

South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 12th April 2017

9.00 am

**Council Offices, Churchfield,
Wincanton BA9 9AG**

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



The following members are requested to attend this meeting:

Mike Beech
Tony Capozzoli
Nick Colbert
Sarah Dyke

Anna Groskop
Henry Hobhouse
Mike Lewis
David Norris

William Wallace
Nick Weeks
Colin Winder
1 Vacancy

Consideration of planning applications will commence no earlier than 10.15am.

For further information on the items to be discussed, please contact the Democratic Services Officer on 01935 462038 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 3 April 2017.

Ian Clarke, Assistant Director (Legal & Corporate Services)

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



Information for the Public

The council has a well-established area committee system and through four area committees seeks to strengthen links between the Council and its local communities, allowing planning and other local issues to be decided at a local level (planning recommendations outside council policy are referred to the district wide Regulation Committee).

Decisions made by area committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as “key decisions”. The council’s Executive Forward Plan can be viewed online for details of executive/key decisions which are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

At area committee meetings members of the public are able to:

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the area committee chairman’s discretion, members of the public are permitted to speak for up to up to three minutes on agenda items; and
- see agenda reports

Meetings of the Area East Committee are held monthly, usually at 9.00am, on the second Wednesday of the month in the Council Offices, Churchfield, Wincanton (unless specified otherwise).

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 committees

Public question time

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

Planning applications

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered.

Comments should be confined to additional information or issues, which have not been fully covered in the officer’s report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should

also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the planning officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The planning officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

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

The order of speaking on planning items will be:

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

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

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

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>

Ordnance Survey mapping/map data included within this publication is provided by South Somerset District Council under licence from the Ordnance Survey in order to fulfil its public function to undertake its statutory functions on behalf of the district. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey mapping/map data for their own use. South Somerset District Council - LA100019471 - 2017.

Area East Committee

Wednesday 12 April 2017

Agenda

Preliminary Items

1. Minutes of Previous Meeting

To approve as a correct record the minutes of the previous meeting held on Wednesday 8th March 2017.

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 David Norris, Sarah Dyke, Tony Capozzoli and Nick Weeks.

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 at the Council Offices, Churchfield, Wincanton on Wednesday 10th May at 9.00am.

5. Public Question Time

6. Chairman Announcements

7. Reports from Members

Items for Discussion

- 8. Area East End of Year Report 2016/17** (Pages 6 - 13)
- 9. Area East: Local Information Centres 2016/17 Report** (Pages 14 - 17)
- 10. Annual Progress Report - Heart of Wessex LEADER Programme** (Pages 18 - 20)
- 11. Area East Committee Forward Plan** (Pages 21 - 22)
- 12. Planning Appeals (For Information Only)** (Pages 23 - 37)
- 13. Schedule of Planning Applications to be Determined by Committee** (Pages 38 - 39)
- 14. 16/04551/REM - Land at Slades Hill, Templecombe.** (Pages 40 - 52)
- 15. 17/00408/OUT - Land Opposite Brooklands Barn, Brains Lane, Sparkford.** (Pages 53 - 56)
- 16. 16/05379/FUL - Belmont Farm, Charlton Musgrove, Wincanton.** (Pages 57 - 65)
- 17. 17/00512/S73 - Land West of Tinkers Lane, South-East of B3081 Cucklington, Wincanton.** (Pages 66 - 71)

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

This does not apply to decisions taken on planning applications.

Agenda Item 8

Area East End of Year Report 2016/17

Assistant Director: Helen Rutter, Communities
Service Manager: Tim Cook, Area Development Team Lead – East
Lead Officer: Tim Cook, Area Development Team Lead – East
Contact Details: tim.cook@southsomerset.gov.uk or (01963) 435088

Purpose of the Report

To provide Members with an overview of Area East progress and achievements during 2016/17 from the Area Development Plan (ADP)

Public Interest

This report gives a summary of work undertaken over the year in response to local priorities raised by local communities and Councillors. The Committee's priorities form a work programme to support local communities and to run complementary programmes of activities to address the particular needs of this rural area.

Recommendation

That members comment on and note the report and presentation

Background

The Area East Committee focuses its resources to address local needs in order to promote improved quality of life in Area East. A priorities workshop was held with the Area East Committee in February 2016 to assess available resources, agree priorities and enable a plan and work programme to be prepared for 2016/17. A ward profile was updated and circulated for each ward. The ADP for 2016/17 contains a set of local priorities, a work programme with targets, to carry these forward throughout the year.

Delivering Priority Work

A brief presentation will be given at Committee highlighting the work taken forward in the ADP 2016/17. The Plan and the end of year position in summary is set out in the attached schedule (Appendix 1). The Committee has received regular reports of specific work in themes – youth, customer support and Local Information Centres, marketing, Retail Support Initiative – or focused on delivery of schemes in the main towns throughout the year.

In addition to the proactive activities in the ADP, the team deals with a wide range of queries and funding requests from Parishes, businesses and community groups. Over the course of the year there have been over 371 community, parish and business enquiries dealt with mainly by the Neighbourhood Development Officers. Some have been relatively straightforward enquiries requiring on the spot advice and signposting. Others have led to involved work around issues such as registering an Asset of Community Value, designing a project to address a problem, funding advice, support to set up a new group etc. An overview of projects by Ward is contained in the A3 Area ward map, which will be distributed and presented at the Committee.

At the time of writing this report a total of £54688 capital and small grants have been awarded in 2016/17. This has supported investment of £323,311 giving a leverage ratio of nearly 1:5. RSI grants of £7347 have been awarded supporting investment of £15,004.

The Area Development Team worked with colleagues in Development Management to organise a planning tour to various sites across the District. The programme for the tour which included Badgers Cross in Area North, Glenda Spooners Horse rescue centre and Emily Estates, Hadspen gave members an opportunity to assess the impact of a range of planning decisions and resulting development.

An updated ADP work programme for 2017/18 will be brought to AEC for approval in May 2017.

Financial Implications

There are no new financial implications arising directly from this report. A separate report on use of resources in 2016/17 will be presented to AEC with the target date of June in the forward plan

Corporate Priority Implications

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

In particular the work of the ADT contributes towards the following priorities:

High quality cost effective services

- Actively managing assets and resources to ensure the best financial or community return.

Economy

- Work with businesses and use our assets to grow our economy.

Environment

- Support communities to develop local, parish and neighbourhood plans.

Health & Communities

- Support communities so that they can identify their needs and develop local solutions.
- Target support to areas of need.
- Help people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities.
- Work with partners to tackle health issues such as diabetes and hypertension.
- Help keep our communities safe.

Carbon Emissions & Climate Change Implications

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

Equality and Diversity Implications

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

Background Papers: ADP 2016/17;

Appendix 1

**Place & Performance – Communities
Area East Development Service Plan 2016-17**

Portfolio Holder – Councillor Nick Weeks

Manager – Helen Rutter

Set out below are the key projects & programmes being undertaken by the team (either directly or in support of community groups & other partners) where we have a key role in the delivery of the projects. This Plan sits alongside our core work or responding to issues & problems on a day-to-day basis, working with Councillors & other services across the Authority and beyond, to try and resolve them.

| | | | | |
|-----------|-------------------------|--------------------------------------|---------------|-----------------------------|
| Completed | In progress – on target | In progress – risk of missing target | Behind target | Future Action – not started |
|-----------|-------------------------|--------------------------------------|---------------|-----------------------------|

| Service Action Plan: Top level actions – more detail is within individual work programmes/project plans | | | | | |
|--|--|--------------|---|---------------|---|
| Priority Area | Action | Target Date | Milestone | Lead Officer | Current Progress |
| 1. Town centre & neighbourhood management | Support Town Team approach in market towns with projects that enhance & market attractiveness of High Streets | 2017 | Report to AEC on project performance | PW/JD CSAs | Wincanton - support for successful WTF. The Town Team has now formally dissolved with residual funds reverting to the Town Council Wincanton Chamber of Commerce(CofC) is working collaboratively with Bruton CofC Successful weekly market operated by CCTC In conjunction with Property &Engineering meeting with WTC following decision to give notice on CP compensation scheme – proposal to WTC of options to 'trial' during notice period. |
| | Transfer of specific SSDC town centre assets to local Councils if required & support the disposal of unwanted assets | Ongoing 2016 | Assets transferred, agree way forward Report to AEC annually | NDOs | Transfer of CCMH agreed by DX in April 2016 – negotiations advanced to finalise the terms of peppercorn transfer with £45k dowry. Solicitors instructed. Work is underway with Bruton TC to consider the transfer of various SSDC owned assets. |

| | | | | | |
|--|---|-------------------|--|------------|--|
| | Encourage take up of business & charity rates relief schemes | 2017 | Report to AEC | CSAs | Dissemination of information about re-valuation of premises. Awareness raising presentations undertaken by Revs & Bens to Bruton Chamber/Members. Wincanton booked for April A lot of work has been done with Wincanton Recreation Trust to review governance to try to secure rate relief. Further work required to support the organisation to incorporate as a legal entity and establish a new operating model. |
| 2. Economic development, job creation & regeneration schemes | Progress local priority projects 1) Assessment of options & feasibility of extensions to existing Business Parks or new site, as appropriate Small work space/hub | March 2017 | Reports to AEC Feasibility of Sports Ground/pavilion units developed | PW | Report to Area Regeneration Board seeking funding failed to meet funding criteria. Corporate concern of SSDC involvement in a scheme which is against the direction of growth. <i>Principal landowner voted in Nov 2016 to market several parcels of land but has subsequently agreed to defer the instruction.</i> |
| | 2) Enhanced Retail Support Initiative in Wincanton & general RSI elsewhere in Area | Ongoing | Number & leverage of investment reported to AEC. Analysis of car park usage & vacancies to assist with targeting | PW CSA | Increase number of applications received and processed this year – 5 grants awarded. Continuing interest in scheme from prospective applicants. Face to Face promotion of scheme undertaken with eligible retailers/service sector businesses in Wincanton, Bruton, Castle Cary and rural businesses emailed. |
| | Encourage eligible projects to bid for Heart of Wessex LEADER funding | Report April 2017 | Report on performance of programme to AEC April 2017 | ADT | Issues outside of the influence/control of SSDC have hindered progress on LAG activity. AEC funding allocation for LAG being reviewed in light of this - option to provide direct project support. |
| | Project feasibility for a work/retail incubation unit within Area | March 2017 | Report to AEC | PW | Initial call for proposals did not result in recruitment of consultants. Appointed Nov 2016, work commenced Dec 2016. Business consultations Jan- Feb. Initial reporting AEC March 2017. Final report due end March. |
| | Common Lane multi-user path | 2017 | Planning application submitted/approved On site commencement/ Completion route opened | PW CSAs | Work underway to prepare planning application – for submission April |
| | | | | | |

| | | | | | |
|---|---|-------------|---|------------|---|
| | Limington to Yeovil multi-user path | March 2017 | Report to AEC on progress of scheme | JD | The project has been assessed and is due to be programmed as part of the SCC Small Improvement Scheme. Timescale outside of SSDC control but the project group will reconvene when the SIS details are known. |
| | Receipt of land & exercising option on car park at Waterside, Wincanton | March 2017 | Report to AEC & DX | PW | Terms agreed with landowner. Solicitors instructed to progress transfer of land and car parking area to SSDC |
| | Pre-feasibility study & survey for potential south access to Bruton Station & associated footpath | Spring 2017 | Completed feasibility study | JD | Survey work has been completed and supplied to FGW. |
| | Completion of Queen Camel Neighbourhood Plan | March 2017 | Final Report and lessons from Front Runner AEC/DX | TC CSAs | Plan reinitiated by Queen Camel Parish Council with support from ADTL. Draft reviewed by planning consultant. Recommendation to update the plan to include allocation of land for housing agreed by QCPC. |
| 3. Community-led planning & development | Support Neighbourhood Plan Wincanton | March 2017 | Plan informed by needs identified, draft plan completed | TC | Draft plan completed. Reg 14 statutory local consultation complete and work to respond to consultee input is underway. Will be submitted to SSDC in April 2017. |
| | Support Neighbourhood Plan Castle Cary | March 2017 | NDP completed | PW | Review of draft plan underway. Final liaison with advisor ahead of planning liaison to trigger statutory process (Reg 14 – 6 week local consultation) in parallel with SEA screening |

2010

| | | | | |
|--|------------|---|---------------|--|
| <p>Support parishes to carry out quality community research (inc Housing Needs Assessments) to prioritise & achieve planned projects or influence growth</p> <p>Bruton, M Port & K Mandeville (Refreshed Community Plans) Charlton Horethorne & Charltons (new plans) CaryMoor (Housing Needs Survey) .</p> | April 2017 | Completed parish plans are endorsed at AEC | JD/TC | <p>Charlton Horethorne Community Plan completed and endorsed Oct 2016.</p> <p>Charltons Community Plan currently being drafted after a phase of consultation. Work on the plan was delayed slightly with the inclusion of a Housing Needs Survey. The plan will be completed by the end of April.</p> <p>Initial advice and guidance given to Marston Magna Parish Council to help them produce a Community Plan.</p> <p>Housing needs surveys supported in CaryMoor, Charlton Horethorne with some advice/support given to Pen Selwood and Babcary. Babcary Parish Council has decided not to proceed at this time.</p> <p>Bruton – Household survey has been analysed and the results are being used to draft the Plan. M Port proposing to complete Housing Needs Survey as part of Parish Plan refresh</p> <p>North Cadbury Parish Council has started work on a new plan for the Parish</p> |
| <p>Comment on impact of significant planning applications</p> <p>Encourage parish engagement with applications and S106 negotiations</p> <p>Link community projects with locally available S106</p> | March 2017 | <p>Clearer reporting of 106 investment projects to AEC.</p> <p>S106 annual statement in update of Ward profiles</p> | TC/JD/ PW | <p>Comments provided on 7 significant applications.</p> <p>Ward accounts with details of secured and expected S106 contributions at a parish level have been completed and distributed.</p> |
| <p>Run a high quality access point & advice service for the public at Churchfield</p> <p>Support development of Town/parish led LICs</p> | Ongoing | <p>Annual report AEC</p> <p>To achieve 98% customer satisfaction rate</p> <p>Reduce cost whilst improving service offered</p> | HR/LD CSAs | <p>Customer Survey completed March 2017. Customer satisfaction for overall service provided and end of year figures being compiled to be reported verbally.</p> <p>Annual review of LIC activity is currently underway. This will trigger payment of £500 to each community-run LIC.</p> |

| | | | | | |
|---|---|------------|----------------------|---------|--|
| 4. Improve access to services & facilities to reduce inequality | Support development of Balsam Centre services in response to local needs | March 2017 | Annual Report to AEC | TC | Full report considered by AEC at the September meeting. Bid to Comic Relief for peri-natal mental health project was successful. Patrons group established and is generating funding towards targeted areas of work. The building is running at xx% capacity. Work to support accredited training delivered by The Growing Space planned subject to a successful GS bid to the Lottery. |
| | Audit of community-led youth work & youth opportunities in Wincanton, Castle Cary & Bruton with a view to creating a directory 0-18 Development of Henstridge Templecombe and Milborne Port youth work programme | March 2017 | Annual report to AEC | TC/JD | Audit commenced – to be completed by end of March. Initial concept design work done on an online directory in order to obtain costings. Funding sources identified. New youth club in Henstridge still going strong. Will target playdays and youth days in 2017 to other areas. |
| | Explore potential for developing community/leisure hub facilities across the towns /villages of East Somerset | Ongoing | Report to AEC | ADT | Audit commenced alongside youth data collection. |
| | Development of Wincanton Hub to improve people's access to services & facilities | Ongoing | Report to AEC | TC CSAs | ADTL has taken a lead role in shaping the pilot work to pilot the Symphony project in Wincanton. New Wincanton Community Partnership established to take this forward multi-agency work focussed on improving access to services to improve well-being. Work with SSCAT has progressed and consultation in local schools has been used to design new transport solutions to help young people access extra-curricular activities. King Arthurs School is currently using the CATBUS for a range of activities. |

| | | | | | |
|------------------------------------|--|------------|---|-------|---|
| | <p>Improved community buildings</p> <p>Ilchester pavilion – initial feasibility work completed..</p> <p>Sparkford feasibility work to build stage</p> <p>Investigate potential for improved use of the David Sharp centre.</p> | April 2017 | <p>At least 2 buildings helped to build ready stage.</p> <p>Report to AEC</p> | TC/JD | <p>NDO support given to Sparkford parish council regarding potential purchase of land for extension of recreation ground and site for new hall.</p> <p>Galhampton Village Hall received £751,000 from the Big Lottery towards a new village hall to be built Spring/Summer 2017.</p> <p>Emergency response to ceiling (asbestos) collapse at Brewham Village Hall.</p> <p>Improved heating and storage at Hadspen Village Hall. Advised on the next phase to extend the car park.</p> <p>Investigated the potential for the Wincanton Scouts to take over the David Sharp Centre but this was not taken forward.</p> <p>Bayford Mission Hall refurbished with support from AEC.</p> <p>Repairs to Sutton Montis Village Hall complete.</p> <p>NDO support for refurbishment of new kitchen at Sparkford cricket club – next phase to develop a new changing room block.</p> <p>NDO support to Ilchester recreation ground committee regarding an extension to the pavilion to home the scout Group and other youth and sport provisions (current stage needs statement and feasibility study)</p> |
| | Support preparation of a master plan for Jubilee Park, Bruton | Ongoing | Report to AEC | JD | Jubilee Park programme plan and project definition forms progressing. Initial meeting commenced regarding new MUGA within the park. |
| 5. Effective democratic engagement | <p>Arrange annual parish meeting & workshops in response to demand from AEC, Parishes & community organisations</p> | March 2017 | Report to AEC | ADT | <p>Annual Parish meeting held on 23 January 2016. 21 parishes were represented. The event, which was well received, focused on:</p> <ul style="list-style-type: none"> • Community Justice Panel • Lorry Watch scheme • Section 106 and CIL • Flooding and other difficult environmental issues <p>Full report was presented to AEC at the Feb meeting.</p> |

In addition, the service will deliver actions to deliver key corporate strategies, comply with corporate policies, deliver savings, monitor performance, review and monitor complaints and manage risk within the service.

Agenda Item 9

Area East: Local Information Centres 2016/17 Report

Assistant Director: Helen Rutter, Communities
Service Manager: Tim Cook, Area Development Team Lead (East)
Lead Officer: James Divall, Neighbourhood Development Officer
Contact Details: James.divall@southsomerset.gov.uk (01935) 462261

Purpose of the Report

To update members on the progress and operations of the Area East Local Information Centres in Bruton, Wincanton & Castle Cary and set out the arrangements for agreeing Area East financial support.

Public Interest

The Area East Committee gives funding support to the three town councils to assist with the running costs of local information centres (LICs) in Bruton, Wincanton & Castle Cary. This report gives details of how each LIC is doing from the monitoring information supplied under the service agreement.

Recommendation

To note and comment on the progress made towards establishing strong, locally run Local Information Centres and to acknowledge the future LIC service review.

Background

A review of SSDC satellite offices was completed in spring 2010 and an improvement plan put in place with a programme of improvements for the area and community offices across the district. Part of these proposals was to recognise that Local Information Centres should be under Town Council control to enable increased hours of operation supported by local resident volunteers and backed by an annual District Council service level agreement of £500 per LIC.

In February 2012, as part of efficiency savings the District Executive ceased staffing small part time community offices and in April 2012 sole responsibility for running the Local Information Centre in Bruton and Castle Cary transferred to the Town Councils. This gave the Town Council's the opportunity to manage the Local Information Centres based on the need of their town and its visitors. It also enabled Area Support staff to concentrate on delivering a comprehensive SSDC advice service from the Wincanton office to those who need it. The Area Support staff provided training for the Local Information Centre volunteers and a referral/sign posting system for District Council enquiries is in place and no issues have arisen following the transfer.

As part of the continuing support for the Local Information Centre provision a Service Level Agreement has been signed with each Town Council with regard to the management of the Local Information Centre. As previously agreed by Area East Committee £500 per annum is awarded to the Town Council to assist with the cost of running their LICs and improving the service.

Bruton, Castle Cary & Wincanton LICs are located alongside and run by the Town Councils/ volunteers for the benefit of the local community and visitors to the town and the surrounding villages. The service agreement with SSDC gives a framework for achieving consistency & funding stability. SSDC will support the LIC to provide services to the local community and to visitors to the district. As the LIC is overseen/ staffed by Town Council employees/ volunteers and local residents can access SSDC services in the town, it is not necessary for SSDC to run surgery sessions at the Town Hall/offices & referrals can be made as necessary.

The agreement sets out the links between the town LIC and SSDC, the services and activities being provided by the centre and the support it can expect from the district council. It also outlines a framework for monitoring its success, as well as giving funding conditions.

The agreement assumes no significant changes in the level or scope of core activity over the life of the funding. It is subject to regular review

Aims of LICs

- To provide information on local services, amenities and activities to the community and visitors to the town.
- To promote the heritage and culture of the town and the surrounding area.
- To support the local economy by promoting businesses, venues and attractions in the area.
- To provide a reliable, efficient and professional service.

Monitoring and Evaluation

There is an annual meeting between the LIC and a representative from SSDC to monitor the level of service, activities provided and financial position. At this review, the following information is considered:

- Annual accounts.
- Budget for the coming year.
- Development plans.
- Details of any other funding.
- Referrals made to SSDC

Report for 2015/16

The Town Councils LICs have been very busy this year developing and operating their individual services. The LICs have seen increased tourism to the area, in turn increasing demand on volunteer time as well as a greater range of information needed from enquiries.

| Objectives | Recorded information 2015 – 2016 | Bruton | Castle Cary | Wincanton | Total numbers 2015-16 |
|---|------------------------------------|--------|-------------|-----------|-----------------------|
| Provide a central point of contact for the community and visitors | Overall number of enquiries to LIC | 1809 | 6292 | 1673 | 9774 |
| | enquiries in person | 1809 | 5843 | 1215 | 8867 |
| | by telephone/ e- mail/post | 0 | 449 | 458 | 907 |
| Encourage & support a team of well-informed volunteers to run LIC | Number of volunteers | 6 | 10 | 0 | 16 |
| Referrals made to SSDC (inc in total) | | 52 | 25 | 417 | 494 |

The overall figures are down from last year and there seem to be more enquiries trending towards phone and e-mail this year. Castle Cary are still exceeding expectations and must be highlighted for the service they are providing.

Please note:

The opening hours for each office are determined locally and vary, which is reflected in the number of visitors. Wincanton LIC is run mainly by the Deputy Town Clerk and a paid employee. Bruton LIC does *not* have a separate phone line/computer from the Town Council

In addition to supplying statistics the LICs have given the following reports:

Wincanton report:

- Updated meetings with SSDC Tourism team
- New residents to the town are happy with the welcome guide that has been produced.

Castle Cary report:

- Continue to run our Community and Tourist Information Desk entirely on volunteers.
- Open summer 9.30 am to 2pm Monday to Thursday, Friday 9.30am to 4pm, Saturday 9.30am to 12.30 am
- We attend leaflet distribution session annually plus other volunteer' training and events set up by SSDC Tourism team where possible
- We organise ordering of leaflets, tourism materials including train and bus timetables, local information, etc
- We use the internet increasingly for information searching, and now have a laptop solely for our use which is great.
- We manage the Saturday morning coffee morning bookings, banner bookings
- We help advertise and promote local events, including the Big Christmas
- We have regular Volunteers' group meetings

Bruton report:

In addition to the statistical information Bruton LIC has worked with the Town Council and Bruton Community Partnership to establish:

- Town and Community Web site
- Review of local information and marketing information.

Future funding arrangements

The annual payment of £500 to each LIC transferred from a central tourism budget to the areas in 2010 and has been awarded against performance set out in individual Service Level Agreements. Each town council has taken a different approach to delivering LIC services and as a result inconsistencies have developed. Whilst it is important that LICs are designed to reflect the distinctive local environment and meet the needs of the customer, it is felt that the allocation as it stands does not recognise the different level of service provided or encourage new approaches to service delivery.

A District wide review of Local Information Centre is underway with Officers meeting to discuss options and ideas. The findings of this review will be presented to the committee in July 2017. The town councils have been told that the funding arrangements will be reviewed and are likely to change from 2017/18. As part of the review Officers will consult with members about the approach to funding before working on detailed proposals which will include assessing the impact of changes.

Financial Implications

A total of £1,500, £500 per LIC is paid to the Town Councils from Area East: Members Discretionary Budget.

Council Plan Implications

- Environment
- Health & Communities

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None

Equality and Diversity Implications

The SSDC Area East Development Team considers all aspect of equalities in evaluating funding support. Supporting an accessible face to face, locally run LIC, with the ability to refer vulnerable people to the community office for additional support, is complementary to SSDC run customer access services.

Background Papers:

File with SLA.

Agenda Item 10

Annual Progress Report - Heart of Wessex LEADER Programme

Director: Rina Singh, Deputy CEO
Assistant Director: Helen Rutter, Communities
Lead Officer: Helen Rutter, Assistant Director (Communities)
Contact Details: helen.rutter@southsomerset.gov.uk or (01963) 435012

Purpose of the Report

To update Area East Committee on the activities of the Heart of Wessex LEADER Programme during 2016/17.

Public Interest

The whole of rural South Somerset benefits from the LEADER Programme, which supports locally designed rural development and enterprise initiatives. This is a 5 year EU funded programme that went live in November 2015. It focuses on supporting rural job creation and economic development.

Due to BREXIT the programme will finish early. Confirmation has recently been received from the RPA that all projects should be contracted by March 2019, and the current guidance is that project spend should be completed (ie final claims paid) by December 2019.

Recommendation

That Members note and comment on the report.

Background

Projects funded under the new LEADER Programme (2015-2020) focus on delivering jobs and growth, 70% of the projects funded under LEADER will directly support the rural economy (eg: through creating and developing micro and small sized rural businesses). 30% of projects will also need to demonstrate that they are contributing to improving the rural economy. The programme has 6 priorities: (1) increasing farm productivity (2) micro & small enterprise and farm diversification (3) rural tourism (4) rural services (5) cultural & heritage activity and (6) forestry productivity.

Locally it is overseen by a Local Action Group (LAG). This has aligned its activities to the Local Enterprise Partnership (LEP). The Managing Agent and Accountable Body for the heart of Wessex LAG is Wiltshire Council. The Project Manager and Administrator are based at Balsam Centre Wincanton.

The launch of the programme was delayed for over 9-months due to the General Election and a total revision of all the documentation required for the launch of the new programme. The programme manager undertook an active programme of awareness raising during this period. A national event took place on 14th October 2015 and a first call for expressions of interest was put out in November 2015.

Cllr Mike Lewis, Area East, was appointed to serve on the Executive for the LAG. All Members in the area of benefit have been kept in contact through the newsletter from the LAG and further details of the programme are on the website: www.heartofwessex.co.uk

Progress of the Programme

- Despite significant delays last year caused by a further period of purdah associated with the BREXIT vote, the Heart of Wessex LAG has allocated £314,570.00 of LEADER grant funding to 8 projects across the LAG area. With two years of the programme still to run, roughly £1million of funding is still available for eligible projects. Two of these are in Area East
- The LAG Forum, is open to all interested businesses, community groups and individuals. The Forum exists to enable the wider community to get involved in shaping the programme, hear from successful projects and to help promote the availability of grants
- There are 5 projects working towards submitting applications to be considered by the LAG Executive at the May meeting. If approved, a further c.£190,000 will be invested. Two of these applications are in Area East
- Over 100 expressions of interest have been registered with the programme, some of which are in Area East. Despite the must stricter criteria under this current programme, a good proportion of these are expected to come forward as detailed bids in the next year.
- All grant funds are paid retrospectively and all claims must be fully evidenced.
- Business advice is available from various sources to help businesses establish and grow. This includes the NDO (economy), SSDC Economic Development Team and a range of other sources/ websites for various aspects of business growth, funding etc. A fact sheet has been produced to help businesses find the help they need.
- The Programme Manager helps to ensure that projects are advised at an early stage of their eligibility and realistic prospects of success. She is also well placed to signpost towards more suitable funding from other programmes. For example larger expansion schemes may be better suited to RDPE Growth Programme. Current themes are tourism infrastructure and food processing with grants of between £35,000 and £170,000. Further details can be found at <https://www.gov.uk/government/publications/rdpe-growth-programme>

Projects approved in Somerset are as follows:

- **Little Jack Horners, Mells**, £5,014.24, grant intervention rate 40% - To expand production capability at a successful bakery manufacturing sausage rolls to open up new markets.
- **Yarcombe Woodland Products**, £88,044, grant intervention rate 40% - To enable the company to build an extension to an existing workshop purchase and install an automatic panel manufacturing machine and stacking line to increase production to meet high demand
- **Frome's Missing Links**, £48,378, grant intervention rate 62.79% - To support Phase 2 of their project – "Frome: A walking and cycling destination" with the fencing infrastructure of a mile of cycle path to join up to the well-used "Colliers Way" greenway section of route 24 of the National Cycle Network
- **Snells, Mudford** £96,708, grant intervention rate 40% - The Trough Farm Shop will combine a farm shop and coffee shop to provide the local area with a permanent and unique venue
- **Camel Hill Farm, No Till Drill** £15,278.00, grant intervention rate 40% - The no-tillage system involves the seeds being directly sown into the soil, without any general cultivation of the field.

Next steps

Due to the reduced timescales for the Programme, it is important that eligible projects are brought forward rapidly. To facilitate this Manager has arranged a series of 1 day applicant surgeries allowing

1 to1 discussions of up to 45 minutes with prospective project sponsors. This is designed to establish eligibility, deal with programme queries and help eligible applicants prepare a robust application.

Sessions planned for May and June all 10am – 4pm:

Tuesday 23th May: Churchfield, Wincanton

Thursday 25th May: Frome Town Hall

Wednesday 7th June: Nadder Centre, Tisbury

Financial Implications

None directly arising from this report. The Area East Committee set aside a ring-fenced sum to support of the programme in 2014, £6,626 is remaining. The intention is to assist applicants to bring forward high quality proposals in this Area.

Council Plan Implications

The current Council Plan states that:

- We want a strong economy, which has low unemployment and thriving businesses – one of stated ways which we will address this is to:
 - Work in partnership to deliver investment and development that local people value

Carbon Emissions & Climate Change Implications

Carbon emissions and adapting to climate change implications (NI188) in due course this designation could provide a way of supporting local employment and promote local produce/services in our communities contributing to greater self-containment, thereby reducing carbon emission

Equality and Diversity Implications

Rural communities are vulnerable to isolation from services & markets and face higher transport costs. This programme provides an opportunity to support locally important economic initiatives.

Background Papers: See web site

Agenda Item 11

Area East Forward Plan

Assistant Directors: Helen Rutter, Communities
Service Manager: Tim Cook, Area Development Manager (East)
Lead Officer: Kelly Wheeler, Democratic Services Officer
Contact Details: Kelly.wheeler@southsomerset.gov.uk or 01935 462038

Purpose of the Report

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

Recommendation

Members are asked to:-

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

Area East Committee Forward Plan

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

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

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

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

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

Background Papers: *None*

Appendix A

Area East Committee Forward Plan

| Meeting Date | Agenda Item | Background and Purpose | Lead Officer |
|---------------------|---|---|--------------------------|
| 10 May 17 | Community Health and Leisure | Annual report | Lynda Pincombe |
| 10 May 17 | Arts and Entertainment | Annual update report | Pauline Burr/Adam Burgan |
| 10 May 17 | Area Development Plan | Approve Area Development plan for 2017/18 | Tim Cook |
| 14 June 17 | Licensing Service | Annual report | Nigel Marston |
| 14 June 17 | Highways | 6- monthly update report | John Nicholson SCC |
| 14 June 17 | Retail Support Initiative | Annual update report | Pam Williams |
| 14 June 17 | Community Grant Applications | To consider any SSDC community grant applications | Tim Cook |
| 14 June 17 | Annual Appointments | Annual Appointments report | Angela Cox |
| 14 June 17 | Development Control Scheme of Delegation - Nomination of substitutes for Area East Chairman & Vice Chairman - 2017/18 | To nominate two members to act as substitutes for the Chairman and Vice-Chairman in their absence | Martin Woods |
| 12 July 17 | Community Grant Programme Update | Summary report on grants approved 2016/17 | Tim Cook |
| 12 July 17 | Transport Support for Community and Public Transport | Transport Support for Community and public transport and SSCAT Bus | Nigel Collins |
| 12 July 17 | Business Rates | Rates and rateable values of business premises | Sharon Jones |
| 12 July 17 | CIL – Rules of engagement | CIL update and Summary. Update on local accounts. | Tim Cook/Neil Waddleton |
| 9 August 17 | Heart of Wessex | Summary of the work undertaken by the Heart of Wessex Rail Partnership and to approve funding for 2017/18 | Helen Rutter |
| 9 August 17 | Community Offices | Annual report on trends, visitors etc | Lisa Davis |
| 9 August 17 | <i>LEP Update Report</i> | <i>Update report</i> | <i>Pam Williams</i> |
| 9 August 17 | <i>Local Information Centre Review</i> | <i>Update/review</i> | <i>James Divall</i> |
| 9 August 17 | <i>A303 upgrade</i> | <i>To consider the proposed scheme</i> | <i>Tim Cook</i> |

Agenda Item 12

Planning Appeals

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

Purpose of the Report

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

Recommendation

That the report be noted.

Background

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

Report Detail

Appeals Received

16/03193/FUL – Steart Hill Farm, Steart Hill, West Camel BA22 7RF
Proposed straw barn, landscape bund and associated ancillary works.

16/01243/FUL – Car park and Conveniences, Carrington Way, Wincanton
Change of use with alterations and extension of redundant public conveniences to fish restaurant/takeaway.

15/00342/USE – Land at West Farm, Mudford BA21 5TL
Without planning permission the change of use of land from use of mixed contracting business to use for: (1) A vehicle haulage contractor's yard; (2) The Manufacture of concrete products; and (3) Office use associated with 1 and 2 above.

16/03734/OUT – Land adjoining Hazelgrove Lodge, High Street, Sparkford
Erect two dwellinghouses and form a vehicular access.

Appeals Allowed

None.

Appeals Dismissed

15/03758/FUL – Alehouse Lodge, Ilchester Road, Charlton Mackrell TA11 6AB
Conversion of existing building into 2 dwellings and erection of a detached dwelling with associated access, parking and car ports.

16/02370/OUT – Land off Higher Kingsbury, Milborne Port DT9 5HF
Outline planning application for residential development consisting of 3 dwellings, with all matters reserved, except for means of access and scale.

Appeals – Split Decision

16/03255/FUL – 64 High Street, Wincanton BA9 9JF

Application to regularise the replacement of 5 white timber sash windows to front elevation with white PVCu sash windows

Appeal decisions attached.

Background Papers: None

Appeal Decision

Site visit made on 17 January 2017

by **J J Evans BA Hons MA MRTPI**

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

Decision date: 28 February 2017

Appeal Ref: APP/R3325/W/16/3159154

Alehouse Lodge, Ilchester Road, Charlton Mackrell, Somerton TA11 6AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Bugg against the decision of South Somerset District Council.
 - The application Ref 15/03758/FUL, dated 6 August 2015, was refused by notice dated 4 March 2016.
 - The development proposed is the conversion of the existing building into 2 no dwellings and erection of detached dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Charlton House is a grade II* listed building within the Charlton Mackrell Conservation Area. As required by Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of a conservation area.

Application for Costs

3. An application for costs was made by Mr & Mrs Bugg against South Somerset District Council. This application is the subject of a separate Decision.

Main Issues

4. The main issues are firstly, the effect of the proposed conversion and erection of a detached dwelling on the character and appearance of the area, having particular regard to the setting of Charlton House and the character and appearance of the conservation area; and secondly, the effect of the proposal on highway safety.

Reasons

Character and Appearance

5. The appeal site is a former public house that ceased trading in 2008, and is now occupied as a single dwelling. The Council and Historic England regard the property as a non-designated heritage asset. The building has a number of rear extensions including a skittle alley, and a generous parking area and rear

- garden. Constructed mostly of stone and tile this two storey building is positioned on the carriageway edge, close to a sharp bend in Ilchester Road near to its junction with Top Road. The form of the building, including its height and length, its construction from local traditional materials, its prominent position and its former use, are part of its significance. It makes a positive contribution to the conservation area and the historic core of the village.
6. Close to the site is Charlton House. This imposing high status building is eye-catchingly dominant. Due to its position within the village and its deliberate segregation behind a stone boundary wall, large garden and parkland, the subservient relationship of the village to the house is readily apparent. Even with the mature trees and landscaping of the gardens and parkland, the striking impact of the house and its dominance of the village is a distinct feature of its significance and that of the conservation area. The modest appearance and form of the appeal building contributes towards the dominance of Charlton House, and is therefore a positive part of the setting of this listed building.
 7. A characteristic feature of the conservation area is the presence of stone walls delineating property boundaries. These walls, along with the close proximity of many historic properties to the highway, gives an enclosed and defined appearance to the public realm, an attribute that is enhanced by the absence of footways.
 8. The provision of a footway to the site frontage would necessitate the removal of both bay windows of Alehouse Lodge. The short length of footway and its projection into the carriageway, along with the associated traffic calming measures would appear noticeably different to the character and appearance of the area. There would be a cluttered and engineered appearance to the site frontage that would be at harmful odds to the defined boundaries of nearby properties and their relationship with the highway. Furthermore, the loss of the lias shields bay window would remove a distinctly vernacular feature that is part of the significance of the building.
 9. The existing timber windows particularly those to the front elevation, contribute towards the historic appearance of the building. The appellants have stated that only unserviceable windows and doors would be replaced with upvc during the conversion, although which ones would be retained or removed has not been specified. The use of upvc in such a prominent historic building would be an incongruous contrast to its modest vernacular appearance.
 10. Turning now to the proposed house, this would be constructed of stone under tile and would infill the open gap of the car park. I agree with the Council that in principle the development of the car park could enhance the character and appearance of the area, as its wide open frontage is very different to the defined boundaries present nearby. However, the dwelling would be set back from the highway behind the new footway, and would be taller than Alehouse Lodge. Most of the properties in the historic core of the village are of similar heights giving a harmonious appearance to the area that enhances the dominance of Charlton House. The appellants consider the house would have a similar height to other properties along Ilchester Road. Be that as it may, the house would be taller than Alehouse Lodge, nor is it clear how much taller it would be than Greystones or other nearby properties.

11. The proposed dwelling would be readily apparent within the street scene, particularly when viewed from the south. Although it would be seen within the context of the nearby buildings, the height of the proposed house along with its relationship with the highway, and the complexity of the style and pattern of its fenestration would make it noticeably different. These differences would be such that the house would harmfully draw the eye. This, the alterations to Alehouse Lodge and the provision of a footway would therefore harm the dominance of Charlton House.
12. I also share the concerns of the Council as regards the impact of car parking provision within the scheme. The former public house's car park now serves a single dwelling and is a large open space within the site with an informal appearance that would be very different to the proposed car ports and associated parking courtyard. The grouping of car ports around a turning bay along with the tandem parking layout would make the parking provision a focal point of the development. This would be at harmful odds with the historic pattern of development found nearby where parking is subservient in position and appearance to the buildings it serves.
13. The National Planning Policy Framework (the Framework) requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining applications, and moreover, that great weight should be given to the significance of designated heritage assets. The appellants have drawn my attention to the local support for the scheme and that the rear of the site is not readily open to views. However, the requirements of the Framework and the statutory duties of the Act apply in all cases, to all parts of a scheme even when not visible from the public realm, and also to where there is local support
14. For the reasons given the proposal would harm the significance of a non-designated heritage asset, and would neither preserve nor enhance the character or appearance of a conservation area nor preserve the setting of a listed building. This would be contrary to the requirements of Policy EQ3 of the South Somerset District Local Plan (2015) (LP), which seeks amongst other things, development that safeguards or enhances the significance of heritage assets, reflecting the Framework.
15. The Framework requires that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. In this case the proposal would result in less than substantial harm due to the comparative size of the scheme compared to that of the conservation area and setting of Charlton House as a whole.
16. The appellants have pointed out that the provision of additional dwellings within the village would be of benefit to housing delivery as the Council have no five year housing land supply. There would be some limited public benefit to the provision of additional dwellings and the contribution of future occupiers to the vitality of local services. However, the benefit of the renovation and restoration of Alehouse Lodge would be outweighed by the harm of the proposed works to the building, and for the reasons given above the provision of three dwellings on the site would not be the optimum viable use with regard to the proposal's impact on the historic environment. Thus there would be a very modest public benefit from the provision of additional houses, but this

would not outweigh the adverse impact I have found to the conservation area and the setting of a listed building.

Highways Matters

17. Local residents consider Ilchester Road to be a rat-run during rush-hours. From the evidence before me, including what I observed at my mid-morning site visit, due to the sharpness of the bend most vehicles slow down to negotiate the corner.
18. The bend would give drivers leaving the site access limited visibility. The proposed footway would allow vehicles to project beyond Alehouse Lodge, but there would still be restricted visibility due to the bend. The appellants have pointed out the former use of the site as a public house. However, this was some time ago and the property is now used as a single dwelling with the potential for access to the site across the full width of the car park. Accepting that other properties have restricted visibility splays and that most users of the highway would be travelling slowly to negotiate the corner, nevertheless the reduced visibility of the proposed access, combined with its proximity to a sharp bend and a road junction, would be dangerous.
19. The construction of a footway along the site frontage would allow pedestrian access to the front doors of the houses, and this would be a benefit to future residents. Notwithstanding this I share the concerns of the Council as regards the impact of its provision on other users of the highway. The presence of a footway would narrow the road, thereby altering the path of vehicles, particularly heavy goods vehicles, deflecting them into the centre of the road in order to negotiate the bend. Whilst there would be a short length of footway for any pedestrian to use, it would not connect with any other footway, and users would be obliged to step back into the road very near to the sharp bend.
20. The appellants provided a Technical Note to support the appeal, pointing out that the Council refused the application before it could be finalised and submitted. However, the appeal process should not be used to evolve a scheme. It is important that the facts before me are essentially those considered by the Council and other parties. In this instance there are several differences between the appeal scheme and that considered by the Council, and furthermore, the Technical Note is a draft version. The Council have had an opportunity to comment, but others have not. The Technical Note differs significantly from the application and as others have not had an opportunity to comment, I am therefore unable to accept it as an amendment.
21. Thus the proposal would not maintain highway safety for all users, and therefore would be contrary to LP Policy TA5 that seeks like objectives of the Framework and the Manual for Streets, safe and convenient access for all.

Other Matters

22. Finally, the appellants' have raised a number of issues regarding the Council's handling of the application and the extension of the conservation area. I appreciate such matters would be of concern to the appellants but they have to be pursued by other means separate from the appeal process and do not outweigh the planning considerations of the case.

Conclusion

23. For the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR

Costs Decision

Site visit made on 17 January 2017

by **J J Evans BA Hons MA MRTPI**

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

Decision date: 28 February 2017

Costs application in relation to Appeal Ref: APP/R3325/W/16/3159154 Alehouse Lodge, Ilchester Road, Charlton Mackrell, Somerton, TA11 6AB

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr & Mrs Bugg for a full award of costs against South Somerset District Council.
 - The appeal was against the refusal of the Council to grant planning permission for the conversion of existing building into 2 no dwellings and erection of detached dwelling.
-

Decision

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

Reasons

2. The Planning Practice Guidance (the Guidance) advises that irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably, and thereby caused the party applying for the costs to incur unnecessary or wasted expense in the appeal process.
3. The Guidance advises that awards may be procedural relating to the appeal process, or substantive relating to the planning merits of the appeal. All parties are expected to behave reasonably throughout the planning process, and costs can only be awarded in relation to unnecessary or wasted expense at the appeal. The Guidance makes it clear that costs cannot be claimed for the period during the determination of the planning application, although behaviour of the parties at this time can be taken into account.
4. The application for a full award of costs has been made in writing and will not be repeated here in any detail. The appellants consider the Council behaved unreasonably in the processes followed to determine the application. Limited and conflicting advice was given to the appellants and the Council were unwilling to discuss and resolve outstanding issues. Expert advice was inconsistent, and the decision was issued suddenly and without informing the appellants. The refusal of the proposal was inconsistent with other decisions taken by the Council. Unnecessary and wasted expense has occurred in preparing and submitting both the application and the appeal.
5. For the reasons given in my decision I have found substantive reasons for dismissing the appeal. The Council substantiated the decision at both the application and appeal stages. An explanation has been provided as to the planning history of the site and the bearing it had on the decision. Matters of planning policy have been considered and their relevance to the decision. The location of the appeal property in a conservation area is a matter that the

- Council have a statutory requirement to consider, as is the impact of the proposal on the setting of a listed building.
6. The Council provided advice during the application, including meeting with the appellants. Negotiation was occurring with the County Highways Authority and the appellants were aware of the requirement for further information with regard to highway matters. Although a report was commissioned by the appellants it was not finalised nor was it submitted to the Council at the application stage.
 7. It does not follow that other cases set a precedent as each proposal has to be treated on its individual merits in accordance with the current development plan and all other material considerations. In this instance the Council took a different view with regard to the level of harm resulting from the proposal than the appellants. The Council have not behaved unreasonably, but have given a different weight to the issues.
 8. The circumstances of how the Council issued the decision would have been frustrating for the appellants. However, it was not unreasonable of the Council to determine the application on the basis of the information before it, having regard to the current development plan and the statutory duties upon it. The decision to proceed with an appeal would have been one for the appellants to make.
 9. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense as described in the Guidance has not been demonstrated, and a full award of costs is not justified in this instance.

J J Evans

INSPECTOR

Appeal Decision

Site visit made on 28 February 2017

by Paul Griffiths BSc(Hons) BArch IHBC

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

Decision date: 23 March 2017

Appeal Ref: APP/R3325/W/16/3161551

Land off Higher Kingsbury Close, Milborne Port DT9 5JL

- 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 Mr I Skinner against the decision of South Somerset District Council.
 - The application Ref.16/02370/OUT, dated 27 May 2016, was refused by notice dated 18 October 2016.
 - The development proposed is described as 'outline planning application for residential development consisting of 3 dwellings, with all matters reserved, except for means of access'.
-

Preliminary Matters

1. The originating application was made in outline but contrary to the description of development set out above, the original application form clearly indicates that approval was sought for access and scale. Moreover, drawing jw583-200 rev.H clearly shows a proposed layout of the dwellings as well as their scale, and the means of access, and is not marked as illustrative. In that overall context, I have dealt with the appeal on the basis that outline planning permission was sought for 3 dwellings, along with approval of access, layout, and scale, with appearance and landscaping reserved for future determination.
2. The proposal at issue is said to be a reaction to a previous scheme for 10 dwellings on the appeal site refused outline planning permission, and subsequently dismissed at appeal¹. I was the Inspector responsible for that decision, dated 15 July 2015, following a site visit conducted on 2 July 2015.

Decision

3. The appeal is dismissed.

Main Issue

4. This is the effect of the proposal on the living conditions of occupiers of Nos.4 and 5 Higher Kingsbury Close through noise and general disturbance from traffic generated by the proposed development.

Reasons

5. Nos.4 and 5 sit astride one leg of the turning head at the end of Higher Kingsbury Close that would be used to gain access to the proposed development.

¹ APP/R3325/W/15/3004449

6. LP² Policy EQ2 says that development proposals will be considered against, a number of criteria, including respect for local context. Moreover, such development should protect the residential amenity of neighbouring properties. This approach accords with the core principle of the Framework³ that a good standard of amenity should always be sought for all existing and future occupants of land and buildings.
7. As I found previously, the occupiers of Nos.4 and 5 currently experience little in the way of passing traffic. The introduction of an access road, running between them, to serve the three dwellings proposed, would therefore lead to a significant increase in passing traffic, and associated noise, and disturbance, including, at times, from vehicle headlights. Given the restricted width of the existing turning head that would be used as the basis for the proposed access road, this traffic would pass Nos.4 and 5 at very close quarters.
8. I appreciate that the impact would be less than that I found unacceptable in relation to the 10 dwelling scheme I previously considered. Nevertheless, it is my judgement that the noise and disturbance that would flow from the 3 dwelling proposal at issue would still have a significant detrimental effect on the living conditions of the occupiers of Nos.4 and 5, contrary to LP Policy EQ2, and the core principle of the Framework referred to. I acknowledge the economic and social benefits involved in bringing forward new housing but in my view, the adverse impact I have identified renders this proposal unacceptable too.
9. For the reasons given above I conclude that the appeal should be dismissed.

Paul Griffiths

INSPECTOR

² The South Somerset Local Plan (2006-2028)

³ The National Planning Policy Framework

Appeal Decision

Site visit made on 1 March 2017

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

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

Decision date: 20th March 2017

Appeal Ref: R3325/D/16/3167072

64 High Street, Wincanton, Somerset, BA9 9JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Wright against the decision of South Somerset District Council.
 - The application Ref 16/03255/FUL, dated 21 July 2016, was refused by notice dated 26 September 2016.
 - The development proposed is to regularise the fitment of 5 white PVCu double glazed vertical sliding sash windows to replace 5 white wood single glazed vertical sliding sash windows.
-

Decision

1. The appeal is dismissed insofar as it relates to windows in the main part of the building annotated (2) and (3) on the second floor and (5) on the ground floor on the submitted photographs.
2. The appeal is allowed insofar as it relates to windows in the extension to the east annotated (1) on the second floor and (4) on the first floor, and planning permission is granted for regularising the fitment of 2 white PVCu double glazed vertical sliding sash windows to replace 2 white wood single glazed vertical sliding sash windows at 64 High Street, Wincanton, Somerset, BA9 9JF, in accordance with the terms of the application, Ref 16/03255/FUL, dated 21 July 2016, and the photographs submitted with it, so far as relevant to that part of the development hereby permitted.

Main issue

3. The main issue is the effect of the proposal on the character and appearance of the conservation area.

Reasons

4. 64 High Street is the end property of a short terrace of buildings comprising three three-storey buildings, including No. 64, and two two-storey buildings. The three-storey buildings have a distinctive cohesive character derived from the coursed rubble stone front elevations and shared architectural detailing, including ashlar quoins and window dressings, four pane sash windows and the dentil eaves cornice. No. 64 has a set back extension to the eastern side at first and second floor level over a track giving access to the rear.
5. It is located in the Wincanton Conservation Area. Wincanton is a small market

town with the commercial core centred on High Street, characterised by a mix

of houses, shops and other businesses constructed in a traditional vernacular style, with some grander buildings, mainly of a variety of local stone with tiled or slate roofs and timber windows.

6. Policies relevant in this case include EQ2 and EQ3 of the South Somerset Local Plan (2006-2028), adopted 2015 (the local plan). Among other things, these require new development to be of a high standard of design and, where it affects heritage assets, including conservation areas, for it to safeguard their significance, character and local distinctiveness and make a positive contribution to their character through the use of appropriate materials.
7. The National Planning Policy Framework (the Framework) requires proposals affecting heritage assets, including conservation areas, to be considered having regard to any harm caused to their significance. Where a proposal would lead to less than substantial harm to the asset, this harm should be weighed against the public benefits of it, including securing its optimum viable use.
8. There is an Article 4 Direction in place for the conservation area which removes permitted development rights for a variety of forms of development, including alterations to dwellings involving changes to windows where the alterations front a highway. The Direction reflects the high level of importance the Council places on the proper protection of the distinctive character and appearance of the conservation area.

Three windows on the main elevation

9. The PVCu windows have already been installed. I consider that the three new windows in the main part of the building are harmful to its character and appearance and to that of the wider conservation area because of their design and inappropriate material.
10. I saw during my visit that there are several examples of PVCu windows in other buildings along the street, but a very large proportion of the buildings retain their timber windows. In my view, the latter form an important part of the traditional, historic character and appearance of the conservation area and the instances of replacement PVCu windows have a negative effect on that character.
11. The principal elevations of the three three-storey buildings in the terrace are largely unaltered, with the original timber windows still in evidence. I acknowledge the fact that the appellant wishes to improve the energy efficiency of his property and chose the new windows to reflect as closely as possible the features of the original timber ones. However, in terms of their finer detail, including, among other things, the wider meeting rail, the profiled moulding and the use of applied horns, they are out of keeping with the traditional and historical character of the timber windows in the area.
12. Allowing the retention of the three windows on the principal elevation of the building would result in the erosion of a small but important detail of the distinctive character and appearance of the street scene within the conservation area, namely the original timber windows. I am not persuaded that there is public benefit sufficient to outweigh the harm. I conclude that the new windows fail to safeguard the character and local distinctiveness of the conservation area

and do not make a positive contribution to its character, contrary to local plan policies EQ2 and EQ3 and the guidance in the Framework.

Two windows on the side extension

13. The front elevation of the extension to the east side of the main building is set well back from the plane of the main frontage of the terrace and is less prominent in the street scene. It appears to be a later addition to the main terrace and is of a different, more modest, style. I consider that the new windows in this part of the building do not cause unacceptable harm either to the building itself, the terrace as a whole or the wider conservation area,

Conclusion

14. For the reasons given above, the appeal insofar as it relates to windows (2) and (3) on the second floor and (5) on the ground floor on the principal elevation, is dismissed.

15. For the reasons given above, the appeal, insofar as it relates to window (1) on the second floor and (4) on the ground floor of the extension to the east, is allowed.

PAG Metcalfe

INSPECTOR

Agenda Item 13

Schedule of Planning Applications to be Determined by Committee

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

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 10.15am.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 10am.

| SCHEDULE | | | | | |
|---------------|----------------|--------------|---|---|-------------------------|
| Agenda Number | Ward | Application | Brief Summary of Proposal | Site Address | Applicant |
| 14 | BLACKMOOR VALE | 16/04551/REM | Application for the approval for the remaining reserved matters of outline planning approval 12/03277/OUT | Land at Slades Hill, Templecombe | Paul Drake |
| 15 | CAMELOT | 17/00408/OUT | Erection of a detached dwelling | Land opposite Brooklands Barn, Brains Lane, Sparkford | Mr E Douglas |
| 16 | TOWER | 16/05379/FUL | Change of use of agricultural buildings for use as a wedding car hire business. To include a new build 'link' barn, replacement of existing store with office, engineering works etc. | Belmont Farm, Charlton Musgrove | Mr Shinar |
| 17 | TOWER | 17/00512/S73 | S73 application to vary the wording of Condition 4 of approval 15/03373/FUL to provide a time frame of 25 years. | Land west of Tinkers Lane, South-east of B3081 Cucklington, Wincanton | Clapton Farm Solar Park |

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

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

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 14

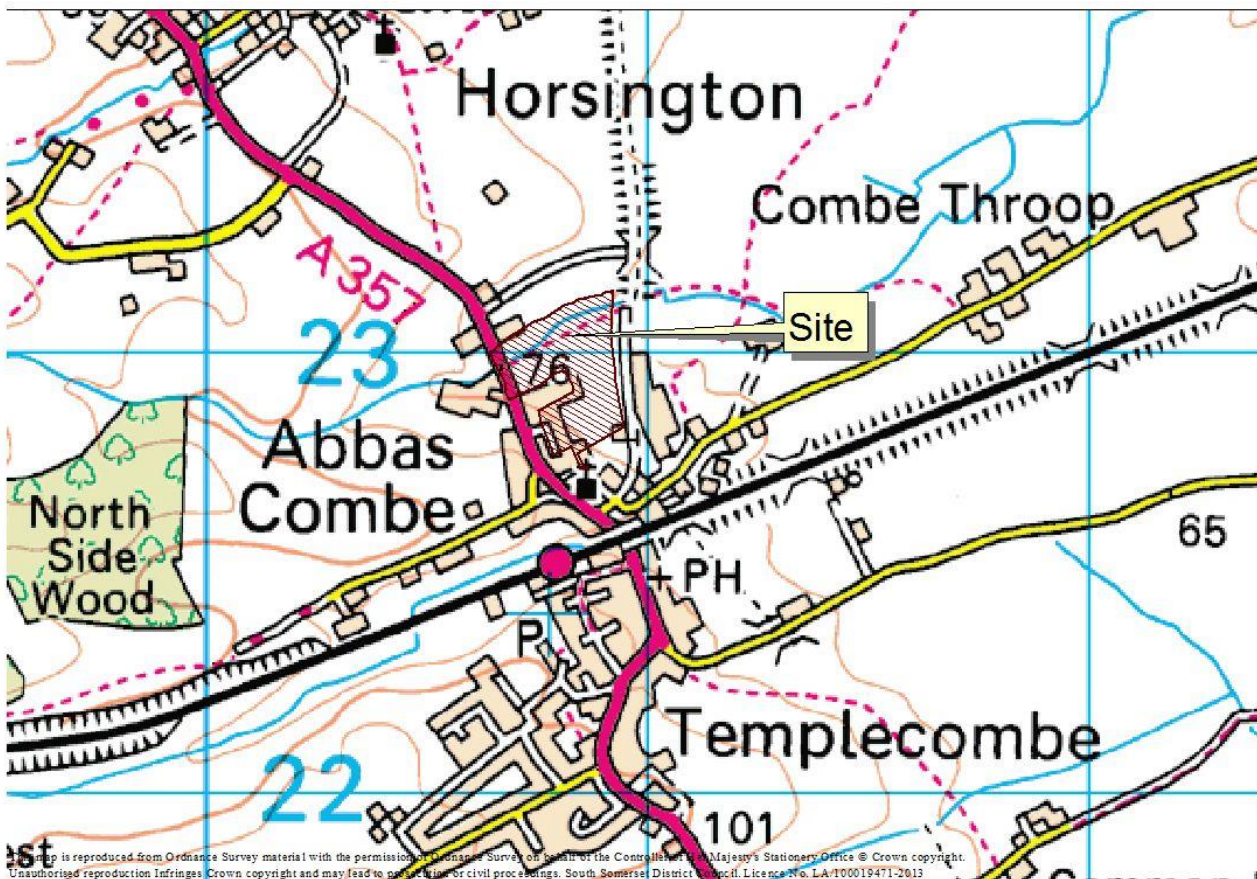
Officer Report On Planning Application: 16/04551/REM

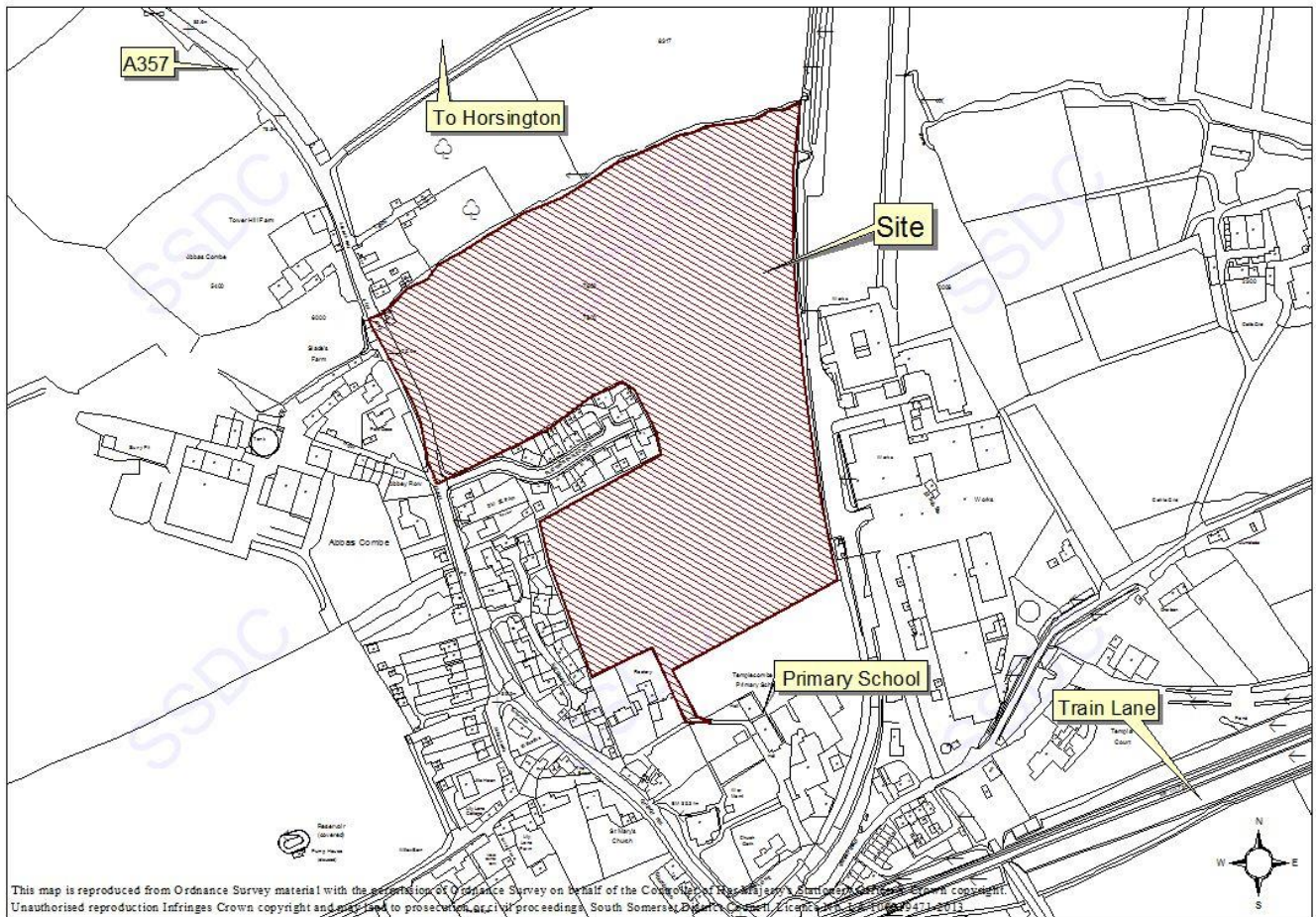
| | |
|--|--|
| Proposal : | Application for the approval for the remaining reserved matters (appearance, landscaping, layout and scale) of outline planning approval 12/03277/OUT (Mixed use development comprising up to 75 dwellings, B1a, b and c employment, D1 multi purpose community building and associated development) |
| Site Address: | Land At Slades Hill, Templecombe. |
| Parish: | Abbas/Templecombe |
| BLACKMOOR VALE Ward (SSDC Member) | Cllr W Wallace |
| Recommending Case Officer: | Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk |
| Target date : | 26th January 2017 |
| Applicant : | Paul Drake |
| Agent: (no agent if blank) | Ian Jewson Planning, 1 Gas Ferry Road, Bristol BS1 6UN |
| Application Type : | Major Dwlgs 10 or more or site 0.5ha+ |

REASON FOR REFERRAL TO COMMITTEE

The application is referred to committee because of the significance of the proposal for Templecombe and to enable the issues raised to be debated.

SITE DESCRIPTION AND PROPOSAL





This 6.57 hectare site is location outside, but adjacent to existing settlement limits and is currently in agricultural use. It sits at the base of a shallow dip, with the land rising to the east, north and west. It is bounded by the school and church to the south, the Thales site to the east, existing residential development to the west and by agricultural land to the north. The nearest residential properties, in Blackmore Vale Close and The Hamlet, sit on raised ground relative to the development site, supported by a gabion wall.

Outline permission has been granted, at appeal for up to 75 houses, including 35% affordable employment space, open space, allotments, a cemetery extension, additional playing field for the school, a site for a community hall (or contribution towards off-site provision) and a new access from Slade Hill. This reserved matters application seeks detailed approval for:-

- 75 dwellings
- B1 of employment space;
- allotments;
- a on site POS;
- additional playing field for the school;

The application is supported by:-

- A Planning Statement;
- A Design and Access Statement
- A statement of community involvement;
- A Landscape and Ecological Management Plan
- A Landscape & Visual Impact Appraisal;

The applicant has provided amendments to address concerns raised in consultation. In particular the community hall site has been omitted as the PC have agreed to the off-site contribution and an access to the gabion wall has been provided for residents in The Hamlet and Blackmore Vale Close.

RELEVANT HISTORY

- 12/03277/OUT Outline permission granted at appeal for mixed use development comprising of up to 75 dwellings, retail unit, employment area, community building, area for potential school expansion, public open space, allotments together with new access
- 13/03116/OUT Outline application mixed use development comprising of up to 75 dwellings, retail unit, employment area, community building, area for potential school expansion, public open space, allotments together with new access. This application was submitted at the time of the appeal in relation to the above application. It was held in abeyance pending the outcome of the appeal and has been not been withdrawn even though the appeal has been allowed.

POLICY

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

South Somerset Local Plan 2006 - 2023

The following policies are considered relevant to this reserved matters application.

- SD1- Sustainable Development
- HG5 – Achieving a Mix of Market Housing
- TA5 – Transport Impact of New development
- TA6 – Parking Standards
- HW1 – Provision of open space, outdoor playing space, cultural and community facilities in new development
- EQ1 – Addressing Climate Change in South Somerset
- EQ2 – General development
- EQ4 – Biodiversity
- EQ5 – Green Infrastructure

National Planning Policy Framework

- Chapter 4 - Promoting Sustainable Transport
- Chapter 6 - Delivering a Wide Choice of High Quality Homes
- Chapter 7 - Requiring Good Design
- Chapter 8 - Promoting Healthy Communities
- Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 11 - Conserving and Enhancing the Natural Environment

CONSULTATIONS

Templecombe Parish Council – initial comments as follows:

1. Not all the plans submitted are up to date

2. Junction to main road A357. The issues remain:-

i) Although the link through to the Thales site would require additional planning permission the road through the development and the subsequent junction with the A357 has the potential to carry a considerable volume of traffic. The current proposal is based on the surveys completed 3 years ago. Since then the village road layout has been changed and it is agreed that this has led to cars travelling even faster at this point as they accelerate away from the build outs. Recent monitoring consistently meets the criteria for speed monitoring equipment. When monitoring is in place it shows some traffic travelling in excess of 60 miles per hour. We therefore request that a new traffic survey be carried out and the results be taken into account before allowing the development to commence.

ii) Because of the pattern of traffic movements in the village particularly with school, buses or employees entering and leaving Thales there are times in the day when there is already traffic congestion in the village. The backup of traffic on the A357 whilst traffic is waiting to turn right has the potential to cause a complete breakdown of movement within the village, particularly if buses or heavy Lorries are stuck between the build outs.

iii) The visibility splay to the A357 will be hindered by the proposed 0.8m store wall. Should the proposed planting also be completed that will further block the visibility up the A357 especially given as the road slightly bends back away.

iv) It is noted that the development, of 75 houses and two industrial complexes, has only one vehicle escape route should a major problem occur within the large adjoining complex.

3. Position of employment land

Previous plans have shown employment land located on the right hand side. The current proposed layout reflects what was a quick change from retail land use at the point the application went to enquiry. The Council consider that the placement of an employment area towards the back of the estate is a poor decision. The number of visitors and "white van delivery drivers" will be a major hazard to children and other walkers within the development. We suggest that all of the employment land be placed at the entry to the development so that the risk of accident is greatly reduced.

4. Provision of LEAP

The 106 agreement signed on 4.10.13 clearly indicated the provision of a LEAP. In previous applications this has been sited next to the 'playing' field. In this current proposal it is positioned in the 'village green' By definition a village green is a common area of grassland suitable for grazing - clearly this area does not meet that definition. In addition the proposed location of the LEAP is surrounded on 3 sides by road, one of the roads having the potential to link to Thales and therefore carry considerable traffic. Even under the current provision its position next to the employment land is inappropriate.

5. Provision of Youth Facilities

The 106 agreement signed on 4.10.13 clearly indicated the provision of a Youth Facilities on site but there is no area indicated on the current planning application for this provision.

6. Fencing of School Field.

The layout suggests the playing field to be a community area accessible to all and only secured by deer park fencing. However in the 106 agreement signed on 4.10.13 clearly indicated the provision of

this playing field to the County Council as a School Field. This will not be accessible to all, will need to be securely fenced and accessed from the school only.

7. Provision of Community facilities

The Parish Council have indicated repeatedly that rather than having provision of a building at the site of the Community Hall that they wish for a contribution.

8. Access to drainage

The existing villagers have considerable concern at the planned link to existing sewage. Given the issues with the current capacity within the village the proposed plans do not seem to address this.

9. Mix of social housing

Distribution of social housing is biased towards proximity to existing properties and not to the properties within the development - this is illustrated by the fact there is no social housing in the top right hand corner of the development which contains the highest value A and B houses. The development therefore seems to be creating subareas of more desirable development at the cost to the residents in Blackmore Vale Close.

10. Provision of trees

The provision of trees creates an extremely high barrier due to height differences along the properties on the right side of Blackmore Vale Close with potential loss of light - especially as this is south facing. There is also no indication of safeguarding of original walls from root damage along the Hamlet boundary wall part of which is listed and the Gabion walls surrounding Blackmore Vale Close.

11. Fencing

The line of 1.8m fencing extending at the back of Blackmore Vale Close will be disproportionately tall due to the height of the field compared to the existing properties adding an additional 1.5m to the height of the field in some locations.

There is no indication of any provision of protection fencing of the gabion wall around Blackmore Vale Close or the Hamlet - including the listed wall in the corner of the Hamlet and Blackmore Vale Close.

12. Lighting

The difference in height between existing properties and the application will result in considerable issues with any planned street lighting as this will be at first floor level at the Hamlet and the left hand side of Blackmore Vale Close.

*13. Protected Species - Slow worm *Anguis fragilis**

There are a number of colonies of slowworms in the Gabion walls around Blackmore Vale Close and The Hamlet - their proximity of these areas to construction shows no consideration for protection of this species in this location

14. Further requests for change by the developer

The proposed designs for the dwelling houses to be built are currently in, what the architect describes as "in keeping with the village environment and not a standard building block such as used by the major developers". We expect that should proposals be made by the developer for a change of property style, to save the developer money, be refused.

15. Interests of the villagers of Templecombe

The Parish Council expect to be kept up to date on the negotiations with the developer and that no "deals" be made that would put the developer in a better position than indicated by the current planning request. At the public meeting on 28th September the architect made many references to the previous planning application especially in relation to the Section 106 Agreement and we will not accept changes that would be at the cost of the village.

16. It is anticipated that a method of construction i.e. plans for controlling dust, mud and contractor parking will apply to the development in order to minimise disruption particularly if it effects the main road - A357.

In response to the revised scheme comment:-

- *The site plan supplied is not up to date. It shows the Old Rectory and not the new buildings that have been built on the site. No checks on proximity of the builds/overlooking etc have been made.*
- *The playing field is a school field and as such needs to be fenced off and shown clearly as not for public access.*
- *Have the allotments suitable drainage and a water supply*
- *Is there sufficient space for the LEAP in relation to the fence*

County Highway Authority – no objection subject to safeguarding conditions.

SSDC Open Spaces Officer – initially encouraged by the amount of Open Space but feel the overall design and layout could be altered to really maximise the potential for the new residents as well as the existing residents in Templecombe. In detail:-

“We would like see some of the Open Space brought into a more central location, creating more of a divide between the new development and the existing properties in Blackmore Vale Close. This central location would be ideal for the village green concept, however, with a few amendments. At the moment we are not considering any part of the village green as useable public open space as it is only run off for the LEAP, however if a larger village green was created, taking some POS from the area surrounding the attenuation feature, this would be a great focal point for the development, allowing room for a LEAP as well as more useable Open Space. There is great potential to create a community area here for the residents to enjoy and the design should include: hard surfaced pathways, quality tree/shrub planting, perimeter metal bow top fencing, seating and potentially lighting; with access gates for maintenance and pedestrians.

“We are happy with the large amount of open space surrounding the playing field, creating a multi-use area rather than limiting it to just a football pitch. Likewise, with the area surrounding the attenuation feature, although as previously mentioned this could be reduced. We haven’t included the attenuation pond itself in our useable open space calculation; however we would be keen to work with the developer to create landscaped areas here that can be enjoyed by the community.

“The green buffer areas along the northern and eastern boundaries of the site are an encouraging feature and if planned well, ensuring accessibility for maintenance, will help create a perimeter link around the site connecting all the differing areas of Open Space.

“Finally, looking back at the plans included with the outline application for this development, there is the inclusion of a larger green entrance onto the site and we would be keen to see this included again, creating an appealing and softer connection with the existing properties on Slades Hill.”

Subsequently, in light of a request from the doctors, the PC confirmed their support for the siting of a new surgery at this site and reiterated their request for an off-site contribution towards local community halls.

Leisure Policy Co-ordinator – no objection to amended scheme.

SSDC Environmental Protect Unit – no objection subject to consideration of possible noise from proposed employment and imposition of construction management condition.

SSDC Landscape Architect – initially raised a number of concerns:-

“In most part the proposed layout is acceptable. However I am not persuaded by the positioning of the ‘village green’ which is islanded by roads on 3 sides, and sited alongside an employment area. This area should be integrated with the playing field area to the southeast corner of the site, to provide safer, flexible, and more user-friendly public space. This change could easily be achieved by swapping the space with units 62-64.

I have no particular issue with the layout of the housing, though I would suggest some fine-tuning in the positioning of the garages relative to the houses, plots 25-27, either shifting the garaging back, or the houses forward, to avoid the sight of cars parked to the fore of the house line, on what will be quite a prominent corner in the street scene.

“The three external works drawings indicate tree planting and hedgerows, but no detail is offered, contrary to the note on the drawing that reference is made to the detail design. I would suggest that once the final layout is agreed, planting details are forwarded. However, in the interim, I would advise re; tree species; (i) given the allergenic effects of birch pollen, SSDC now discourages the planting of birch within residential areas, and (ii) neither do we encourage the planting of Rowan (Sorbus) as it doesn’t fulfill its growth potential in local soils.

“I also note that rear garden planting is intended between the existing residential areas of Blackmore Vale Close and The Hamlet, and the proposed housing. Given the level differentials, I would advise that the tree species are selected with care, to filter intervisibility, yet to be of a scale that ensures that gardens are not cast in shade once the planting matures.

“I note the intent to utilise render on approx one-third of the new residential build. Within the village core, render tends to be more occasional, its pale tones supplemented by some painted brickwork. To better correspond to local character, I would advise the amount of render finish is reduced to circa 20%.”

In response to the amended scheme confirms this to be acceptable but notes:-

Landscape details are now submitted. In most part, the detail is fine, though I note that our earlier advice re; tree species; i.e; (i) given the allergenic effects of birch pollen, SSDC now discourages the planting of birch within residential areas, and (ii) neither do we encourage the planting of Rowan (Sorbus) as it doesn’t fulfill its growth potential in local soils, was not conveyed to the designer, and I would advise the removal of those species, additionally tree species Sorbus ‘Joseph Rock’ which is susceptible to fireblight. Replace with tree species already within the schedule, to thus reduce the tree planting palette for greater visual cohesion.

SSDC Ecologist – notes the requirement of condition 13 of the outline permission to agree ecological mitigation and raises no objection, suggests an informative with regard to slow worms.

SSDC Climate change officer – suggests some plots would benefit from re-orientation to maximize the potential of PV installation.

SSDC Housing Officer – notes the requirements of the S106 agreement with regard to affordable housing. Raises a concern that one of the houses identified as affordable may not meet SSDC standards. Suggests that this be changed to “a 3 bed parlour house instead of a 4 bed house but as I previous stated it needs to be a true 3 bed without a study as the size of the study is not adequate for a bedroom but could still be counted as a bedroom for benefit purposes and have a separate dining room downstairs.”

SCC Archaeologist – no objection.

SSC as Lead Local Flood Authority – initially concerned by the lack of information. In response to additional details confirmed no objection subject to agreeing full technical details through discharge of outline condition

SCC Rights of Way – no objection but note the existing right of way across the site which will have to be diverted or maintained free of obstruction.

Police Crime Prevention Design Advisor – suggests consideration be given to the detail of the community hall and the parking for the employment units to ensure anti-social behavior is minimised.

Somerset Waste Partnership – no objection but initially raised concerns about position of collection points and maneuverability for refuse vehicles.

REPRESENTATIONS

11 representations were received to the first notifications:-

- Proposed houses too close to existing properties in The Hamlet and Blackmore Vale Close;
- Overlooking and loss of privacy;
- Loss of views/outlook;
- Loss of light/light pollution;
- Impact on wildlife (bats, birds, deer, rabbits,
- Noise and disturbance;
- increased flood risk;
- highways safety issues at Slades Hill access, including on street parking
- impact of proposed industrial units on properties in Blackmore Vale Close;
- impact of construction in gabion wall;
- access to the gabion wall for maintenance
- development too large for Templecombe;
- loss of greenfield site and provision of commuters housing;
- questions over provision of planning obligations and previous appeal decision;
- does Thales have an interest in the development
- playing field and cemetery extension not needed
- the site would make a good location for a new doctor's surgery.

6 further representations have been received to the amended scheme raising the following additional issues:-

- there are arches in the retaining wall behind The Hamlet; what is to become of these?
- Lack of services and facilities in the village;
- Position of social housing
- Impact on protected tree to south

CONSIDERATIONS

Principle of Development

The grant of outline permission has established the principle of the development of this site, together with the level of development and the access arrangements from Slades Hill. It would not be appropriate to revisit these fundamental issues at this reserved matters stage. The key considerations are therefore the reserved matters i.e. layout, scale, appearance and landscaping.

Layout

The proposal for 75 dwellings and employment provision on this substantial site is considered to be an appropriate level/density of development that would provide generous public and private space for future occupiers as well as allotments. The playing field for the school and allotments would be to the benefit of the wider community. The density is considered appropriate for this edge of village location.

In terms of the detailed layout the county highway authority raises no objection on highways safety grounds or to the highways layout and the properties are all provided with parking in accordance with the County's parking standards.

It is considered that there would be sufficient separation between the proposed house houses and existing properties and it is not considered that any existing resident would be unduly impacted in terms if of privacy. The proposed layout provides for adequate amenity in terms of garden size, parking etc., for future occupiers of the development with a satisfactory degree of separation between the houses and the proposed employment units. A maintenance strip has been provided around Blackmore Vale Close and to the rear of The Hamlet so that residents can access the gabion wall for maintenance purposes.

The concerns about the position of the employment land are noted. However this use is limited to B1 (light industrial uses) which by definition are considered acceptable in close proximity to residential properties. It is not considered reasonable to object to this aspect of the proposal.

On this basis the layout of development is considered to comply with policies TA5 and EQ2.

Scale of Development

The proposal is for 75 dwellings. This is compliant with the outline permission and is considered a reasonable level of development for site of this size in this location. The scheme provides for an appropriate balance of built form and open space. In terms of the scale of the built form most properties are 2-storey with some bungalows which is considered appropriate for the location and compliant with policy EQ2.

Appearance

The detailing and the materials mix have been amended to reflect the number concerns including the comments of the landscape architect. The properties are of an appropriate design and detailing, which, subject to agreement of the detailed materials by condition, are considered to be compliant with policy EQ2.

The school have requested that the playing field be fenced off for security reasons. Subject to agreeing the detail and position of the fencing by condition this is considered reasonable.

Landscaping

Following amendments to the detailed landscaping scheme the landscape architect has no objection to the proposed planting scheme. On this basis this aspect of the proposal complies with policy EQ2.

Other Issues

Highways safety

The fundamental highways issue in terms of the access to the site and any wider highways impacts where addressed at the outline stage and, given that there are no identifiable changes in circumstance,

should not now be re-considered. As noted above the proposed lay out is considered acceptable by the highway authority, subject to conditions, and meets parking and safety requirements. As such this aspect of the proposal complies with policies EQ2, TA5 and TA6.

Ecology

At outline stage detailed ecological mitigation measures were proposed and agreed. These are now subject to a condition on the outline permission. Accordingly, notwithstanding on-going local concerns about possible wildlife impacts, particularly on the proposal is considered to comply with policy EQ4. As suggested by the Council's ecologist an informative regarding slow worms is suggested.

Drainage

It is not considered that there is any reason why this site cannot adequately be drained. It slopes away from existing development and an attenuated system is proposed that would discharge at the greenfield rate to the existing water course where all current run-off currently goes. This is considered reasonable and the LLFA accepts that the technical detail of the drainage system can appropriately be agreed through the discharge of the outline drainage condition. This would comply with policy EQ1.

Local Concerns

There remains some local concern about the principle of the development of this site, the access arrangements and the wider traffic implications on the wider road network. These were weighed in the balance at the outline stage and not considered to justify withholding permission. It would not now be appropriate to seek to revisit these issues.

The comments about the accuracy of the plans are noted. These relate to the omission of the two new houses with the grounds of the Old Rectory to the south. The presence of these new houses is noted however it is not considered that their relationship with the proposed houses would be unduly detrimental.

The planning obligations were agreed at outline stage and cannot now be revisited. The applicant has amended the scheme to take on board the comments from the various consultees with an interest and the scheme provides for 35% affordable housing and on site POS in accordance with the S106 agreement. It is not considered that this provision or its layout is objectionable. The perceived lack of need for the cemetery extension and school playing field are noted however these are accepted benefits of this scheme under policy SS2 and it is not suggested that they now be set aside.

The suggestion that the site could provide a new doctors surgery is noted and has been raised with the application who is willing discuss this possibility with the surgery. However at this stage the inclusion of a surgery (a D1 use) would not comply with the outline permission. Its inclusion would necessitate a new application for either outline for full planning permission which is not an option reasonably open to the applicant at this stage. Nevertheless it is a possibility that all parties are willing to explore in the future.

To date Thales have not formally been party to the application. It was originally thought that a new access to their site could be provided thereby removing most of their HGV traffic from the village centre, however this was not achievable due to levels difference and their own on-site constraints.

A number issues are identified that can reasonably be addressed by conditions e.g. construction management, and external lighting, or by other legislation, e.g. the longstanding footpath diversion which the County Council are dealing with under the Highways act. Additionally some non-planning comments are made with regard to property values and views which cannot be afforded weight in the balance.

Conclusion

It is acknowledged that this proposal continues to generate some local opposition, nevertheless it has to be accepted that this application seeks simply to agree the detail of a scheme that has already been granted outline permission. The proposal is bound by the parameters and obligations agreed at that outline stage. In this respect the proposal sits within the accepted quantum of development and provides for the agreed obligations.

In terms of the 'reserved matters', scale, layout, appearance and landscaping the proposal is considered acceptable and compliant with the policies of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

RECOMMENDATION

That these reserved matters be approved subject to the following conditions.

Justification

The proposal is of a satisfactory layout, appearance, scale and landscaping that would have no adverse impacts on visual or residential amenity, ecology, flood risk, highways safety, heritage assets or landscape character. As such the proposal complies with the policies of the South Somerset Local Plan 2006-2028.

CONDITIONS

01. Except as required by other conditions attached to this approval, the development hereby permitted shall not be carried out otherwise than in complete accordance with the following plans:-

INSERT

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

02. Prior to the construction of each dwelling hereby approved particulars of following shall be submitted to and approved in writing by the Local Planning Authority;
- a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b. details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - c. details of all hardstanding and boundaries
 - d. details of the rainwater goods and eaves and fascia details and treatment.

Such details shall be generally in accordance with the material schedule submitted in support of the application. Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

03. All planting, seeding or turfing comprised in the Landscaping Proposals as shown on drawing numbers 800/01A; 800-02A and 800-03A shall be carried out in the first planting and seeding

seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority give written approval to any variation.

Reason: In the interests of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

04. Prior to the commencement of the dwellings hereby approved details of measures for the enhancement of biodiversity, which shall include the provision of bat, swallow and swift boxes and a time scale for delivery of all such measures, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with policy EQ4 of the South Somerset local Plan 2006-2028.

05. Prior to the occupation of any dwelling a scheme of external lighting shall be submitted to and approved in writing by the local planning authority. Once approved such scheme shall be fully implemented in accordance with the submitted details and not altered without the prior written agreement of the local planning authority.

Reason: To safeguard the character of the locality in accordance with policy EQ2 of the South Somerset local Plan 2006-2028.

06. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 5.0m from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of highways safety in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

07. Provision shall be made within each plot 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 any occupation and thereafter maintained at all times.

Reason: In the interests of highways safety in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

08. The proposed estate roads, footways, footpaths, tactile paving, verges, junctions, street lighting, 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 areas, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highways safety in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

09. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highways safety in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

10. Unless agreed otherwise in writing by the local planning authority no dwelling hereby permitted shall be occupied until such time as fencing has been erected around the school playing field in accordance with details to have been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the character of the locality in accordance with policy EQ2 of the South Somerset local Plan 2006-2028.

Informatives

1. Slow worms have been observed in the vicinity of the site and are likely to be present around the edges. Unless a reptile specific survey indicates absence, then mitigation measures for this species will need to be included in respect of condition 13 of the outline consent (ref. 12/03277/OUT).
2. The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.
3. A Condition Survey of the existing public highway should be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
4. The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such, under Sections 219 to 225 of the Highway Act 1980, will be subject to the Advance Payment Code (APC). Given the constraints of the existing access, it will not be possible to construct an estate road to a standard suitable for adoption. Therefore, in order to qualify for an exemption under the APC, the road should be built and maintained to a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Streetworks Code.

Agenda Item 15

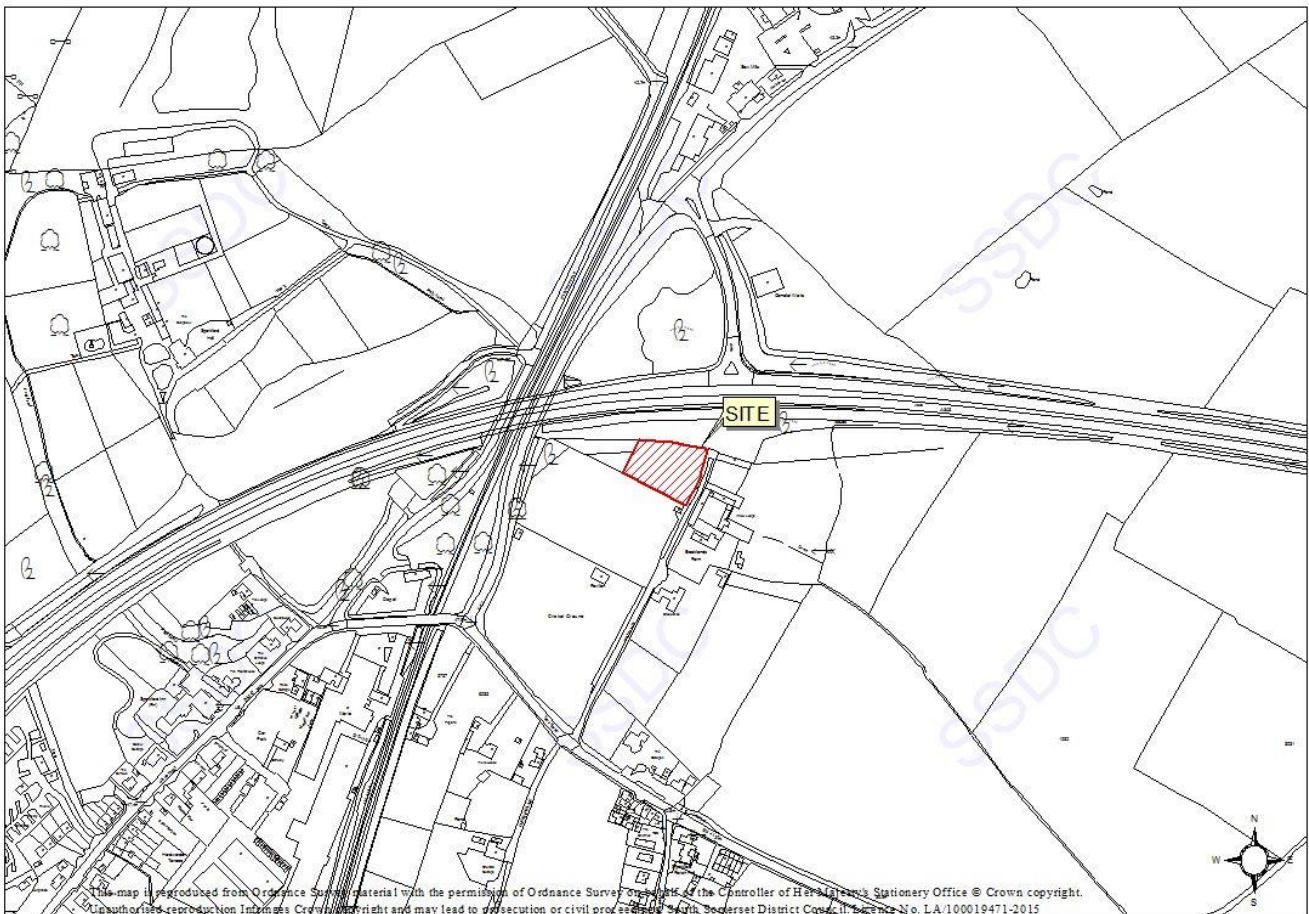
Officer Report On Planning Application: 17/00408/OUT

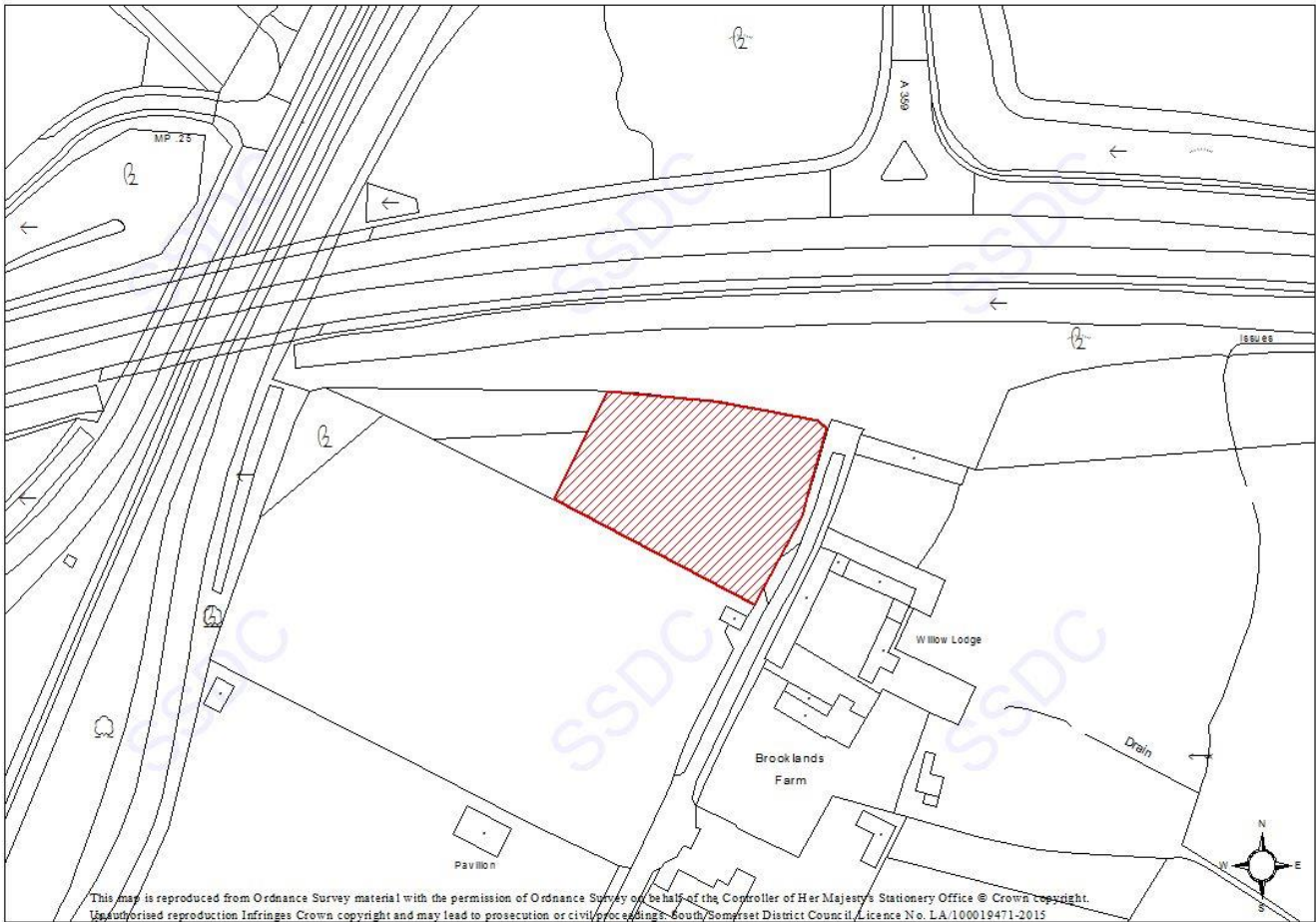
| | |
|-----------------------------------|---|
| Proposal: | Erection of a detached dwelling. |
| Site Address: | Land Opposite Brooklands Barn, Brains Lane, Sparkford |
| Parish: | Sparkford |
| CAMELOT Ward (SSDC Member) | Cllr Mike Lewis |
| Recommending Case Officer: | Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk |
| Target date: | 27th March 2017 |
| Applicant: | Mr E Douglas |
| Agent: (no agent if blank) | Mrs Janet Montgomery Brimble Lea And Partners, Wessex House, High Street, Gillingham SP8 4AG |
| Application Type: | Minor Dwellings 1-9 site less than 1ha |

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee at the request of the Ward Member with the agreement of the Area Chairman to enable the comments of the Parish Council to be fully debated.

SITE DESCRIPTION AND PROPOSAL





The application site is located at the far end of Brains Lane furthest from Sparkford's built form with the exception of the four residential barn conversions served by Brains Lane. The immediate locality lays adjacent agricultural land that together with the cricket ground forms a locally distinctiveness character separating the application site from the settlement area.

The proposal seeks outline planning permission with all matters reserved for the erection of a dwelling. The site extends to 0.18 hectares adjacent to the A303.

The application is submitted with a Planning Statement.

RELEVANT HISTORY

None

POLICY

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

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

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

SD1 - Sustainable Development
SS1 - Settlement Strategy
SS2 - Development in Rural Settlements
SS4 - District wide housing provision
SS5 - Delivering New Housing Growth
TA5 - Transport Impact of New Development
TA6 - Parking Standards
EQ2 - General development
EQ4 - Biodiversity

Regard shall also be had to:

National Planning Policy Framework (March 2012):

Chapter 4 - Promoting sustainable transport

Chapter 6 - Delivering a choice of high quality homes

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environmental

National Planning Policy Guidance

Other Relevant Documents

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012 following corrections made.

Somerset Highways Standing Advice - June 2015.

CONSULTATIONS

Sparkford Parish Council - No objection.

County Highway Authority - standing advice applies.

SSDC Highway Consultant - Consider sustainability issues with regards to transport (accessibility and connectivity). Consider the standard of the approach road (Brains Lane) to serve the development in terms of its width and the standard of its junction with The Avenue given the STOP line that is present at the junction. It would be useful to know the extent of visibility splays at the junction and how many other residences are served by Brains Lane. On-site car parking provision should accord with the Somerset Parking Strategy optimum standards but this can be addressed at RM stage.

Highway Agency - No objection, subject to conditions to secure a drainage method statement and landscaping scheme.

REPRESENTATIONS

There has been two objections concerned that this quiet narrow back lane with only 4 properties, the buildings of which have all been established for many years.

CONSIDERATIONS

The Principle of Development

Sparkford is designated a policy SS2 rural settlement whereat development is restricted although the council's lack of a five year housing supply has reduced the amount of weight that can be given it. The location however is not part of, nor does the site lay adjacent to, the settlement's continuous built form, but rather is seen to be detached and removed from this, so that the location is seen as a less sustainable location with no support in principle. Accordingly the main considerations include character

and appearance, highway safety and neighbour amenity.

Character and Appearance

To quote the applicant's planning statement the site lays 'at the far northern end of Brains Lane.' The immediate dwellings are derived from conversion with no new build development, while the wider built form is kept well away from this location. The adjacent agricultural land is continuous with the cricket ground that visually acts to separate the application site from Sparkford's built form. It is considered that the consolidation of built form and the extension in domestication of the immediate locality is unwarranted and gives rise to an adverse impact in terms of character and appearance contrary to Policy EQ2 of the South Somerset Local Plan.

Highway Safety

One further dwelling in this location is unlikely to give rise to any highways safety issue. Access is a reserved matter that given the location and area of site can be given further consideration at the time of reserved matters.

Neighbour Amenity

It is considered that the proposal would not unacceptably harm the residential amenity of occupiers of adjacent properties by disturbing, interfering with or overlooking such properties.

Planning Balancing

The proposal that seeks one additional dwelling is poorly located to the settlement's facilities and services. A single house will give rise to limited economic benefit during the construction phase, but any possible benefit is significantly outweighed by the environmental harm that is introduced that arise from the specific location removed from adjacent built form at this far northern end of Brains Lane.

RECOMMENDATION

Refuse

SUBJECT TO THE FOLLOWING:

01. The proposal involves new residential development in the countryside, for which an overriding essential need has not been justified. The application site is too much removed from the village edge of the nearest settlement to be considered a sustainable location for new residential development. The proposed development would have a detrimental impact on character and local distinctiveness of the area by the consolidation of a domestic presence contrary to policy SD1, SS1 and EQ2 of the South Somerset Local Plan 2006-2028 and to the aims and objectives of the National Planning Policy Framework, in particular paragraph 55.

Informatives:

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

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions.

Agenda Item 16

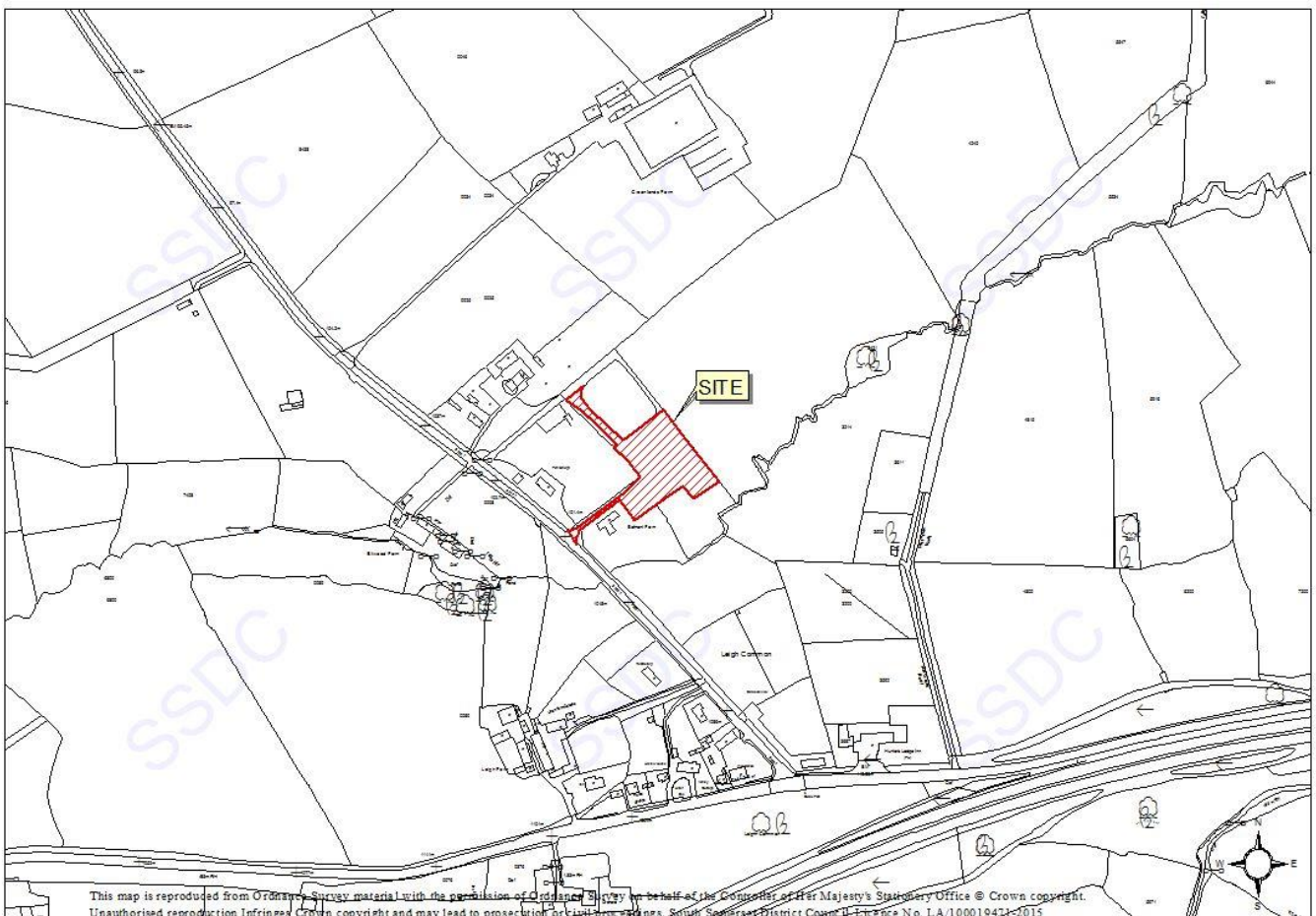
Officer Report On Planning Application: 16/05379/FUL

| | |
|-----------------------------------|--|
| Proposal: | Change of use of agricultural buildings to sui generis for use as a wedding car hire business. To include a new build 'link' barn, replacement of existing store with office, engineering works to level ground (retrospective) and installation of septic tank. |
| Site Address: | Belmont Farm, Charlton Musgrove, Wincanton. |
| Parish: | Pen Selwood |
| TOWER Ward (SSDC Member) | Cllr Mike Beech |
| Recommending Case Officer: | Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk |
| Target date: | 17th February 2017 |
| Applicant : | Mr Shinar |
| Agent: (no agent if blank) | Mrs Rebecca Collins, Aelfric Court, 2 Oxford Road, Eynsham OX29 4HG |
| Application Type: | Minor Other less than 1,000 sq.m or 1ha |

REASON FOR REFERRAL TO AREA COMMITTEE

This application is referred to the committee at the request of the Ward Member with the agreement of the Area Chairman to enable local concerns to be fully debated.

SITE DESCRIPTION AND PROPOSAL





The application site is located in the countryside beyond development limits some 300 metres north of the B3081's junction with former A303 and 3.7km from Wincanton. There are no pavements or street lighting in the immediate locality.

The site comprises one large barn building suitable for conversion. The two other buildings have been stripped back to their metal frames and concrete foundations added as part of the site works preceding submission of the current application. The works indicate new builds rather than conversions. The smaller (3rd) timber building is roofless, dilapidated and the walls are close to collapse being strengthened internally by temporary supports. Grounds works have been undertaken covering a large area on site that extends the surrounding surface areas. At the time of the officer's site visit ground further works were in the process of being undertaken between the site and adjacent water course. The works on site have since stopped, pending determination of the part retrospective planning application.

The proposal seeks change of use of agricultural buildings to sui generis for use as a wedding car hire business, to include a new build 'link' barn, although the works identified on site results in the one building capable of conversion and two new buildings incorporating the proposed link with replacement of the existing store (the 3rd building above) with a new office building, including engineering works to level ground (retrospective) and installation of septic tank.

The application is supported by a Planning Statement and Transport Statement. An additional response dated 10 February 2017 was received in response to the consultation comments and an amended plan received indicating a reduction in the area of hardstanding and removal of the temporary access track with the land's reinstatement.

BACKGROUND

The applicant initially sought to take advantage of permitted development rights (Part 6) at Belmont Farm and wrote to the LPA to confirm the approach. This was despite the Penhouse Farm (ref: 16/01800/FUL) application when it was clear the owner tenanted their farmland with no Part 6 rights involved at that site, with the same true at Belmont Farm. This is especially evident given the nature of the current application.

Notwithstanding works were commenced without the relevant permission. The officer enforcement site visit saw that two of the three barns claimed as conversions could not be treated thus because of the extent of the works undertaken including insertion of the concrete foundations that had the effect of creating new builds. The previous site visit had seen Barn C (the one building now capable of conversion) being used for motor vehicle storage/ maintenance.

The applicant's Planning Statement suggests that there is a fall-back under Part 3, Class R of the GDPO. This requires, because Barn C exceeds 150 square metres, that an application is made to the LPA for determination as to whether the prior approval is required (Class R.3 - (1) (b)). This has not been done and the applicant has lost any fall-back position.

RELEVANT HISTORY

14/05543/FUL - Retention of mobile home for farm worker accommodation, Refused.

14/05487/DPO - Application to discharge section 52 agreement dated 1 March 1989 in relation to planning permission 891571 (occupancy and no fragmentation), Approved.

POLICY

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

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

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS2 - Development in Rural Settlements

SS3 - Delivering New Employment Land

EP4 - Expansion of Existing Businesses in the Countryside

TA1 - Low Carbon Travel

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General development

EQ7 - Pollution Control

Regard shall also be had to:

National Planning Policy Framework (March 2012):

Chapter 1 - Building a strong competitive economy

Chapter 3 - Supporting a Prosperous Rural Economy

Chapter 4 - Promoting sustainable transport

Chapter 7 - Requiring Good Design

Chapter 10 - Climate Change and Flooding
Chapter 11 - Conserving and Enhancing the Natural Environmental
Chapter 12 - Conserving and Enhancing the Historic Environment

National Planning Policy Guidance

Other Relevant Documents

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012 following corrections made.

Somerset Highways Standing Advice - June 2015.

CONSULTATIONS

Pen Selwood Parish Council has no objection to this application on the understanding that:-

- 1) Any permission granted for the wedding car hire business at Belmont Farm replaces the permission granted for the same business at Pen House Farm.
- 2) The buildings at Belmont Farm should be returned to agricultural use if and when the applicant (Mr Paul Shinar) no longer requires the development for his use.
- 3) The workshop is only used for the repair of the motor vehicles in the collection and is not run as a motor vehicle repair business for the general public.
- 4) A suitable limit to the number of traffic movements be negotiated with the applicant.
- 5) A suitable time restriction be negotiated with the applicant to avoid late night/ early morning traffic movements.
- 6) External lighting be restricted so as not to cause nuisance.
- 7) The temporary access road should be returned to its original state when work is completed.
- 8) The local authority should be satisfied that a suitable filtration system is in place to prevent any waste, contaminants or discharge from vehicles on site entering the water course adjacent to the site.

Charlton Musgrove Parish Council (Adjacent) - has concerns regarding the entrance to the site, vehicles turning out into the B3081.

County Highway Authority - The site is located off the B308, which is subject to the National Speed limit. Therefore the design standards in Design Manual for Roads and Bridges (DMRB) are considered appropriate in this instance and are currently met by the existing visibility splays (2.4m x 215m). The proposal is likely to result in 10 car movements per week. Consequently, given that the proposal would therefore not appear likely to have a detrimental impact on the existing highway network, there is no objection to this proposal from the Highway Authority subject to conditions.

SSDC Landscape Architect - The proposed works will clearly result in an increased building presence on site, whilst the overall built footprint is relatively contained. I note the creation of a large hardstanding area associated with the buildings, and the creation of an additional track to the north. Noting the change of use to include vehicle storage, there is potential for a significant increase of the development footprint.

I note that the track is stated to be temporary. Plans should indicate the reversion of the track's area to farmland, and its appropriate treatment as befits a rural context. The hardstanding area also appears excessive. Consequently I have some apprehension over the scale of this proposal, and would suggest the external area is scaled down, and enclosed by planting containment to the north and east, if this is to be considered as potentially acceptable.

REPRESENTATIONS

There have been four neighbour notification responses received that object. Their objections include:

- Proposal would introduce commercial/ industrial and business use to this area. Sets an unwanted precedent for this area.
- Not in any way in keeping with the locality.
- The large scale barn development would be much more visible from the road and be out of character to the area if used for business/industrial purposes.
- The site will comprise of new built metal commercial buildings which will be overlooked by several properties and clearly be seen from the highway.
- Overall size, suggests the capacity to house considerably more vehicles
- Expansion and growth in mind
- The work began (as we understand it) under permitted development, but due to the amount of work already carried out and the taking down of the existing barns... almost a new build in its entirety.
- Clearly the intention was the current planning application
- Considerable work has already been carried out at Belmont Farm without the necessary permissions.
- (Penhouse location) was not going to overlook any other residential properties; was where the applicant resides, and should not be seen as in effect a swap of location.
- (Penhouse location) would easily have been turned back to form part of the Penhouse Farm Estate. There was no prospect to expand the site. There was a link to Penhouse Farmhouse and a personal condition securing a 'low key' operation.
- The reason given for the Penhouse permission was 'To permit the site's return to agricultural/ equestrian use associated with occupancy of Penhouse Farm.
- The new application is a completely standalone application
- The site's scale of redevelopment and while actively marketing their services with understandably concerns not only about the current levels of traffic that the business would create, but the potential for growth and subsequent increase in traffic, noise and impact
- RR Elite have three offices listed on the website. The size of the site and the large office space possibly indicate the amalgamation of all the sites and businesses.
- They advertise 35 cars for hire, whereas Mr Shinar stated at the Parish council meeting that only 5 cars were licensed for use.
- Access point is located on a bend near a hidden dip where there is derestricted speed limit. We often witness overtaking at high speed on this stretch of road.
- The applicant erected a mirror opposite the entrance to aid traffic enter/existing the site. The extent of future traffic movement is unclear.
- 'Temporary access' track - we do not understand why access could not be gained via Belmont Farm driveway and would question the intention of this track long term.
- Hours of use? Concerned that there could be parking or noise issues especially late at night.
- Although not clear from the plans there is concern about security lighting or alarm systems could be disturbing
- Parish Council suggested a condition to revert Belmont Farm back to agricultural use when no longer needed by the applicant. Unsure as to whether this type of condition could be implemented effectively in the future.
- Proposed water treatment plant - increase in water flow from the premises - does not seem to be covered by the applicant.
- A water treatment plant and new French drains were mentioned in Parish Council meeting minutes following a question raised, but what is proposed is concerning with no plans available.
- Extension ground works have been carried out in the fields behind the proposed site

CONSIDERATIONS

Principle of Development

Two of the large barns were seen to be stripped back to their metal frames that have been stood in fresh concrete strip foundations and what with the variously associated ground works have resulted in new builds. As a result there is the one large barn on site considered capable of conversion.

Para.28 of the National Planning Policy Framework (NPPF) in supporting a prosperous rural economy permits new build as well as conversion, although the location is an important consideration. However, the NPPF should be considered as a whole and it is clear that sustainable development is at its centre and that the countryside should continue to be protected for its own sake with the need to avoid unsustainable locations and development. The proposal involves a non-land based use. The location is poorly related to nearby settlements, and while some allowance is made for rural areas the location in combination with the resulting scale of new build and infrastructure provision and the type of use is not necessarily immediately supportive of the proposal.

A perceived economic benefit is not an opportunity to locate anywhere. The applicant's Planning Statement (para.7.1) refers to 'the site in general, will provide economic benefits in supporting the growth of the business,' although it is not as clear that this is as applicable for the host rural community. The location is removed from a sustainable location's built form, with poor sustainable modes of access, and the use is reliant on significant intervention on site in the countryside.

Contrary to the applicant's Planning Statement (para.6.4) it is considered that there is no fall-back position that can be claimed (Part 3 Class R). Likewise Part 6 of the GDPO, as noted above, is not a relevant consideration.

The relevance of 'swapping' permissions with Penhouse Farm is questionable. The Penhouse permission is not viewed as having established a precedent. The locations are different, but more importantly the constraints are not the same. Penhouse was supported as a personal commercial use as there was a close association to the parent (Penhouse Farm) dwelling whose small country estate setting tends to support personal use. Condition 03's reason gives 'the site's return to agricultural/ equestrian use associated with the occupancy of Penhouse Farm'. It is evident that given the circumstances, the condition is reasonable and the current application's planning statement in suggesting the swapping of permissions states (para.6.11) the 'applicant needs to retain some agricultural/ equestrian/ ancillary storage buildings on the holding' (at Penhouse) that demonstrates a reasonable expectation in applying a personal condition at Penhouse - that someday there would be a return by future owners to an ancillary/incidental use - that is now suggested by the current application. Belmont Farm is clearly a very different site. Either the site is acceptable or not. There can be no return to what it was before. It would be unreasonable to personalise the permission at Belmont Farm and clearly unreasonable for it to be anticipated that a vastly more costly site without the constraints at Penhouse, could as easily be returned to its former agricultural use, as sought by Pen Selwood Parish Council.

Turning to the three dimensions (para.7 of the NPPF) of sustainable development:

An economic role: Construction works are of limited duration. The proposed use evidently relocates jobs while in the longer term its presence would give rise to potential part-time and ad hoc employment opportunity, although very much in an unsustainable location that is strictly dependent on private travel arrangements. The proposal does not involve an existing business use on site that seeks to expand, but rather supports the introduction of a business considered contrary to LP Policy EP4.

A social role: The location is removed from any sustainable settlement and as noted results in a dependence on the private car. The nature of much employment as noted is part-time and ad hoc while the location is likely to result in much longer journeys. A Core Planning Principle (Para.17, NPPF) seeks

the active management of patterns of growth to make the fullest possible use of public transport, walking and cycling that is evidently limited by the site's location. Further, Para.30 supports a pattern of development that is able to make use of sustainable modes of transport while the application site is removed from such places, while Para.37 seeks to minimise journey lengths that are not encouraged by this unsustainable location.

An environmental role: As noted above, the rural location is removed from sustainable settlement locations, whereat the commercial use is best located. Character and local distinctiveness is given further attention below. The rural context shows in the immediate locality a scattering of built form. There is limited opportunity to re-use existing buildings, while the intervention of new development has the effect of significantly extending and consolidating the site's built form in this countryside location. Core planning principles (para.17 of the NPPF) include the importance of local distinctiveness and in recognising the intrinsic character of the countryside.

Character and Appearance

Para.60 (NPPF) seeks to promote or reinforce local distinctiveness. The proposal seeks to imitate agricultural design as is seen in the proposed cladding and general design of the new buildings. Emphasis should be given to the overall appearance of the site once complete and in particular the site's use. The extensive area of hardstanding was criticised by the Landscape Architect. As a result an amended drawing was received that sought to reduce the area, although this is a marginal reduction and has limited effect. Landscape planting is possible that would go some way to screen the site although the deciduous nature of natural species would during the long winter months more easily open the site up to view. Notwithstanding, overall the built form's character and appearance is considered acceptable.

Highway Safety

The Highway Authority's response is supportive and of the opinion that the access provides sufficient visibility. Further enquiry was made following their comment although they have confirmed their initial response. On this basis, despite neighbour concerns it must be concluded that there are no highway safety concerns.

Neighbour Amenity

The adjacent residential occupants enjoy a rural location, with on-going farming operations that could be intensified, but tolerated. Agricultural use has the potential to give rise to seasonal intensification, even 24/7 at times. A long term commercial use is established if permitted. Proposed hours of use involve 7am to 9pm, while there are local concerns with (security) lighting of the site. The long dark winter evenings has potential to disturb nearby neighbours at a time when regular farming activity is reduced. Seen in context with an agricultural use any nuisance is considered limited, but as a commercial presence its use could be easily located elsewhere rather than in this rural location.

Pemberton is the nearest neighbour. Its dwelling is described in the applicant's recent letter to be 'situated a significant distance' from the applicant's site. In response to the consultation process they suggest additional plant screening although inevitably the deciduous nature of local species critically exposes the site during the long winter months, while on closer inspection there is limited space related to Pemberton to plant up any adequate response.

Other Matters

Why the temporary access? This relates to a field gate entrance that was seen involves substantial engineering work on site that obliterated any sign of the track that might previously have been in place. Although reference is made to its temporary presence the scale of the significant works on site does not suggest that it would be easily put back to what was there before. Further, given the acceptable Belmont Farm access as well as the scope of site development witnessed already on site with no part played by the temporary access in facilitating the works to date its presence is unwelcome. The 'road' would pass the northern boundary of Pemberton and encompasses Pemberton's eastern boundary. Its presence gives rise to neighbour amenity concerns as well as to concerns about rural character in consolidating

development on site. A revised drawing removes the track, and it is understood that works on site have sought to remove the works undertaken. This begs the question why a 'temporary' track was ever sought? Especially given the level of works undertaken on site prior to submitting the planning application that was clearly possible without any use of the proposed temporary track and access point. Flood risk: As noted in the Planning Statement para.2.4 the ground level at the rear of the site (Barn C) was higher than the internal building's floor space giving rise to the alleged flooding of the building. During the site visit the substantial ground works gave rise to possible flood risk concerns as the design clearly facilitates efficient water run-off that ultimately enters the water course at the site's southern boundary that gives rise to local concerns about downstream flood risks. Information is limited. There are alleged passing references made at the parish meeting by the applicant to drainage but the Planning Statement is largely quiet on the subject despite the passing references that discharge to the ditch. Put simply, the ground works and resulting areas of hardstanding would appear to facilitate efficient run off that raise doubts given local concerns, while it is unclear that this aspect of the proposal has been given any particular attention. The applicant's recent letter concentrates on the location's flood zone rather than tackling the risks of efficient drainage of the site.

A neighbour response refers to the proposed user RR Elite and their website indicating at least three different locations. They suggest there is a more extensive business operation behind the application. In considering the application at Penhouse Farm there were physical constraints to that site, not least the rounded off stables/outbuilding layout and its relationship to the parent dwelling that permitted the use of conditions and a reasonable expectation of the site's return to useful ancillary accommodation and at worst the possibility that cars awaiting work might be informally parked up on the adjacent grass. Belmont offers no such constraints and should be viewed as very much a standalone site. There are not the same physical constraints, as is seen in the extensive enlargement of the surrounding hardstanding and associated works, and having an existing business, that currently it is not, Policy EP4 supports 'in principle' its expansion.

Parish Council comments: The Parish Council's response is noted. They have since added to this response to indicate it was not their intention to be anything other than supportive of the proposal. The following comments respond to the parish council's initial comments:

1. It is possible to swap the permissions with the applicant entering into a legal obligation to have the original permission removed.
2. Importantly the Penhouse Farm site is part of a small country estate. Its proximity and relationship to the main dwelling means that it is reasonable to assume that future occupants might want to support an equestrian or similar incidental/ ancillary use. The current application site presents no such fall-back relationship. The proposed commercial use should be viewed in terms of having established a commercial use of the site. It would be unreasonable to condition a personal permission and/ or the site's return to an agricultural use.
3. While a condition might be used to limit use it remains that there is a commercial presence permitted following which it is not unreasonable that modest growth might not be expected.
4. It would provide difficult or impossible to control traffic movements especially outside office hours.
5. Likewise the extremes of the working day present issues of monitoring and control.
6. External lighting can be conditioned.
7. A condition can be used to have the temporary access road removed.
8. A condition can be used to secure further details of drainage, anon.

As is stated elsewhere in the officer report there is no straightforward 'swap' involved. The two sites are clearly different. Penhouse Farm offers certain constraints that are not apparent with Belmont Farm. The personal and restrictive conditions with an expectation of a return to use by future occupants of the main dwelling is a reasonable assumption, not easily transferrable to Belmont Farm that is clearly a more standalone site. In supporting a commercial use here it can be only anticipated that the resulting higher value of a commercial presence in the long term discourages a return to agriculture. In terms of the

Parish Council's comments there would be difficulties monitoring traffic movements and hours of use, and while conditions are not impossible, as noted above, they are not necessarily always enforceable.

Concluding Remarks

This is a countryside location set away from sustainable settlement locations and dependent on a significant level of new build, significantly extending the site's area to accommodate the non-land based use. Policy EP4 deals with the expansion of existing on site businesses, which this is not. The scale of new build is problematic in support a relocating new business. A 'swap' of permission with Penhouse Farm is not considered appropriate given the specific constraints of the one site in contrast to the other. There can be no personal use or a return to an agricultural use conditioned at Belmont Farm. In consequence there is no support for the proposed change of use and associated development.

RECOMMENDATION

a) Refuse

and

b) Enforce against by serving an enforcement notice requiring reinstatement of the site in accordance with a schedule of works.

SUBJECT TO THE FOLLOWING:

01. The proposed development is located in the countryside, removed from nearby sustainable locations and involves a significant amount of new build, including a substantial increase in the site's area, without any special circumstance in support of the use, that would result in an undesirable intensification, to the detriment of the scattered pattern of rural development, in an unsustainable location that fosters the need to travel. As such the proposal is contrary to Policy SD1, SS1, SS2, SS3, TA1, TA5, EP4 and EQ2 of the South Somerset Local Plan 2006- 2028 and the policies of the National Planning Policy Framework.
02. There is insufficient information submitted in support of the application to demonstrate that the proposed development would not cause or increase the risk of flooding downstream. In the absence of such information, the proposed development would be contrary to Policy EQ1 and EQ2 of the South Somerset Local Plan 2016- 2028.

Informatives:

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

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions other than to have enquired about possible permitted development rights and after this the principle of conversion before starting work on site ahead of submitting the application.

Agenda Item 17

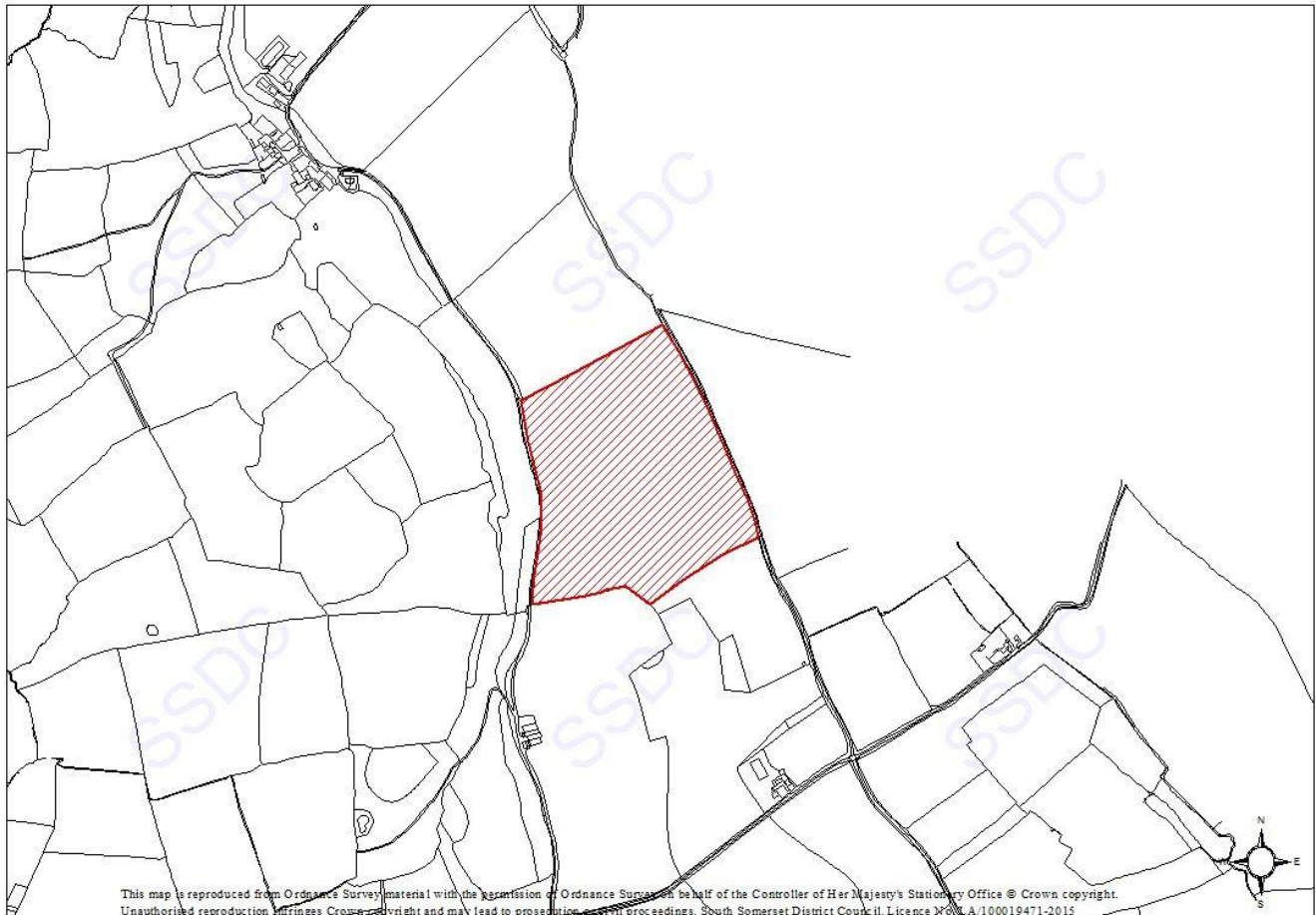
Officer Report On Planning Application: 17/00512/S73

| | |
|---------------------------------------|--|
| Proposal: | S73 application to vary the wording of Condition 4 of approval 15/03373/FUL to provide a time frame of 25 years. |
| Site Address: | Land West Of Tinkers Lane, Southeast Of B3081 Cucklington, Wincanton |
| Parish: | Cucklington |
| TOWER Ward (SSDC Member) | Cllr Mike Beech |
| Recommending Case Officer: | Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk |
| Target date: | 28th April 2017 |
| Applicant: | Clapton Farm Solar Park |
| Agent: (no agent if blank) | |
| Application Type: | Major Other f/space 1,000 sq.m or 1 ha+ |

REASON FOR REFERRAL TO COMMITTEE

As a 'Major Major' application recommended for approval, the scheme of delegation requires its referral to committee.

SITE DESCRIPTION AND PROPOSAL



The application is located within open countryside, a little less than 1km north of Cucklington and 1km south of the A303's interchange with the B3081. The application site comprises a single agricultural field under arable production with its eastern boundary adjacent to Tinker's Lane. The site's north eastern corner is close to Tinker's Lane junction with the B3081. The site's western boundary aligns with a Restricted Byway, an historic drove way. The actual extent of the solar panels is contained within the eastern half of the field.

The site is enclosed by established hedgerow and located on a plateau falling in a west to east direction. The land to the west beyond the site slopes steeply down, whereat there are extensive views out over the Blackmore Vale, whereas to the east and south is undulating with a gradual slope eastward and again, extensive views.

Temporary permission for 25 years was given 17 November 2015 following its consideration by Area East Committee. Condition 4 is sought to be altered so that the 25 years runs from the connection date, namely 31 March 2017, rather than the date of the planning permission.

Condition 4 reads:

'The development hereby permitted shall be removed and the land restored to its former condition within 25 years of the date of this permission or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.'

RELEVANT HISTORY

17/01091/NMA - Application for a Non-Material Amendment, Permitted.

15/03373/FUL - Erection of Solar Park, Approved.

15/01091/EIASS - Proposed Installation of a photovoltaic array - EIA not required.

POLICY

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

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

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

SD1 - Sustainable Development

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

National Planning Policy Framework - March 2012:

Chapter 7 - Requiring good design

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

Chapter 11 - Conserving and enhancing the natural environment

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

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable

- contribution to cutting greenhouse gas emissions; and
- Approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

CONSULTATIONS

Cucklington Parish Meeting - To be reported.

North Dorset District Council - No objection

Bourton Parish Council (Adjacent) - Maintains their objection

Somerset County Highway Authority - No observations

REPRESENTATIONS

There has been one neighbour notification response raising general observations to the effect the site can be seen from the highway contrary to para.7 of the application form and the whole field is outlined in red whereas planning approval was given for a smaller area to the east. OFFICER Note: the area of solar panning remains as approved within the eastern halve of the land outlined in red.

CONSIDERATION

Principle of development

This is a slight readjustment of timing that permits the 25 years to operate from the point of connection to the national grid, involving a relatively non-controversial site permitted by Area East Committee. As such, and in support of renewable energy there is support in principle.

Landscape character and Visual Appearance

There is limited impact on the character and appearance of the area by adjusting the 25 years to operate from the point of connecting to the national grid.

Highway Safety

There are no highway safety issues involved in permitting the 25 years to run from the date of connection to the national grid.

Other Matters

The conditions attached to the original permission are adjusted to reflect the subsequent details submitted and agreed as part of the discharge of conditions.

RECOMMENDATION

Approve

01. The proposal is considered reasonable, accepting the change in date for the commencement of the 25 years to run from the date of connection to the national grid without adversely affect landscape character, in accordance with the aims and objectives of Policy SD1, EQ1 and EQ2 of the South Somerset Local Plan 2006- 2028.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from 17 November 2015.

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:

1088-0200- 01 Issue 01
1171-0201- 01 Issue 011
1171-0204- 00 Issue 01
1171-0205- 04 Issue 01
1171-0903- 05 Issue 01
1171-0206- 15 Issue 01
1171-0207- 16 Issue 01
1171-0207- 40 Issue 01
1171-0208- 10 Issue 01
1171-0208- 54 Issue 01
1171-0208- 71 Issue 01,
694-03H, received 23 July 2015.

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

03. Landscape and Ecology Management Plan detailing measures and management of the site for the benefit of biodiversity shall accord with the details of the Discharge of conditions ref: 15/05612/DOC as agreed in the LPA's letter dated 16 March 2016.

Reason: For the enhancement of biodiversity in accordance with NPPF.

04. The development hereby permitted shall be removed and the land restored to its former condition within 25 years of 31 March 2017 or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.

Reason: In the interests of character and appearance further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

05. The construction access and contractors' parking/compound area shall accord with the detailed scheme submitted under the discharge of conditions ref: 15/05612/DOC and as agreed in the LPA's letter of the 16 March 2016.

Reason: In the interests of highway safety further to policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

06. The proposal shall accord with the Construction Environmental Management Plan submitted as part of the discharge of conditions application ref: 15/05612/DOC and agreed in writing by the LPA's letter of the 16 March 2016.

Reason: In the interests of highway safety further to policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

07. Any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site. This shall accord with the detailed survey submitted as part of the discharge of conditions ref: 15/05612/DOC and as accepted in the LPA's letter dated 16 March 2016.

Reason: In the interests of highway safety further to Policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

08. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, whose details shall accord with those submitted as part of the discharge of conditions ref: 15/05612/DOC and agreed in the LPA's letter dated 16 March 2016.

Reason: In the interests of highway safety further to Policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

09. No means of external illumination/lighting shall be installed within the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of landscape character and visual appearance further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

10. The landscape planting scheme shall accord with drawing number 694-03R accepted in the LPA's letter of 9 December 2016 in response to the discharge of conditions ref: 16/04958/DOC. The scheme shall be implemented in the first planting season following the completion of the development. Any trees or plant that die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and landscape character further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

11. Colour tones of all associated structures shall accord with the details given in the applicant's letter of the 20 October 2015.

Reason: In the interests of visual amenity further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

12. The access arrangements off Tinkers Lane required during the temporary construction period shall be removed and the simple field access reinstated on completion of the solar array development hereby permitted.

Reason: In the interests of character and appearance further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

13. The recommendations under 7.69 to 7.74 of Planning and environmental report shall be undertaken as part of the planning permission.

Reason: For the conservation and enhancement of biodiversity in accordance with NPPF and Local Plan Policy EQ4.

14. The applicant, or their agents or successors in title, must implement and complete the programme of archaeological work in accordance with the submitted written scheme of investigation which has been approved by the local planning authority.

Reason: In the interests of the site's archaeology in accordance with Policy EQ3 of the South Somerset Local Plan 2006- 2028.
