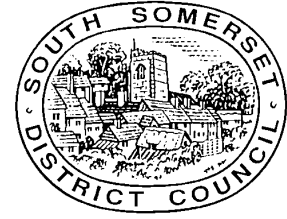


South Somerset District Council

Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 22nd July 2015

2.00 pm

**Edgar Hall
8 Cary Court
Somerton Business Park
Somerton TA11 6SB**

(Disabled access is available at this meeting venue)



Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

Please note: **The first six planning applications will be considered no earlier than 3.00pm. The last planning application will be considered no earlier than 5.15pm.**

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Becky Sanders, Democratic Services Officer 01935 462596**, website: www.southsomerset.gov.uk

This Agenda was issued on Monday 13th July 2015.

Ian Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk



INVESTORS IN PEOPLE

Area North Committee Membership

Clare Aparicio Paul
Neil Bloomfield
Adam Dance
Graham Middleton
Tiffany Osborne

Stephen Page
Shane Pledger
Crispin Raikes
Jo Roundell Greene
Dean Ruddle

Sylvia Seal
Sue Steele
Derek Yeomans

South Somerset District Council – Council Plan

Our focuses are: (all equal)

- Jobs – We want a strong economy which has low unemployment and thriving businesses.
- Environment – We want an attractive environment to live in with increased recycling and lower energy use.
- Homes – We want decent housing for our residents that matches their income.
- Health & Communities – We want communities that are healthy, self-reliant, and have individuals who are willing to help each other.

Scrutiny procedure rules

Please note that 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.

Consideration of planning applications

Consideration of planning applications for this month's meeting will commence no earlier than 3.00pm, in the order shown 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. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

A representative from the Area Highways Office will normally attend Area North Committee quarterly in February, May, August and November – they will be usually be available from 15 minutes before the meeting to answer questions and take comments from members of the Committee. Alternatively, they can be contacted through Somerset County Council on 0300 123 2224.

Members questions on reports prior to the meeting

Members of the committee are requested to contact report authors on points of clarification prior to the committee meeting.

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”. Members of the public can view the council’s Executive Forward Plan, either online or at any SSSC council office, to see what executive/key decisions 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 North Committee are held monthly, usually at 2.00pm (unless specified otherwise), on the fourth Wednesday of the month (except December) in village halls throughout Area North (unless specified otherwise).

Agendas and minutes of area committees are published on the council’s website www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

The council’s Constitution is also on the web site and available for inspection in council offices.

Further information about this committee can be obtained by contacting the agenda co-ordinator named on the front page.

Public participation at committees

This is a summary of the protocol adopted by the council and set out in Part 5 of the council’s Constitution.

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

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the public question time session.

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.

The same rules in terms of public participation will apply in respect of other agenda items where people wish to speak on that particular item.

If a Councillor has declared a Disclosable Pecuniary Interest (DPI) or a personal and prejudicial interest

In relation to Disclosable Pecuniary Interests, a Councillor is prohibited by law from participating in the discussion about the business on the agenda that relates to this interest and is also required to leave the room whilst the relevant agenda item is being discussed.

Under the new Code of Conduct adopted by this Council in July 2012, a Councillor with a personal and prejudicial interest (which is not also a DPI) will be afforded the same right as a member of the public to speak in relation to the relevant business and may also answer any questions, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

Area North Committee

Wednesday 22 July 2015

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 24 June 2015..

2. Apologies for absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (adopted July 2012), 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. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2112 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

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. As a result of the change made to the Code of Conduct by this Council at its meeting on 15th May 2014, 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. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

Planning Applications Referred to the Regulation Committee

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

Councillors Clare Aparicio Paul, Shane Pledger, Dean Ruddle and Sylvia Seal.

Where planning applications are referred by this Committee to the Regulation Committee for determination, in accordance with the Council's Code of Practice on Planning, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not

finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

4. Date of next meeting

Councillors are requested to note that the next Area North Committee meeting is scheduled to be held at 2.00pm on **Wednesday 26 August 2015** at the **Village Hall, Norton Sub Hamdon**.

5. Public question time

6. Chairman's announcements

7. Reports from members

8. Community Health and Leisure Service Update (Pages 9 - 17)

9. Section 106 Obligations (Pages 18 - 44)

Items for Discussion

10. Area North Committee Forward Plan (Pages 45 - 47)

11. Planning Appeals (Page 48)

12. Schedule of Planning Applications to be Determined By Committee (Pages 49 - 50)

13. Planning application 15/01310/FUL - Wessex House, Pestors Lane, Somerton. (Pages 51 - 63)

14. Planning application 15/01761/FUL - Land adjacent to Brick House, East Street, Drayton. (Pages 64 - 71)

15. Planning application 15/01762/LBC - Brick House, East Street, Drayton. (Pages 72 - 76)

16. Planning application 15/01486/FUL - Windy Ridge, Butchers Hill, Fivehead. (Pages 77 - 83)

17. Planning application 15/01151/FUL - Land adjacent Hillside Farm, West Henley Road, High Ham. (Pages 84 - 89)

18. Planning application 15/00858/FUL - Land opposite Turnpike House, Aller Road, Aller. (Pages 90 - 97)

19. Planning application 14/04300/FUL - Land at Aller Court Farm, Church Path, Aller. (Pages 98 - 130)

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.

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Agenda Item 8

Community Health and Leisure Service Update

Strategic Director: Vega Sturgess, Operations & Customer Focus
Assistant Director: Steve Joel, Health and Wellbeing
Service Manager: Lynda Pincombe, Community Health and Leisure Manager
Lead Officer: Lynda Pincombe, Community Health and Leisure Manager
Contact Details: Lynda.Pincombe@southsomerset.gov.uk or 01935 462614

Purpose of the Report

This report provides an update on the work of the Community Health and Leisure Service in Area North.

Public Interest

This report seeks to provide Area North members with a progress report on the work undertaken by the Council's Community Health and Leisure Service in the last 15 months. This report highlights specific examples of work undertaken within the area so that members can gain an understanding of how the service is creating value and making a difference for residents in their respective communities.

Recommendations

- 1) That the Area North Committee notes the content of this report.
- 2) That Members contact the Community Health and Leisure Manager, if they would like to discuss the current service delivery programme or recommend future priorities.

Background

The Community Health and Leisure team is based at Brympton Way but delivers in all areas, often providing specific technical support or project support with a view to developing sustainable activity. The team frequently works with area development staff on local projects and in the assessment of leisure related Area grants where a strategic overview or technical input may be required.

The services provided by the Community Health and Leisure team is summarised in the table below:

What?	Why?
Healthy Lifestyles	To provide a high quality physical activity and healthy lifestyles programme to enable more people to become active and healthier in South Somerset in line with Council Plan Focus 4.1 and the Somerset/South Somerset Health and Wellbeing Strategy.
Sports Development	To develop and support community sports clubs and other voluntary organisation to deliver excellent sporting opportunities for all residents in South Somerset in line with Council Plan Focus 4.1.

What?	Why?
Play and Youth Facilities	To increase the quality and quantity of play opportunities in South Somerset in line with Council Plan Focus 4.3
Opportunities for Young People	To provide and support the development of positive activities for young people in South Somerset in line with Council Plan Focus 4.1.
Leisure Facility Development/Management	To manage and develop sports facilities that help to provide a healthy living environment and sustainable communities in line with Council Plan 4.3

Report

Healthy Lifestyles

Core Work:

- Priority Area 1: To increase the utilisation of the outdoors and green spaces for exercise and health related activity
- Priority Area 2: To decrease the number of adults and children in South Somerset who are currently inactive
- Priority Area 3: To reduce the number of overweight and obese adults and children in South Somerset

Area North Achievements/Delivery in the last 15 months:

Priority Area 1 – Utilisation of outdoors and green space for exercise and health related activity

- 7458 attendances at Health Walks throughout 2014/15 up 39% on the previous year. The South Somerset scheme recorded 865 regular walkers in 2014/15 up by 57% on 2013/14 figures. 333 new walkers joined the scheme this year.
- 4 training days have been held for volunteers, 38 leaders have been trained from across the district.
- 9 new walks have been developed across the district, 2 of these are located in Area West (a walk from the GP surgery in Ilminster, 1 walk at the Watch project in Chard).
- 1 beginners running group has been set up in Area North in conjunction with Langport Runners at Huish Sports and Social Club, 7 people have attended.
- A 321 route has been planned in Langport and will be installed in the next 6 months.

Priority Area 2 – Decrease number of adults and children who are currently inactive (completing less than 30 minutes of activity a week)

- 1 Flexercise workshop has been delivered in Area North, 16 leaders were trained at this workshop. 1 taster session delivered to volunteers in Somerton at Bradley View Care Home (9 attending).
- A sponsored walk of the River Parrett Trail was organised in July 2014, 55 people took part and raised £2,200.00 for South Somerset Mind.
- Boccia sessions delivered at the following locations (attendances in brackets); Yarlinton Sheltered Housing Scheme in South Petherton (8) and Curry Mallet Active Living Group (10). Boccia sets have been loaned to the South Petherton group and a sheltered housing scheme in Somerton, for long term use.
- 5 Active Somerset Classes have been funded (attendances in brackets). Healthy Hearts at East Lambrook (6), Stretch and Flex with Age UK in Martock (9), Tai Chi at

Stoke Sub Hamdon (6), Core and Flexibility in South Petherton (5) and Fit for Life in Long Load (5).

- Activity finder website, Pad-e, continues to be updated and promoted to advertise the number of exercise and activity opportunities in the district and a range of venues. www.pad-e.co.uk

Priority Area 3 – Reduce the number of overweight and obese adults and children

- Worked in partnership with Buttercross surgery in Somerton to deliver a targeted weight loss programme, accessible by the whole community not just patients of the Health Centre. 12 week programme included weekly weigh ins, 1-1 advice and information on diet, weight loss and healthy eating, free pedometers and free taster sessions of activity. 27 people took part, 58.55kg (129 lbs) of weight was lost as well as other significant other lifestyles changes, such as changes to activity levels.
- Continued to support Children's Centres in the area by attending meetings and delivering Healthy Lifestyle programmes where possible. Active Club training delivered to Langport cluster (5 trained), health testing at South Petherton (7).
- An interactive healthy eating education session delivered at High Ham school to years 1 (28 attending) and year 2 (24 attending).
- Support and free training offered to parents and staff at Castle School at Stoke Sub Hamdon to develop a walking bus unfortunately there was no volunteers willing.
- Funding from County Councillor John Bailey to deliver free health checks in various locations (attendances in brackets). Martock (22), Ash (22), Stoke (9), Tintinhull (15), Long Load (8).
- Information, talks and health testing have been delivered at Gypsy and Traveller sites in Area North.

Area North Priorities for 2015/16:

Priority Area 1 – Utilisation of outdoors and green space for exercise and health related activity

- Offer free Health Walk Leader training to community volunteers.
- Develop opportunities for people to become more active through walking.
- Report data to The Ramblers using Walking for Health database and provide feedback and support to volunteers.
- Promote walking opportunities through printed directories and maps, local communication channels and online resources.
- Maintain the standards required to be an accredited Walking for Health scheme.
- Promote green spaces for healthy growing and eating of food.
- Support mental health organisations to access the outdoors in order to increase physical activity levels.
- Development of 321 running routes across the district, promoting these facilities through flyers, local communication channels and online.

Priority Area 2 – Decrease number of adults and children who are currently inactive (completing less than 30 minutes of activity a week)

- Keep online resources such as the Healthy Lifestyles pages on SSDC website and Pad-e up to date and promote these resources to local residents, health professionals and community organisations.
- Develop new opportunities and promote existing physical activity opportunities utilising Active Somerset funding.
- Support the ageing population to maintain independence into later life through a range of targeted initiatives such as falls classes, physical activity classes, health testing and the Flexercise programme.

- Utilise available funding to develop new physical activity opportunities.
- Continue to offer and develop both internal and external healthy workplace programmes including a range of different initiatives.

Priority Area 3 – Reduce the number of overweight and obese adults and children

- Offer support and deliver a range of initiatives to Children’s Centres and Primary Schools across the district to promote a healthy weight e.g. active clubs training, buggy walks, health testing and weight management programmes.
- Utilise available funding to develop healthy weight interventions in local areas, e.g. Community £s.
- Deliver healthy weight initiatives at workplaces as part of healthy workplace programme, e.g. weight loss challenge.
- Deliver health testing at community groups/organisations to raise awareness of the importance of a healthy lifestyle and encourage people to take responsibility for their own health.
- Keep online resources up to date on SSDC website and sign post to additional services such as the Health Trainer service.

Sports Development

Core Work:

- To support the development of new and existing community sports clubs.
- To support the development of coaches, volunteers and officials.
- To seek to enhance school sport.

Area North Achievements/Delivery in the last 15 months

- Delivered Schools Tennis Coaching programme with Somerton Tennis Club and Martock Tennis Club, attended by 241 young people from 8 primary schools.
- Martock Tennis Club hosted the South Somerset Mini Tennis Red Finals in June 2014, this was attended by 11 schools which qualified from the cluster finals and 44 young people took part.
- Supported and funded 12 young leaders from Stanchester Academy to attend Lawn Tennis Association Young Leaders Award and then officiate and score at the final in June.
- Continue to deliver a programme of winter and summer junior tennis competition for junior tennis players across the district. 411 junior players took part in the 2014 Summer Series, an increase of 41% on the Summer 2013. Both Somerton and Martock Tennis Clubs held events.
- Delivered a schools gymnastics programme for the 5th year, delivered with Orchard Gymnastics in Yeovil. 9 schools and 120 children took part, which included continued professional development for 9 teachers. This included Hambridge and Curry Mallett from Area North.
- Delivered a new Smash Up Badminton club at Huish Episcopi Academy, which was attended by 13 students. Smash Up is a new badminton product launched by Badminton England to get young people into the sport.
- Officers organised the South Somerset badminton finals of the national Center Parcs schools competition, for Years 10 and 11 and over 30 young people attended. Huish Episcopi Academy took part in the event.

- Delivered a primary school badminton competition in November at Huish Episcopi Academy, which was attended by 32 children, from Hambridge, Curry Rival, Long Sutton, Huish Episcopi and King Ina (Somerton).
- Continue to deliver Badminton Schools Recreation League, to increase the competitive opportunities for young people to play badminton. Teams from Huish Episcopi Academy took part in fixtures from Area North.
- Organised in conjunction with British Cycling, a primary school cycling competition at Huish Episcopi Academy in June 2014, which was attended by 108 children.
- Delivered secondary school cycling competition in conjunction with British Cycling in June 2014 at Huish Episcopi Academy attended by 60 young people.
- Organised Area Primary Schools competition at Yeovil AGP in October, which was attended by 10 schools and over 100 young people, Hambridge & Kingsbury Episcopi primary schools attended from Area North.
- Organised South Somerset Area Hockey Finals (Year 5/6) at Yeovil Artificial Grass Pitch in March 2015, which was attended by 8 schools and nearly 100 young people. Hambridge and Kingsbury Episcopi primary schools.
- Continue to deliver the Junior Athletics community programme which includes Fundamentals, Junior Athletics and the Academy. Our Junior Athletics sessions have been fully subscribed over the Spring/Summer in 2014. 146 young people are registered on our Junior Athletics programme with over 60 athletes now regularly taking part in Spring and Summer courses. 18 of these are from Area North.
- 45 young people attended our summer junior athletics camp at the Bill Whistlecroft Athletics Arena, Yeovil in August 2014. 6 of these young people were from Area North.

Area North Priorities for 2015/16

Sports Specific Development

- Continue to deliver a programme of sports specific development opportunities in partnership with key community sports clubs and NGB's to include: Tennis, Badminton, Hockey, Gymnastics, Athletics and Swimming.
- Awarded £2k from Badminton England to deliver the South Somerset Community Badminton Action Plan 2015/16; which will include local social competitions for junior and seniors and initiatives to increase participation in badminton.
- Great British Tennis Weekend 2015 at Somerton Tennis Club. People of all ages and abilities can just turn up with equipment provided for free.
- Produce and distribute 2015/16 South Somerset A-Z Sports Clubs, helping residents to find opportunities to take part in sport and active recreation across the district and promote what sport clubs have to offer.

Play and Youth Facilities

Core Work:

- To work in partnership with others to provide a range of challenging and exciting play spaces and youth facilities across the district.
- To offer annual, quarterly and routine play inspection service to not-for-profit organisations.

Area North Achievements/Delivery in the last 12 months

- Completed the total refurbishment of the Stanchester Way Play Area, Curry Rivel.
- Supported Ilton Parish Council with the transformation of their Copse Lane Play Area. The official opening for this project is planned for 15th August 2015.

Area North Priorities for 2015/16

- Complete refurbishment of Lavers Oak Play Area, Martock.
- Support Stoke sub Hamdon Recreation Ground Trust with their plans to develop an Adventure Playspace.
- Support Langport & Huish Episcopi Memorial Field Management Committee with their plans to improve their play area.

Opportunities for Young People

Core Work:

- To support the development of stimulating things to do and places to go.
- To support the development of new and existing youth clubs.
- To develop opportunities for young people to volunteer and become involved in their communities.
- To support the development of playschemes and targeted holiday activity programmes.

Area North Achievements/Delivery in the last 15 months

Play Days - Successful Play Days have been delivered in Area North over the past year with rural communities benefiting from free access to play opportunities. Play Days were delivered in partnership with communities at the following locations in 2014; Chilthorne Domer, Langport, Tintinhull, Ilton, Kingsbury Episcopi, Curry Rivel, Martock.

Disclosure & Baring Scheme (DBS) – Officers have continued to support volunteers working with young people with free DBS checks. . In 2014 a total of 84 DBS checks were processed for the district and due to Data Protection we do not keep records of these by area.

Somerset Rural Youth Project (SRYP) – SSDC provides a grant each year to SRYP to support youth work around the district. In 2015 SRYP supported young people in Area North with projects including, community involvement, leadership, employment, transport and youth club support. Langport, Martock, Stoke Sub Hamdon went on National Citizenship Scheme (NCS) programme.

Youth Club Support – Officers have continued to provide youth club support in Area North where required. Langport and Curry Rivel were supported with Youth Development Grants.

Youth Club Leader Training – Officers organised free First Aid Training, Food Hygiene Level 2 and Introduction to Child Protection workshops for volunteers working in youth clubs in South Somerset.

Area North Priorities for 2015/16

Play Day Programme – Another year of Play Days is planned for 2015 and will include settlements in Area North. These days are delivered by SSDC and local communities. The planning of these days is in progress, and the communities to be included in the plan are; Ash, Curry Rivel, Fivehead, Langport, Martock, Kingsbury Episcopi, Ilton, Long Sutton, Stoke sub Hamdon, Somerton, Chilthorne Domer.

Deliver another successful National Play Day at Yeovil Country Park on Wednesday 5th August 2015.

To support the new and existing youth clubs that have been established in Area North.

Leisure Facility Development and Management

Core Work:

- To provide sports clubs and community organisations with specialist advice and support to develop their facility projects.
- To secure appropriate leisure contributions from housing development to enhance local and strategic sport and recreation provision.
- To maximise access to existing dual use school sports facilities.
- To effectively and efficiently manage the Council's Facilities at Yeovil Recreation Centre.

Area North Achievements/Delivery in the last 15 months

- Huish Episcopi AGP will be completed and open for the start of the autumn term.
- Supported Somerton Town Council to move forward with a master planning exercise for their recreation ground.
- To June 2015, £772K of S106 funding (capital and revenue contributions), has been banked as a result of the teams obligation requests via the planning process. Of the money received, £201K has been spent to date on enhancing or delivering new infrastructure in the area. In addition there is £193k of funding currently on offer to Huish Academy for delivery of a new AGP.

Area North Priorities for 2015/16

- Assist Huish Episcopi Academy to deliver their new AGP and establish a revised Community Use Agreement.
- Work with Huish Episcopi Academy to undertake a feasibility study to look at options to cover the pool and extend indoor activity space. It is possible that S106 money could be used to assist move forward with this feasibility work.

Other District Wide Work/Achievements in the Last 15 months

Play, Youth and Leisure Strategy refresh

- Our previous play, youth and sports strategies have now expired. Four area workshops have recently been held to research what stakeholders think about current play, youth and sports provision in the district and to identify future delivery priorities. Emerging priorities from these sessions will be provided to members for

comment/input prior to a draft strategy being produced in the autumn.

New District Playing Pitch Strategy

- In line with updated national planning guidance, the Community Health and Leisure team is working with Sport England and National Governing Bodies of Sport to produce a new playing pitch strategy. This strategy help to protect existing pitch/changing room provision, identify district development priorities, underpins requests for developer contributions and helps the Council and other pitch providers to secure external funding. The strategy is expected to take around 12 months to complete and be finalised in 2016. Members will be asked to comment on and approve the final strategy.

Sport England Funding Applications

- The team has recently been successful in their bid to Sport England for £194,000 to help deliver a range of physical activity interventions in the CLICK GP Federation (Chard, Ilminster and Crewkerne) targeted at inactive patients with diabetes, pre-diabetes or hypertension. The aim of the pilot is to evaluate the effect of offering targeted physical activity to these patients with a focus on reducing health and social care costs and to get more inactive people playing sport once a week for at least 30 minutes. The project is also being supported by SCC Public Health, County Sports Partnership and CLICK GP Federation.
- A further bid to Sport England for funding to support sports development and healthy lifestyles delivery across the district (with a focus on female participation) has also been submitted with a decision due in July 2015. In April 2015 we submitted a funding application to Sport England Community Sport Activation Fund for a project to increase the participation of women and girls called 'In It Together'. The total project cost was £261,844, with £174,794 requested from Sport England. We hope to hear whether we have been successful this summer and aim to deliver the project over the next 3 years.

Communications

- **Posters / Promotional material:** A huge range of posters and promotional material (Circa 500 leisure flyers/posters produced in house) have been produced in the last 15 months which have contributed towards the increased success of activities including Health Walks, Playdays, Healthy Communities and the wide range of activities at Yeovil Recreation Centre.
- **Electronic Newsletter:** The service produces a monthly communication to our Health & Well Being newsletter mailing list. In excess of 10,000 people have read the electronic newsletter during this period with an average of 160 people actively clicking on specific articles in each newsletter.
- **Press Releases:** The service directly generated 40 press releases in the last 15 months.
- **Social Media:** Engagement on Facebook has dramatically increased in the last 15 months with the Yeovil Recreation Centre and Play/Youth Facebook pages now approaching 2,000 likes between them (up from 250 at the start of 2014). Social media has been used extensively to promote the hugely popular Playdays during the Summer and also the Family Fun Day at Yeovil Recreation Centre.

Play/Youth

- **Play area Management** - The team directly manages (or co-manages), inspects and maintains 56 play areas across the district.
- **National Playday** - On the 6th August 2014 a National Play Day was held at Yeovil Country Park, which was attended by an estimated 3,000 people. The day was part of a national event held each year to celebrate children's right to play. National Play Day will take place at Yeovil Country Park on 5th August this year from 10am – 3pm.
- **Gold Star Awards** – were held at the Octagon Theatre Yeovil on 28th October 2014 with a full auditorium. The event recognises the achievement of volunteers and young people across the district. This year's event will take place at the Octagon on Tuesday 27th October.

Passport to Leisure Card

- This scheme allows residents on low incomes to obtain discounts on the cost of certain leisure and cultural activities at Crewkerne Aqua Centre, Goldenstones Leisure Centre, Octagon Theatre.
- The service administers the scheme (free of charge) and as of April 2015 there were 325 valid cards; 26 in Area North, 66 in Area East, 225 in Area South and 8 in Area West.

The Community Resource Service/Scrapstore

- This service was transferred to The Hub from 1st April 2013 for five years and the service continues to oversee contractor delivery. The transfer is projected to bring cost savings of up to £130,000 over 5 years.

Financial Implications

No new financial implications.

Corporate Priority Implications

The work of the Community Health and Leisure service contributes to the following aims within the Health and Communities Focus of the Council Plan:

- Ensure that the strategic priorities of the Somerset Health and Well-being Board reflect local needs and align council resources to deliver projects to address those needs
- Maintain and enhance the South Somerset network of leisure and cultural facilities, optimising opportunities for external funding to promote healthy living.

Equality and Diversity Implications

Consideration is given by the service to ensure that all facilities and services are accessible.

Background Papers: none

Agenda Item 9

Section 106 Obligations

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Purpose of the Report

Section 106 Officer to provide information on signed Section 106 agreements relating to development within Area North. Agreements containing financial contributions are presented within the monitoring report (Appendix A). If any further detail is required on any specific agreement members should contact the officer directly.

Public Interest

Section 106 Obligations are a key aspect of most major planning development approvals granted by the Authority however they are also necessary to provide additional control in relation to smaller schemes. The items captured within Section 106 Obligations usually deal with the additional infrastructure costs that will be incurred within the area of the Authority arising from the completion of a development. Depending on the scale of the proposed development the sums of money associated with a Section 106 Obligations can be considerable.

This may take the form of changes to highways, contributions toward increased schools provision, creation/maintenance of open spaces, recreational areas and so on. The costs arising from these are often significant and require negotiation and settlement between officer and the developer, through the use of nationally agreed formulae.

There is a variety of ways in which these requirements can be delivered. Normally the developer makes a payment to allow the relevant authority to provide the requirement e.g. Schools or Play areas. Alternatively, the developer may be charged with completing the work directly for example a new highway junction.

By their very nature Section 106 Obligations require specified actions/payments to take place within a pre-defined timescale or event (known as 'triggers') and it is essential that the Section 106 officer has a system and processes in place that ensures the agreements are effectively managed.

Members will appreciate that the level of contribution that was secured from each development was dependent upon several factors, particularly the 'formula' that was being used for calculating the Sports, Arts and Leisure, Education and Highway contributions at the time of each application. It is also important to emphasise that it is very difficult to make meaningful comparisons between obligations that were sought on different developments, as each scheme has to be considered on its own merits.

Recommendation

That members note and comment on the report and verbal update, and endorse the actions taken in respect of the monitoring and managing of Section 106 Planning Obligations.

Background

A Section 106 Officer was appointed on 1 April 2010. This post sits within the planning team with the specific responsibility for ensuring that all requirements of S106 obligations, including the collection and spending of financial contributions are monitored and managed.

Additional Information

Since my last report there have been two significant legislation changes that will affect the way that we are able to seek financial planning obligations in the future:

Contributions from schemes of 10 dwellings or less

National Planning Policy Guidance was released in November 2014 stated that financial planning contributions should not be sought from developments of 10 units or less, and which have a combined gross floor space of no more than 1000sqm. Some planning obligations may still be required to make a development acceptable in planning terms. For schemes where a threshold applies, planning obligations should not be sought to contribute to affordable housing or to pooled funding "pots" intended to fund the provision of general infrastructure in the wider area. Authorities can still seek obligations for site specific infrastructure, such as improving road access and the provision of adequate street lighting where this is appropriate to make a site acceptable in planning terms. There is also potential to request specific items of play and youth facility equipment if it can be clearly evidenced and demonstrated that it can be delivered solely by that scheme.

CIL Regulations (2011, amended 2013 & 2014)

From April 2015, no more contributions may be sought/collected in respect of a specific infrastructure project or a type of infrastructure through a S106 agreement if 5 or more obligations have been entered into since April 2010 and it is a type of infrastructure that is capable of being funded by CIL.

In Area North this legislation change will mean that no more contributions will be sought for sports hall enhancements at Huish Academy, the Octagon Theatre or the Indoor Tennis Centre in Yeovil through future application processes.

Projects

Members may wish to note that the main projects delivered/under way or priorities as a result of appropriate collected S106 monies are:

Huish Episcopi

- AGP project open by September 2015
- Huish Swimming Pool. Funding towards a new automatic chlorine dosing system. This will increase pool capacity and reduce health and safety risks at the pool and will form part of any future plans to cover the pool.

- Steve Joel working with the Academy Centre to produce a master plan for improvements to the sports centre.
- Huish & Langport Playing Field – Rob Parr working with the committee regarding improvements to the play area.

South Petherton

- First commuted sum payment paid to the Parish Council for the ongoing maintenance of the play area. PC to advise of potential pitch/changing room projects.

Ilton

- Refurbished Copse Lane play area to be “officially” opened 15th August 2015. Parish Council producing a master plan for the new recreation ground.

Curry Rivel

- Community Health & Leisure Team working with Parish Council to deliver play, youth and pitch projects.

Financial Implications

No direct financial implications from this report however members will be aware that ineffective management of planning obligations does have the potential to require the district council to refund contributions to developers.

Council Plan Implications

The effective management of planning obligations will be beneficial in achieving all of the focuses in the Council Plan

Carbon Emissions and Climate Change Implications

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby contributing to a reduction in carbon emissions and helping to adapt to climate change.

Equality and Diversity Implications

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby ensuring access to facilities, homes and services for all members of our community.

Background Papers: None

Appendix A

Area North Section 106 Monitoring Report – 22 July 2015

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: BURROW HILL</p> <p>11/03319/OUT Parish Kingsbury Episcopi</p> <p>Land At Coxs Farm Silver Street Kingsbury Episcopi Martock Somerset</p> <p>TA12 6AX</p> <p>Outline application for residential development, (GR 243344 / 121198)</p> <p>Agreement Date: 26/03/2013</p>	<p>Sports and Leisure: Equipped Play Contribution: £9,596 (£6,118 capital & £3,478 revenue as a commuted sum) to enhance play facilities at the Kingsbury Episcopi Recreation Ground.</p> <p>Changing Room Contribution: £6,194 (£5,740 capital & £454 revenue as a commuted sum) to enhance changing facilities at the Kingsbury Episcopi Recreation Ground.</p> <p>Strategic Community Facilities Contribution: £11,246 to be spent as follows: £2,589 for a new indoor swimming pool in the Langport/Huish Episcopi area or an 8 lane swimming pool located centrally within the District. £4,244 improvements/enhancements at the existing sports hall at the Huish Episcopi Academy School or centrally located 8 court sports hall within the District. £1,659 for the development of a centrally located district wide indoor tennis centre. £563 provision of an AGP at the Huish Episcopi Academy School. £2,191 for enhancement/expansion of the Octagon Theatre in Yeovil.</p>	<p>Contributions payable on or before first occupation of first dwelling.</p>		<p>Sports and Leisure: £27,036</p>		<p>Status: Underway</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CURRY RIVEL</p> <p>09/00023/FUL Parish Curry Rivel Developer: Yarlington Housing Group</p> <p>Land Rear Of Westfield House Westfield Road Curry Rivel TA10 0HX</p> <p>The demolition of 9 dwellings and the replacement with 20 dwellings with associated access, parking and landscaping. (GR 338356/124790)</p> <p>Agreement Date: 09/12/2009</p>	<p>Sports and Leisure: Equipped Play Contribution: £21,715 comprised of £10,321.38 for the acquisition and installation of play equipment and £5,866.63 for long term maintenance on the Recreation Ground, Westfield, Curry Rivel. £4,053.95 for Youth Facilities in Curry Rivel with a further £1,473.04 commuted sum for the long term maintenance.</p> <p>Open Space Contribution: £13,452 towards costs of improvement/enhancement of any recreational area or open space in Curry Rivel.</p> <p>Sports & Leisure Contribution: £30,071 towards costs of improvements/enhancements of any sporting leisure or cultural facilities within or serving District of South Somerset.</p> <p>Affordable Housing: Units Agreed: 20</p>		<p>Sports & Leisure: £52,209</p>			<p>Status: Development Completed.</p>	<p>CHL working with Parish Council regarding improvements/enh ancements of pitches, play area & youth facilities at the Westfield Recreation Ground.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CURRY RIVEL</p> <p>13/04224/OUT Parish Curry Rivell</p> <p>Land off Heale Lane Curry Rivell Langport Somerset</p> <p>Outline application for residential development of 6 dwellings (GR 338314/125060)</p> <p>Agreement Date:05/02/2014</p> <p style="text-align: center; font-size: 24pt;">Page 23</p>	<p>Sports and Leisure: Changing Room Contribution: £5,222.76 (£4,833.89 capital & £388.87 revenue as a commuted sum) towards changing facilities at the Westfield Recreation Ground, Curry Rivel.</p> <p>Community Hall Contribution: £9,253.13 towards enhancement of community hall facilities in Curry Rivell.</p> <p>Equipped Play Contribution: £8,142.56 (£5,161.31 capital & £2,981.25 revenue as a commuted sum) towards play provision at the Westfield Recreation Ground, Curry Rivell.</p> <p>Youth Facilities Contribution: £1,388.13 (£1,013.44 capital & £374.69 revenue as a commuted sum) towards youth facilities at the Westfield Recreation Ground, Curry Rivel.</p> <p>Strategic Facilities Contributions: £1,098.47 towards swimming pool provision in the Langport/Huish Episcopi area or Yeovil. £1,422.13 towards indoor tennis provision located in or near Yeovil. £482.43 AGP provision at Huish Academy School. £1,878.26 towards enhancements/improvements of the Octagon Theatre, Yeovil. £2,286.20 towards enhancing the Husih Episcopi Sports Centre or new provision in Yeovil.</p>	<p>Equipped Play & Youth Facilities Contribution payable on or before 25% of the dwellings occupied.</p> <p>Playing Pitch, Changing Room and Community Hall Contributions payable on or before 50% of the dwellings occupied.</p> <p>Strategic Facilities Contributions payable before on or before 75% of dwellings occupied.</p>		<p>Sports and Leisure: £31,174.07</p>		<p>Status: Underway</p>	<p>Invoice for contributions sent to developer.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: HAMDON</p> <p>14/04476/FUL Parish Stoke Sub Hamdon</p> <p>Southcombe Bros Ltd</p> <p>Land Adjacent To Great Field Lane Stoke-Sub-Hamdon</p> <p>Demolition of existing buildings and the erection of 14.no dwellings, new vehicular access and associated highway works, garages, parking and landscaping (GR:30/175/117530)</p> <p>Agreement Date: 12/06/2015</p>	<p>Sports and Leisure: Changing Room Contribution: £12,240. (£11,329 Capital & £911 Commuted sum) towards enhancements/improvements to the changing room provision at Stoke sub Hamdon Recreation Ground.</p> <p>Equipped Play Contribution: £19,083. (£12,096 Capital & £6,987 Commuted sum) towards enhancements/improvements at the Stoke sub Hamdon Recreation Ground or at the Memorial Hall in Stoke sub Hamdon.</p> <p>Playing Pitch Contribution: £9,562. (£5,580 Capital & £3,982 Commuted sum) towards enhancements/improvements towards the playing pitch provision at Stoke sub Hamdon Recreation Ground.</p> <p>Youth Facilities Contribution: £3,253. (£2,2375 Capital & £878 Commuted sum) towards enhancing youth facilities at Stoke Sub Hamdon Recreation Ground.</p> <p>Strategic Community Facilities Contribution: £5,358 towards enhancing sports halls in Yeovil or at Stanchester Academy School.</p> <p>CH&L Admin Fee £495</p>	<p>Prior occupation of the 4th dwelling: Equipped Play, Youth Facilities & Admin Fee</p> <p>Prior occupation of the 7th dwelling: Playing Pitch & Changing Room Contributions</p> <p>Prior occupation of the 11 dwelling: Strategic Communities Facilities Contribution.</p>		<p>Sports and Leisure: £49,991</p>		<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: ISLEMOOR</p> <p>11/02783/FUL Parish Curry Mallet</p> <p>Lyddons Farm Barns Higher Street Curry Mallet Taunton Somerset TA3 6SY</p> <p>The conversion of barns into six residential dwellings, erection of ancillary car port, bin shed and bicycle store (GR 332399/121850)</p> <p>Agreement Date: 04/04/2012</p>	<p>Sports and Leisure: Equipped Play Contribution: Total sum of £7,667 comprised of £4,177 to be used as a contribution towards the costs & expenses of providing a new play area in Curry Mallet together with a commuted sum of £2,374 to provide for the long term maintenance of those facilities.</p> <p>Youth facilities contribution: Total sum of £1,118 comprised of £820 to be used as a contribution towards the costs and expenses of providing new youth facilities in Curry Mallet together with £298 as a commuted payment to provide long term maintenance of those facilities.</p> <p>Strategic Communities Facilities Contribution: Total sum of £7,677 to be used as a contribution towards the following projects</p> <p>a) £1,496 towards expanding and enhancing the Octagon Theatre b) £384 towards the development of a new 3G artificial grass pitch in Langport/Huish Episcopi. c) £1,767 towards the development of a new indoor swimming pool in Langport/Huish Episcopi area or towards the development of a centrally based 8 lane district wide competition pool in Yeovil. d) £1,330 towards the provision of a new indoor tennis centre in Yeovil e) £2,897 towards the enhancement of the sports hall at Huish Episcopi Academy School or towards the development of a centrally based sports hall in Yeovil.</p>		<p>Sports and Leisure: £15,500</p>			<p>Status: Development Completed.</p>	<p>Financial Contributions Secured.</p> <p>CHL working with Huish Academy to identify projects. (Strategic monies)</p> <p>CHL working with Curry Mallet to deliver local projects.</p> <p>Monies to be spent by: June 17 (local) & June 22 (strategic)</p>

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<p>Ward: ISLEMOOR</p> <p>08/05090/FUL Parish Ilton Developer: Yarlington Housing Group</p> <p>Land And Garages At Copse Lane Ilton Ilminster Somerset</p> <p>Demolition of existing buildings and the construction of 40 dwellings (GR335071/117656)</p> <p>Agreement Date: 09/11/2009</p>	<p>Sports and Leisure: Off-Site Recreation Contribution: £30,900 for improvement/refurbishment of the neighbouring Ilton Recreation Ground.</p> <p>Strategic Community Facilities Contribution: £69,781 to be used toward one or both of the following: a) the development of a new sports field to serve the community of Ilton. b) the development of sports, leisure and recreation facilities including provision of synthetic pitches in Langport or Yeovil.</p> <p>Play Equipment Contribution: £32,359 comprised of £22,251 for the acquisitions and installation of play equipment along with £8,065 commuted sum for the long term maintenance of the equipment for the Ilton Recreation Ground. £7,411 for Youth Facilities and £2,697 for long term maintenance in Ilton.</p> <p>Affordable Housing: Units Agreed: 40</p>					<p>Status: Development Completed</p>	<p>CHL & Parish Council working together to deliver identified projects for Ilton.</p> <p>Refurbished play area opening 15th Aug 15.</p> <p>Remaining monies towards new recreation ground facilities.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: LANGPORT AND HUIISH</p> <p>09/02237/FUL Parish Langport Developer: Yarlington Housing Group</p> <p>Land At Eastover Langport Somerset</p> <p>Demolition of 8 PRC dwellings and the erection of 17 dwellings with 32 car parking spaces and associated highway works (GR: 342490/127040)</p> <p>Agreement Date: 22/12/2009</p>	<p>Sports and Leisure: Off-Site Recreation Contribution: £20,044 allocated as follows, £5,206.85 for enhancement/improvements at the Langport Cricket Club. £2,648.63 as a commuted sum payment for the long term maintenance. £12,188.52 for costs and expenses incurred towards the improvements to the Langport & Huish Memorial Recreation Ground.</p> <p>Equipped Play Contribution: £11,843 comprised of £7,550 for the acquisition and installation of equipment and £4,293 for the long term maintenance at the Langport & Huish Memorial Recreation Ground.</p> <p>Youth Facilities Contribution: £4,379 comprised of £3,210 for Youth facilities in Langport and £1,169 to provide long term maintenance of those facilities.</p> <p>Affordable Housing: Units Agreed: 17</p>					<p>Status: Development Completed</p>	<p>Contribution towards a new scoreboard & hut at Langport & Huish Cricket Club.</p> <p>Grant offer made for enhancing play area.</p> <p>Muga Opened Apr 13</p> <p>£1,899 capital remaining from enhancements to cricket club.</p> <p>Commuted Sums/Revenue Contributions to be progressed.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: LANGPORT AND HUISH</p> <p>10/03541/FUL Parish Huish Episcopi</p> <p>Land North Of Newtown Park Newtown Park Huish Episcopi Langport Somerset TA10 9TQ</p> <p>Erection of 51 No. dwellings and formation of emergency access to Swallow Hill.(GR 342413/127676)</p> <p>Agreement Date: 25/09/2012</p>	<p>Sports and Leisure: Equipped Play Space Contribution: £61,688 comprised of £39,329 for the installation of equipment and £22,359 as a commuted sum to provide long term maintenance of the facility. Contribution to be spent at the play area, Old Kelways, Langport.</p> <p>Youth Facilities Contribution: £10,532 comprised of £7,722 capital and £2,810 as a commuted sum for the maintenance of the facility. Contributions to be spent at the Memorial Playing fields in Langport.</p> <p>Playing Pitch Contribution: £70,643 towards the provision, improvement or enhancement of playing pitches (including synthetic turf pitches) and changing rooms at Huish Episcopi Academy.</p> <p>Sports Hall Contribution: £29,694 towards the provision of additional capacity in the sports hall in the sports hall at Huish Episcopi Academy.</p> <p>Strategic Facilities Contributions: £29,724 comprised of Swimming Pool contribution (£18,114) towards provision of a new district wide facility & Indoor Tennis contribution (£11,610) towards the provision of indoor tennis facilities in the District.</p> <p>POS Commuted Sum to be calculated at time of transfer.</p> <p>Affordable Housing: Units Agreed: 18</p>	<p>Contributions to be paid prior to the occupation of any open market dwelling.</p>		<p>Sports and Leisure: £202,281</p>		<p>Status: Not Commenced</p>	<p>Check status</p>

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<p>Ward: LANGPORT AND HUIISH</p> <p>11/02448/FUL Parish Huish Episcopi</p> <p>Bartletts Elm Field Road Huish Episcopi Langport Somerset TA10 9SP</p> <p>Erection of 52 residential units with associated works, car parking and access ways. (GR 342856/127524)</p> <p>Agreement Date: 13/03/2012</p>	<p>Sports and Leisure: The sum of £3561.51 per Dwelling as a contribution towards the provision and maintenance of Sports, Arts and Leisure Facilities.</p> <p>Sports, Arts & Leisure Facilities mean:</p> <p>Multi Use Games Area at the Memorial Playing Fields, Langport. Indoor swimming pool in the Langport/Huish Episcopi Area or Yeovil Enhancement of pitches & changing rooms at the Memorial Playing Fields, Langport or Huish Episcopi Academy School. Enhancement of the sports hall at Huish Episcopi Academy School or a centrally based 8 court district wide competition sports hall in Yeovil.</p>	<p>Not to cause or permit occupation of more than (the above triggers) until a payment equal to the contribution multiplied by 10 has been paid.</p>		<p>Sports and Leisure: £185,198</p>		<p>Status: Underway</p>	<p>In dialogue with developer over payment of contributions.</p>

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<p>Ward: MARTOCK</p> <p>13/02474/OUT Parish Martock</p> <p>Land South of Coat Road Martock Somerset</p> <p>Outline application for the development of up to 95 dwellings with associated access and landscaping at land south of Coat Road, Martock (access determined with all other detailed matters reserved) (GR:345958/1198750)</p> <p>Agreement Date: 22/07/2014</p>	<p>Sports and Leisure: Changing Room Contribution: £82,963.77 (£76,536.60 capital & £6,157.17 revenue for commuted sum) to be spent local to the site.</p> <p>Community Hall Contribution: £49,389.32 towards the provision of a new local community and youth centre.</p> <p>Playing Pitch Contribution: £64,595.60 (£37,696.98 capital & £26,898 revenue for commuted sum) towards enhancements and improvements at the recreation ground in Martock.</p> <p>Youth Facilities Contribution: £21,978.74 (£16,046.18 capital & £5,932.56 revenue for commuted sum) towards enhancements/improvements at the Bracey Road Ground in Martock.</p> <p>Strategic Facilities Contributions: £17,392.38 for the provision of a new indoor swimming pool in Langport/Huish Episcopi. £22,517.06 towards an indoor tennis centre located in or near to Yeovil. £7,638.40 towards AGP at Huish Episcopi Academy School. £29,739.19 towards enhancements/expansion of the Octagon Theatre, Yeovil. £36,198.20 of the existing sports hall at Huish Episcopi Academy School.</p> <p>Play Area and Commuted sum agreed</p> <p>Education: Pre-school and Primary Education Contributions agreed. See schedule for agreed formulae and calculation.</p> <p>Affordable Housing: Units Agreed: 33</p>	<p>Youth Contribution payable upon 25% of dwellings occupied. Changing Room, Playing Pitch & Community Hall Contributions payable upon 50% of dwellings occupied. Equipped Play to be available for public by occupation of 50% of dwellings. Strategic Facilities Contribution payable upon 75% of dwellings occupied.</p> <p>Education - 50% of contribution payable on 25% occupation and remainder payable on 50th occupation.</p>		<p>Sports and Leisure: £332,412.66</p>		<p>Status: Not commenced</p>	

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<p>Ward: MARTOCK</p> <p>12/04897/OUT Parish Martock</p> <p>Ex Showroom/ Garage and Land read of Long Orchard Water Street Martock Somerset TA12 6JW</p> <p>Mixed use development comprising 35 dwellings and site access arrangements (full details) and a youth centre and pavilion with associated parking (outline details, access, layout and scale) (GR: 345972/118927)</p> <p>Agreement Date: 20/05/2014</p>	<p>Sports and Leisure: Off-Site Open Space Contribution: £25,650. Towards maintenance and on-going costs of additional wear and tear and Martock Recreation Ground.</p> <p>Equipped Play Contribution: £44,784.10 (£28,387.20 capital & £16,396.90 revenue as a commuted sum) To be spent at the Martock Recreation Ground.</p> <p>Changing Room Contribution: £29,880.68 (£27,387.20 capital & £2,224.84 revenue as a commuted sum) towards the provision of changing room provision in the local area.</p> <p>Playing Pitch Contribution: £23,341.07 (£13,621.48 capital & £9,719.59 revenues as a commuted sum) towards enhancing and improvements of playing pitch provision at the Martock Recreation Ground.</p> <p>Youth Facilities Contribution: £7,634.72 (£5,573.94 capital & £2,060.78 revenue as a commuted sum) towards enhancement of youth facilities at Martock Recreation Ground or in local area.</p> <p>Community Hall Contribution: £17,846.41</p> <p>Strategic Facilities Contribution: £6,284.59 towards provision of a new indoor swimming pool in Langport/Huish Episcopi or Yeovil. £8,136.35 towards indoor tennis facilities in or near Yeovil. £2,760.07 towards AGP at Huish Episcopi Academy. £10,746 for the enhancement/expansion of Octagon Theatre in Yeovil. £13,079.91 of enhancing existing sports hall at Huish Episcopi Academy or new facility in Yeovil.</p> <p>Affordable Housing: Units Agreed: 12 Miscellaneous Gains: Travel Plan</p>	<p>Equipped Play & Youth Facilities Contribution payable on or before occupation of 25% of the dwellings.</p> <p>Playing Pitch, Changing Room, Community Hall and Off-Site Open Space Contribution payable on or before occupation of 50% of the dwellings</p> <p>Strategic Facilities Contribution payable on or before occupation of 75% of the dwellings.</p>		<p>Sports and Leisure: £109,143.90</p>		<p>Status: Underway</p>	

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<p>Ward: SOUTH PETHERTON</p> <p>05/00046/FUL Parish South Petherton</p> <p>Land At Stoodham South Petherton Somerset</p> <p>Demolition of 10 no. Airey houses, a block of garages and erection of 19 new homes and play area (RSL) (GR 343431/117445)</p> <p>Agreement Date: 24/07/2006</p>	<p>Sports and Leisure: Developer to pay contribution to Parish Council for the purpose of play facilities at the recreation ground at Lightgate Lane, South Petherton</p>					<p>Status: Development Completed</p>	<p>Payment secured.</p>

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<p>Ward: SOUTH PETHERTON</p> <p>08/03775/FUL Parish South Petherton</p> <p>Flamberts Prigg Lane South Petherton TA13 5BX</p> <p>Demolition of existing dwelling and garage and the erection of 6 No. dwellings and the conversion of an existing barn into 3 No. dwellings all with associated garages/carports</p> <p>Agreement Date: 02/12/2009</p>	<p>Sports and Leisure: Open Space & Recreational Contribution: £29,115.89</p> <p>Play Space & Youth Facilities Contribution: £15, 078.83</p>					<p>Status: Development Completed</p>	<p>Payment Secured.</p> <p>Commuted Sums/Revenue Contributions to be progressed.</p> <p>Play and Youth monies spent on refurbishment/ Improvements at Lightgate Lane.</p> <p>£14,994 © & £3,057 ® left towards pitches/changing rooms at Lightgate lane.</p> <p>No time limits to spend these monies.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>12/04885/FUL Parish South Petherton</p> <p>Land At Hayes End</p> <p>South Petherton Somerset TA13 5AG</p> <p>The erection of 22 No. dwellings with associated access, parking and landscaping. (GR 343715/116356)</p> <p>Agreement Date: 08/10/2013</p>	<p>Sports and Leisure: Equipped Play Contribution: £29,856 (£18,925 capital & £10,931 revenue as commuted sum) towards play provision at Lightgate Lane Recreation Ground, South Petherton.</p> <p>Changing Room Contribution:£19,150 (£17,724 capital & £1,426 revenue as commuted sum) towards changing provision at Lightgate Lane Recreation Ground, South Petherton.</p> <p>Playing Pitch Contribution: £14,959 (£8,730 capital & £6,229 revenue as commuted sum) towards pitch provision at Lightgate Lane Recreation Ground or other ground in South Petherton.</p> <p>Strategic Facilities Contribution: £4,028 towards new indoor pool at Langport/Huish Episcopi or Yeovil. £5,214 towards an indoor tennis provision located in or near Yeovil. £1,769 towards AGP at Huish Episcopi Academy. £6,887 towards improvements/enhancements of the Octagon Theatre in Yeovil. £8,383 towards enhancing existing sports hall at Huish Episcopi Sports Centre or the development of a new hall in Yeovil.</p> <p>Affordable Housing: Units Agreed: 8</p>	<p>£30,758 payable on or before occupation of the 2nd open market dwelling.</p> <p>£34,109 payable on or before occupation of the 4th open market dwelling.</p> <p>£26,281 payable on or before the occupation of the 6th open market dwelling.</p>		<p>Sports and Leisure: £90,246</p>		<p>Status: Underway</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>14/01461/FUL Parish Seavington St Mary</p> <p>Lift West LTD New Road Seavington Ilminster Somerset TA190QQ</p> <p>Demolition of existing buildings and the erection of 13 No. dwellinghouses, new vehicular access and associated works (GR 340734/115114)</p> <p>Agreement Date: 04/03/2015</p>	<p>Sports and Leisure: Leisure Facilities Contribution: £18,619 towards enhancing the facilities at Seavington Playing Field and/or towards one or more of the following strategic facilities across the district: Theatre & Art Centre, AGP's, Sports Halls, Swimming Pools or Indoor Tennis Centres.</p>	<p>Prior to the 3rd occupation: 50% of the contribution</p> <p>Prior to the 10th occupation: Remaining 50% of the contribution.</p>		<p>Sports and Leisure: £18,619</p>		<p>Status: Not Commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>09/00937/FUL Parish South Petherton Developer: Somerset Primary Care Trust</p> <p>South Petherton Hospital Hospital Lane South Petherton Somerset TA13 5AR</p> <p>Demolition of existing hospital buildings and erection of a new stroke/rehabilitation/communi- ty hospital and ancillary accommodation with car parking, service yard, access drive and improvements and associated works. (GR 343924/117374)</p> <p>Agreement Date: 02/10/2009</p>						<p>Status: Development Completed</p>	<p>Public Rights of Way Contribution: £75,000</p> <p>Schedule of Highway works as detailed within Agreement.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>07/03984/FUL Parish South Petherton Developer: Persimmon Homes</p> <p>Land Adjoining St Michaels Gardens Lightgate Lane South Petherton Somerset</p> <p>The erection of 55 dwellings and associated works (GR 343777/117157)</p> <p>Agreement Date:14/03/2008</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 37</p>	<p>Sports and Leisure: Strategic Community Facilities Contribution: £39,484 towards swimming pool and sports hall provision with South Somerset.</p> <p>Open Space Contribution: £6,669 for the future maintenance of the public open space.</p> <p>Play and Youth Contribution: £107,217 for the provision of Play and Youth facilities within South Somerset.</p> <p>Highways: Bus Pass Contribution: On first occupation of each of the residential units to provide voucher which may be used to claim a Bus Pass from the County Council within 12 months of the first occupation of the residential unit. The sum of £400 to be paid</p> <p>Education: Education Contribution: £124,248 for the enhancement of capacity at Stanchester School, Stoke-sub-Hamdon.</p> <p>Affordable Housing: Units Agreed: 19</p>					<p>Status: Development Completed</p>	<p>Commuted Sums/Revenue Contributions to be progressed.</p> <p>Monies secured and spent on projects as detailed within the agreement. Local towards projects in South Petherton and strategic towards projects at the Huish Academy.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>07/01252/FUL Parish South Petherton Developer: Yarlington Housing Group</p> <p>Land At West End Close West End View South Petherton Somerset</p> <p>Demolition of Nos. 2-16 (even only) West End Close and garage blocks in West End View and the erection of 19 dwellings and associated additional car parking (GR 342775/116846)</p> <p>Agreement Date: 11/08/2009</p>	<p>Sports and Leisure: Equipped Play Contribution: £13,643 comprises of £7,504.49 on the acquisition and installation of play equipment on the existing play area at West End View, South Petherton and £6,138.51 for the long term maintenance of the equipment.</p> <p>Strategic Facilities Contribution: £8,020 to be used towards facilities within the Yeovil area.</p> <p>Youth Facilities Contribution: £1,800 for renovation/improvement of any building/facility for young people in South Petherton</p> <p>Affordable Housing: Units Agreed: 12</p>					<p>Status: Development Completed</p>	<p>Monies secured and spent as per agreement.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: ST MICHAELS</p> <p>13/03622/FUL Parish Stoke Sub Hamdon</p> <p>Land adj East Stoke House Montacute Road East Stoke Stoke Sub Hamdon Somerset</p> <p>Erection of 18 dwellings and associated works including a new vehicular access, parking, open space and landscaping (GR: 348780/117513)</p> <p>Agreement Date: 18/07/2014</p>	<p>Sports and Leisure: Equipped Play Contribution £24,427.69 (£15,483.93 capital & £8,943.76 revenue for the commuted sum) for enhancement of equipped play provision at Stonehill, Stoke Sub Hamdon or Montacute Recreation Ground.</p> <p>Changing Room Contribution: £15,668.29 (£14,501.67 capital & £1,166.62 revenue for the commuted sum) for new or enhancements to changing room facilities in Stoke Sub Hamdon or Montacute.</p> <p>Playing Pitch Contribution: £12,239.17 (£7,142.59 capital & £5,096.58 revenue for the commuted sum) for enhancements/improvements to community pitches in Stoke Sub Hamdon or Montacute.</p> <p>Youth Facilities Contribution: £4,164.39 (£3,040.33 capital & £1,124.06 revenue for the commuted sum) for the enhancements/improvements of youth facilities at Stoke Sub Hamdon Recreation Ground.</p> <p>Community Hall Contribution: £27,759.38 towards the provision of a new or enhanced community hall provision in Montacute.</p> <p>Strategic Facilities Contribution: £6,656.44 - new swimming pool in Yeovil £4,266.39 - indoor tennis centre located in or near Yeovil £1,447.28 - AGP in Yeovil £5,634.79 enhancement/expansion of the Octagon Theatre in Yeovil £6,58.61 enhancement of sports hall in Yeovil or at Stanchester Academy School.</p> <p>Affordable Housing: Units Agreed: 6</p>	<p>Equipped Play & Youth Facilities Contributions payable upon occupation of 25% of the dwellings.</p> <p>Playing Pitch, Changing Room & Community Hall Contributions payable upon occupation of 50% of the dwellings.</p> <p>Strategic Facilities Contribution payable upon occupation of the 75% of the dwellings.</p>		<p>Sports and Leisure: £109,122.43</p>		<p>Status: Not commenced</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: TURN HILL</p> <p>13/01232/FUL Parish Huish Episcopi</p> <p>Land At Old Kelways Somerton Road Langport Somerset TA10 9HB</p> <p>Erection of 9 dwellings (Plots 53-61) in lieu of approved Employment Units B and C (Revised Scheme) (GR:342562/127643)</p> <p>Agreement Date: 04/10/2013</p> <p style="text-align: center;">Page 40</p>	<p>Sports and Leisure: Equipped Play Contribution: £12,213.84 (£7,741.96 capital & £4,471.88 revenue as a commuted sum) towards enhancements/improvements at the play area at Old Kelways, Langport.</p> <p>Playing Pitch Contribution: £14,677.37 towards the provision of playing pitch including AGP and changing room facilities at Huish Episcopi Academy.</p> <p>Sports Hall Contribution: £3,429.30 towards additional capacity at Huish Episcopi Academy.</p> <p>Swimming Pool Contribution: £1,647.70 towards new indoor facility at Langport/Huish Episcopi or towards a District wide swimming facility.</p> <p>Indoor Tennis Contribution: £2,133.20 towards provision of indoor tennis in the District.</p> <p>Education: Education Contribution: £18,469</p> <p>Affordable Housing: Units Agreed: 3</p>	<p>All contributions payable upon occupation of 3 open market dwellings.</p>	<p>Sports and Leisure: £34,101.41</p> <p>Education: £18,469</p>			<p>Status: Underway</p>	<p>Check status of the scheme.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: TURN HILL</p> <p>07/03534/FUL Parish Huish Episcopi Developer: C G Fry & Sons LTD</p> <p>Land At Old Kelways Somerton Road Langport Somerset TA10 9HB</p> <p>Erection of 52 no. dwellings, B1 employment floorspace and extension to hotel (GR 342728 / 127727)</p> <p>Agreement Date: 16/09/2008</p>	<p>Sports and Leisure: Off-Site Contribution: £149,253.33 comprised of the following: a) Muga Contribution: £8,151.68 towards provision of a floodlit multiuse games area in Langport. b) Playing Pitch Contribution: £104,037.30 towards the provision of playing pitches in Langport. c) Sports Hall Contribution: £24,288.36 towards the provision of additional badminton courts in Langport. d) Swimming Pool Contribution: £12,776.09 towards the provision of additional swimming lanes or pools in Langport.</p> <p>Open Space Contribution: £44,000 commuted sum payment for the maintenance of the childrens play area, open space and landscaped area.</p> <p>Highways: Highways Contribution: £55,000 comprised of: a) Safe Routes to School Contribution: £25,000 b) The A372/B3175 Junction and/or Zebra Crossing Contribution: £30,000 Travel Plan</p> <p>Affordable Housing: Units Agreed: 18</p>					<p>Status: Development Completed</p>	<p>Confirm status and point of transfer of POS.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>13/03663/FUL Parish Somerton</p> <p>1-4 west Street Somerton TA11 7PS</p> <p>Demolition of various structures, erection of 7 no. 2 bedroom houses, refurbishment of existing premises along West Street to create 6 retail units and change of use and extension of various 1st floor residential and business accommodation to 7 flats (6</p> <p>Agreement Date: 29/07/2014</p>	<p>Sports and Leisure: Sports Arts & Leisure Facilities Contribution: £49,984</p>	Contribution payable prior to commencement		Sports and Leisure: £49,984		Status: Not Commenced	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>12/01501/OUT Parish Somerton</p> <p>Home Farm West End Somerton TA11 6RW</p> <p>Residential development and construction of new access road (GR 348477/128539)</p> <p>Agreement Date: 18/08/2014</p>	<p>Sports and Leisure: Off-site play, Recreation & Leisure Facilities Contribution: £69,245 towards facilities locally within a 10 mile radius of Somerton and/or facilities District Wide.</p>	Payable on or before 50% of the residential units are brought into occupation.		Sports and Leisure: £69,245		Status: Not commenced	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>10/03704/FUL Parish Somerton</p> <p>Land at Northfield Farm Northfield Somerton Somerset</p> <p>The erection of 133 dwellings and associated garages, highway works and landscaping (GR: 348022/128828)</p> <p>Agreement Date: 24/04/2013</p> <p style="text-align: center;">Page 43</p>	<p>Sports and Leisure: LEAP</p> <p>Open Space & Commuted Sum</p> <p>Pitch & Changing Room Contribution: £351,489 (£288,934 capital & £62,555 revenue as a commuted sum) towards enhancements/improvements towards pitches and changing facilities at Gassons Lane Recreation Ground, Somerton.</p> <p>Youth Facilities Contribution: £29,725 (£21,794 capital & £7,931 revenue as a commuted sum) towards the provsion of a youth shelter and floodlighting of existing youth facilities at Gassons Lane Recreation Ground, Somerton.</p> <p>Strategic Community Facilities Contribution: £210,422 to spent on one or more of the following projects: * New swimming pool in the Langport/Huish Episcopi Area or new 8 lane swimming pool centrally located within the District. * Centrally located eight court District wide competition sports hall. * Indoor tennis provision as part of the Council's proposed Yeovil Sports Zone. * Provision of AGP in Langport Area or STP based in Yeovil.</p> <p>Affordable Housing: Units Agreed: 47</p>	<p>Contributions payable on or before 30 residential units are occupied.</p>		<p>Sports and Leisure: £591636</p>		<p>Status: Not Commenced.</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Projects Funded/ Lead Officer	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>10/03245/OUT Parish Somerton</p> <p>Town Farm Sutton Road Somerton Somerset TA11 6QL</p> <p>Demolition of agricultural buildings, formation of new access and erection of 14 dwellings with garage/parking (GR: 348503/128396)</p> <p>Agreement Date: 10/08/2011</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 44</p>	<p>Sports and Leisure: Equipped Play Contribution: £19,192 comprised of £12,236 for improvements of the Etsome Terrace play area, in particular for toddler play equipment. £6,956 commuted sum for long term maintenance.</p> <p>Changing Room Contribution: £24,907 comprised of £22,235 improvements to changing rooms at Gasson's Lane Recreation Ground, Somerton. £2,572 commuted sum payment for long term maintenance.</p> <p>Strategic Community Contribution: £22,491 towards one or more of the following projects:</p> <ol style="list-style-type: none"> 1) Development of a new indoor swimming pool in the Langport Area. 2) Development of a centrally based 8 court District wide competition sports hall in Yeovil. 3) Enhancement or expansion of the Octagon Theatre, Yeovil. 4) Development of a new STP in Langport area or sand based Stp in Yeovil. 5) Provision of a new indoor tennis centre in Yeovil, likely to be located within Yeovil Sports Zone. <p>Youth Facilities Contribution: £6,554, comprised of £4,805 towards provision of a youth shelter and floodlighting the existing skate park at Gassons's Lane, Somerton. £1749 commuted sum for long term maintenance.</p>	<p>Contributions payable to the Council index linked on or before the date of first occupation.</p>		<p>Sports and Leisure: £73,144</p>		<p>Status: Underway</p>	

Agenda Item 10

Area North Committee – Forward Plan

Strategic Director: Rina Singh, Place and Performance
Assistant Directors: Helen Rutter & Kim Close, Communities
Service Manager: Charlotte Jones, Area Development (North)
Lead Officer: Becky Sanders, Committee Administrator
Contact Details: becky.sanders@southsomerset.gov.uk or (01935) 462596

Purpose of the Report

This report informs Members of the Area North Committee Forward Plan.

Public Interest

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

Recommendation

Members are asked to:

Note and comment upon the Area North Committee Forward Plan as attached, and identify priorities for further reports to be added to the Area North Committee Forward Plan.

Area North Committee Forward Plan

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 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 and SCC corporate aims and objectives.

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

Background Papers: None

Area North Committee Forward Plan

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact the Agenda Co-ordinator; Becky Sanders, becky.sanders@southsomerset.gov.uk

Items marked in italics are not yet confirmed, due to the attendance of additional representatives. Key: SCC = Somerset County Council

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
26 Aug '15	Grant to Tintinhull – New Village Hall project	To determine a grant application for Tintinhull New Village Hall.	Teresa Oulds, Neighbourhood Development Officer (North)
23 Sept '15	Area North Development Plan – review of priorities	A report of the achievements of the Area Development Plan for 2014-15 and discussion of priorities for the new committee.	Charlotte Jones, Area Development Manager (North)
23 Sept '15	Area North – Historic Buildings at Risk	An update report on the Council's Historic Buildings at Risk Register	Adron Duckworth, Conservation Manager
25 Nov '15	Presentation about Careline	Presentation about Careline to raise awareness of the service.	Alice Knight, Welfare and Careline Manager
<i>TBC</i>	<i>Conservation – service update</i>	<i>A service report from the SSDC Conservation team.</i>	<i>Adron Duckworth, Conservation Manager</i>
<i>TBC</i>	<i>Neighbourhood Policing – Area North</i>	<i>An overview of local crime and community safety priorities</i>	<i>Sgt Dean Hamilton – Area North Neighbourhood Policing team</i>

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
<i>TBC</i>	<i>Endorsement of Community led Plans</i>	<i>Curry Rivel Parish Plan South Petherton Parish Plan and Neighbourhood Plan</i>	Charlotte Jones, Area Development Manager (North)
<i>TBC (may be planned as an informal workshop)</i>	<i>Affordable Housing</i>	<i>As requested by Councillors – a discussion / presentation covering definition, criteria and guidelines for affordable housing, and the construction of modular / eco housing</i>	<i>TBC</i>
<i>TBC</i>	<i>SSDC land and property – Area North</i>	<i>As requested by Councillors - a report on asset management / land and property holdings in Area North</i>	<i>TBC</i>

Agenda Item 11

Planning Appeals

Strategic Director: Rina Singh, Place & Performance
Assistant Director: Martin Woods, Economy
Service Manager: David Norris, Development Manager
Lead Officer: As above
Contact Details: david.norris@southsomerset.gov.uk or (01935) 462382

Purpose of the Report

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

Public Interest

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

Recommendation

That members comment upon and note the report.

Appeals Lodged

14/03154/FUL – Land north of Stanchester Way, Curry Rivel.
Residential development of 30 dwellings.

Appeals Dismissed

None

Appeals Allowed

None

Agenda Item 12

Schedule of Planning Applications to be Determined by Committee

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

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered in two stages this month:

The first six planning applications, as detailed in the table below, will be considered no earlier than 3.00pm. Members of the public who wish to speak about any of these planning items are recommended to arrive for 2.50pm.

The last planning application, as detailed in the table below, will be considered no earlier than 5.15pm following a break for refreshments. Members of the public who wish to speak about the application are recommended to arrive for 5.05pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
<i>The following six applications will be considered no earlier than 3.00pm. Members of the public who wish to speak about any of these planning items are recommended to arrive for 2.50pm.</i>					
13	WESSEX	15/01310/FUL	Demolition of care home & development of extra care units with communal facilities	Wessex House, Pestors Lane, Somerton	Close Care Homes (Somerton) Ltd
14	CURRY RIVEL	15/01761/FUL	Erection of a dwellinghouse and garage/annex etc.	Land adjacent Brick House, East Street, Drayton.	Mr & Mrs J Lock
15	CURRY RIVEL	15/01762/LBC	Erection of a dwellinghouse and garage/annex etc.	Brick House, East Street, Drayton.	Mr & Mrs J Lock

16	ISLEMOOR	15/01486/FUL	Erection of dwelling and change of use of agricultural land to residential curtilage.	Windy Ridge, Butchers Hill, Fivehead	Mr & Mrs S Morling
17	TURN HILL	15/01151/FUL	Erection of an agricultural workers dwelling.	Land adjacent Hillside Farm, West Henley Road, High Ham.	Mr R Wilkins
18	TURN HILL	15/00858/FUL	Demolition of buildings and erection of 1 No. dwelling.	Land opposite Turnpike House, Aller Road, Aller.	Mr & Mrs P Knight
<i>The following application will be considered no earlier than 5.15pm following a break for refreshments. Members of the public who wish to speak about the application are recommended to arrive for 5.05pm.</i>					
19	TURN HILL	14/04300/FUL	Proposed solar park etc.	Land at Aller Court Farm, Church Path, Aller.	Aller Court Farm Solar Park Ltd & Mr A Maltby

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

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

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 13

Officer Report On Planning Application: 15/01310/FUL

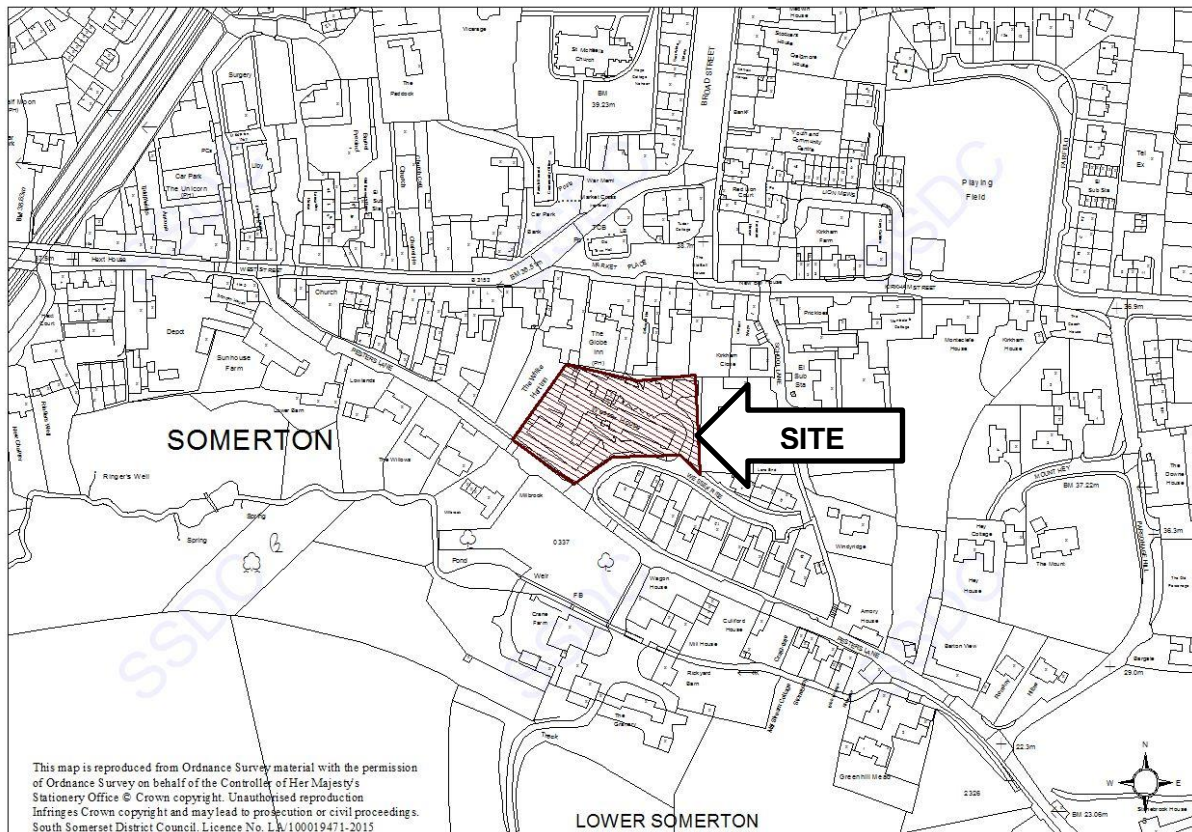
Proposal :	Demolition of existing care home and development of extra care units with communal facilities (GR:349036/128452)
Site Address:	Wessex House, Pestors Lane, Somerton.
Parish:	Somerton
WESSEX Ward (SSDC Member)	Cllr S Page Cllr Dean Ruddle
Recommending Case Officer:	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date :	18th June 2015
Applicant :	Close Care Homes (Somerton) Ltd
Agent: (no agent if blank)	John Sneddon, Tetlow King, Eclipse Office Park, High Street, Staple Hill, Bristol BS16 5EL
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

This application is referred to Committee at the request of the ward member with the agreement of the Chair to enable the issues raised by the Town Council and Local residents to be considered.

SITE DESCRIPTION AND PROPOSAL





The site adjoins the conservation area and the properties to the north, fronting onto Market Place are listed. There is a footpath running through the site which is subject to a County application to formalise as a right of way. A larger alder tree to the front on the existing building is covered by a provisional tree preservation order.

This is a proposal to demolish the existing 50 bedroom, Wessex House care home, built in 1981 on a sloping site at the junction of Pestors Lane and Wessex Rise. The replacement building (as amended) would comprise 55 bedrooms in 36 'close care' units, a mix of 1 and 2 bedroom self-contained apartments with shared facilities. 24 parking spaces would be provided.

The proposed structure would provide accommodation on 4 levels. The materials are stated to be a mixed of render, panelling and stone for the walls with a mix of slate and pantiles for the roofing. The application is supported by:-

- Planning Statement
- Design and Access Statement
- Transport statement
- Ecological Survey Report
- Statement of Community Involvement
- Tree Survey and Constraints Plan
- Services Assessment and Drainage Strategy

Minor revisions have been made to address concerns raised by the Police Architectural Liaison Officer. Additionally a Heritage Statement has been provided and the application amended (11/06/15) to introduce a break in roofline between the main part of the building in

Wessex Close and the Pester's Lane frontage. This latter revision has been subject to reconsultations.

PLANNING HISTORY

14/04195/FUL Planning permission refused for demolition of existing building and development of 40 Extra Care units with communal facilities:-

- 1. The proposed development, by reason of its flat roofed design, mixed palette of materials, scale and mass, would relate poorly to the small-scale, intricate, traditional pitched roof forms of the surrounding townscape to the detriment of the character and appearance and setting of the conservation area, the setting of nearby listed building, the visual amenities of the locality as well as longer views of the historic town centre from the publically accessible countryside to the south. As such the proposal is contrary to saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework, specifically Chapters 7 and 12.*
- 2. Notwithstanding the location near the centre of Somerton the proposal for the provision of 40 self-contained units of 'close care accommodation' with 22 parking spaces, would not adequately provide for the needs of residents, staff and visitors. No evidence has been provided to demonstrate that future occupiers would not own cars or that staff and visitors would have any option but to travel to work by private motorcar. Furthermore no evidence has been provided to demonstrate that there is sufficient capacity in the town centre car parks to absorb increased demand from this development. This failure to provide for reasonable parking requirements of the development would result in an unacceptable rise in demand for, and pressure on, on-street parking in the surrounding residential roads to the detriment of the amenities of the residents, particularly those in Wessex Close, and the safety of users of the public highway. As such the proposal is contrary to policies ST5 and ST6 the South Somerset Local Plan and, in the absence of a reasonable justification as to why there should not apply, the Somerset County Council Parking Strategy (2013) as relates to dwellings.*

770615 Planning permission granted for erection of care home (30/06/77)

An application (09/03669/FUL) was approved at appeal on the site to the west for refurbishment and regeneration of existing retail units, and creation of a mixed use scheme including a care home, assisted living and extra care apartments. This provided for 21 parking spaces to serve the 45 bedroom care home and 12 'assisted living' apartments

POLICY

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

South Somerset Local Plan 2006 - 2028

SD1 – Sustainable development
SS1 – Settlement Strategy

SS3 – Delivering New Employment Land
SS7 - Phasing of Previously Developed Land
HG2 – The Use of Previously Developed Land for New Housing Development
HG6 – Care Homes and Specialist Accommodation.
TA1 – Low Carbon Travel
TA4 – Travel Plans
TA5 – Transport Impact of New Development
TA6 – Parking Standards
EQ1 – Addressing climate Change in South Somerset
EQ2 – general Development
EQ3 – Historic Development
EQ4 – Biodiversity

National Planning Policy Framework

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

Other Policy Considerations

Somerset County Council Parking Strategy (March 2012) – C2 uses 1 space per 6 bedrooms; C3 dwellings 1.5 spaces per 1 bedroom flat, 2 spaces per 2 bedroom flat

CONSULTATIONS

Somerton Town Council – initially objected on the grounds of:-

- Not enough amenity space
- TRO required for Pestors Lane for a total ban of parking including Disabled Parking due to the width of Pestors Lane
- Visual Impact, size and mass of the development
- Footprint of the building larger than existing development
- Confusion still remaining over the C2 OR C3 usage
- Parking insufficient

In relation to amended plans:-

- Visual impact, size & mass of the development
- Not enough amenity space
- Appearance of the structure not sympathetic to the existing environment with too many sections with a rendered finish.
- Not enough provision for safe pedestrian passage to the town via the use of the Footpath along Wessex House.
- Insufficient Parking
- Footprint of the building larger than existing development

County Highways – no objections to parking levels on the basis that the proposal is for a nursing home (class C2b) which would require 1 space per 6 bedroom (10 spaces for 55 rooms). The submitted parking strategy indicates the need for 16 spaces; 24 are now proposed. No objections on the grounds of access arrangements or highways safety.

SSDC Highways Advisor – refers to County comments.

Wessex Water – considers that the development will have minimal impact on their services and raises no objection.

RSPB – previously requested that nest boxes be incorporated.

SSDC Ecologist – no objections

Police Architectural Liaison Officer – originally raised concerns regards external lighting, width of footpath and boundary treatments. Accepted the revised details.

Landscape Architect – originally observed:-

The revised proposal remains substantial, yet its potential impact is now better mitigated by a reduction in height, with building scale and mass also reduced, in part by the revised elevational treatment. The reduction in height will result in the building mass being less over-bearing upon the surrounds, whilst the breaking-up of the arrangement of the building's main facades by set-backs and material changes, will enable a closer correspondence with the building forms and treatments of the surrounding built form. I also consider the proposed staging of floor levels to be a credible response to the rising topography across the site, to thus better integrate the proposed building into context.

If approved a landscape condition is suggested.

Conservation Manager – initially raised a number of concerns:-

"...the changes produced in this now revised design, incorporating the pitched roofs and steps to break up the mass and scale of the elevations have reduced the stronger reservations I had at pre-app stage. Make no mistake it is a very large building and taller than is typical of Somerton but the design does utilize the slope of the site to at least partially reduce the sense of this. The area that fails and is therefore of particular concern is the angle facing Wessex Close where a full 4 storey façade would be in evidence – a scale severely out of place in the context of the houses in Wessex Close immediately adjacent and illustrated in Section 1. This I consider needs further consideration.

The character of Pestors Lane has been one with prominent stone walling along much of the north side. This character was of course not adhered to by the current Wessex House but I advocate strong enclosure of the frontage to the lane (walling 1.5m high say) and the creation at the same time of more privacy to the outdoor spaces associated with the front ground floor flats.

Materials of the building will be of extreme importance and must be selected to merge in visually with the wider town both when seen from the more distant viewpoints to the south and also close up and especially in relation to the listed curtilages on the north and west sides. The materials and colours of the natural clay pantile roofscape and local lias stone walling will be key."

Subsequently:-

"We requested that the heritage statement be revised to assess the impact of the proposal upon the setting of adjacent listed buildings and the Somerton Conservation Area. I am afraid I regard the document to have failed to do this. However it does provide a comparison of the north elevation between the existing building and the proposal. This is useful and shows that the proposed is largely no higher than the existing except at the western end. Here the it is 2 storey where the existing is one and would therefore have a greater impact upon the Grade 2 listed White Hart but in my assessment, for an urban site, this would not be an unacceptably greater impact.

"For the other listed buildings on Market Place east of the White Hart and the conservation area the 2 storey north elevation I would expect not to result in an increased impact. In addition my understanding is that the site is at a slightly lower level (not unfortunately considered in the Heritage Statement), would again help reduce impact. Therefore from my knowledge of the area I consider impact upon heritage settings not to be significantly adverse.

"The design change to the Wessex Rise elevation has improved the scale and height in relation to the low buildings adjacent."

Climate Change Officer – supports

Environmental Protection Officer – whilst noting proximity of licenced premises, confirms that there is no history of complaints from the existing care home and raises no objection.

Housing officer – if the proposal is for C3 dwellings 35% should be affordable with 2/3 for 'social' rent

Archaeologist – no objection

REPRESENTATIONS

initially 14 representations were received, summarised as follows:-

9 raising objections:-

- Lack of parking on site
- Increased demand for on-street / public parking
- Lack of engagement from applicant
- Highways impacts of increased traffic on narrow surrounding roads
- Access difficulties for emergency vehicles and deliveries
- Building is too big for setting – physical and visual over-development
- Materials and design out of keeping
- Impact on historic town centre
- Impact on views of the town
- Scheme should be assessed as C3 (dwellings) not C2 (care home) as it is quite clearly an independent residential facility with insufficient parking.

One objector suggests that a smaller building would be supported, whilst another suggests that the proposal would not meet the local need for independent retirement flats. A third writer challenges the motives, approach and intention of the applicant and concludes:-

- i) There is no Environmental Risk Assessment Report.
- ii) Similarly, there is no Operational/ Management Report.
- iii) The Scheme represents overdevelopment and as such would be detrimental and harmful to the character of the area which borders a Conservation Zone.
- iv) This is NOT a C2 Usage Development – it is unambiguously C3 (b)
- v) Car Parking Provision is still woefully inadequate.
- vi) Irrevocable agreements should be applied to any proposed Scheme undertaking.

5 in support:-

- The proposal would provide supported living close to friends and facilities to those who would otherwise have to move out of Somerton
- Proposal would meet a local need (2 writers refer to parents living in the town who would like to live here, another believes it would be ideal for her being close to the town centre and an 83 year old respondent expresses a clear wish to live here thereby freeing up her 3 bedroom property for a family).
- Revisions are welcome – height and bulk are not unreasonable
- Refused collect via layby on pesters lane are preferable to providing a refuse store close to Wessex Close residents.
- Parking at 23 spaces (not 24 as stated) is appropriate based on 50 bedrooms (9 spaces + 1 guest space) plus 10 further spaces for the proportion of residents who may choose to own a car.
- Reservations are expressed about the usability of the parking spaces, but it is suggested that with daily usage this can be lived with.
- The design is suitable

It is noted an application to consider the recognition of a permanent right of way through the site (REF No RW/273324) is before the County Council. This should not be compromised in any way by the proposal. The access through the site should be maintained during construction and after construction linking Wessex Rise to the marked right of way through the Globe Public House car park and yard.

CONSIDERATIONS

The principle of a care facility, on this previously used site, in this location is clearly accepted by the existing use. There are not considered to be any grounds for a technical objection on the grounds of drainage, access or ecology and any issues arising from these matters could be conditioned. It is accepted that the scheme would provide much needed housing for the elderly in a suitable town centre location.

A number of concerns have been raised about the nature of the use proposed, mainly because this would affect the level of parking required. Whilst the submitted drawings show 36 self-contained flats it is not considered reasonable to simply assume that these will automatically fall within the C3 use class of dwellings. The applicant has provided a management plan that details the level of care to be provided and restrictions that would apply to residents. Details have also been provided on similar applications elsewhere that have been approved at appeal with occupancy restrictions.

Having considered these it is accepted that the applicant's business model does reflect a care home within the C2 use case and that subject to appropriate occupancy restrictions to those over 65 and signing up to a care package the development would operate as a C2

care home. Accordingly the scheme does not attract an affordable housing obligation and on this basis the key issues are design/size and appearance of the proposed building and the proposed level of onsite parking provision.

Design/Visual Impact.

Whilst the previous flat roofed building of this size, design and appearance was considered objectionable. The revised scheme (as amended), with pitched roofs, is considered to be of an appropriate form that would be in keeping with the character of the area, the setting of the conservation area and listed building. Whilst it would undeniably be large it would not be significantly larger than the existing Wessex House. On this basis it is considered that the general form and bulk, which follow the general footprint of the existing building, are acceptable.

With regard to the detail and design of the building it is considered that, subject the agreement of then detail, the external materials are appropriate to the location, in keeping with the surrounding properties in Wessex Close and Pestors Lane and would not be detriment to the nearby conservation area and listed buildings.

It is accepted that the proposed building would be visible in views of the town from open countryside to the south, however as the landscape officer notes any impact is now better mitigated by a reduction in height, with building scale and mass also reduced. The reduction in height also results in the building mass being less over-bearing upon the surroundings, whilst the breaking-up of the arrangement of the building's main facades by set-backs and material changes, better reflects the building forms and treatments of the surrounding built form. He considers the proposed staggering of floor levels to be a credible response to the rising topography across the site, to thus better integrate the proposed building into context.

On this basis it is considered that this revised scheme adequately addresses the previous objections to the flat roofed design, mixed palette of materials, scale and mass, which were considered to relate poorly to the small-scale, intricate, traditional pitched roof forms of the surrounding townscape, nearby conservation area and listed buildings. Consequently it is not consider that there would be a substantial adverse impact on heritage assets.

According the proposal is now considered to comply with policies EQ1, EQ2 and EQ3.

Parking

The proposal is now for a reduced number of units (36) and provide more parking (23 plus delivery bay) than previously proposed. Furthermore provisional management plan has been submitted that provides for a pool car and it has been confirmed that the applicant is willing to agree to limits on car ownership through an Operational Management Plan. It is also confirmed that an age restriction limiting occupancy to those over 65 would be acceptable.

It is considered that subject to conditions to achieve this the development would be operated at a care home with use class C2 and that the parking provision would be acceptable and in line with the requirements of the County's parking strategy and policy TA6.

Other issues

Whilst the concerns about the supporting information is noted, the proposal does not require a formal Environmental Impact Assessment and the submitted documents are considered adequate to support the application and do now include a draft operational management report which is appropriate to condition to ensure on-going compliance.

The applicant has sought the views of the town council and local residents. Whilst ultimately they have not been able to fully take on board all comments, this does not constitute a lack of engagement or any fault on their part.

The applicant is agreeable to a condition to safeguard the footpath route through the site. This would ensure that it remains available for use until the County considers the pending right of way application.

Conclusion

The application has been amended and supplemental information provided to address the previous reasons for refusal. The conservation manager and landscape architect are satisfied that the amended design addresses previous concerns about visual impact and relationship with historic assets. The reduction in the number of units, increased parking and additional information about the operation of the development are considered to satisfactorily address concerns that the scheme might be occupied as a residential development with higher parking requirements. It is reasonable therefore to apply lower C2 parking standards subject to conditions to ensure that occupation is as proposed.

There are not considered to be any other concerns that could justify withholding permission or that could not reasonably be addressed by condition. Accordingly the application is recommended for approval.

RECOMMENDATION

Grant Planning permission

Justification

Notwithstanding local representations the proposed extra care accommodation, on this previously used site, would contribute positively the supply of accommodation for the elderly, with the provision of adequate parking and is of an appropriate design that would not result in substantial harm to heritage assets, visual or residential amenity or highways safety. As such the proposal complies with policies SD1, SS1, SS3, SS7, HG2, HG6, TA1, TA4, TA5, TA6, EQ1, EQ2, EQ3 and EQ4 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

Conditions

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans (except where directed otherwise by the conditions below): 4421 PL16C; 4421 PL10C; 4421 PL11C; 4421 PL12C; 4421 PL13C; 4421 PL14C; 4421 PL17F; and 4421 PL18D.

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

03. The use of the apartments within the building hereby approved shall, at all times and unless otherwise agreed by the local planning authority in writing, be used for the designed purpose of providing 'extra-care' living units of accommodation for person or persons who, for the purpose of acquiring purchase or lease of any of the approved apartments, are contracted into a care package and who have a minimum age of not less than 65 years of age as required by condition 04 of this permission. Furthermore the supporting staff and resources associated with the management of the site and the delivery and implementation of the individual care package(s) associated with the terms of purchase and occupancy of each apartment, together with the occupants' permitted use of the facilities provided within the approved building, shall be in accordance with the submitted application details, unless otherwise agreed by the local planning authority in writing.

Reason: To ensure that adequate parking is provided to meet the needs of the development without increase demand for this limited resource elsewhere and to ensure that the development, which provides no contribution towards affordable housing continues to meet the identified need with policies H6 and TA6y EQ1 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework.

04. The occupation of the apartments hereby approved shall at all times, and unless otherwise agreed by the local planning authority in writing, be limited to a person aged 65 or over and any resident dependants who satisfy the requirements referred to in condition 03 of this permission. No other person shall occupy any of the approved apartments.

Reason: To ensure that adequate parking is provided to meet the needs of the development without increase demand for this limited resource elsewhere and to ensure that the development, which provides no contribution towards affordable housing continues to meet the identified need with policies H6 and TA6y EQ1 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework.

05. Notwithstanding the details shown on the approved plans, no development shall take place until a scheme of hard and soft landscaping, which shall include planting plans, written specifications, a schedule of plants including species, plant sizes and proposed numbers/densities has been submitted to the Local Planning Authority. The details shall include existing and proposed finished levels, the position, design, and materials of all site enclosures and boundaries and hard surfacing materials. The scheme shall also include measures for the protection of existing trees and hedgerows to be retained during the course of development. No works involving the above landscaping scheme shall be carried out until the submitted details have been approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the development or its completion, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the character and appearance of the area in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

06. The development hereby permitted shall not be commenced until a scheme for the long term maintenance for all hard and soft landscaping areas has been submitted to and approved in writing the District Planning Authority. Such an approved scheme shall thereafter be implemented in full.

Reason: To safeguard the character and appearance of the area in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

07. Before the start of the development hereby permitted a scheme for external lighting of the site shall be submitted to the Local Planning Authority. No works on this scheme shall be carried out until the scheme has been approved by the Local Planning Authority. The scheme shall be carried out as approved.

Reason: To safeguard the character and appearance of the area in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

08. No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority:-
- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b) a details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - c) details of all hardstanding and boundaries
 - d) details of the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

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

Reason: In the interests of highways safety and to ensure that the development is adequately drained in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

10. Before any dwelling hereby permitted is first occupied, a footway shall be constructed along the entire frontage of the site as shown in generally in accordance with drawing number PL16 and to a specification approved in writing by the Local Planning Authority prior to first occupation.

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

11. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and

approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

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

12. The area allocated for parking and turning on the submitted plan, drawing number PL16, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highways safety in accordance with policies TA5 and TA6 of the South Somerset Local Plan 2006-2028.

13. No development shall hereby comment until a Measures Only Travel Plan has been provided and approved by the Highway Authority. The agreed Travel Plan shall be implemented in accordance with the timetable set out in the Travel Plan.

Reason: To promote low carbon travel in accordance with policies TA1 and TA4 of the South Somerset Local Plan 2006 – 2028.

14. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: To safeguard the amenities of the locality in accordance with accord with Policy EQ2 of the South Somerset Local Plan 2006-2028.

15. No development shall commence until a scheme of bird and bat boxes for the site has been submitted and approved by the local planning authority. The boxes shall be erected in accordance with the approved details prior to occupation and retained thereafter.

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

16. No development shall commence until details of a scheme to safeguard the route of the footpath through the site from Wessex Rise to the footpath on the northern boundary of the site has been submitted to and agreed in writing by the local planning authority. Once agreed such footpath route shall be kept available for public use at all times thereafter, including throughout the demolition and construction phases unless agreed otherwise in writing by the local planning authority

Reason – In the interests of pedestrian safety in accordance with policy EQ2 and TA5 of the South Somerset local Plan 2006-2028

Informatives

1. The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. The developer should contact the Highway Authority to progress this agreement well in advance of commencement of development.
 2. You are reminded that a Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
-

Agenda Item 14

Officer Report On Planning Application: 15/01761/FUL

Proposal :	Erection of a 1.5 storey dwellinghouse and associated detached garage/annex on land adjacent to Brick House, works to a low level wall, and demolition of small dilapidated structure (GR:340628/124727)
Site Address:	Land Adjacent To Brick House, East Street, Drayton.
Parish:	Drayton
CURRY RIVEL Ward (SSDC Member)	Cllr Tiffany Osborne
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	17th June 2015
Applicant :	Mr & Mrs J Lock
Agent: (no agent if blank)	Mr Richard Rowntree, Lake View, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

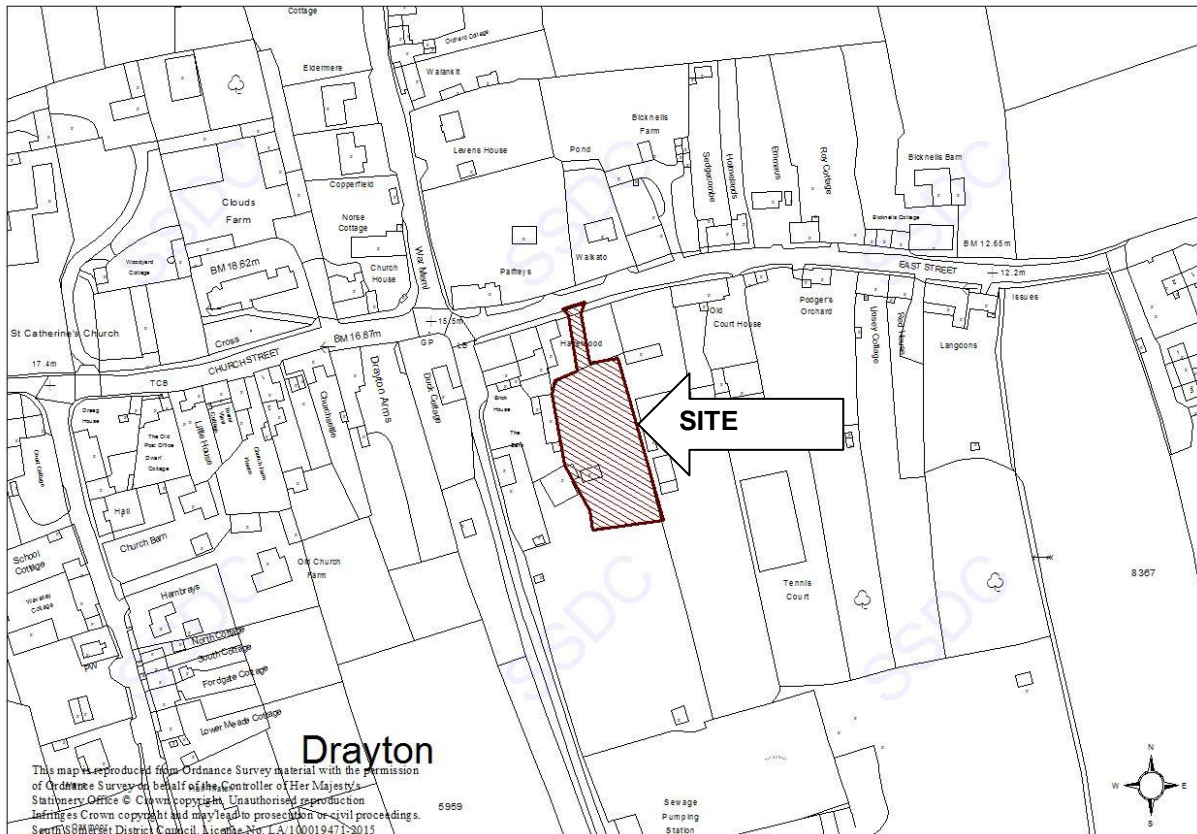
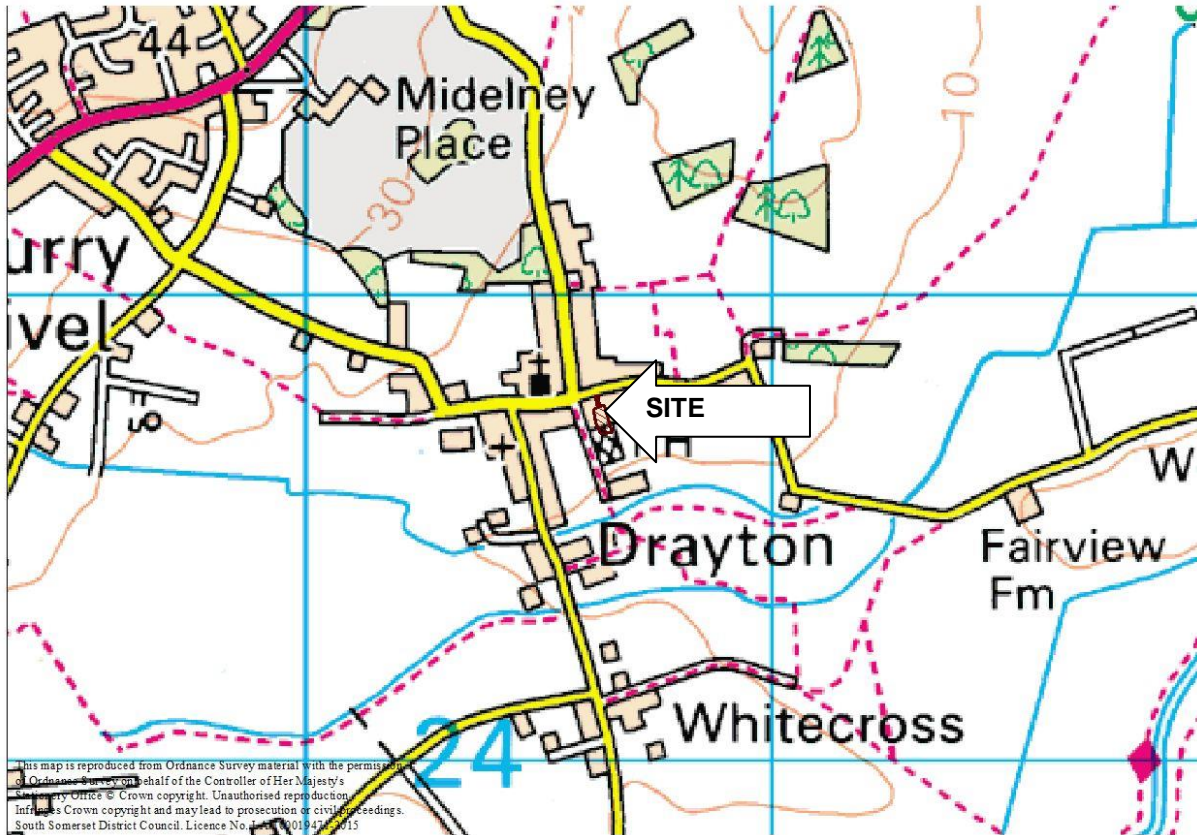
The report is referred to the Committee at the request of the Ward Member in order to facilitate a full discussion of the policy and other issues raised by the application.

UPDATE - Late Submission of Comments by the Parish Council

After the officer report had been submitted to the Ward Member and finalised, the following revised comment/recommendation was submitted by the Parish Council:

Approved with full support – This allows the current occupiers to downsize whilst remaining in their own community and also freeing up a larger property which could be for a family that would support Village amenities. This satisfies a housing need for downsizing. The proposed property is outside of the conservation area and is of an appropriate size and in an appropriate location in relation to the surrounding properties.

SITE DESCRIPTION AND PROPOSAL



The site is located within the conservation area, on the south side of East Street. It forms part of the land associated with two attached listed buildings, Brick House and The Old Beams, which front onto East Street, at the intersection with a small unadopted lane giving access to farm buildings to the south of the site. At the eastern end of the two listed buildings, a further dwellinghouse is attached. This has access onto East Street, at the eastern end of this row of houses.

The land under consideration is currently an open paddock, with traditional agricultural buildings immediately to the west (part of the land associated with Brick House). To the east is a dwellinghouse (barn conversion).

Permission is sought for the erection of a detached, 3-bed, 2-storey dwellinghouse, and a separate 2-storey outbuilding, comprising garaging for 3 cars and an upper storey residential annex.

HISTORY

13/04649/COL - Application for a Certificate of Lawfulness; the work taken place has formed a material start to approved planning consent 10/04262/FUL - permitted
10/04262.FUL - Alterations and the erection of a replacement extension, formation of access and car parking/turning area - permitted with conditions

Historic permission referred to by applicant: 96786 - OUTLINE: Erection of a dwelling and garage and formation of a vehicular access - permitted, 29 November 1973. This was never implemented.

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 Sustainable Development
SS1 Settlement Strategy
SS2 Development in Rural Settlements
TA5 Transport Impact of New Development
TA6 Parking Standards
EQ2 General Development
EQ3 Historic Environment

National Planning Policy Framework (March 2012):

4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design

12. Conserving and enhancing the historic environment

National Planning Practice Guidance - Department of Communities and Local Government, 2014.

Policy-related Material Considerations

Somerset County Council Parking Strategy, March 2012 and September 2013.
Somerset County Council Highways Standing Advice, June 2013.

South Somerset Sustainable Community Strategy (2008-2026)

CONSULTATIONS

Parish Council: No observations.

Highways Authority: Standing Advice Applies.

SSDC Conservation Officer: An objection is raised: *There are a number of listed buildings to the north of the site. The conservation area comprises a wide strip across the road frontage. The access to the application site crosses this, with the majority of the new dwelling and garden being to the rear an area of garden/paddock.*

This paddock area is clearly seen from the road, and is within the setting of the conservation area: The view south is a rural view of a large grassed area. It is also seen looking back at the conservation area, and the listed buildings, from the farm track which runs to the west of the site. This is a pleasant open area of rural character essential to the setting of the conservation area and gives the principle listed buildings and their historic outbuildings a spacious context.

The applicant refers to the land being brownfield as it was previously glass houses. These were built post 1930 and were there approximately 60 years. I understand that horticulture is not brownfield land. The glass houses are no longer there, and it is not relevant to argue that something that has gone needs to be taken into account at this time. We determine the application on the basis of what we have before us, not on what was gone a decade or more ago. Indeed the loss of the glasshouses may well have improved the setting of the listed buildings and the conservation area. The 1970's consent for a house was prior to the designation of the conservation area, and based on policies and practice at that time.

I can see that the agent has taken some care to pick up on local features when designing the front of the building, but it remains large and with an excess of roof lights. I also note that there is a desire to downsize from Brick House. This remains a large house with annex making a total of four bedrooms, and a ground floor area that dwarfs many family houses. It is unclear how it might be proposed to detail any subdivision of the garden area adjacent to the road.

You will be aware of an appeal which was dismissed for a similar style of development at Podgers Orchard which has some similarity.

In my view the proposals runs contrary to the historic grain of development and intrudes on the setting and views out of and into the conservation area, and on the spacious settings of the principle listed buildings and their outbuildings. The proposal is harmful and I see no justification to outweigh the strong statutory presumption against development and the great weight given to the conservation of heritage assets by the NPPF.

County Rights of Way Officer: No comment received.

County Archaeologist: *The site lies within the Drayton Area of High Archaeological Potential as defined by the recently adopted South Somerset Local Plan Policy (EQ3). It also lies close to the historic core of the settlement. It is therefore possible that this development could impact upon heritage assets associated with the early development and later establishment of the village.*

For this reason I recommend that the applicant be required to provide archaeological monitoring of the development and a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of model condition 55 attached to any permission granted.

REPRESENTATIONS

Three letters of support have been received, making the following main points:

- the dwelling would not have any negative impact on the surrounding area;
- the dwelling would not affect neighbouring residents;
- the building would complement the existing structures and the immediate area, maintaining the character of the village.

CONSIDERATIONS

Principle of Development: Policy SS2

The site falls within a rural settlement with few local facilities and services. Under Policy SS2 of the Local Plan, development is strictly controlled, and limited to that 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.

The proposal would not provide (other than in the short term for the construction industry) employment opportunities with any relationship to the settlement. It would also not create or enhance community facilities. The occupants of a single dwelling might use the services of the local Pub, for example, but this cannot be viewed to any significant degree as enhancing local services or facilities.

The applicant's statement makes reference to 'community consultation and support', being 'thoroughly carried out through the development of the design'. This does not signify that the proposal meets an identified local need, endorsed by the community. The Parish Council has chosen to record that it has 'no observations' on the application. The proposal is not considered, in the spirit of the Policy, to meet an identified, locally endorsed housing need (the best example of which would be affordable housing).

Critically, Policy SS2 requires any development to:

- be commensurate with the scale and character of the settlement; and
- increase the sustainability of the settlement in general.

Whilst a single dwelling might be commensurate with the character of the settlement, it has not

been demonstrated that this new dwelling would in any way increase the sustainability of the settlement.

The principle of the erection of a new dwellinghouse is therefore not accepted, and the proposal is considered to be contrary to Policy SS2 of the Local Plan.

Visual Impact: Character and Appearance of the Setting

The site forms an important part of the setting of the Conservation Area; and it falls within the curtilage of listed buildings.

The Conservation Officer has set out a detailed objection to the proposal, on the basis of its impact on the character and appearance of the conservation area, and the setting of the listed buildings.

It should be noted that an extant, implemented permission does exist on the part of the site closest to the road (see history above, permission 10/04262/FUL). Whilst this permission allows the creation of an access to the highway (already in position on site) and a single-storey extension to Hazlewood (the easternmost of the three attached dwellings), the essential openness to which the Conservation Officer refers would still remain, together with views through into the paddock beyond.

The view of the Conservation Officer is endorsed. There is a clear character established, with development largely focused closer to the main through roads, and substantial open agricultural land to the rear. Whilst there are dwellings situated back from the highway, these are largely converted agricultural buildings. The insertion of a large dwellinghouse (and substantial outbuilding), with its main roof ridge running east-west and effectively closing off any view through to open land fails to respect or enhance the character of this setting, and is therefore considered contrary to guidance with the NPPF and Policy EQ3 of the Local Plan.

Historical Character

The applicant makes repeated reference to the site as being 'brownfield' land, whilst noting that the extensive greenhouses that previously occupied the site were removed in the 1990s. Horticulture is an agricultural activity, and the glass houses referred to did not change the use of the land from agricultural use. For planning purposes, this land cannot therefore be regarded as 'previously developed' or 'brownfield'. It is a 'greenfield' site. For over 15 years (as evidenced by aerial photos), the site has been open and free of any structures, which has endorsed the agricultural character and established grain of development to which the Conservation Officer refers. Similarly, the previous consent granted for a dwellinghouse in the 1970s carries little weight, never having been implemented, and having been approved prior to the numerous changes to policy that have resulted in the current Local Plan and the NPPF.

Impact on Heritage Assets

Aside from the impact on the setting of the listed buildings, the proposal would require demolishing part of an existing wall, which appears to be of historical significance and is listed as part of the curtilage. No background research of any consequence has been offered by the applicant to demonstrate the historical significance of this structure, which would appear to have existed on site for some time (it appears to be on both the 1888 and 1903 maps).

It is also noted that no evidence has been supplied in relation to the brick structure further south on the site, which is proposed for demolition as part of the redevelopment of the site. From a site examination the structure would appear to be largely modern. It does not appear

on historical maps in the Council's possession.

Impact on Residential Amenity

The building is located in such a way as to avoid any harmful overlooking or overshadowing. It is not considered that any harm to residential amenity would result.

Impact on Highway Safety

The proposal would make use of an existing approved access, with good visibility. The proposal provides adequate off street parking and on-site turning space. It is not considered that there would be any highway safety reason for refusal of the application.

EIA Regulations

Not relevant.

Conclusion

The proposal fails to respect the character and appearance of the conservation area and the setting of a number of listed buildings. It furthermore fails to comply with the requirements of Policy SS2 of the Local Plan, which seeks to impose strict control over development in rural settlements. It is accordingly recommended for refusal.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Refuse.

FOR THE FOLLOWING REASONS:

01. The proposal represents development in a rural settlement that has failed to demonstrate any local benefit or enhancement of sustainability of the settlement. The development has not demonstrated that it has the support of the local community following robust engagement and consultation. In these respects, the proposal represents unsustainable development in this rural settlement where development is strictly controlled, and is contrary to Policy SS2 of the South Somerset Local Plan 2006 - 2028, and the aims of the NPPF.
02. The proposal represents an unsatisfactory intrusion of new development into an important visual gap in the built form in this historically important part of the village, thereby harming the setting and designated heritage assets. It fails to respect the significance and the special historical character and local significance of the setting, which includes the curtilage and setting of listed buildings, and the setting of the conservation area. In these respects, the proposal is contrary to the aims of the NPPF, and Policies EQ2 and EQ3 of the South Somerset Local Plan 2006 - 2028.

Informatives:

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

In this case, the applicant was advised in pre-application advice that there would be an objection in principle to the erection of a dwellinghouse on this site, on the grounds of the impact on the setting. In considering the application, there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.

Agenda Item 15

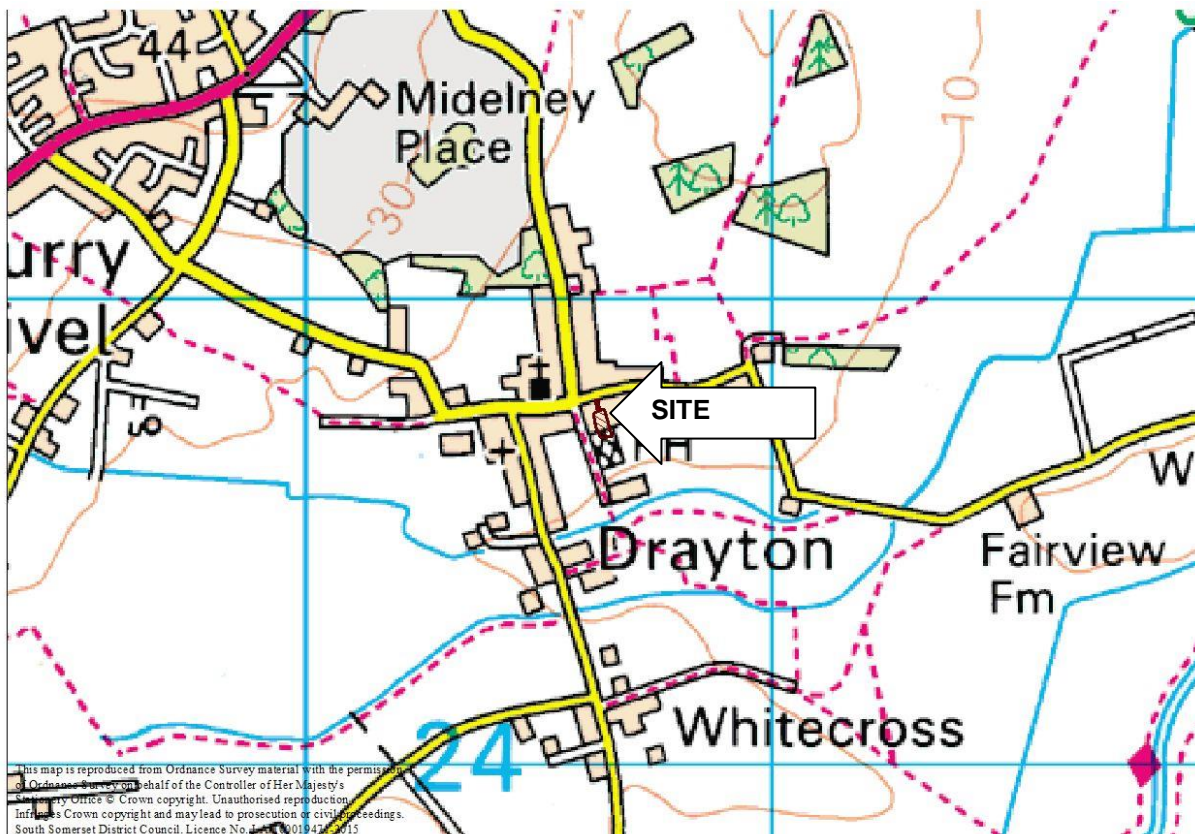
Officer Report On Planning Application: 15/01762/LBC

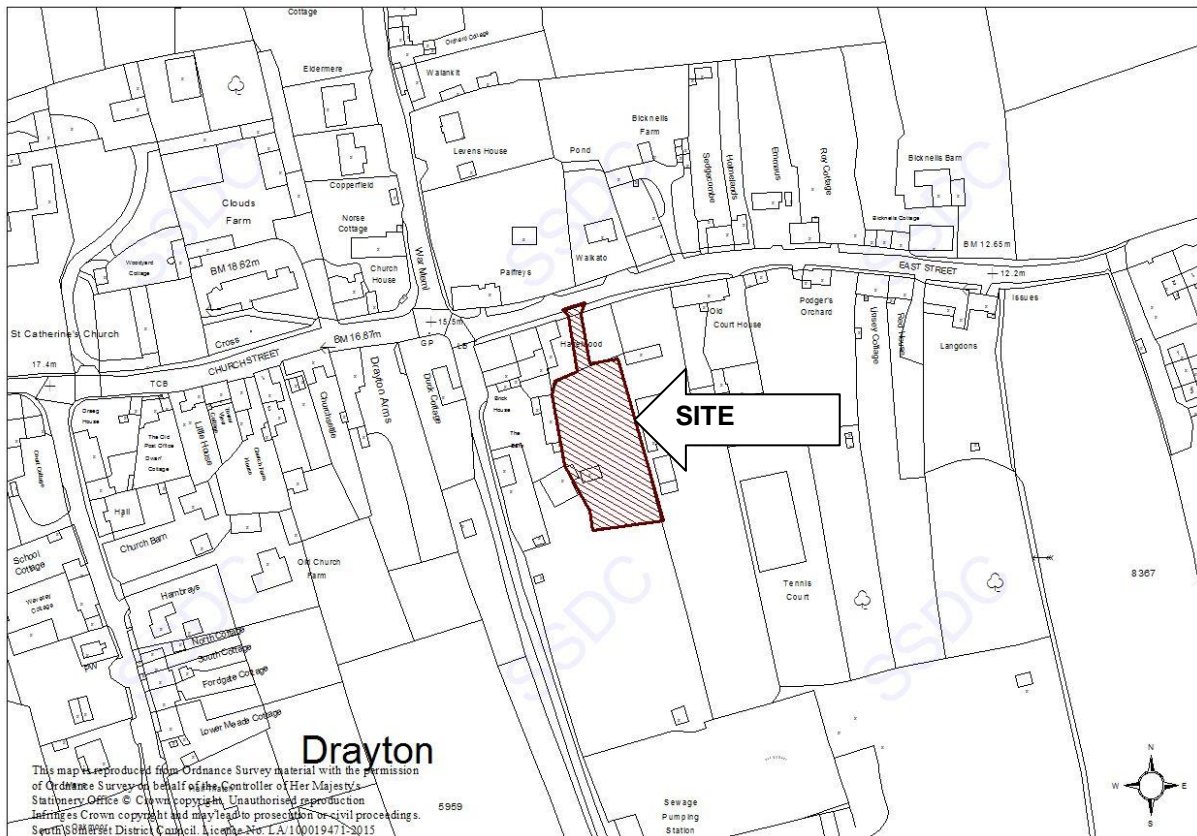
Proposal :	Erection of a 1.5 storey dwellinghouse and associated detached garage/annex on land adjacent to Brick House, works to a low level wall, and demolition of small dilapidated structure (GR:340628/124727)
Site Address:	Brick House, East Street, Drayton
Parish:	Drayton
CURRY RIVEL Ward (SSDC Member)	Cllr Tiffany Osborne
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	17th June 2015
Applicant :	Mr & Mrs J Lock
Agent: (no agent if blank)	Mr Richard Rowntree, Lake View, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Other LBC Alteration

REASON FOR REFERRAL TO COMMITTEE

The report is referred to the Committee in order to facilitate a full discussion of the policy issues relating to the proposed development.

SITE DESCRIPTION AND PROPOSAL





The site is located within the conservation area, on the south side of East Street. It forms part of the land associated with two attached listed buildings, Brick House and The Old Beams, which front onto East Street, at the intersection with a small unadopted lane giving access to farm buildings to the south of the site. At the eastern end of the two listed buildings, a further dwellinghouse is attached. This has access onto East Street, at the eastern end of this row of houses.

The land under consideration is currently an open paddock, with traditional agricultural buildings immediately to the west (part of the land associated with Brick House). To the east is a dwellinghouse (barn conversion).

Planning permission is being sought in a parallel application for the erection of a detached, 3-bed, 2-storey dwellinghouse, and a separate 2-storey outbuilding, comprising garaging for 3 cars and an upper storey residential annex.

The development requires the removal of part of a low-level stone wall, running east-west across the site, 19m back from the highway, to facilitate access through onto the site. Consent is sought for this work.

HISTORY

10/04266/LBC - Alterations and the erection of a replacement extension, formation of access and car parking/turning area - permitted with conditions

POLICY

Section 16 of the Listed Building and Conservation Areas Act places a statutory requirement on local planning authorities to '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'.

NPPF: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

Relevant Development Plan Documents:

South Somerset Local Plan (2006 - 2028)
EQ3 - Historic Environment

CONSULTATIONS

SSDC Conservation Officer: An objection is raised: *There are a number of listed buildings to the north of the site. The conservation area comprises a wide strip across the road frontage. The access to the application site crosses this, with the majority of the new dwelling and garden being to the rear an area of garden/paddock.*

This paddock area is clearly seen from the road, and is within the setting of the conservation area: The view south is a rural view of a large grassed area. It is also seen looking back at the conservation area, and the listed buildings, from the farm track which runs to the west of the site. This is a pleasant open area of rural character essential to the setting of the conservation area and gives the principle listed buildings and their historic outbuildings a spacious context.

The applicant refers to the land being brownfield as it was previously glass houses. These were built post 1930 and were there approximately 60 years. I understand that horticulture is not brownfield land. The glass houses are no longer there, and it is not relevant to argue that something that has gone needs to be taken into account at this time. We determine the application on the basis of what we have before us, not on what was gone a decade or more ago. Indeed the loss of the glasshouses may well have improved the setting of the listed buildings and the conservation area. The 1970's consent for a house was prior to the designation of the conservation area, and based on policies and practice at that time.

I can see that the agent has taken some care to pick up on local features when designing the front of the building, but it remains large and with an excess of roof lights. I also note that there is a desire to downsize from Brick House. This remains a large house with annex making a total of four bedrooms, and a ground floor area that dwarfs many family houses. It is unclear how it might be proposed to detail any subdivision of the garden area adjacent to the road.

You will be aware of an appeal which was dismissed for a similar style of development at Podgers Orchard which has some similarity.

In my view the proposals runs contrary to the historic grain of development and intrudes on the setting and views out of and into the conservation area, and on the spacious settings of the principle listed buildings and their outbuildings. The proposal is harmful and I see no justification to outweigh the strong statutory presumption against development and the great weight given to the conservation of heritage assets by the NPPF.

Parish Council: No observations.

REPRESENTATIONS

One neighbour letter has been received, expressing the view that the plans are considered to be in keeping with the village and surrounding properties.

CONSIDERATIONS

Works to listed buildings are required to respect their special architectural and historical character and appearance.

It is noted that the application makes no case for the significance or historical importance of this structure, presenting no evidence of its historical background or importance. The structure would appear to have been there for many years, as there is evidence on maps dating back to 1888 of some kind of demarcation at this point. In the absence of any research, however, the significance of the wall cannot be weighed.

A further consideration is that any works to a listed building should be justified as meeting a clear purpose. In this instance, the proposed development which would require making a gap in the stone wall is not considered to be acceptable, and is recommended for refusal in the parallel planning application. Consequently, there is not considered to be any justification for creating a breach in this wall, which would harm the character and appearance of the wall without securing any benefit.

It is also noted that no evidence has been supplied in relation to the brick structure further south on the site, which is proposed for demolition as part of the redevelopment of the site. From a site examination the structure would appear to be largely modern. It does not appear on historical maps in the Council's possession. The demolition of this structure is therefore not considered in this application for listed building consent.

Given the absence of any clear statement of the historical worth of the wall, and the lack of justification for its partial demolition, it is considered that the harm to the wall would be unacceptable, and contrary to the aims of the NPPF and the Local Plan. It is accordingly recommended for refusal.

RECOMMENDATION

Refuse consent.

FOR THE FOLLOWING REASON:

01. The proposal would result in the demolition of part of a wall listed as part of the curtilage of the principle listed building, for which no reasonable justification has been provided, and for which inadequate detail of historical significance has been provided. The proposed works would cause unacceptable harm to the character and appearance of the listed building contrary to the aims and objectives of the NPPF and Policy EQ3 of the South Somerset Local Plan 2006 - 2028.

Informatives:

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

In this case, the applicant was advised in pre-application advice that there would be an objection in principle to the erection of a dwellinghouse on this site, on the grounds of the impact on the setting. In considering the application, there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.

Agenda Item 16

Officer Report On Planning Application: 15/01486/FUL

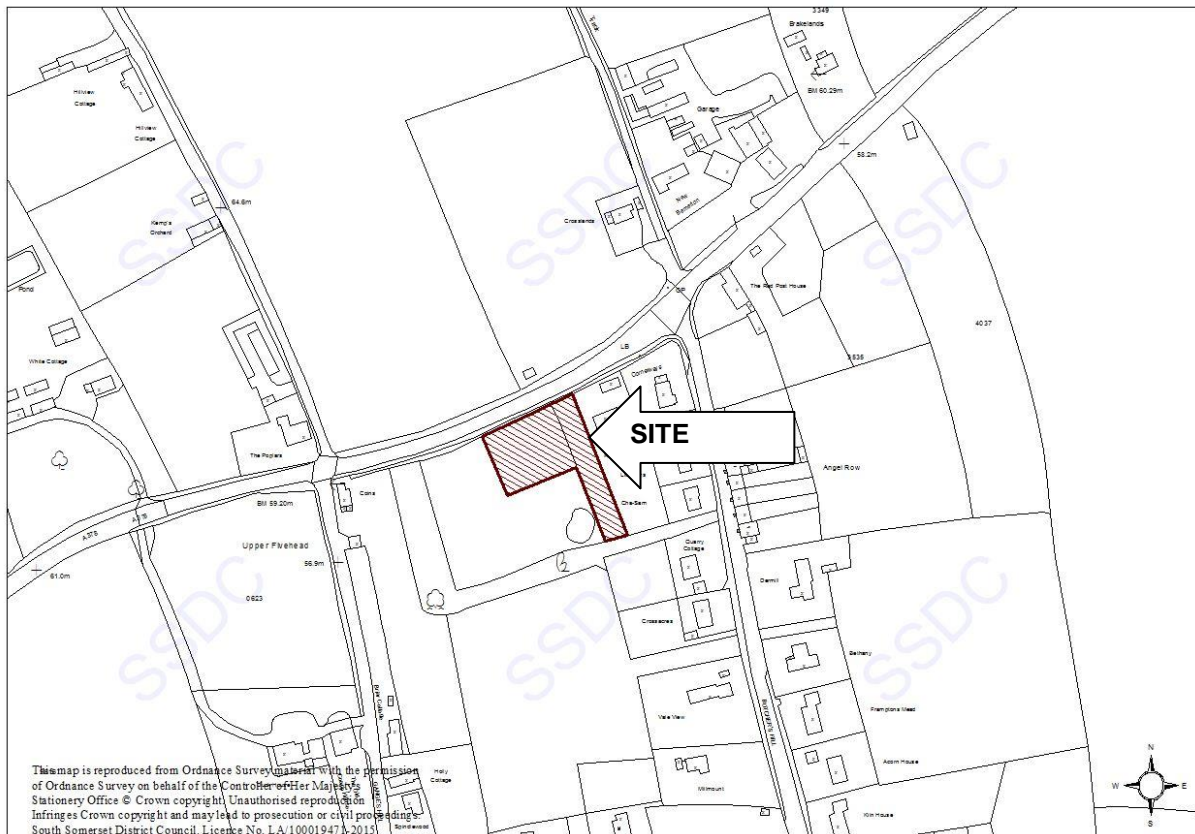
Proposal :	The erection of a four bedroom dwelling and change of use of agricultural land to residential curtilage (GR 335229/123328).
Site Address:	Windy Ridge, Butchers Hill, Fivehead.
Parish:	Fivehead
ISLEMOOR Ward (SSDC Member)	Cllr Sue Steele
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	2nd June 2015
Applicant :	Mr & Mrs Stuart Morling
Agent: (no agent if blank)	Mr John Bird, Joyden Farm, Holbear Lane, Forton Road, Chard TA20 2HS
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Chairman to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The application site comprises a mix of domestic land associated with existing property Windy Ridge and adjoining agricultural land to the south of the A378, Langport Road. There are open fields to the north, south and west, with residential development in a linear pattern, along Butchers Hill and Langport Road, to the east. The site is accessed via two vehicular accesses directly off Langport Road. There is a grade II listed building, The Red Post House, located approximately 100m to the west.

The application is for a contemporarily designed four bedroom detached dwelling, to be constructed from a mix of materials, including brick untreated larch timber cladding, standing seam metal (roof and north elevation, and green roof. It is also proposed to erect an attached double garage to the front of the property. It is proposed to make use of one of two existing accesses off the adjoining highway, with the site being separated from the existing dwelling, with an existing garage and greenhouse to be included within the curtilage of the proposed new dwelling.

HISTORY

08/01169/FUL: Demolition of existing workshop; erection of a new workshop; creation of a new access, parking and turning area; landscaping and associated works - Application withdrawn.

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of

planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 - Sustainable Development
SS1 - Settlement Strategy
SS2 - Development in Rural Settlements
TA5 - Transport Impact of New Development
TA6 - Parking Standards
EQ2 - General Development
EQ3 - Historic Environment

National Planning Policy Framework

National Planning Policy Framework (March 2012):
Core Planning Principles - Paragraph 17
Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment

National Planning Practice Guidance

Conserving and Enhancing the Historic Environment
Design
Natural Environment
Rural Housing

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2015)

CONSULTATIONS

Parish Council: The Council has no objection to the proposed sustainable development which will provide a new low-energy dwelling for family use.

The Council were impressed with the design of the new build, which whilst contemporary in appearance, will provide an interesting addition to the residential environment of the village. In practical terms the field is of little agricultural use and little/no ecological interest. The proposed approach to the landscape development around the building is sympathetic to the environment and provides sufficient area for screening or landscaping.

SCC Highway Authority: No objection. It is advised that the proposal will have limited traffic impact and that the application provides adequate information on the site access facility, visibility splays in line with requirements and appropriate and proportional car parking facilities. The Highway Authority has requested the imposition of several highway related conditions, if permission is to be approved.

SDDC Highway Consultant: Refer to SCC comments. Consider sustainability issues

(transport). The standard and details of the existing access have presumably been approved previously (for the double garage). Proposed car parking provision accords with SPS. Secure extent of visibility splays (2.4m x 120m including tangential splays) at site entrance and on-site parking and turning facilities.

Natural England: No objections.

SSDC Ecologist: Having considered the information submitted, the Council's Ecologist has no comments or recommendations to make.

SSDC Conservation Manager: There are no particular issues relating to the historic environment raised by a development proposal on this site. I would not describe the site here as a natural infill plot, it being detached from the core of the village and I note Robert's (Landscape Architect) comments. The proposal is well-designed and would be a distinctive piece of architecture and would not conflict with the mixed character of its context. I would therefore have no concern if the site was right and it conformed with policy but it appears not to be justified under SS2.

SSDC Landscape Architect: The core of Fivehead village lays to the south of this site, with the settlement having some linkage to the A378 to the north by a linear arrangement of intermittent housing along two lanes, Butchers Hill and Ganges Hill. North of Ganges Close, the two lanes are separated by two paddocks, and it is the northernmost of these two paddocks within which this application site lays. Whilst contained to the east and west sides by the development footprints that are threaded along the lanes, to north and south lays agricultural land, which ties into the wider countryside to the north. This corridor of paddocks and fields that lay between - and project north from - Butchers and Ganges Hills, is historically undeveloped, and as such contributes to the local character of the village. Consequently I do not see this as an 'infill' site, for Fivehead (as distinct from Upper Fivehead to the west) lays aside from, rather than alongside, the A378. In this respect the proposal is at variance with local character, and thus fails to preserve and enhance it as is required by LP policy EQ2.

REPRESENTATIONS

One letter of objection has been received from a local resident. The main points raised are as follows:

- The proposal will adversely affect the setting of the nearby dwelling, Red Post House.
- Planning permission will set a precedent for future residential building on this site and other agricultural land.
- The change of use from agricultural land would exacerbate runoff during periods of heavy rainfall, increasing the risk of flooding on Ganges Hill and Butchers Hill.

Two letters of support have also been received, making the following main points:

- The dwelling will benefit the village of Fivehead. It's good to see new building of this nature, which will complement the village hall, which is also an ecological build. Buildings like this are the future and should be supported, as they fit in with the countryside, are energy saving and generally sustainable.
- The owner of the nearby listed building states that the property is an interesting design and will have no impact on the listed building. It is advised that the proposal will not be seen from the listed building and will not be as intrusive as the other houses on the other side of Butchers Hill.

CONSIDERATIONS

Principle of Development

The application site lies at the edge of the northern developed limits of Fivehead, protruding into open countryside. In policy context, national guidance contained within the National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development, advising that "local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances." Paragraph 49 of the NPPF also states housing applications should be considered in the context of the presumption in favour of sustainable development, as does policy SD1 of the South Somerset Local Plan (2006-2028).

Policy SS1 (Settlement Strategy) highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local market Towns and Rural Centres. All other settlements, including Fivehead, are 'Rural Settlements', which policy SS1 states "will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in policy SS2. The previously referenced development area has now been deleted. Policy SS2 states:

"Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that 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. Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at paragraph 5.41 (i.e. local convenience shop, post office, pub, children's play area/sports pitch, village hall/community centre, health centre, faith facility, primary school)."

In considering this application against Local Plan policy SS2, it is acknowledged that there is access to several key services within the village of Fivehead, however there is still the need to meet the policy requirements in terms of providing development that *meets identified housing need*. In this case, the proposal is for a four bedroom dwelling, which the current occupiers of the existing dwelling, Windy Ridge, wish to develop and move into. It is also noted that the application has the support of the Parish Council. While this is acknowledged, the proposal still fails to be justified by an identified **local need** that would meet the requirements of Local Plan policy SS2. In addition to no appropriate justification having been put forward, there is no neighbourhood plan, housing needs survey, or any other formal document identified to support the proposal. It must therefore be concluded that the proposal fails to satisfy policy SS2 of the Local Plan as it does not provide employment opportunities, enhance community facilities and services to serve the development, or meet an identified housing need, particularly for affordable housing.

Scale and Appearance

The application site lies at the edge of the northern developed limits of Fivehead, protruding into an existing paddock/meadow land within open countryside at the village edge.

Policy EQ2 states that "development will be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district. Furthermore, development proposals will be considered against (among other things):

- Conserving and enhancing the landscape character of the area
- Reinforcing local distinctiveness and respect local context
- Local area character
- Site specific considerations

In this case, the local development pattern comprises a linear development alongside roads such as Butchers Hill and Ganges Hill, which link the A378 to the village core, with surrounding sites alongside the A378 comprising a corridor of paddocks and field that are historically undeveloped and contribute to the local character of the village. In this case, the intrusion into open countryside in this traditionally undeveloped village edge location is considered to be at variance to the prevailing development pattern, thereby not according to local character and failing to preserve or enhance it as required under Local Plan policy EQ2.

Notwithstanding these objections to the siting of the property and its consideration against local development pattern, the design and materials are considered to be acceptable. This is an interestingly designed property that comprises a mix of materials. The Council's Conservation Manager has considered the proposal in detail and considers this to be a distinct piece of architecture that would not conflict with the mixed character of the nearby development. He does however note the Landscape Architect's comments and agrees that this is not a natural infill plot due to its detachment from the village core.

Overall, while the design and appearance of the proposal is considered to be acceptable and compliment the mix of development types locally, it is felt that the site location at the village edge, intruding into open countryside, is at odds to local development pattern.

Residential Amenity

The proposal is located to the side of the existing dwelling, and is at a suitable distance and orientation to avoid any unacceptable impact on the occupiers of either dwelling by way of overlooking or overbearing impact. The property is also located at considerable distance from any other nearby properties so as to avoid any harm to residential amenity.

Highway Safety

In considering the highway safety issues, the County Council Highway Authority have considered the existing two accesses, one of which is to be retained for the use of Windy Ridge, the other for the proposed dwelling. It is noted that there is adequate visibility to meet the requirements of the site and adequate space to provide the appropriate levels of parking and turning for both dwellings. It is also noted that the two sites are to be separated by a new timber fence boundary, which will prevent a conflict of movements as both accesses will be completely separate to serve their respective sites. Neither the County Highway Authority nor the District Council's Highway Consultant have raised any objection, with both suggesting the imposition of conditions to ensure that the proposed access, parking and turning arrangements are completed and maintained as proposed. Overall, it is considered that the proposal is acceptable from a highway safety point of view.

Conclusion

Despite the general acceptability of the proposed design and no identified harm to residential amenity or highway safety, the failure to relate to general pattern of development and associated intrusion into open countryside are considered to make the scheme unacceptable, as is the failure to satisfy Local Plan policy SS2 as it does not provide employment opportunities, enhance community facilities and services to serve the development, or meet an identified housing need, particularly for affordable housing.

RECOMMENDATION

Refuse permission

FOR THE FOLLOWING REASONS:

01. The proposed development, comprising the erection of a new dwelling, is located at the edge of a "Rural Settlement", where development will be strictly controlled and limited to that which provides employment opportunities, enhances community facilities and services to serve the development, or meets an identified housing need, particularly for affordable housing. The proposal fails to satisfy any of the aforementioned criteria and as such constitutes unsustainable development that is contrary to policies SD1, SS1 and SS2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
 02. The proposed development, as a result of its siting and built footprint, which intrudes into open countryside beyond the village edge, is at variance with the local pattern of development and thereby fails to preserve or enhance local character. As such, it has an unacceptable impact on the character, appearance and the rural context of the locality. The proposal is therefore contrary to policy EQ2 of the South Somerset Local Plan (2006-28) and provisions of chapters 7, 11 and the core planning principles of the National Planning Policy Framework.
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Agenda Item 17

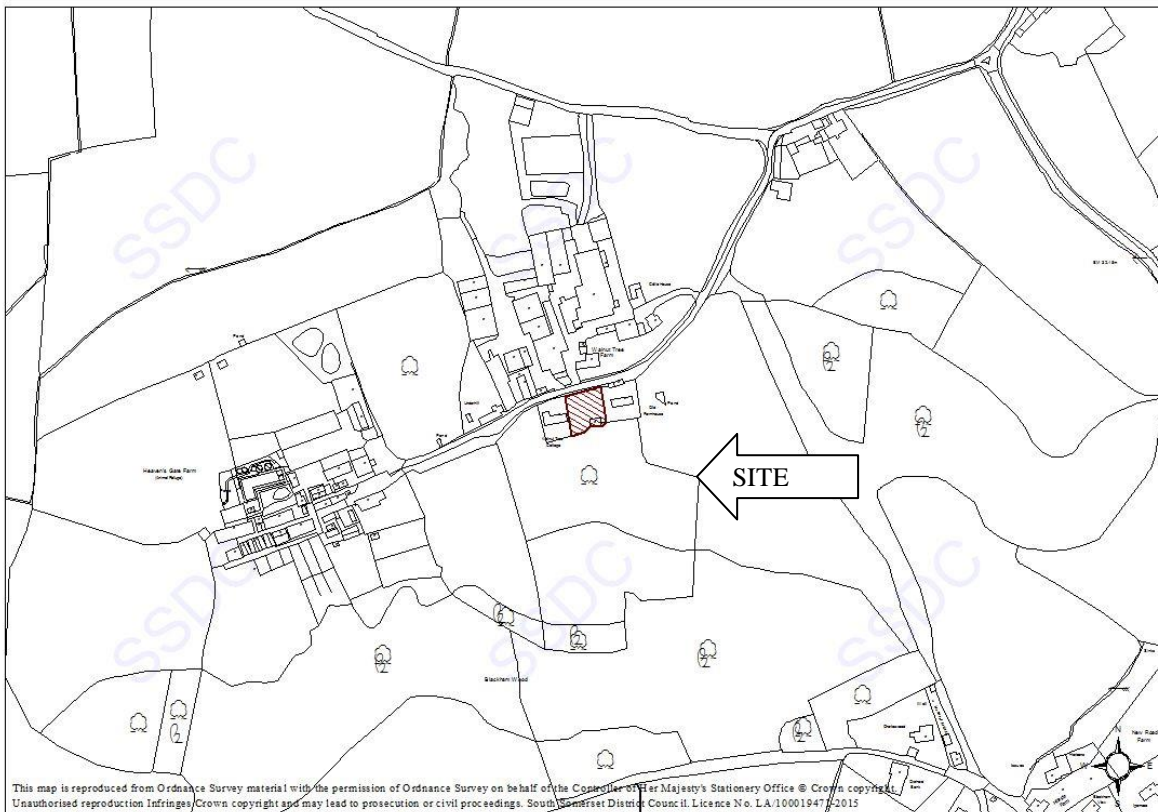
Officer Report On Planning Application: 15/01151/FUL

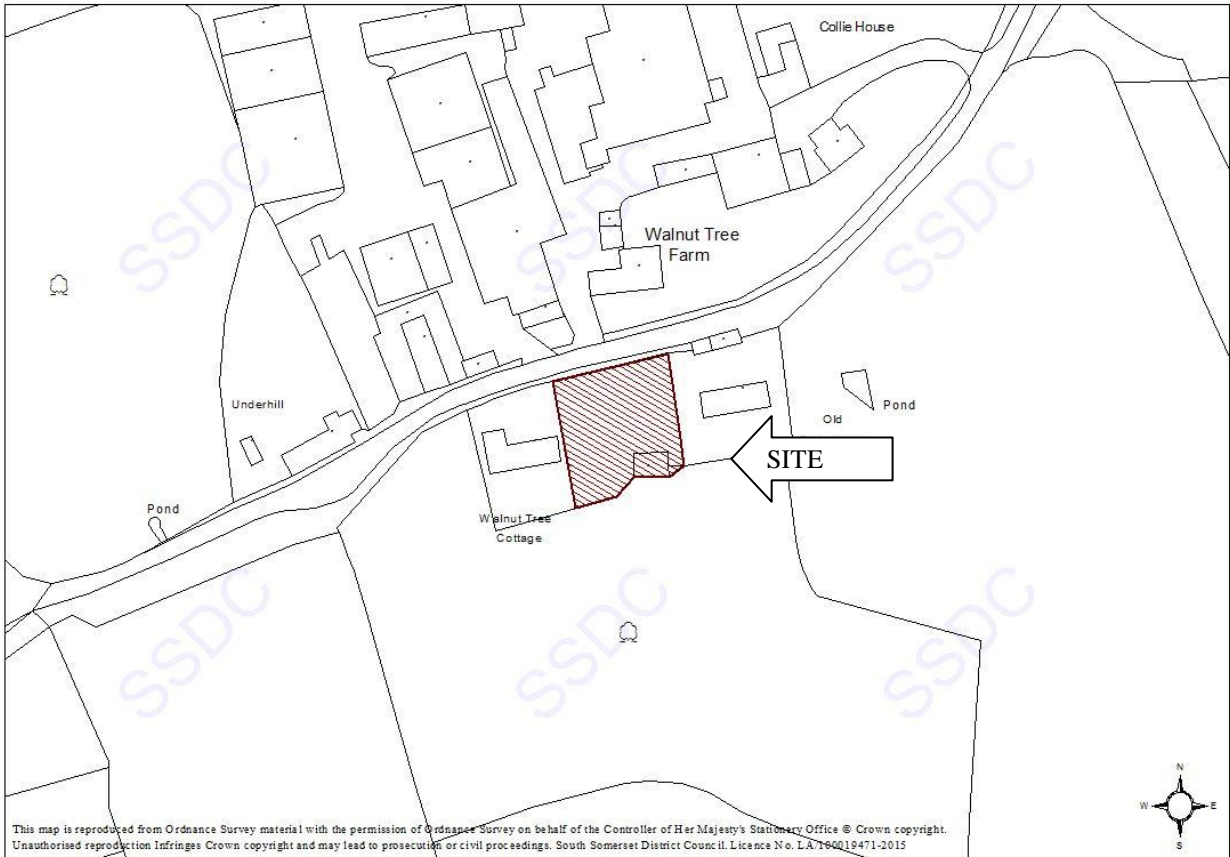
Proposal :	The erection of an agricultural workers dwelling adjacent to Hillside Farm (GR 342322/131883)
Site Address:	Land Adj Hillside Farm, West Henley Road, High Ham.
Parish:	High Ham
TURN HILL Ward (SSDC Member)	Cllr S Pledger
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	7th May 2015
Applicant :	Mr R Wilkins
Agent: (no agent if blank)	Plans Drawn Bath 7 Nightingale Way, Midsomer Norton, Somerset BA3 4NL
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERREAL TO COMMITTEE

The application has been referred to committee at the request of the Ward Member with the agreement of the Vice Chair to enable further discussion of the merits of the application.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission to erect a permanent agricultural workers dwellinghouse.

The application site is located away from the main built up core of the village of High Ham in amongst a small cluster of buildings comprising several houses, farms and an animal rescue centre. The site sits between the existing farmhouse to the west and an unrelated two-storey dwelling to the east and is opposite their farmyard, with a neighbouring farmhouse directly opposite. The site is elevated up above the lane at a similar level to the existing farmhouse with the field to the rear continuing to rise beyond.

HISTORY

31348/A: Erection of dwelling and store shed with services and formation of pedestrian access. Permitted.

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

HG9 - Housing for Agricultural and Other Occupancy Conditions

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

EQ4 - Biodiversity

National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 3 - Supporting a prosperous rural

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting Healthy Communities

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

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

CONSULTATIONS

High Ham Parish Council: No objection to the principle of the dwelling but had concerns, raised by the immediate neighbours, with regard to the orientation of the dwelling which would result in overlooking of the neighbour and issues of drainage and run-off from the site.

County Highways: Referred to their standing advice.

County Archaeology: No objections

Economic Development Officer: No objection. This application is for a modest sized farm workers property in close proximity to the main holding and dwelling. I am surprised that the Wilkins brothers have been able to conduct the business of managing this farm living so far from the holding efficiently, particularly since the loss of their father in 2007. Mrs Wilkins senior resides in the farmhouse and is the only available person at the holding out of normal working hours. The ages of the two sons suggests that Mrs Wilkins senior is of retirement age, yet she remains actively involved in managing the accounts, ordering etc. This would also suggest that Mrs Wilkins senior would struggle to deal effectively with problems with cattle when the two sons are not at the farm, particularly overnight.

The formula of standard man days suggests that there is sufficient justification for an additional dwelling. Based on the information provided and acknowledging the distances the key personnel have to travel to work, which is not conducive to good husbandry practice, I conclude that there is a demonstrated requirement for this additional dwelling.

Natural England: Raised no objection and referred to their standing advice.

Ecologist: No comments received.

Landscape Officer: No objections

REPRESENTATIONS

Written representations have been received from two neighbours expressing support for the development. Written representations have also been received from two neighbours raising the following concerns:

- The site suffers from high levels of surface water flooding on occasions, we are worried that the development may affect this and put our property at risk.
- The dwelling will look directly into our property (Walnut Tree Cottage). We only have windows to the front and we will lose our privacy to all our main living rooms.
- There is a stone built barn on the farm which could be converted.
- The shed currently on the site is partly constructed from asbestos.

CONSIDERATIONS

The site is located in the open countryside, some distance from the services and facilities to be found in nearby High Ham where new residential development would not normally be encouraged. Policy HG9 of the South Somerset Local Plan however makes provision for agricultural workers dwellings and sets out a number of requirements that such proposals must comply with:

- "There is a clearly established existing functional need;
- The enterprise is economically viable;
- Provision on-site (or in the immediate vicinity) is necessary for the operation of the business;
- No suitable accommodation exists (or could be made available) in established buildings on the site or in the immediate vicinity;
- It does not involve replacing a dwelling disposed of recently as general market housing;
- The dwelling is no larger than that required to meet the operational needs of the business;
- The siting and landscaping of the new dwelling minimises the impact upon the local landscape character and visual amenity of the countryside and ensures no adverse impact upon the integrity of nationally and internally designated sites."

The farm at present is already supported by a dwelling and for this application to be successful it must be demonstrated that there is a functional requirement for more than one full-time agricultural worker to be readily available on-site for the running of the holding.

It is understood that the applicant's family has run Hillside Farm, which is a beef enterprise with a herd comprising 200 head of cattle, including calves reared on the farm, and a landholding of 239 acres. It would appear that the applicant intends further expansion of the holding in the near future however the main reason for requiring this additional house is in response to a change in how the farm operates following the loss of Mrs Wilkin's husband and the subsequent involvement of her sons in the business. The Council's Agricultural Officer is of the opinion that the scale and nature of the activities involved in the operational running of the holding are such that it is not unreasonable that there should be more than one worker available on site day and night and the functional need for this second dwelling is not in dispute.

In addition to there being a functional need for the dwelling it must be demonstrated that the enterprise is economically viable in order to meet policy HG9. Financial accounts for the past

four financial years have been provided and unfortunately for each of these years the farm has performed at a loss. Therefore although the farm has operated for a long time and is an established business it is unclear how the business would meet the additional costs of this second dwelling. There is little information within the supporting information to indicate that this is likely to change in the near future and given these viability concerns the farm's future survival cannot be assured and as such the future need for this additional permanent farmworkers dwelling must be put in doubt. The proposal is therefore contrary to the requirements of policy HG9 and cannot be supported.

Further to the above, had the application been seeking a temporary mobile home, then these financial concerns would not be such an issue, as this could be permitted for a limited period (usually 3 years) to give the applicant the opportunity to build up the business and demonstrate its viability.

Other than the financial concern raised above, it is accepted that the proposal is compliant with the other requirements of policy HG9 in that there is no other suitable accommodation available in the area or existing buildings on the farm that could be converted to meet this need. It is noted that a neighbour has suggested that an existing barn within the farmyard could be utilised, however, this would involve sanitising part of the existing yard area for this purpose with the effect of hampering the agricultural operations of the holding.

Visual amenity / landscape character

The proposed dwelling is to be sited on a raised bank between two existing dwellings. Given this position and its relatively modest size and chalet bungalow style it should not appear unduly out of keeping with the existing surrounding development and overall the proposal is not considered to raise any substantive visual amenity concerns. Due to the sloping nature of the site the landscape officer has noted that the site levels will need to be dealt with quite carefully but has otherwise raised no objection. In response to this comment further levels details has been provided indicating how the new dwelling will sit within the site in relation to the dwellings either side and which is considered to be acceptable.

Residential amenity

Immediate neighbours to the site at Walnut Tree Farm have objected to the proposal on the basis of loss of privacy. They state that their main outlook for their main living rooms is to the front and that due to the elevated nature of the dwelling in relation to their own, as well as its position and orientation that it will look directly down and into the front of their house resulting in a significant loss of privacy.

It is accepted that the relationship between the new house and the neighbour's house will result in some loss of privacy, however, any views from the new house to the neighbour's dwelling will be approximately 25m away and will be across a public highway and is not therefore considered to represent a demonstrable loss to the neighbour's amenity.

Parking and highway safety

Access for the proposed dwelling will be via the existing access that currently serves Hillside Farmhouse with parking to the side and rear. It is accepted that the level of parking and proposed access arrangement broadly accord with the highway authority's standing advice and that the proposal therefore raises no substantive highway safety concerns.

Other matters

A neighbour has raised concerns in regard to drainage saying that there are existing surface water run-off issues in relation to the site, however, there is no evidence to demonstrate that an appropriate drainage scheme could not be implemented to ensure that run-off is not exacerbated.

Finally a neighbour has observed that the existing shed on the site is constructed from asbestos. Whilst the asbestos will need to be disposed of appropriately this does not constitute a reason to withhold planning permission.

Conclusion

Whilst it is accepted that the activities of the holding justify the presence of two full-time workers to be present for the operational running of the farm, unfortunately the proposal has failed to demonstrate the farm's financial viability and its ability to meet the costs of the new dwelling. Such financial uncertainties raise doubts as to the survival of the farm enterprise and therefore the need for the dwelling in the future which given the site's unsustainable location would amount to an unjustified dwelling in the open countryside contrary to the aims and objectives of policies SD1 and HG9 of the South Somerset Local Plan as well as the provisions of the National Planning Policy Framework.

RECOMMENDATION

Refuse consent for the following reasons:

01. The proposal has failed to demonstrate the farm's financial viability and its ability to meet the costs of the new dwelling. Such financial uncertainties raise doubts as to the survival of the farm enterprise and therefore the need for the dwelling in the future which given the site's unsustainable location would amount to an unjustified dwelling in the open countryside contrary to the aims and objectives of policies SD1 and HG9 of the South Somerset Local Plan as well as the provisions of the National Planning Policy Framework.

Informatives:

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

In this case, the applicant/agent was advised that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these problems.

Agenda Item 18

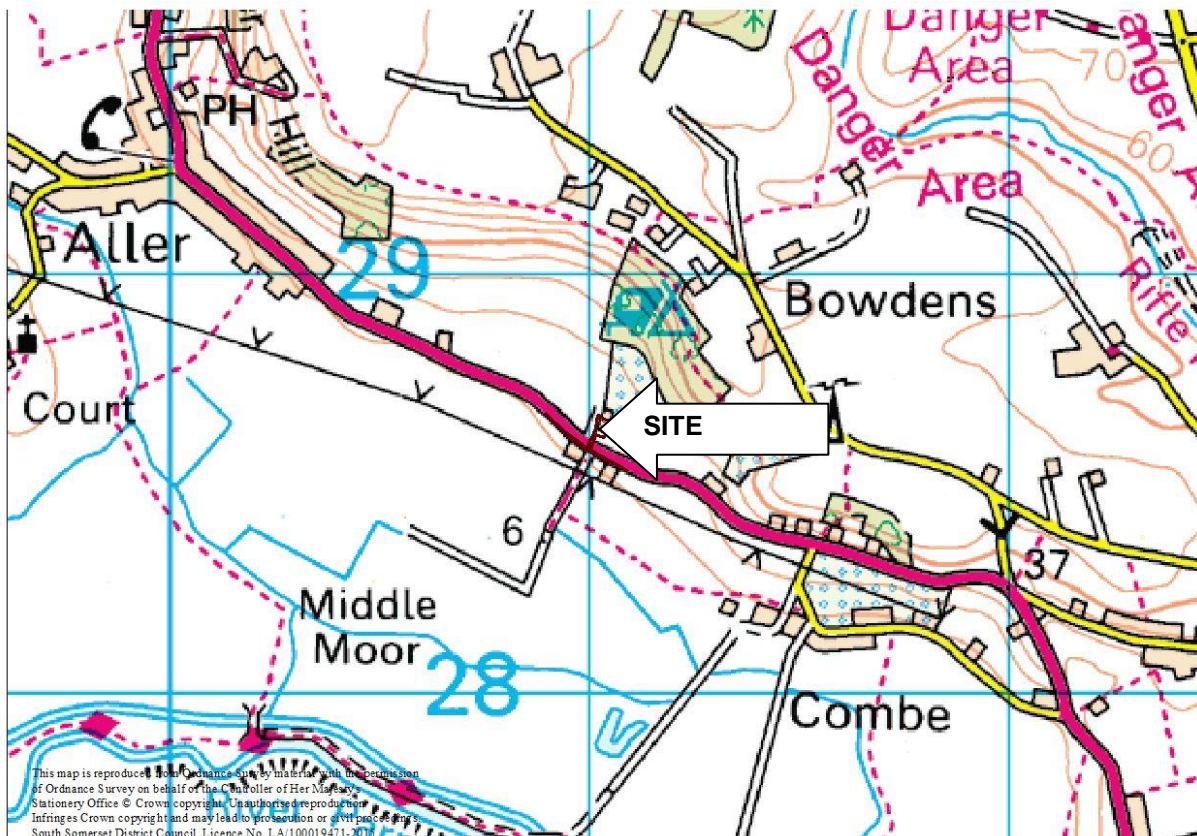
Officer Report On Planning Application: 15/00858/FUL

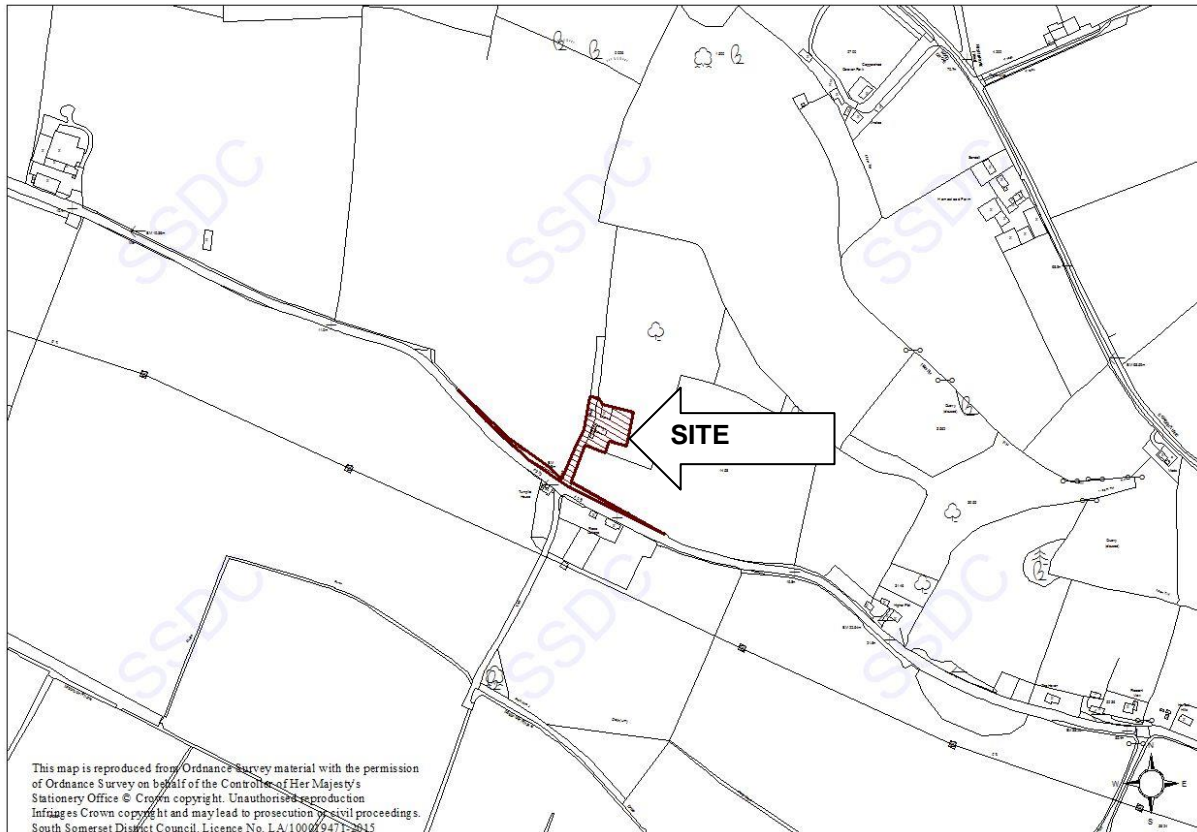
Proposal :	Demolition of buildings and the erection of 1 No. dwelling. (GR 341036/128638)
Site Address:	Land Opposite Turnpike House, Aller Road, Aller.
Parish:	Aller
TURN HILL Ward (SSDC Member)	Cllr S Pledger
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	24th April 2015
Applicant :	Mr & Mrs P Knight
Agent: (no agent if blank)	Mr Dathan Trent, Lake View, The Maltings, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee as a result of the applicant's relationship to the Ward Member, with the agreement of the Vice Chairman, and also to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The site comprises two single storey, dilapidated agricultural buildings and a metal container, located off a track a little over 50m to the north of the A372. The site is located in open countryside, approximately 800m to the east of the developed edge of Aller. There are two dwellings on the south side of the A372, opposite the site, one of which is a grade II listed building, otherwise this is an isolated location with limited development presence. The buildings adjoin an existing orchard to the north east, with open fields to the south, west and east. The site is also in close proximity to Bowden Woodland, designated as Ancient Woodland. It is also close to Aller Hill SSSI and Caravan Park Wood County Wildlife Site.

HISTORY

24906: Use of land as a site for a caravan - Approved for the period 27/8/1954 until 31/3/1957.
 24906a: Continued use of land as a site for a caravan - Approved for the period 18/8/1957 until 31/3/1960.

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts

should be refused, unless other material considerations indicate otherwise.

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS2 - Development in Rural Settlements

EQ2 - General Development

EQ4 - Biodiversity

TA5 - Transport Impact of New Development

National Planning Policy Framework

Core Planning Principles - Paragraph 17

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

Design

Natural Environment

Rural Housing

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2015)

CONSULTATIONS

Parish Council: Aller Parish Council met and discussed this application. The conversion of agricultural buildings to a residence was unanimously supported. They particularly endorsed the recommendation of bird boxes and out of season development suggestion. It was helpful to have the immediate neighbours to the site attend our meeting and hear that they to support the proposal.

SCC Highway Authority: The site lies on Aller Road, a section of the A372 that links Langport with Bridgwater. The national speed limit of 60 mph applies past the site and vehicle speeds are likely to be around this level since the road is open, wide and straight.

There is no obstacle to visibility to the west for emerging vehicles and the necessary splays can be achieved. To the east there is a fence which forms the field boundary but there are plans to alter the layout of the field gate and the fence and this will help to improve visibility. The improvement in visibility proposed outweighs the additional conflicting movements created by the single dwelling proposed compared to the agricultural movements with the existing use.

There will be sufficient parking on site and it will be possible for vehicles to enter and leave the site forward gear which is acceptable. Part of the access is currently hard surfaced over the first 6 metres and this consolidation should be extended to cover the whole of the access to prevent loose material being carried on to the highway.

As a result, the Highway Authority raises no objection to this application subject to the imposition of relevant conditions regarding the surfacing of the access, retention of parking and turning facilities and visibility.

SSDC Highway Consultant: Sustainability issue given location of site distant from Aller and

Langport - no footways, lighting, etc. If existing use of buildings generate a comparable level of traffic as the proposed residential use then proposal may be acceptable in traffic generation terms. Securing appropriate visibility splays commensurate with vehicle speeds would be required.

Natural England: No objections in respect to the nearby SSSI.

SSDC Ecologist: No comments nor recommendations to make.

SSDC Landscape Architect: The application site lays outside and to the west of Aller village, and is unrelated to the hamlets of Combe and Wearne to the east, to thus be in a countryside location. It lays within an agricultural landscape characterised by a mix of arable and pasture fields, with a backdrop of woodland over rising ground. The site singularly resides circa 60 metres back from the road network, and is accessed by an unobtrusive farm track. There is little built form in the local vicinity, other than a sporadic scattering of dwellings that are threaded along and front onto the A372 to the south. These elements represent the general rural setting within which the application site resides.

With this proposal, the proposed house and its associated curtilage would present a clear domestic incursion into the countryside. Whilst a low-level of built-form is present on this site, there is a marked difference between an agricultural form which generates occasional agricultural use, and a new dwelling in a non-residential environment, which introduces the incongruous characteristics of night-lighting; domestic vehicular activity and parking space; and the appearance of domestic paraphernalia within the red-line curtilage of the application, where again there is an erosion of the agricultural landscape due to garden use. Additionally, an individual dwelling set back from the local road network and outside a local settlement context is contrary to local character, and impacts upon the countryside, which the NPPF seeks to conserve. Consequently I consider the proposal to fail to preserve and enhance the character of the local environment as is required by LP policy EQ2.

I should add that the planting proposed by the landscape notes associated with the house plan is unacceptable. The ecology report states a need for indigenous hedging, but the proposal is for a random mix of non-indigenous shrubs which are entirely inappropriate in this rural context. Should this proposal go forward, it will be essential that the correct species are selected.

REPRESENTATIONS

Four letters of support have been received from local residents, make the following points:

- The proposal would be an improvement on the existing derelict buildings, enhancing the visual aspect.
- This is a good location for a new dwelling and would bring another family to the village, adding to the local community.

CONSIDERATIONS

The main considerations concern the principle of development, impact on the character and appearance of the area and highway safety.

Principle of Development

The application site is located in open countryside to the east of the settlement of Aller. It is approximately 800m from the developed edge of Aller, being separated by undeveloped agricultural land. The site is also located off the A372, which is a 60mph classified road with no pedestrian footpath or lighting..

In policy context, national guidance contained within the National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development, advising that "local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances." Paragraph 49 of the NPPF also states housing applications should be considered in the context of the presumption in favour of sustainable development, as does policy SD1 of the South Somerset Local Plan (2006-2028).

Policy SS1 (Settlement Strategy) highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local Market Towns and Rural Centres. All other settlements are 'Rural Settlements', which policy SS1 states "will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in policy SS2. Policy SS2 states:

"Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that 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. Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at paragraph 5.41 (i.e. local convenience shop, post office, pub, children's play area/sports pitch, village hall/community centre, health centre, faith facility, primary school)."

The applicant seeks to justify the proposal by stating that the site is well related to the nearby settlement Aller and that the proposal will help to assist in the provision of dwellings to meet the Local Plan period requirement. It is further suggested that this will be an appropriate brownfield development that will seek to enhance the site by the replacement of the existing dilapidated buildings.

In respect to satisfying Local Plan policy SS2, no appropriate justification has been put forward by the applicant for the proposed residential development. Even though it is noted that the Parish Council have not objected to the application and letters of support have been received, the proposal fails to be justified by an identified **local need** that would meet the requirements of Local Plan policy SS2. In addition to no appropriate justification having been put forward, there is no neighbourhood plan, housing needs survey, or any other formal document identified to support the proposal. It must therefore be concluded that the proposal fails to satisfy policy SS2 of the Local Plan as it does not provide employment opportunities, enhance community facilities and services to serve the development, or meet an identified housing need, particularly for affordable housing.

Notwithstanding the failure to meet an identified local need, it is also felt that the site is poorly related to the nearest rural settlement of Aller. The site is not considered to be an acceptable

location for new residential development in principle, due to its open countryside location and the level of separation from the Aller. Furthermore, there are no pedestrian links to the village with no roadside footpaths and no lighting. It is also noted that the main road is a busy classified 'A' road (A372), which reduces the likelihood of pedestrian access to local services on safety grounds.

Scale and Appearance

Policy EQ2 states that "development will be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district. Furthermore, development proposals...will be considered against (among other things):

- Conserving and enhancing the landscape character of the area
- Reinforcing local distinctiveness and respect local context
- Local area character
- Site specific considerations

In this case, the application site is located within open countryside with no clear relationship to Aller or any other nearby settlements. The site is approximately 750m from the developed edge of Aller, however it is clearly divorced from the settlement by sparsely developed open countryside.

The applicant has sought to justify the proposal on the basis of replacement of dilapidated buildings on site, however these buildings are simple low profile structures, comprising small-scale built form with limited footprint. Despite their dilapidated state, they are considered to have minimal impact, respecting the rural context of this generally undeveloped area of open countryside. There may be some benefits in removing them, however they are not considered to have an overly negative impact on the local area due to their discreet nature and limited presence in the local landscape. The replacement with a new build dwelling, even a well-designed one such as this, is not considered to outweigh the harm that will be caused by the increased built presence, associated improvements to the access at the junction of the track and the A372, and the increased domestication of the site as a result of additional night lighting, domestic vehicular activity and parking, erosion of existing open countryside for the proposed garden area, and the likely introduction of associated garden paraphernalia. As such, the proposed development is recommended for refusal.

As mentioned above, the proposed property has been well-designed so there are no fundamental issues with this side of the proposal, however the principle of development in this location is objected to on both planning policy grounds and adverse impact on local landscape character.

Further consideration has also been given to the impact on a nearby listed building, Turnpike House, to the south. Having considered the distance between the listed building and the application site and the design of the proposed building, it is not considered that the proposal will have an adverse effect on the setting of this local heritage asset.

Highway Safety

The proposed development is to be served from an existing agricultural access that leads to the existing buildings and onto land beyond, which is in separate ownership. There is current visibility to the west of the existing access of over 160m, which is in line with Highway Authority requirements and improvements are proposed to the east to provide visibility of up to 110m. While this is short of the required distance, the applicant cites the improvement to the existing

arrangements and advises that the agricultural use of the site could be used by larger slow moving vehicles.

The County Council Highway Authority have considered the application and have raised no objections. They note the reduced visibility but confirm that the improvements to the access outweighs potential additional vehicle movements. It is noted that a properly consolidated access is required, however this could be conditioned along with other matters such as the provision of the required visibility. The proposal also makes provision for parking spaces and appropriate turning facilities, which will also need to be subject to a condition to be kept free of obstruction and available for parking and turning. Overall, the proposal is not considered to have any detrimental impact on highway safety.

Residential Amenity

The proposed development is located at sufficient distance from any other nearby property to avoid any unacceptable impact on residential amenity

Other Issues

An ecological survey has been submitted in support of the application, which concludes that the building is unlikely to be suitable for roosting bats, although it is likely to support nesting birds. It is concluded that provision should be made for nesting birds, such as new bird boxes and new planting, and that vegetation removal works and demolition should not take place during the nesting season. The Council's Ecologist has considered the report and has no objections.

The site is also near to Aller Hill Site of Special Scientific Interest (SSSI), Bowden Woodland, designated as Ancient Woodland and Caravan Park Wood County Wildlife Site. It is not however considered that the proposed development would have any adverse impact on these national and locally important sites.

Overall, it is not considered that the proposal would have any adverse impact on local ecology.

Conclusion

The site is poorly related to key local services, by virtue of distance to these services, and the development fails to provide for an essential need. It is also considered that the associated intrusion into open countryside and failure to respect local character makes the scheme unacceptable. The development proposal is therefore considered to be unacceptable and fails to meet the aims of sustainable development.

RECOMMENDATION

Refuse permission

FOR THE FOLLOWING REASONS:

01. The proposal would represent new residential development in open countryside, for which an overriding essential need has not been justified. The application site is also remote from local services and therefore constitutes unsustainable development that is

contrary to policies SD1, SS1 and SS2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.

02. The proposed development by reason of its form, scale and siting within open countryside, represents an incongruous form of development that fails to preserve the distinctive character and quality of the local landscape. As such, it has an unacceptable impact on the character, appearance and the rural context of the locality. The proposal is therefore contrary to policy EQ2 of the South Somerset Local Plan (2006-28) and provisions of chapters 7, 11 and the core planning principles of the National Planning Policy Framework.
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Agenda Item 19

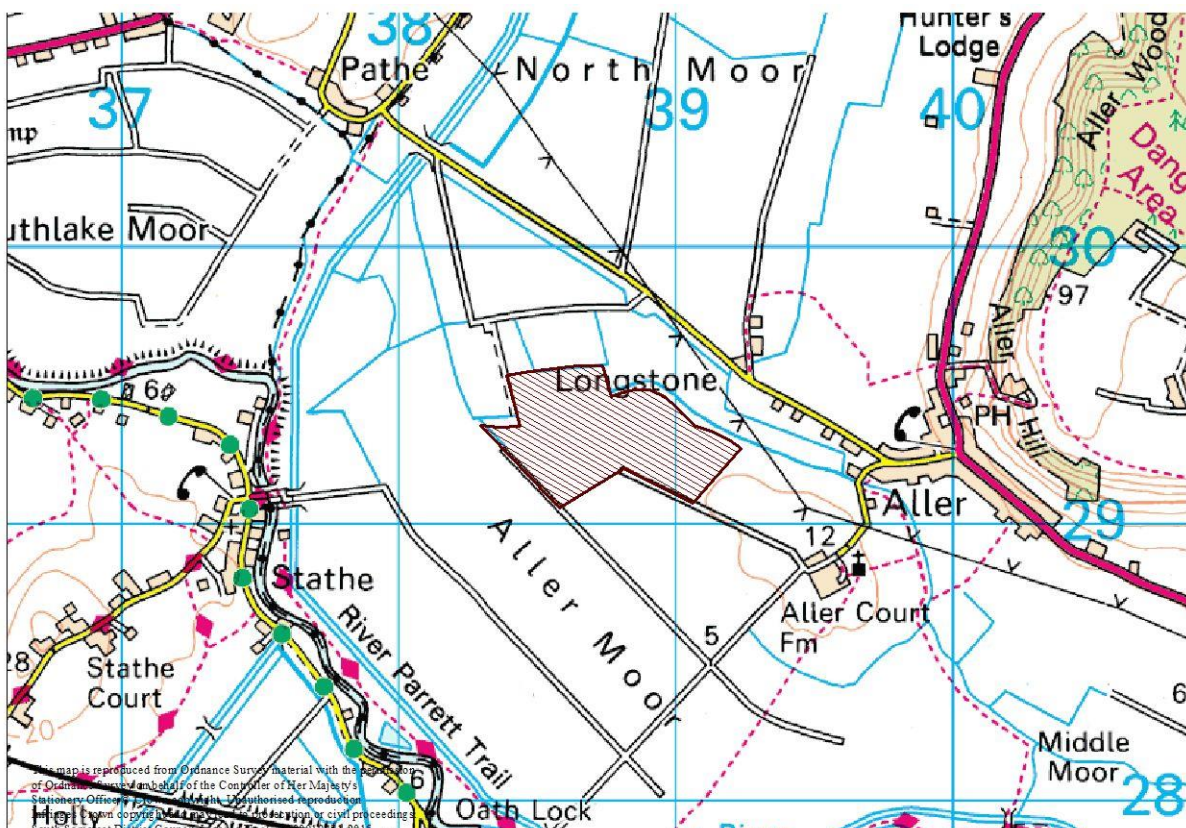
Officer Report On Planning Application: 14/04300/FUL

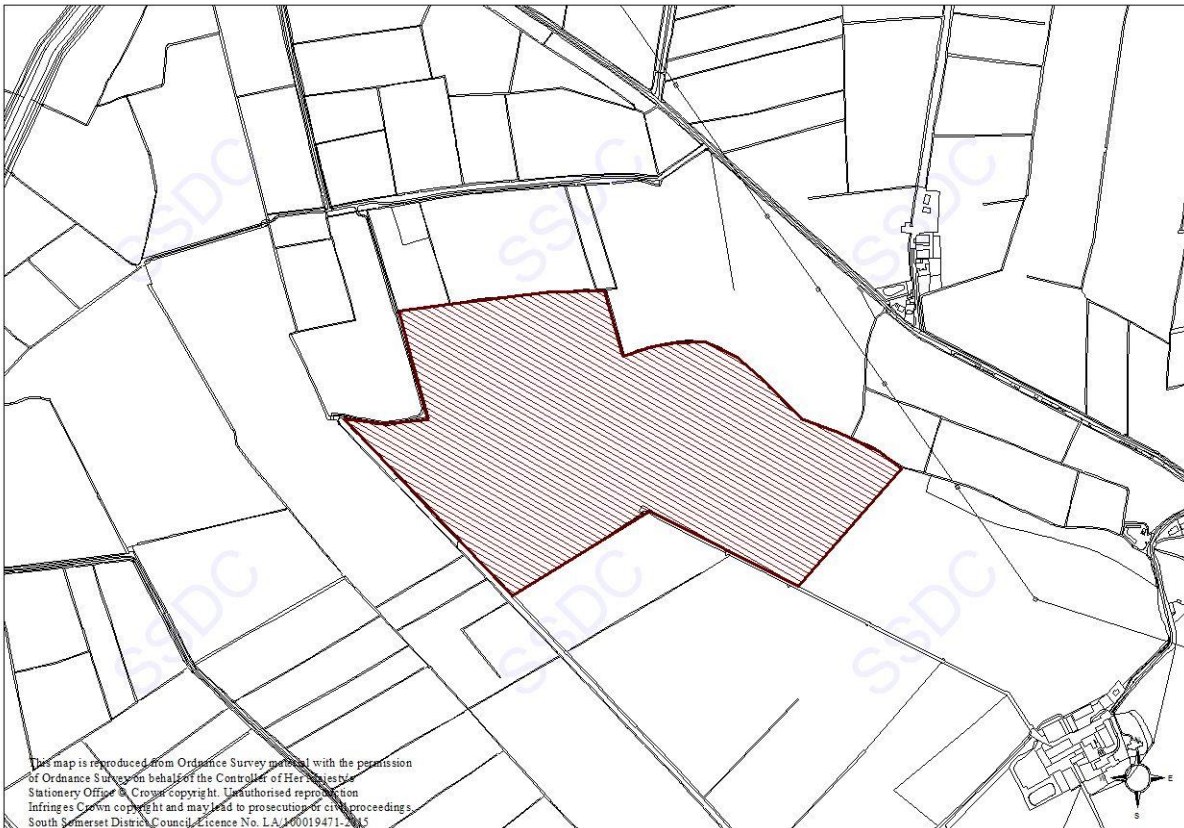
Proposal :	Proposed solar park comprising the erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks, ancillary equipment and ecological mitigation measure (GR:338682/129341)
Site Address:	Land At Aller Court Farm, Church Path, Aller.
Parish:	Aller
TURN HILL Ward (SSDC Member)	Cllr S Pledger
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	22nd December 2014
Applicant :	Aller Court Farm Solar Park Ltd And Andrew Maltby
Agent: (no agent if blank)	Mr Adrian Hunter, The Landmark Practice, Hope Chapel House, Hope Chapel Hill, Bristol BS8 4ND
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The application is a 'major major' development and recommended for approval and as such is required to be referred to committee under the scheme of delegation.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission to erect a 17 MW solar farm to generate electricity to feed into the national grid over a 25-year period, after which time the infrastructure will be removed and the land restored.

The scheme seeks to erect photovoltaic panels to be mounted on metal posts driven into the ground with an overall height of 2.4m and arranged into rows aligned in a west to east direction. The ground beneath will be left to grass over to allow the land to be grazed. Other associated infrastructure includes 8 inverter stations (approximately 3.0m high), sub-station and 6m high security cameras. The solar park will be enclosed by a 2m high weld mesh security fence.

The application site comprises 26.7 hectares of agricultural land, of which approximately 20% is grade 3a (best and most versatile agricultural land) with the remaining 80% being of lower quality grade 3b land. The site occupies a low moorland position a short distance to the west of Aller village and is accessed via Church Path an unclassified road which leads into Aller Drove and the Langport road A372. The section of Church Path that gives direct access to the site is a narrow, single track road which also gives access to Aller Church, the village recreation ground, landowner's farm and several residential properties.

There are a number of historic cropmarks which are designated as sites of archaeological interest within the site area. Other heritage assets in the area that could be impacted by the proposed development include:

- St Andrews Church, Aller, listed as Grade II*;
- Aller Court Farm, grade II listed;
- Scheduled Monument known as Duck Decoy on Middle Moor located approximately 850m to the southeast; and
- Scheduled Monument known as Burrow Mump, a motte castle, later chapel and

associated earthworks located approximately 2.5km to the northwest.

There are no public rights of way directly affected by the proposed development. The River Parrett Trail passes approximately 900m to the northwest to the southwest of the site. Other public footpaths in the area include paths to the south / east of Aller church and the footpaths leading up to and across Aller hill to the east.

The site does not sit within any areas of special nature designation but is near to the following:

- Kings Sedgemoor a designated Ramsar site and a Special Protection Area (SPA) approximately 1.2km to the north;
- Somerset Levels National Nature Reserves approximately 1.2km to the north and northwest;
- Sites of Special Scientific Interest (SSSI) at Kings Sedgemoor and Southlake Moor;
- RSPB consultation zone which curves around the site to the north, west, south and southeast; and
- County Wildlife Sites of Aller Drove Rhyndes to the northeast and Aller Moor to the west.

The northwest portion of the site is located within flood zones 2 and 3.

The application is supported by:

- Planning Supporting Statement;
- Site Selection and Justification Report;
- Agricultural Land Classification Report;
- Glint and Glare Study;
- Landscape and Visual Impact Assessment (LVIA);
- Construction Traffic Management Plan (CTMP);
- Heritage Setting Assessment;
- Flood Risk Assessment; and
- Ecological Impact Assessment

RELEVANT HISTORY

14/02923/ELS: Installation of overhead electricity line. Permitted.

13/02177/EIASS: Request for screening opinion for a 65 acre solar farm. EIA not required.

POLICY

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

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

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

SD1 - Sustainable Development

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 - Historic Environment

EQ4 – Biodiversity

EQ7 – Pollution Control

International and European Policy Context

There are a range of International and European policy drivers that are relevant to the consideration of renewable energy developments. Under the Kyoto Protocol 1997, the UK has agreed to reduce emissions of the 'basket' of six greenhouse gases by 12.5% below 1990 levels by the period 2008-12.

Under the Copenhagen Accord (2010), the UK, as part of the EU, has since agreed to make further emissions cuts of between 20% and 30% by 2020 on 1990 levels (the higher figure being subject to certain caveats). This agreement is based on achieving a reduction in global emissions to limit average increases in global temperature to no more than 2°C.

The draft European Renewable Energy Directive 2008 states that, in 2007, the European Union (EU) leaders had agreed to adopt a binding target requiring 20% of the EU's energy (electricity, heat and transport) to come from renewable energy sources by 2020. This Directive is also intended to promote the use of renewable energy across the European Union. In particular, this Directive commits the UK to a target of generating 15% of its total energy from renewable sources by 2020.

National Policy Context

At the national level, there are a range of statutory and non-statutory policy drivers and initiatives which are relevant to the consideration of this planning application. The 2008 UK Climate Change Bill increases the 60% target in greenhouse gas emissions to an 80% reduction by 2050 (based on 1990 levels). The UK Committee on Climate Change 2008, entitled 'Building a Low Carbon Economy', provides guidance in the form of recommendations in terms of meeting the 80% target set out in the Climate Change Bill, and also sets out five-year carbon budgets for the UK. The 2009 UK Renewable Energy Strategy (RES) provides a series of measures to meet the legally-binding target set in the aforementioned Renewable Energy Directive. The RES envisages that more than 30% of UK electricity should be generated from renewable sources.

The 2003 Energy White Paper provides a target of generating 40% of national electricity from renewable sources by 2050, with interim targets of 10% by 2010 and 20% by 2020. The 2007 Energy White Paper contains a range of proposals which address the climate change and energy challenge, for example by securing a mix of clean, low carbon energy sources and by streamlining the planning process for energy projects. The Planning and Energy Act 2008 is also relevant in that it enables local planning authorities (LPAs) to set requirements for energy use and energy efficiency in local plans.

UK Solar Strategy Part 2: Delivering a Brighter Future (April 2014)

Sets out advice in relation to large scale ground-mounted solar PV farms and suggests that LPAs will need to consider:-

- encouraging the effective use of land by focusing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 4 – Promoting sustainable transport

Part 7 - Requiring good design

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

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

Technical Guidance to the National Planning Policy Framework - Flood Risk

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

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

Other Relevant Guidance:

The UK Renewable Energy Strategy (July 2009)

Planning Practice Guidance for Renewable and Low Carbon Energy (DCLG, March 2013)

The NPPF outlines that local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:

- have a positive strategy to promote energy from renewable and low carbon sources;
- design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources; and
- identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for collocating potential heat customers and suppliers.

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

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

The NPPF states that planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

In determining applications, the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

It is considered that the main thrust of the NPPF is to positively support sustainable development, and there is positive encouragement for renewable energy projects. However the NPPF reiterates the importance of protecting important landscapes, especially Areas of Outstanding Natural Beauty, as well as heritage and ecology assets.

Other Material Considerations

South Somerset Sustainable Community Strategy:

Goal 1 - Safe and Inclusive

Goal 3 - Healthy Environments

Goal 4 - Quality Public Services

Goal 5 - High Performance Local Economy

Goal 7 - Distinctiveness

Goal 8 - Quality Development

Goal 10 - Energy

Goal 11 - Environment

South Somerset Carbon Reduction and Climate Change Adaption Strategy 2010- 2014

CONSULTATIONS

Aller Parish Council: *Later comments in respect of revised scheme* – The PC does not support the application.

The development would be inappropriate in its size in relation to its setting and in relation to the village of Aller, the adjacent heritage assets and the form, character and setting of the moors landscape in which it would site. The reduction in the footprint of the panels on the site would not reduce the visual impact significantly.

Concerned with aspects of the Construction Management Plan;

- the plan omits a section of Church Path;
- Church Path is a narrow single track road that passes a recreation field used by children and families and is also the route to St Andrews Church and the parish cemetery. There is no footpath alongside the recreation field and consequently pedestrians use the road. ;
- The plan takes no account of events such as weddings or funerals;
- The plan states that the 120 people working on site will combine vehicles but makes no reference to how this will be achieved;
- The periods of no deliveries are stated inconsistently in the plan but were confirmed by the developer as 07.45-09.15 and 16.45-18.15. School buses arrive between 15.30 and 15.45 when children will be walking on the route during a time when it is proposed to have heavy vehicles using the route;
- The route for construction traffic passes Huish Episcopi School rather than the HGV route from Long Sutton to Langport via Tengore Lane; and
- The plan takes no account of the closure of the A372 at Beer Wall which is expected between April and June 2015. During past closures of this road there has been a significant increase in traffic using Aller Drove which meets the planned route to the site at Church Path.

Initial comments - Whilst the principle of solar generation as appropriate and beneficial to farm businesses is accepted we are concerned about the size and location of the proposed installation. It is our view that it does not respect the form and character of its setting in the landscape and that this outweighs any benefit the development might have.

High Ham Parish Council (adjacent parish): *Latest comments* – The Parish Council stand by their original comments and feel that the revised plan is still far too large and therefore object on the grounds of visual dominance to the surrounding landscape and the mass of the

site being too great, dominating and out of keeping with the size of the settlements making the site overbearing.

Comments in respect to the initial submission - Recommends refusal for the following reasons:

- Cumulative impact – a number of solar farms are beginning to emerge in the area around High Ham, some of these have already changed the beautiful rural landscape in a very adverse fashion. We understand the need for sustainable energy generation however they need to be located in the right place and compliant with local and national guidelines. This is not such an example.
- We share the concerns raised by Aller residents, the scale of these objections should be taken seriously.

Huish Episcopi Parish Council (adjacent parish): No comments received.

Curry Rivel Parish Council (adjacent parish): No comments received.

Othery Parish Council (adjacent parish): The PC have concerns that it is being built in an area which floods, the possible use of pylons to conduct the electricity away and the reflection from the panels.

Burrowbridge Parish Council (adjoining parish): Object. The solar park will be a blot on the landscape. The visual impact from Stathe, Burrow Mump and the Parrett Trail would be immense. The area is part of the unique Somerset Levels and Moors, an unspoilt area of wetlands bordered by ancient woodlands and sites of historic interest. Many tourists visit the area to walk and it is of particular interest to birdwatchers.

Sedgemoor District Council: The site is within an area of low lying land and would be visible from a number of higher vantage points further afield within South Somerset District. It is inevitable that a commercial solar farm of this scale will have some visual impact and that it will be visible within the landscape from various vantage points and it is important to assess the proposal from further afield depending on the topography of the land.

In terms of the potential impact that the solar farm would have on the Sedgemoor District, generally views of the site are confined to the local area and are within close proximity to the site and only from a few publicly accessible viewpoints, including quiet lanes, public footpaths and the more distant views. It is likely to be visible from a small number of properties located towards the south-eastern side of Othery and careful consideration will need to be given to the landscaping to provide appropriate mitigation.

Taunton Deane Borough Council: Raise no comments as it would not have significant visual impact on this authority's area but may have significant visual impacts on some of the local residents in the area. We ask that the following aspects are considered during the determination of the application; potential visual impact to residents; scale of the proposal; potential visual impact for users of the Parrett Trail; potential archaeological and cultural remains / interest; required mitigation given the large scale; impacts on birdlife and wildlife due to proximity to Ramsar and SPA sites.

MOD: No safeguarding objections

Environmental Protection: No objection. Solar parks by their nature are not known for producing excessive noise, any noise tends to be produced by cooling fans installed to cool the inverters. The design of the site has placed the inverters within the site so as to increase

the distance from any residential property, it is extremely doubtful that noise will be an issue. What may be more problematic is the construction stage in relation to noise, dust, mud etc. I would suggest a condition to secure a construction environmental management plan to reduce the effects of any noise, vibration, dust and lighting.

County Highways: *Comments in response to local concerns in relation to HGV access along Church Path and the Beer Wall road closure* – Confirmed that he is satisfied that access along Church Path by the proposed HGV traffic is achievable and noted that its use by large farm vehicles supports this view. Accepted that there may be a small amount of overhanging the verge but that the wheels should remain within the carriageway and that it is not possible to object on these grounds.

The closure of the A372 will reduce the traffic on this section of the road however could create problems for traffic accessing the site.

HGV movements will be as per the CTMP and will approach from the A303 via the A372, as such the road closure at Beer Wall will not disrupt access to the site by construction traffic. It is not possible to restrict the activities of the developer during the road closure, it will be for contractors to make the necessary arrangements to cope with any detours caused by the closure. Aller Drove is subject to a weight restriction and so HGV traffic will not be able to utilise it for access. Delivery times are already kept away from peak times so there is no reason to believe that the deliveries will interfere with the flow of traffic on Aller Drove.

Initial comments - No objection subject to any permission including the following conditions:

- A construction traffic management plan providing details on the delivery of the PV panels and equipment to the site, specifically identifying the access routes;
- Provision of suitable visibility splays;
- Condition survey of the existing public highway;
- Provision of a parking plan for the site and site compound.

The solar farm is expected to be constructed over an 18 week period. Access to the site during construction will be gained from Church Path, via the A372 which is proposed to be the primary access route. Vehicles are expected to join the A372 from the A303. With the exception of construction traffic the site is not expected to generate daily traffic movements.

The CTMP identifies that the site will generate in the region of 13 HGV trips a week on average, over a 18 week period and between 2-3 daily trips, this level of traffic does not raise capacity concerns. Deliveries would be restricted to arrive and depart between 07:00 – 19:00 Monday to Friday and 0:700 – 13:00 on a Saturday. The CMP sets out that no deliveries will be made during network peak hours of 07:45 -09:15 and 16:45 and 18:15 to minimise impact on the highway network.

During the construction period there are expected to be in the region of 120 staff on site at any one time. Information with regard to where they will be travelling from and in how many vehicles they will arrive in, is not included within the CTMP. It is expected that the construction staff will arrive in shared vehicles and mini buses limiting the number of private vehicle trips accessing the site. Vehicle parking for site workers will be located on-site in a designated area.

Two holding areas are to be located at Laybys on the A303, to ensure deliveries do not arrive before designated delivery slots or at the same time as another delivery.

Church Path is considered to have an adequate level of forward visibility. Dedicated

banksmen are to be provided when required along narrow sections of Church Path to manage two way traffic and ensure highway safety during the construction period, this will also be conditioned as part of the CTMP. Banksmen are proposed to be positioned at the site access to ensure delivery vehicles are not entering and exiting the site at the same time.

A site visit confirmed that the visibility from is considered suitable and does not raise highway safety concerns. It is noted that traffic approaching Church Path Will need to do so from the south due to access arrangement with the A372 Junction, appropriate signing and routing information will need to be provided and conditioned as part of the CTMP. To ensure traffic travels to site in the appropriate direction.

Access to the site will be gained via the existing farm track, which is to be upgraded to provide suitable visibility and width to facilitate safe access to and from the site. Visibility splays of 2.4m x 120 meters as set out in DMRB should be provided in line with the County Highways requirement. Tracking of the largest vehicles proposed to access the site should be provided within the CTMP to ensure that such vehicles can safely access the site. The access will be required to provide sufficient width and radii to enable delivery vehicles to pass in the event of meeting and therefore reduce the likelihood of manoeuvring of the highway and to accommodate the proposed construction traffic.

SSDC Highway Consultant: I do not disagree with the conclusions reached by SCC. It would be essential for the applicant to carry out the necessary mitigation works to the highway verge (under licence or legal agreement with SCC). Also, however, in addition to implementing any measures set out in the CTMP, I would recommend that the applicant is requested to carry out a video survey of the approach road to the site from the A372 with an officer from SCC prior to the commencement of the works and then for a similar survey to be undertaken post construction. If any damage has been caused to the highway verges, roadside boundaries, raised footway, etc., that can be directly attributable to the solar farm construction traffic, then the applicant must be obligated to undertake any remedial works to the satisfaction of the highway authority. This requirement should be within the CTMP and suitably conditioned.

Environment Agency: *Later comments in reference to revisions made to section 3.3.3 of the FRA* – We welcome these revisions and have no further comments to make over and above those raised in our previous response.

Initial comments - No objection subject to the LPA confirming that the sequential test has been passed and the inclusion of the following conditions:

- No permanent raising of ground levels in the flood zones and details of a compensation scheme for any new buildings in the flood zones; and
- No development within 8 metres of the top of bank of any river or ditch.

Whilst we accept the principle that volumes of surface water will not be significantly increased by the development, there is the potential for drainage patterns and concentrations to be adversely impacted. We support the suggestion of the Internal Drainage Board to include some scrape and swales across the site to assist with any localised change in surface water run-off.

Somerset Drainage Board: No objection, however, there are some concerns relating to access and maintenance of the various watercourses abutting the site which need to be addressed. One of these watercourses is Oxleaze Drove Rhyne which is a designated main river and comes under the jurisdiction of the EA who should therefore be consulted. The Board acknowledges that the development does not present a significant flood risk but

requests that a condition be imposed to secure detailed surface water drainage and watercourse proposals.

Lead Local Flood Authority (SCC): Supports EA and Internal Drainage Board comments.

SSDC Engineers: In my opinion this site is not suited to the installation of a solar farm.

Much of the site is at risk of flooding (fluvial and tidal) – this is identified on the EA's flood risk mapping and is supported by historical evidence, the most recent being winter 2013/14. This is also confirmed in the submitted flood risk assessment and other information where site ground levels are shown to range from about 5.00m above sea level to about 6.50. The FRA indicates flood levels in the 100year fluvial event as being 7.58m i.e. depth of flooding ranging up to about 2.5m (a figure of 2.3m is quoted on page 14 of the FRA).

With top height of the solar panels being 2.4m above ground level it is therefore obvious that at times many of these will be totally submerged along with the 'inverter stations' and other systems. I would suggest therefore at this time the panels will cease to function and I don't know what other damage may occur to the electrical systems both locally and further afield. After flood waters have receded (potentially several weeks) the panels will be coated in a layer of silt so will presumably remain inoperative until this is dealt with.

I accept to a degree that the presence of the solar panels will probably not increase risk of flooding elsewhere by a significant amount other than by the physical volume of water that will be displaced by the volume of the panels themselves.

One other aspect of this proposal may be restrictions in access to the nearby watercourses for maintenance purposes. I'm not sure that this aspect has been taken into account. The site is within the Drainage Board's area so they will obviously need to be consulted along with the Environment Agency of course and I would be interested to hear their views.

Climate Change Officer: No objections. The UK has a target to meet 20% of energy needs from renewables by 2020, currently the capacity of installed and permitted renewable electricity installations in the district generates only 10.6% of the district's annual electricity needs. The proposed array will make a significant impact on reducing carbon dioxide emissions.

The site is very suitable due to its close proximity to Langport so grid losses will be minimised. The development will generate electricity equivalent to that used by 3500 households over a year, this roughly equates to the 3487 households that make up the surrounding parishes of Langport, Huish Episcopi, Aller, High Ham, Curry Rivel, Long Sutton and Muchelney. I note the site flooded in 2013/14 and perhaps calls into question the sites value as agricultural land whereas its use for electricity generation can be accommodated within the flood plain.

Archaeology: Recommends that the developer be required to archaeologically excavate the archaeological heritage asset that is known to be on site and to report on any discoveries made, this should be secured by the use of model condition 55 which requires the developer to carry out a programme of archaeological works prior to the development commencing.

Historic England: No objections. The application site lies in close proximity to a number of sensitive, highly graded heritage assets, these comprise:

- St Andrews Church, Aller, listed as Grade II*;
- Scheduled Monument (SM) known as Duck Decoy on Middle Moor; and

- Scheduled Monument (SM) known as Burrow Mump, a motte castle, later chapel and associated earthworks.

The application may result in changes to the settings of these assets. We have engaged with the applicants and offered advice on this assessment and mitigation of potential impacts to the historic environment. Our advice in this matter has been followed positively. We have closely examined the submitted documentation and undertaken an extensive site visit and note that the Heritage Setting Assessment accords with our guidance of 2011 (The Setting of Heritage Assets) and that offered in paragraphs 13 and 17 of the DCLG Planning Practice Guide 'Conserving and enhancing the historic environment'.

In our view the proposal will not result in impacts to the setting (and thereby the significance of) the grade II* listed church of St Andrews or the Duck Decoy (SM).

It is our opinion that the proposals would result in an impact to the setting of Burrow Mump, however, the impact is not of a scale or intensity that we would wish to raise an objection to on this occasion. In this context we note the small proportion of the field of view from Burrow Mump impacted by the proposal, the distance between the SM and the site (circa 3km) and the relatively small scale of the site when viewed from the SM.

Conservation: I have been kept informed of the views of the Council's Landscape Architect, and those of Historic England (previously English Heritage). I have no reasons to disagree with their views.

National Trust (NT): We have concerns about the proposed solar farm which would be a significant greenfield development in a sensitive landscape.

The NT owns Burrow Mump, a scheduled ancient monument (SAM) with a grade II listed ruined church on top, the Trust also owns parts of Turn Hill and Red Hill to the north and south of the application site. The proposal is around 2.7km from Burrow Mump, which is around 24m high above the Levels, from where the land then rises slightly towards the application site. The solar farm could potentially be more visible in the landscape than indicated on the applicant's photograph VP11, which shows the solar farm after the planting has taken effect to screen it (which would take some 5-7 years to establish). The angular nature and commercial scale of the solar arrays may be more apparent to visitors walking up Burrow Mump than is currently envisaged and as that the Council carefully considers its impact on the views and setting of this heritage asset. It is not clear whether the liability of the site to flooding would affect the establishment of the planting.

From Turn Hill the mapping suggests the solar would not be visible. From Red Hill there would be glimpsed views in between the trees (or more extensive views in winter). It would be even more apparent looking down from Aller Hill (not NT land).

We also ask that the Council consider the loss of grade 3a agricultural land.

Campaign for the Protection of Rural England (CPRE): Question the agricultural land classification. There is an indication from Natural England that about 40% of the Aller site is grade 2 with the rest being grade 3 (whether 3a or 3b is not clear) which contradicts that stated in the applicant's agricultural land assessment which concludes that 20% is grade 3a with the remainder being of grade 3b. There is information of an anecdotal nature that local people regard the site as being on the best arable land in the neighbourhood.

No consideration has been given to other solar farms that lie outside the study area (i.e. within 2.5km radius of the grid connection). There is an application for a solar park in

Taunton Deane at Stathe and permission has been granted for a solar installation at Helland, North Curry.

RSPB: The proposed solar park lies close to the Somerset Levels & Moors SPA and Ramsar site, a wetland of international importance during winter. Although there is some data on use of the proposed site by SPA waterbirds there is no evidence that flyover activity has been monitored. We know that SPA waterbird movement across the levels is substantial in winter when birds range widely between their favoured roost sites and suitable feeding areas. For this reason we would seek a condition of any planning consent requiring a post-construction monitoring and mitigation plan (MMP) to be agreed by the LPA on the advice of ourselves. This should run for at least three years to allow any potential risks to the SPA waterbird assemblage to be assessed.

Since 2009 the landowner and the RSPB have worked together to provide feeding areas for a reintroduced population of European Cranes on Aller Moor. This has been a very positive relationship and we are satisfied that the proposal is unlikely to significantly impact cranes although we do seek reassurance that any overhead cabling is made sufficiently visible to cranes and waterbirds and advise the cabling is encased in an aluminium sheath as employed elsewhere on Aller Moor, or the use of bird deflectors. Any cabling must not be obscured by planting but should be clearly visible to flying birds. These measures should be secured through a condition.

Natural England: The site is in close proximity to the Somerset Levels and Moors Special Protection Area (SPA) which is a European site and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010. The site is also listed as Somerset Levels and Moors Ramsar site and notified at a national level as West Sedgemoor Site of Special Scientific Interest (SSSI), Southlake SSSI and Kings Sedgemoor SSSI.

In considering the European site interest, NE advises that the LPA have regard to any potential impact that a plan or project may have. The conservation objectives for each European site explain how the site should be restored and / or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

The LPA must demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered. Should the LPA be minded to approve the application we support the advice offered by the RSPB regarding the use of a planning condition to enforce the implementation of a post-construction monitoring and mitigation plan.

When recording your Habitats Regulation Assessment (HRA) we recommend you refer to the information in the Ecological Impact Assessment (September 2014) to justify your conclusions regarding the likelihood of significant effects and comments received from the RSPB.

Proposed mitigation – The ecological report acknowledges that mitigation through tree planting may be a problem for ground-nesting birds but does not appear to address this issue. Also, in an open landscape such as this tree-planting will not always be an appropriate form of landscape mitigation. It is important that mitigation (and enhancement) measures are based on a full consideration of wildlife and landscape interests.

Landscape – The proposal is in an area of distinctive local landscape. The LPA is reminded that all proposal should complement and where possible enhance local distinctiveness and be guided by your Authority's landscape character assessment where available, and the policies protecting landscape character in your local plan or development framework.

Protected species – please apply our standing advice to this application.

Biodiversity enhancements – There may be opportunities to incorporate features into the design which are beneficial to wildlife. The authority should consider securing measures to enhance the biodiversity of the site, in accordance with paragraph 118 of the NPPF.

Other advice – The LPA should consider impacts on local sites (biodiversity and geodiversity), local landscape character and local or national biodiversity priority habitats and species.

Ecology: No objection subject to any approval including the following conditions:

- Submission of post-construction monitoring and mitigation plan for impacts to birds;
- Submission of details to be applied to overhead line to minimise risk of harm of collision by birds;
- Construction Environmental Management Plan to include wildlife protection measures; and
- Submission and implementation of measures for the enhancement of biodiversity.

In accordance with the requirements of the Habitats Regulations 2010 I have carried out a 'Test of Likely Significant Effects', which concludes that there are unlikely to be significant detrimental effects upon the quality features of the Somerset Levels and Moors Special Protection Area.

The application site is close to (680 metres south east of), and lies between, several distinct Sites of Special Scientific Interest (SSSI's) that are part of the European designation of 'Special Protection Area' (SPA) and the international designation of 'RAMSAR' site due to being a wetland of international importance. These designations (SPA and RAMSAR cover an identical area) apply to a number of sites across the larger Somerset Levels and Moors landscape area.

The main qualifying interest features of the SPA and RAMSAR are large numbers of overwintering waterfowl (various species of duck, swan and wading birds) and a rich and diverse assemblage of aquatic insects and other invertebrates, including rare species, associated with the network of rhynes (drainage ditches). Cranes have been reintroduced into the area recently through the Great Crane Project.

The application site itself is not subject to any statutory designations (such as those above) nor any non-statutory designations (County/Local Wildlife Sites). Aller Moor Local Wildlife Site lies adjacent to the application site, and similar to the statutory designations, is designated for its wintering bird interest and network of species-rich rhynes.

Although the application site isn't subject to any designations, it is at the edge of the Somerset Levels and Moors, and hence could potentially be used by, or the solar panels could potentially have an effect upon, species associated with the designated sites. The Ecological Impact Assessment includes specific surveys to inform an assessment of these potential effects.

I agree with the consultant's assessment that the site is of no more than 'Local' value for birds and conclude that the change of habitat from arable to solar park is unlikely to represent a significant loss of habitat for wintering birds. I am not aware of any significant evidence of harm to birds from large scale solar parks however I note and agree with the RSPB's comments with regard to the possible lack of monitoring with regard to the possible

collision risk in respect of the proposal. Hence a condition to secure a post-construction monitoring and mitigation plan in respect of the impact to birds.

I agree that the proposed tree planting could provide increased perching opportunities for predatory birds which could in turn have a negative impact upon ground nesting species, I consider the low numbers of ground nesting birds and relatively small increase in trees makes it unlikely that the magnitude of this effect would be particularly significant.

There is no evidence to suggest that the solar panels will have a detrimental impact through the process of polarotaxis upon aquatic insects of conservation importance that are present in the surrounding ditches.

I disagree with the Somerset Wildlife Trust recommendation for refusal based on badger activity on the site. Badgers will still be permitted access to the site through gaps in the boundary fence. The change from arable to grassland is likely to improve worm numbers and foraging for badgers. The proposal includes an appropriate buffer zone around the badger setts.

I agree that the proposal is unlikely to give rise to any significant detrimental effects to legally protected species (bats, dormice, brown hare, reptiles, otters, water voles).

Somerset Wildlife Trust: Object. The location is very close to a number of significant wildlife and other environmental sites. The presence of badgers on the site is also very significant and there is extensive badger and activity within the site. The report highlights the presence of a range of important bird species which use the site including skylarks, lapwings and great cranes. The ecological report indicates that various features on the site are of local and / or regional significance. The Wildlife Trust is not opposed in principle to solar farms, particularly where they are constructed on intensively farmed agricultural land where there is little wildlife, however, we feel that this site is not an appropriate location for this development.

Landscape Officer: *Latest comments responding to revised details:*

“A revised layout is now before us. From the plans I note;

- (a) A reduction in the site area of the array;
- (b) Greater separation of the array from the west edge of Aller;
- (c) The mass of the array is now broken by a central hedgerow and associated open space, to lessen the visual mass, and better tie the site into the wider landscape pattern;
- (d) Additional copse planting is intended to intervene in lower trajectory views from Aller, and;
- (e) Panels have been removed from the most elevated part of the site.

I have previously noted both positive and negative elements of the proposal, and that the landscape view is finely balanced. As stated before, whilst the scale of the proposal is not at variance with the moor's breadth, it is the character impact of a PV installation upon an open; undeveloped tract of low-laying land, where farm- and water- management over the years has created a landscape that is distinctive, which will be both incongruous and adverse, and thus provides grounds for objection, LP policy ST5 para 4. However, Government guidance concerns itself primarily with visibility, and in this respect, the site does not have a high visual profile, other than in relation to specific properties in Aller, and a short length of the hilltop footpath. The changes to the layout now indicated by the revised plan, further reduce the visual impact both before planting mitigation, moreso after 5 years growth.

Clearly, an array in this location will bring about change, and landscape and visual impact will occur. To that end, local plan policies supporting the conservation and enhancement of landscape character in the face of landscape impact could be called upon to refuse this proposal. However, I am also mindful that despite some dilution of its views on PV, government guidance remains heavily weighted in favour of renewables, with heritage and visibility the prime concerns. Given the positive amendments of the scheme now before us, and its reduced visual profile, then from a landscape standpoint, I am not persuaded that the overall landscape impacts are so significantly adverse, as to provide an over-riding landscape case for refusal.”

Full initial comments to be found in Annex A at the end of this report. The following is a summarised version of the Landscape Officer’s comments in response to the initial submission:

Recent appeal decisions relating to PV arrays within the district have placed the emphasis upon containment of the visual profile of the solar sites when positively determining the appeals. Consequently I consider that the prime landscape concerns will be;

1. impact upon landscape character, particularly relative to the scale and pattern of the local landscape;
2. potential visibility especially as viewed from sensitive receptors;
3. potential cumulative impacts to arise; and
4. achieving a site layout and design that is landscape sympathetic.

Looking at the application overall, it is clear that there are both positive and negative elements to the proposal. Whilst the scale of the proposal is not at variance with the Moor’s breadth, it is the character impact of a PV installation upon an open undeveloped tract of low-lying land, where the drainage and farm management has created a landscape that is nationally renowned, which will be both incongruous and adverse. However, Government guidance has concerned itself primarily with visibility and in this respect the site does not have a high profile other than in relation to dwellings on raised ground at Aller’s north edge on the sides of Aller Hill and along Aller Drove where a substantive visual impact will occur.

National planning guidance remains weighted in favour of renewables, and LPAs have been urged to approve renewable energy schemes providing impacts can be made acceptable. This proposal clearly will have adverse landscape-character and local visual impact, but this is finely-balanced in relation to the national planning weight favouring renewables. However, there have recently been government changes to solar strategy, where;

- (a) a ministerial letter from the DECC to LPAs in relation to the UK Solar Strategy (Nov 2013) emphasised that “Support for solar PV should ensure proposals are appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity, and provide opportunities for local communities to influence decisions that affect them”;
- (b) The updated Renewable & low carbon energy PPG of March 2014 emphasised that in relation to ‘solar farms’, visual impact is a particular factor for consideration. It changed para 13 of the PPG, to encourage large-scale solar farms on ‘non-agricultural land’ as well as previously developed land, and;
- (c) A DECC letter to LPAs April 2014 relating to the UK Solar PV Strategy Part 2 stated the main message to be a focus of growth of solar PV in the UK on domestic and commercial roof space and on previously-used land. Whilst it states there remains a place for larger-scale field-based solar, such new solar installations are to be sensitively placed.

With this shift of emphasis, I believe that the local landscape impacts can now be given sufficient weight to tell against this application. From a landscape standpoint, the proposal clearly does not respect the 'form, character and setting' of the moors landscape, contrary to the requirements of LP policy ST5 para 4, neither in its current form does it satisfy LP policy EC3. There may be scope for a reduction in the scale of the array, to draw it further from Aller's edge, but this would need to be a substantial reduction, and with further and substantive planting mitigation.

Western Power Distribution: Confirmed that there are currently widespread grid capacity concerns. In respect of large scale renewable schemes where grid connection has not yet been secured by the developer then there is a 3-6 year waiting list before a connection offer is likely to be agreed. As far as the Aller Court Farm site is concerned a grid connection has already been secured and will remain available to the developer to take up whilst they are actively pursuing planning consent for the site. If the developer gives up their interest in pursuing planning consent on this site or wish to pursue another site then their grid connection offer will no longer be valid.

REPRESENTATIONS

Approximately 240 written representations have been received from members of the public raising a variety of objections and concerns including:

Principle

- Contrary to paragraph 98 of the NPPF.
- The need for renewables does not automatically override environmental protections;
- the scheme does not accord with SSDC's own guidelines for large scale solar arrays;
- Harm to local tourism.
- The place for solar panels is on roofs not on sites like Aller Moor.
- Loss of the best and most versatile land to agriculture.
- The land has previously been extensively drained and benefits from a pumping system makes the land more fertile and capable of producing high quality arable crops. To reverse this situation with a solar installation is controversial and would make the farm unviable in the future.
- The NFU's letter appears to offer an opposite view to the NFU's recent statement that the most productive land should be used to produce food.
- This is an inefficient use of agricultural land over a long period of time.
- There is no compelling evidence to support this project.
- This is a massive project that only brings negative benefits to the local community.
- If approved this will set a precedent for other similar developments in the area.
- Solar panels are not so green and have a carbon footprint 4.5 times greater than that of nuclear power and 11 times that of wind.

Visual amenity

- Harm to landscape character of this special and unique area.
- Cumulative impact. There are already a number of solar farms in the locality – one at Nythe near Pedwell, permission has been granted for one at Tengore Lane, Somerton, another at Somerton Door and one at Stathe. There may be more in the pipeline.
- The reduction in site area makes no credible difference to the visual impact of the proposal. The number of overall panels has not changed and are presumably more condensed as a result.

- This will be a visual blight on the landscape.
- The size and scale will be totally disproportionate to the size of Aller. It will overshadow the village and dominate the landscape.
- This amounts to the industrialisation of the countryside.
- The site will be visible from many important public viewpoints – Burrown Mump, Red Hill, Turn Hill, the public right of way on Aller Hill, Aller Woods, Beer Woods (SSSI), Burton Pinsent Monument, Aller Drove, Little Hook Drove and Aller Drove bridge.
- Revisions to section 3.3.3 of the FRA show that some of the equipment including some inverters situated within flood zones 2 and 3 will have to be set at an elevation of 2.7m above ground level. This will have significant landscape impacts and affect any landscape mitigation required.
- There are numerous alternative sites that could be used that would have less impact on the environment.
- The site is on raised ground and is impossible to screen, it will be visible from many local areas of high ground. The planting in winter will particularly have little effect.
- The planting of more trees is not in keeping with the open landscape of the Levels and Moors and will not provide screening for many years.
- The solar farm could not possibly be construed as an unusual crop or water.
- The proposed diagonal line of trees across the solar farm will be totally incongruous with the medieval grid pattern of the levels.

Residential amenity

- Noise and disturbance during construction.
- Noise resulting from the humming of the electrical equipment as well as wind noise in the structures.
- Fumes from the construction traffic.
- Harm to views from our property.
- Construction hours are far too long and will cause huge disruption and disturbance to local residents.

Glint and glare

- the glint and glare report does not include the majority of properties in Stathe. They have only used the lowest lying properties along Stathe Road, therefore the height measurements used are not representative. The development will not be screened to us by planting;
- the report states that properties on Aller Hill are unaffected because they are screened by trees, this is not the case;

Heritage assets:

- Could cause significant harm to the setting of the various heritage assets in the area in particular Burrow Mump, St Andrews Church at Aller and the historic farm buildings next door.
- St Andrews Church has historical importance in the development of the English Nation.
- Spoil the tranquillity of the church and cemetery.

Access and highway safety

- Access roads to and from the site are not suitable.
- Concerned that the swept path analysis for the Weir Bridge section of Church Path is inaccurate and that some of the larger delivery lorries will not be able to negotiate this section successfully and the safety implications this has for anyone walking to the church or playing field.

- The CMPT fails to provide a realistic plan to ensure safe vehicular and pedestrian access along church Path where there are no passing places or paved footway.
- The footpath over Weir Bridge is raised up above road level adding to the difficulties.
- I have seen the milk lorries struggle with the Weir Bridge bend.
- The suitability of Weir Bridge to carry large HGV's should also be investigated.
- Access from the A372 along Church Path could be more difficult than suggested due to parked cars along the sides of the road.
- Absence of parked vehicles from the CTMP.
- Site delivery times ...
- Delivery times will conflict with school children walking to the bus at 08.30.
- Insufficient / conflicting information relating to site delivery times and numbers of movements for staff vehicles.
- Potential conflict in construction traffic movements resulting from the temporary road closure at Beer Wall.
- Potential property and road damage resulting from the number of heavy vehicles passing along Church Path.
- Beggars belief that the highway authority is happy to support a route for construction traffic that goes pass Huish Episcopi Academy.
- Who will put right any damage to the roads as a result of the development?

Ecology:

- Loss of habitat.
- The area contains many sites of special ecological interest. The development would have a negative impact on these unique and valuable national assets.
- The farm is paid to manage some fields for breeding lapwings and other species. As pointed out by Natural England planting more trees that predators such as rooks and crows can use as vantage points to prey on chicks of ground nesting birds is counterproductive.
- Impact of noise and disturbance during construction to wildlife. The site is used by a wide array of wildlife.
- Loss of hunting grounds for birds of prey.
- Harm from overhead lines to flying birds.
- Concerned that the Council's Ecologist disagrees with some of the findings of Natural England and Somerset Wildlife Trust.

Other matters:

- Has there been any analysis carried out as to the long-term effects of such a large area of heavy metal regarding emissions to the atmosphere.
- Increased run-off from the site.
- The site is in an area known to flood.
- The FRA is out of date and ignores the flooding 2012, 2013 and 2014.
- Offended by the applicant's financial offer to the community. This cannot possibly compensate for the harm it will do.
- Some solar farms have resulted in serious broadband interference.
- Disruption to any funerals and other services held at Aller Church.
- Cannot guarantee local people will be employed in the development.

Five written representations have also been received from members of the public expressing support for the development:

- How do we expect to continue turning on our lights if we do not have renewable energy.

- In regard to spoiling views, no one has a right to a view.
- The site is poor quality farm land, liable to flooding, is not AONB, does not have a footpath through it, has no archaeological sites, it will not affect wildlife.
- Whilst I would prefer this to occur on brownfield land or close to a motorway at present this is not a viable option.
- The site will provide good habitat to birds and wildlife generally.

APPLICANT'S CASE

In the conclusion of the Planning Statement it is stated:

“The application demonstrates the need for development within the context set by national and local policy. It will provide a reliable energy source which is not dependent on the use of fossil fuels and contributes to both local and national renewable energy targets.

Impact avoidance and mitigation measures are embedded within the masterplan and the approach to development. These will satisfactorily address landscape, ecological, flood and drainage, archaeological and cumulative effects of development. The proposed enhancement measures will create long-term landscape and biodiversity benefits to the local area, in addition to the economic benefit of agricultural diversification during the period of operation of the solar park.

The information provided with this application demonstrates that the proposed solar park development is in accordance with planning policy at the national and local levels. It will provide a reliable energy source which is not dependent on the use of fossil fuels and contributes to both local and national renewable energy targets.”

CONSIDERATIONS

This application is seeking planning permission to erect a 17 MW solar farm to generate electricity to feed into the national grid over a 25-year period, after which time the infrastructure will be removed and the land restored.

The main considerations for this application are considered to relate to the impact it will have upon landscape character and visual amenity, ecology, residential amenity of nearby residential properties, archaeology and other heritage assets, flooding and drainage and highway safety.

Principle:

Part 10 of the National Planning Policy Framework (NPPF) states that local authorities should “have a positive strategy to promote energy for renewable and low carbon sources” and “design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts”. In March 2013 additional supplementary guidance for large scale ground-mounted solar PV farms, paragraph 013 of National Planning Policy Guidance (NPPG) was published and accompanies the NPPF and is referred to in the policy section above.

Whilst the land is greenfield and includes some grade 3a (approximately 20% of the total site area) agricultural land it is not considered that the proposed development would result in the loss of such best and most valuable (BMV) agricultural land that a refusal on this issue alone would be justified especially given the ‘temporary’ nature of the development. In this respect

it is suggested that any permission could be subject to a temporary permission after which the land would revert to agriculture. A planning condition restricting the development to 25 years is considered reasonable and conditions can also be imposed to require appropriate restoration and continued agricultural use of the land. In any event, the array could be removed before then should the landowner wish to revert to agriculture or use of the array to generate electricity ceases.

The applicant has confirmed that during the operating lifetime of the solar farm the site will be available for grazing and it is acknowledged that the scheme incorporates additional landscape planting and biodiversity enhancements which can be secured by condition.

The local concerns raised in regard to the methodology used to assess the quality of the agricultural land are acknowledged, however, there is no evidence to support the claim that this has not been carried out in accordance with the government's accepted methodology – as set out within the Ministry of Agriculture Fisheries and Food (MAFF) revised guidelines and criteria for Agriculture Land Classification published October 1988. Whilst the applicant's detailed findings do not entirely tally with that of Natural England's given, in NE's own words they state that their maps are intended for strategic uses and are detailed for a field by field assessment.

The matter of lack of grid capacity for solar parks such as the one proposed to feed into the national grid has also been raised. The local power operator, Western Power, has confirmed that such capacity issues are relevant to this area but that in this instance the developer has already gained their agreement for the application site to connect to the grid.

Therefore, notwithstanding these concerns the proposed development is considered to comply with the aims and objectives of the NPPF and its accompanying practice guidance and to therefore be acceptable in principle.

Landscape character and visual amenity:

The application site forms part of Aller Moor and as such occupies a low position within the wider landscape and is surrounded by agricultural farmland, much of which is subject to periodic flooding and as a consequence has an open, unfettered character with little development. The few development features that are found within the locality tending to be of domestic scale or farmsteads.

In the Landscape Officer's initial comments, which related to the scheme as initially submitted he raised a landscape objection to the proposal, stating that it did not respect the form, character and setting of the moors landscape but acknowledging that there was potential to address this concern. Following discussions between the Landscape Officer and the applicant amended plans have been submitted revising the layout of the panels removing any structures from the eastern most section of the site, which is the portion set on slightly rising ground, and the inclusion of additional planting. In the Landscape Officer's own words these amendments achieve the following:

- A reduction in the site area of the array and removal of panels from the most elevated part of the site;
- Greater separation of the array from the western edge of Aller; and
- The breaking up of the massing of the array by the inclusion of a central hedgerow and associated open space and additional copse planting to intervene any lower trajectory views from Aller.

Government guidance concerns itself primarily with visibility, and in this respect, the site does not have a high visual profile, other than in relation to specific properties in Aller, and a

short length of the hilltop footpath. The changes to the layout now indicated by the revised plan, further reduce the visual impact both before planting mitigation and moreso after 5 years growth. Clearly, an array in this location will bring about change, and landscape and visual impact will occur. To that end, local plan policies supporting the conservation and enhancement of landscape character in the face of landscape impact could be called upon to refuse this proposal. However, government guidance remains heavily weighted in favour of renewables, with heritage and visibility the prime concerns. Given the positive amendments of the scheme now before us, and its reduced visual profile, the Landscape Officer concludes that the overall impact of the proposal is not sufficiently adverse to generate an over-riding landscape objection.

Comments from the National Trust in respect of views gained from other public vantage points including Turn Hill and Red Hill to the north and south of the site, Burrow Mump to the northwest are noted as are public comments relating to views from properties in Stathe, Pathe and Othry as well as the River Parrett Trail to the west. However, such views are either so low level and interspersed by existing / proposed planting or fleeting that any visual impact is likely to very limited.

The CPRE (Campaign for the Protection of Rural England) has queried how well the applicant has considered the cumulative impact of the development along with any other similar developments that already exist or have permission in the area. They specifically mention two solar parks that are in the Taunton Dean area, one at Stathe (Ref: 51/14/0011) and one at Helland, North Curry (Ref: 24/14/0020). The Stathe proposal, at the time of writing this report, had yet to be determined is for a very small array (250kw) positioned very close to the southern edge of the village where it will be viewed little in conjunction with the application site. The Helland application is a 1242kw array which due to its distance from the site again will not be viewed in the context of the Aller scheme. It is not considered that the current proposal gives rise to any significant cumulative impact concerns.

Therefore subject to the imposition of conditions to secure appropriate landscape proposals and the later restoration of the site at the end of the operational lifespan of the solar park the development is not considered to raise any substantive landscape or visual amenity concerns.

Glint and glare:

The impact of possible glint and glare resulting from the solar panels has been carefully considered in regard to impact upon landscape character and residential amenity of neighbouring properties in the locality. The Environmental Protection Officer has acknowledged that a small number of properties could be affected by some glint and glare in the early morning during the summer months he is of the opinion however that the impact to the amenities of these properties would be limited. The Landscape Officer has also confirmed that he does not believe that glint and glare should be of any significant concern in terms of landscape character.

Residential amenity:

Other than the landowner's own properties, the nearest residential properties to the site are along Aller Drove approximately 190m to the north. Given the relatively low profile of the proposed development, its inanimate nature, intervening distance and planting it is not anticipated that the proposal should have an overtly dominant presence in terms of the outlook of these properties or cause any other demonstrable harm to the amenity of these residents.

The solar farm is likely to be visible from a number of more distant properties, most notably a number of properties located higher up on Aller Hill. Although this will undoubtedly alter their

views, the planning system offers no protection over an individual's view or the potential financial devaluation of their property through new development. The intervening distance between the development and these properties is such that the proposal cannot be considered to be overbearing or to cause any other significant loss of residential amenity. Therefore, whilst the desire of the owners of these properties to maintain the current unfettered views is understandable it is not considered that this issue constitutes a substantive reason to object to this proposal.

Other concerns raised locally relate to noise and disturbance both from the construction activities and once operational, i.e. the hum from the electrical equipment and wind noise from the structures. The Environmental Protection Officer has considered these issues and is of the opinion that none of these issues will result in undue disturbance to nearby residents. Subject to a condition to secure a construction management plan (to address noise, vibration, dust, lighting etc during construction) the scheme should not result in any substantive harm to residential amenity.

Heritage assets:

There are a number of heritage assets in the locality as identified within the site description at the beginning of the report. The views of English Heritage (now Historic England), County Archaeology and SSDC's Conservation Officer have all been sought in regard to the impact the proposal would have upon these heritage assets.

Historic England has carried out a comprehensive assessment of the impact the proposal would have upon the setting of the nearby scheduled ancient monuments (SM) and listed buildings (LB). Whilst they acknowledge that the proposal may result in changes to the settings of these assets they are of the opinion that the scale and intensity of these changes would not be so great as to affect their significance. In terms of the listed church and Aller Court Farm and the duck decoy (SM) none of these assets have direct visibility over the application site. In the context of Burrow Mump (SM), the intervening distance (3km) and relatively small area of the site visible from the Mump is such that the proposal will cause little disturbance to its moorland setting. Historic England therefore raises no objection to the proposal.

With regard to the more minor archaeological interest to be found within the site itself, the County Archaeologist is satisfied that a condition requiring a programme of archaeological works will appropriately address and record such interest.

For these reasons it is not considered that there sufficient concerns to raise an objection based on harm to heritage assets.

Access and highway safety:

Whilst traffic generation in association with the solar park will be very limited once it is operational, the construction phase is anticipated to generate significant levels of traffic.

Access to the site for the construction phase of the development will be via an existing farm track that leads directly into Church Path and in turn on to the A372, with HGV vehicles routed via Langport to gain access to the A303 to the south. The solar farm is expected to be constructed over an 18 week period and it is noted that the Construction Management Plan (CMP) identifies that the site will generate in the region of 13 HGV trips a week on average over this period averaging between 2-3 trips daily. The number of staff employed on site at any one time during this period is expected to be up to 120 and the applicant has stated that staff will be expected to arrive in shared vehicles and mini buses to minimise vehicle numbers as much as possible.

The CMP also goes into some detail as to the hours of when deliveries can take place to avoid peak commuting times and also sets out holding areas for delivery vehicles with designated delivery times to avoid conflicting HGV movements as well as the use of banksmen for the largest vehicles to guide them along the narrow sections of Church Path and avoid damage and manage conflicting vehicle movements.

Local concerns have been raised in respect of the access arrangements and construction traffic with particular concerns raised in relation to the suitability of Church Path for access by HGV traffic (in particular the Weir Bridge section), possible conflict with increased traffic using Aller Drove whilst the A372 is closed at Beer Wall and the routing of HGV's passed Huish Episcopi Academy.

The County Highway Officer has confirmed that he has visited the site and following the careful consideration of the proposal in terms of types of vehicles, number of vehicle movements and the relatively short-term nature of the construction phase has concluded that the proposal will not result in any significant highway safety or capacity concerns. During the course of the application the local concerns relating to transport and highway safety implications of the development have been brought to the attention of the highway officer and applicant. In relation to the issues surrounding HGV access along the narrow no-through section of Church Path, specifically the ability of the largest HGV's to manoeuvre the Weir Bridge section near the recreational field, the applicant has provided an additional Transport Note along with a swept path analysis including topographical details. Both County Highways and SSDC's Highway Consultant have concluded that Church Path can acceptably accommodate these larger HGV's.

Therefore, notwithstanding the local highway and transport concerns, and subject to the imposition of a condition requiring a Construction Management Plan as sought by the County Highways Officer the proposed development is not considered to give rise to any significant highway safety concerns.

It is noted that the highway authority has requested a condition to secure a condition survey of the highway to address any damage to the highway as a result of the construction traffic. This matter however falls under the highway authority's own control and legislation and as such an informative reminding the applicant of the need to undertake such a survey is the appropriate way to address this issue.

Ecology:

The application site does not sit within any areas of special nature designation, however, it is close to a number of international, national and local sites, as identified in the site description section of this report above. From the Council's Ecologists comments it would appear that the main qualifying features for the nearby site designations are due to the large number of overwintering waterfowl and a rich diversity of aquatic insects and other invertebrates that can be found in the surrounding waterways. He also notes the recent reintroduction of the cranes in the area.

In accordance with the requirements of the Habitats Regulations 2010 the Council's Ecologist has carried out a 'Test of Likely Significant Effects', which concluded that the solar array was unlikely to result in any significant detrimental effects to the quality of the Somerset Levels and Moors Special Protection Area.

Accompanying this submission was an Ecological Impact Assessment report and the Council's Ecologist has confirmed that he broadly agrees with the findings of this assessment in that the application site is of no more than 'local' value for birds and that the change to the habitat as a result of the solar park was unlikely to represent a significant loss of habitat for

wintering birds. There is no evidence of harm to birds from large scale solar parks however it is acknowledged that it is possible that there has to date been a lack of monitoring in regard to possible collision risk in regard to these types of schemes. The RSPB has requested a condition to secure post-construction monitoring and mitigation plan to safeguard against this possibility, which is endorsed by the Council's Ecologist.

The Council's Ecologist does not raise any substantive concerns in relation to impact to ground nesting birds as a result of increased tree planting in the area, aquatic insects, badgers or any other protected species.

Neither Natural England, the RSPB or the Council's Ecologist have identified any significant harm to the local ecology and subject to the imposition of a number of conditions, including one seeking biodiversity enhancements, sought by our Ecologist it is not considered that the proposal raises any substantive ecological related issues.

Drainage and Flooding:

Part of the northern end of the site is located within flood zones 2 and 3 (including 3b – functional floodplain) and should therefore pass the sequential / exception tests set out within the NPPF and its accompanying technical guidance. In terms of the sequential test, whilst there are clearly other sites in the district that could accommodate PV there is also the issue of connection to the grid and it is accepted that with the current grid capacity issues that a revised site location would not be feasible at this time or the foreseeable future.

The requirements of the exception test are set out under paragraph 102 of the NPPF which states it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and that the development will be safe for its lifetime taking into account the vulnerability of its users.

In this instance, the proposal will make a valuable contribution towards meeting targets for renewable energy provision and reducing greenhouse gas emissions which in the long-term should help to reduce the incidence of more extreme weather events that lead to flooding. The Environment Agency has confirmed that they are satisfied with the submitted Flood Risk Assessment and there is no evidence to suggest that the development would not be flood resilient and as such be safe for its operational lifetime.

The NPPF's technical guidance also sets out a requirement that developments should not result in any net loss of floodplain storage, impede water flows or increase flood risk elsewhere. The Environment Agency has considered these aspects and are satisfied that the development will not result in any of these issues.

The scheme has been amended to ensure that access to and the maintenance of the various watercourses abutting the site is not hampered, in accordance with the Internal Drainage Board and Environment Agency's requirements.

Therefore, subject to the imposition of conditions seeking a compensation scheme for any water displacement as a result of any buildings and the protection of the maintenance strips for the watercourses, as required by the Environment Agency, it is accepted that the proposal raises no new substantive flood or drainage concerns.

Conclusion:

In summary, the solar farm accords with the government objective to encourage the provision of renewable energy sources and is considered to raise no significant landscape or visual amenity concerns or other substantive planning concern and as such accords with the aims and objectives of the National Planning Policy Framework and policies SD1, TA5, TA6,

EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and is recommended for approval.

RECOMMENDATION:

Grant consent for the following reason:

Notwithstanding local concerns it is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact the proposal will have on the local landscape character. The development is not considered to cause any demonstrable harm to highway safety, ecology, residential amenity or heritage assets. As such the proposal accords with the government's objective to encourage the provision of renewable energy sources and the aims and objectives of policies SD1, TA5, TA6, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework and accompanying National Planning Practice Guidance.

Subject to the following:

1. 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.

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

- 1074-0200-05, 1074-0204-00, 1074-0205-01 issue 01, 1074-0206-09 issue 01 and 1074-0208-70 issue 01 received 22/09/2014;
- 1074-0207-13 issue 02 and 1074-0208-50 issue 01 received 31/10/2014;
- 1074-0208-76 issue 01 received 24/04/2015; and
- 1074-0201-01 issue 09 received 19/05/2015.

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

3. The development hereby permitted shall be removed and the land restored to its former condition within 25 years of the date of this permission or within six 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 structures, materials and any associated goods and chattels from the site.

Reason: In the interest of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

4. The finished height of the panels, building and associated equipment shall accord with the details set out on the approved plans and shall not be altered without the prior written agreement of the local planning authority.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

5. There shall be no permanent raising of ground levels in the flood zones, and any new buildings in the flood zones will require like for like compensation. Prior to the commencement of any works on site details of a scheme of flood storage compensation, including a timetable for the works, has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and the agreed compensation measures shall not thereafter be altered without the prior written agreement of the local planning authority.

Reason: To ensure that flood risk is not increased to accord with the provisions of the NPPF.

6. No development shall take place within 8 metres of the top of bank of any river or ditch at any time during the development.

Reason: To ensure that flood risk is not increased and to allow the maintenance of watercourses and in the interest of protecting the biodiversity value of the watercourses to accord with the provisions of the NPPF and policy EQ4 of the South Somerset Local Plan.

7. No development shall take place unless a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the local planning authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours – 08.00 and 18.00 Mondays to Fridays and 08.00 and 13.00 on Saturdays and; at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- South Somerset District Council encourages all contractors to be 'Considerate Contractors' when working in the District by being aware of the needs of neighbours and the environment.
- Control measures for dust and other air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Measures for the protection of boundary ditches and hedges, ensuring any site lighting is not detrimental to wildlife, the protection of badger setts, and minimising harm to any other potential wildlife interests. (Such measures are likely to require specialist advice from a consultant ecologist.)

Reason: In the interests of neighbour amenity and to protect local ecology and

protected species to accord with policies EQ2, EQ7 and EQ4 of the South Somerset Local Plan.

8. Prior to the commencement of development details of measures for the enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with the provisions of the NPPF and policy EQ4 of the South Somerset Local Plan.

9. No development shall take place unless there has been submitted to and approved in writing by the Local Planning Authority details of a scheme for post-construction monitoring of impacts on birds, and measures that will be implemented to avoid and mitigate any significant impacts. In particular the details shall include:

- Species to be subject to monitoring;
- Frequency, seasons and duration of monitoring (minimum of 3 years);
- Methods to be used for monitoring;
- Persons responsible for undertaking the monitoring;
- Reporting of results;
- Details of a steering group to oversee and evaluate the results of the monitoring programme;
- Mechanisms for identifying threshold impact levels and for implementing mitigation measures in the event of thresholds being exceeded.

The monitoring and mitigation scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To assess any potential risk to the waterbird assemblage of the Somerset Levels and Moors Special Protection Area, in accordance with the Habitats Regulations 2010 and policy EQ4 of the South Somerset Local Plan.

10. No works shall commence on site unless details of measures to minimise the risk of harm of collision by birds with overhead lines have been submitted to and agreed in writing by the local planning authority. The agreed details shall be fully implemented as part of the development and shall thereafter be permanently maintained unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the risk of potential bird collision in the interest of safeguarding the ecological interest of the area in accordance with the Habitats Regulations 2010 and policy EQ4 of the South Somerset Local Plan.

11. Prior to the commencement of development a construction traffic management plan providing details on the delivery of the material for the solar farm to the site, details of the parking and storage area; means to ensure that there shall be emission of dust or deposit of mud, slurry or other debris on the highway; and any alterations to the vehicular access shall be submitted to and approved in writing by the Local Planning Authority (and Local Highway Authority) and fully implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety to accord with policy TA5 of the South Somerset Local Plan.

12. No development hereby approved shall take place unless the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To safeguard the archaeological interest of the site in accordance with policy EQ3 of the South Somerset Local Plan.

13. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of landscape character and visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

14. No works in respect of the solar park hereby permitted unless details of the finished colour of the security fencing and the finished colour and position of the CCTV equipment has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.

Reason: In the interest of landscape character and visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

15. No means of audible alarm shall be installed on the site without the prior written consent of the local planning authority.

Reason: In the interest of residential amenity and the rural amenities of the area to accord with policy EQ2 of the South Somerset Local Plan.

16. No means of external illumination / lighting shall be installed without the prior written consent of the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with policies EQ2 and EQ7 of the South Somerset Local Plan.

17. The supporting posts to the solar array shall not be concreted into the ground.

Reason: In the interest of sustainable construction and to accord with part 10 of the National Planning Policy Framework.

Informatives:

1. The developer is advised to refer to the informatives set out within the Environment Agency's letter dated 4 December 2014.
 2. The applicant is advised that Land Drainage Consent will be required for any works proposed within 9.0 metres of the top of bank of any watercourse. Those details together with any proposed underground cabling works, fencing and any access gateways will need to be agreed and consented by the Internal Drainage Board.
 3. The developer is reminded that a condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and that any damage to the highway occurring as a result of this development will need to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
 4. Where works are to be undertaken on or adjoining the publicly maintained highway, a licence under Section 171 of the Highway Act 1980 must be obtained from the Highway Authority. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.
 5. The applicant should be advised that at least seven days before access works commence the Highway Service Manager must be consulted.
 6. Under Section 59 of the Highways Act 1980 allows the Highway Authority to recover certain expenses incurred in maintaining highways, where the average cost of maintenance has increased by excessive use. The condition survey will be used as evidence should damage to the highway network occur during the construction phase of the development.
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ANNEX A – Initial Conservation Consultation Response - Landscape

TO: Alex Skidmore
FROM: Robert Archer
DATE: 30 October 2014

APPLICATION: 14/04300 - Land at Aller Court Farm, Aller

Alex, I have read through the material submitted in support of the above application, which seeks consent for a solar array over a 26.6ha area, on land to the northwest of Aller Court Farm, in the parish of Aller and circa 0.5km from the village edge. I am also familiar with the site and its wider landscape context, and have visited the key vantage points.

National planning policy supports the development of renewable energy projects, providing there is no unacceptable adverse impact upon the landscape, though there has recently been a shift in emphasis away from large-scale farmland solar. Recent appeal decisions relating to PV array within the district have placed the emphasis upon containment of the visual profile of solar sites when positively determining the appeals. Consequently I consider that the prime landscape concerns will be;

- 1) the impact upon landscape character, particularly relative to the scale and pattern of the local landscape;
- 2) the potential visibility of the proposal, especially as viewed from sensitive receptors;
- 3) the potential for cumulative impacts to arise, and;
- 4) achieving a site layout and design that is landscape-sympathetic.

This application includes a detailed landscape and visual impact assessment (LVIA) which considers the extent of likely impacts upon the surrounding landscape that may arise from the installation of this proposal. Looking at the proposal before us, with that evaluation to hand, I would comment;

(1) The application site lays over relatively level ground across the floor of Aller Moor, its general level circa 4-6m aod, rising a further 3-4m. toward the west boundary of the site, which faces the raised 'island' of Aller Court, 0.5km to the southeast. Extending over land that is primarily in arable use, much of the site is typical of the low elevation; general scale, and openness that characterises the moor landscape, though it lacks the rectilinear, rhyme-lined definition of a number of the surrounding fields. It is bounded by hedgerows and poplar/willow lines to the north, whilst is primarily open to the south. Both the plantation trees and hedges offer a degree of enclosure to north and northwest, and this is noted by the L&VIA as usefully providing screening of the site in this quarter.

It is apparent that the proposal does not disrupt the landscape fabric, nor is it markedly at variance with the expressed pattern of the landscape. The landscape components within and defining the site will remain in evidence. Also to advantage is the east-west emphasis of the array, which enables a simplified layout to be achieved; and the general scale of the moorland, and its relatively flat topography, which allows the array to sit within the general low elevation of the moorland. Whilst the ground rises marginally to the east, this falls short of the 'head' of the raised island of Aller Court. I also note that an array is a passive element in the landscape, generating neither sound nor movement. I view these elements of the proposal as positive.

Conversely, it is acknowledged that PV panel forms within security fencing can be viewed as being 'industrial' in character. Such character is at variance with this landscape setting, which has an emphatic sense of rural character as expressed by the open moorland; the rectilinear rhyme network; its mixed farmland; and a low-level of development presence. The few development features that are found within the locality are of domestic scale, along with two local farmsteads, hence there is a clear incongruity of development scale when considered alongside this 26 ha. proposal, and it is clear that the development proposal is at variance with the open, little-developed & rural character of the

moorland. This issue is particularly significant if that incongruity of character has too great a visual profile.

(2) Turning to visual impact, whilst the site does not benefit from visual containment to all sides, it is apparent that the low level of much of the surrounding landscape and intervening willow/hedge lines will act to filter many of the low-trajectory views toward the site. Other than from Aller Drove and its associated properties, there are few close public viewpoints onto the site. Locations with a view over the site are primarily restricted to the rising ground of Aller's north edge and Aller Hill, and potentially at greater distance from properties and regional trails to the west and north, in the vicinity of Stathe and Othery.

The LVIA offers a detailed visual appraisal utilising 22 representative vantage points, each evaluating the potential visual impact before and following mitigation (table 2). Whilst it finds that many distant, and low-trajectory vantage points do not have a clear prospect of the site, it concludes there to be a number of receptors where the visual impact of array development will initially be 'moderate adverse' and these are;

- (a) A 100m length of the PROW on Aller Hill, and adjacent properties on the hillside;
- (b) Aller Drove and associated properties;
- (c) Burrow Mump, and;
- (d) The Parrett Trail, between Oath and Stathe, and some adjacent properties.

The LVIA proposes mitigation planting - primarily of additional tree and hedge lines using species consistent with local character; plus appropriate management of existing hedgerows and shelterbelts - and suggests that this will counter the initial visual impacts once effective. With this mitigation, the potential for adverse impact will be reduced to minor significance only, other than from Aller Hill.

I have reviewed the findings of the visual assessment, with which I concur in most part. I am satisfied that the visual assessment of the array from the prime public receptors of Burrow Mump and the Parrett Trail is objective, and I agree the proposal does not unduly impact upon the setting of Burrow Mump, nor that of Aller Court and Church. However, I think it is likely that there will be a number of properties on the sides of Aller Hill whose prime prospect of the moor will now include the array, where the impact will remain moderate adverse, and whilst I agree that there is some potential to minimise prospect of the array's eastern end from Aller Drove and its properties with planting, I am also mindful that this prospect is at close quarter, and slightly dominant relative to these receptors, such that I consider the impact to remain moderate adverse.

(3) Relative to potential cumulative impact, I am not aware of any sizeable PV arrays within Taunton Deane and Sedgemoor Districts that lay within close proximity of the site. A Planning Inspector's decision has recently favoured a site for PV to the east of Langport, circa 6 km from this application site. However, there is no vantage point that perceives both sites; they are separated by the development mass of Langport/Huish Episcopi; and are located within in separate landscape types, to thus avoid additional footprint within a shared landscape. Given this topographic and visual separation of the sites, it is not anticipated that cumulative impact will be an issue with this application.

(4) Turning to site detail, I note that the array will stand approx. 2.4 metres above ground level. This height is such that it is not dominant of hedgerow enclosure where it exists, but within a low, flat landscape, its profile will be heightened. No site-levelling works are intended, and PV mounting is limited to a fixed racking system with its toes driven into the ground without need for concrete. A 2.2 metre tall fence of reinforced wire mesh, along with thermal imaging cameras (but no lighting) provides site security. Inverter structures are located within the array layout, and are to be finished in suitable dull tones to thus minimise visual impact. The field surface will be seeded as grassland, to be managed either by a hay-cut or grazing. Whilst I have concerns over the array's height, I am satisfied that other details of the PV installation can be accommodated without undue impact upon the fabric of the site.

Looking at the application overall, it is clear that there are both positive and negative elements to the proposal. Whilst the scale of the proposal is not at variance with the moor's breadth, it is the

character impact of a PV installation upon an open; undeveloped tract of low-laying land, where the drainage and farm management has created a landscape that is nationally renowned, which will be both incongruous and adverse. However, Government guidance has concerned itself primarily with visibility, and in this respect, the site does not have a high visual profile, other than in relation to dwellings on raised ground at Aller's north edge; on the sides of Aller Hill; and along Aller Drove, where a substantive visual impact will occur.

National planning guidance remains weighted in favour of renewables, and LPAs have been urged to approve renewable energy schemes providing impacts can be made acceptable. This proposal clearly will have adverse landscape-character and local visual impact, but this is finely-balanced in relation to the national planning weight favouring renewables. However, there have recently been government changes to solar strategy, where;

- (a) a ministerial letter from the DECC to LPAs in relation to the UK Solar Strategy (Nov 2013) emphasised that "Support for solar PV should ensure proposals are appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity, and provide opportunities for local communities to influence decisions that affect them";
- (b) The updated Renewable & low carbon energy PPG of March 2014 emphasised that in relation to 'solar farms', visual impact is a particular factor for consideration. It changed para 13 of the PPG, to encourage large-scale solar farms on 'non-agricultural land' as well as previously developed land, and;
- (c) A DECC letter to LPAs April 2014 relating to the UK Solar PV Strategy Part 2 stated the main message to be a focus of growth of solar PV in the UK on domestic and commercial roof space and on previously-used land. Whilst it states there remains a place for larger-scale field-based solar, such new solar installations are to be sensitively placed.

With this shift of emphasis, I believe that the local landscape impacts can now be given sufficient weight to tell against this application. From a landscape standpoint, the proposal clearly does not respect the 'form, character and setting' of the moors landscape, contrary to the requirements of LP policy ST5 para 4, neither in its current form does it satisfy LP policy EC3. There may be scope for a reduction in the scale of the array, to draw it further from Aller's edge, but this would need to be a substantial reduction, and with further and substantive planting mitigation.

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Landscape Architect

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File: renewable/pvs/apps/aller2014-10