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## Area East Committee

**Wednesday 15th January 2020**

**9.00 am**

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

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



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The following members are requested to attend this meeting:

Robin Bastable  
Hayward Burt  
Tony Capozzoli  
Nick Colbert  
Sarah Dyke

Henry Hobhouse  
Charlie Hull  
Mike Lewis  
Kevin Messenger  
Paul Rowsell

Lucy Trimnell  
William Wallace  
Colin Winder

Consideration of planning applications will commence no earlier than 9.45am.

For further information on the items to be discussed, please contact the Case Officer on 01935 462148 or [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

This Agenda was issued on Monday 6 January 2020.

**Alex Parmley**, *Chief Executive Officer*



This information is also available on our website  
[www.southsomerset.gov.uk](http://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](http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions)

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## **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%200council%20meetings.pdf>

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# **Area East Committee**

## **Wednesday 15 January 2020**

### **Agenda**

#### ***Preliminary Items***

- 1. Apologies for absence**
- 2. Declarations of Interest**

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

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

#### **Planning Applications Referred to the Regulation Committee**

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

Councillors Henry Hobhouse, Paul Rowsell and William Wallace.

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

- 3. 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 12 February 2020 at 9.00 am.

- 4. Public Question Time**
- 5. Chairman Announcements**
- 6. Reports from Members**
- 7. Planning Appeals (for information only) (Pages 6 - 10)**

*Items for Discussion*

8. **Area East - Draft Area Chapter 2020/21** (Pages 11 - 14)
9. **Future Arrangements for Area East Committee** (Pages 15 - 17)
10. **Area East Committee Forward Plan** (Pages 18 - 19)
11. **Schedule of Planning Applications to be Determined by Committee** (Pages 20 - 21)
12. **Planning Application 19/01786/FUL - Clapton Farm Solar Park, Land at Clapton Farm House, Tinkers Lane, Cucklington** (Pages 22 - 31)
13. **Planning Application 19/02235/OUT - Land at North Town Farm, Higher North Town Lane, North Cadbury** (Pages 32 - 39)
14. **Planning Application 19/01680/OUT - Coombe Hill Farm, Furlong Lane, Milborne Port** (Pages 40 - 43)
15. **Planning Application 19/00454/OUT - Land Adjacent The Florins, Bineham Lane, Yeovilton** (Pages 44 - 51)

**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 7

## **Planning Appeals**

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

## **Purpose of the Report**

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

## **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**

None

### **Appeals Allowed**

None

### **Appeals Dismissed**

19/00620/HOU - Gauntlet Cottage, 13 Sherborne Road, Milborne Port DT9 5AT  
Alterations to form vehicular access/hardstanding (part retrospective) (officer decision)  
The decision notice is attached

***Background Papers:*** None

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## Appeal Decision

Site visit made on 28 October 2019

by **M Bale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 December 2019

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### Appeal Ref: APP/R3325/D/19/3235066

### Gauntlet Cottage, 13 Sherborne Road, Milborne Port DT9 5AT

- 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 Philip Taylor against the decision of South Somerset District Council.
  - The application Ref 19/00620/HOU, dated 2 March 2019, was refused by notice dated 28 May 2019.
  - The development proposed is described on the application form as creation of 2 car Parallel Parking Bay by repositioning of roadside boundary wall, after lowering garden to road level. Bay approx. 10m × 3m lying E to W. Legacy single skin stone wall replaced by high density 100mm concrete block retaining wall, tied to stone facing wall rebuilt from legacy material. Wall height approx. 1.4m. Roadside edge retains 'gully' effect with precast concrete edging [*sic.*] to bay surface of concrete approx. 200 - 250mm thick. W end of bay to have steps up to existing path level to remove necessity of walking on carriageway, which has no footway.
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### Decision

1. The appeal is dismissed.

### Procedural matters

2. The development to which the appeal relates has already been carried out. From my observations at the site visit, the development on the ground appeared to accord with the submitted plans. I have, therefore, determined the appeal on the basis of the submitted plans.
3. The Council's first two reasons for refusal refer to a conflict with Section 4 of the National Planning Policy Framework (the Framework). The Council has subsequently confirmed that this was a reference to the previous (2012) version of the Framework when section 4 was concerned with promoting sustainable transport. Such is now covered in section 9 and the appellant has been afforded the opportunity comment in respect of the relevant section.

### Main Issues

4. The main issues are the effect of the development on highway safety and the effect on heritage assets, with particular regard to the character and appearance of the conservation area and setting of nearby listed buildings.

## Reasons

### *Highway safety*

5. The site is on the A30 as it passes through Milborne Port. The road is relatively narrow as it passes the site and during my site visit was busy with a steady stream of traffic, including large vehicles, in both directions. A parking bay has been constructed alongside the road. The appellant describes how one vehicle can drive directly into the bay and, once parked, a second can enter through a simple reverse parking manoeuvre. However, that manoeuvre would present a hazardous obstruction on the busy road, albeit momentarily.
6. There is no clear evidence that the Highway Authority's objection to the scheme is based upon the application of visibility splays relating to an access point at right angles to the road. Assuming that vehicles were to park facing the direction of the adjacent running lane, there appeared to me to be limited forward visibility past No.13. As a driver leaving the space is likely to be focussed on traffic approaching from behind, this lack of visibility could present a hazard.
7. Drawings have been provided suggesting the availability of visibility to the rear, but these do not necessarily reflect the position of a driver relative to the carriageway. They certainly do not appear to accurately depict visibility from a car parked to the rear of the space that may need to exit around one parked closer to No.13, and from where visibility would be hampered by the adjoining boundary wall. The evidence does not, therefore, demonstrate that adequate visibility splays are available for the safe operation of the spaces.
8. I note the appellant's argument that, at the time of the appeal, the parking spaces had been in use for some 3 months without incident, but it does not necessarily follow from this relatively short period that the arrangement would remain safe in perpetuity. I also note comparisons to a space serving the adjoining property that may have been in place for over a decade.
9. However, serving only a single vehicle, it is not clear that the same degree of manoeuvring would be required at that nearby space and there is no substantive evidence that the visibility would be significantly different to that at the appeal site. I understand that on-street parking may occur elsewhere on the A30 within Milborne Port, but my attention has not been drawn to any other directly comparable examples.
10. The appellant's appeal statement indicates that the occupiers of No.13 currently park elsewhere and have to cross the busy A30 to access their home. However, whilst the footway does extend past the entirety of the appeal site, and use of any wheeled pedestrian transport, including electric bicycles, may be challenging, there is some refuge to the front of No.13. I appreciate that visibility for and of pedestrians is limited to an extent, but there is no substantive evidence that it is not safe to cross the road here. I, therefore, attach limited weight to the potential benefits that may result from a reduction in pedestrian crossing activity around the site.
11. I also note that there are no parking restrictions on this part of the A30 and that the occupiers of No.13 could legally park on the road causing an obstruction and safety hazard. Indeed, the appellant has commented that they are currently parking on the carriageway alongside the parking bay causing



stop-start traffic movements with potentially higher vehicle emissions. However, noting the appellant's earlier comments that they currently park on a residential road elsewhere, this does not, in practice, appear to have been any more than a very occasional occurrence in the past and so receives limited weight.

12. The National Planning Policy Framework (the Framework) sets out the Government's policies on a number of planning matters, including those relating to highway safety. These are all material considerations in the determination of this appeal. At paragraph 109, the Framework sets out that, amongst other things, development should only be prevented on highways grounds if there would be an unacceptable impact on highway safety. That is the case that I have found here.

#### *Heritage assets*

13. The part of the Conservation Area around the site is defined by the A30, which is bounded by substantial stone walls that follow the gentle curve and gradient of the road. The plans indicate that when facing the new parking spaces from across the road the stone wall that currently exists to the left would have extended along the site frontage in a line to meet the front of No.13.
14. I have little information about the significance of the conservation area, but from my own observations, it would appear to be derived from the position and development of the settlement on a major thoroughfare and its associated historic buildings.
15. I do not doubt that the former wall was in a poor state of repair. However, it would nevertheless have contributed to the channelled appearance of the highway and continuity of enclosure that is important to the character of this part of the conservation area. I understand that the wall may have needed rebuilding for safety reasons, but there is no evidence to suggest that it could not have been rebuilt on its former line.
16. By contrast, the formation of the parking bay with its formal, right angled sides are a stark contrast to the more organic alignment of the other nearby boundaries. Whilst the stonework appears to have been constructed to a high standard, with an appearance to reflect the host property, the set back of the wall detracts from the strong sense of enclosure, thereby harming the character and appearance of the conservation area and its significance. The development affects only a small part of the heritage asset and the level of harm to it would, therefore, be less than substantial.
17. The Council has also referred to the settings of listed buildings. I have only been provided with details of The Old Rectory which sits behind the appeal site, although the appellant's evidence also suggests that the 'Medleycott' Building broadly opposite No.13 is also listed.
18. The adjoining stone wall, which would have been a continuation of the former wall at the site, appears to be a boundary to The Old Rectory, although the building itself is significantly screened by trees and vegetation. The affected part of the wall clearly relates to No.13 and consequently, I do not find harm to the setting of this listed building or its significance.
19. Similarly, the Medleycott building, which is on the opposite side of the road, has a separate context and the works at the appeal site did not appear to

impact upon its setting. My attention has been drawn to the extensive restoration works at the Medleycott building, including the formation of a large parking area to the front that has a prominent position in the street scene. However, I do not know the full circumstances of that development so I cannot draw detailed comparisons to the case before me.

20. The Framework, at Paragraph 196 sets out that where a development proposal leads to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In that regard, I note the benefits that would arise from alleviating some of the increasing parking pressures in Milborne Port and that some local residents may have verbally expressed these benefits to the appellant. However, given my concerns over safety, I attribute these benefits only limited weight.
21. Whilst the harm to the asset would be less than substantial, the Framework is clear at Paragraph 193 that great weight should be given to the asset's conservation. Therefore, the benefits do not outweigh the harm, resulting in a conflict with Policies SD1, EQ2, and EQ3 of the South Somerset Local Plan (2006-2028) that seek to ensure sustainable development including through respecting the local context and safeguarding the significance of heritage assets.

### **Conclusion**

22. For the reasons given above, I conclude that the appeal should be dismissed.

*M Bale*

INSPECTOR

# Agenda Item 8

## **Area East – Draft Area Chapter 2020/21**

*Lead Specialists:* Jan Gamon, Lead Specialist Strategic Planning  
Tim Cook, Locality Team Manager

*Lead Officers:* Stephen Barnes, Locality Team Lead (South & East)  
Anna Maria Lenz, Specialist, Strategic Planning (South/East)

*Contact Details:* Stephen.barnes@southsomerset.gov.uk  
anna-maria.lenz@southsomerset.gov.uk

### **Purpose of the Report**

To present the draft Area Chapter for Area East.

### **Public Interest**

The new operating model was introduced in January 2019. The Committee's priorities become a chapter of the council plan with resources pulled from across the organisation with project leads essentially becoming Area + teams. This report gives members an opportunity to consider and agree the priorities that will be included in the Area Chapter for 2020/21.

### **Recommendation**

That members agree the priorities for the Area to be presented to District Executive for consideration for inclusion in the Council Plan 2020/21.

### **Background**

The Area+ proposal states that "The Council will become strategy led and data informed", which puts the annual strategic planning process at the heart of driving delivery in the Areas.

The Area+ Implementation plan sets out the new way of addressing area priorities and details how resources will be allocated from across the organisation to improve area working.

Area Plans will be developed for adoption as chapters of the Council Plan in February 2020 and will 'go live' in April. The Strategic Leadership Team (SLT) Sponsor for each area will have an overview of the emerging Area Plans.

Draft priorities were identified by members of Area East at a workshop after the July meeting of the committee. Content from the workshop, along with other service plans has been used as a starting point to develop the Area Chapter.

### **Draft Area Chapter - Area East**

The priorities for each area have been used to influence the development of the Council Plan for 2020/21. Some priorities identified clearly have an area focus and are better placed in an Area Chapter. The Area Chapter presents key projects and areas of work planned for the coming year by teams from across the whole organisation. Some of the activities and projects have been carried forward from the current chapter. The chapters for next year have taken account of work of the current work programme that will have been completed by April 2020. Some work such as the feasibility study for the AGP is considered to be ongoing, business as usual rather than a chapter project unless/until it develops into a deliverable project. This does not mean that it is no longer a priority area of work.

## **Delivery Plan**

Once the priorities for the area have been agreed, officers with the knowledge, skills and experience will develop a delivery plan in consultation with ward members. Delivery plans will identify the outcomes, milestones, key activities and resources. A report will come to the April 2020 meeting to recommend the use of area budgets towards agreed chapter projects and initiatives.

Progress of the delivery plan will be monitored by the Area Committee. Members are sent quarterly updates, provided by lead officers and collated by Locality Team Leads. The overall approach to delivery will be based on the principle that we will enable others to deliver where we can, partner where it makes sense and only deliver if absolutely necessary.

## **Area+ teams**

Lead officers required to deliver elements of the Area Chapter are essentially the Area+ team. The Communities of Practice for the areas of focus will be used to support delivery through applying best practice, ensuring cooperation and overcoming barriers to deliver and to resolve issues that cause projects to stall.

## **Budgets**

Work will be required to align the area budgets and available resources (capital programme, appropriate S106, etc) with the new Area Plans. There needs to be recognition that resources are finite and will be allocated according to need. Any new work will be assessed in order to establish relative priorities. As mentioned above, a report will be produced for the April meeting with recommendations about the use of area resources.

## **Next Steps**

- Draft council plan workshops with Scrutiny and District Executive in January 2020
- Final Council Plan for adoption in February 2020

The SLT sponsor for Area East is Clare Pestell who will be an advocate for the Area Plan through the adoption process and maintain an overview of progress. The SLT sponsor will provide high level input into the development of Area Plans making sure that they contribute towards the broader aims of the council and take account of relevant regional and national policy.

## **Financial Implications**

There are no new financial implications arising directly from this report.

## **Corporate Priority Implications**

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

## **Carbon Emissions and Climate Change Implications**

This is considered on an individual project and programme basis as appropriate. The overall priority is to seek to create more balanced communities where people can live, work and get access to the services and facilities they need on a daily basis. Area working (Area+) helps to improve access to facilities, activities and services, reducing the need to travel.

## **Equality and Diversity Implications**

This is considered on an individual project and programme basis as appropriate. All Area Plans will have an Equality Impact Assessment.

## **Background Papers**

Area+ proposal, Area + Implementation Plan

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# Area East Chapter of the Council Plan 2020-2021

The area chapter presents the priority work in Area East for the coming year. Many of the projects are led by others working in our communities and SSDC will take an enabling approach to provide advice and practical support to help others deliver.

Area+ teams are made up of officers from across the council with specific knowledge, skills and experience needed to support the delivery of the Area Chapter. Details of the Area+ team, key activities, and milestones to be presented in the delivery plan.

## Key priorities for Area East:



### Economy

Engage the large attractions and support the LICs to develop an overall destination offer for South Somerset and market through the TICs and Visit Somerset

Work towards providing employment land and business units of appropriate sizes readily available for uptake by business and residents

Continue to support key businesses including work with the Chamber of Commerce and other partners

Engage Town Councils to develop programme of investment through the Market Town Investment Group



### Environment

Support volunteers at Moldrams Ground

Campaign to address increase in fly-tipping in the area.

Support community led initiatives that combat climate change



### Housing

Promote Neighbourhood Planning as a tool to deliver appropriate local housing

Promote Local Housing Needs Surveys as a way of delivering appropriate housing in rural parishes. Provide practical help when requested



### Healthy, Self-reliant Communities

Support a range of improvements to community facilities

Continue to support the South Somerset community accessible transport scheme

Tackle social isolation by maintaining the network of volunteer led health walks through promotion, training and support

Deliver a programme of Play days in towns/villages in Area East.

# Agenda Item 9

## **Future arrangements for Area East Committee**

*Portfolio Holder:* Cllr Henry Hobhouse  
*Director:* Netta Meadows, Director for Strategy & Support Services  
*Lead Officers:* Angela Cox, Specialist, Democratic Services  
Tim Cook, Locality Team Manager  
*Contact Details:* tim.cook@southsomerset.gov.uk  
angela.cox@southsomerset.gov.uk

## **Purpose of the Report**

To update members on progress on the arrangements for future Area East Committee meetings.

## **Public Interest**

The Area Committee meetings provide an opportunity to ensure that decisions about local resources and planning applications are taken locally in an open and transparent way and give access to the public to attend in person. They also provide an opportunity for the public to engage with their local councillor representatives and raise matters directly in an open and public environment.

## **Recommendation**

That Members agree the future arrangements for the Area Committee meetings.

## **Background**

Churchfields currently provides an operational base for SSDC staff, front of house support for customers and a meeting space for the area committee and external groups. It also accommodates the Neighbourhood Policing Team and front desk.

The building has been under occupied for a number of years despite numerous attempts to market the available space to other organisations and for other purposes.

SSDC no longer requires the building as an operational asset due to Transformation and progress towards new ways of working.

Members will recall that the disposal of excess operational property was proposed and agreed in the Commercial Strategy 2017-21. Also, that District Executive would take the decision on our operational offices like Churchfields and Brympton Way. The decision to dispose of Churchfields was approved by District Executive in March 2018.

A commitment was made that disposal would only happen once tenants were given reasonable notice and found alternative accommodation. For Churchfields this was, and still is, expected to happen by the end of 2019. The nursery moved out on 2<sup>nd</sup> September and the Police will relocate by the end of the year.

## **Area Presence**

SSDC will continue to require a presence in the area. This breaks down into three distinct areas, customer access, desk space for SSDC staff and the area Committee meetings. Desk space with access to printing, kitchen and toilet facilities is available at the Balsam Centre for use by any SSDC officer.

## Customer Access

Front desk presence has been replaced by a new Customer Access Point (CAP). The CAP provides touchscreen access to council services and can be used to complete forms, report issues, upload evidence and contact the council via a dedicated phone line. Direct help or support is available to vulnerable customers by the Customer Focussed team on an appointment basis. In some circumstances home visits can be carried out by the Locality Team, at the request of a case officer.

The table below details the options considered for the CAP.

### Options

Options considered	Comments
Wincanton Town Hall	Space could accommodate a CAP. Opening times are currently limited. Access issues in terms of location in relation to car parking. <b>Not accessible for wheelchair users.</b> Complimentary services (WTC & LIC) on site. Staff available with potential to support customers.
Wincanton Library	SSDC services already available via public access PC's. Space is and opening times are currently limited. Complimentary services on site. Reasonable access to building and car parking. Staff available with potential to provide support to customers.
Balsam Centre	CAP could be accommodated in the Café area. Opening times 9am to 6.30pm, 5 days p/w. Limited availability Good accessibility and access to parking. Complimentary services (SCC, CASS, Health Visitors SSCAT etc) delivered could be a community hub. Staff and volunteers available to support customers.

A decision on the location of the CAP would not preclude further discussions should other options become available through the work of the Wincanton Regeneration board. The need to continue to provide access to our services from the end of this year is a priority and it is considered that the Balsam Centre provides the best option currently.

### Area Committee – Future arrangements

Requirements for committee arrangements are as set out below.

1. Space needs to be available at a regular time on a monthly basis. We are working on the basis that the area committee will continue to meet monthly on the second Wednesday of the month.
2. Completely accessible – The venue will need to be physically accessible to all and include a compatible hearing loop.
3. Set up for use. It is not practical for case officers (democratic services) to set the room up and pack down after the meeting. The venue will need to be equipped with compatible audio visual equipment and have full caretaking facilities.
4. Capacity to accommodate 14 councillors and up to 40 members of the public.
5. Adequate parking for Councillors and members of the public

Locations considered	Comments
The Balsam Centre	Would be sensible if CAP and touchdown space is likely to be here. Good access. Space called 'The Shed' is the largest room but could not accommodate the number attendees that we sometimes have for a large planning



	application. Reception/caretaking staff available. Not available for a regular booking at the current time. Car parking available. Very limited storage space.
Wincanton Racecourse	Car Park available. Appropriate sized room available. Some work required regarding loop system etc. Out of the town centre. Main/other uses are not considered to be complimentary and could conflict.
Wincanton Memorial Hall	Can accommodate all of the requirements set out above.

There are a number of good quality community facilities in other market towns and villages. Consideration was given to halls in Ansford, Galhampton, Charlton Musgrove and Cucklington and West Camel. However, Wincanton is a good accessible location due to the A303. Space for hotdesking is available at the Balsam Centre which will be convenient for officers attending the Area Committee meetings.

The only venue able to meet all the requirements is Wincanton Memorial Hall. It is likely that the first meeting in the new venue will be March 2020.

### **Financial Implications**

The cost of hiring the Memorial Hall as a regular monthly venue will be £26 per hour and will therefore be in the region of £104 to £130 per month depending upon the length of each meeting. This will be met from the Democratic Services central budget.

### **Council Priority Implications**

The work set out in this report contributes towards meeting the aims under the theme of ensuring a modern, efficient and effective council that delivers for its communities.

### **Carbon Emissions & Climate Change Implications**

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

### **Equality and Diversity Implications**

Any proposed changes will be subject to an Equalities Impact Assessment.

### **Background Papers**

Commercial Strategy – 2017 to 2021  
Area+ Implementation Plan  
District Executive – March 2018

# Agenda Item 10

## **Area East Forward Plan**

*Service Manager:* Tim Cook, Area Development Lead (East)  
*Lead Officer:* Angela Cox, Democratic Services Specialist  
*Contact Details:* Angela.cox@southsomerset.gov.uk or 01935 462148

## **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; Angela Cox.

***Background Papers:*** None

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## Appendix A

### Area East Committee Forward Plan

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background and Purpose</b>	<b>Lead Officer</b>
<b>12 February 20</b>	Community Grant Applications	To consider any Community Grant Applications submitted	Tim Cook / Steve Barnes

# Agenda Item 11

## Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods, Service Delivery  
 Service Manager: Simon Fox, Lead Officer (Development Management)  
 Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

### Purpose of the Report

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

### Recommendation

Members are asked to note the schedule of planning applications.

**Planning Applications will be considered no earlier than 9.45am.**

Members of the public who wish to speak about a particular planning item are recommended to arrive for 9.35am.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
13	TOWER	19/01786/FUL	Installation of a CCTV camera system comprising of a network of wooden pole mounted cameras, related cabinets and ducting, plus ancillary and related equipment.	Clapton Farm Solar Park, Land at Clapton Farm House, Tinkers Lane, Cucklington	Clapton Farm Solar Park Ltd
14	CARY	19/02235/OUT	Outline planning application with all matters reserved for the erection of 5 dwellings	Land at North Town Farm, Higher North Town Lane, North Cadbury	Mr & Mrs Longman
15	MILBORNE PORT	19/01680/OUT	Outline application with all matters reserved save for access for the erection of an agricultural workers dwelling	Coombe Hill Farm, Furlong Lane, Milborne Port	Mr & Mrs Tizzard
16	NORTHSTONE, IVELCHESTER, ST MICHAEL'S	19/00454/OUT	Erection of two single storey dwellings and formation of vehicular access	Land Adjacent The Florins, Bineham Lane, Yeovilton	Mr Paul Rogers

Further information about planning applications is shown 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.

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# Agenda Item 12

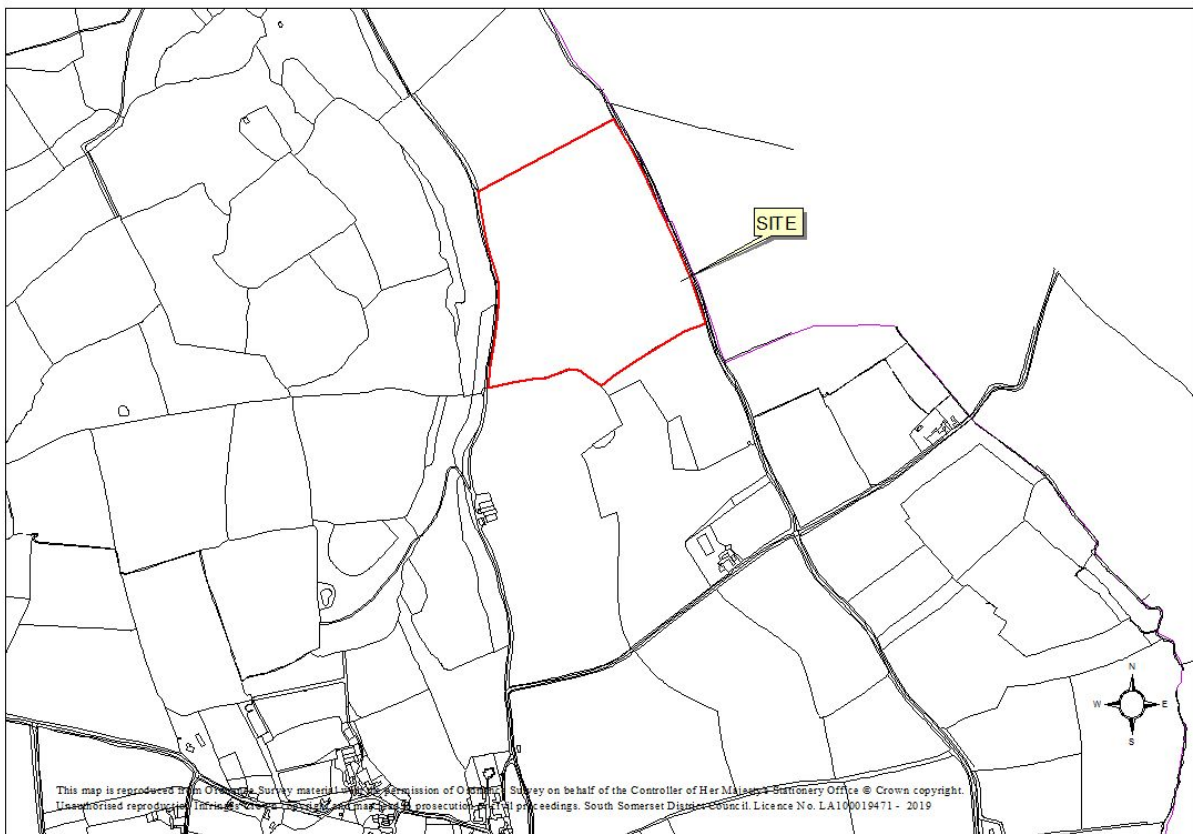
## Officer Report on Planning Application: 19/01786/FUL

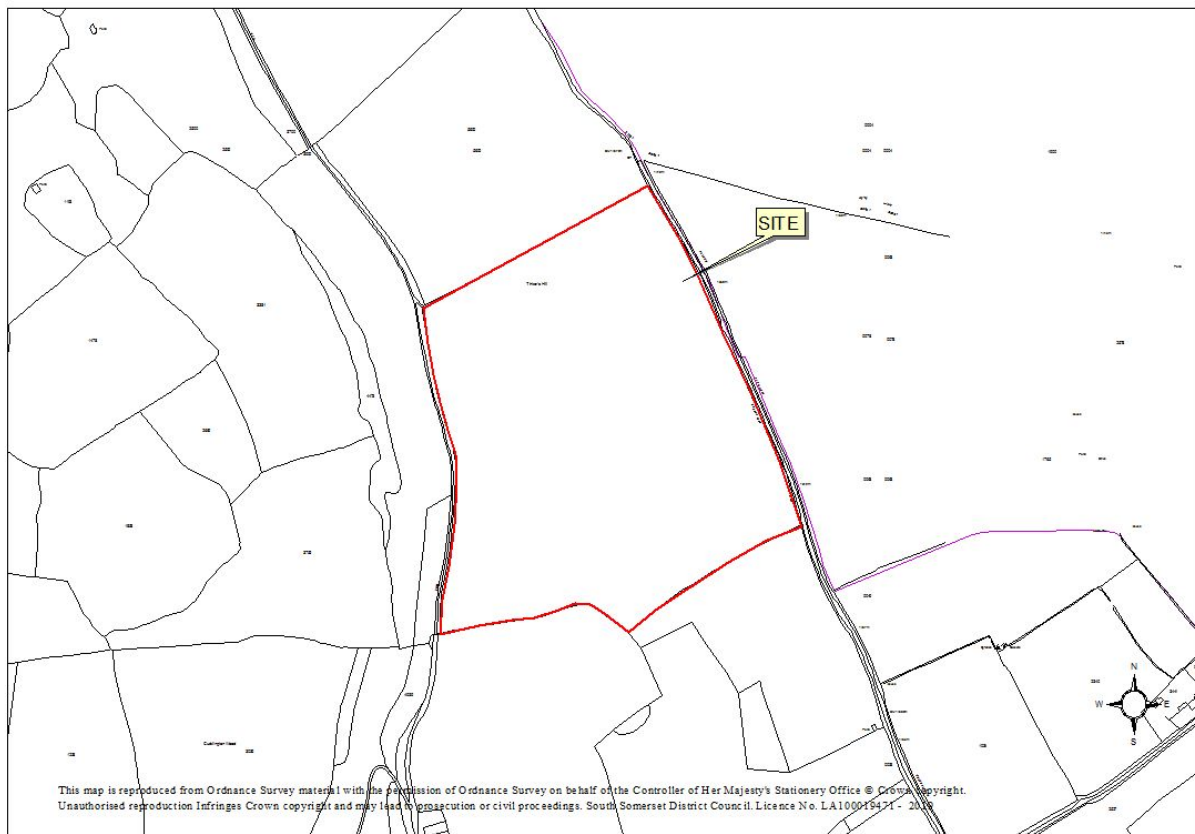
<b>Proposal :</b>	Installation of a CCTV camera system comprising of a network of wooden pole mounted cameras, related cabinets and ducting, plus ancillary and related equipment.
<b>Site Address:</b>	Clapton Farm Solar Park, Land At Clapton Farm House, Tinkers Lane, Cucklington
<b>Parish:</b>	Cucklington
<b>TOWER Ward (SSDC Member)</b>	Cllr R Bastable
<b>Recommending Officer:</b>	David Kenyon Tel: 01935 462091 Email: david.kenyon@southsomerset.gov.uk
<b>Case Officer:</b>	
<b>Target date :</b>	26th September 2019
<b>Applicant :</b>	Clapton Farm Solar Park Ltd
<b>Agent: (no agent if blank)</b>	Mr Philip Saunders Savills Wessex House Wimborne Minster BH21 1PB
<b>Application Type :</b>	Major Other f/space 1,000 sq.m or 1 ha+

### REASON FOR REFERRAL

The application is referred to Committee in terms of the Council's Scheme of Delegation as it comprises a large scale major development proposal ('Major'). Third party objections have been received.

### SITE DESCRIPTION AND PROPOSAL





The application site is located within open countryside, a little less than 1 km north of Cucklington and 1 km south of the A303's interchange with the B3081. The application site comprises a single agricultural field 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 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.

Planning permission was granted, on 17th November 2015, for the erection of a 5 MW solar photovoltaic array and associated works and infrastructure for a temporary period of 25 years (application ref. 15/03373/FUL). The works included:

- o Framework and solar panels 0.5m to 2.8m in height with up-right piled supports to a depth of 1.2m.
- o 4 no. inverter stations comprising several different structures having an overall area extending to 14.7m by 4.6 and height of 2.3m.
- o 2 no. switchgear 6m by 3m and 3.27 above ground level.
- o Spares container 2.3m by 1.2m and 2.9m high.
- o Access arrangements off the existing field access from Tinker's Lane.
- o 2m high security fencing around the boundaries of the solar array.
- o 5 no. CCTV on 6m high pole mounted - 4 no. thermal imaging cameras and 1 no. fixed day/night camera. To date, these cameras have not been erected / installed.

A subsequent S73 application permitted the 25 years to run from the connection date (31st March 2017) rather than from the date of the 2015 permission. This means the solar park shall be removed and the land restored to its former condition by 31st March 2042.

The actual extent of the solar panels is contained within the eastern half of the field and covers 5.3 hectares. The majority of the site is classed Grade 3b agricultural land while 2 hectares (out of 5.3 hectares on which the solar array has been erected) is classed 3a agricultural land.

To date, the approved development has been implemented and completed except for the approved 5 no. CCTV; these cameras have not been erected / installed. The original permission allowed for the siting of 4 no. thermal imaging cameras and 1 no. fixed day/night camera around the peripheries of the site, mounted on 6 metres high galvanised steel poles. Amendments to slightly vary the siting of the 5 no. camera positions and to erect said cameras on 3 metres high posts constructed of solid timber (oak) have been agreed as non-material amendments on 28th November 2019. The cameras that were approved as part of the original 2015 permission are not going to be installed.

The current application seeks full planning permission to install a CCTV camera system comprising of fifteen wooden poles, each measuring three metres in height, around the perimeter of the solar array site on which an infrared camera system and ancillary equipment would be installed, together with ducting linking to a CCTV control cabinet to be located within the solar array site itself. These proposed 15 no. cameras would be in addition to the 5 no. cameras approved on 28th November 2019. The proposed control cabinet would measure 0.6m x 0.6m x 0.58m high, coloured light grey, and designed to fit under an existing solar panel.

Development would be located entirely within the site's existing boundaries and there would be no impact on trees or hedgerows.

No external lighting is proposed that would be visible to the naked eye (infrared, non-visible lighting is proposed at night time). The location of the camera columns has been designed to ensure perimeter coverage of this large site. The submitted drawings nos. 26377-1-B and 26377-1-C show that the visual recording envelope of the proposed 15 no. cameras, as well as the 5 no. cameras approved in November 2019, would not extend outside the immediate boundaries of the solar park site. Only once an intruder has been identified by the infrared camera detection system could a verbal challenge be made via a speaker mounted on the camera pole. This would act as a real time response to any unauthorised access.

## **RELEVANT HISTORY**

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

15/03373/FUL. The erection of solar photovoltaic panels and associated works and infrastructure, including switchgear, inverter stations, access tracks, security fencing, security cameras, grid connection, together with temporary construction access, compound and unloading area.

Conditional approval 17.11.2015 - 25 years temporary permission.

15/04696/FUL. Cable route application in association with the solar farm application 15/03373/FUL at Clapton Farm (cable connection between the solar park and national grid connecting point).

Conditional approval 10.12.2015.

16/04071/NMA. Application for a non-material amendment to planning application 15/03373/FUL (Solar PV panels) with amended drawings 1171-0201-00 issue 13 (layout) 1171-0205-03 issue 01 (fencing detail) 1171-0206-09 issue 01 (mounting detail) and 1171-0207-14 issue 01 (inverter station).

This application sought to alter the approval by:



- o Reducing the number of panels from 21,978 panels to 19,008;
- o Altering the degree of the panels to 22 rather than 15- 20 degrees;
- o Varying spacing of the rows 2.47m to 2.95m rather than the fixed 2m spacing gaps; and
- o Two inverters rather than 4 being more than halved in length, 6.06m rather than 15.18m, but slightly higher 2.9m rather than 2.4m and wider 2.44m rather than 2.05.

Agreed 10.10.2016.

17/00372/NMA. Application for a Non Material Amendment to planning permission 15/03373/FUL for amendments to the inverter stations, panel angles and spares container.

This application sought to alter the approval by:

- o Reducing the number of inverters stations from four to three, with two placed in the same location;
- o Confirming panel angles at a 15 degree angle and up to a height of 2.4m; and
- o Providing spares container details.

Agreed 27.01.2017.

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.

Temporary permission for 25 years had been given from the date of the original permission, i.e. 17 November 2015 application ref 15/03373/FUL. This S73 application sought to vary condition 4 so that the 25 years would run from the connection date, namely 31 March 2017, rather than the date of the original planning permission.

Conditional approval 18.04.2017 subject to a condition that the development shall be removed and the land restored to its former condition within 25 years of 31 March 2017 (i.e. by 31st March 2042) 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.

17/02841/FUL. Buried high voltage connection cable for solar farm (revision to approval 15/04696/FUL) - retrospective.

Conditional approval 06.10.2017.

17/02943/NMA. Application for a Non Material Amendment to 15/03373/FUL for the installation of a farmer's gate and change of design to perimeter fencing.

This application sought to alter the approval by:

- o Inserting a farmer's gate at the north-east corner of solar farm; and
- o Changing the design of the perimeter fencing from deer mesh to panel mesh.

Agreed 11.08.2017.

18/03338/S73A. Application to vary conditions 02 (approved plans), 03 (Landscape and Ecology Management Plan) and 10 (landscape planting scheme) on 15/03373/FUL to allow changes to landscaping as shown on drawing number 694-03S.

Conditional approval 14.12.2018.

19/03213/NMA. Non Material Amendments to planning approvals 15/03373/FUL and 18/03338/S73A to allow for the relocation of the 5 approved security cameras and their reduction in height and change in materials/ appearance.

This application sought to alter the approvals by:

- o Slightly varying the siting of the 5 camera positions; and
- o Erect said cameras on 3 metres high posts constructed of solid timber (oak) instead of the approved 6 metres high galvanised steel poles.

Agreed 28.11.2019.

## **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  
EQ4 - Biodiversity  
EQ5 - Green Infrastructure  
EQ7 - Pollution Control  
EP5 - Farm Diversification  
TA5 - Transport Impact of new development  
TA6 - Parking Standards

### **National Planning Policy Framework - February 2019**

Chapter 2 - Achieving sustainable development  
Chapter 4 - Decision-making  
Chapter 6 - Building a strong, competitive economy  
Chapter 8 - Promoting healthy and safe communities  
Chapter 11 - Making effective use of land  
Chapter 12 - Achieving well-designed places  
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 - Conserving and enhancing the natural environment

### **National Planning Practice Guidance**

#### **Policy-related Material Considerations**

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

## **CONSULTATIONS**

**Cucklington Parish Meeting:** No observations to make.

**Pen Selwood Parish Council:** No objections.

**Bourton Parish Council:** No comments made.

**Dorset Council:** No objections.

#### **SDDC Environmental Protection Unit:**

It is understood that there have been concerns regarding noise from the on-site audio challenge system. Having reviewed the system and it is extremely unlikely to cause a nuisance to the nearest residential property.

**Highways Authority:** Standing advice applies.

**SDDC Highway Consultant:** No highways issues - no objection.

## **REPRESENTATIONS**

58 third parties have been notified, a site notice displayed and an advertisement has been placed in the local newspaper. Six representations objecting to the application have been received and are set out in full on the website. The objections can be summarised as follows, in no particular order:

- No identified need to add another pole mounted camera and loudspeaker security system.
- Increased detriment to visual amenity. The erection of 20 poles of 3 metres in height along with cameras etc. will undoubtedly have a greater impact on the local landscape and will make the solar park appear industrialised and like a prison camp.
- The raised cameras and the loudspeakers would be intrusive. There is no guarantee as to what would be recorded on the cameras and how the data would be handled once captured and volume from the loudspeakers would represent a noise nuisance.
- Any permission for this proposal would set a precedent for more additions to be applied for.
- Natural darkness and silence at night must be retained in the interests of wildlife.

An additional representation has been submitted from an adjoining landowner wishing to be assured that there will be no overlooking of his land by the CCTV system and thus an invasion of privacy.

## **RESPONSE TO REPRESENTATIONS**

In response to the objections that have been raised, the agent has provided the following comments:

### *The need for CCTV / security measures*

Clapton Solar Farm is permitted to operate until 2042 and the owners wish to install security measures given the recent increase in thefts from solar farms nationwide. The measures being proposed seek to deter intruders, ensure public safety and meet new insurance requirements. The introduction of such a security system is now commonplace across many solar farms in the UK. Indeed, CCTV measures (6 metre high galvanised steel poles) were previously approved in the original application 15/03373/FUL, Therefore there is a precedent for this application to be found acceptable.

In order to meet stringent insurance requirements it is now necessary to ensure that the CCTV system proposed provides full perimeter coverage, hence the number of poles around the perimeter of the site. Insurance requirements also necessitate that an audio challenge facility be installed (loudspeakers) which would only be activated upon unauthorised entry by an intruder.

### *Camera and loudspeaker operation details*

Submitted drawing no. 26377 shows that the recording envelope of the CCTV cameras would not penetrate outside of the immediate solar farm boundaries and therefore there would be no risk of privacy infringement. The nearest house lies approximately 380 metres away. The nearest public right of way lies 150 metres to the west of the site and walkers would be unaffected. The proposed cameras would have a fixed field of vision directed along the perimeter and inwards towards the solar farm.

The audio challenge facility would only be used when the CCTV system has identified an unauthorised intruder, hopefully an infrequent / non-occurring event. Therefore the risk of any noise pollution is minimal.

Information on the audio challenge facility:

Audio Challenge Facility - This system will also include an on-site audio challenge facility. This part of the system would be used should persons be seen on the site, enabling the control room to warn potential intruders or vandals that they are being viewed on a live CCTV system and, if necessary, the relevant authorities will be called. This is not a pre-recorded system and is a controller speaking to the site.

1 x 70 Watt Amplifier with 100 Volt output, including three independent inputs.  
9 x IP66 rated external 100 Volt Horn PA speakers not exceeding 84dB. The volume can be controlled remotely and will be set at commissioning. They do not emit an alarm, only used for voice challenge upon detecting intruders. This is an insurance requirement.

Recordings: Footage will be recorded 24/7, and stored for 31 days, after which it will be overwritten.

#### *Camera pole visibility*

The poles have purposefully been selected to be 'green oak', which will be light brown / grey in colour. Wooden posts have been chosen given that they will better blend into the landscape compared with a galvanised steel alternative. There is also a degree of landscaping / screening between the solar farm and the nearest houses minimising views of the solar farm.

#### *Lighting*

No lighting visible to the naked eye is proposed. Infrared lighting, which is invisible to the naked eye, is proposed for CCTV intruder detection purposes only.

#### *Proximity to housing*

The nearest isolated house appears to be approximately 380 metres away and is surrounded by mature trees / vegetation. Otherwise, the nearest villages of West Bourton and Cucklington are located approximately 600 metres and 780 metres away respectively. At these distances, and with intervening landscaping / trees, any views would be minimal.

## **CONSIDERATIONS**

### **Principle of Development**

The National Planning Policy Framework (NPPF) states that, when determining planning applications for renewable and low-carbon development, local planning authorities should approve the application if the impacts are (or can be made) acceptable (paragraph 154 of the NPPF).

Local Plan Policy EQ1 is applicable in considering renewable energy proposals. Bullet point 3 states that 'Development of renewable and low carbon energy generation will be encouraged and permitted, providing there are no significant adverse impacts upon residential and visual amenity, landscape character, designated heritage assets, and biodiversity.' Policy EQ2 also refers to the need to safeguard landscape character of the area and visual appearance is clearly a weighty matter in considering environmental harm.

Permission exists for the establishment and operation of a solar array on the application site until 31st March 2042. This includes, not only the solar panels, associated switchgear and inverter buildings associated with such operations and 2 metre high security fencing around the solar site, but also 4 thermal imaging cameras and a fixed day/night camera, each installed on 6 metres high galvanised steel poles. Amendments have subsequently been agreed to slightly vary the siting of the 5 no. camera positions and to erect said cameras on 3 metres high posts constructed of solid timber (oak). None of the cameras and poles have to date been installed.

Mindful that it has been established that a solar array and its associated infrastructure are

acceptable in this location and that such development has now been implemented, it is considered that further items and equipment associated with the solar array, such as that currently being proposed, are also acceptable in principle. Nevertheless, any permission granted for the proposed CCTV camera system should not be permanent but should reflect the same temporary time period as currently exists for the solar farm as a whole, i.e. to be removed by 31st March 2042. Similar to conditions relating to the main solar farm itself, a condition can be imposed to require the site's restoration following cessation of its approved use should the site become redundant.

On this basis the principle of the proposed development is considered acceptable. Accordingly the main considerations for this application relate to landscape character and visual appearance and residential amenity.

### **Landscape Character and Visual Amenity**

The current proposal seeks the erection of a greater number of cameras than originally approved in November 2015. However, notwithstanding the numbers being proposed, this proposal seeks consent for the cameras to be fixed on poles which would be half the height of what has been previously approved and using poles constructed of timber, rather than steel.

Whilst these poles would be visible within the landscape, it is considered that their impact would not be so significant, when viewed alongside the 2 metre high security fencing and solar array as a whole, as to cause a demonstrable harm to the rural character and appearance of the immediate locality in general. In addition there would be negligible, if any, impact on the landscape within the Cranborne Chase Area of Outstanding Beauty which is slightly more than 1 km away from the application site.

The proposed CCTV control cabinet, by virtue of its size and siting within the solar area itself, would have little or no visual impact on the wider landscape character.

As such, it is considered that the proposed wooden poles and cameras and the control cabinet would be viewed in the context of the solar farm as a whole and would not, by themselves, cause significant and demonstrable harm to the character and appearance of the area as to justify a refusal of planning permission. As stated above, a condition is recommended requiring their removal at the same time as the rest of the solar park development.

### **Residential amenity**

There are no dwellings in close proximity to the site so that it is not considered that harm would result for the amenity of the residents.

Concerns have been raised about possible invasion of privacy for adjoining landowners if the cameras are angled to view onto surrounding land and possible noise pollution as a result of loudspeakers.

In response to the first concern the agent has stated categorically that the recording envelope of the CCTV cameras would not penetrate outside of the immediate solar farm boundaries and therefore there would be no risk of privacy infringement. Also, that the proposed cameras would have a fixed field of vision directed along the perimeter and inwards towards the solar farm. This is indicated on the submitted drawings nos. 26377-1-B and 26377-1-C. It is recommended that a condition is imposed ensuring that the field of vision of each camera is fixed as indicated on said submitted drawings and there is no subsequent variation to allow a greater field of vision for any of the cameras without the prior written approval of the LPA.

Regarding the second concern, again the agent has responded to this by stating that the audio challenge facility would only be used when the CCTV system has identified an unauthorised intruder. Hopefully this would not be on a regular basis but rather an infrequent / non-occurring

event. The Council's Environmental Health Officer has been consulted. Whilst noting the concerns expressed regarding noise from the on-site audio challenge system, having reviewed the system he advises that the proposed CCTV system would be extremely unlikely to cause a nuisance to the nearest residential property.

Mindful of the comments of the Environmental Health Officer, it is considered that the proposal would not cause unacceptable noise detriment to the area. Nevertheless, a condition is recommended permitting the proposed on-site audio challenge facility but to ensure that no other form of audible alarm shall be installed on the site without the prior written consent of the Local Planning Authority.

### **Other matters**

This proposal does not raise any material concerns in relation to highway safety, flood risk or biodiversity. Nor would there be any harm caused to any designated heritage assets.

Concern has been raised by third parties as to how data recorded by the cameras would be handled. This is not considered to be an overriding material planning consideration and, indeed, was not considered to be an overriding consideration when permission was granted in 2015 for cameras to be installed at the site.

### **Conclusion**

The proposal to install a CCTV camera system, comprising of a network of 20 wooden pole mounted cameras, a control cabinet, ducting and other small ancillary and related equipment, all in association with the existing solar array development for the same temporary period as the solar park itself would respect the character of the area and would cause no demonstrable harm to landscape character and visual amenity, neighbour amenity, highway safety, flood risk or biodiversity. As such, the proposal is in accordance with the aims and objectives of the NPPF and Policies SD1, EQ1, EQ2, EQ4, EQ5, EQ7, TA6 and TA6 of the South Somerset Local Plan and the application is recommended for approval.

### **RECOMMENDATION**

Permission be granted for the following reason:

01. The proposal to install a CCTV camera system, comprising of a network of 20 wooden pole mounted cameras, a control cabinet, ducting and other small ancillary and related equipment, all in association with the existing solar array development for the same temporary period as the solar park itself would respect the character of the area and would cause no demonstrable harm to landscape character and visual amenity, neighbour amenity, highway safety, flood risk or biodiversity. As such, the proposal is in accordance with the aims and objectives of the NPPF and Policies SD1, EQ1, EQ2, EQ4, EQ5, EQ7, TA6 and TA6 of the South Somerset Local Plan.

### **SUBJECT TO THE FOLLOWING:**

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved drawings:

Drawing no. 1088-0200-01: Site Boundary Plan

Drawing no. 26377-1-B: CCTV Layout - Site Layout - Planning Application (Proposed Additions)

Drawing no. 26377-1-C: CCTV Layout - Site Layout - Planning Application (Overall Security Design)

Drawing no. GBSG SD-1B: GBSG Standard Detail - Wooden Post Detail

Brochure: IP55 Outdoor Wall Mounting Cabinets, DS-CW55 Series

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

03. 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.

04. No CCTV equipment or other cameras shall be installed on the site other than those shown on the submitted drawings nos. 26377-1-B and 26377-1-C, in accordance with the CCTV design details submitted with the application.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the landscape in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

05. Each camera hereby permitted shall have a fixed field of vision, being angled and of a visual range as indicated on the submitted drawings nos. 26377-1-B and 26377-1-C and there shall be no subsequent variation to allow a greater field and range of vision for any of the camera without the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity and to safeguard the rural character of the setting in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

06. Other than the on-site audio challenge facility (described in the agent's email dated 5th November 2019) forming part of the security system hereby permitted, no other form of audible alarm shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity and to safeguard the rural character of the setting in accordance with the aims of the NPPF and Policies EQ2 and EQ7 of the South Somerset Local Plan.

# Agenda Item 13

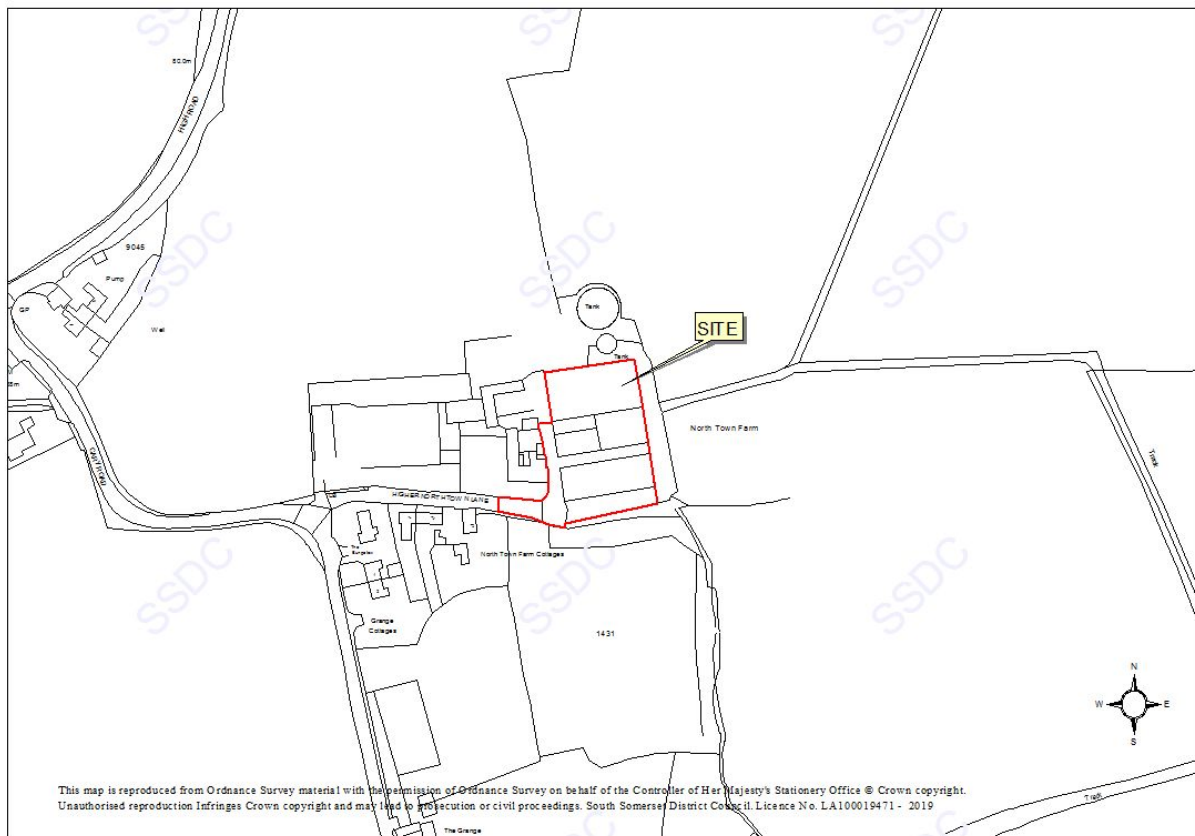
## Officer Report on Planning Application: 19/02235/OUT

<b>Proposal :</b>	Outline planning application with all matters reserved for the erection of 5 dwellings
<b>Site Address:</b>	Land At North Town Farm, Higher North Town Lane, North Cadbury
<b>Parish:</b>	North Cadbury
<b>CARY Ward (SSDC Member)</b>	Cllr K Messenger Cllr H Hobhouse
<b>Recommending Case Officer:</b>	Neil Simpson Tel: (01935) 462497 Email: stephen.baimbridge@southsomerset.gov.uk
<b>Target date :</b>	7th October 2019
<b>Applicant :</b>	Mr & Mrs Longman
<b>Agent: (no agent if blank)</b>	Adrian Smith Collier Reading Architects Coach House Studio 34A Chamberlain Street Wells BA5 2PJ
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### SITE DESCRIPTION AND PROPOSAL







This is an outline application with all matters reserved for the erection of five dwellings at Land at North Town Farm, Higher North Town Lane, North Cadbury. The proposal would see the erection of five new dwellings, two are proposed to have three bedrooms and three are proposed to have four bedrooms. The site is accessed via a relatively short length of unclassified highway from Cary Road. The site has extant consent for three dwellings under application 16/02410/FUL.

### RELEVANT PLANNING HISTORY

16/02410/FUL - Erection of 3 residential dwellings with associated parking and landscaping as well as the demolition of existing barns:- Permitted with conditions 9 September 2016.

15/03983/PAMB - Prior approval for the change of use of agricultural building to two dwellings:- Prior approval refused 28th October 2015.

01/02647/FUL - The erection of animal; feed hopper and provision of hardstanding:- Permitted with conditions 27th December 2001

89/01475/FUL - The erection of agricultural storage building and provision of slurry store:- Permitted with conditions 10th January 1990.

### POLICY

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

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).

On this basis, the following policies are considered relevant:-

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

SD1 - Sustainable Development  
SS1 - Settlement Hierarchy  
SS5 - Delivering New Housing Growth  
SS7 - Phasing of Previously Developed Land  
EQ1 - Addressing Climate Change in South Somerset  
EQ2 - Design & General Development  
EQ7 - Pollution Control  
TA1 - Low Carbon Travel  
TA5 - Transport Impact of New Development  
TA6 - Parking Standards  
HG3 - Provision of Affordable Housing  
HG5 - Achieving a Mix of Market Housing

National Planning Policy Framework 2019:

Chapter 2 - Achieving Sustainable Development  
Chapter 5 - Delivering a Sufficient Supply of Homes  
Chapter 7 - Ensuring the Vitality of Town Centres  
Chapter 8 - Promoting Healthy & Safe Communities  
Chapter 9 - Promoting Sustainable Transport  
Chapter 9 - Making effective use of land  
Chapter 12- Achieving Well-Designed Places  
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 - Conserving and Enhancing the Natural Environment  
Chapter 16 - Conserving and Enhancing the Historic Environment

Other

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

## **CONSULTATIONS**

North Cadbury and Yarlington Parish Council

It was noted that this outline application included the dwellings already approved under the previous permitted development approved under Permitted Development terms. Concern was expressed by neighbours that this much larger development would be very close to boundaries and that it brought with it issues connected with Highways, boundaries, unsuitability of the design for a rural environment and concerns as to whether infrastructure in the area would cope with such a development. It was recognised that the detailed proposals would be addressed at the next stage if approval was given to move onto detailed planning. While there were some concerns, the overall sense was that this application was suitable to move to the detailed planning stage, but there were issues which would need addressing.

The Parish Council resolved by a majority to approve the Application.

SCC Highway Authority

This is an outline application with all matters reserved for the erection of five dwellings at Land at North Town Farm, Higher North Town Lane, North Cadbury. The site is accessed via a relatively short length of unclassified highway, which then joins Cary Road, a Classified Un-

numbered highway, in turn there is a junction with the A359 a short distance along Cary Road. Cary Road and the junction with the A359 are subject to a 40mph speed limit. There are three road accidents recorded at the junction of Cary Road and the A359, all three have been categorised as 'slight'.

Part of the site currently has an extant permission for three dwellings under application 17/00651/S73, which sought amendments to the permission granted under 16/02410/FUL. The Highway Authority referred the Local Planning Authority to their Standing Advice document for both of these applications.

For this application, the Highways Authority have a number of concerns regarding:

- Parking
- Vehicle Movements
- Estate Roads
- Drainage

Taking into account the concerns above, the Highways Authority does not object to the proposal and should the Local Planning Authority be minded to grant permission the Highways Authority would recommend that a number of conditions are imposed.

The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of any highway works necessary as part of this development. An advisory note should be attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.

#### SSDC Tree Officer

There are significant number of mature trees adjoining this outline proposal. The Tree Officer considers it would be prudent to ensure that the possible impact of shading and other issues upon the proposed dwellings receives professional arboricultural input in the design layout.

#### SSDC Environmental Protection

The site is a farm and as such there is potential contamination from fuels and pesticides etc. Site preparation and development of the site has the potential to adversely impact on neighbouring properties, therefore it is recommend that a number of conditions and an advisory note are attached to any consent.

#### SCC Rights of Way Officer

There is a public right of way (PROW) recorded on the Definitive Map that runs adjacent to the site at the present time (public footpath WN 19/52). An informative note should be added to any permission granted.

#### SSDC Highways Consultant

Refer to SCC comments.

#### South West Heritage Trust

There are limited or no archaeological implications to this proposal and SWHT therefore have no objections on archaeological grounds.

## **REPRESENTATIONS**

3 no. representations objecting to the proposal have been received. These were on the grounds of:

- Highway safety;
- Inappropriate layout for the Village which would impact character and landscape;
- The size and scale not in keeping with the rural setting;
- The design is not rural in character or sympathetic to the adjoining farm buildings;
- The existing infrastructure cannot cope with further housing;
- The location is unsustainable under Policy SS5;
- No identified local need for housing;
- Access to existing farm buildings will be compromised;
- Inadequate parking;
- Environmental hazards from historic agricultural use.

One objector has claimed to be making representations on behalf of 4 neighbouring properties. Representations can only be accepted from individual contributors and therefore this objection is considered to count as one.

## **CONSIDERATIONS**

The application raises several issues which will be considered in turn.

### Principle of Development

When considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework 2019 and seek to secure development that improves the economic, social and environmental conditions within the District.

The application site has consent for 3 no. dwellings under a Class Q fall back application (ref. 16/02410/FUL). An application for 5 no. dwellings would not have been consented under this route. Rural Settlements such as North Cadbury are considered as locations where there will be a presumption against development unless key sustainability criteria can be met.

In their case for the need of the additional units, the applicant has made reference to South Somerset's lack of a deliverable 5 year housing supply. The Council's lack of a five year housing land supply lends significant weight when considering the planning balance. Proposals for housing development may be considered sustainable in Rural Settlements that have access to two or more key services.

North Cadbury has a range of services including a primary school, a pub, a post office, children's play area and Village Hall and has been identified in the Local Plan as suitable location for additional housing and employment. In the context of the district, the settlement is well served by road transport with easy access to the A303 and multiple bus services daily.

Policy SS2 of the Local Plan allows development which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing.

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general. Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation.

The applicant has not demonstrated that the application would provide employment or that it

is consistent with a community led plan or meets a local housing need. Moreover, the proposed site is on the extreme outer edge of the settlement, with a number of open spaces between it and the village core. The nearest services in the village centre would be the primary school which is a 900m walk along a lane for the greater part without lighting or pavement. It is likely therefore that most journeys for every day necessities would be taken by car.

On this basis, the site is not a sustainable location and would therefore be contrary to the aims and provisions of Policies SD1 and SS2 of the South Somerset Local Plan (2006-2028) and the relevant aims and priorities of the National Planning Policy Framework 2019.

#### Impact on Landscape & Visual Amenity

New development proposals should demonstrate consideration of the relationship to adjoining buildings and landscape features. As an outline application with all matters reserved so matters such as design and appearance are not under consideration at this stage. Therefore issues regarding the impact of the indicative size, scale and layout on the local character and landscape are not relevant at this stage.

#### Impact on Residential Amenity

All development should ensure the most efficient use of land through the size and arrangement of plots, further determining the position, orientation, proportion, scale, height, massing and density of buildings as well as the treatment of the spaces around and between the buildings themselves. As an outline application with all matters reserved, the final layout is liable to change under any subsequent full application.

The site has an extant permission for three dwellings, therefore the principle for additional dwellings in this location is considered to have been established, and this application must therefore consider only the impact of two additional properties. The primary impact would be on the site density which would increase however the resulting plot sizes and space between the proposed units and neighbouring properties would remain acceptable in principle. It is therefore considered that this application would not represent unacceptably adverse impact on the amenities of the properties immediately adjacent to the site and the surrounding area by reason of overlooking, loss of privacy and/or visual overbearing.

#### Highways and Parking

As this is an outline application with all matters reserved including access, issues of highways and parking would need to be fully addressed at the reserved matters stage.

The indicative plans show 2 no. parking spaces available for each of the 5 units in garages and driveways. This is in accordance with locally defined parking standards. All vehicles must also be able to enter and exit the unclassified highway in a forward gear so appropriate turning space will also need to be provided within the scheme. Additionally, as part of the Somerset County Council Parking Strategy, new residential development is required to provide cycle storage facilities and electric charging points for each property.

It is considered that there is sufficient capacity within the surrounding highway network for this increase to not represent a significant highway safety impact as set out in paragraph 9 of the National Planning Policy Framework.

It is therefore considered that this application represents acceptable standards of highways safety and parking. The proposal would with conditions be in accordance with the aims and provisions of Somerset County Council Parking Strategy (September 2013), Policies EQ2 and TA1 of the South Somerset Local Plan (2006-2028), Design Code M3 of the National Design Guide (2019) and the relevant aims and provisions of the National Planning Policy Framework 2019.

## Conclusion

The Council's lack of a deliverable five year housing land supply lends significant weight when considering the planning balance. The planning tilt therefore turns to the consideration as to whether the adverse impacts of granting permission would 'significantly and demonstrably' outweigh the benefits.

The proposed additional net development would contribute to a less than significant degree in addressing the shortfall in the housing supply. No unacceptable adverse impacts on highway safety, residential or visual amenity have been identified and indicative arrangements for parking comply with local standards.

Notwithstanding the above, the development would not meet the social criteria under the sustainability test as there is no identification of local housing need or employment benefit. Moreover, the development is not a sustainable location which would lead to a significant increase in car borne journeys as there are a lack of sustainable transport options for residents to reach every day services.

On balance, the lack of social benefit and the unsustainability of the location would significantly and demonstrably outweigh the benefits of the scheme.

## **RECOMMENDATION**

REFUSE planning consent for the following reasons:

01. The site is not a sustainable location and the applicant has not demonstrated that the application would provide employment or that it is consistent with a community led plan or meets a local housing need. The proposal therefore would therefore be contrary to the aims and provisions of Policies SD1 and SS2 of the South Somerset Local Plan (2006-2028) and the relevant aims and priorities of the National Planning Policy Framework 2019.

## **SUBJECT TO THE FOLLOWING:**

01. The site is not a sustainable location and the applicant has not demonstrated that the application would provide employment or that it is consistent with a community led plan or meets a local housing need. The proposal therefore would therefore be contrary to the aims and provisions of Policies SD1 and SS2 of the South Somerset Local Plan (2006-2028) and the relevant aims and priorities of the National Planning Policy Framework 2019.

## **Informatives:**

### 01. CIL INFORMATIVE

Please be advised that any subsequent approval of this application by appeal will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

In the event of an approval at appeal, you would be required to complete and return Form 1 Assumption of Liability as soon as possible after the grant of permission and to avoid additional

financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

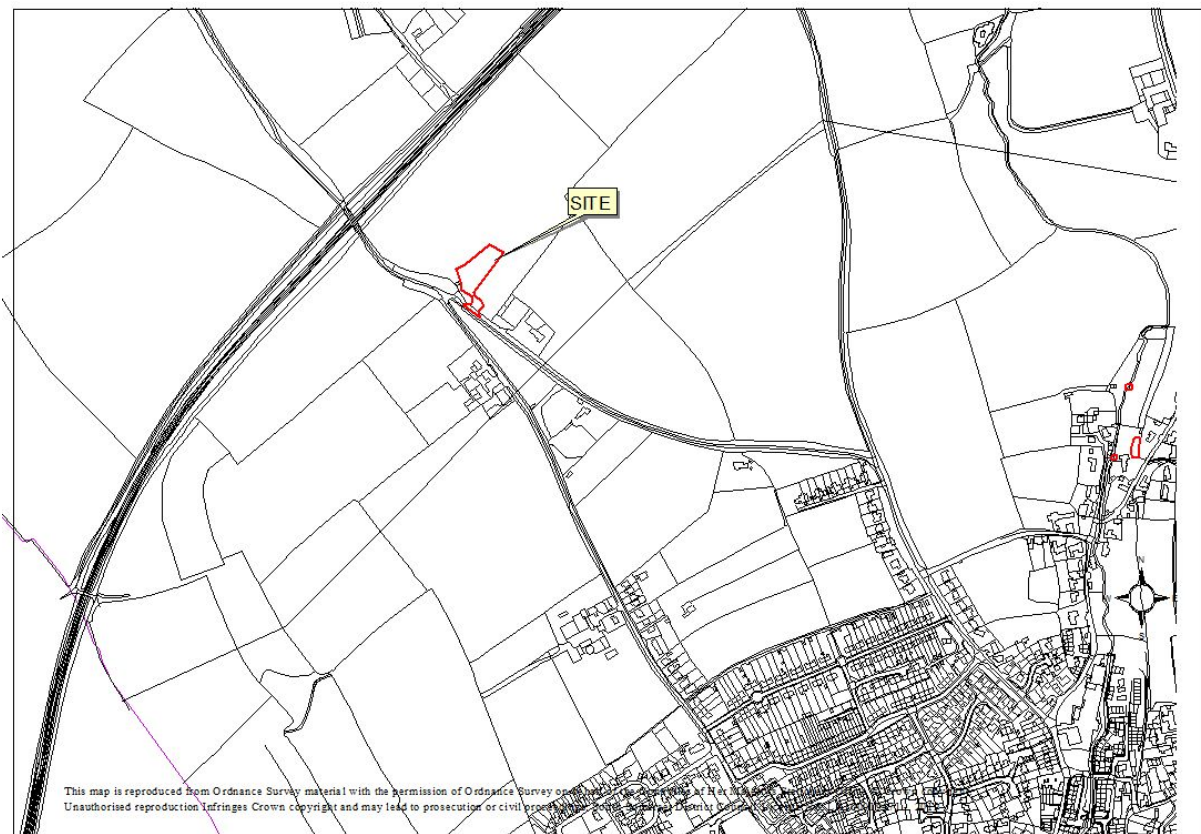
You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email [cil@southsomerset.gov.uk](mailto:cil@southsomerset.gov.uk)

# Agenda Item 14

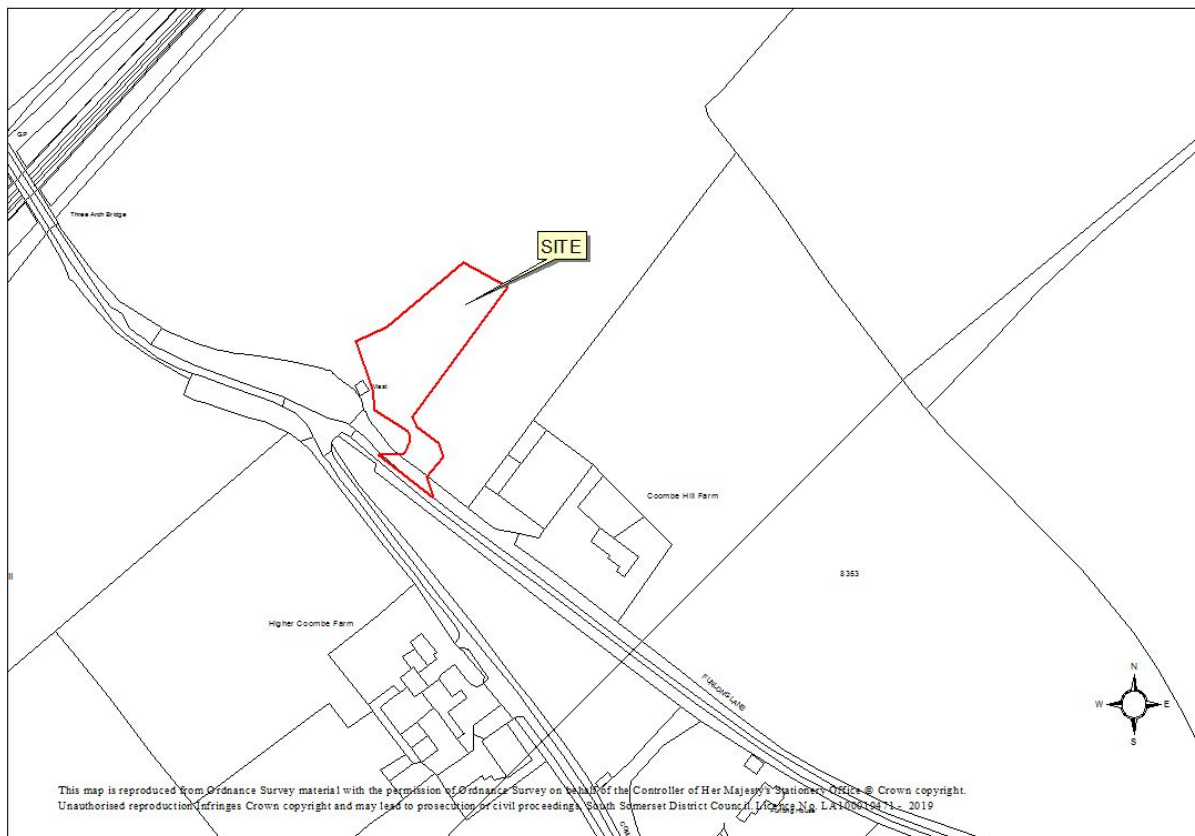
## Officer Report on Planning Application: 19/01680/OUT

<b>Proposal :</b>	Outline application with all matters reserved save for access for the erection of an agricultural workers dwelling
<b>Site Address:</b>	Coombe Hill Farm, Furlong Lane, Milborne Port
<b>Parish:</b>	Milborne Port
<b>MILBORNE PORT Ward (SSDC Member)</b>	Cllr S Dyke
<b>Recommending Case Officer:</b>	Ian Cousins Tel: (01935) 462497 Email: <a href="mailto:stephen.baimbridge@southsomerset.gov.uk">stephen.baimbridge@southsomerset.gov.uk</a>
<b>Target date :</b>	12th August 2019
<b>Applicant :</b>	Mr & Mrs Tizzard
<b>Agent: (no agent if blank)</b>	Mr Edward Dyke Agriculture House Market Place Sturminster Newton DT10 1AR
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### SITE DESCRIPTION AND PROPOSAL







The site forms part of an established working farm. The area subject to this application is located to the north west of a cluster of farm buildings. The site is elevated and prominent when viewed from the north west of the site. Vegetation in the form of mature trees is located to the south west of the site.

This is an outline application for the erection of 1x agricultural workers dwelling considering the principle of development and access only.

## HISTORY

Various applications relating to agricultural development on the site.

## POLICY

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

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
- HG9 Housing for Agricultural and Related Workers
- TA5 Transport Impact of New Development

TA6 Parking Standards  
EQ1 Addressing Climate Change in South Somerset  
EQ2 General Development

### National Planning Policy Framework

Chapter 2 - Achieving Sustainable Development  
Chapter 5 - Delivering a Sufficient Supply of Homes  
Chapter 12 - Achieving Well-Designed Places  
Chapter 15 - Conserving and enhancing the natural environment

### Planning Policy Guidance

Climate change  
Design  
Somerset County Council Parking Strategy (March 2012)

## **CONSULTATIONS**

### Milborne Port Parish Council:

*"No objection to the application providing the dwelling is agriculturally tied".*

### **SCC Highway Authority:**

*"Standing advice applies."*

### **SDDC Highway Consultant:**

*"It appears that the existing entrance onto Coombe Hill is of a good standard".*

## **REPRESENTATIONS**

None

## **CONSIDERATIONS**

### Principle of Development

The principle of development is primarily informed by Policy HG9 of the South Somerset Local Plan.

This policy allows for the provision of an agricultural workers dwelling subject to qualifying criteria.

The application has been supported by a planning statement detailing the functioning of the business and justifying the requirement of staff being present on site. It also explains that the business is both established and successful.

Accounts have also been submitted (which are confidential) which demonstrate that the business is profitable and sustainable.

On this basis, the Functional and Financial test is considered to have been met.

In addition to the above assessment, the final bullet point requires the siting and landscaping of the new dwelling minimises the impact upon the local landscape character and visual

amenity of the countryside.

Although the application is in outline form, when viewed from Osborne Road to the North West, it is considered that any form of residential development will result in a dwelling being unduly prominent in the landscape due to the elevated and open position of the site. It is accepted that the edge of the existing farm building is visible from this location and, along with the mature tree belt, would offer a visual backdrop, however the existing farm building does provide a distinct and simple edge to the farm. As a result, it is considered that, to introduce a dwelling in this location, along with the associated residential paraphernalia, would negatively encroach into the countryside to the detriment of the rural character of the area.

Accordingly, it is considered that the proposal fails to fully comply with Policy HG9 of the Local Plan. Further to this, the proposal is also considered to be contrary to Policy EQ2 of the Local Plan and section 15 of the revised National Planning Policy Framework 2019 that requires development to conserve and enhance the landscape character of the area.

### **Access**

It is considered that the existing access and surrounding road network is suitable to accommodate the traffic that is likely to be generated by the development. Accordingly, there is no objection to the proposal on Access or highway grounds.

### **Conclusions and Planning Balance**

It is considered that the applicant has justified the need for an agricultural workers dwelling to support the established business and therefore the requirements of the functional and financial test has been met. Notwithstanding this, it is considered that any form of residential development in this location will result in a dwelling being unduly prominent in the landscape due to the elevated and open position of the site which, in turn, will be harmful to the rural character of the area.

### **RECOMMENDATION**

Refuse

### **SUBJECT TO THE FOLLOWING:**

01. It is considered that residential development in this location will result in a dwelling being unduly prominent in the landscape due to the elevated and open position of the site which, in turn, will be harmful to the rural character of the area. The proposal is therefore considered to be contrary to policies HG9 and EQ2 of the South Somerset Local Plan and section 15 of the revised National Planning Policy Framework 2019 that requires development to conserve and enhance the landscape character of the area.

# Agenda Item 15

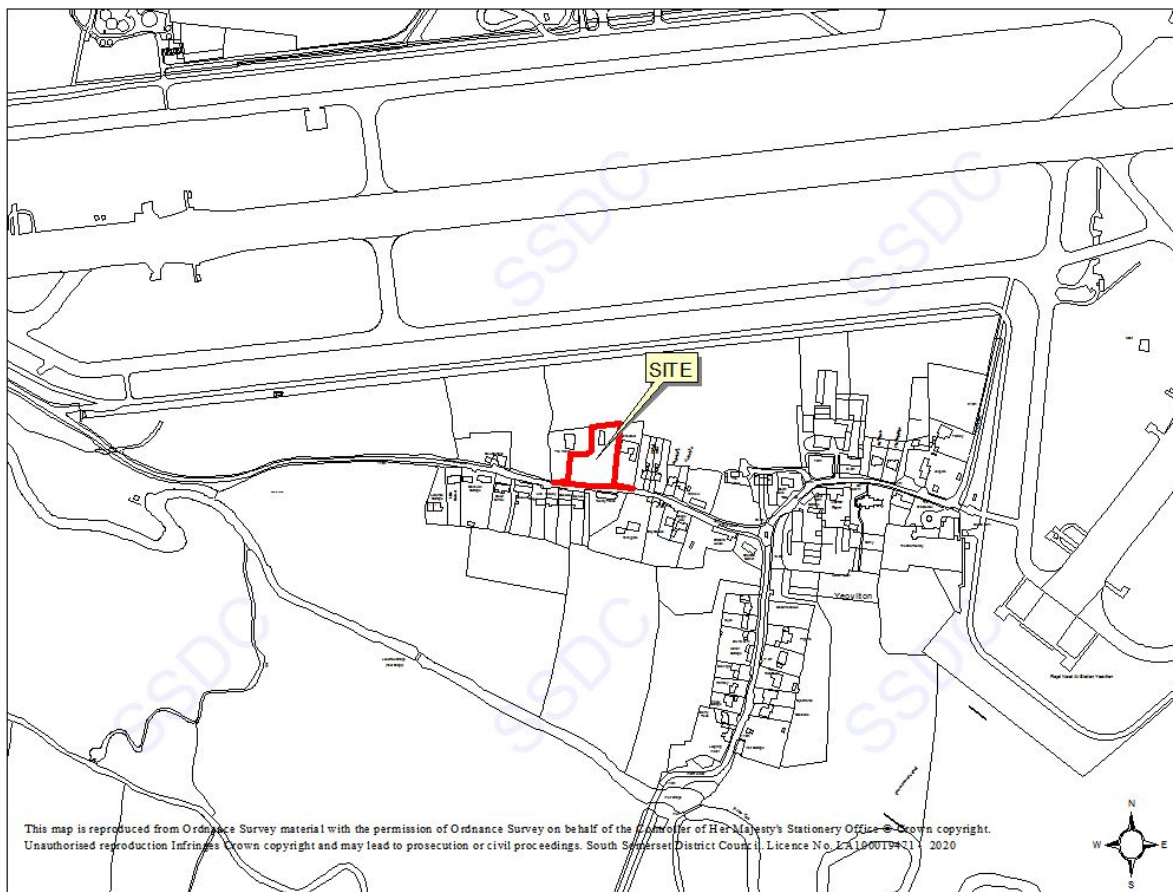
## Officer Report on Planning Application: 19/00454/OUT

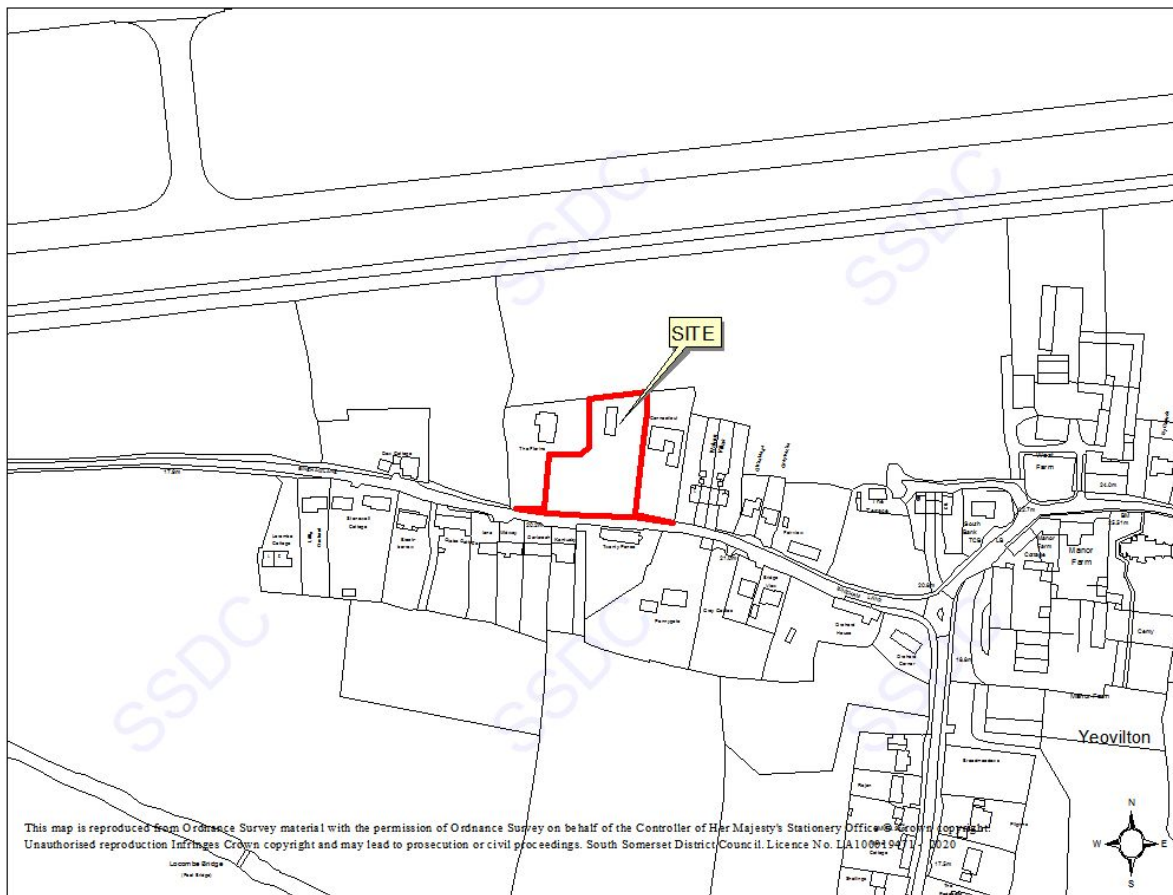
<b>Proposal :</b>	Erection of two single storey dwellings and formation of vehicular access
<b>Site Address:</b>	Land Adjacent The Florins, Bineham Lane, Yeovilton
<b>Parish:</b>	Yeovilton
<b>IVELCHESTER Ward (SSDC Member)</b>	Cllr Tony Capozzoli, Cllr Charlie Hull and Cllr Paul Rowsell
<b>Recommending Case Officer:</b>	David Kenyon
<b>Target date :</b>	15th April 2019
<b>Applicant :</b>	Mr Paul Rogers
<b>Agent: (no agent if blank)</b>	Mr Michael Williams Clive Miller Planning Ltd Sanderley Studio Kennel Lane, Langport TA10 9SB
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR COMMITTEE REFERRAL

As the officer's recommendation is contrary to the opinion of the Parish Council, the application was referred to the Ward Members. All three Ward Members expressed disagreement with the officer's recommendation and requested the application be referred to Committee for consideration and determination. With the agreement of the Area Chair, the application is duly referred to the Area East Committee.

### SITE DESCRIPTION AND PROPOSAL





The application site is located to the north of Bineham Lane at the northern end of the village of Yeovil. It is an inverted L-shape, approximately 0.28 ha in area, and was formerly used as a nursery, that use having ceased over 25 years ago. It is currently unused. The site is level and elevated slightly above the level of Bineham Lane. To the rear of the site is a small redundant outbuilding. The site is served by an existing vehicular access from Bineham Lane, albeit overgrown and along the road frontage is tree and hedge cover.

The site forms a gap within the street scene of predominately residential dwellings. To the south, east and west of the site are residential dwellings with agricultural land further to the west and to the north with the Airfield beyond.

The site is not subject to any specific protective designations, such as SSSI, SAC, Wildlife Site, Green Belt, AONB, Flood Zone, Conservation Area, Special Landscape Area or TPO's. However, to the south of the site, on the opposite side of and immediately fronting the road, is a stone and thatched cottage known as "Twenty Pence" which is a Grade II Listed Building.

This is an outline application for the erection of two single storey dwellings and the formation of a vehicular access. All details in relation to access, appearance, landscaping, layout and scale are reserved for consideration at the detailed application stage and are not to be considered as part of this outline application.

Included within the application submission are a Planning Statement; an Archaeological Evaluation Report dated July 2019 prepared by Context One Archaeological services Ltd; and a preliminary Ecological Appraisal dated March 2019 and Phase Two Reptile and Bat Activity Surveys dated September 2019 both prepared by Abbas Ecology. An illustrative layout (proposed site plan drawing no. 6803-01) has also been submitted.

## RELEVANT HISTORY

04/00890/OUT. The erection of a bungalow.

Refused 13.07.2004 on grounds of:

- (i) encroachment into open countryside and resultant harm to the rural character and appearance of the locality;
- (ii) the proposed development being located where it is remote from public transport, education and health facilities and other services and therefore would increase the need for journeys to be made by private vehicles which is non-sustainable; and
- (iii) the site lying within Noise Exposure Category D where the occupiers would be subject to unacceptable levels of aircraft noise.

95/07644/OUT. Erection of three bungalows (Outline).

Refused 21.06.1996 on grounds of:

- (i) location of the proposed development in open countryside for which there was no overriding justification, with resultant serious erosion of the open character and appearance of this part of the village; and
- (ii) close proximity to the Air Station which would result in occupants being subject to excessive aircraft noise.

APPEAL DISMISSED 18.02.1997. The Inspector considered that the proposed dwellings would be exposed to unacceptable level of aircraft noise and also was of the opinion that the proposal would result in an unacceptable extension of the built environment into the open countryside, harmful to the character and appearance of the area, and as such was in conflict with adopted policies. He noted that Yeovilton had (at that time) some 35 dwellings and the built form in Bineham Lane is characterised by linear development housing, mostly close to the road, with open spaces where the fields meet the road. However, both properties adjoining this appeal site are set well back from the road and the gap is wide. The proposal could not be construed as "infilling" of a small gap in a mainly built up frontage. Also the insertion of three dwellings in this gap would be entirely out of keeping with the generally spacious form of the settlement. Any argument that residential development would tidy up the site would not constitute a good reason for exception as to planning policy.

91/02964/FUL. The change of use of land and building from horticultural nursery to the storage and maintenance of horticultural equipment and stock.

Refused 16.01.1992 on grounds of no justification for a commercial storage depot in the countryside, unacceptable nuisance and unacceptable increase in traffic generation.

89/02560/OUT. Erection of 5 dwellings and garages (Outline).

Refused 15.11.1989 on grounds that the development would seriously erode the open character and appearance of this part of the village and would be so close to the nearby Air Station as to result in occupants being subject to excessive aircraft noise.

Outline planning permission was granted in 1983 (ref: 821601) for an agricultural dwelling in association with the modest 1.5 acres comprised in the then on-going nursery business. This was subject to a Legal Agreement dated 8th June 1983 preventing fragmentation of the land comprised in the nursery site.

Despite the agricultural justification accepted in connection with that 1983 outline permission, in September 1985, full planning permission was granted (ref: 851512) for a bungalow without agricultural justification and without any Legal Agreement. In addition, the permission was not subject to an agricultural occupancy condition. This application coincided with the site of the earlier 1983 outline permission (821601). This permission was implemented and relates to the dwelling that lies to the west of the current application site (dwelling known as "The Florins"). Mindful of the fact that the 1985 permission was not subject to an agricultural tie nor any Legal

Agreement, subsequently the June 1983 Legal Agreement was cancelled.

In 1986, a further outline permission was granted for another dwelling on the nursery land (ref: 860886). Subsequent to this outline consent, full planning permission was granted in August 1987 for a bungalow and garage (ref: 871686), this relating to the same site as the earlier 1986 outline permission (860886). This permission has been implemented and relates to the dwelling to the east of the current application site (dwelling known as "Connecticut").

## **POLICY**

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a general duty on local planning authorities when determining planning applications as respects listed buildings and states:

*"In considering whether to grant planning permission, or permission in principle, for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

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

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
- TA1 - Low carbon Travel
- TA5 - Transport Impact of New Development
- TA6 - Parking Standards
- EQ1 - Addressing Climate Change in South Somerset
- EQ2 - General Development
- EQ3 - Historic Environment
- EQ4 - Biodiversity
- EQ5 - Green Infrastructure
- EQ7 - Pollution Control

### **National Planning Policy Framework - February 2019**

- Chapter 2 - Achieving sustainable development
- Chapter 4 - Decision-making
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 - Promoting sustainable transport
- Chapter 11 - Making effective use of land
- Chapter 12 - Achieving well-designed places
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 - Conserving and enhancing the natural environment

## **National Planning Practice Guidance**

### **Other Material Considerations**

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2017)

Climate change

Design

Noise Exposure Category B (RNAS Yeovilton)

(Note: In August 2018 a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land as required by paragraph 73 of the NPPF. In such circumstances paragraph 11 d) of the NPPF in relation to decision taking is engaged, this states:-

*"where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>7</sup>, granting permission unless:*

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

Footnote 7 to Paragraph 11 explains that:

*"This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."*

## **CONSULTATIONS**

### **Yeovilton Parish Council**

The Parish Council fully agreed with the principle of development on this site. However the Council was not content with the proposed layout, as it was felt that the dwellings were too far forward in relation to adjacent properties, and the proposed entrance splay needs to be improved.

**County Highway Authority** - Standing advice applies.

### **SSDC Highway Consultant**

Need to consider the location of the site in terms of accessibility/connectivity to local services and facilities. With regards to access, the visibility splays appear to cross the frontage of the adjoining properties either side - The Florins and Connecticut. Are these slivers of land within the applicant's control or within the highway verge? It would be useful if the agent could confirm the speed limit on this section of Bineham Lane. More details should be submitted in respect of the proposed surface of the accesses and drainage.

### **SSDC Environmental Health**

The site is in within Zone B where, in accordance with page 257 of the Local Plan, it states that new housing should be provided with acoustic insulation. No objection is raised on noise grounds but, with the proposed development being in Zone B, details need to be provided as to acoustic insulation, in particular details of glazing performance and also how noise break-in via the roof is to be achieved. A condition is recommended requiring a sound report to be



undertaken and submitted given the proximity to the Airfield.

**SSDC Conservation Officer**

No objections.

**County Ecologist**

No objections are raised but, in order to comply with local and national policy, wildlife legislation, and the requirements of the mitigation hierarchy and for biodiversity net gain, conditions are recommended relating to protection of trees and hedgerows, bats, birds, badgers and reptiles, together with the carrying out of various measures to enable a net gain for biodiversity and protected species.

**South West Heritage Trust**

Based on the information contained within the submitted Archaeological Evaluation Report, there is no need for any further archaeological work on this site.

**Wessex Water**

No objections. Various informatives are suggested for inclusion on the decision notice.

**Ministry of Defence** - No comments received.

**REPRESENTATIONS**

Two representation have been received from third parties.

One raises objections to the application and, to summarise, makes reference to the previous refusals of planning permission for dwellings on the site and the proximity of the site to the Air Station and associated safety dangers, pollution and nuisances caused by low flying aircraft.

The other representation supports the principle of development of the land but raises objections to the placing of two bungalows so close to the road opposite the Grade II Listed Building, "Twenty Pence" (as indicated on the submitted site layout plan). Such siting of the two dwellings would adversely impact on the setting of the Listed Building and they should, instead, be placed in line with the existing bungalows already built on either side of this application site.

These representations are copied in full on the website for consideration.

**CONSIDERATIONS**

**Principle of Development**

Yeovilton is defined in the Local Plan as a Rural Settlement, where development will be strictly controlled. The starting point for considering development in Rural Settlements is Policy SS2 of the South Somerset Local Plan. The proposal is contrary to that policy, as it does not provide employment opportunities, create or enhance community facilities and services, or meet an identified housing need.

However, as SSDC cannot currently demonstrate a five year supply of housing land, elements of that policy must be considered out of date. As such, it is considered that the LPA cannot rely on the proscriptions of that policy in regard to what the development must provide (e.g. meeting an identified housing need).

The village of Yeovilton is a very small settlement which is devoid of local facilities or services, with even the Church in the village owned by the Navy. It has been assessed that Yeovilton is

not closely related to other settlements in the area and, in this regard, it is not considered appropriate to 'cluster' it with other surrounding towns and villages from the point of view of services and contributing towards the sustainability of these neighbouring communities. Given this, it is considered that the village does not meet the criteria of being a Rural Settlement as set out within Local Plan Policy SS2 and, due to its lack of day to day services and facilities, must be considered to be an unsustainable and therefore inappropriate location for new build residential development as prescribed by both the Local Plan and the NPPF.

Whilst it is accepted that two new dwellings may provide economic benefits during construction, these would only be temporary and would not outweigh the environmental harm identified in regard to sustainability of future occupants. The principle of the proposed development is therefore considered to be unacceptable.

### **Impact on Setting of Listed Building**

The application site lies in close proximity to the grade II Listed Building, "Twenty Pence", which is located on the opposite side of Bineham Lane. The Conservation Officer has raised no objections to this outline application and does not believe that there will be any harm caused to the setting of the Listed Building, noting that Bineham Lane has a number of properties along the road, most of which are stepped back from the roads edge, and all of the properties are different in form and massing.

The proposed development would, in principle, result in no substantial harm to the setting of the designated heritage asset. As such the proposal is in accordance with Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and does not conflict with the aims of Policy EQ3 of the Local Plan, nor with the relevant guidance within the NPPF.

### **Highways and Parking**

Given the consultation response from the SSDC Highway Consultant, the proposal is considered to be acceptable, in principle, from a highways perspective. Appropriate conditions could be attached to any grant of outline permission to cover certain points raised. Nevertheless such detailed access considerations would be subject to a separate "reserved matters" application pursuant to any grant of outline permission that may be granted for this development proposal.

It is considered that the traffic generation to and from the site for two dwellings would not be 'severe' (to use the terminology in the NPPF) and thus a refusal of permission on highways grounds for this proposal would be unreasonable. There would be no significant adverse impact on highway safety. As such, the proposed development is in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

### **Other Matters**

Concerns have been raised by the Parish Council and a neighbouring third party about the siting of the proposed dwellings as indicated on the submitted site layout drawing. However, this current outline application only seeks permission for the principle of erecting two dwellings on the site. The drawing that has been submitted as part of the application showing the proposed siting of plots 1 and 2 is simply illustrative in nature and is intended to show that the proposed quantum of development can easily be accommodated on the site. Should outline planning permission be granted for the proposal, then detailed considerations, such as access, appearance, landscaping, layout and scale, would be subject to a subsequent 'reserved matters' application to then be considered on its own merits.

The site is located in Zone B of the Yeovilton noise contours. The noise impacts to the development could therefore be mitigated through the imposition of a condition as suggested by the Environmental Health Officer.

Concerns have been raised about proximity to the Air Station in terms of aircraft safety. However, no comments have been received from the Ministry of Defence raising objections to the proposal, nor have any adverse comments been received from the Environmental Health Officer.

### **Conclusions and Planning Balance**

The proposed development is considered to constitute an unsustainable form of development where future occupiers would be highly dependent upon driving to get to day to day services and facilities. The proposal is therefore considered to be an unsustainable and inappropriate form of development that is contrary to the aims and objectives of Local Plan Policies SD1 and SS2 and the provisions of the National Planning Policy Framework.

### **RECOMMENDATION**

Planning permission is REFUSED for the following reason:

#### **SUBJECT TO THE FOLLOWING:**

01. The location of the proposed development is remote from local services, facilities and local transport and, as a consequence, occupiers of the new development are likely to be dependent on private vehicles for most of their daily needs. The proposal is not sought to meet an identified local need and so will not contribute to increasing the sustainability of this settlement and it is considered that such fostering of growth in the need to travel is contrary to the aims and objectives of sustainable development as set out within Policies SD1 and SS2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.