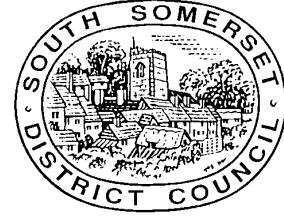


South Somerset District Council

Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 27th June 2018

3.00 pm (please note change to start time)

**Council Chamber, Council Offices,
Brympton Way, Yeovil BA20 2HT**

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



The following members are requested to attend this meeting:

Clare Aparicio Paul
Neil Bloomfield
Adam Dance
Graham Middleton
Tiffany Osborne

Stephen Page
Crispin Raikes
Jo Roundell Greene
Dean Ruddle
Sylvia Seal

Sue Steele
Gerard Tucker
Derek Yeomans

Consideration of planning applications will commence no earlier than **3.30pm**.

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462596 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 18 June 2018.

Alex Parmley, *Chief Executive Officer*

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



INVESTORS IN PEOPLE

Information for the Public

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

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

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

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

Meetings of the Area North Committee are held monthly, usually at 2.00pm, on the fourth Wednesday of the month (except December) in village halls throughout Area North (unless specified otherwise).

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

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

Public participation at committees

Public question time

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

Planning applications

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

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

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

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

The order of speaking on planning items will be:

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

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

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

Recording and photography at council meetings

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

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

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

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

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Area North Committee

Wednesday 27 June 2018

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 23 May 2018.

2. Apologies for absence

3. Declarations of Interest

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

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

Planning Applications Referred to the Regulation Committee

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

Councillors Clare Aparicio Paul, Neil Bloomfield and Sylvia Seal.

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

4. Date of next meeting

Councillors are requested to note that the next Area North Committee meeting is scheduled to be held at 2.00pm on **Wednesday 25 July 2018** at a venue to be confirmed.

5. Public question time

6. Chairman's announcements

7. Reports from members

Items for Discussion

- 8. Langport Cycleway (Executive Decision)** (Pages 6 - 8)
- 9. Area North Committee Forward Plan** (Pages 9 - 10)
- 10. Planning Appeals** (Page 11)
- 11. Schedule of Planning Applications to be Determined By Committee** (Pages 12 - 13)
- 12. Planning Application 18/01257/REM** - The Trial Ground (Land OS 5949), Somerton Road, Langport.** (Pages 14 - 31)
- 13. Planning Application 18/00761/FUL - Highfield Farm, Windmill Lane, Pibsbury.** (Pages 32 - 38)

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

This does not apply to decisions taken on planning applications.

Agenda Item 8

Langport Cycleway (Executive Decision)

Service Manager: Rachael Whaites, Countryside Manager
Lead Officers: Katy Menday, Leisure & Recreation Manager
Pauline Burr, Neighbourhood Development Officer
Contact Details: katy.menday@southsomerset.gov.uk or 07971 111 993

Purpose of the Report

To update Members on the progress of work with local representatives regarding the future management of the Langport to Muchelney Cycleway and ask Councillors to consider the awarding of a grant of £10,000 towards the costs of purchasing a section of the cycleway and capital improvements along its length.

Public Interest

The Langport to Muchelney Cycleway is currently maintained by the SSDC Countryside Service and annual licence fees, payable to two sets of landowners, have been paid from SSDC budgets. Reduced capacity and efficiency savings within council services have prompted the need to identify a local solution for the ongoing management of the cycleway and to ensure its future sustainability. Following consultation with the local community, SSDC officers have been working with representatives from Huish Episcopi Parish Council, Langport Town Council, Drayton Parish Council and Muchelney Parish Meeting to agree a forward plan.

Recommendations

1. That Councillors note the report, particularly the financial and in-kind support offered by the local community to ensure the sustainability of the Langport to Muchelney Cycleway.
2. That a grant of £10,000 be awarded to Langport Town Council (as lead authority for the Consortium of Huish Episcopi Parish Council, Langport Town Council, Drayton Parish Council and Muchelney Parish Meeting) towards the purchase of a section of the Langport Cycleway and improvements to infrastructure. The funding to be allocated from capital reserves.

Background

The Langport Cycleway is a 2.5km stretch of gravel surfaced amenity route, formerly part of the rail network. The route is in two parts both of which cross privately owned land; access agreements were originally set up in 1998 between the land owners and SSDC to allow public access on foot, bicycle and horseback as part of the River Parrett Trail project.

To date, the budget for the licenses and maintenance has been found by the Countryside Service, however, increased pull on resources and reduced budgets mean that this position is not maintainable in the long term.

Report

The Cycleway crosses the parishes of Huish Episcopi and Drayton but benefits communities from surrounding settlements, particularly Langport and Muchelney and a public consultation in 2017

showed the continued popularity of the cycleway amongst businesses, the local community and visitors to the area.

Officers from the Countryside and Area Development Services have been working with representatives from Huish Episcopi Parish Council, Langport Town Council, Drayton Parish Council and Muchelney Parish Meeting to develop an agreement for the future management of the route and to ascertain the level of work required to improve and repair the cycleway to bring it up to a satisfactory condition for handover. In addition, the owner of the first section of the route has agreed to sell his holding. A budget for the land purchase and improvements has been identified as a funding target for the group.

The consortium has agreed that Langport Town Council will be the lead authority for the group and, as such, will take on the ownership of the first section of land and act as licence holder for the second section. Langport Town Council will also have responsibility for insurances, risk assessments and maintenance agreements while the other partners will contribute to annual payments through the precept and/or local fundraising.

Project Costs

Capital costs:

Land Purchase	£10,000
Repairs and Improvements	£4,000
	£14,000

Funding Plan

Officers will continue to work with the group to support their funding target of £4,000, this will be through a mixture of external funding and requests to local businesses, neighbouring parish councils and the community.

Funding Source	Amount	Status
Tesco Bags of Help	£2,000	Application to be submitted
Local fundraising	£2,000	Pending
Amount requested from SSDC	£10,000	To be agreed

Annual revenue costs

Current licences are due to expire in September for section one, and December for section two. Projected costs for the remainder of 2018 plus new agreements for 2019 and associated maintenance costs would require an annual budget in excess of £4,000.

The purchase of land would be seen as an “invest to save” strategy, reducing annual costs for licences. Voluntary support and engagement of the Community Payback Team has been proposed as a way of reducing maintenance cost. With this in place, it is anticipated that the community group could reduce the annual costs to about £1,500, which will be met by contributions from the two parishes where the cycleway is situated, Huish Episcopi and Drayton.

Financial Implications

There is currently £188,959 unallocated in capital reserves. If Councillors agree to the recommendation, there will be £178,959 remaining.

Corporate Priority Implications

Council Plan – Economy

- Capitalise on our high quality culture, leisure and tourism opportunities to bring people to South Somerset.

Council Plan –Health and Communities

- Help people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities.

Carbon Emissions & Climate Change Implications

As an off road walking and cycling route the Langport Cycleway offers a safe route for green leisure and commuters to Langport and Huish Episcopi, helping to reduce carbon emissions.

Equality and Diversity Implications

The access to the Langport Cycleway includes gateways that can be opened enabling all-mobility vehicles to make use of the route. Gateways were tested at installation with a range of specialist bicycles and mobility vehicles to ensure the route was accessible for everyone.

Background Papers

Langport Cycleway – Report to Area North Committee, 25 April 2018.

Agenda Item 9

Area North Committee – Forward Plan

Lead Officer: Helen Rutter, Communities Lead
Officer: Becky Sanders, Case Services Officer (Support Services)
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 one of the officers named above.

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; at democracy@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
July '18	Environmental Services Update	Routine update report.	Chris Cooper, Environment Services Manager
Sept '18	Highways Update	Routine update report from SCC Highways.	SCC Highways.
<i>Sept '18</i>	<i>Somerton Conservation Area</i>	<i>Report regarding the Somerton Conservation Area Appraisal and designation of extensions to the Conservation Area.</i>	<i>TBC</i>
<i>Sept '18</i>	<i>Buildings at Risk (Confidential)</i>	<i>Routine update report.</i>	<i>TBC</i>

Agenda Item 10

Planning Appeals

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

Purpose of the Report

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

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

17/04124/FUL - Land Opposite Tinkabee Cottage, Little Norton, Norton Sub Hamdon.
Change of use of land, stationing of a log cabin and two shepherds huts for holiday let.

Appeals Dismissed

None

Appeals Allowed

None

Agenda Item 11

Schedule of Planning Applications to be Determined by Committee

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

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 3.30pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.25pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
12	LANGPORT & HUIISH	18/01257/REM**	The erection of 80 No. dwellings including associated public space and all other associated external works (Reserved Matters application following approval of 13/03483/OUT).	The Trial Ground (Land Os 5949), Somerton Road, Langport.	Mr A West
13	LANGPORT & HUIISH	18/00761/FUL	The erection of 2 No. detached dwellings (Revised Application).	Highfield Farm, Windmill Lane, Pibsbury.	Mr & Mrs David

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

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

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 12

Officer Report On Planning Application: 18/01257/REM**

Proposal :	The erection of 80 No. dwellings including associated public space and all other associated external works (Reserved Matters application following approval of 13/03483/OUT).
Site Address:	The Trial Ground (Land Os 5949), Somerton Road, Langport.
Parish:	Huish Episcopi
LANGPORT AND HUISH Ward (SSDC Member)	Cllr Clare Aparicio Paul
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	16th July 2018
Applicant :	Mr Andy West
Agent: (no agent if blank)	
Application Type :	Major Dwlg 10 or more or site 0.5ha+

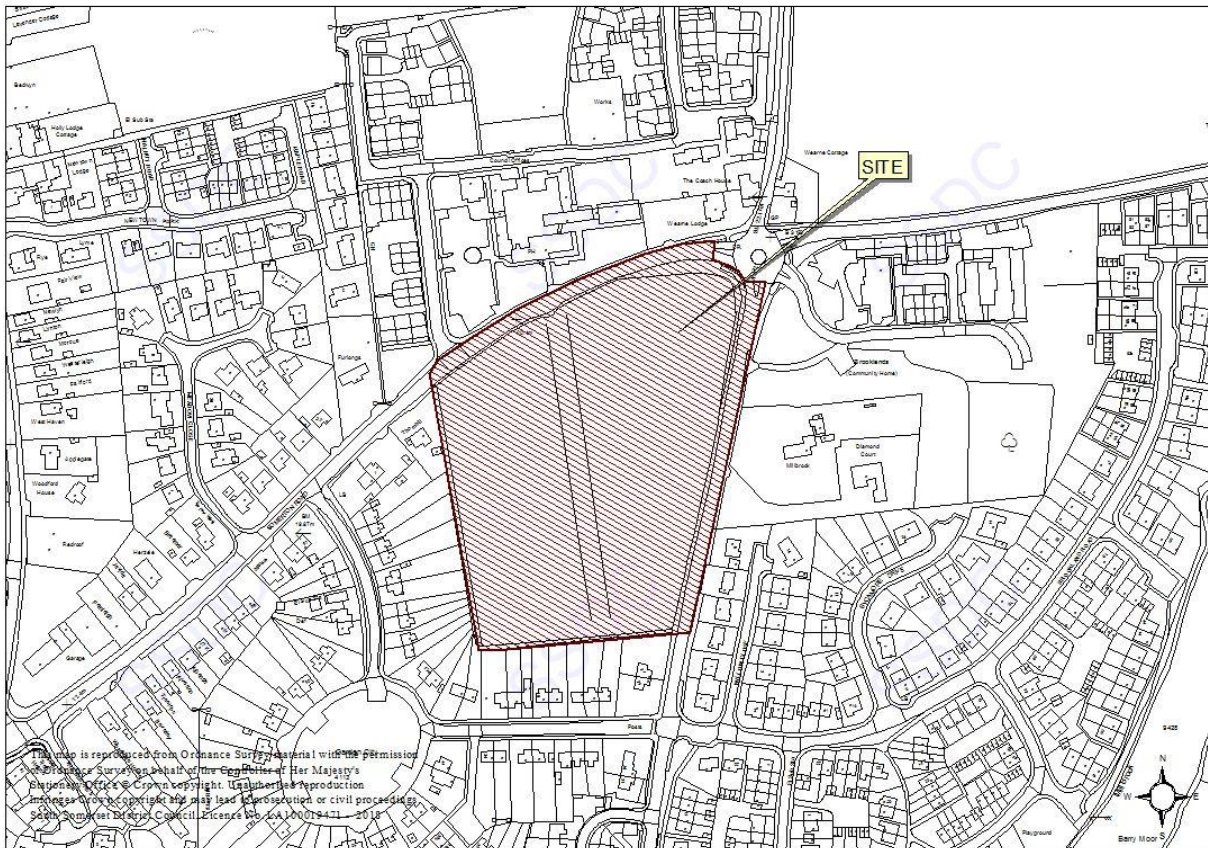
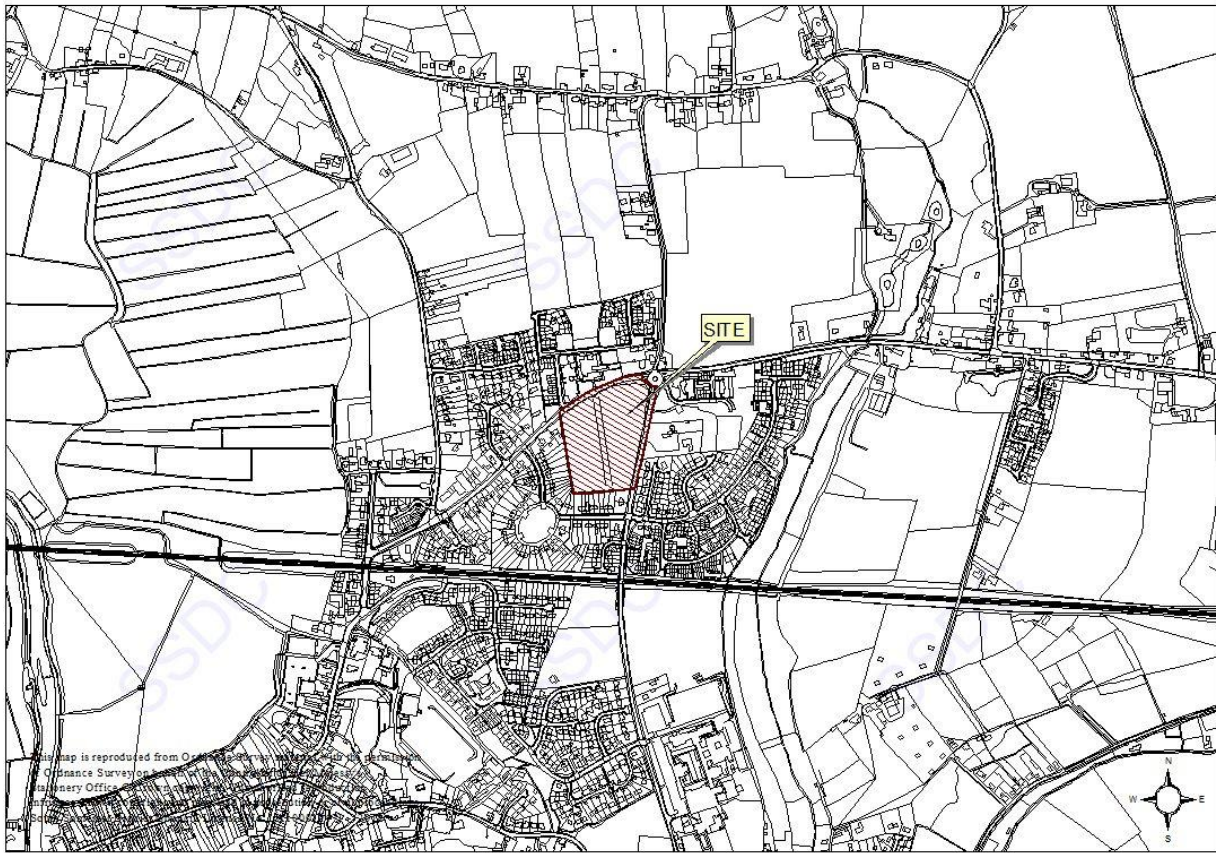
REASON FOR REFERRAL TO COMMITTEE

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

This application has also been 2-starred under the Scheme of Delegation - referral of applications to the Regulation Committee for determination. In collective agreement with the Leader, Portfolio Holder, Area Chairs, Director (Service Delivery), Monitoring Officer, and Lead Specialist (Planning) all major applications will be 2-starred for the immediate future to safeguard the Council's performance, pending a more substantive review.

The Area Committees will still be able to approve and condition major applications. However, if a committee is minded to refuse a major application, whilst it will be able to debate the issues and indicate grounds for refusal, the final determination will be made by the Regulation Committee.

SITE DESCRIPTION AND PROPOSAL



The site consists of two agricultural fields. They are broadly flat and divided by a large hedge made up of a double line of trees. The site is bounded by a variety of residential properties to all sides, with some commercial properties to the north, including a Grade II listed building. A public footpath runs along the west and south boundaries of the site, connecting Somerton Road to the north, and Field Road to the east.

This application is made for approval of reserved matters following earlier outline approval 13/03483/OUT. Access was approved at outline stage, with all other matters reserved for consideration at this stage. The proposal comprises the erection of 80 dwellings, with associated landscaping, road layout, parking and turning. The application follows the recent refusal of planning application 17/02694/FUL, a full planning application for the residential development of the land, comprising 94 houses. That application was refused for the following reason:

The proposed development, due to the increased number of dwellings, and the scale, design, proportions and siting of said dwellings, represents overdevelopment of the site, resulting in a cramped residential development of a level and density inappropriate to the location. The proposal therefore has an unacceptable impact on the character, appearance and rural context of the site and its surroundings. The proposal is therefore contrary to policies SD1 and EQ2 of the South Somerset Local Plan (2006-2028) and provisions of chapter 7 and the core planning principles of the National Planning Policy Framework.

The applicant seeks to address the refusal reason by reverting back to a scheme for 80 residential units, in line with the approved outline consent. The proposal therefore reduces the density of development within the site, allowing a more spaced out scheme, more consistent with the indicative proposal. The scheme includes the provision of a large landscaped area/informal open space to the north of the site, which also includes space for an attenuated drainage feature. No on-site play equipment (LEAP) is now proposed, with the Section 106 Agreement signed in relation to the outline planning permission including contributions for off-site play, as well as other local and strategic needs. A range of dwellings are proposed from 1 bedroom to 4 bedroom homes. 28 affordable dwellings are proposed and are distributed throughout the site, centrally and to the eastern and southern parts. A total of 139 parking spaces are proposed, including some within garages. The already approved access is to the east of the site, onto Field Road.

The dwellings incorporate a simple range of materials, comprising brick, reconstructed stone and render a mix of red profiled and grey flat profile roof tiles.

HISTORY

18/01249/FUL: The erection of 94 No. dwellings including associated public space and all other associated external works (Revised application) - Pending consideration.

17/02694/FUL: The erection of 94 No. dwellings including associated public space and all other associated external works - Refused 29/01/18 following resolution to refuse at Area North Committee of 24th January 2018.

13/03483/OUT: Outline application for residential development and the provision of access from Wincanton Road - Permitted with conditions 15/10/2015

13/02232/EIASS: Request for a screening opinion concerning residential development - EIA not required 14/06/2013

99/00034/OUT: Construction of class A1 retail store with restaurant/café, associated car park, petrol filling station, construction of new access, landscaping and other works - Application withdrawn 23/03/1999.

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

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

HG3 - Provision of Affordable Housing

HG5 - Achieving a Mix of Market Housing

TA1 - Low Carbon Travel

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ4 - Biodiversity

EQ5 - Green Infrastructure

EQ7 - Pollution Control

National Planning Policy Framework

Core Planning Principles - Paragraph 17

Chapter 3 - Supporting a Prosperous Rural Economy

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 - Climate Change and Flooding

Chapter 11 - Conserving and Enhancing the Natural Environment

Chapter 12 - Conserving and Enhancing the Historic Environment

National Planning Practice Guidance

Climate Change

Conserving and Enhancing the Historic Environment

Design

Natural Environment

Open Space, Sports and Recreation Facilities, Public Rights of Way and Local Green Space

Planning Obligations

Rural Housing

Water Supply, Wastewater and Water Quality

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)

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

CONSULTATIONS

The responses from the following consultees are provided below in summary form only, for the most part. Where not included below, the full responses are available on the public planning file.

Huish Episcopi Parish Council: The following comments were received:

- A maximum of 80 dwellings should be permitted, and consideration given to less. This site is at the forefront of the entrance to Huish Episcopi and Langport and should display the rural character of this area on the edge of The Levels.
- Style of finish, brick corners and rendering, should be reconsidered as it is rather unimaginative and does not blend well with the listed white lias buildings opposite. The Council still believes that 2.5 storey dwellings are oppressively tall for this village setting.
- Light controlled pedestrian crossings should be provided both on Somerton Road and also on Field Road between the Trial Ground entrance and Brookland Road. This would offer traffic calming in the area where the addition of more than 450 dwellings over the past 12 years has heightened safety concerns. Recent SID recordings have shown 40,000+ vehicle movements per month on the Somerton Road.
- Provision of a pavement and bus layby on Somerton Road between the roundabout and boundary of Thornhill.
- Loss of Beech Hedge The Council believes that consideration should be given improving the functional design by creating a central avenue, compensating for the loss of the beech hedge and maybe doubling as the Public Footpath. This could provide all residents with an attractive walk way allowing all the opportunity to enjoy, as quoted in the Heritage Report, unrestricted "enhanced views" direct to, and maintaining the connection with, the Old Kelways building. With a more imaginative approach to the layout, this site has the potential to be a "flagship" development for Persimmon Homes.
- Reinstatement of Public Footpath L13/55 which follows the inner two boundaries of the field. This will reduce the number of pedestrians on the main roads and establish a safe route through the estate for Academy students and residents. It will also align with the District Council's published policy to protect rights of way and, in this case, the retention of the public footpath does not prevent or hinder the site from being developed and therefore its closure and/or relocation is not justified.
- Huish Episcopi Parish Council is not aware that a formal application has been made to relocate the footpath and therefore, it should be reopened without undue delay and made accessible to the public. Retention of the footpath will also support the recommendations of the Preliminary Ecological Assessment and help retain a rural aspect to the development. There should also be a defined pedestrian access onto Somerton Road.
- Playground provision (LEAP) is still evident on the plans. The Council fails to see any requirement for yet another playground in the parish - there are two nearby at Old Kelways and Barrymore Close, which could easily be accessed if the pedestrian crossings requested were provided. Additionally the Old Kelways playground is about to be substantially upgraded, so the Council views

a third playground as a waste of public money. Sympathetically landscaped, this open space could be a real asset for residents of all ages.

- Retention of the hedgerow boundaries as Huish Episcopi Parish Council understands the inner ones are either shared or neighbour ownership and the Council would also prefer retention of the Field Road and Somerton Road hedgerows, or similar new planting, to soften the impact of the new development.
- The current water system was never designed for the present sewage and waste water levels. Wessex Water must be required to make a written commitment that Langport and its surrounding area's system will be fully checked and certified as capable of taking and dealing with all the proposed new properties' waste and surface water. In the event of a subsequent system failure, it must agree to take full responsibility for rectifying and compensating anyone affected.

While the Council does not object to the development of the Trial Ground, based on 13/03483/OUT permission for 80 dwellings, it definitely recommends that this application be referred to the Area North Committee for consideration of the Parish Council's concerns in making a decision and assessing any potential planning conditions to be imposed.

Langport Town Council: Langport Town Council made the following observations:

- Concerns were raised with flooding and water runoff and councillors fully support the Parrett Internal Drainage Board letter of objection dated 8 May 2018;
- Insufficient information is available on the protection, enhancement or removal of hedges and trees and the effect it will have on biodiversity;
- Reinstatement of the designated footpath should be made, and the installation of a bus stop to allow access to public transport;
- Affordable housing element. While the overall percentage is only slightly below the recommended (34.04% as against 35%), the balance is towards more 2-bed houses. The provision of some of these in the form of one-bedroom units would mean that they would be likely to be even more affordable for single people or for young couples. The Strategic Housing consultee (SSDC's Housing Development Officer) has proposed a different mix of affordable housing in 2017 and councillors support this recommendation:

08 x 1 bed
14 x 2 bed houses
10 x 3 bed houses
1 x 5 bed house

County Highway Authority Awaiting comments - verbal update to be given to Members.

Natural England: No objection. It is noted that the application site is approximately 1km south-east of Aller Hill which is designated at a national level as a Site of Special Scientific Interest (SSSI) and 1.8km north-west of Wet Moor SSSI which forms part of the Somerset Levels and Moors and which is designated at a European level as a Special Protection Area (SPA) and at an international level as a Ramsar site¹. Natural England do however confirm that they do not expect the proposals to result in significant effects on designated sites. The Local Authority's obligations are also highlighted in respect to consideration of other matters such as protected species.

Police Crime Prevention Design Advisor: Reiterated previous comments have been received in respect to the need to ensure that rear paths of secured by gates. These should be lockable in the case

of social housing. Minor amendments the layout have been received to address these comments.

SSDC Open Spaces: Note that the proposal includes an area of informal public space well in excess of that required, however would prefer to see the amount to the north reduced, and part moved to a more central area to create a village green style area, further breaking up built form.

SSDC Ecologist: Satisfied with and generally agrees with the conclusions of the various ecological reports and makes the following comments and recommendations:

BATS: The site is evaluated as being of local value to bats, however foraging habitat is not subject to legal protection. While there is a likely adverse impact on bat foraging, this is not considered enough require additional hedge planting beyond that already proposed.

DORMICE: A single dormouse nest was recorded in 2013 but the 2017 dormouse survey didn't record any evidence of their presence. The habitat on site is sub-optimal for dormice and the site lacks good connectivity with other suitable dormouse habitat. It is considered unlikely that there is a permanent population of dormice on the site, but there could be occasional presence of small numbers. A Hedgerow Removal Method Statement condition is requested.

NESTING BIRDS: He notes that the removal of the central hedge has a high potential to disturb nesting birds and therefore recommends the use of a condition to control when such works are carried out.

JAPANESE KNOTWEED: Notes the presence of Japanese Knotweed on the site and recommends the use of a condition to secure a scheme for the eradication of the plant from the site, if not already addressed following outline consent.

REPTILES: The use of an informative is recommended due to there being the small number of slow worms on the site.

BIODIVERSITY ENHANCEMENT: A condition to secure biodiversity enhancements in line with the provisions of the NPPF is recommended.

HEDGEROW REMOVAL METHOD STATEMENT: Appendix 6 of the Ecological Impact Assessment details seasonal timing and other measures to minimise the risk of harm to legally protected species. It is recommended that this be made a requirement by condition.

LANDSCAPE AND ECOLOGY MANAGEMENT PLAN: Section 8 of the Ecological Impact Assessment advises a 'Landscape and Ecology Management Plan' (LEMP). This could in theory cover many or all of the above requirements/conditions in a single document. If it's the preference of the applicant, the Ecologist has no objection to all of the above being covered this way. If so it should be a pre-commencement condition.

SCC Rights of Way: The current proposal will obstruct the footpath L 13/55.

The proposal either needs to be revised to prevent any obstruction or a diversion order applied for. The applicant must apply to the Local Planning Authority for a diversion order.

The County Council do not object to the proposal subject to the applicant being informed that the grant of planning permission does not entitle them to obstruct a public right of way.

Please include the following paragraph as an informative note on the permission, if granted.

Development, insofar as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary (diversion/stopping up) Order has come into effect. Failure

to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

In addition: We would be seeking any diversion to encompass the whole route of path L 13/55, in line with proposals that have been put forward in relation to application 18/01249/FUL.

The above refers to comments made in respect to planning application 17/02649/FUL, to which the applicant proposed a diversion of the footpath in its entirety. The County Rights of Way Officer commented that their preferred route was to retain the footpath for the majority of its current route to the west of the site, before passing eastward through the site onto Field Road.

Parrett Internal Drainage Board: Object on the basis that the discharge rates have been calculated based on the entire site area and not just the impermeable area. The Board advise that this is not in accordance with the publication 'Rainfall Management for Development (EA)', which states 'Calculation of the runoff volume from the developed site for preliminary assessment and design of drainage facilities will assume 100% runoff volume from paved areas and 0% runoff from pervious areas' and is also not in accordance with the guidance provided by HR Wallingford on their UKSuDS website.

This may increase flood risk locally. The proposals will therefore, introduce additional water in the Board's catchment area and Land Drainage Consent will be required from the board.

The Board would request that the following informative is added to any permission that is granted:

Informative: The applicant is advised that prior to works commencing onsite Land Drainage Consent is required under section 23 and 66 of the Land Drainage Act 1991, from the Parrett Drainage Board for any construction in or within 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District.

Wessex Water: No comments received. The following comments were received in respect to application 17/02694/FUL:

Foul Water and Surface Water discharges must be drained separately from the site and Surface Water connections to the public foul sewer network will not be permitted. The drainage details indicate separate systems and points of connection to the public sewer system are agreed with a surface water discharge restricted by flow control to 9.8 l/s from the site.

Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

Wessex Water will be carrying out a strategic review of the public sewer system at this location over the next 12 months. This will review service levels with any further allocations made in the Local Plan. Capacity improvements may be considered by the sewerage undertaker if the risk of sewer flooding has increased within the catchment.

SW Heritage Trust: No objection on archaeological grounds.

SSDC Tree Officer: I have noted that the subject of the double parallel Beech hedge has arisen again. My previous comments relating to Planning Ref: 13/03483/OUT still apply.

I'm afraid that the submitted landscape details are rather disappointing. My comments as follows:

The Hedgerow Plantings

- The dominant use of native 'thorns' (e.g. *Prunus spinosa*) within the context of a housing

development should be avoided, as the future maintenance is unpleasant and difficult for ordinary householders to manage.

- A more appropriate 'native' species mix for the hedgerows would be: 40% Hazel, 20% Field Maple, 20% Beech, 10% Holly & 10% *Viburnum opulus*.
- The specification for all hedgerow plantings should specifically avoid the use of bare-rooted stock (it is almost impossible to obtain bare-rooted stock of UK-provenance), instead employing Cell-Grown 40-60's of UK-provenance (readily available at the same cost as bare-rooted).
- The hedgerow specification should clearly specify the use of a coir-based weed-suppressing textile (economically available 'off-the-roll' as a more environmentally responsible alternative to TERAM) to be securely pegged down after treatment of all competing ground-vegetation to a minimum radius of 500mm from the base of each tree or shrub (specifically to counter the threat of Bindweed).
- The hedgerow plantings should consist of an offset matrix planted through slits cut into the coir fabric in a double parallel row at a density of x6 plants per linear meter, spaced at 300mm off-set centres and 500mm between the two rows. The layer of wood-chip or chipped bark-mulch shall cover the coir-based fabric in-entirety to a minimum depth of 100mm.
- Each individual hedgerow planting shall be protected by a 0.6m high Tubex shrub-shelter securely fixed to the ground with a 25mm x 25mm tanalised stake.
- The proposed 'gapping-up' of the existing boundary hedgerow is noted and welcome.

Tree Plantings

- I am insistent that each tree must be of UK-provenance and container-grown (preferred) or root-balled. Sensible sizes would be 10-12's or 12-14's with minimum container-volumes of 45-65 litres.
- The inclusion of some fully-feathered and half-standard forms would be welcome.
- Each tree must have a surface-mulch of wood-chip or chipped bark applied to a depth of 100m in a minimum radius of 500mm. The additional use of an individual coir-based mulch mat for each larger sized tree would be prudent.
- Each tree to be planted within a grass/turfed environment must have a suitably robust strimmer-guard securely installed around the base e.g. 'Arbortec Standard Strimmer Guard'.
- The use of fast-growing aggressively surface-rooting species such as *Prunus avium* 'Plena' in such close proximity to dwellings (e.g. Plot 61...) and hard-surfacing seems un-sustainable. I recommend a vigorous over-haul of the species-palette and proposed locations.
- I believe that the proposed use of *Fraxinus excelsior* (Ash) is contrary to the current DEFRA embargo/ban on the sale and transport of this species.
- Within the new hedgerow plantings, particularly the plots adjoining the roadside (Plots 54-48 & Plots 16 & 1); there ought to be some modest-sized fastigiated trees to soften the visual impact of the built-form as viewed from the road (e.g. *Malus trilobata*, *Pyrus calleryana* 'Chanticleer', *Carpinus betulus* 'Frans Fontaine', *Quercus robur* 'Koster', *Tilia cordata* 'Rancho', *Acer campestre* 'Streetwise' etc...) - planted at sensible spacings, e.g. every 5-6 metres or so.
- The use of large-growing trees with natural forms within the larger areas of greenspace (e.g. to the North of Plots 1-5, 17, 27, 28, 29 & 80) is welcome. However, they appear to be located far too close to the adjoining dwellings to sustainably accommodate their spreading forms. These trees need to sensibly occupy a more central position within their setting.
- *Acer rubrum* and *Malus sylvestris* are particularly unwelcome inclusions within this planting scheme on account of soil-type, locations, susceptibility to disease & disappointing longevity.

Turfed Areas

- I am naturally concerned regarding the proposed rotovation of the Root Protection Areas "to a fine tilth" - this should be specifically mentioned on the landscape scheme as something that must be avoided and the locations of the Root Protection Areas should be clearly illustrated.

Summary Recommendations Regarding the submitted Landscape Scheme

I would be grateful if you could ask Persimmon to instruct their appointed landscape designer to get in-touch with me to resolve the issues I have identified above.

Tree and Hedgerow Protection Requirements

It appears that no such details are forthcoming within this Reserved Matters application, unless of course; this requirement has already been discharged.

REPRESENTATIONS

34 letters of objection have been received. The main points raised relate to the following areas:

- Current infrastructure (schools, doctor's surgery, dentists, community nurses, sewage system) is inadequate and problems will be exacerbated by the development.
- The area has already contributed enough towards meeting housing targets.
- There is too much tandem parking.
- The proposed traffic splitter island at the entrance will make vehicular access difficult for the occupiers of the properties opposite. Vehicle manoeuvres would have to take place over a hatched area, a blank area should be left.
- Some of the houses will overlook the gardens of a property to the east of Field Road.
- The loss of the beech hedgerow should be avoided as it is landmark feature and part of the history of the area. If housing must be built, why can't the hedge be incorporated into the development.
- The central hedge is a haven for wildlife and should be retained.
- Property values in the area could be lowered.
- The existing drainage system needs updating.
- There are already large signs on site advertising the development, assuming permission will be granted.

CONSIDERATIONS

Principle of Development

The principle of development has already been established by the approval of outline planning permission 13/03483/OUT. The outline permission included approval of the access arrangements, with all other matters reserved.

This application is made following the refusal of recent planning application 17/02694/FUL, which was for 94 dwellings. That application was considered by Area North Committee in January this year, and was refused for the following reason:

The proposed development, due to the increased number of dwellings, and the scale, design, proportions and siting of said dwellings, represents overdevelopment of the site, resulting in a cramped residential development of a level and density inappropriate to the location. The proposal therefore has an unacceptable impact on the character, appearance and rural context of the site and its surroundings. The proposal is therefore contrary to policies SD1 and EQ2 of the South Somerset Local Plan (2006-2028) and provisions of chapter 7 and the core planning principles of the National Planning Policy Framework.

In refusing permission, Members of the Committee made it clear that an increase on the 80 units approved by the outline consent was unacceptable and that the proposed development represented an

over-provision of residential development on the site. In submitting this application, the applicant seeks to address the refusal reason by reverting to the approved 80 units.

Scale, Appearance, Layout and Landscaping

The development proposes a residential development laid out around a central access road, with a southern loop re-joining the central road, and two smaller no through roads accessing development to the north of the site. In revising the scheme from the previously refused 94 unit proposal, the site layout is not too dissimilar to that seen indicatively at outline stage, with a more spacious layout now submitted due to the decrease in numbers. One very noticeable improvement is the ability to re-introduce elements of parking between properties, rather than almost entirely all to the front of the houses, thereby reducing the dominance of car parking within the street scenes.

The layout includes a wide green buffer to the north of the site, giving a degree of separation of the site from the listed Old Kelways buildings to the north, and the protected trees along the northern roadside boundary. This green space, which will double as informal public open space, and is proposed to accommodate a surface water attenuation feature, which is to be considered under the discharge of conditions related to the outline consent.

In considering the impact of the proposal on the setting of the grade II listed buildings to the north, and the general character of the area, the northern edge has been designed following advice given by the Council's Landscape Architect in respect to 17/02694/FUL, with the concentration of open space to the northern part of the site, and increased formalisation of housing frontage to this open space, which is considered to present an appropriate frontage to sensitively address the listed buildings opposite, and maintain the more rural feel of the northern boundary, maintaining the more important, protected trees.

Within the site there is an increase in parking to the front of properties, with increased car dominance evident, however the mix in orientation of properties and amount of set back from the adjoining road, along with the opportunity for landscaping between parking spaces, is considered to limit the impact, and introduce an appropriate injection of green planting within the street scene. Overall, the layout is considered to be acceptable and satisfactorily accommodate the 80 dwellings.

The proposed houses are of a relatively standard design and appearance, being taken from a volume house builders existing portfolio of houses, however careful consideration has been given to the types and material mix, with a limited palette of materials proposed, comprising red brick, reconstructed stone, and render. The majority of the site will be brick, with the occasional rendered property to reduce the monotony. Reconstructed stone is more prevalent to the northern site frontage to respond better to the more sensitive frontage. Red tiles are proposed mostly, with grey tiles introduced to a number of the frontage properties, and several of the focal point buildings.

The scheme includes proposals for new hedgerow planting to the boundaries, the formation of a green buffer to the north, and planting throughout the estate. The Council's Tree Officer has considered the proposed landscaping scheme and has questioned several elements particularly relating to the species type and mix. This in itself is not a constraint to development, however the proposed landscaping scheme is considered to be unacceptable. The applicant is in the process of putting together a revised scheme to address the concerns raised, however should that not be submitted, a condition can be easily imposed to agree the scheme post-approval. The Tree Officer also noted that no tree and hedge protection measures have been included. This is however a condition of the outline consent so there is an outstanding requirement to agree these details as a discharge of conditions.

Much concern has again been raised regarding the loss of the double row of beech hedges that currently traverses the site. While this is regrettable, it should be noted that in considering the outline planning permission, the Council's Tree Officer and Landscape Architect were consulted. Both confirmed that the hedges are structurally poor and neither raised an objection to their loss. The Tree Officer referred back

to these previous comments, and has raised no further concerns.

On the basis of the above it is considered that the proposed reserved matters application is acceptable in respect to scale, layout, appearance and landscaping. It is also considered to address the reason for refusal of planning application 17/02694/FU.

Flooding and Drainage

The development of this site will clearly lead to the creation of additional impermeable surfaces that need to be suitably drained to avoid the risk of increased surface water flooding outside of the site. In this case, the applicant has put forward a drainage strategy that includes the capture and attenuation of excess surface water, with discharge rates limited to 9.8l/s, which is equivalent to greenfield runoff rates. This is similar to that proposed in 17/02694/FUL, although the proposal reverts to an open attenuation pond. Objections have been raised by the Parrett Internal Drainage Board in respect to the calculations included within the drainage strategy, and that this may lead to an increase in surface water runoff into the Board's area. In response, the applicant has amended the drainage scheme to take into account these comments and hopes that these concerns can now be satisfied.

Notwithstanding the above, it should be noted that the provision of the final drainage details was required as a condition on planning permission 13/03483/OUT. Should the submitted details not be agreeable, the Local Planning Authority reserve the right to not approve them as part of any reserved matters consent, in which case this will still be an outstanding matter to agree by discharge of conditions. Overall, as assessed at outline stage, the drainage strategy gives sufficient reassurance that the site can be effectively drained, with existing conditions already in place requiring the agreement of the final detailed drainage scheme, along with details of future ownership and maintenance. In this respect, the applicant has confirmed that it is the intention for Wessex Water to adopt the elements of the surface water system that they can, with the remaining elements, such as the attenuation features to be handed over to a management company.

Sewerage and Water Supply

Concerns have again been raised regarding the adequacy of the local sewerage network. Whilst Wessex Water have not commented on this application, they did not object to the outline application, or to the recent full planning application for 94 units. They did also confirm that they will be carrying out a strategic review of the public sewer system at this location over the next 12 months. This will also review service levels with any further allocations made in the Local Plan. Capacity improvements will be considered by the sewerage undertaker, if the risk of sewer flooding has increased within the catchment.

Highways

At the time of writing this report no comments have been received from the County Highway Authority, however the access is approved, along with off-site highway works to include the provision of a pedestrian refuge to the north of the site, with a new footway link, dropped kerbs and tactile paving, linking to the existing pedestrian footways on the north side of Somerton Road. The approved access includes the provision of a right hand turn bay into the site, incorporating a traffic splitter island, which it is proposed to replace with a pedestrian refuge to aid existing residents opposite when crossing Field Road.

The outstanding matters for consideration relate to the layout of the estate roads. In this case, the layout is similar to that considered acceptable by the Highway Authority under 17/02694/FUL, notwithstanding the changes to the layout in reducing numbers from 94 to 80. Further update will be given to Members following receipt of the Highway Authority's detailed comments.

Concerns have been raised again about ease, and safety, of accessing the existing vehicular accesses

opposite the site, particularly with the proposed introduction of a traffic splitter island and hatched, markings on the road. Whilst these comments are noted, it is important to be aware that the access arrangements have already been considered and approved in the outline consent. As such, the proposed access was considered to be acceptable and there is no scope to alter it as part of this reserved matters application.

Public Right of Way

There is a public footpath running alongside the west and southern boundaries of the site. There is no current obvious entrance to the footpath, either to the north or east of the site with both ends overgrown. Despite this, the north/south section runs within the application site, while the east/west section appears to run to the south of the application site, having been integrated into rear gardens of properties to the south. This being the case, the proposed development would obstruct the existing footpath, with the rear gardens of the properties to the west of the site extending up to the boundary hedge.

In seeking to address this in the previous application, the applicant provided details of two options, one being to amend the plans slightly to leave space for the footpath along its current route, the second being to apply for a diversion to redirect the footpath through the proposed pedestrian access to the north west of the site from Somerton Road, around the paved footway, and out through a another pedestrian access, onto Field Road, to the south east of the site. The second option is the applicant's preferred option, and an application to divert the footpath through the site is expected should planning permission be granted for this proposal.

The County Council Rights of Way Officer has considered the proposal again and has raised no objection, whilst noting that the current route of the footpath would be obstructed and need diversion. In considering the options put forward by the applicant, the Rights of Way Officer has advised that a third option is preferable, that being the retention of the footpath for much of its existing route to the west of the site, before be diverted eastwards through the site, and out onto Field Road.

While this would solve the issue of enforcing the reinstatement of the footpath to the south of the site, on land outside of the applicant's control, this would still not be ideal as like the first option, it would create a long, potentially unpleasant enclosed right of way, which would most likely discourage use, particularly as the aforementioned route within the second option would be present anyway. The retention of the existing route of the footpath would also be likely to raise security and public safety concerns. It is therefore considered that subject to the approval of a diversion, the rerouting of the footpath through the site could resolve the issue and offer a pragmatic solution, while providing a safer route for pedestrians, particularly school children who have to negotiate the existing unsatisfactory highway network. Should this not prove satisfactory, it should be noted that the grant of planning permission does not entitle the applicant to illegally block any part of the footpath within their ownership, with County Council able to take appropriate action should this prove necessary.

Ecology

Objections have been received again in respect to the impact on local wildlife as a result of the development as a whole, and the loss of the beech hedgerow through the site. Having been assessed at outline stage, the principle of development was not objected to, however additional surveys were required, including testing for the presence of dormice, as a single nest was recorded in the original survey.

The most up to date survey, completed in November 2017, included bat activity surveys, and dormouse surveys. The Council's Ecologist has considered the findings of the survey and raises no objection to the development, subject to a number of appropriate conditions.

The bat surveys recorded several species of bats foraging within the site, in moderate numbers,

however the trees bordering the site are accepted as offering only low potential for bat roosted. Similarly, while the loss of the central beech hedge would reduce insect prey, it is noted that foraging habitat is not subject to legal protection. Additionally, the site is viewed as likely to represent a relatively small proportion of the total foraging area available for local bat populations. It is not considered that additional planting is required to compensate for this loss.

The dormice surveys didn't record any evidence of dormice, and the Ecologist also views the site is sub-optimal. While there could be occasional presence in small numbers, it is unlikely that there is a permanent population of dormice on site. A hedgerow removal method statement is considered appropriate as a precautionary measure though. Similarly, a condition restricting the times that hedgerow can be removed, unless previously checked by a competent person is also proposed as a precautionary measure to avoid disturbing nesting birds that may be using the beech hedgerow. Small numbers of slow worm have been identified, with an informative again proposed. Additional conditions have been requested to ensure that biodiversity enhancements details are provided for approval, and compliance with a hedgerow removal statement, included within Appendix 6 of the submitted Ecological Impact Assessment. It is noted that a 'Landscape and Ecology Management Plan' is referenced within the report. The Council's Ecologist has advised that this could be conditioned to cover many of the suggested conditions, and requirements.

As such, notwithstanding the concerns raised, the proposal, which includes details of appropriate avoidance, mitigation and compensation measures, is not considered have an adverse impact on local ecology or protected species so as to warrant refusal of the scheme.

Residential Amenity

One objection has been received concerned that there will be overlooking to a property to the east of the site, on the other side of Field Road. Despite this, it is considered that the development appropriately considers the impact on local amenity, with the distances between the proposed dwellings, and neighbouring properties appropriate to avoid overlooking, overshadowing and general overbearing impact. The proposal also includes enhancements to the existing south and west boundary treatments which do currently contain some gaps and areas of sparse cover. The approval of a detailed landscaping scheme will allow an appropriate planting buffer to be provided to reduce the impact of the development. If deemed appropriate, the proposals to divert the public footpath will also remove the potential for pedestrian movements in close proximity to the rear of the properties to the west.

Ultimately, there will inevitably some impact from increased residential activity, and increased lighting levels, when moving from a completely undeveloped site to a residential estate. However, it is concluded that the proposed development will not cause demonstrable harm to the residential amenity of adjoining occupiers in accordance with policy EQ2 of the South Somerset Local Plan, and the core planning principles of the NPPF.

Archaeology

As with the outline permission, SW Heritage have confirmed that there are no objections on archaeological grounds.

Planning Obligations

The outline consent was granted pre-Community Infrastructure Levy (CIL) so there is no requirement for these obligations. Otherwise, the previous requirements identified and agreed as part of 13/03483/OUT still remain. These were secured by a S106 Agreement and are as follows:

SSDC Community, Health and Leisure

A contribution of £373,455.77 (£4,668.20 per dwelling).

County Education

A contribution of £196,112 (£2451.40 per dwelling) towards primary school places

Affordable Housing

28 affordable houses with a tenure split of 67:33 in favour of rented accommodation over other intermediate types. The proposed layout and housing types are in line with the affordable housing requirement agreed at outline stage.

Travel Plan

To be agreed as part of the Section 106 Agreement.

Conclusion

The principle of developing this site was agreed by approval of outline planning permission. This reserved matters application is considered to be acceptable, and will have no adverse impact on local flood risk, ecology, archaeology, surrounding character, residential amenity and highway safety. It is also considered to address the concerns raised in refusing planning application 17/2694/FUL.

RECOMMENDATION

Approve with conditions

01. Notwithstanding the local concerns, the proposed development of 80 houses proposed in this sustainable location is considered to be acceptable by reason that it respects the character and appearance of the area and would not be harmful to the setting of local heritage assets, general visual amenity, residential amenity, ecology, archaeology or highway safety, without compromising the provision of services and facilities in the settlement, and provides for appropriate drainage mitigation. As such the proposal complies with the policies of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in complete accordance with the following approved plans: 110 P3, 111 P2, 120 P6, 121 P3, 140 P3, 500-1 P4, 500-2 P4, 501-1 P3, 501-2 P3, 501-3 P3, 501-4 P3, 501-5 P3, 502-1 P3, 503-1 P3, 503-2 P3, 504-1 P3, 504-2 P3, 505-1 P1, 506-1 P1, 507-1 P1, 508-1 P3, 508-2 P3, 509-1 P1, 509-2 P1 and 510-1 P23.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

02. Details of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each element of the proposal respectively;

- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs, including details of roof verge finishes;
- b) panels of brickwork and stonework shall be provided on site for inspection;
- c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any roof lights) and doors;
- d) details of position and colour finish of meter cupboards, gas boxes, rainwater goods, soil and waste pipes (soil and waste pipes are expected to be run internally).

Once approved such details shall be fully implemented and thereafter shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

03. No consent is hereby granted for the landscaping scheme as submitted. No development shall be carried out on site 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 after the development hereby permitted is first brought into use; 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 interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 7 of the National Planning Policy Framework.

04. The development hereby permitted shall not commence until a detailed Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority, covering the avoidance, mitigation and compensation measures detailed in Section 8 of the submitted Ecological Impact Assessment (prepared by Green Ecology - dated November 2017). The approved scheme shall be implemented in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: For the conservation and protection of legally protected species, for the enhancement of biodiversity and for the protection of amenity of future owners/occupiers of the site and neighbours, in accordance with policy EQ4 of the South Somerset Local Plan, the provisions of chapter 11 of the NPPF, and to ensure compliance with The Wildlife and Countryside Act 1981 (as amended).

05. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

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

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

07. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

08. Parking spaces shall be provided in accordance with details indicated within the approved plans, unless otherwise agreed in writing by the Local Planning Authority. The approved spaces shall be provided before each dwelling to which they relate are first occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

09. There shall be an area of hard standing at least 5.5 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of a roller shutter/sliding/inward opening type.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

10. There shall be an area of hard standing at least 6 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of an up-and-over type.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), the use of any garage hereby permitted, as part of this development shall not be used other than for the parking of domestic vehicles and not further ancillary residential accommodation, or any other purpose whatsoever.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

Informatives:

01. The applicant/developer is reminded that the conditions and informatives imposed on outline planning permission 13/03483/OUT still apply, unless otherwise superseded by any of the conditions imposed on this reserved matters planning permission. Outstanding matters include provision of full drainage details, which have not been approved as part of this reserved matters consent. Regard should also be given to the requirements of the Section 106 Agreement, dated 28th August 2015, accompanying the aforementioned outline consent.

 02. Development, insofar as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary (diversion/stopping up) Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

 03. 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 will have to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

 04. The provision of the highway works will require a suitable legal agreement and contact should be made with the Highway Authority well in advance of commencing the works so that the agreement is complete prior to starting the highway works.

 05. Reptiles (particularly slow worms) are present on the site and could be harmed by construction activity, contrary to legislation (Wildlife and Countryside Act 1981), unless appropriate precautionary measures are employed. Suitable measures could include appropriate management of the vegetation to discourage reptiles away from areas of risk, reptile exclusion fencing, and/or translocation of animals from the site. An ecological consultant should be commissioned to undertake further reptile specific survey and provide site specific advice.

 06. The applicant is advised that prior to works commencing onsite Land Drainage Consent is required under section 23 and 66 of the Land Drainage Act 1991, from the Parrett Drainage Board for any construction in or within 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District.
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Agenda Item 13

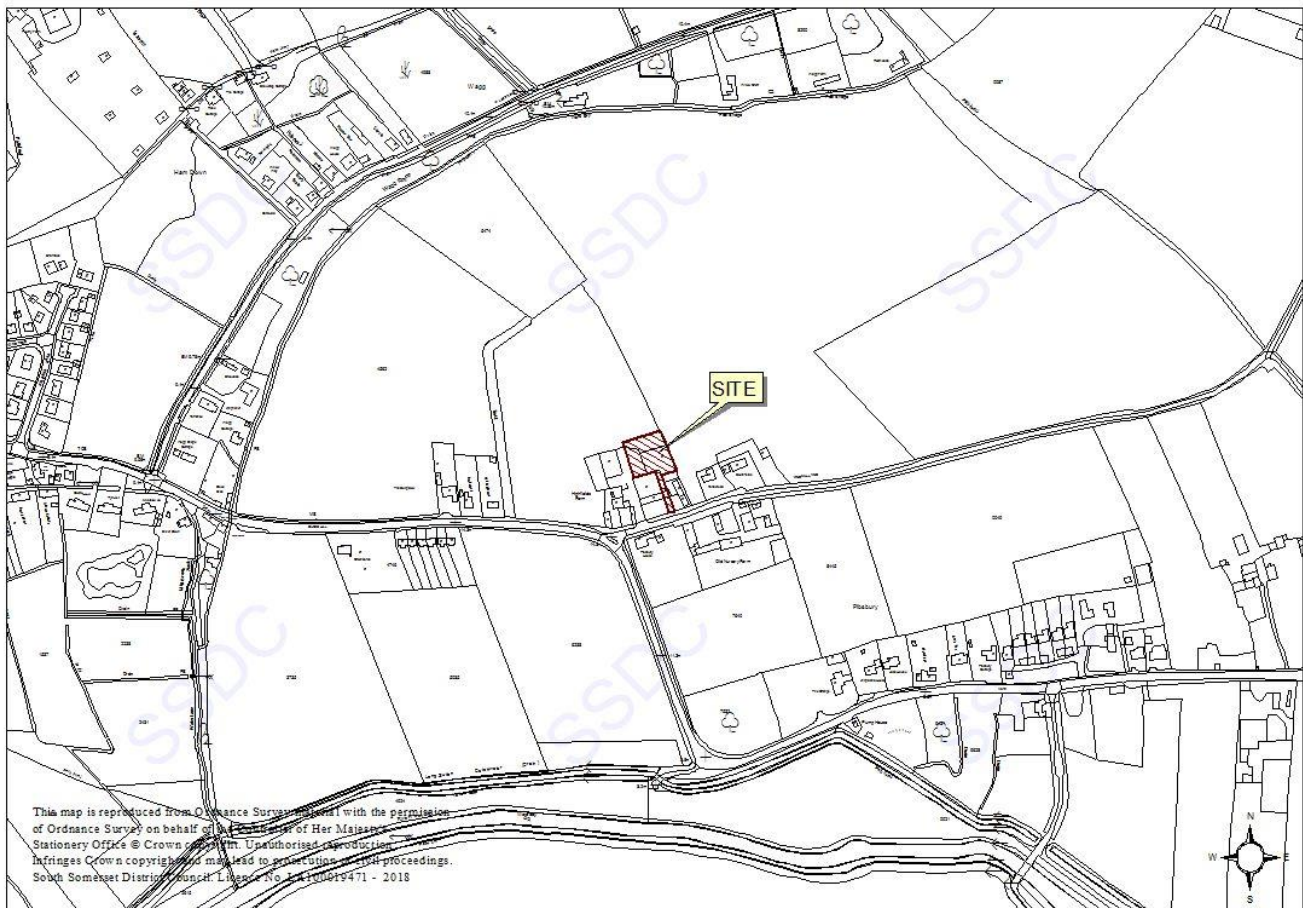
Officer Report On Planning Application: 18/00761/FUL

Proposal :	The erection of 2 No. detached dwellings (Revised Application).
Site Address:	Highfield Farm, Windmill Lane, Pibsbury.
Parish:	Huish Episcopi
LANGPORT AND HUISH Ward (SSDC Member)	Cllr Clare Aparicio Paul
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	15th May 2018
Applicant :	Mr & Mrs David
Agent: (no agent if blank)	Mrs Lydia Dunne, Clive Miller Associates, Sanderley Studio, Kennel Lane, Langport TA10 9SB
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 Area Chair with the agreement of the Area Chair to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The application relates to a former farm site situated on the north side of Windmill Lane in Pibsbury, a loose linear collection of properties located along the A372 to the east of Huish Episcopi. The site included a large dilapidated portal frame which was removed in order to be replaced with orchard planting required in connection with the grant of planning permission for the erection of two new dwellings and a barn conversion on land to the south. Neighbouring properties are located to the east and south with open land to the north and west of the site. The site is also located approximately 585m from Wet Moor SSSI and 325m from Muchelney level County Wildlife Site.

Outline planning permission was applied for the erection of two detached bungalows on this site in 2016, under 16/03176/OUT. This application was recommended for refusal by officers, and subsequently refused at Area North Committee on 26th October 2016 for the following reason:

The proposed development, as a result of its form, scale and siting, introduces an uncharacteristic concentration of residential development 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.

Following refusal by the Local Planning Authority, the applicant appealed the decision, which was dismissed in a decision dated 26th May 2017. A concurrent application was made on the land immediately to the west for the erection of a pair of semi-detached dwellings. This was also refused by Area North Committee, and a subsequent appeal dismissed.

This application is now made for full planning permission for the erection of two detached bungalows on the same site as the previously refused scheme.

HISTORY

16/03755/S73A: Application to vary condition 2 (approved plans) to planning permission 15/00931/FUL to allow for slight repositioning of plot 2 and single storey veranda to plot 1 - Permitted with conditions.

16/03176/OUT: Outline application for the erection of two detached bungalows - Refused (at Area North Committee and dismissed at subsequent appeal).

16/03175/FUL: Redevelopment of existing agricultural building to provide two 1.5 storey semi-detached dwellings - Refused (at Area North Committee and dismissed at subsequent appeal).

16/01490/S73: Application to vary condition 2 (approved plans) of planning permission 15/000931/FUL by substitution of revised plans 6408 - 01B, 04B, 05B and 02A - Permitted with conditions.

15/00931/FUL: Detailed design and layout for two dwellings, alterations to approved access and parking arrangements and the erection of a car port - Permitted with conditions.

14/04241/S73: Application to vary Condition 2 of planning permission 13/05050/FUL, with revised plans nos 6407-02, and 6407-01a (Porch enlargement) - Permitted with conditions.

13/05051/OUT: Conversion of redundant farm building to a dwelling - Permitted with conditions.

13/05050/FUL: Conversion of redundant farm building to a dwelling - Permitted with conditions.

13/03902/FUL: Proposed alterations and extensions to Highfield House - Permitted with conditions.

03/01738/AGN: Erection of an agricultural storage barn - Permitted with conditions.

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

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

HG4 - Affordable Housing Provision

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General 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
Planning Obligations

Policy-related Material Considerations

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

CONSULTATIONS

Parish Council: No objections, although the Council was disappointed that the application did not include dedicated garages.

SCC Highway Authority: Standing Advice applies.

SSDC Highway Consultant: I understand that a similar application on this site was previously considered and accepted by the local highway authority, subject to conditions. On the basis that the traffic impact of the scheme, the standard of the approach road to the site and the proposed means of access would have been assessed and was deemed appropriate by the highway authority to serve the proposed development, provided sufficient on-site parking is made available and secured in line with the Somerset Parking Strategy standards, no objection is raised to the current proposal.

REPRESENTATIONS

None

CONSIDERATIONS

Principle of Development

The site is located to the east of Huish Episcopi, approximately 400m from the developed edge of Huish Episcopi, 800m from the public house, 1.3km from the entrance to Huish Episcopi Academy and 2km from Langport town centre (junction of The Hill and North Street/Cheapside). 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)."

Usually applications in locations such as this would be considered against the settlement strategy contained within Local Plan policies SS1 and SS2, however the Local Planning Authority are currently unable to demonstrate a five year supply of housing sites. As such, several recent appeal decisions have confirmed that in the context of the National Planning Policy Framework these policies should be considered out of date, as they are relevant to the supply of housing. In such circumstances, the main consideration will be whether any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

As a starting point, this application is virtually identical to the previously refused scheme, other than the fact that it is a full planning application, rather than an outline application. In considering this previous proposal, it was recognised that while the site was not considered to be a generally sustainable location, it was however noted that it was within walking distance of several key services within Huish Episcopi, and there is a fully formed public footway that runs all the way to Huish Episcopi. Despite policy SS2 being viewed as out of date, on this basis the site has access to several key services referred to in this policy. Taking the above into account, the application site is considered to be adequately well located in relation to the key local services. As such, it is considered that the development of housing in this location may be acceptable in principle, subject of course to the assessment of other appropriate local and national policy considerations, to determine whether there are any adverse impacts that would significantly and demonstrably outweigh any minor benefits.

In the case of the previously refused scheme, the proposal was considered to be harmful on the grounds of adverse impact on the rural character of the area. As such, this scheme would have to adequately address this reason for refusal.

Scale, Design and Appearance

This part of Windmill Hill contains a small group of housing predominantly in a linear pattern of development characterised by a loose-grained and low level presence of established dwellings in the vicinity, which in most part address the lane. There has been further development recently that broadly respects this established development character. Just as the previously refused scheme, this development, as proposed, will extend northwards beyond the existing residential development to the south, encroaching further into adjoining countryside. The proposed development of this site would replace an area of proposed orchard planting approved in relation to the development to the south, which was intended to close off this development and act as a buffer to adjoining open countryside. Replacing this with residential development that includes domestic curtilage, parking and associated domestic paraphernalia, fails to respect the local character leading to an uncharacteristic extension of built form into open countryside, contrary to the prevailing pattern of development.

The applicant has sought to downplay the impact of this encroachment, suggesting that there are other examples of 'development in depth' in Pibsbury and other locations in Langport and Huish Episcopi. This may indeed be the case, however this does not impact on the application site and its immediate surroundings, mainly the small group of buildings along Windmill Lane, which a stronger linear form. There are two approved dwellings to the front of the site, which are back to back, however the overall

site still sits within the general building line, with no further extension out to the north. The applicant also refers to the development of Old Nursery Farm to the south east of the site, on the opposite side of Windmill Land, referring to the number of dwellings within this site, suggesting similarities to the level of development on this former farm site. This is noted, however again, the Old Nursery Farm development referred to is in a clear linear form, respecting the prevalent development character, rather than eroding it, as would be the case with the proposed development scheme.

The approval at appeal of a development scheme between the application site, and Huish Episcopi (Duck's Hill) is also referenced, in which the applicant highlights that the Inspector made comments in respect to a lack of specific policy regarding the preservation of 'gaps' and 'green wedges'. Again this is not considered to have any relevance to this application site, as the Duck's Hill scheme represented linear development, again in line with existing development character, and as the application site at Highfield Farm does not include any infilling of gaps but straightforward encroachment of built form, and associated domestic usage into adjoining countryside.

Overall, it is considered that there has been no change in local or national planning policy, or other site specific circumstances, to justify altering the previous view of the Local Planning Authority that the development of the application site would be unacceptable. This view was supported by the decision of the Planning Inspectorate, which was made less than a year ago. As such, the scheme is recommended for refusal for the same reason as previously refused proposals 16/03176/OUT and 16/03175/FUL.

Residential Amenity

The proposed dwellings are designed and orientated, along with the proposed inclusion of 1.8m boundary fencing between, to avoid overshadowing or overbearing impact that may have an unacceptable impact on the residential amenity of the occupiers of existing nearby development, or future occupiers of the proposed development.

Highway Safety

The proposal includes making use of the recently constructed access serving the three new dwellings to the south. It is also proposed that there will be four parking spaces per dwelling within site, as well as providing turning facilities. While there will be an increase in traffic using this new access, it is not considered that this will cause a severe impact on highway safety. Subject to the imposition of appropriate conditions to maintain the parking and turning facilities, the proposal is considered to be acceptable from a highway safety point of view.

Other Issues

The site is also near to Wet Moor Site of Special Scientific Interest (SSSI) and Muchelney Level County Wildlife Site, however the proposed development is not considered to have any adverse impact on these national and locally important sites.

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). Should permission be granted, an appropriate informative will be added, advising the applicant of their obligations in this respect.

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district. In May 2016 the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less. It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore the Local Planning Authority are not seeking an affordable housing obligation from this development.

Conclusion

Notwithstanding the additional detail provided within this full planning application, the proposed development is still considered to represent an uncharacteristic spread of residential development into adjoining countryside, at odds to the established pattern of development and to the detriment of local character. As such, the scheme is recommended for refusal.

RECOMMENDATION

Refuse

FOR THE FOLLOWING REASON(S):

01. The proposed development, as a result of its form, scale and siting, introduces an uncharacteristic concentration of residential development 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.

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 did not enter into pre-application discussions. Notwithstanding this, there were no minor or obvious solutions to overcome the significant concerns caused by the proposal.

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

In the event of an approval at appeal, you would be required to complete and return Form 1 Assumption of Liability as soon as possible after the grant of permission and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

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