoining carriageway, shall be surfaced in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall be maintained as approved at all times.
- 9) A housing mix assessment shall be submitted to the local planning authority either prior to or alongside the first application for approval of the reserved matters for written approval. The development shall be implemented in accordance with the approved details.
- 10) No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period.

- 11) Concurrent with the submission of any reserved matters application(s) a further Ecological Impact Assessment Report, revisiting and updating the submitted assessments and providing detailed recommendations for both mitigation as well as biodiversity net gain across the application site, together with its long term management and maintenance, building upon the recommendations set out within the Ecological Impact Assessment (June 2019) and the Ecology Addendum Report (October 2019) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 12) No development shall take place (including vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved CEMP.
- 13) Prior to the commencement of development a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.
- 14) No development shall take place until an annotated tree and hedgerow protection plan showing tree and hedgerow protection measures during site preparation, construction and landscaping operations has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved plan.
- 15) Prior to occupation a "lighting design for bats" shall be submitted to and approved in writing by the local planning authority. All external lighting shall be installed and maintained thereafter in accordance with the specifications and locations set out in the approved design.
- 16) No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved plan.
- 17) No works for the excavation of foundations or road alignments and routes shall be commenced until details of the surface water drainage scheme, based on sustainable drainage principles, together with details of a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the local planning authority. Such works shall be carried out in accordance with the approved details.
- 18) Plans and sections showing details of any proposed roads, footways, footpaths, tactile paving, cycleways, verges, junctions, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be submitted to and approved in writing by the Local

Planning Authority and constructed and laid out in accordance with approved details prior to occupation of the development.

- 19) Prior to the construction of any of the internal roads or footpaths in the development hereby approved the following details shall be submitted to and approved in writing by the local planning authority:
- The re-surfacing of the public footpath along the eastern boundary of the site from the railway station gate at the northern end of the footpath to the junction with Ansford Hill at the southern end,
 - The provision of footpath(s) link(s) from the residential development to the footpath along the eastern boundary of the site;
 - Improvements to the existing footway along Ansford Hill on the southern edge of the site such that the footway is no less than 2m in width.
 - Timetables for implementation of the works and details on on-going maintenance where they are not to be offered for public adoption.

The works to footpaths and footways shall be carried out in accordance with the approved details.

- 20) Prior to the commencement of development a Programme of Archaeological Work in accordance with a Written Scheme of Investigation shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 21) Prior to the excavation of any foundations a noise mitigation scheme demonstrating that the development will be constructed to provide sound attenuation against external noise in accordance with BS8233:2014 shall have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved noise mitigation scheme.
- 22) No development shall commence until drainage plans for the disposal of foul water have been submitted to and approved in writing by the local planning authority. None of the dwellings hereby approved shall be first occupied until the foul water drainage scheme has been implemented in accordance with the approved details.