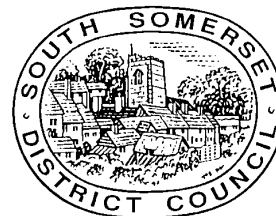


South Somerset District Council

Notice of Meeting



Area South Committee

Making a difference where it counts

Wednesday 2nd May 2018

2.00 pm

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

PLEASE NOTE THE FIRST ITEM ON THE AGENDA IS CONFIDENTIAL AND THEREFORE RECOMMEND THE PUBLIC DO NOT ARRIVE UNTIL 2.15PM

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



The following members are requested to attend this meeting:

Cathy Bakewell
John Clark
Gye Dibben
John Field
Nigel Gage
Peter Gubbins
Kaysar Hussain

Andy Kendall
Sarah Lindsay
Mike Lock
Tony Lock
Sam McAllister
Graham Oakes
Wes Read

David Recardo
Gina Seaton
Peter Seib
Alan Smith
Rob Stickland

Consideration of planning applications will commence no earlier than **3.15pm.**

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462011 or democracy@southsomerset.gov.uk

This Agenda was issued on Tuesday 24th April 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 South Committee are held monthly, usually at 2.00pm, on the first Wednesday of the month at the Council Offices, Brympton Way, Yeovil (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>

Area South Committee

Wednesday 2 May 2018

Agenda

PLEASE NOTE THE FIRST ITEM ON THE AGENDA IS CONFIDENTIAL AND THEREFORE RECOMMEND THE PUBLIC DO NOT ARRIVE UNTIL 2.15PM

Preliminary Items

- 1. Exclusion of the Press and Public (Page 6)**
- 2. Historic Buildings at Risk - Confidential Report (Pages 7 - 8)**
- 3. Minutes of previous meeting**
- 4. Apologies for absence**
- 5. 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 District Council's Regulation Committee

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

Councillors Peter Gubbins, Graham Oakes, David Recardo and Gina Seaton.

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.

- 6. Public question time**
- 7. Chairman's announcements**
- 8. Reports from representatives on outside organisations**

This is an opportunity for Members who represent the Council on outside organisations to report items of interest to the Committee.

Items for discussion

- 9. Yeovil Western Corridor Improvement - Update SCC Presentation** (Page 9)
- 10. Somerset Highways Update report** (Pages 10 - 12)
- 11. Area South Development Team - End of Year Report** (Pages 13 - 27)
- 12. Area South Forward Plan** (Pages 28 - 29)
- 13. Schedule of Planning Applications to be Determined by Committee** (Pages 30 - 31)
- 14. Planning Application 17/03673/OUT Land East of Holywell West Coker Road Yeovil** (Pages 32 - 56)
- 15. Appeals** (Pages 57 - 62)

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 1

Exclusion of the Press and Public

The Committee is asked to agree that the following item (agenda item 12) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 3: "Information relating to financial or business affairs of any particular person (including the authority holding that information)." It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

Agenda Item 2

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Agenda Item 9

Yeovil Western Corridor Update

*Contact Details: Andy Coupe, Somerset County Council
ajcoupe@somerset.gov.uk*

Somerset County Council's Strategic Manager Infrastructure Programmes (Andy Coupe) will attend the meeting to give a quarterly update on the Yeovil Western Corridor Improvements.

Agenda Item 10

Highways Update Report – Area South

Lead Officer: Mike Fear, Assistant Highway Service Manager

Contact Details: County Roads - countyroads-southsom@somerset.gov.uk

Purpose of the Report

Being the first report for the 2018/19 financial year, I aim to give a brief report of the highway works carried out last financial year in Area South and our proposed works programme for 2018/2019.

Schemes completed in 2017/18 (Area South)

Yeovil	A30 Sherborne Road	Surfacing/Drainage
Yeovil	Forest Hill	Surfacing
Yeovil	Netherton Rd, Sherborne Rd, The Avenue, Crofton Rd, Thorne Lane, Great Western Terrace	Footway
Barwick	Newton Rd/ Two Tower Lane	Earthworks

Surface Dressing proposed for 2018/19

Surface Dressing is the practice of applying a bitumen tack coat to the existing road surface and then rolling in stone chippings. Whilst this practice is not the most PR friendly, it is highly effective in preserving the integrity of the road surface. This year we are Surface Dressing 16 sites across South Somerset which are A and B roads, and 23 sites that are C and D roads.

The Surface Dressing within South Somerset is due to start during June.

Schemes proposed for 2018/2019

This year's structural maintenance budget is slightly lower than last year. The below table identifies significant schemes planned to be implemented in South Somerset and schemes proposed in Area South are highlighted;

Wincanton	A371 Holbrook Roundabout	Surfacing
Wincanton	A371 Anchor Hill Roundabout	Surfacing
Crewkerne	A30 East Street/Mount Pleasant	Surfacing
Crewkerne	A30 Chard Road	Surfacing
Martock	B3165 Coat Road to Stapleton Cross	Surfacing
Buckland St Mary	Farm Lane	Surfacing
Ash	Main Street	Surfacing
Alford	B3153 Cary Road	Surfacing
Mudford	Manor Farm Road	Surfacing
Wincanton	Common Road	Surfacing
Yeovil	St Michaels Avenue (A30-St Michaels Rd)	Surfacing
Yeovil	Lyde Road (Vale Rd-St Johns Rd)	Surfacing
Stocklinch	Stocklinch Road	Surfacing
Merriott	Broadway/Merriott Rd	Surfacing
Yeovil	Sparrow Rd (Roping Rd- Mudford Rd)	Surfacing
Chard	Glynswood	Footways
Chard	Henson Park	Footways

Chard	Pine Avenue	Footways
Chard	Coronation Street	Footways
Chard	Harvey Road	Footways
Chard	Thorndun Park Drive	Footways
Chard	Furzehill	Footways
Yeovil Without	St Michaels Avenue	Footways
Wincanton	Carrington way	Footways
Bab Cary	Bab Cary Lane	Footways
Chiselborough	Taylor's Orchard	Footways
Yeovil	Cedar Grove	Footways
Yeovil	Swallowcliffe Gardens	Footways
South Petherton	Old Vicarage Gardens	Footways
Yeovil	Burroughs Avenue	Footways
Ash	Main Street (Village)	Drainage
Ilton	B3168 Mill Lane/ Old Way gate	Drainage
Barrington	Main Street/ Bakers Lane	Drainage
Milborne Port	East Street	Drainage
Yeovilton	Podimore lane	Drainage
Charlton Horethorne	B3145 Charn Hill	Drainage
Sutton Montis	Allotment Road	Drainage
Bruton	Dropping lane	Drainage
Cudworth	Cudworth Street (Phase 2)	Drainage
Odcombe	Ham Hill road	Drainage
Chaffcombe	Main Street	Drainage
East Coker	Primrose Hill	Drainage
Bruton	Strutters Hill (Trees)	Earthworks

Grass Cutting

Grass cutting is a difficult task to carry out to the satisfaction of all. The highway network exceeds 3500km in length; therefore the size of the task is significant. Verge cutting of main A and B roads are likely to start on 7th May subject to growth rate. This will be followed by the C and D roads as table below and then a further cut of A and B roads.

Road Classification	Dates
A and B roads (including visibility splays)	30 th April or 7 th May dependant on rate of growth
C and unclassified roads	Start is usually 4 weeks later than A and B roads
A and B roads (including visibility splays)	Mid to late August dependant on rate of growth
Environmentally protected sites	Usually at the end of the growing season

Winter Maintenance

This winter we have carried out a precautionary gritting on 82 occasions and in the process have used 10,343 tons of salt. In February and March alone we used 4,655 tons during the cold/snowy period. This year we have gradually been replacing our fleet of gritters across Somerset, with the last batch being introduced during the summer at our Yeovil depot.

Agenda Item 11

Area South Development Team – End of Year Report

Strategic Director: Alex Parmley, Chief Executive
Communities Lead: Helen Rutter, Communities Lead
Service Manager: Natalie Fortt, Area Development Lead – North and South
Lead Officer: Natalie Fortt, Area Development Lead – North and South
Contact Details: Natalie.fortt@southsomerset.gov.uk or 01935 462956

Purpose of the Report

To summarise the work undertaken by the Area Development Team during 2017/18 to address priorities agreed by the Area South Committee

Public Interest

This report provides an outline of the role and objectives of the Area South Development Team, which includes the provision of an advice and support service for members of the public from Petters House, Petters Way, Yeovil; the delivery of Yeovil Regeneration, Community Safety and Community Development projects.

Recommendation

That the report be considered and noted.

Background

The Area South Development Plan

The Area South Development Plan (ADP) identifies key issues and needs within the town of Yeovil and parishes of Area South and sets out the priorities for the Area South Development Team over the year 2017/18. It is rolled forward annually.

The ADP (see Appendix 1) is divided into 5 sections, which relate to the 5 key areas of work:

1.	Town Centre and Neighbourhood Management
2.	Economic development, job creation and regeneration schemes
3.	Community lead planning and development
4.	Improving access to services and facilities in order to reduce inequality
5.	Community safety

Allocating Resources and Monitoring

The Area South Development Plan acts as a working document with regular monitoring by the Area Development Team. It was prepared in May 2017 and was informed by the Area South Members. Monitoring reports are presented to Area South Committee and individual reports on specific projects and service areas are reported to the Committee regularly.

Supporting Information

Town Centre and Neighbourhood Management

The Neighbourhood Development Officer (NDO) and Area Development Lead (ADL) have continued to work with the Chamber of Trade and the Love Yeovil Marketing Group to increase the amount of positive media about Yeovil and to organise the major annual events. The existing Super Saturday and Lantern Parade events were even busier this year and feedback suggests that footfall in the town was up by at least a third and one retailer reported a 200% increase in sales on Super Saturday. The first Christmas Market was also well received, so there are plans to hold something similar this year and to also organise a specialist food market in June.

A lot of work has been undertaken this year in evaluating Yeovil Street Markets and investigating possible alternative delivery arrangements. As detailed in previous committee reports, the markets are now in the process of being handed over to our new market partner MSD Markets Ltd. The necessary agreements are all in place and the new operators will begin running the markets by the beginning of April.

Economic Development and Regeneration Schemes

The Yeovil Refresh launch took place in Yeovil town centre on 9th and 10th March 2018. The event was well attended and a number of businesses have been in touch since, who would like to be involved in plans as they develop. A more detailed report on the consultation responses will come to this committee, once the initial consultation period has closed.

The team carry out quarterly audits of empty premises in Yeovil town centre. This provides a strong database from which to promote and broker new users to available premises. This report is also used by both the Economic Development and Planning Policy teams.

Community Led Planning

The Community Hub at Wyndham Park continues to work well and is used by a variety of groups and organisations. The new school also provides space for larger activities, including the Community Association meetings, the membership of which has grown considerably over the last year.

The ADL has continued to work with Spark to establish a new Community Association on the new Lufton Housing Estate. The Kingfisher Community Association formally adopted their constitution on 15th March 2018 and the dual-use school and community room is on target for completion in June 2018. Work on the legal agreements and dual-use policies is still ongoing and the ADL will continue to help facilitate the discussions between the new association and the school.

The Team have offered advice to parishes wishing to undertake Housing Needs Surveys and West Coker have already completed theirs, which will help the parish identify local need and demand.

The Westfield Regeneration Project is progressing well, with the hall working committee having successfully secured grants from the National Lottery, Yarlington Housing Group, SSDC and Yeovil Without Parish Council.

Advice has been given to over 30 voluntary and charitable groups and support given to all the local community associations in order to promote local action and improvements. The team also continue to provide a valued funding advice service, which is important in the current highly competitive financial climate.

Improve Access to Services

The team have continued to produce the Area South Bulletins, which are sent out quarterly to Parish Councils, Community Groups and other interested parties in the Area South area. The team also produce Ward and Parish Profiles and the Halls for Hire publication. The Halls for Hire booklet continues to be one of our most requested resources.

The ADL has chaired the Youth Opportunities Group that is held quarterly. This group aims to coordinate youth provision across the whole district and help avoid duplication.

The Petters House front desk has dealt with over 8,500 enquiries including the detailed advice provided to deal with over 5,200 benefits enquiries.

Community Safety

The ADL continues to support the multi-agency Yeovil One Tactical Team who meet on a monthly basis to provide support and direction to the Operational One Team.

Area Development has secured a day a week of an Environmental Health Officer's (EHO) time to assist with supporting the weekly Operational meeting which is based at the Fire Station and deals with complex issues in Yeovil Central and East Wards. The EHO and ADL are also investigating how SSDC might be able to utilise the new community safety powers available to district councils.

Unfortunately, both the Community Safety Manager and dedicated One Team Administrator left SSDC during the past year. However, funding has been found for a new temporary Yeovil One Co-ordinator post and recruitment for this post is currently underway.

The ADL recently assisted Avon and Somerset Police by chairing an Anti Social Behaviour Case Review (also known as a Community Trigger), which is one of the community empowerment tools brought in by the Anti Social Behaviour, Crime and Policing Act 2014.

Appendices to consist of:

Appendix 1: The Area South Development Plan 2017/18 update

Financial Implications

None as a direct result of this report.

Council Plan Implications

The work within the ADP supports the key focus areas of Economy, Environment and Health and Communities.

Carbon Emissions & Climate Change Implications

Carbon Emissions & Adapting to Climate Change Implications (NI188)

The town centre location of Petters House minimises travel and the carbon emissions associated with it. The quality of regeneration within Yeovil will have a significant impact on future carbon emissions.

Equality and Diversity Implications

Equality and Diversity will be fully explored in the implementation of the various projects within the Area Development Plan

Background Papers: None

Area South Development Plan (2017-18)

Portfolio Holder – Councillor Peter Gubbins

Team Lead – Natalie Fortt

This is what we do:

Work with communities, Councillors and service providers across our Area supporting the development of stronger communities, promoting economic vitality and helping to create better, more self-sustaining places to live and work



Who do we work with? *We work in partnership with the following services, agencies and organisations to achieve our priorities:*

<p>Access For All Armed Forces Community Covenant Alzheimer's Society Avon & Somerset Constabulary BBC Somerset (Media related) British Heart Foundation Bus operators Business community (various members) Charities and volunteer groups (various) Children and youth work groups (various) Citizen Advice Bureau Community Associations : Abbey Manor Westfield Milford Birchfield New Town Wyndham Park Community Speed Watch Co-operative Shop (Westfield) Developers and agents Devon & Somerset Fire & Rescue Service Environment Agency</p>	<p>GP Surgeries – Yeovil and Area South Individual volunteers (various) Knightstone Housing Association Locality & DCLG (through the Our Place project) Local buskers/musicians Magna Housing Association National Trust NHS : Health visitors Yeovil District Hospital Public health specialists Older people (preventative) Pathways Play groups / pre-schools (various) Post office Parish Councils Quedam shopping centre</p>	<p>Royal British Legion Royal Navy Welfare Shoptmobility Social Enterprises (various) Somerset County Council Somerset Rural Youth Somerset Smokefree Alliance South Somerset Mind Yarlington Housing Group Stonewater Housing Association Spark The Breeze The Conduit The Emporium The Hub – Yeovil Ward Members Western Gazette Yeovil Job Centre Yeovil in Bloom Yeovil Chamber of Trade & Commerce Yeovil Foundation Learning Partnership Yeovil Town Council Yeovil One Team</p>	<p>Yeovil Churches : Yeovil Community Church St.Peter's Church St.Mark's Methodist Church St James Church Yeovil Family Church Birchfield Church Yeovil Street Pastors Yeovil Schools federation : Yeovil College Milford infant School Milford Junior School Grass Royal School Pen Mill School Reckleford School Birchfield Community School Bucklers Mead Academy Aspire group (Bucklers mead) Westfield Academy Preston Academy</p>

Our Priority Areas for 2017/18 are:

1.	Town centre & neighbourhood management
2.	Economic development, job creation & regeneration schemes
3.	Community-led planning & development
4.	Improving access to services & facilities to reduce inequality
5.	Community Safety

Service Standards for 2017/18 (our core work)

1.

Community Grants

South Somerset District Council (SSDC) is committed to supporting community development and projects, for which we offer a range of grants. The standards that we expect to fulfil are:

- Grant application pack to be sent out within 48 hours of request
- Acknowledgment letter to be sent out within 3 days of receipt of application form
- Award letter and conditions to be sent out within 5 days of Scrutiny call in period

2.

Front Office

The Council have staff available in the Area Office providing advice & guidance on all Council services, in particular:

- Verification and processing of housing benefit applications, assistance with online Universal Credit applications, receipt of payments, dealing with South Somerset District Council enquiries and signposting/referring to other agencies as appropriate

3.

Community Development and Regeneration

South Somerset District Council's Area Development Team aims to:

- Answer all community development and regeneration queries and questions received within the timescales set by corporate service standards
- Offer advice and support to any community group within Area South wishing to produce a Parish Plan or Neighbourhood Development Plan
- Enable one business event and maintain regular contact with local business associations
- Respond to Sole Traders' and Companies' enquiries within the timescales set by corporate service standards
- Encourage participation and give at least 6 weeks' notice of workshops, meetings or consultations, which will always be held in accessible venues
- Ensure that communities are consulted and engaged with all of our major physical improvement projects through a communications plan
- Offer funding advice to local associations and voluntary groups and signpost to grant assistance for possible sources of funding
- Coordinate & arrange meetings & workshops in response to demand from Area South Committee, Parishes & community organisations, which bring together key partners and community representatives to jointly tackle issues relating to the well being of residents in the Area
- Check our SSDC website pages once a month to make sure they are up-to-date and relevant
- Actively market the Area as a place to live and work, promoting key towns through communications plan

Priority Area	Action	Who	When	Outcome	Performance Measure	Update
1. Town centre & neighbourhood management	Support local chamber of commerce and business Associations	M Ainsworth N Fortt	Ongoing	Stronger relationship between South Somerset District Council and business community. Better understanding of issues affecting local business.	Dissemination of South Somerset District Council information via Chamber channels	Regular meetings held with Chamber representatives.
	Continue support for the Love Yeovil marketing Group. Attending meetings and assisting with the direction of the group. Developing a website and increasing engagement with social media platforms, a marketing strategy and an events programme. Developing and agreeing sponsorship pack. Obtaining funding for projects and events	M Ainsworth N Fortt	Ongoing	Increased footfall in the town centre. Improved profile and programme of events. Improved buy-in of local businesses.	Love Yeovil Group formalities in place. Number of events assisted, website about to be launched, sponsorship gained. Updates to Yeovil Vision Board.	Support given at monthly meetings, support given in actively engaging with town centre businesses. Assisting with website development and social media platforms. Assisting with development of sponsorship packs.
	Merge town centre maps work with Love Yeovil communications plans.	M Ainsworth Community Support Assistant	Ongoing to fit with Love Yeovil timescales	Cohesive image in relation to maps and on street 'way marking' and Love Yeovil website.	Updates to Yeovil Vision Board.	Adjusting map to be used on Love Yeovil website. Map also used for Yeovil Half Marathon leaflet.
	Continue to support the Yeovil Town Centre Enhancement Group and implement the multi-agency maintenance schedule	M Ainsworth Community Support Assistant	March 2018	Cleaner, better maintained environment in the town centre	Programme of improvement agreed & implemented. Update reports to Area South committee.	Ranger Scheme delivering against the programme of works for 2017/18
	Continue to support Yeovil Vision Board	N Fortt Community Support Assistant	March 2018	Maintaining the Yeovil Vision within a cost effective and streamlined structure, to influence strategic projects seeking external resources and to oversee the delivery of local projects to benefit Yeovil	Supporting Yeovil Vision meetings producing all related reports, agendas and minutes	Support given, now awaiting the results of the Yeovil Refresh consultation.

Priority Area	Action	Who	When	Outcome	Performance Measure	Update
	Continue to support the administration of promotional spaces in Yeovil town centre and develop promotional pitch policy	Community Support Assistant	March 2018	Vibrant and diverse town centre environment	Report to Area South committee	Agreement in place with licensing for Area South Development to charge for promotional pitches.
2. Economic development, job creation & regeneration schemes	Yeovil Refresh	N Fortt M Ainsworth	March 2018	Agreed Refresh document	Launch event	Launch event held 9 th and 10 th March
	Digital high street work	M Ainsworth N Fortt Community Support Assistant	Mar 2018	Understanding of how many businesses in the town centre are not 'online' and how adaptable the town is to the digital challenge facing our high streets	Report to Yeovil Vision	Complete.
	Resolve final agreements on licence for the Reckleford Road Scheme	M Ainsworth	Dec 2017	Project finalised and retention monies released.	Project completion by December 2017.	Ongoing, still waiting for response from Highways on completion of licence and remaining retention sum.
	Support given to town centre events including Yeovil Half Marathon, Super Saturday and the Christmas Switch on. Support Love Yeovil with new events as they arise.	M Ainsworth Community Support Assistant	Throughout the year	Successful events delivered in partnership with key stakeholders.	Events delivered successfully.	Super Saturday, Christmas Market and Lantern Parade successfully delivered with input from Love Yeovil. Plans for Half Marathon and June Food event currently being finalised.
	Neighbourhood retail enhancement project – Westfield and Birchfield	M Ainsworth Community Support Assistant	March 2018	More attractive shopping environments within our neighbourhoods.	Plans and funding agreed for one of the projects, start dates agreed.	Draft plans have been prepared for St Johns Rd shops. Proposed options to

						be presented to Area South Committee in May.
Priority Area	Action	Who	When	Outcome	Performance Measure	Update
Page 21	Continue to support and develop existing and new initiatives for Yeovil Markets	M Ainsworth Community Support Assistant	March 2018	Enhanced street markets and regular themed markets. Markets better connected to town centre events.	Existing market improved, new markets tested on Saturdays. Reduced resource implications for Area South Development Team. Reports to Market Improvement Group and Area South committee.	Legal contract with new market partner has been signed. Transition plan is being finalised with MSD Markets Ltd. A full markets programme will be launched in May as part of the national 'Love Your Market' campaign.
	Continue to oversee newly transformed Vintage market	M Ainsworth	March 2018	Successful vibrant market attracting footfall to the town centre.	Vintage market being managed externally with less resource implications from South Somerset District Council. Renewed name for market. Service Level Agreement in place. New location trialled top of Middle Street.	The market was moved to an external business but despite their efforts, it has been withdrawn. However, Saturday markets form part of the new agreement with MSD, so something similar but more sustainable could be possible in the future.
3. Community led planning & project development	Support local Parishes to deliver Housing Needs Surveys West Coker East Coker	J Divall J Divall Community Support Assistant	Sep 2017 Sep 2017 Sep 2017	Improved, current evidence of need which can be used to enable the strategy housing team to establish local demand and need.	Completed Parish Housing needs survey's – included to SSDC Strategic Housing Strategy	West Coker Complete. East Coker ongoing
	Project Manage Westfield	J Divall	Mar 2018	More cohesive community with	Projects supported.	Updated project

	Regeneration Programme			better facilities and less isolated individuals		report, projects are on-going
Priority Area	Action	Who	When	Outcome	Performance Measure	Update
Page 22	Continue to support and advise communities and businesses to initiate and implement projects within Area South	M Ainsworth N Fortt J Divall Community Support Assistant	Ongoing	Continued engagement with communities and businesses to deliver successful community projects and business outcomes	Engagement, advice and support given to at least 10 projects.	Complete.
	Provide funding advice and guidance to charitable organisations and manage and assess community grant fund applications.	N Fortt D Crisfield	March 2018	Organisations able to access funding. South Somerset District Council support to local organisations	Allocation of the full fund by March 2018. Reports to Area South Committee	Ongoing.
	Support Neighbourhood Plan groups in: East Coker	 J Divall	 Sep 2017	Parishes have greater influence over the scale of growth and type of development required to improve sustainability and to meet local need.	Plan 'made' and incorporated into the Local Development Framework	Supporting parish to achieve elements of the plan (i.e. East Coker Recreation Ground project)
4. Improve access to services & facilities to reduce inequality	Comment on impact of significant planning applications Encourage parish engagement with applications and S106 negotiations Link community projects with local available S106	Area Development Team Area Development Team Area Development Team	Mar 2018 Mar 2018 Mar 2018	Community infrastructure improvements can be achieved more quickly with S106 adding value to wider investment Clear reporting of S106 investment projects to Area South Committee Ward members & Parishes have better awareness of S106	Update S106 annual statement sent to Parishes / Ward members	Ongoing

Priority Area	Action	Who	When	Outcome	Performance Measure	Update
	Support all Yeovil local Community Associations to improve access to services and facilities	N Fortt	Mar 2018	Improved communication amongst service providers and with local community. Co-ordinated approach to improving health & well being	Projects supported. Progress report to Area South Committee.	Westfield and Wyndham Park have both successfully recruited more volunteers.
	Support Westfield Community Association to deliver local health & well-being projects that tackle health inequalities in the Neighbourhood, including: 1) Community training programme 2) Tackle image & communication of community 3) Fuel Poverty 4) Road safety	J Divall J Divall J Divall J Divall	Mar 2018	Reduced Health Inequalities in this target area.	Projects supported..	Ongoing projects.
	Produce, publish and print Halls for Hire brochure for Yeovil and Surrounding villages	Community Support Assistant	Once a year	Better use of community spaces and more viable community halls.	Positive feedback from bookings clerks.	Completed and positive feedback received.
	Run an area wide Youth Opportunities Group to support sharing of information	N Fortt Community Support Assistant	March 2018	Shared resources and increased provision for young people. Remove any duplication and target reduced resource to areas of high need	Report to Area South Committee	Well attended Bi-monthly meetings taking place.

Priority Area	Action	Who	When	Outcome	Performance Measure	Update
Page 24	Support parish run youth provision	N Fortt	March 2018	More open access youth provision in Area South.	Support given to Yeovil Town Council in monitoring the contract for youth provision in Yeovil. Yeovil Without Parish Council having secured new youth provision within the parish. Support given to Knightstone Housing to restart the Dreamscheme project in Wyndham Park.	All actions completed.
	Run a high quality access point & advice service for the public at Petters House	D Haines / Community Support Assistants	Ongoing	Improved customer experience & service. Integration of front desk services with other agencies	Annual report Area South Committee To achieve 98% customer satisfaction	Ongoing.
	Support feasibility work for multi-agency hubs in Yeovil (One Public Estate).	L Davis	March 2018	Improved customer access to services and customer service. Improved partnership working	Report to Area South Committee.	Report due to committee shortly.
	Support the delivery of new play facilities at West Coker Recreation Ground	J Divall	Sep 2018	Improved access to play facilities	Funding secured. Play equipment installed and site complete	Phase 1 and new footpath is complete
	Support project plan delivery and identification of funding for new Multi Use Games Area at West Coker Recreation Ground	J Divall	Sep 2018	Improved access to youth facilities	Funding identified, applications processed and project plan in place	On-going: need to understand how to stop the site from flooding before we can action fundraising and design for the project

Priority Area	Action	Who	When	Outcome	Performance Measure	Update
Page 25	Support Parishes & Trusts to establish Master plans for Recreation Grounds: West Coker East Coker Barwick	J Divall J Divall J Divall	Sep 2018 Sep 2018 Sep 2018	Clear plans for future community facilities.	Agreed master plans	WC: Completed Project & programme plans EC & Barwick are supported and projects are starting to come forward
	New Sports pavilions for parish – support the project to build stage West Coker Barwick East Coker	J Divall J Divall J Divall	Sep 2018 Sep 2018 Sep 2018	Full project plan and permissions to start the project.	Report	WC: project plan in place. Barwick: working with parish council to determine location & needs assessment. EC: Discussions have started around expanding the pavilion
	New Community Centres – support project to build stage Westfield Wyndham Park Lufton	J Divall N Fortt N Fortt	Ongoing Ongoing June 2018	New community centres built.	Report to committee. Lufton Centre due to be opening June 2018	Westfield: Lottery, Yarlington and SSDC grant applications all successful, remaining funds currently being sought. Wyndham: Community Hub working extremely well but no land yet identified for permanent hall. Lufton: Community Rooms currently on track to be completed by June

						2018.
	Support existing Community Hall management committees to improve local facilities: 1) West Coker 2) Barwick	J Divall J Divall	Ongoing	Better facilities	Report to committee. Project plans and funding strategies produced.	WC: Community grants and officer support has been given to help improve the centre. Vast improvements have all led by community themselves. Barwick: on-going discussions.
	Arrange Annual Parish Meeting and workshops in response to demand from Area South Committee, Parishes & Community organisations	Area Development Team Democratic services officer	Jan 2018	A forum for debating important local issues & agreeing best solutions. Raise awareness of opportunities	Report to Area South Committee	Cancelled due to poor confirmed attendance from parishes
	Coordinate and Chair Area Community Forum	N Fortt Community Support Assistant	March 2018	A forum for debating important local issues and agreeing best solutions. Improved awareness of opportunities and better collaboration across groups.	2 or 3 forum events arranged each year	Completed. Currently consulting forum members on whether there is the need to meet as regularly or move to an on line forum.
Priority Area	Action	Who	When	Outcome	Performance Measure	Update

Page 27	Work with Developers to plan community facilities on future key sites in Yeovil and surrounding parishes in Area South. Particular focus on Kingfisher Primary School at Lufton, Community Facilities adjacent to Wyndham Park and the proposed development at Keyford.	N Fortt	Ongoing	Future key sites will provide facilities to ensure more sustainable communities.	Plans for Community facilities on all future key site developments.	All three community facilities are planned. A new community association has been established on the Lufton Key Site. The community association have agreed to take on the management of the new facilities.
	Support new communities, particularly the Wyndham Park Partnership, Wyndham Park Community Association and the fledging association on the Lufton Estate.	N Fortt	Ongoing	Stronger cohesive new communities on our key sites, that are better able to deal with issues and eventually able to lead on community engagement projects in their own community.	Community associations on our new key sites.	Ongoing.
	Maintain and publish up to date Ward Profiles	H Sharpe	March 2018	More people able to access information about where they live and work locally	Updated Ward Profiles	Ward Profiles updated and published February 2018.
5. Community Safety	Develop and support the Yeovil One project.	N Fortt C Malcolmson	March 2018	Greater partnership working on community safety issues within the Yeovil One area, as early intervention leads to reduced anti-social behaviour.	Report to committee	Ongoing
	Support the Yeovil One Tactical Group.	N Fortt C Malcolmson	March 2018	Provide strategic direction and high level support for the operation team.	Operational team feel able to escalate issues to the Tactical Team.	Ongoing

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

Agenda Item 12

Area South Committee Forward Plan

Communities Lead: Helen Rutter, Communities Lead
Service Manager: Natalie Fortt, Area Development Lead - South
Agenda Co-ordinator: Jo Boucher, Case Services Officer – Support Services
Contact Details: jo.boucher@southsomerset.gov.uk or (01935) 462011

Purpose of the Report

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

Recommendations

Members are asked to:-

1. Comment upon and note the proposed Area South Forward Plan as attached at Appendix A.
2. Identify priorities for further reports to be added to the Area South Forward Plan, developed by the SSDC lead officers

Area South Committee Forward Plan

The forward plan sets out items and issues to be discussed by the Area Committee over the coming months.

The forward plan will be reviewed and updated each month, by the joint lead officers from SSDC, in consultation with the Area Committee Chairman. It is included each month with the Area Committee agenda, where members of the Area Committee may endorse or request amendments.

Members of the public, councillors, service managers, and partners may request an item is placed within the forward plan for a future meeting, by contacting the Democratic Services Officer.

Background Papers

None

Appendix A

Notes

- (1) Items marked in *italics* are not yet confirmed, due to the attendance of additional representatives.
- (2) For further details on these items, or to suggest / request an agenda item for the Area South Committee, please contact the Democratic Services Officer; Jo Boucher.

Meeting Date	Agenda Item	Background/ Purpose	Lead Officer
6th June 2018	Appointment of Working Groups & Outside Bodies	Annual Report	Jo Boucher, Committee Administrator
	Scheme of Delegation	Annual Report	Jo Boucher, Committee Administrator
	Community Safety- Yeovil One Team	Community Safety Update Report	Natalie Fortt, Area Development Lead - South
	Yeovil Refresh and One Public Estate Programme	Update report	Helen Rutter, Communities Lead
4th July 2018	Performance of the Streetscene Service	Annual Report	Chris Cooper, Environment Services Manager
	Dorcas House Statement of Accounts	To approve the Dorcas House Annual Accounts	
1st August 2018		<i>Please note this meeting will only be held if there are planning applications to be determined</i>	

Agenda Item 13

Schedule of Planning Applications to be determined by Committee

Director: Martin Woods, Director - 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 South Committee at this meeting.

Recommendation

Members are asked to note the schedule of planning applications.

Please note: Consideration of planning applications will commence no earlier than 3.15pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.00pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
14	COKER	17/03673/OUT	Residential dwellings with associated access, landscape and public open space	Land East of Holywell West Coker Road Yeovil	Mr John Cullan

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

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

Referral to the Regulation Committee

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

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

Human Rights Act Statement

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

Agenda Item 14

Officer Report On Planning Application: 17/03673/OUT

Proposal :	Residential dwellings with associated access, landscape and public open space.
Site Address:	Land East Of Holywell West Coker Road Yeovil
Parish:	East Coker
COKER Ward (SSDC Member)	Cllr Gina Seaton Cllr Cathy Bakewell
Recommending Case Officer:	Linda Hayden Tel: (01935) 462509 Email: linda.hayden@southsomerset.gov.uk
Target date :	14th December 2017
Applicant :	Mr John Cullan
Agent: (no agent if blank)	Brooke Smith Planning (Arcadis) Cornerblock 1st Floor 2 Cornwall Street Birmingham B3 2DX
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

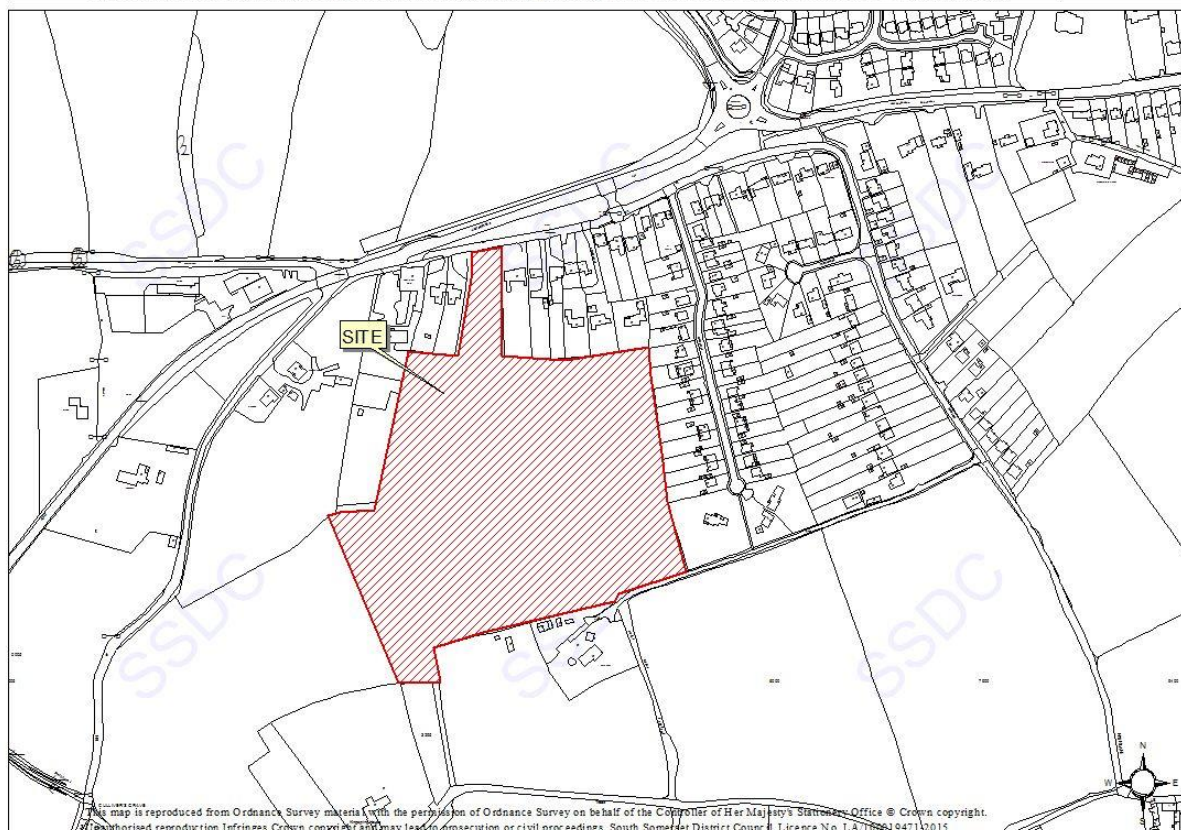
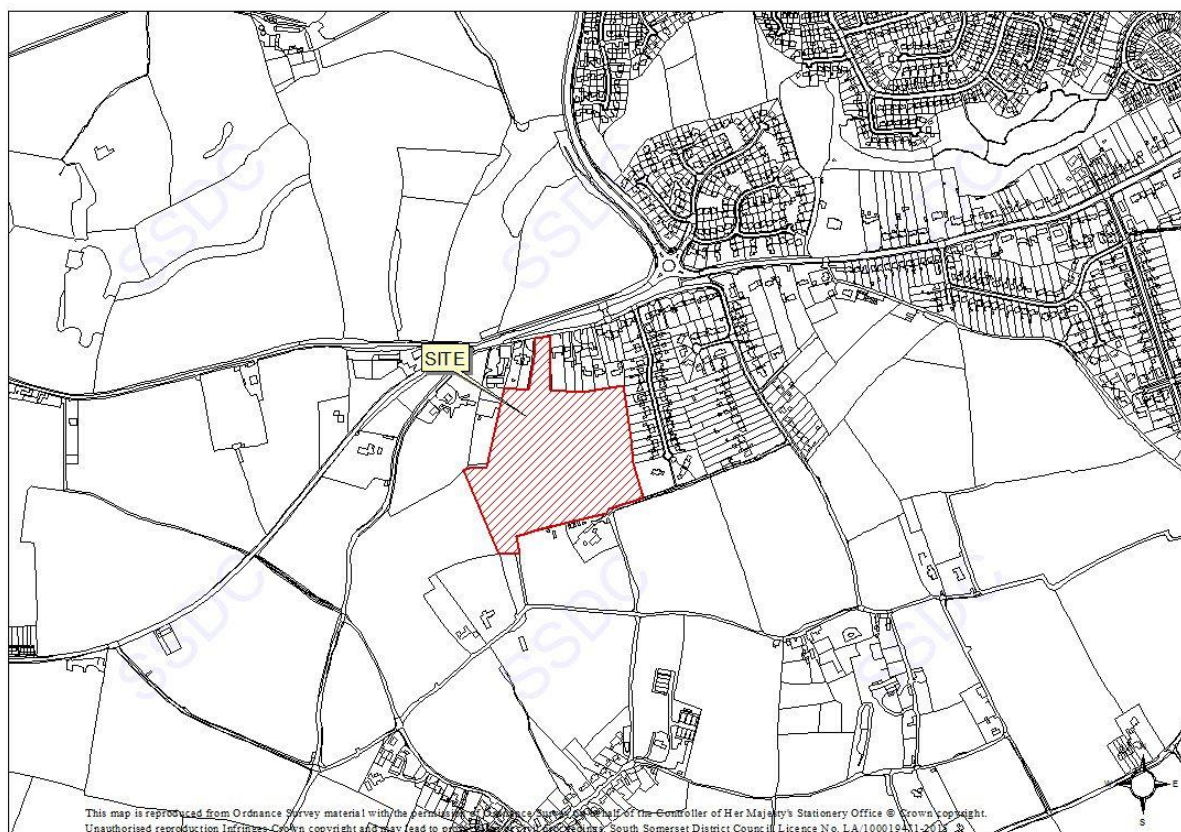
Reason for Referral to Committee

The application has been referred to committee by the Ward Member with the agreement of the Area Chair to allow discussion of the planning issues.

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 application site lies within East Coker parish and comprises an agricultural field bordered by residential development at West Coker Road to the north and Helena Road to the east, Nash Farm and a couple of properties set in large grounds to the south and by Chestnut Lodge and Pinwood (White Post Turf) and the Yeovil Court Hotel to the west. Beyond the immediate environs to the south east is Naish Priory, a Grade I listed building and Naish Cottage, a Grade II listed building.

Amounting to 6 hectares, the site gently falls consistently from north to south. The southern boundary comprise mature hedgerows with a number of trees; the northern and east boundaries are largely shared with residential properties and are more varied with hedging and fencing. To the west the site is open as the application site forms part of a larger field. The site forms part of a larger site that was subject to an application for residential development (approx. 144 dwellings) that was refused in 2014 with a subsequent appeal being dismissed (13/01791/OUT).

The site is outside the development limit as defined in the 2015 Local Plan. However, Yeovil is identified as the prime focus for development in South Somerset with the Local Plan.

This outline application with all matters reserved for later approval except means of access, seeks to develop the site for residential purposes in the region of 95 dwellings. The application includes an indicative site layout.

In detail the scheme seeks:

- to provide 35% affordable housing,
- new access to be created on land currently occupied by No. 169 West Coker Road. The access road will connect the development to the wider highway network via West Coker Road.
- to provide a Locally Equipped Area for Play (LEAP),
- to provide areas of public open space,
- create cycle/pedestrian link to Nash Lane in south east corner,
- 10% of dwellings to be bungalows and located along the north-eastern/eastern edge of the site
- create shelter belt in the southwest corner to include amenity space, and
- retain prominent mature trees including the TPO in the grounds of No.169.

The applicant has also submitted the following documentation in support of the application:

- Design and Access Statement
- Planning Statement
- Tree Survey, Assessment and Landscape Design
- Tree Survey Constraints and Protection Plan
- Phase 1 Habitat Survey
- Ecology Combined Survey Report
 - Flood Risk Assessment and Drainage Strategy
 - Phase 1 Geo-environmental Risk Assessment
 - Landscape and Visual Impact Assessment
 - Transport Assessment
 - Travel Plan
 - Heritage Desk Based Assessment
 - Archaeological Evaluation Report

A small convenience store is located within the nearby service station to the east and this proposal includes improving general pedestrian/cycle access to this local facility. The same links will also improve access to the bus stop located on the north side of West Coker Road near the Camp Hill/Holywell junction serving buses heading towards the town centre. A new bus-stop layby will be created on the southern side of West Coker Road, serving westbound travellers. These works should be viewed in tandem with those works secured via the Bunford Heights application (13/01869/OUT).

HISTORY

13/01791/OUT - Residential development with associated access, landscape and public open space. Refused 10/11/2014, subsequent appeal dismissed 8/2/2016.

13/01795/EIASS: Request for a screening opinion concerning proposed development: No EIA required: 03/05/2013

No.169 West Coker Rd-

13/02051/FUL: Application for a new planning permission to replace extant approval 10/02010/FUL for the demolition of existing dwelling and the construction of 2 No. detached dwellings with garages and the construction of vehicular access: Application permitted with conditions: 18/07/2013

10/02010/FUL: The demolition of existing dwelling and the construction of 2 No. detached dwellings with garages and the construction of vehicular access: Application permitted with conditions: 27/07/2010

07/01067/FUL: The demolition of existing dwelling and the construction of 2 No. detached dwellings with garages (Re-Submission): Application permitted with conditions: 26/04/2007

Other relevant applications:

Bunford Heights - on northern side of West Coker Rd opposite site access -

13/01869/OUT: Residential development, associated landscaping, open space and new vehicular access: Approved 9/11/2015.

18/00176/REM: Application for Reserved Matters following approval 13/01869/OUT to include approval of appearance, landscaping, layout and scale for the erection of 97 dwellings. Pending consideration.

18/00324/DPO: Application to modify a S106 agreement between Abbey Manor Developments Ltd and Edward Nicholas Braybon Clive-Ponsonby-Fayne and South Somerset District Council dated 6th November 2015 in relation to affordable dwellings. Pending consideration.

POLICY

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

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

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

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy, Yeovil is defined as a Strategically Significant Town and the prime focus for development in South Somerset.

Policy SS4 - District Wide Housing Provision

Policy SS5 - Delivering New Housing Growth

Policy SS6 - Infrastructure Delivery

Policy HG3 - Provision of Affordable Housing

Policy HG5 - Achieving a Mix of Market Housing

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy TA3 - Sustainable Travel at Chard and Yeovil

Policy TA4 - Travel Plans
Policy TA5 - Transport Impact of New Development
Policy TA6 - Parking Standards
Policy HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development

National Planning Policy Framework - March 2012

Core Planning Principles
Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment
Annex 1 - Implementation

(Note: In September 2017 a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land as required by paragraph 47 of the NPPF. In such circumstances paragraph 49 is engaged, this states:-

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

Planning Policy 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
Travel plans, transport assessments and statements in decision making
Tree preservation orders and trees in conservation areas

Other

Somerset County Council Parking Strategy (March 2012)

East Coker Neighbourhood Plan - this has not yet been through all the required processes to be 'made' and as such only very limited weight can currently be attached to this document.

CONSULTATIONS

East Coker Parish Council:

Object to the application for the following reasons:

- *The loss of the best and most versatile, Grade 1, agricultural land*
- *The impact upon the local highway network, which is already considered to be near capacity at peak times.*
- *Detrimental to road safety with dangerous junctions in the vicinity and the cul de sac of the old A30 towards the Yeovil Court Hotel will become a thoroughfare.*

- *A detrimental impact upon the landscape with it extending beyond the current built form and causing harm to the settings of Nash Lane, Helena Road and Higher Burton.*
- *It is contrary to the SSDC Local Plan (2006-2028) and the advanced stages of the East Coker Neighbourhood Plan.*
- *The impact of light pollution upon dark skies.*
- *Local schools and amenities are already at full capacity.*
- *The density proposed is significantly greater than the surrounding area.'*

West Coker Parish Council (neighbouring parish):

The Parish Council agreed to unanimously object to the proposal on the following grounds:

'The Highway (A30) already struggles with the current traffic load and is not suitable for a higher volume of traffic this side of the Bunford Hollow roundabout.

The land to be developed is Grade I Agricultural Land and should not be used for development.

The development planned is not in keeping with the area - currently there are two linear roads of about 30 houses per road, on good sized plots; Helena Road and Nash Lane and this development is completely out of keeping with that setting.

This development should not be built in the curtilage of a Grade I house, The Priory.

The number of houses makes the development an excessively large development in an established, quiet, rural area in the Parish of East Coker.

The immediate area is within the Parish of East Coker and East Coker Parish has a policy of 'dark skies' (no street lighting).

The development is too close to the back of houses on Helena Road.

There isn't a local primary school capable of taking the extra numbers of children and therefore traffic will be travelling to school outside of the area.

The development could easily be included in the identified development area of the Bunford site or the proposed commercial area where a Sainsbury's may be built, especially since the Western Corridor improvements would be more capable of taking the extra traffic. This site appears to be unlimited.

In addition West Coker would like to support East Coker in their comments on the development.'

Highways Authority (Somerset CC):

'For the avoidance of doubt, the Highway Authority does not wish to raise an objection to the planning application for the reasons that have been laid out below.

I am aware that the Highway Authority has provided comments on this application previously in 2013, application number 13/01791/OUT. The Highway Authority did not raise an objection in that planning application and the right turn lane was deemed necessary.

It should be noted by the applicant that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC). This will include any private roads/drives that serve more than 2 dwellings.

This application is to construct a total of 95 dwellings, a reduction from planning application 13/01791/OUT, which proposed a total of 144 dwellings, ergo this current planning application represents a reduction of 49 dwellings. It would be unreasonable for the Highway Authority to raise an objection to this application on traffic generation having raised no objections to the previous application.

The current proposal will utilise a right turn lane into the development site which was also proposed as part of the previous planning application. It is noted that the highway infrastructure as proposed with this development would need to include a link to the garage at White Post. When consulting drawing number 11 Revision B it is apparent that there is a proposed pedestrian link to the bus stop but the Highway Authority and it would be advantageous for the footway to continue to Camp Road, the road adjacent to White Post Garage, but this did not form part of the original proposal.

Estate Road Comments

The applicant has provided an indicative layout of the proposal and although at this stage the application does not deal with the internal layout, the following comments (but not limited these) would need to be considered during the Reserved Matters Stage.

Proposed dimensions can be checked at the Reserved Matters Stage but should be in accordance with our SCC Estate Roads Design Guidance. The lengths of straight sections of road should be no longer than 70m, any longer and a speed reducing feature must be incorporated.

Parking spaces to be a minimum of 5.0m long, except when in front of a boundary wall (5.5m) or when in front of an 'up and over' garage door (6.0m). Longitudinal spaces should be 10.5m in length and ambiguous 'in-between' lengths should be avoided as people try to squeeze an extra car in which then overhangs the proposed Highway. The Developer should review their parking space lengths at this stage to avoid issues further down the line.

There must be parking in line with the Somerset Parking Strategy (SPS) and access to electric car changing points. Any garages would need to be constructed in accordance with the SPS where a single garage has minimum dimensions of 6x3 metres and a double garage is 6x6 metres.

There must be suitable turning heads as per Somerset County Councils Estate Roads Design Guidance for all estate roads within the development.

If there are areas which the Developer would like to put forward for adoption this will need to be discussed at the technical detail stage and no presumption should be made that all areas would be adopted.

It is unclear from the site layout drawing how the dwellings located surrounding the proposed children's play area will have vehicular access and this would need to be clearly shown at the Reserved Matters Stage of the application.

The Developer will be held responsible for any damage caused to public highways by construction traffic proceeding to or from the site. Construction traffic will be classed as 'extra-ordinary traffic' on public highways. Photographs will be taken by the Developer representative in the presence of the SCC representative showing the condition of the existing public highway adjacent to the site, and a schedule of defects agreed prior to works commencing on site.

Safety & Alignment

The applicant has proposed to utilise a ghost right turn lane into the site with a pedestrian crossing and the following comments relate to the access arrangements to the site as well as the non-motorised users.

When looking at the right turn lane dimensions, it is noted from the drawing number 11 revision B that a direct taper length of 5m is to be provided. This is too short for the current posted speed limit and should be 15m.

It is noted that the pedestrian island will mean that there will be a running carriageway edge of 3.5 metres for the east and west running carriageway edges. It is unlikely that the Highway Authority would raise an objection to this, however this is subject to comments that would need to be made by Avon & Somerset Police Traffic Management Unit. Should this be identified by them as an abnormal load route then the width would need to be 4.3metres as a minimum.

No highway lighting details has been provided in this application and the applicant would need to speak to the highway lighting team to understand what would be required for this development.

It is noted that there are currently some signs that would need to be relocated to ensure that there are no conflicts between these signs and non-motorised users.

Travel Plan

The original Travel Plan was submitted back in 2014 for a total of 144 houses. The applicant would need to ensure that the following changes are made to the Travel Plan:

Update table 4.2 to remove to remove Nippy bus as they have ceased trading and add new operator.

Update table 6.1 to remove reference to Moving Forward and replace with Travel Somerset. Remove reference to Somerset Liftshare and just use Liftshare.

A safeguarding sum of £15,625 needs to be committed to in 7.7 rather than an annual fund of £1,091 for 5 years.

Drainage

The Environment Agency (EA) maps indicate that this site is located over a major aquifer but not within a Groundwater Source Protection Zone. It is assumed that the EA will comment as Statutory Consultee as to the suitability or otherwise of a soakaway in this location.

The recommendation to utilise permeable paving for private roads and shared access roads is noted but as identified within the report permeable paving doesn't currently accord with our adoption standards and any areas constructed as such will have to remain private. There may implications under the Advance Payments code for any private roads that have to remain private as a result of their construction specification. Particular attention needs to be taken to the design of permeable paved areas where they abut the prospective highway.

It should be accepted that the highway authority will not look to adopt the infiltration pond and will require rights to be granted in perpetuity to discharge run-off from the highway into the pond. Easements will also be required (extents to be agreed) for all highway drainage that extends beyond the prospective public highway and also to enable the highway authority to undertake urgent maintenance in default to the pond to protect the outfall from the highway drainage system. Suitable access facilities should be provided to enable a tanker/jetter to park off-carriageway to maintain the inlet and outfall in the pond.

The percolation tests undertaken would indicate that the underlying strata is conducive to infiltration and it is expected that further tests would be undertaken in support of the detailed design proposals. It is noted that the infiltration results are established from a single percolation test in each trial pit and the BRE365 calls for the infiltration rate to be established from 3 cycles of testing. There is a potential therefore that a lower infiltration rate will need to be used in the detailed design which would increase the size of the pond.

Comment is made within the Drainage Strategy section (Section 4 p12) relating to the underlying Yeovil sands being vulnerable to erosion and washout. It goes on to mention that infiltration drainage should therefore be distributed around the site rather than concentrated at a single infiltration tank or basin. This would appear to conflict with the drainage strategy given that an infiltration basin/tank appears to be proposed to cater for highway surface water runoff.

The comment relating to the use of linked infiltration basins alongside the road through the public open space areas is noted. The designer will need to carefully consider the proximity of the feature in relation to the highway in terms of safety and future maintenance operations.

Conclusions and recommendations

Taking the above into account, the Highway Authority does not wish to raise an objection to the application, subject to a suitable Travel Plan being secured within a Section 106 legal agreement.'

The County Highway Authority recommends a number of conditions and informatives should the Local Planning Authority grant planning consent.

SCC Rights of Way:

Recommends a bridleway link between the estate road and the restricted byway in the south east corner of the development site which can be captured through a s.38 highways agreement.

Advises that the health and safety of the public using the public rights of way must be taken into account during construction.

SSC Archaeologist:

Advises that an archaeological evaluation carried out on the site as part of a previous application showed that there are archaeological remains in part of the site reflecting prehistoric activity. Therefore he recommends two conditions; one requiring an archaeological programme of works in accordance with a written statement and one restricting occupation until the archaeological investigation and post-excavation analysis has been completed.

Historic England:

Do not wish to offer any comments and suggest that the advice of the Council's own conservation and archaeological advisers is sought.

(Response to previous application 13/01791/OUT: "I can confirm that in our view the proposals would not present 'substantial harm' (NPPF 132-134) to designated assets forming part of the historic environment and thus we do not wish to raise any objection on this occasion".)

SSDC Landscape Architect:

'...as advised with the previous application, the proposal field lays within the scope of the peripheral landscape study (PLS) of Yeovil, which was undertaken during September 2008. This study reviewed the settlement's immediate surrounds with the objective of identifying land that has a capacity for development, looking both at the character of the town's peripheral landscape, and the visual profile and relationship of open land adjacent the town's edge. For the detailed evaluation I would refer you to; <http://www.southsomerset.gov.uk/planning-and-building-control/planning-policy/evidence-base/district-wide-documents/peripheral-landscape-studies/>

The outcome of the study is represented by 'figure 5 - landscape capacity', which is a graphic summary of the preceding evaluation. Fig 5 indicates that the field subject of this application is evaluated as having a moderate-high capacity to accommodate built development. Consequently, if a need for additional housing relative to Yeovil is identified, then from a landscape perspective, the site identified by this revised application is an area where development could be undertaken without too adverse an impact upon the landscape. This view was endorsed at appeal by the Planning Inspector in his assessment of the site, November 2015. Consequently there is no landscape objection to the principle of development on this revised application site.

The application has included an LVIA (landscape and visual impact assessment) which has assessed the potential visibility of the site, and the likely effects of development upon the site's fabric and its surrounds. It considers the site to be of low landscape sensitivity, and well-related to the existing residential area and consented built form of the town, with an assessed minor/moderate character impact capable of mitigation. Visually, it considers the effects of development to be moderate/minor adverse in the immediate vicinity, but no greater than low when considered from further afield. In short, it confirms the landscape conclusions of the PLS, and Appeal Inspector. The LVIA also includes suggestions for appropriate mitigation, including the retention and management of the specimen oaks and boundary hedgerows; the provision of a new woody area in the southwest corner, to define and contain the site; and open space to raise site amenity, and break up housing mass. I agree these mitigation elements to be appropriate, as are the outline specification and species mixes proposed in section 6 of the LVIA.

As this is an outline application, we do not have a detailed layout and structural landscape scheme before us, and the indicative masterplan offers little of substance. Of the material submitted, I agree an overall density of 19 dph could be appropriate at this edge of settlement site, and would anticipate a feathering out of densities toward the rural edge. The layout infers a central open space, and further communal space toward the southwest corner, though I suspect that the accommodation of highway/parking standards will substantially redefine the indicative arrangement before us. There should be direct surveillance of the southwest corner open space. Where existing hedgerows form part of the site's external boundaries to non-residential land, the detailed layout should ensure their accessibility for maintenance.'

Strategic Housing:

'Policy requires 35% affordable housing split 80:20 social rent: intermediate product.

This new split is evidenced in the Mendip, Sedgemoor, South Somerset and Taunton Deane Strategic Housing Market Assessment (October 2016).

This would equate to 33 of the proposed 95 units and would be split:- 26 for social rent and 7 for other intermediate affordable housing solutions.

I would like to propose the following property mix:

*8 x 1 bed
17 x 2 bed houses
6 x 3 bed houses
1 x 4 bed house (available at a social rent)
1 X 5 bed (available at a social rent)'*

Also provides advice on space standards and the affordable housing requirements that should be included in any s.106 agreement.

SSDC Ecologist:

Notes the updated ecological surveys report that provides an update assessment to various earlier

survey reports undertaken in 2012 and 2013 by the same consultant.

The ecologist does not consider that the surveys identify any significant constraints to the proposed development. He does, however, recommend a condition to require measures for enhancement of biodiversity such as bat and bird boxes, native tree planting with informatives relating to badgers, reptiles and Giant Hogweed.

Natural England:

No comments.

SSDC Tree Officer:

Originally had some concerns about the proposals but on receipt of additional information and details of the footpath alignment has advised that if consent is granted tree protection conditions should be imposed.

SSDC Community, Health and Leisure Service:

Supportive of the proposed location of the LEAP but advise it should be at least 500m² with 30m buffer zones.

A financial contribution to equip this area is sought:

- equipped play space contribution of £80,636 with a commuted sum of £46,577; Trigger Point for contribution = Occupation of 25% of total dwellings,

Youth facilities are also desired for the site; as such a contribution is sought:

- youth facilities contribution of £15,833 with a commuted sum of £5,854; Trigger Point for contribution = Occupation of 25% of dwellings,

In the case of other categories of provision financial sums to cater for off-site provision (new provisions or enhancements of existing facilities) are sought.

Categories of provision and levels of contribution include:

- playing pitches contribution of £43,727 with a commuted sum of £26,542 (dedicated to the enhancement of existing pitch provision at East Coker Recreation Ground); Trigger Point for contribution = Occupation of 50% of total dwellings,
- changing room contribution of £75,521 with a commuted sum of £6,075 (dedicated to the enhancement of the existing changing rooms at East Coker Recreation Ground); Trigger Point for contribution = Occupation of 50% of total dwellings,

Should the corresponding infrastructure not be provided within:

- a 5 year period (equipped play space, youth facilities); or
- a 10 year period (playing pitch and changing room contributions),

the individual contribution may be reclaimed.

The figures relate to a net increase of 95 dwellings. Based on 95 dwellings the overall contribution would total £300,764 (or £3,198 per dwelling). This will be index linked. This total also includes a 1% Community, Health and Leisure Service Administration fee (£3,008).

SSDC Open Spaces Officer:

No objections to this proposal but queries whether the developer will request the open space to be transferred to the ownership of SSDC or to a private management company.

SCC Education:

'Primary school places

There are a large number of housing developments coming forward in this part of Yeovil and the local

schools are at or exceeding capacity and expected to remain so until the end of the forecast period. Therefore additional accommodation will be required to meet the demand for school places from this development.

East Coker Primary School is the catchment school; it has a net capacity of 270 and had 266 on roll at the October 2016 census. Although the published forecast suggests pupil numbers will fall slightly by 2021, none of the housing developments in the catchment area have been included and when these are taken into account, East Coker will be significantly short of places. Holy Trinity Primary School has a net capacity of 412 and had 419 on roll at the October 2016 census. West Coker Primary School has a net capacity of 86 and had 93 on roll at the October 2016 census.

A development of 95 dwellings will require 19 primary school places at £14,175 per place = £269,325

Secondary school places

There are a significant number of housing developments across Yeovil and secondary numbers are forecast to rise considerably from 2018 onwards. The secondary schools are expected to come under pressure by 2021 and therefore additional accommodation will be required to meet the demand for places from this development.

A development of 95 dwellings will require 14 Secondary school places at £21,359 per place = £320,385

Early Years places

A development of 95 dwellings will require 5 early years places at £14,175 per place = £70,875.'

County Education have confirmed that they are happy that even if the proposed new school at Keyford doesn't come forward, there will be sufficient places in the area for this development.

Environment Agency:

Advise that this is not an application that they would comment upon as it now sits with the Lead Flood Authority as they cover surface water drainage.

Local Lead Flood Authority (SCC):

No objection, subject to the imposition of a surface water drainage condition.

Wessex Water:

Advise that there is a water main within close proximity to the site and that a water supply can be made available to the proposed development with new water mains installed under a requisition arrangement. This will require a review of the network to determine the point of connection and available capacity.

In terms of foul drainage, Wessex Water advise that foul and surface water drainage must be drained separately for the site. They accept the recommendations of the drainage strategy for a pumped connection to the existing foul sewer to the south of Helena Road.

In terms of surface water drainage, this will be a matter for the Local Lead Flood Authority.

Climate Change Officer:

Suggests that any future layout should show how energy efficiency expectations will be met. Also suggests that developer be persuaded to install photovoltaic panels.

REPRESENTATIONS

Neighbouring properties to the site have been notified. A press advert has been placed and a site notice has also been displayed.

37 letters of objection have been received. A summary of comments:

- Object to loss of Grade 1 agricultural land (the land has been used recently for growing crops); brownfield sites should be used first
- Adverse impact on the landscape as the site extends beyond the identified development area of Yeovil; this is a rural area the proposal is of urban form.
- Development is contrary to NPPF, South Somerset Local Plan and East Coker Neighbourhood Plan. If allowed to go ahead it would call in question the credibility of the whole Local Plan. The Local Plan proposes 2 sustainable urban extensions and not the 'necklace' approach proposed in this scheme.
- The proposal does not address a number of issues raised within the Inspector's decision on the appeal against refusal of the last application (13/01791/OUT) such as; the 'necklace' approach to housing development; landscape impact; loss of 'Best and Most Versatile land (BMV)'; and transport impact. The proposal remains unsustainable development even with the titled balance engaged as set out by the Inspector in his decision letter.
- Impact upon the local highway network which will be detrimental to existing users; the proposed single service road is totally inadequate and there will be major difficulties in accessing and egressing the site due to the proposed junction arrangements. The development would generate excessive car journeys which cannot be accommodated on the existing road network. There are other developments proposed in the vicinity that will further add to congestion problems. Traffic will lead to additional air and noise pollution. It is noted that Somerset Highways have objected on safety grounds to the 100 houses proposed at Bunford Hollow.
- Increased traffic will increase the risk for pedestrians, cyclists, children who play in the area
- The road to Yeovil Court will become a rat run.
- 'Dark Sky' will be destroyed by light pollution.
- East Coker school is already full; new residents will have to use their cars to access schools.
- Density is significantly greater than surrounding areas
- The original proposal was dismissed at appeal and the new proposal is only for slightly fewer dwellings; the original reasons for refusal still stand.
- Location is inappropriate as it is within the curtilage of The Priory (Grade I listed), and other heritage assets (Roman Villa site at Chessels) and the North Coker Conservation Area.
- Proposal will increase flooding in the lanes to the south of Helena Road and Nash Lane
- There are other areas in Yeovil that should be used before developing this piece of land.
- Proposal will decrease value of existing properties
- Harm to local wildlife
- The photos supplied by the applicant in no way reflect the true impact of the development
- East Coker Parish will have to take a disproportionate amount of the District's housing requirement
- Question if the housing is needed
- Construction phase will cause noise and disturbance to local residents for a long period of time
- Existing housing in Helena Road, Wyvern Close and West Coker Road will be overlooked and overshadowed
- Question the level of parking provision and whether there will be space for access by emergency vehicles
- Bus service is infrequent and not convenient for workers
- The protected oak tree is unlikely to survive
- Safety issues with helicopter test flights; development under test flight areas reduces the areas for emergency landings
- Insufficient detail regarding size, type and style of housing proposed
- Over-stretching of GP/medical services
- Small affordable housing would not be in character with the area
- Properties will disrupt the view of the fields
- Larger site could still be developed

- There are errors and inaccuracies in the application documentation
- Impact on local trees and hedgerows
- Requirement to reroute services; services are inadequate to serve the development
- The Traffic assessment still fails to take into account other developments in the area
- The demolition of a dwelling is non-eco friendly
- The proposal doesn't include any amenities for the new residents apart from a small play park
- New trees will cause overshadowing of gardens
- Draw attention to Human Rights Act, Protocol 1, Article 1 'right to peaceful enjoyment' and Article 8 'respect for private and family life'.

The CPRE has objected on the following grounds:

- The application is contrary to the strategy of the adopted local plan to concentrate development around Yeovil on the sustainable urban extensions. The Inspector's decision on the earlier appeal for the more extension site noted that the proposal would conflict with the Local Plan and undermine its sustainable development strategy.
- Whilst the area is now included within the Local Plan Review Issues and Options, this review is at a very early stage and can be given very little weight.
- Agree that the landscape impact is now reduced however the site is still Grade 1 agricultural land which the Inspector noted is a relatively scarce and important resource. Whilst the loss is not in itself significant the CPRE feel that the incremental and cumulative loss of such high grade land should be a material consideration. Development of brownfield sites should proceed before development of Grade 1 land.
- The highways impacts on the wider highway network and the congestions problems in Yeovil need to be further examined as set out by the appeal Inspector.
- Even with the reduced scale of development the proposal still remains contrary to the adopted development strategy and cannot be considered to be sustainable development in terms of the adopted plan.

CONSIDERATIONS

The application raises numerous issues, each will be considered here in turn. This is an outline application for up to 95 dwellings will all matters, except means of vehicular access, reserved for future approval via an application for the approval of Reserved Matters. As such many matters of detail including design, specific layout and residential amenity are those issues not able to be examined at this stage.

Principle of Development

The South Somerset Local Plan (SSLP), adopted in 2015, identifies Yeovil as a 'Strategically Significant Town' and the prime focus for development in South Somerset (Policy SS1), with Policy SS5 setting a target of at least 7,441 dwellings for Yeovil over the plan period of 2006 to 2028.

Paragraph 49 of the National Planning Policy Framework ("the Framework"), makes it clear that housing applications should be considered in the context of the presumption in favour of sustainable development. However, this paragraph goes on to indicate that where a Council is unable to demonstrate a 5-year supply of deliverable housing land then relevant policies for the supply of housing should not be considered up-to-date.

In such circumstances the decision maker is directed to paragraph 14 of the Framework, which explains that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless (i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or (ii) specific policies in the Framework indicate that development should be restricted. In this case there is no suggestion that part (ii) comes into play.

The appeal site is considered to represent a sustainable location for development and as such the proposed development would satisfy, or not conflict with, the 3 dimensions of sustainable development set out in paragraph 7 of the Framework. In economic terms it would produce employment benefits during the construction phase and would provide much needed housing, including an element of affordable housing. The local economy would also be likely to benefit from the additional spend arising from this increased population.

In social terms the market and affordable housing would assist in meeting the Council's housing requirement, and the offered planning obligations would result in community benefits through the provision of on-site open space and play area, highways improvements, and funding for further local infrastructure projects.

In environmental terms, although there would be the loss of some currently undeveloped agricultural land, the Council's Landscape Architect raises no landscape objection, noting that this is an area of land that is indicated as having a potential for development by the September 2008 peripheral landscape study of Yeovil. In regard to the loss of Grade 1 agricultural land, it has to be noted that the site has now been reduced in area and consequently the loss has been decreased. In addition, it also has to be noted that Yeovil is surrounded by high quality agricultural land and any development on the outskirts of the town will result in the loss of BLM. Furthermore, in light of the submitted Ecological Assessment, no objections are raised on ecological grounds.

As the Council cannot currently demonstrate a 5-year supply of deliverable housing land, such that policies like SS5 cannot be considered up-to-date, this policy can only be given a modest amount of weight.

Taking all the above points together, it is considered that the proposed development would represent an acceptable level of growth for Yeovil and would not conflict with Policy SS5.

With regard to the East Coker Neighbourhood Plan, this has not yet been through a referendum and as such can only be attributed very limited weight in the decision making process. The current plan advises that applications for housing development should be considered in reference to Policy SS2 of the Local Plan but only limited weight can be attached to this policy in light of the lack of a five year supply of housing as described above.

Layout, Landscape Impact

SSDC's Landscape Architect has considered this scheme and has advised that the peripheral landscape study of Yeovil indicates that the field the subject of this application has a moderate-high capacity to accommodate built development. Therefore, if a need for additional housing relative to Yeovil is identified then, from a landscape perspective, the Landscape Architect takes the view that this site could be developed without too adverse an impact upon the landscape. It is noted that the Inspector in his decision regarding landscape impact stated *'The Council accepts that, in visual terms, the eastern part of the site would be acceptable in principle for residential development and from my observations, I agree. I therefore consider that the critical part of the site is the south-west third in terms of its landscape impact.'* Given the Inspector's comments, the removal of the south-western part of the site from the proposal and the Council's lack of a five year housing supply it is considered that the landscape impact of the development is not of such significance as to justify refusal of the application on such grounds.

In terms of impact on the setting of heritage assets (Chessels Roman villa (a Scheduled Ancient Monument), the Grade I and II listed buildings at Naish Priory, the historic park of Brympton d'Evercy (just over 1km to the north-west of the site) and a second Roman Villa, also a Scheduled Ancient Monument is just under 1km away to the south-east (Dunnocks Lane), these matters were fully considered as part of the original outline application and at appeal and it was concluded that the site can be developed in a manner to safeguard the setting of the identified heritage assets in accordance with

the NPPF and Local Plan Policy EQ3.

With regard to the proposed density, it is felt that the site could accommodate up to 95 dwellings without being over developed and without appearing out of character with the area. 10% of the dwellings will be bungalows (to be located on the eastern boundary) and this will assist in tying the proposed development into the existing dwellings adjoining the site.

The application for reserved matters would also give the opportunity to review sustainable construction through design, layout and solar orientation, in light of increasing requirements through building regulations.

Archaeology

The primary archaeological issues are the potential setting issues on the Scheduled Monument 'Chessels Roman Villa' that lies to the south-west of the site, and the buried archaeological assets on the site. With regards to the setting issues the comments of the SCC Archaeologist are noted and this has been validated by English Heritage. In terms of buried archaeology there are suggestions that the site has remains reflecting prehistoric activity. The suggested way forward is via further investigation required via condition, prior to the commencement of any development.

This approach complies with Local Plan policy EQ3 and para 141 of the NPPF.

Highway Implications

Despite the application being supported by the County Highway Authority the Appeal Inspector determined that the previous application was unacceptable in highway terms due to concerns that the transport assessment had not taken into consideration the cumulative traffic impact of the proposed development especially in relation to the proposed Sustainable Urban Extension (SUE) at Keyford; a matter that only became evident during the Appeal Hearing. The new transport assessment has therefore been produced after full consultation with the County Highway Authority with regard to the cumulative impact. The assessment has followed an agreed format with the County Highway Authority using the Yeovil Strategic Traffic Model (YSTM2) SATURN model which has been developed to specifically assess the impact of SUE sites in Yeovil which has used traffic count data in the local area. The Transport Assessment concludes that there are no issues in the future year scenario with capacity which is considered to be a robust assessment as it includes committed development including that from Yeovil SUE sites. The County Highway Authority have confirmed that they do not object to the proposed traffic generation having not objected to the previous application for 144 dwellings.

The access to the site would remain as that shown on the previous application via a new road created on land that is currently occupied by No. 169 West Coker Road, this would then connect to the spur road and then Nash Lane with a give way junction. It is acknowledged this aspect of the proposal causes the local residents considerable concern. Although the previous appeal was dismissed on traffic grounds this was related more to the amount of traffic on the network than the physical layout and principle of an entrance off the spur road and as such the Inspector has tacitly approved the access arrangement. Despite this backdrop attempts have been made by officers to seek a 'better' more palatable local solution. This involved exploring the potential for an access through the land occupied by White Post Turf and the potential for a roundabout on the A30 that would connect with Camp Rd, the Holywell road and the development site. The benefits of this were seen to be more positive for the area, remove the safety issue at the White Post crossroads, reduce speeds on the A30, improve pedestrian connectivity and quell the locally perceived issues with the spur road and in Nash Lane/Helena Rd area. The consequences of this highway scheme would of course be that the White Post Turf site would also be developed with housing to provide sufficient incentive and development finance for the roundabout. This suggestion was discussed with the White Post Turf site landowners' agents but has not materialised as something that might be pursued right now. There is a great cost the applicant is absorbing in procuring No.169, demolishing it and building a long stretch of non-frontage road into the site. The opportunity costs of losing the two dwelling consent at No.169 should also be acknowledged and all signifies there

would be sufficient development finance to contribute to fund a roundabout with a little additional tweaking of the s106 obligations. This opportunity may not come again.

The application also includes the following highway works (some of which are also included within the Bunford Heights scheme):

- Footway/cycleway linking to new bus lay-by to the south of West Coker Road and existing bus stop to north.
- Ghost island on West Coker Road to facilitate right hand turning into application site and Bunford Heights site opposite
- Carriageway widening to north of West Coker Road
- Pedestrian/cycle crossing at West Coker Road incorporating drop kerbs and tactile paving and 'keep left' bollard
- Dropped kerbs at junction of Camp Road with West Coker Road to facilitate pedestrian access to service station convenience store.

In addition a sum of money (£60,000) was proposed as part of the s106 to the scheme for 144 dwellings for cycleway infrastructure, notionally to link Nash Lane to Sandhurst Rd/Yeovil Rd. This was based on work emanating from the Sustainable Urban Extension application at Keyford, South Yeovil (15/01000/OUT). This sum is still requested and the applicant has agreed its inclusion. The s106 will refer to the monies as improving cycling infrastructure in the area. Allied to this it is recognised that some of the highway works previously stated are common to both this application site and that at Bunford Heights. Bunford Heights is at a more progressed stage where Reserved Matters are likely to be presented to committee in the coming months (18/00176/REM). It is likely therefore that building works at Bunford Heights will start before the developer starts on this application site if this application is approved. As such the applicant would be absolved of undertaking several aspects of the stated highways works. In such a scenario the s106 would be worded in such a way that if elements of the highway work common to both schemes are carried out by the developers of Bunford Heights first then an increased cycling infrastructure sum would be sought from this site to invest in plans to extend cycle paths through Bunford Park to connect to another pending application at Bunford Hollow (17/003320/OUT).

In conclusion the County Highway Authority have thoroughly assessed the proposals and do not object to the proposals on highway safety grounds subject to the imposition of a number of highways condition along with the requirement for a Travel Plan to be secured through a s106 agreement.

Policy TA5 of the Local Plan requires that all new development address its own transport implications and be designed to maximise the potential for sustainable transport. The NPPF (para 32) requires decisions to take into account whether improvements can be undertaken within the transport network that cost effectively limit the significant impact of the development. "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe".

On the basis of the input from the Highway Authority it is considered that the proposals have adequately addressed the concerns of the appeal inspector and the proposal is acceptable in relation to highway safety as the impacts will not be 'severe'. The proposals are therefore in accordance with the NPPF and local plan policies TA3, TA4 and TA5.

Affordable Housing

The comments of the Strategic Housing Team are noted and the requirement for 35% affordable housing is justified by policy HG3 of the Local Plan. The planning obligation will have to cater for various parameters including the securing of grant (public subsidy) and the overall dwelling numbers at the reserved matters stage. The specific location of affordable units will be assessed/determined during the

reserved matters stage.

Trees

Whilst the majority of the site is an open field, it is bound by mature hedging and trees. Some hedging is to be removed that currently bounds the small paddock to the north-west. Any approval of reserved matters would seek to retain and strengthen existing perimeter landscape features and the layout plan, albeit indicative, shows the opportunity for tree planting within the main body of the site within streets and open spaces. The Council's Tree Officer has sought a general condition to protect existing trees during the course of the development and this could be extended to relevant hedgerows also.

Wildlife

An updated ecological survey report has been submitted and assessed by the Council's Ecologist who has advised that the surveys do not identify any significant constraints to the proposed development. In accordance with paragraph 18 of the NPPF the Ecologist expects that larger schemes such as this should include measures for the enhancement of biodiversity and has recommended a condition to ensure such provision. The Ecologist also notes that badgers sometimes use the site and may create 'outlier' setts (temporary setts) and has recommended an informative regarding wildlife licence requirements. He has also recommended informatives in relation to reptiles (slow worms) and Giant Hogweed.

It is considered the proposal complies with the NPPF and policy EQ4 and EQ5 of the Local Plan.

Drainage

Even though the site and surrounding area is shown in Flood Zone 1 and so not at risk from fluvial flooding, the application has been supported by a Flood Risk Assessment and drainage strategy due to the size of the site.

No objections have been raised by the Local Lead Flood Authority subject to a condition requiring the submission of a surface water drainage scheme to be based on sustainable drainage principles. It is considered the proposal complies with the NPPF and policy EQ2 of the Local Plan.

Play, Sport and Open Space Provision

The current indicative plan shows the provision of a Locally Equipped Area for Play (LEAP), and provision of distinctive areas of public open space. The LEAP is to be provided in accordance with local plan policies SS6 and HW1 but will require appropriate buffer zones which can be resolved through the reserved matters application.

Financial sums for various categories of off-site provision have been sought, in line with local plan policies SS6 and HW1 as detailed in the consultation response from SSDC Community, Health and Leisure. It is important to note contributions going towards East Coker to support projects there.

Public Right of Way

A restricted byway currently runs to the south of the site from Nash Farm along the southern edge of Helena Gardens to Nash Lane. It is the width of a single carriageway and is twin-track along most of its length surfaced in tarmac of varying degrees of repair. There are no plans to alter this arrangement other than to achieve access from the site to the restricted byway via a footway link.

Planning Obligations and Viability

As detailed elsewhere in this section if the application was approved planning obligations would be sought for affordable housing, education, travel plan and play, community and sporting facilities. These will be secured by a planning obligation under Section 106 of the Planning Act. The applicant has been asked to confirm that the development is viable with the requested contributions.

Environmental Impact Assessment

The proposal falls within the scope of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The Local Planning Authority has formally screened the application under the requirement for Environmental Impact Assessment because of the nature of the proposed development and the fact that the site area exceeds 5 hectares.

The basic test of the need for Environmental Impact Assessment in a particular case is the likelihood of significant environmental effects on the environment.

The Local Planning Authority has not required the applicant to submit an Environmental Impact Assessment in support of this application. The application is however supported by a host of professional assessments, reports and surveys covering key environmental matters.

Other

The detailed concerns of local residents have been carefully considered and the main issues are dealt with in the report above. However, the following additional points can be addressed:

Light pollution - a condition can be imposed at reserved matters stage to require details of any proposed street lighting. It is restated now as it was at the appeal stage that the decision regarding street lighting does lie ultimately with SCC as Highway Authority.

Impact on local schools - County Education have provided details of the required contributions that will be required to support primary and secondary schools in the vicinity; they have not objected to the application on the grounds that the development would adversely impact upon local schools.

Devaluation and loss of view - These are not matters that can be given any significant weight in the consideration of a planning application.

Disturbance during construction phase - A condition can be imposed requiring the submission of Construction Traffic Management Plan.

Overlooking/overshadowing - As this is an outline application with all matters reserved apart from access, there are no details regarding layout or house design. It is however considered that up to 95 dwellings could be developed on this site without adversely impacting upon neighbouring residential amenity through careful design and layout as part of the reserved matters submission.

Emergency Access - this will be included as part of the technical assessment to be carried out by the County Highway Authority.

Impact on medical services - the NHS have been advised of the application and have not objected to the proposal; without evidence that the development would have a significant impact upon health provision it is not considered that the proposal could be refused on this basis.

Larger site could still be developed - any further application would have to be judged on its own merits taking into account the recent appeal decision.

Impact on services - there have been no objections from any of the statutory undertakers and as such it is not considered that the application could be refused on this basis.

Demolition of dwelling - whilst it is unfortunate that a dwelling will have to be demolished to make way for this development it will enable the provision of housing to meet the Council's housing supply.

Lack of amenities for future occupiers - the application includes proposals from both open space and a children's play area that can be secured through a s106 legal agreement. The site also lies adjacent to a

network of rights of way and within close proximity to the shop at White Post Garage.

Human Rights Act - 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. In this case, the provision of housing on a site which is considered to be capable of accommodating 95 dwellings without resulting in demonstrable harm to neighbouring amenity and where there are no objections from statutory consultees tilts the balance in favour of public interest.

Conclusion

It is considered that the proposal has adequately addressed the concerns raised by the appeal inspector when determining the recent appeal for 144 dwellings. The site has now been reduced in size to address the landscape impact and the highways documentation has taken into account the cumulative impact of other developments within the vicinity. Given, the Council's lack of a five year supply of housing it is not considered that a single reason for refusal on the basis of loss of Grade 1 agricultural land can be sustained. As such, the application is considered to represent sustainable development that accords with the aims and objectives of the NPPF and the relevant policies of the South Somerset Local Plan.

RECOMMENDATION:

That application reference 17/03673/FUL **be approved** subject to:-

a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-

1) The agreed contribution as set out in this report towards the provision of sport and play facilities (to the satisfaction of the Local Planning Authority).

2) Ensure at least 35% of the dwellings are affordable with a tenure split of 80:20 in favour of social rented accommodation over other intermediate types (to the satisfaction of the Local Planning Authority) or an alternative tenure mix to be agreed with the Strategic Housing Manager

3) Education contributions as set out in this report

4) Highway works

5) Travel Plan and £60,000 towards cycling infrastructure within the vicinity

6) If elements of the highway work common to this scheme and Bunford Heights are carried out by the developers of Bunford Heights first then an increased/additional cycling infrastructure sum of £30,000 would be sought to invest in plans to extend cycle paths through Bunford Park to connect to another pending application at Bunford Hollow (17/003320/OUT)

7) The provision of landscaping and open space (inclusive of shelter belt) to include:

- a) design standard (SSDC Landscape Design - A Guide to Good Practice and the Addendum thereto).
- b) maintenance period
- c) commuted sums
- d) transfer to SSDC or approved management company

8) Provision of a bus shelter at the proposed bus layby on West Coker Road (westbound), with a

commuted sum for maintenance of the shelter

And

The following conditions:

01. The Council cannot demonstrate a 5-year housing land supply. Yeovil is an appropriate location for this level of development and the site is suitable in terms of its relationship to the town and its services and can be developed without causing unacceptable harm to the setting or functioning of the town. Despite being Grade I agricultural land the proposal, in outline, by reason of its location on the periphery of a sustainable settlement, its juxtaposition with existing built form and its scale represents an appropriate and logical rounding-off where a development could result that would not cause demonstrable impact upon residential amenity, highway safety or upon the character and appearance of the area subject to the approval of Reserved Matters and would not foster growth in the need to travel, in accordance with the aims of objectives of the National Planning Policy Framework, and policies SD1, SS1, SS4, SS5, SS6, HG3, HG5, EQ1, EQ2, EQ3, EQ4, TA3, TA4, TA5, TA6 and HW1 of the South Somerset Local Plan (2006-2028).

SUBJECT TO THE FOLLOWING:

01. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.'s 1976.0.10 (Location Plan) and 11 Rev D (proposed Access Option 1C).

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

03. At least 10% of the dwellings hereby approved shall be bungalows (single storey) and they shall be located along the eastern boundary of the site (as shown on Drawing No. 176.1.11 'Annotated Indicative Layout')

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

04. 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 and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

05. 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 and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

06. Plans showing parking area(s) providing for an appropriate number of spaces in line with the Somerset County Council Parking Strategy vehicles shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. These areas shall be properly consolidated before the building(s) 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 and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

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

Reason: In the interests of residential amenity and highway safety and in accordance with Policies EQ2 and TA5 of the South Somerset Local Plan (2006-2028).

08. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soak ways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

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

09. No development shall take place until detailed plans have been submitted to and approved in writing by the Local Planning Authority (in conjunction with the local highway authority) relating to line, level and layout of the access arrangement (as shown generally in accordance with drawing number 11 Revision D) and its means of construction and surface water drainage. No dwelling hereby approved shall be occupied until the approved access road junction has been constructed and completed to the written satisfaction of the Local Planning Authority in conjunction with the Highway Authority.

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

10. Before the commencement of development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Local Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: To ensure proper recording of any archaeological remains in accordance with Policy EQ3 of the South Somerset Local Plan 2006-2028.

11. No building shall be occupied until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with the Written Scheme of Investigation approved under the Programme of Works condition and the financial provision made for analysis, dissemination of results and archive deposition secured.

Reason: To ensure proper recording of any archaeological remains in accordance with Policy EQ3 of the South Somerset Local Plan 2006-2028.

12. Prior to the commencement of development, details of measures for the enhancement of biodiversity (e.g. bat and bird boxes, native tree planting) shall be submitted to and approved in writing by the Local Planning Authority. 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 enhancement of biodiversity in accordance with NPPF.

13. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a revised and detailed scheme of tree and hedgerow protection measures (specifically to include details for the protection of the Oak referred to as T28 and the trees located upon the Highways verge adjoining the A30 to the North of the site entrance) shall be prepared by a suitably experienced and qualified arboricultural consultant in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and submitted to the Council for their approval. Upon approval in writing from the Council, the tree and hedgerow protection measures shall be installed and made ready for inspection. A site meeting between the appointed building/groundwork contractors and the Council's Tree Officer (Mr Phillip Poulton - 01935 462670) shall then be arranged at a mutually convenient time. The locations and suitability of the tree and hedgerow protection measures shall be inspected by the Council's Tree Officer and confirmed in-writing by the Council to be satisfactory prior to any commencement of the development. The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development (inclusive of hard and soft landscaping operations) and the protective fencing and signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees and hedgerows) in accordance with the Council's policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

14. No works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a revised scheme of tree and shrub planting, including the details of every tree, shrub and hedge to be planted, including its proposed location, its species, its size at the time of planting, whether it is container grown, cell-grown, root-balled or bare-rooted and the

approximate time when it is to be planted. The installation details regarding staking, tying, trimmer guarding and mulching are also to be included. If, within a period of ten years from the issue date of this planning consent, any of the trees or shrubs planted in accordance with this condition, or any trees or shrubs planted as a replacement for any of those trees or shrubs, is cut down, felled, uprooted, removed or destroyed, or dies or becomes, in the opinion of the Council, damaged or defective,

- a) the Council shall be notified by the landowner as soon as is reasonably practicable, and
 - b) another tree or shrub of the same specification shall be planted at the same location, at a time agreed in writing by the council,
- unless the Council agrees in writing to dispense with or vary the requirement.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

15. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- Revised soil infiltration rates. The infiltration test must be undertaken fully in accordance with BRE365, including three fills in each trial pit to provide accurate soil infiltration rates;
- Revised attenuation storage calculations that consider the revised soil infiltration rates.
- Detailed drawings that demonstrate the inclusion of SuDs, where appropriate, and location and size of key drainage features;
- Drainage calculations that demonstrate there will be no surface water flooding up to the 1 in 30 year event, and no increased risk of flooding as a result of development between the 1 in 1 year event and up to the 1 in 100 year event plus 40% increase for climate change;
- Assessment of potential failure of above-ground attenuation features, including assessment of residual risks to downstream receptors, and proposed mitigation and management measures;
- Description and drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of drainage system;
- Confirmation of the proposed methods of treating surface water runoff to ensure no risk of pollution is introduced to groundwater or watercourses both locally and downstream of the site, especially from proposed parking and vehicular areas;
- Confirmation of agreement in principle of proposed adoption and maintenance arrangements for the surface water drainage system;
- Confirmation from Wessex Water that diversion of the existing water main is acceptable;
- Confirmation from Wessex Water that the proposed building over the existing foul water sewer that crosses the northern part of the site is acceptable.
- Demonstration that appropriate access is available to maintain drainage features
- If the results of infiltration testing indicate that infiltration will not provide a feasible means of managing surface water runoff, an alternative drainage strategy must be submitted to the Council

for review and approval. Best practice SUDS techniques should be considered and we promote the use of combined attenuation and infiltration features that maximise infiltration during smaller rainfall events.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

Informatives:

01. The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.
02. The applicant's attention is drawn to the comments of the Rights of Way Officer (SCC) dated 13 October 2017.
03. Please be advised that subsequent full or reserved matters approval by South Somerset District Council 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.

You are required to complete and return Form 1 Assumption of Liability as soon as possible 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

04. Badgers sometimes use the site and may create 'outlier setts' (temporary setts) at any time, in areas that would be affected by development works, and require closure under licence from Natural England (normally restricted to July to November inclusive). Update surveys for badgers are recommended prior to commencing development, and particularly prior to major groundworks, in order to minimise the risk of damaging setts in contravention to the Protection of Badgers Act 1992, and introducing delays to the development.
05. Reptiles (particularly slow worms), likely to be present in neighbouring gardens, will move onto the site if conditions become suitable and could be harmed by construction activity, contrary to legislation (Wildlife and Countryside Act 1981), unless appropriate precautionary measures are employed. Suitable measures in this case are likely to include appropriate management of the vegetation to discourage reptiles away from areas of risk, and fencing to prevent reptiles from entering the site. An ecological consultant should be commissioned to provide site specific advice.
06. Giant Hogweed is an injurious plant to humans (causes severe skin blistering). Ecological surveillance should be employed to check for possible re-establishment from seed, and to apply further appropriate elimination measures.

Agenda Item 15

Planning Appeals (For information)

Director: Martin Woods, Service Delivery
Lead Officer: Martin Woods, Service Delivery
Contact Details: martin.woods@southsomerset.gov.uk or (01935) 462071

Purpose of the Report

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

Recommendation

That the report be noted.

Background

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

Appeals Allowed

Ward: Brympton
Proposal: The erection of a boundary fence (Retrospective)
Appellant: Miss Nina Ward
Site: 247 Larkhill Road Yeovil BA21 3LL

Appeals Dismissed

Ward: Yeovil Central
Proposal: The replacement of 11 windows and 1 door to first and second floor flats.
Appellant: Mr Hasson Sabeh
Site: 125 – 129 Middle Street Yeovil Somerset BA20 1NA

Financial Implications

None

Implications for Corporate Priorities

None

Other Implications

None

Background Papers: Planning application files



Appeal Decision

Site visit made on 20 March 2018

by **S Rennie BA (Hons) BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 April 2018

Appeal Ref: APP/R3325/D/17/3192395

247 Larkhill Road, Yeovil, Somerset BA21 3LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Nina Ward against the decision of South Somerset District Council.
 - The application Ref 17/03830/FUL, dated 20 September 2017, was refused by notice dated 20 November 2017.
 - The development proposed is described as to trim hedgerow back to curbside and erect 6 foot (plus capping) fence.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a boundary fence at 247 Larkhill Road, Yeovil, Somerset BA21 3LL, in accordance with the terms of the application, Ref 17/03830/FUL, dated 20 September 2017, including the 1:200 Block Plan and 1:1250 Location Plan.

Procedural Matter

2. Whilst the description of development in the banner heading above is as per the planning application form, the act of development in this case is limited to the erection of a boundary fence, as described by the Council and the fence is already in place. I shall consider the appeal accordingly.

Main Issue

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

Reasons

4. The house is within a residential area, on the corner of Larkhill Road and Thorne Lane. The fence is positioned to the side boundary of the house with Thorne Lane and partially to the front boundary with Larkhill Road. Most properties in this immediate area do not have fences to enclose front gardens. However, some of the other corner plot properties have other forms of high enclosures, such as tall hedges or other vegetation. The high hedges to the side and front of No 247 also remain, but with the new fence immediately adjacent to the public footpath to the front of the hedges. The front garden was therefore already an enclosed space.

5. Moreover, whilst I acknowledge that high fence enclosures are not common in the area, in this particular case the house is on a corner plot adjacent to a busy junction, and so in a different situation to most other properties in the area. Furthermore, as the Council has acknowledged, this is not a formal open-plan estate and there is evidence of high hedges and other forms of enclosures within the wider area.
6. Within the context of the long residential streets of Thorne Lane and Larkhill Road, this fence is not of a length or height to be a dominant feature, especially as the fence is erected against the backdrop of a higher hedgerow. The style of the fence also fits well with the residential character of the area.
7. In view of the above, the fence as erected does not harm the character and appearance of the area and so it accords with Policy EQ2 of the South Somerset Local Plan 2006-2028 which, amongst other matters, seeks to reinforce local distinctiveness, respect local context and create quality places.

Other Matters

8. I have taken into account representations referring to setting a precedent for future similar developments. However, the decision in this case takes into account the specific circumstances of the site, such as the corner plot location and each case should be considered on its own merits.
9. I have also taken into account representations referring to highway safety concerns. However, as the fence is set back from the highway behind a grass verge, it does not obstruct highway user visibility. Also, the Council's highway consultant did not raise any highway safety concerns.

Conditions

10. I have taken the suggested conditions from the Council into account. However, as the development has been completed it is not possible or necessary to impose a three year time limit for the development to be started or to have a condition requiring it to be carried out in accordance with the approved plans. Also, the fence looks acceptable and so it is not necessary to seek that its appearance matches any aspect of the existing building.

Conclusion

11. For the reasons given, I conclude that the appeal should be allowed.

Steven Rennie

INSPECTOR



Appeal Decision

Site visit made on 28 March 2018

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th April 2018

Appeal Ref: APP/R3325/W/17/3190554

125-129 Middle Street, Yeovil, Somerset BA20 1NA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Hasson Sabeh against the decision of South Somerset District Council.
 - The application Ref 17/03837/FUL, dated 12 September 2017, was refused by notice dated 27 October 2017.
 - The development proposed is to replace timber windows on first and second floor.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The original application form and the appeal form described the site address as 127 Middle Street, Yeovil. However, the decision notice of the Council and the appellant's appeal statement refer to the property as 125-129 Middle Street. As this was consistent with what I saw at my site visit, I have referred to it above.
3. The original application described the proposed works as to replace the timber windows on the first and second floor. The appellant's appeal statement and the Council have referred to the proposal being for the replacement of eleven windows and a door. The Council have considered the proposal on this basis, and so shall I.
4. Osborne House is a grade II listed building. As required by the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

Main Issue

5. The main issue is the effect of the replacement windows and door on the character and appearance of 125-129 Middle Street and the surrounding area, having particular regard to the desirability of preserving a listed building and its setting.

Reasons

6. The appeal building occupies a corner position formed by the junction of Middle Street with Wyndham Street. It is part of a long row of mostly historic buildings that gently step down the hillside towards the town centre. The

straight nature of Middle Street provides long views of the building, and this combined with its position on a staggered cross-roads, makes it prominent within the area.

7. The building has an elegant, well-composed form, and much of its rich and particularly fine architectural detailing and styling remains. This and the repeated rhythmical placement of several large windows upon the upper floors is a distinct feature of the building. The number of windows, their size and position, along with their sash style, all contribute towards the elegant prominence of the building. The windows and door above the main entrance are curved to reflect the corner position. As such Nos 125-129 makes an eye-catching and positive contribution to the area.
8. The upvc replacements would have a heavy and cumbersome appearance that would be at harmful odds with the refinement of the host building. Although the windows would replicate the glazing pattern of the timber windows, they would be casements with deep frames and glazing bars. Even with the reveal, the uniformity of the upvc and the thickness of the frames and glazing bars would be a harsh contrast with the fine detailing of the building. Furthermore, the new window and door above the main entrance would not be curved, giving an unacceptably flattened appearance to this focal corner.
9. I appreciate that the building is neither listed nor in a conservation area, and that there are many other historic buildings nearby that have upvc windows. Nevertheless Nos 125-129 is a fine building in a prominent position that makes an important contribution to the area, and the number, size and delicate style of its timber windows are distinct aspects of its appearance. When combined with its position the building is distinctly and eye-catchingly visible within the public realm, and as such the harsh juxtaposition of the proposed windows with the elegance of the building's form and detailing would be readily apparent.
10. This incongruity would harm the setting of Osborne House. Although the appeal property is set away from this listed building, when approaching the town centre it is one of several imposing historic buildings close to a road junction that are part of the setting of this house, reflecting the former importance of the road as a way into the town. Many of the nearby properties have upvc windows, but it is the elegance and corner position of the appeal building that makes it a positive contribution to the setting of Osborne House.
11. The National Planning Policy Framework (the Framework) requires that where a development proposal would be less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. The replacement windows would result in less than substantial harm to the listed building due to their relatively small size compared to that of the setting of this house as a whole. I have taken into account the appellant's desire to improve heating efficiency, noise and safety. Whilst this would be of some public benefit, the effect would be modest and would not outweigh the harm to the setting of Osborne House.
12. The Framework advises that when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The proposed windows and door would unacceptably harm the character and appearance of the appeal building and the contribution it makes to the area, including eroding the setting of a listed building. This would be contrary to the requirements of the Act and the

Framework, and also to those of Policies EQ2 and EQ3 of the South Somerset Local Plan (2015). These policies seek amongst other things high quality development, the conservation of heritage assets, and the reflection of local distinctiveness.

Conclusion

13. Thus for the reasons given above, and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR