
Area West Committee

Wednesday 21st August 2019

5.30 pm

**The Guildhall
Chard, TA20 1PH**

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



The following members are requested to attend this meeting:

Jason Baker
Mike Best
Dave Bulmer
Martin Carnell
Brian Hamilton
Ben Hodgson

Val Keitch
Jenny Kenton
Paul Maxwell
Tricia O'Brien
Sue Osborne
Robin Pailthorpe

Garry Shortland
Anthony Vaughan
Linda Vijeh
Martin Wale

Consideration of planning applications will commence no earlier than 6.00pm.

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462055 or democracy@southsomerset.gov.uk

This Agenda was issued on Tuesday 13 August 2019.

Alex Parmley, *Chief Executive Officer*



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

Information for the Public

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

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

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

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

Meetings of the Area West Committee are held monthly, usually at 5.30pm, on the third Wednesday of the month (except December).

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

The meeting will be audio recorded to ensure the accuracy of the minutes.

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 West Committee

Wednesday 21 August 2019

Agenda

Preliminary Items

- 1. To approve as a correct record the Minutes of the Previous Meeting**
- 2. Apologies for Absence**
- 3. Declarations of Interest**

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

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

Planning Applications Referred to the Regulation Committee

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

Councillors Jason Baker and Sue Osborne.

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

- 4. Date and Venue for Next Meeting**

Councillors are requested to note that the next Area West Committee meeting is scheduled to be held on Wednesday 18th September 2019 at The Guildhall, Chard.

- 5. Public Question Time**

This is a chance to ask questions, make comments and raise matters of concern.

Parish/Town Councils may also wish to use this opportunity to ask for the District Council's support on any matter of particular concern to their Parish/Town.

Anyone wishing to raise matters in relation to items on the agenda may do so at the time the item is considered.

6. Chairman's Announcements

Items for Discussion

- 7. Community Grant to Chaffcombe Village Hall (Executive Decision)** (Pages 6 - 10)
- 8. Area West Committee - Forward Plan** (Pages 11 - 12)
- 9. Planning Appeals** (Pages 13 - 19)
- 10. Schedule of Planning Applications to be Determined by Committee** (Pages 20 - 21)
- 11. Planning Application 18/01737/OUT - Land South of KitHill, Crewkerne** (Pages 22 - 39)

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

This does not apply to decisions taken on planning applications.

Agenda Item 7

Community Grant to Chaffcombe Village Hall (Executive Decision)

Director: Martin Woods, Director of Service Delivery
Manager / Lead Specialist: Tim Cook, Locality Manager
Lead Officer: Adrian Moore
Contact Details: adrian.moore@southsomerset.gov.uk or 01935 462409

Purpose of the Report

Councillors are asked to consider the awarding of a grant of £5,455 towards the cost of an extension to create an additional store for sports equipment and for fascia replacement for Chaffcombe Village Hall.

Public Interest

Awarding grants is a key way that SSDC supports and helps to deliver community projects sponsored by Parishes and voluntary community organisations in the towns and villages across the district.

Chaffcombe Village Hall has applied to the Area West community grants programme for financial assistance with the costs of extending the size of the existing front porch of the village hall in order to create extra storage space and to replace the existing wooden fascia boards with uPVC. The application has been assessed by the Locality Officer who is submitting this report to enable the Area West Committee to make an informed decision about the application.

Recommendation

It is recommended that Councillors award a grant of £5,455 to Chaffcombe Village Hall, the grant to be allocated from the Area West capital programme and subject to SSDC standard conditions for community grants (Appendix A)

Application Details

Name of applicant:	Chaffcombe Village Hall
Project:	Extension to create an additional store for sports equipment and for fascia replacement for Chaffcombe Village Hall
Total project cost:	£10,910
Amount requested from SSDC:	£5,455
Application assessed by:	Adrian Moore – Locality Officer

Community Grants Assessment Score

The table below shows the grant scoring for this application. Applications must meet the minimum score of 22 to be considered for SSDC funding under Community Grants policies.

Category	Actual score	Maximum score possible
A Eligibility	Yes	Y/N
B Equalities Impact	4	7
C Need for project	4	5
D Capacity of organisation	14	15
E Financial need	5	7
F Innovation	1	3
Grand total	28	37

Background

Chaffcombe Village Hall is an intrinsic part of local rural community life in Area West and is used all year round by a vibrant community made up of villagers and people from the nearby conurbations, farms and isolated houses.

The Village Hall offers a single, highly flexible space and is described as “cosy” on the village webpage with tables, seating and a raised dais, suitable for a multiplicity of uses. These include; Coffee Mornings, Meetings, Lunches & Dinners, Card Games, Dancing, Concerts, Sewing Groups, an Art Venue, Art Classes, Vinyl Evenings, Sports - including Table Tennis and Short Mat Bowls. It is a proven venue for a wide range of social functions, including community based, church based and privately sponsored events. The hall is available for hire for wedding receptions, children’s parties, workshops and charity fundraising events.

In 2015 the internal structure of the hall was altered to enable more seating for concerts and to create more space for sporting activities. There is a very keen table tennis following in the village and the local club now has three high quality table tennis tables which has given rise to the requirement for more suitable dry and safe storage facilities for them. The proposed extension at the front of the building is designed to increase the area of storage to easily accommodate the table tennis tables. It will also be flexible enough to store chairs, tables, and parts of the mountable stage and the Short Mat Bowls equipment which are currently stored in the main hall. This clearance will result in a larger area for use in the main hall, with far less clutter, which is desirable when events such as Concerts and Dinners take place.

The wooden facias located below the gutters require regular painting. This work is currently carried out by a contractor on a regular basis which is costly and not without health & safety risk working at height. Experience has shown that the use of uPVC in windows fitted at the front of the hall in 1990 and to the rear in 2011 has resulted in the windows being more or less, maintenance free and has therefore resulted in lower operating cost for the village hall and a safer environment since their fitting. It is envisaged that the same benefits would accrue by replacing the wooden facias (which despite regular painting are in poor condition) with uPVC.

Attendees of village hall events will have an improved experience, making it a more attractive venue as there will be less items stored in and cluttering the main hall. The seated capacity of the hall will be increased, permitting a larger capacity seated concert audience.

The longevity of the table tennis tables (which are prone to damage during their movement) will be increased resulting in lower long-term running costs. Each table costs in the region of £700 to replace and needs to be in a good condition to play league matches. The only alternative current "safe" method of storing the table tennis tables out of the main hall is in the rear store which is located to the rear of the site. The likelihood of damage to both the tables and those moving them during transit, makes this undesirable.

Parish information

Parish*	Chaffcombe
Parish Population	229
Number of dwellings	-

*Taken from the 2011 census profile

The project

The application covers two separate projects, both of which will be of benefit to users of the hall but in different ways. The proposed extension comprising of combined entrance and store at the front of the building is designed to increase the area of storage. The work to replace the wooden facias with uPVC is to reduce long term maintenance costs and remove the need to regularly work from height while carrying out routine painting.

A great deal of care has been taken to improve the look of the village hall with these works. A lot of consideration and thought has gone into matching existing windows, stone and brickwork designs and reusing materials and matching new materials.

The Project Manager for all this work will be a Trustee of the Village Hall who leads the Village Hall Building and Maintenance Group having run his own successful building company and having successfully managed the significant internal building project carried out in 2015. To reduce costs a number of skilled tradesmen living locally will assist with the building of the extension by providing their labour and expertise without cost. The only outside contracting cost required is for the construction of the new fibreglass roof of the combined entrance and store.

Local support / evidence of need

A public meeting for local residents was held in late 2018 when all residents were invited to make comments about the design proposed by the Buildings and Maintenance Group, following the identification of the need for additional storage space by all Trustees in 2017. A number of suggestions were taken into account and a modified final design was approved by the Trustees with a majority 9-3 vote in favour at a meeting in early 2019. This design was subsequently submitted to SSDC planning and was approved in June 2019.

Project costs

Project costs	Cost £
Fibre glass roofing	1,260
Windows	1,643
Insulation	840
Other materials/H&S signage/Additional insurance costs	3,098
Facia Replacement	4,069
Total	10,910

Funding plan

Funding source	Secured or pending	Amount £
Parish/Town Council	Secured	300
Own Funds	Secured	5,155
SSDC	Pending	5,455
Total		10,910

Conclusion and Recommendation

It is recommended that a grant of £5,455 is awarded.

Financial implications

The balance in the Area West Capital programme is £149,284. If the recommended grant of £5,455 is awarded, £143,829 will remain.

Grants are awarded subject to all other funding being secured before the commencement of the project and are on a % basis of the full project costs. Payment of the grant cannot exceed the grant award and is proportionally reduced if full project costs are under budget.

Council Plan Implications

Health and Communities - To build healthy, self-reliant, active communities we will:

- Support communities so that they can identify their needs and develop local solutions
- Help people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities

Carbon Emissions and Climate Change Implications

Equality and Diversity Implications

The project aims to provide for people across all age and interest groups in the local community.

Background Papers

None

Appendix A

Standard conditions applying to all SSDC Community Grants

The applicant agrees to: -

- Notify SSDC if there is a material change to the information provided in the application.
- Start the project within six months of the grant offer and notify SSDC of any changes to the project or start date as soon as possible.
- Confirm that all other funding sources have been secured before starting the project, if these were not already in place at the time of the application.
Acknowledge SSDC assistance towards the project in any relevant publicity about the project (e.g. leaflets, posters, websites, and promotional materials) and on any permanent acknowledgement (e.g. plaques, signs etc.).
- Work in conjunction with SSDC officers to monitor and share the success of the project and the benefits to the community resulting from SSDC's contribution to the project.
- Provide a project update and/or supply before and after photos if requested.
- Supply receipted invoices or receipts which provide evidence of the **full** cost of the project so that the grant can be released.

Standard conditions applying to buildings, facilities and equipment

- Establish and maintain a “sinking fund” to support future replacement of the building / facility / equipment as grant funding is only awarded on a one-off basis.
- Use the SSDC Building Control Service when buildings regulations are required.
- Incorporate disabled access and provide an access statement where relevant.

Special conditions

Agenda Item 8

Area West Committee Forward Plan

Director: Netta Meadows, Strategy and Support Services
Agenda Co-ordinator: Jo Morris, Case Services Officer (Support Services)
Contact Details: jo.morris@southsomerset.gov.uk or 01935 462055

Purpose of the Report

This report informs members of the proposed Area West Committee Forward Plan.

Recommendation

Members are asked to:-

- (1) comment upon and note the proposed Area West Committee Forward Plan as attached.
- (2) identify priorities for further reports to be added to the Area West Committee Forward Plan.

Forward Plan

The Forward Plan sets out items and issues to be discussed by the Area West Committee over the coming few months.

The Forward Plan will be reviewed and updated each month in consultation with the Chairman. It is included each month on the Area West Committee agenda and members may endorse or request amendments.

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

Councillors, service managers, partners and members of the public may request that an item is placed within the forward plan for a future meeting by contacting the agenda co-ordinator.

Background Papers: None.

Notes

- (1) Items marked in italics are not yet confirmed.
 (2) Further details on these items, or to suggest / request an agenda item for the Area Committee, please contact the Agenda Co-ordinator; Jo Morris, 01935 462055 or e-mail jo.morris@southsomerset.gov.uk

Meeting Date	Agenda Item	Lead Officer(s) SSDC unless stated otherwise
18th September 2019	<i>Chard Regeneration Scheme Update Report</i>	<i>Rebecca McElliott, Property and Development Project Manager</i>
	<i>Grant Application – Merriott Village Hall</i>	<i>Adrian Moore, Locality Officer</i>
16th October 2019	<i>Historic Buildings at Risk</i>	<i>Specialist – Development Management</i>
20th November 2019	<i>Area Chapter for the Council Plan</i>	<i>Chereen Scott, Specialist, Strategic Planning</i>
11th December 2019	<i>Blackdown Hills Area of Outstanding Natural Beauty (AONB)</i>	<i>Adrian Moore, Locality Officer</i>
	<i>Blackdown Hills AONB</i>	<i>Cllr. Martin Wale</i>
	<i>Chard and District Museum Society</i>	<i>Cllr. Jenny Kenton</i>
22nd January 2020	<i>Ile Youth Centre Management Committee</i>	<i>Cllr. Brian Hamilton</i>
	<i>Avon & Somerset Constabulary</i>	<i>Sgt. Rob Jameson</i>
19th February 2020	<i>Ilminster Forum</i>	<i>Cllr. Val Keitch</i>
	<i>Meeting House Arts Centre, Ilminster</i>	<i>Cllr. Val Keitch</i>
18th March 2020	<i>Stop Line Way Steering Group</i>	<i>Cllr. Sue Osborne</i>
	<i>A Better Crewkerne & District (ABCD)</i>	<i>Cllr. Mike Best</i>
TBC	<i>Highways Authority Update</i>	
Quarterly Update Reports	<i>Chard Regeneration Scheme</i>	<i>Rebecca McElliott, Property and Development Project Manager</i>

Agenda Item 9

Planning Appeals

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

Purpose of the Report

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

Recommendation

That the report be noted.

Background

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

Report Detail

Appeals Received

19/00352/HOU - The erection of summerhouse (part retrospective).
64 Middle Path, Crewkerne, Somerset TA18 8BG
(officer decision)

Appeals Allowed

18/02078/OUT – Outline application for the erection of 1 No. dwelling and associated parking with all matters reserved except access.
Land adj Garden House, Back Street, Winsham, Chard, Somerset TA20 4EB
(officer decision)

Background Papers

None



Appeal Decision

Site visit made on 24 June 2019

by Roy Curnow MA BSC(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2019

Appeal Ref: APP/R3325/W/19/3226245

Land Adj Garden House, Back Street, Winsham, Chard, Somerset TA20 4EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs B Jeffery against the decision of South Somerset District Council.
 - The application Ref 18/02078/OUT, dated 2 July 2018, was refused by notice dated 12 October 2018.
 - The development proposed is the erection of a detached dwelling and associated parking.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached dwelling and associated parking at Land Adj Garden House, Back Street, Winsham, Chard, Somerset TA20 4EB in accordance with the terms of the application, Ref 18/02078/OUT, dated 2 July 2018, subject to the conditions in the attached schedule.

Procedural Matter

2. The application to which the appeal relates was made in outline form, with all matters reserved, save for the access to the site. A drawing was submitted with the appeal with a layout that was marked as being 'indicative'. The case put forward by the appellant reiterates this, and I have used the plan in this respect. A further drawing was submitted with the appeal, showing a visibility splay. As interested parties had the opportunity to comment on this, and it does not involve third party land, no-one would be prejudiced by my using it in my deliberations.

Main Issues

3. The main issues are the effects of the proposed development on:
 - (i) the character and appearance of the area;
 - (ii) the living conditions of the occupants of Woodcott, having particular regard to privacy, and those of future residents of the proposed dwelling having particular regard to outlook; and
 - (iii) highway safety.

Reasons

Character and appearance

4. Back Street is one of a number of roads radiating away from the centre of the village. Garden House is a detached house, with a fairly long rear garden that lies on the northwest side of Back Street, towards its upper end. Residential development is continuous along both sides of the length of Back Street, save for a gap immediately to the southwest of the appeal site where a field entrance separates Garden House from its neighbour in this direction, Lower Stadway. Further dwellings lie to its northeast, the nearest of which is Woodcott.
5. Residential development on the northwest side of Back Street appeared to be uniformly one dwelling deep. However, these buildings vary in terms of their degree of set-back from the road, ages, scales, designs and materials. Fore Street lies close-by, to the southeast of Back Street, and runs parallel to it. Given the proximity of the two roads, development along the two is often close together and quite dense.
6. Two footpaths run from Back Street into the adjacent field. One of these footpaths runs adjacent to the appeal site boundary, within a few metres of the site of the proposed dwelling. From them, the tandem relationship between the proposed dwelling and Garden House would appear at odds with the form of development on this side of Back Street. It would be harmful to the character and appearance of the area. This would be the case, even were the proposed dwelling to be of a single-storey.
7. My attention was drawn to the nature of development at Lower Stadway. However, whilst set back from the road to a considerable degree, it did not represent the form of tandem development that is proposed here.
8. Although I consider that a dwelling could be erected on the site that would not appear cramped, neither this, nor that it would be little seen from Back Street, outweighs the harm that I have identified.
9. For the above reasons, I find that the proposed development would result in a form of tandem development that would cause harm to the character and appearance of the area. It would, therefore, be contrary to the terms of Policy EQ2 of the South Somerset Local Plan 2006-2028, March 2015 ('Local Plan') that, amongst other things, requires development to respect its local context.

Living Conditions

10. A thick and high hedge separates the appeal site from the rear of Woodcott. This screens the majority of that dwelling from the appeal site, but a first-floor bedroom window there looks over the site. However, it is not inconceivable that a dwelling could be designed in such a way that any openings on its south elevation would cause no loss of privacy to Woodcott's occupants.
11. I do not agree that such a solution would appear contrived. It would, rather, simply be a case of designing a dwelling to address the challenges of the site. In terms of the living conditions of future occupants of a dwelling here, there is no reason to preclude the provision of ground floor windows in the east elevation, or any windows looking north or west. The proposed dwelling could,

therefore, provide its occupants with a good outlook without adversely affecting the privacy of the occupants of Woodcott.

12. For the above reasons, the proposed development would not have an adverse effect on the living conditions of existing and future residents. It would, therefore, accord with those terms of Local Plan Policy EQ2 that require development proposals to create quality places and respect their local context.

Highway safety

13. Back Lane is subject to a 30mph speed limit. I saw that a combination of its narrow nature and the site's proximity to a sharp bend, where it meets High Street, traffic speeds passing the site were considerably lower than this. I could also see that traffic flow along this part of Back Lane is light.
14. Whilst I have not been provided with a copy of the Somerset County Council Standing Advice document on highways, its contents are stated in the Council's statement. As the appellant has not countered this, I take it to accurately reflect the Standing Advice. Of the matters referred to therein, the Council's statement sets out that it takes issue on just one point, the degree of visibility available at the junction between the site and Back Lane.
15. Drawing number JGHASUBSP2 was submitted with the appeal and showed visibility splays that could be provided at the junction between Garden House and Back Lane. To achieve these works within the property's boundaries on both sides of the access would need to be undertaken.
16. This would provide adequate visibility to the right, when exiting. However, that to the left, would be sub-standard. Drawing number JGHASUBSP2 sets out that a sightline of 31m could be achieved here. However, Manual for Streets (MfS), which is referred to in the Standing Advice, sets out that this splay should be measured to the nearside of the carriageway. The Council estimates that using this approach, visibility would be in the region of 11m.
17. Given the local conditions, I do not find that this would result in an unacceptable impact on highway safety, as set out in paragraph 109 of the National Planning Policy Framework ('the Framework'). Furthermore, MfS states that in circumstances vehicles approaching from the left would not cross the centre line, the splay in this direction might be measured to the centre line. Although there is no physical barrier to stop vehicles crossing the centre line, due to the width of Back Lane vehicles would not be able to entirely cross its 'centre line'. Thus, using this for the purposes of a splay here would be acceptable.
18. For the above reasons, and dependent on the provision of the splays shown in Drawing number JGHASUBSP2, I feel that the proposal would not be prejudicial to highway safety. It would, therefore, be in accordance with Local Plan Policy TA5 that requires, amongst other things, the provision of a safe access.

Other Matters

19. I have been provided with a plan that shows that part of the Winsham Conservation Area ('CA') lies fairly close to the site, running along Fore Street. The impact of the development on the setting of the CA is not a matter that the Council considered to be an issue. From what I saw at my visit, I have no

reason to disagree with it on this point. There would be no adverse effect on the significance of CA, the setting of which would be preserved.

20. The Council did not refer to the outlook from Woodcott in its reason for refusal. I agree that it would be possible to site a dwelling on the site that would not have a significantly adverse effect in this regard. Similarly, noise and parking during the build was not referred to by the Council. From what I saw at my visit, these are matters that should not not necessarily cause harm. They can also be controlled under other legislation.

Planning Balance

21. Planning law¹ sets out that "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".
22. In this case, I have found that the proposed dwelling would cause harm to the character and appearance of the area, and that this would be contrary to the terms of Local Plan Policy EQ2.
23. The terms of the Government's National Planning Policy Framework are an important material consideration. Its paragraph 11 states that decisions should apply a presumption in favour of sustainable development. For decision-taking, paragraph 11(d) states that this includes approving development proposals where the policies which are most important for determining the application are out-of-date. Footnote 7 to the Framework states that this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. The Council agrees that this is the case, here.
24. Paragraph 11(d)(ii) goes onto say that this presumption should not be applied where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
25. This is an important material consideration, given the Government's objective of "significantly boosting the supply of homes"². The provision of a single dwelling would have a small beneficial effect on the Council's overall supply of homes. Furthermore, at the local level, its future occupiers would provide support for local village services, in accordance with the terms of paragraph 78 of the Framework.
26. Taking all of these factors into account, I consider that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits. As a result, the presumption in favour of sustainable development set out in paragraph 11 of the Framework should be triggered.

Conditions

27. The Council has proposed a list of conditions in the event of the appeal being allowed. I have considered these against the terms of the guidance in the Framework³. That relating to reserved matters is necessary, but I have divided

¹ Planning and Compulsory Purchase Act 2004, Section 38(6)

² National Planning Policy Framework, paragraph 59

³ Paragraph 55

this for purposes of clarity. Given that access is a matter for assessment at this time, it is necessary to condition the provision and retention of the visibility splays shown in the drawing submitted with the appeal. I find that those proposed with regards to width of access, parking and turning areas, and any gates to be provided are necessary in the interests of highway safety.

Conclusion

28. In the circumstances of this appeal, the material considerations considered above justify making a decision other than in accordance with the development plan. For these reasons, the appeal should be allowed.

Roy Curnow

INSPECTOR

SCHEDULE OF CONDITIONS

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
3. The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
4. Prior to any other development hereby permitted occurring, the visibility splays shown on approved Drawing JGHASUBSP2 shall be provided. All land and vegetation within these splays shall be permanently reduced to a height of no more than 600mm and the splays shall subsequently be kept free from obstruction.
5. The proposed access shall have a minimum width of 5 metres and shall be retained as such in perpetuity.
6. The development hereby permitted shall not be occupied until a turning area, and parking spaces for Garden House and the dwelling hereby permitted have been provided and constructed within the site in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces, shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.
7. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 5 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

END OF SCHEDULE

Agenda Item 10

Schedule of Planning Applications to be Determined by Committee

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

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 6.00pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 5.45pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
11	CREWKERNE	18/01737/OUT	Outline application for residential development of up to 150 dwellings, public open space, landscaping and associated works with access from Lang Road	Land South of KitHill, Crewkerne Somerset	Mr James Tizzard

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 11

Officer Report on Planning Application: 18/01737/OUT**

Proposal :	Outline application for residential development of up to 150 dwellings, public open space, landscaping and associated works with access from Lang Road
Site Address:	Land South Of KitHill, Crewkerne, Somerset
Parish:	Crewkerne
CREWKERNE Ward (SSDC Member)	Cllr M Best, Cllr R Pailthorpe, Cllr B Hodgson
Recommending Case Officer:	Andrew Gunn
Target date :	04 September 2018
Applicant :	Mr J Tizzard
Agent: (no agent if blank)	Pegasus Planning Group Ltd First Floor, South Wing Equinox North, Great Park Road Almondsbury Bristol BS32 4QL
Application Type :	Major

REASON(S) FOR REFERRAL TO COMMITTEE

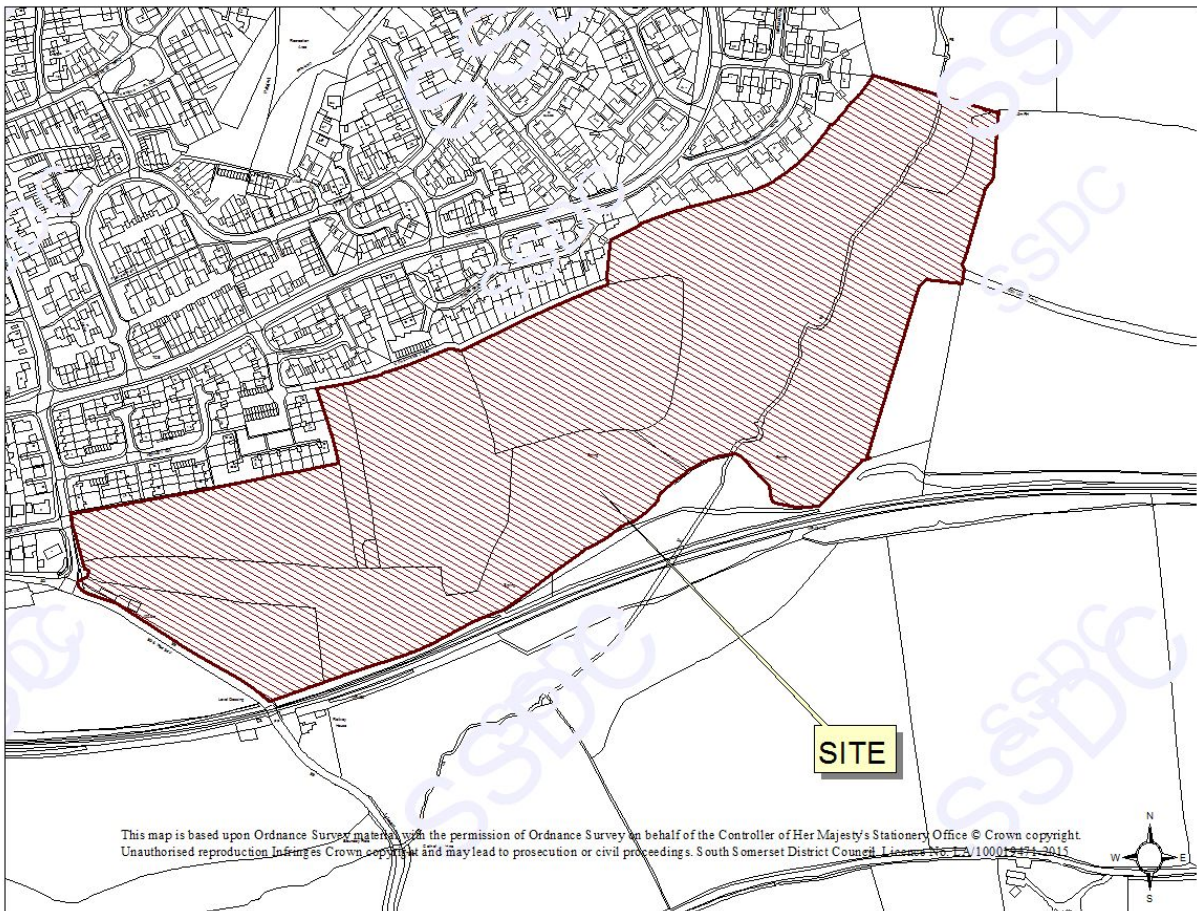
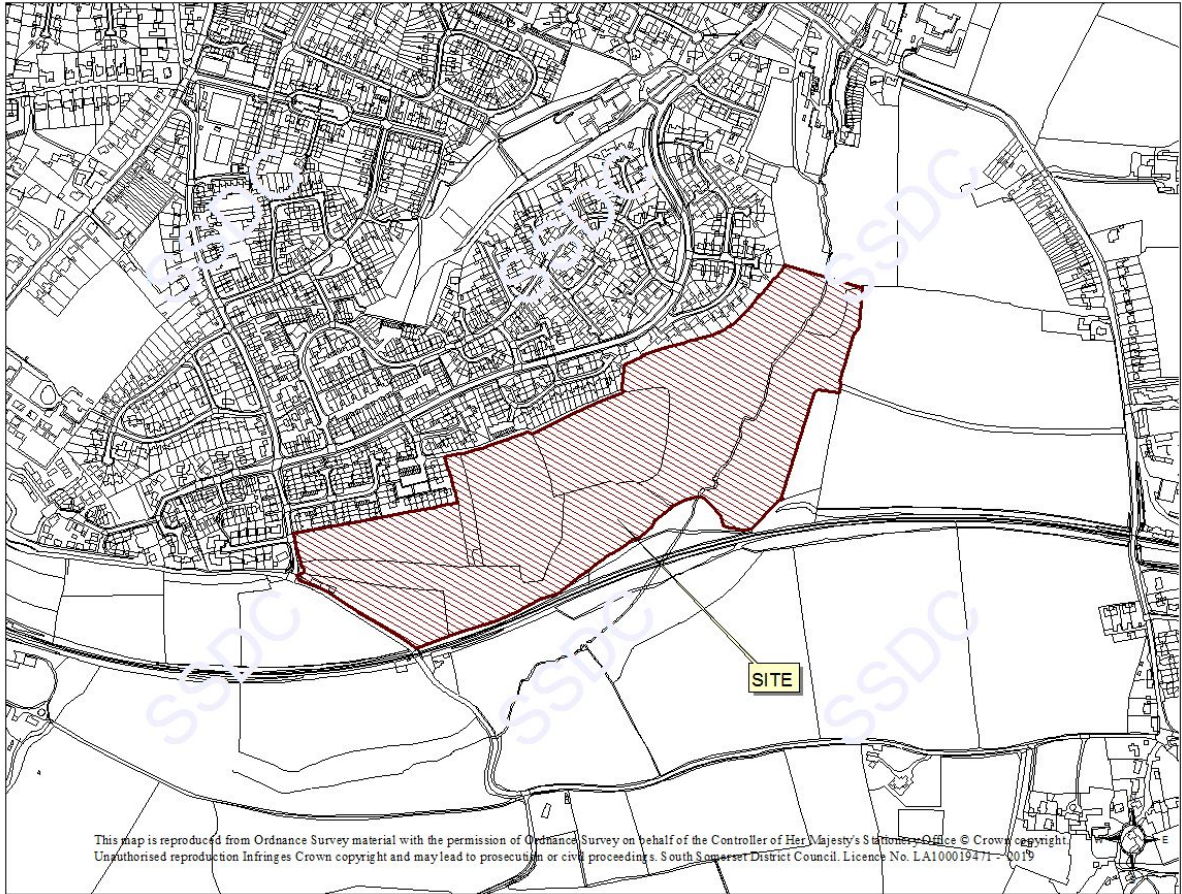
This application is referred automatically to Area West Committee as it is a proposal that exceeds 4 hectares and therefore constitutes a major-major application.

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

The application site is located on existing fields on the southern edge of Crewkerne, adjoining existing residential development to the north with sloping fields to the south. The railway line runs parallel with the site in the valley to the south. The total application area comprises over 15 hectares covering 9 fields. The proposed residential developable area will cover 3.8 hectares and include 3 of those fields. Public Rights of Way run through the site to the south of the proposed developed area.



PROPOSAL

The application seeks outline consent for up to 150 dwellings, access from Lang Road, public open space, landscaping and associated works. The means of access is sought for approval at this stage with all other detailed matters relating to scale, layout, landscaping and appearance, reserved for any subsequent future reserved matters application.

This current application has been supported by a Design and Access Statement, Affordable Housing Statement, Draft Heads of Terms, Planning Statement, Transport Statement, Travel Plan, Landscape and Visual Impact Assessment, Flood Risk Assessment and Drainage Strategy, Ecological Statement and a Tree Constraints Appraisal and Plan. The Transport Statement has been subsequently updated during the course of the application. A site plan, illustrative masterplan and proposed access arrangement plans have also been submitted.

The scheme proposes access from Lang Road opposite the junction with Manor View with an emergency access point to be provided along the northern side of the site onto the lane that runs parallel with the application site, to the south of Seaborough View and Cowen Close. The submitted illustrative masterplan shows a main estate road running through the site with a series of smaller cul-de sacs being formed. Cycling and pedestrian links will be created to run throughout the development and those will link to existing footpaths and public rights of way on all boundaries of the site. This will provide links to the town, open space and the train station. The scheme will also provide allotments, woodland enhancement, street tree planting, green corridors and an orchard. 2 water attenuation areas will also be created towards the eastern end of the site.

HISTORY

No planning history.

POLICY

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

Relevant Development Plan Documents

South Somerset Local Plan (Adopted 2015)

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

HG3 - Provision of Affordable Housing

TA4 - Travel Plans

TA5 - Transport Impact of New development

TA6 - Parking Standards

HW1 - Provision of open spaces, outdoor playing space, sports, cultural and community facilities in new development

EQ2 - General Development

EQ4 - Biodiversity

Relevant Policy Material Considerations

National Planning Policy Framework

Adopted Somerset County Council Parking Standards

CONSULTATIONS

Crewkerne Town Council:

Crewkerne Town Council have considered planning application 18/01737/OUT (Land south of Kithill, Crewkerne), including the amended plans issued on 19 October 2018 and on 24 June 2019.

In summary, the Town Council recommends refusal of this planning application on the grounds that it is an unsustainable location, both in terms of traffic impact on an already inadequate highways network and the lack of any associated improvements to local infrastructure.

These points are set out in more detail below.

1. Traffic impact

1.1 The Town Council strongly supports the position put forward by Highways in their letter of 22 August 2018, where they state the following:

- "this planning application would represent a significant traffic impact on Cathole Bridge Road that could potentially represent a severe highway safety concern"
- "Cathole Bridge Road by reason of its restricted width is considered unsuitable to serve as a means of access to the proposed development. The proposal is therefore contrary to Section 9 of the National Planning Policy Framework (NPPF) and Policy TA5 of the South Somerset District Local Plan."
- "The proposal is contrary to Section 9 of the NPPF and Policy TA5 of the South Somerset District Local Plan since the increased introduction of conflicting traffic movements onto Cathole Bridge Road, such as would be generated by the proposed development, would be prejudicial to highway safety."

1.2 The Town Council supports the Highways' analysis that 57% of development traffic would use Cathole Bridge Road and considers that the estimate of 9% put forward by the applicant is grossly understated.

1.3 The junction of Lang Road and Cathole Bridge Road has very poor visibility and the vision splay of the junction of Cathole Bridge Road and Lyme Road, from the direction of Roundham, is so poor as to be positively dangerous. The Town Council is extremely concerned that the increased traffic generated by the proposed development would further compromise safety at these junctions.

1.4 The Town Council are strongly critical of the so-called "improvements" to Cathole Bridge Road put forward by the applicant in the 24 June 2019 amendment, which consist merely of formalising the currently informal passing places and in cutting back of verges to attempt to marginally widen the available carriageway and increase visibility. The fact remains that Cathole Bridge Road is already wholly unsuitable as a carriageway for vehicles and this will be greatly exacerbated by the increase in traffic caused by the proposed development.

- 1.5 The Town Council is very concerned that there is only one access road into this development as this could compromise the ability of emergency vehicles to gain access to the development. The Council is also concerned that the access road is on the brow of a hill and, as a result, has very poor sightlines.
- 1.6 The Town Council consider it wholly unsatisfactory that the traffic survey conducted was very cursory, being undertaken over one day only, and that the traffic assessment uses data from the 2011 census.
- 1.7 The railway crossing on Cathole Bridge Road would cause increased traffic to back up onto the bend of Cathole Bridge Road.

2. Infrastructure

The Town Council is very concerned that the town's existing infrastructure is barely coping, as evidenced by the fact that:

- There is frequently severe traffic congestion in the town centre.
- The schools are full.
- The GP surgery is struggling to meet demand.
- Public transport bus links are sparse.

The Town Council does not therefore support application 18/01737/OUT as it would mean 150 additional dwellings with no supporting infrastructure. With no additional local employment opportunities, many of the working-age residents of these 150 dwellings will need to travel by car to neighbouring towns for employment.

Misterton Parish Council: (adjoining PC) (First response)

Misterton Parish Council has looked at this application as a neighbouring parish. The Councillors have asked me to write and register their concerns regarding the potential impact of this development on traffic levels through the village of Misterton. As you will be aware, Misterton supports an already extremely high volume of traffic through the village and the exit of traffic from this development will put pressure on Cathole Bridge Road, which is a small, single lane road and inevitably raise the volume of traffic in Misterton quite considerably.

Further comments received following submission of off-site highway works and updated Transport Assessment:

Misterton Parish Council met last night and considered this application as the neighbouring Parish. The Parish Councillors continue to oppose this application, supporting Crewkerne Town Council's refusal of the application last week. The reason for this is that Cathole Bridge Road is simply not an appropriate road for the increase in traffic associated with this development. The proposed upgrade of 'trimming' vegetation is not a significant enough amendment to make this suitable access for the development and, the PC believes, is prejudicial to highways safety. There is restricted width the entire length of the road, with poor visibility and difficult passing places. The increased volume of traffic along Cathole Bridge Road towards Misterton has significant implications for congestion and pollution levels in the village. The Parish Council would be grateful if you could ensure their comments are added to the portal.

County Highway Authority: (First response)

I refer to the above-mentioned planning application received on 9 July 2018 and after carrying out a site visit on 18 July 2018 have the following observations on the highway and transportation aspects of this proposal:-

This is a planning application for 150 dwellings on land to the south of Kithill. This planning application proposes to utilise the existing access but make improvements to the access for this development. For the avoidance of doubt, the Highway Authority are making a recommendation of refusal for this planning application to the Local Planning Authority and the reasons are set out below.

The Highway Authority have made a comprehensive review of the Transport Assessment (TA) and the TA fails to demonstrate that the traffic impact from this development will not be severe.

Looking at the trip distribution of the proposed development, this should be revised to reflect the likely route of traffic to Yeovil, Chard & Ilminster via Cathole Bridge Road. The baseline traffic flows and traffic flow assessments are out of date and not considered representative when assessing the traffic impact from this planning Application. The site access junction has not been fully capacity assessed.

In its current form and until an appropriate assessment is conducted, it is the opinion of the Highway Authority that a recommendation of refusal on traffic impact grounds is considered appropriate.

When looking at the approach roads, the Highway Authority has significant Concerns with the approach road along Cathole Bridge Road. From my onsite observations, it was apparent that Cathole Bridge Road is narrow in its nature and there are parts where two way vehicle movements are difficult. Taking the proposed level of vehicle movements that the development would likely generate, it is the opinion of the Highway Authority that this planning application would represent a significant traffic impact on Cathole Bridge Road that could potentially represent a severe highway safety concern and would therefore be contrary to section 9 of the National Planning Policy Framework (NPPF) published July 2018.

Taking the above information into account, the Highway Authority would recommend refusal of this planning application for the following reasons (in no particular order):

1. Cathole Bridge Road by reason of its restricted width is considered unsuitable to serve as a means of access to the proposed development. The proposal is therefore contrary to Section 9 of the National Planning Policy Framework (NPPF) and Policy TA5 of the South Somerset District Local Plan (adopted March 2015).
2. The proposal is contrary to Section 9 of the National Planning Policy Framework (NPPF) and Policy TA5 of the South Somerset District Local Plan (adopted March 2015) since the increased introduction of conflicting traffic movements onto Cathole Bridge Road, such as would be generated by the proposed development, would be prejudicial to highway safety.
3. The submitted supporting documents are insufficient to enable the Local Planning Authority to make a full assessment of the traffic impact of this proposal.

Officer comment and update to County Highway response/advice.

Following receipt of the above response from the Highway Authority, the applicant submitted an addendum to the Transport Assessment. The Highway Authority confirmed that they were satisfied with the information and that the Transport Assessment is satisfactory. However, still raised concerns in respect of the approach roads, particularly Cathole Bridge Road. A couple of weeks after receiving this letter, the Highway Authority wrote to the case officer again to clarify their position. The Highway Authority stated that they do not wish to raise an objection to the application, however does have concerns with the potential increase of vehicle movements along Cathole Bridge Road. It is therefore a matter for the LPA to consider if there is an overriding need for the development that outweighs the concern.

At that juncture, without any proposed improvements to the off-site highway network, the change in Highway Authority advice was difficult to fully comprehend. The impact on highway safety was originally clearly considered to be significantly adverse to warrant a recommendation of refusal. There may be a need for housing but this should not be at the expense of identified highway safety issues that warranted refusal of the development.

The case officer sought the advice of the Council's highway consultant. He undertook his own site visit and surveyed the level of traffic and assessed the width and alignment of Cathole Bridge road and the key junctions. His main concern was in regard to the distribution of traffic. The applicant was stating 9% of development traffic would use Cathole Bridge Road, whereas the Highway Authority concluded it would be 57%. The Council's Highway Consultant assessed it at around 30% or 27 vehicles in the peak hour.

As a result of this assessment and the concerns about the traffic impact of the development, the applicant was asked to assess whether mitigation works could be undertaken to Cathole Bridge Road and the junction with the B3165. Consequently, the scheme has been amended to include the widening of the carriageway in certain sections to provide a minimum width of 4.8metres to allow the passing of a car and a large vehicle, 3 formalised passing places and the introduction of two priority sections of road. In regard to improving the visibility at the junction with the B3165, this is now proposed to be widened giving splays of up to 90 metres to the south west and 120 metres to the north east.

County Highway Authority: (off site highway works)

Comments are awaited in regard to the proposed off-site highway works and Transport Assessment addendum. An oral update will be given at committee in respect of any response received.

Ecologist:

I broadly agree with conclusions and recommendations of the Ecological Assessment (Ethos Environmental Planning, April 2018). The fields themselves aren't considered to be of any significant importance, but the boundary hedges are a 'priority habitat for the conservation of biodiversity' (Natural Environment and Rural Communities Act 2006), and are also used by dormice and commuting/foraging bats, both of which are European Protected Species subject to the provisions of the Habitats Regulations 2017.

The main open space part of the site is part of Kithill County Wildlife Site. This is designated due to being a 'complex of semi-natural broadleaved woodland, scrub, unimproved calcareous, neutral and marshy grassland'. The proposals mostly retain the boundary hedges and the County Wildlife Site. Significant impacts have therefore been minimised.

Dormice are principally arboreal, are reluctant to cross open ground, and aren't generally found within urban environments. Therefore, despite retention of the majority of boundary hedges, some of these (particularly those that will be 'internal' to the development) will be unlikely to support dormice post development. These hedges are unlikely to be of any significant importance on a landscape scale, and the impact is therefore likely to be of local significance only.

However, to ensure planning policy and legislative requirements are met, I recommend compensation planting suitable for dormice will be required. The illustrative masterplan indicates new woodland planting within the open space. Provided the details of this new planting and other mitigation measures are consistent with the recommendations of the Ecological Assessment, then I'm satisfied that the Habitats Regulations test of 'maintaining favourable conservation status' will be retained.

In conclusion, I consider the proposed layout minimises ecological impacts, and that necessary mitigation and compensation for protected species could feasibly be delivered, to ensure that relevant legislative and policy requirements are satisfied. I therefore have no objections.

I recommend the following further details should be provided/addressed for the reserved matters application:

1. Full details of compensation habitat planting for dormice should be provided to demonstrate that the Habitats Regulations test of 'maintaining favourable conservation status' is satisfied (these details will require subsequent consultation to the county ecologist).
2. Landscape planting proposals within the County Wildlife Site should avoid any existing 'priority habitats', such as unimproved grassland.
3. Landscape proposals should be consistent with the recommendations in the Ecological Assessment. Although it isn't clear, the illustrative masterplan suggests a more formal landscape treatment of the hedge in the vicinity of point 5 (play area). For ecological and landscape impact reasons, I recommend the entire south and east boundary (save for a minimum number of pedestrian access points) should be native hedgerow, increased in width where it's thin, and managed infrequently, to provide functional and connected habitat for protected species and naturalistic landscape screening.
4. The following species should not be included in planting proposals. (a) Ash, due to Chalara (ash dieback disease); (b) Rowan doesn't naturally occur locally and doesn't do well on local soils; (c) Silver birch doesn't naturally occur locally.

In due course (e.g. for submission and approval by condition), I recommend the following:

1. A Management Plan for the open space, due to being a County Wildlife Site containing 'priority habitats and species', and legally protected dormice.
2. Full details of measures to 'incorporate biodiversity improvements in and around developments' (NPPF para. 175 (d)).

Somerset Wildlife Trust:

No objection to the scheme and have noted the supporting ecological statements. Concerned about the possible negative impacts on the adjacent Kithill Local Wildlife Site and therefore support the recommendations in the submitted Ecological Assessment.

Lead Local Flood Authority: (LLFA) (first response)

Whilst we acknowledge this is an outline application, and welcome the comments within the FRA to consider a full range of SUDS at detailed design, we question the feasibility and appropriateness of what has been proposed at this stage.

The site is located within a steep catchment, the development site would likely receive off site surface water flows and may form part of an overland flow route. This type of flooding is relatively shallow, but could be of higher velocity due to the steep site. The FRA should consider this risk and provide details of how the site would be designed to intercept and manage any off site flows. The development must remain safe and demonstrate no increase in risk to any third parties.

Part of the site has shown to be suitable for soakaways through initial testing. However, the soakaway report mentions the steepness of the site and suggested infiltration techniques might not be appropriate in certain areas of the site as they could cause slope instability. The FRA does not consider whether this risk is applicable to the areas where infiltration techniques are being proposed.

The remaining part of the site is proposed to drain to attenuation ponds, which in terms of SUDS is acceptable, but some consideration is needed as to how and where these are located given the topography to ensure their operation and ongoing maintenance. Attention should be paid to designing a drainage scheme that slows flows and provides a treatment element to improve the water quality prior to discharge.

The applicant is reminded that any proposed discharge to the ordinary watercourse, including any works and structures, would require Land Drainage Consent in addition to planning permission. We recommend that the above should be provided prior to the LPA granting permission.

Officer comment:

In response to the above advice from the LLFA, discussion was held between the LLFA and the applicant's drainage consultant. Further information was submitted and the LLFA confirmed that they were happy with the information provided for this stage of planning, but recommend a detailed drainage condition to ensure an appropriate SUDS design is forthcoming with any subsequent detailed planning application.

In addition, following the submission of details in respect of the off-site highway works, the LLFA advised that they would expect any increase to impermeable areas to be included within the drainage strategy for the site. Also suggest a suitable surface water drainage condition be applied to the application to ensure viable scheme for the lifetime of the development.

County Rights of Way: (summary)

No objection. There is a potential need to improve the adjacent rights of way due to the possible increased use and a financial contribution sought. Advice provided as to preferred pedestrian links from the development to connect to the existing rights of way. One preferred link would be located towards the centre of the site along the southern boundary and 2 connections at the eastern end of the development.

Following further discussion and request for clarification as to what financial contribution and practical works work may be sought, the Rights of Way Officer confirmed the following: 'The arrangement where the path exits the enclosed lane (eastern end opposite train station) and enters the field towards the development requires improving with a pedestrian gate, or a field gate being unlocked and serviceable. Also we request £15k for local footpath improvements, with the balance refundable 10 years after completion/full occupation. This would primarily be to improve the enclosed lane (if and when it might need it subject to demand). The terrain is too hilly to achieve anything more significant.

County Archaeologist: (original response)

The site lies within an area of archaeological potential as shown by geophysical surveys that have identified prehistoric settlement very close to the proposal site. However, there is currently insufficient information contained within the application on the nature of any archaeological remains to properly assess their interest.

For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a desk-based assessment and a field evaluation as indicated in the National Planning Policy Framework (Paragraph 128).

Officer comment:

Following receipt of the above advice/response, the applicant's archaeologist contacted the County Archaeologist. Following advice, the applicant undertook fieldwork, under the supervision of the County Archaeologist, including digging of trenches to ascertain the nature of any archaeological remains. Prehistoric pottery and animal bones were found in parts of the

site. The County Archaeologist has requested that an archaeological watching brief condition is attached to any consent.

County Education:

A proposal for 150 homes in this location would generate the following number of pupils:

5/100 x150 = 7.5 Early years (8)

23/100 x150 = 34.5 (35) 1st school places

15/100 x150 = 22.5 (23) middle school places

9/100 x 150 = 13.5 (14) upper school places

This application site is in the school catchments area for the following schools:

St Bartholomew's First school, Maiden Beech Middle School and Wadham secondary. Our Early years commissioning team has advised me that they do require Early years spaces. St Bartholomew's First school is at capacity, also Maiden Beech is close to capacity, therefore we will require contributions towards these education providers in the area so that they would be able to improve facilities to enable higher numbers of pupils to attend.

Price per pupil has been recently updated in accordance with actual build costs of schools in Somerset so is currently:

Early years and 1st School= £17,074

Middle school =£20,967.50

Therefore Somerset County Council would require the following education contributions;

43 places at £17,074 = £734,182 for early years and 1st school providers in the area

23 places at £20,967= £482,241 for middle schools in the area.

As there are currently spaces in the upper school, we will not require contributions for that education provider.

Housing Officer:

35% affordable housing split 80:20 social rent: intermediate product. This would equate to 53 of the currently proposed 150 dwellings with the following split: 43 for social rent and 10 for other intermediate affordable housing solutions.

9 x 1 bed flat

2 x 2 bed flat

26 x 2 bed houses

14 x 3 bed houses

2 x 4 bed parlour house (available at a social rent)

The affordable homes should be spread throughout the site and in clusters of no more than 12 units and each cluster contains some social rented dwellings. The rented units will be expected to be made available to anyone registered on Homefinder Somerset.

Community Health and Leisure:

A total of £333,507 is sought towards the following:

£127,320 (plus £73,542 commuted sum) - Equipped play - on site LEAP

£25,000 - (plus £9,243 commuted sum) - Youth facilities - off site contribution towards expansion/enhancement of the skate park at Happy Valley Park.

£59,179 (plus £35,921 commuted sum) - Playing Pitches - off site contribution towards enhancing pitches at either a school site or recreation ground within Crewkerne.

Officer comment: Commuted sums are sought to provide for future maintenance of those facilities over a 10 year period.

Open Space (summary)

The amount of open space shown on the 'Illustrative Framework Plan' identifies an amount of Public open Space far in excess of that required for a development of this size. We are really encouraged by the plans provided for this development; the inclusion of a green entrance to the site, street tree planting and green corridors throughout the site breaking up the built form, as well as orchard tree planting and an allotment site are all great and welcome features which make this a well-designed development, appropriate and significant for the area.

The proposed footpath links through the further areas of open space to the south and east of the site help connect the development to its surrounding areas and to Crewkerne, the town, itself, and we would be encouraged to see these areas still used for grazing as this creates a well-managed, low maintenance area, full of native wild flowers and wildlife.

We are also encouraged by the attenuation features on site that not only serve a required function for the development but have been allocated and designed to incorporate them within the site, making them an attractive feature for the residents.

We have no objections to this application progressing, and look forward to seeing it develop.

Designing out Crime Officer:

No objection. Design advice provided that should be taken into account if outline consent is granted and a subsequent detailed application is submitted.

REPRESENTATIONS

50 letters/emails have been received with 48 raising objections and 2 making representations. A summary of the objections are as follows:

- Harmful impact to the character and appearance of the countryside.
- Loss of view and privacy to adjacent properties
- Loss of property value
- Harmful impact to ecology and wildlife.
- Development in this location has not been mentioned previously.
- Highway safety issues particularly the increased use of Cathole Bridge Road.
- Cathole Bridge Road is used as a rat run to avoid the town centre and the development will increase the number of vehicles using the road.
- It is largely single width with passing places and not suitable for additional traffic.
- Junction of Cathole bridge road and Lyme Road not safe.
- Cars have to reverse/backup to allow oncoming vehicles to pass.
- Increased danger to pedestrians/cyclists who use the lane.
- Do not agree with submitted highway statements that say few occupants will use Cathole Bridge Road.
- Will anything be proposed to improve safety of Cathole Bridge road and its junctions.
- Increased traffic on Lang Road and other local roads - they can't cope with additional traffic.
- Access into site is poor and a different access should be used. Access is too close to junction with Cathole Bridge Road which is substandard.
- Add to existing parking problems on local roads and in the town.
- Bus services have been cut, thus private vehicles will be only genuine option.
- Would impact on the main water pipe that passes through the field to the school.
- No more houses are needed in the town.
- Local facilities and infrastructure cannot cope with additional housing.
- Town needs more facilities

- Lack of employment opportunities.
- Increased flooding risk on site and to properties on lower ground.
- Redevelop previously used sites and CLR before greenfield land
- Steep gradient to the train station.
- Loss of valuable recreation space
- Harmful impact to residential amenity due to construction activity, particularly to residents in Manor View
- Lack of information regarding layout of the scheme

The 2 letters/emails making representations/general observations commented upon redeveloping brownfield sites/buildings, exacerbate existing traffic problems and harmful impact on character of area.

14 letters/emails have been submitted in response to the updated Transport Assessment and proposed off site highway works. Comments made are that these additional proposals do not address their original concerns about the highways impact of the proposals not only along Cathole Bridge Road but impact on other local roads and junctions. Previous points about the lack of appropriate infrastructure in the town are reiterated.

CONSIDERATIONS

Principle of development

Crewkerne is identified as one of the 4 Primary Market Towns in South Somerset sitting below Yeovil in the Council's settlement strategy in the adopted Local Plan. Objections have been received to the application concerned that the town either does not require any further housing or that it has inadequate facilities to cope with additional housing. The town does benefit from a wide range of services and facilities and is considered to be a very sustainable location for new housing development.

With the lack of delivery of the CLR site and any other major schemes in the town, Crewkerne has delivered very little housing in recent years. It is a contributing factor, along with other major sites in the district, as to why the District Council is not able to demonstrate a 5 year supply of deliverable housing land. For these reasons, the principle of development is considered to be acceptable. An assessment therefore has to be made about whether there are any significant adverse impacts that warrant refusal.

Highways and parking

The proposed scheme will have a single point of vehicular access from Lang Road. This will be located opposite the entrance to Manor View, where the junction will be redesigned to incorporate a raised table crossroad junction. The supporting information explains that this raised table will act to provide a natural pedestrian priority and reduce vehicle speeds across the junction. Dropped kerbs, tactile paving and speed ramps will be instated on each arm of the junction to improve pedestrian mobility and safety.

The layout design of the internal roads will adhere to the principles of "Manual for Streets" by providing a choice of direct routes for pedestrians and cyclists that follow key desire lines and will connect with existing routes leading to the town centre, adjacent residential areas, recreational open space or the train station. The access road into the site will be a 5.5m wide carriageway with a 2.0m footway on each side. Improvements to pedestrian facilities will also include a potential enhancement to the Kithill footpath that leads to the north of the site, off Cowen Close. This will also work as a secondary vehicular access to the site for emergency vehicles. Traffic calming features along the Principal Street will help provide low vehicular speeds throughout the development.

Since the original submission of the application, and as will be noted above in this report, additional improvements have been sought by the LPA along Cathole Bridge Road and at its junction with the B3165. These include the widening of the carriageway in certain sections to provide a minimum width of 4.8metres to allow the passing of a car and a large vehicle, the introduction of two priority sections of road where this width cannot be achieved, and improvements to the junction of Cathole Bridge Road and the B3165.

It is clear that the main issue in regard to this application is the highway impacts of the scheme, particularly in regard to the increased use of Cathole bridge Road but concerns also about the safety of the proposed access into and out of the site from Lang Road as well as increased use of other local roads.

The Transport Assessment (TA), as amended, has been assessed by the Highway Authority. Following the applicant undertaking further surveys/assessments of a number of local junctions, and trip distribution, the Highway Authority are now satisfied with the TA. Thus, they do not raise an objection to the overall traffic impact on the local highway network. However, whilst having originally objected to the scheme due to the substandard nature of Cathole Bridge Road and conflicting vehicle movements along this road, the Highway Authority whilst still raising concerns about the potential for increased vehicle movements along Cathole Bridge Road do not raise an objection to the scheme. However, as outlined earlier in this report, both the case officer and the Council's highway consultant retained concerns about the traffic impact along Cathole Bridge Road.

The overall level of traffic to be generated by the development is not in dispute. However, the Local Planning Authority's main issue is the distribution of traffic to and from the site. In other words, what would be the preferred/likely routes to various destinations for future drivers. The applicant considered that the use of Cathole Bridge Road would be at around 9% whilst the HA considered it much higher at around 57%. The Council's Highway consultant advised around the 30% mark - this would mean the equivalent of an additional 27 vehicles in the peak hour. Given the existing need to wait/give way or reverse to allow vehicles to pass, this would represent a significant increase in vehicles in the peak hour and increased safety concerns.

The District Council's consultant advised the case officer to ascertain whether any improvements could be made to Cathole Bridge road to mitigate the likely traffic impact. Moreover, to seek improvements to the junction with the B3165. Following discussions with the Highway Authority and applicant, further work was undertaken and additional off site highway works proposed.

In respect of improvements along Cathole Bridge Road, the widening of the carriageway in certain sections to provide a minimum width of 4.8metres to allow the passing of a car and a large vehicle, 3 formalised passing places and the introduction of two priority sections of road is considered to be an improvements over and above the existing situation. This would provide benefit to all future road users not just future development users. In regard to improving the visibility at the junction with the B3165, this is now proposed to be widened giving splays of up to 90 metres to the south west and 120 metres to the north east.

Given that the Highway Authority had not objected to the scheme prior to the submission of these additional off-site highway works, it is not expected that an objection would be forthcoming but their comments are awaited. An oral update will be given at committee.

In light of the Highway Authority's current recommendation and securing the off-site highway mitigation, as advised by the Council's Highway consultant, it is considered unreasonable to object to the scheme on highway safety grounds or conclude that the highway impact would be severe. On that basis, there is no objection to the scheme on highway grounds.

In regard to parking provision, this is one of the detailed matters that would be submitted for approval at the reserved matters stage.

Landscape

Local concerns have been raised about the adverse visual landscape impact that would occur with development on this site. Clearly, a proposed development of this scale on the edge of the town has to be carefully assessed to ascertain whether the landscape impacts are acceptable to allow consent or significantly adverse to warrant refusal of the scheme.

In 2008, the Council's former landscape officer undertook a Peripheral Landscape Study, the various reports of which are available on the Council's website. This study was undertaken in response to the need to identify appropriate sites for both housing and employment development as part of the then emerging local plan process. The study focused upon the major settlements in the district including Crewkerne. The three fields south of Kithill which are proposed in the current application for housing, were included as part of the study. The conclusion of the study was that the site has a moderate to high capacity to accommodate built development. The site was therefore placed in category 2 out of the 5 landscape capacity categories with 1 being least sensitive and 5 being most sensitive in landscape terms. Residential development would therefore be acceptable but with a strong, integrated landscape buffer to the area's southern edge.

The Landscape and Visual Impact Appraisal (LVIA) submitted with the application concludes along similar lines as the Council's study that the proposed development can be satisfactorily accommodated on the site without significant adverse harm to the landscape. It concludes that development should be restricted to the 3 fields only with no development on the slopes to the south. In regard to the latter, those areas will be left as public open green space. The retention of the existing southern hedgerow boundary on the edge of the residential development must be retained. In addition, significant additional planting will be undertaken, including woodland enhancement, to supplement the current landscaping and to ensure the strong landscape buffered southern edge as specified by the recommendations of the landscape study.

On the basis of the above, it is concluded that there is no principle objection on landscape grounds to the proposed development. Any future detailed scheme that is submitted however must adhere to the principles outlined in the LVIA and the Council's landscape study to ensure that its landscape impact is acceptable and adequately mitigated.

Flooding/Drainage

Concerns have been received about the potential for flooding, particularly in regard to properties located on lower ground level as a result of this development. The site is located in Flood Zone 1 which means that it is at the lowest risk from flooding from sea or river sources. However, assessments have to be made to ascertain the most appropriate way to deal with surface water to ensure that the development does not increase the risk of surface water flooding off site. As the site exceeds 1 hectare, a Flood Risk Assessment was undertaken and submitted with the application.

The infiltration testing results, confirmed that about two thirds of the developable area is considered suitable for the use of infiltration-based Sustainable Urban Drainage systems (SuDS). The proposed dwellings are likely to have individual geocellular soakaways located within garden areas. Permeable paving could be used for drive ways and private roads. Any adoptable roads would drain to their own geocellular soakaway located beneath areas of public open space. If additional storage is required, there is sufficient open space in the layout to include an infiltration basin.

The other third of the developable area is not considered to be suitable for infiltration-based SuDS. Therefore, attenuation-based SuDS, comprising attenuation basins will be used with a

discharge to the watercourse located to the south-east. The watercourse is located within the site boundary and, therefore, no additional rights will be required. The proposed drainage strategy would ensure that surface water runoff rates for the proposed development would be limited to greenfield rates for the operational lifetime of the development. As outlined earlier in the report, the LLFA confirmed that they were happy with the information provided for this outline stage, but recommend a detailed drainage condition to ensure an appropriate SUDS design is forthcoming with any subsequent detailed planning application.

The applicant consulted with Wessex Water to confirm capacity within the local foul sewerage network to serve the proposed development. The supporting information confirms that Wessex Water have indicated that an approximate 100m length of sewer within Lang Road would need upsizing, to allow connection to Kingswood Road to the north. It is likely that a pumping station will be required to connect to the foul sewer given the topography of the site.

On the basis of the above, it is considered that the scheme can adequately deal with foul and surface water. Specific details will be required to be submitted at any reserved matters stage and shall be conditioned accordingly.

Ecology

Concerns have been raised about the ecological impacts of the proposed development. An ecological survey was undertaken and report submitted as part of the application. This habitat survey identified the hedgerows as the most important ecological feature on site. Protected species surveys confirmed the presence of nesting dormice, commuting/foraging bats, breeding birds, and potential presence of hedgehog and badgers. The proposed ecological mitigation includes woodland and hedgerow planting, and creation of wildlife ponds.

The Council's Ecologist has assessed the proposal, the ecological report and the proposed range of mitigation. He advises that the fields themselves aren't considered to be of any significant importance, but the boundary hedges are a 'priority habitat for the conservation of biodiversity'. These are used by dormice and commuting/foraging bats, both of which are European Protected Species subject to the provisions of the Habitats Regulations 2017.

The main open space part of the site is part of Kithill County Wildlife Site. This is designated due to being a 'complex of semi-natural broadleaved woodland, scrub, unimproved calcareous, neutral and marshy grassland'. The proposals mostly retain the boundary hedges and the County Wildlife Site. Significant impacts have therefore been minimised.

The Ecologist has recommended compensation planting suitable for dormice. Provided the details of this new planting and other mitigation measures are consistent with the recommendations of the Ecological Assessment, he is satisfied that the Habitats Regulations test of 'maintaining favourable conservation status' will be retained. In conclusion it is considered that subject to conditions to secure appropriate and identified ecological mitigation, the proposed layout minimises ecological impacts. Accordingly, there is no objection to the outline scheme on ecological grounds.

Other matters

Concern has been raised about the impact to local residents during the construction phase of the development, particularly those who live opposite the site entrance at Manor View. A condition shall be attached to any consent to agree a construction management plan to include works at the site entrance to ensure that local residents, particularly those that live and others that need to access Manor View are not inconvenienced during access works.

SECTION 106 PLANNING OBLIGATION

The application be approved subject to:

a) The prior completion of a section 106 planning obligation (in a form acceptable to the Council's Solicitor(s) before the decision notice granting planning permission is issued, the said planning permission to cover the following terms/issues:

- 1) The provision of 35% affordable housing with a split of 80:20 rent /intermediate product;
- 2) Contribution of £333,507 towards the provision of sport, play and strategic facilities,
- 3) Contribution of £1,216,423 towards education provision;
- 4) Submission of a Travel Plan;
- 5) Provision and maintenance of open space;
- 6) Provision and maintenance of compensatory ecological habitat, and
- 7) Contribution of £15,000 towards local footpath improvements.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

This development is liable for CIL at a rate of £40per sqm. A note shall be attached to any consent in respect of the CIL requirement.

RECOMMENDATION

Grant permission.

Conditions

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To accord with the provisions of Article 4 (Article 5) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

3. All reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design, layout, plot boundaries, materials, access arrangements and landscaping.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

4. The development hereby approved shall be carried out in accordance with the following approved plans:

Drawing numbers: Site location plan, 4264-002 rev A, and 4264/0093 rev A.

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

5. No construction work shall take place or construction deliveries taken outside the hours of 08.00-18.00 hours Monday to Friday, 08.00-14.00 hours on Saturdays with no construction work or construction deliveries made on Sundays or Bank/Public Holidays.

6. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. In respect of the areas of open space, a management Plan for the open space, shall be submitted to the Local Planning Authority as part of any reserved matters application.
7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any archaeological interest are safeguarded to accord with the NPPF.

8. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure that the development is properly drained to accord with the NPPF.

9. Before any of the construction starts on any of the dwellings hereby permitted, details of the internal ground floor levels of the building(s) to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the area to accord with Policy EQ2 of the South Somerset Local Plan.

Highway conditions are awaited from the Highway Authority and an oral update will be given at committee.

Notes:

1. 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

2. Any proposed works must not encroach on to the width of the PROW.

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would:

- make a PROW less convenient for continued public use; or
- create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset County Council's Rights of Way pages to apply for a temporary closure: <http://www.somerset.gov.uk/environment-and-planning/rights-of-way/apply-for-a-temporary-closure-of-a-right-of-way/> .

3. In respect of ecology, the applicant is advised of the following in respect of any reserved matters application that may be submitted:
 - a) Full details of compensation habitat planting for dormice should be provided to demonstrate that the Habitats Regulations test of 'maintaining favourable conservation status' is satisfied (these details will require subsequent consultation to the county ecologist).
 - b) Landscape planting proposals within the County Wildlife Site should avoid any existing 'priority habitats', such as unimproved grassland.
 - c) Landscape proposals should be consistent with the recommendations in the Ecological Assessment. Although it isn't clear, the illustrative masterplan suggests a more formal landscape treatment of the hedge in the vicinity of point 5 (play area). For ecological and landscape impact reasons, I recommend the entire south and east boundary (save for a minimum number of pedestrian access points) should be native hedgerow, increased in width where it's thin, and managed infrequently, to provide functional and connected habitat for protected species and naturalistic landscape screening.
4. The following species should not be included in planting proposals. (a) Ash, due to Chalara (ash dieback disease); (b) Rowan doesn't naturally occur locally and doesn't do well on local soils: (c) Silver birch doesn't naturally occur locally.