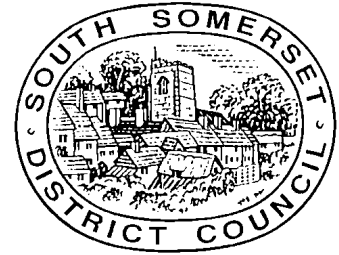


## South Somerset District Council

*Notice of Meeting*



# Area South Committee

*Making a difference where it counts*

## Wednesday 6th July 2016

### 2.00 pm

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

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



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

The public and press are welcome to attend.

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

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Boucher 01935 462011**, website: [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

This Agenda was issued on Tuesday 28 June 2016.

*Ian Clarke, Assistant Director (Legal & Corporate Services)*

This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)



INVESTORS IN PEOPLE

# Area South Committee Membership

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

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

David Recardo  
Gina Seaton  
Peter Seib  
Alan Smith  
Rob Stickland

## South Somerset District Council – Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district. We will:

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

## Scrutiny procedure rules

Please note that decisions taken by Area Committees may be "called in" for scrutiny by the council's Scrutiny Committee prior to implementation. This does not apply to decisions taken on planning applications.

## Consideration of planning applications

Members of the public are requested to note that consideration of the planning applications will commence immediately after Item **13** at approximately **3.30pm**. The public and representatives of Parish/Town Councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

## Highways

A formal written report from the Area Highways Office should be included in the Agenda in May and November. Alternatively, they can be contacted direct through Somerset County Council on 0300 123 2224.

## Members questions on reports prior to the meeting

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

# Information for the Public

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

Decisions made by Area Committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as “key decisions”. Members of the public can view the council’s Executive Forward Plan, either online or at any SSDC council office, to see what executive/key decisions are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

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

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the area committee chairman’s discretion, members of the public are permitted to speak for up to up to 3 minutes on agenda items; and
- see agenda reports.

Meetings of the Area South Committee are normally held monthly at 2.00pm on the first Wednesday of the month at the Council Offices, Brympton Way, Yeovil.

Agendas and minutes of Area Committees are published on the Council’s website [www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions](http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions)

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

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

## Public Participation at Committees

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

## Public Question Time

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

## **Planning Applications**

Comments and questions about planning applications will be dealt with at the time those applications are considered, when planning officers will be in attendance, rather than during the Public Question Time session.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the Planning Officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The Planning Officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to 3 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/Agent
- District Council Ward Member

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

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

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

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

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

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

# Area South Committee

**Wednesday 6 July 2016**

## Agenda

### *Preliminary Items*

- 1. Minutes of previous meeting**
- 2. Apologies for absence**
- 3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. As a result of the change made to the Code of Conduct by this Council at its meeting on 15<sup>th</sup> May 2014, where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

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

### **Planning Applications Referred to the District Council's Regulation Committee**

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

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

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

at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

#### **4. Public question time**

This is a chance for members of the public and representatives of Parish/Town Councils to participate in the meeting by asking questions, making comments and raising matters of concern. Parish/Town Council representatives 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. The public and representatives of Parish/Town Councils will be invited to speak on individual planning applications at the time the applications are considered.

#### **5. Chairman's announcements**

#### **6. Reports from representatives on outside organisations**

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

#### ***Items for discussion***

- 7. Westlands Leisure Complex - Progress Report** (Pages 8 - 24)
- 8. Streetscene Service Update Report** (Pages 25 - 28)
- 9. Community Offices Update** (Pages 29 - 34)
- 10. South Somerset Bike Park Proposal** (Pages 35 - 38)
- 11. Dorcas Charitable Trust - Annual Report & Statements for Year to 31st March 2016** (Pages 39 - 43)
- 12. Forward Plan** (Pages 44 - 46)
- 13. Planning Appeals - For Information Only** (Pages 47 - 56)
- 14. Schedule of Planning Applications to be Determined by Committee** (Pages 57 - 58)
- 15. Planning Application 16/00389/FUL - 79 Sherborne Road Yeovil Somerset** (Pages 59 - 67)
- 16. Planning Application 16/00287/FUL - Yeovil Cattle Market Market Street Yeovil** (Pages 68 - 74)

**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.**

## **Recording and photography at council meetings**

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

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

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

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

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# Agenda Item 7

## Westlands Leisure Complex – Progress Report

*Assistant Director*

*Service Manager:*

*Lead Officer:*

*Contact Details:*

*Steve Joel, Assistant Director (Health and Well-Being)*

*Adam Burgan Arts and Entertainment Manager*

*Steve Joel, Assistant Director (Health and Well-Being)*

*steve.joel@southsomerset.gov.uk or (01935-462278)*

### Purpose of the Report

This report seeks to provide the Area South Committee with a summary of the progress achieved in delivering the Westlands Leisure Complex Project since the last update presented in March.

### Public Interest

1. The Complex has been a locally important and long standing venue regularly hosting a vast array of sporting activities and different events ranging from functions, conferences, meetings, training events, to weddings, ballroom dances, award ceremonies, festivals and live music events.
2. The Complex is wholly owned by AW, and has been traditionally operated as a proprietors club for the benefit of AW employees, their families and associate community members under a formal constitution. On the 12th May AW announced their decision to close the Complex at the end of September 2015. The decision was taken due to increasing costs and the growing subsidy AW has had to make to keep the complex open. Other factors taken into consideration were the impending major investments that would be required to modernise the facilities and declining membership.
3. Recognising the value and importance of the Complex, SSDC and Yeovil Town Council (YTC) met with AW at the beginning of June to discuss its future. At the meeting all parties agreed to carry out a feasibility appraisal to assess the viability of SSDC or another organisation operating the site and continuing to provide a range of sport and leisure facilities for the overall benefit of the community.
4. The District Executive Committee considered the key findings emerging from this and further risk appraisal work at its September and October meetings, and in doing so agreed subject to financial approval by Full Council to seek to negotiate and secure satisfactory terms with AW and other funding partners.
5. As the District Executive only has the delegated authority to approve capital spend of up to 5% of capital receipts the decision to approve the internal loan of £1,865,046 rests with full Council. The full Council subsequently approved a 30 year £1,865,046 internal loan towards the costs of refurbishing the Complex in October 2015.
6. As part of the project governance arrangements, Area South members requested quarterly progress update reports. This report and its supporting appendix seeks to provide Area South Committee with a summary of the progress for the second period ending on 30<sup>th</sup> June 2016.
7. **Appendix 1 for this report is exempt from disclosure or publication under category 3 of part 1 of Schedule 12(A) to the Local Government Act 1972 as amended by Section 1 of the Local Authorities (Access to Information) (Variation) Order 2006 as it may comprise the Council's ability to secure best**



**value through the subsequent commercial negotiations, and some of the information is subject to a Non-Disclosure Agreement with AW.**

## **Recommendation**

That Members:

Note the progress made.

## **Background**

Through previous District Executive and full Council meetings held during October 2015, Councillors agreed:

- a. To authorise the Assistant Director (Health and Well-Being) in conjunction with Portfolio Holder (Leisure, Culture and Well-Being) to:
  - i. Submit and negotiate the Statement of Principles set out in Appendix 1.6 with AW.
  - ii. Seek an annual financial contribution from YTC towards the revenue costs and seek additional financial support from the other adjacent Parish Councils.
- b. Subject to approval by AW of the Statement of Principles authorise the Assistant Director (Health and Well-Being) in conjunction with the Assistant Director (Legal and Corporate Services), Assistant Director (Finance and Corporate Services) and Portfolio Holder (Leisure, Culture and Well-Being) and the Leader of Council to negotiate and finalise the Lease, Funding Agreement and Business Transfer Agreement.
- c. Subject to agreeing terms of the Lease, Funding Agreement and Business Transfer Agreement with AW, and a Funding Agreement with YTC and other funding partners, pursuant to recommendations a. and b:
  - i. Enter into an agreement with AW to take over the management and operation of the Complex for a 30 year term.
  - ii. Approve the use of up to £62,495 of general revenue balances to fund the revenue required to finance the operation of the facility, adding the requirement to the MTFP.
  - iii. Approve the once-off use of up to £89,850 of general revenue balances that may be required to fund the Loan Repayments whilst the Facility Levy scheme is implemented during year 1.
  - iv. Approve the once-off use of up to £60,000 of general revenue balances during the first year from handover to cover the net loss of revenue associated with the planned refurbishment works.
- d. To authorise the Assistant Director (Health and Well-Being) in conjunction with Portfolio Holder (Leisure, Culture and Well-Being) to work with the clubs and individuals supporting the venue and petition to raise further funds towards the overall refurbishment and operating costs.

## **Project Highlights**

A copy of the latest Highlight Report used by the Project Board to monitor stage and project progress, and by the Project Manager to advise the Project Board of any potential problems or areas where assistance is required from the Project Board is attached in Confidential Appendix 1.

Since the last update report in March, the key progress achieved includes:

### General:

- HoT, Lease and Supplementary Deed negotiated with Finmeccanica GFS and AW, and approved by the District Executive.
- Presented to West Coker, East Coker, Hardington and Yeovil Without Parish Councils. Financial support has now been confirmed from Yeovil Town Council, Yeovil Without Parish Council and West Coker Parish Council.
- Friends of WLC progressing. Initial corporate, buy a brick, and buy a seat fund raising schemes being worked with view to raising £25,000 to enhance the new pavilion and ballroom fit out.
- Progressed 'naming' competition in conjunction with the Western Gazette as part of rebranding the venue. A decision and announcement is expected in early July.
- The project is performing to budget. All project risks are being actively managed and are under control.
- Project Board has approved the proposed operating programme and new 5 year business plan for the complex.
- Mobilised interim site security, alarm, out of hours, rubbish collection, access opening and closing procedures.

### Conference and Entertainment Complex:

- Completed the detailed complex design, alongside full M & E design work. Please note that illustrations of the key room areas will be presented at the meeting.
- Reviewed and costed power upgrade options, and gained the necessary approvals for the preferred solution.
- Completed the Stage 2 Tender Process, and value engineering work within the budget parameters. The Project Board has appointed Enelco on a lowest adjusted tender basis. Letter of Intent to Contract has been issued, whilst the drawings are updated to reflect value engineering amendments and enable the JCT Immediate Building Contract 2011 Edition to be finalised. Pre-Contract meetings have been held.
- Building has been cleared, asbestos removal works commenced, and lead in work has been mobilised by Enelco. Principle contractor works commenced on site on 27<sup>th</sup> June.
- Completed the retractable seating tender process. Supplier appointed.

- Refined and issued the lighting and sound tenders.
- Planned our staffing recruitment strategy for implementation this Autumn.

#### Sport Phase 1 – Sport Hall, Squash and Fitness Centre:

- Secured Sport England grant funding amounting to £492,463. The District Executive has approved the Lottery Funding Agreement setting out the grant conditions.
- Secured Badminton England grant funding for £50,000, and approved the grant offer for spend in 2016-17.
- Updated Sport Business Plan to take account of new Fitness Centre proposal.
- Completed structural analysis of the buildings to assess various load capabilities.
- Completed detailed design, and M & E work, and gained approval from the Sport England Technical Team.
- Completed the Stage 2 Tender Process, and value engineering work. The Project Board has appointed Enelco on a lowest adjusted tender basis to deliver the sport contract. Enelco commenced on site on 27<sup>th</sup> June.
- Set up alternative toilet and catering facilities within the Wessex Room to support club use whilst the other sport facilities are being refurbished. This room will be handed over to the contractor at the end of the cricket / bowls season.
- Site maintenance equipment has been transferred to the clubs, and new licence agreements have been issued to the cricket, bowls and rifle clubs. Agreements are currently being developed for the Allotment Society and Model Engineering Clubs.

#### Sport Phase 2 – New Pavilion:

- Detailed design process has been completed with the clubs, ECB and Sport England.
- Received indications of ECB grant funding amounting to £50,000 to the new pavilion, subject to planning permission.
- Planning submission work has commenced. Submission planned in early July.

#### **Project Enhancements**

Through the Stage 2 Tender process and value engineering work, the Project Board is forecast to deliver the entire scope of the modernisation programme set out within the original District Executive report, together with the new fitness suite, within the agreed budget parameters. This scope covers:

- Main ballroom - to incorporate automated retractable seating to capable of accommodating up to 1000 people with good viewing lines, new stage fit, new sound system, new lighting system, new air handling system, fire alarms, flooring, and redecoration.
- Function and meeting rooms - including flexible room dividers, new ceilings, new flooring, desks, chairs, AV / wifi equipment, lighting, air handling and redecoration.

- Bars – enabling the creation of a more flexible bar space, with room dividers, new ceilings, new flooring, tables, bar fit, chairs, AV / wifi equipment, lighting, air handling and redecoration.
- Reception, toilets, administrative and other ancillary areas, including new access and CCTV control systems.
- Sports hall and squash courts – including new flooring, LED lighting, air handling, storage, sports equipment, lift, redecoration and changing room refit.
- New pavilion - with team changing rooms, official changing room, small kitchenette, bar and club area, adjacent to the cricket pitch and bowls green.

There are however two key enhancements that have emerged through the detailed design process that the Project Board would like to realise. This include the addition of a new entrance foyer to transform the entrance, and a covered artist's walkway linking the 1<sup>st</sup> floor artists green room to the stage. Costs £85,000 and £22,000 respectively, unfortunately these enhancements cannot be afforded within the current budget parameters.

In order to deliver the scheme comprehensively and to the quality residents and artists will expect, the Project Board shall be asking the District Executive to determine whether they would be prepared to fund these two enhancements.

#### **Financial Implications (NB – Report still subject to financial review)**

None at this stage.

#### **Corporate Priority Implications**

The decision to seek to take over the management and operation of the Westlands Sport and Leisure Complex is in accordance with Corporate Plan Focus Four - Health and Communities, where SSDC set out its priority to maintain and enhance the South Somerset network of leisure and cultural facilities.

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

The refurbishment will result in significant reductions to the current level of carbon emissions from the Complex. This will result in the main from the planned room divisions, air handling, stage, lighting, and sound equipment proposals.

Members should note that the contractors are in the process of clarifying whether they intend to put in place scaffolding as part of the front facia and down pipe replacement works. If the response is positive, then the project team will undertake further work to assess the viability of investing in a PV installation.

#### **Equality and Diversity Implications**

The project will enhance access by all members of our communities. The proposed refurbishments will deliver a significant range of DDA compliant improvements.

The design proposals are currently subject to an Access for All assessment.

**Background Papers:**

Westlands Leisure Complex  
DX September 2015

Westlands Leisure Complex  
DX October 2015

Westlands Leisure Complex  
Full Council October 2015

Westlands Leisure Complex  
DX February 2016

Westlands Leisure Complex  
Area South March 2016

Westlands Leisure Complex  
Special DX May 2016

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

Document is Restricted

# Agenda Item 8

## **Report for Area South Committee on the Performance of the Streetscene Service**

*Strategic Director:* Vega Sturgess – Operations and Customer Focus  
*Assistant Director:* Laurence Willis - Environment  
*Lead Officer:* Chris Cooper - Streetscene Manager  
*Contact Details:* chris.cooper@southsomerset.gov.uk or (01935) 462840

### **Purpose of the Report**

To update and inform the Area South Committee on the performance of the Streetscene Service in the Area for the period June 2015 – June 2016

### **Recommendation**

Members are invited to comment on the report

**The major focus of the service so far for this period that affect Area South, are listed below.**

- Routine cleansing and grounds maintenance
- Highway weed control

### **Operational Works**

Over the last few months we have focussed on the normal pattern of seasonal matters such as litter clearance, rural road sweeping, ditch maintenance and horticultural works. Our horticultural teams completed the annual work programmes including the winter ditch maintenance, shrub bed maintenance and hedge cutting programs. Currently we are in peak growing season with mowing and weed control keeping us fully engaged, whilst routine litter control, bin emptying and fly tip removal continue as normal.

During 2015/16 we delivered two applications of herbicide as programmed through the highway weed killing operation. We are currently starting this work program for the 2016/17 season and aim to deliver the same level of service in this financial year.

The herbicide that we use is Round-up pro-biactive which carries no hazard classification and when coupled with an approach of spot spraying individual weeds rather than 'blanket spraying' vast areas, does I believe provide the safest cost effective method of weed control available to us when considering the size of the area that we maintain. We recognise that there are some concerns regarding the use of Glyphosate in some parts of the community and we are consistently monitoring government guidance on this matter and will respond in line with published guidelines.

Since the last Area Report, we have fitted weed removal brushes onto the road sweepers and have completed the sweeping programme to removal of soil & weeds that have built up on kerbed areas of the roads around the Area. This work plan has made a notable impression; we have cleaned the main roads, roundabouts and splitter islands on the A303. The programme has removed many tons of soil build-ups from our main road system and as a result of this work; we are seeing reduced localised pooling of water on roads due to improved water access to road drains & less weed growth along these routes.

One aspect of the service that has always been an area of demand has been the calls for additional bins around the district. In response to this we have reviewed our service and



made changes that have resulted in an increase in capacity. We are therefore, able to accommodate some additional requests should they be required to address litter and dog waste issues across the district.

As always, we continue to focus on managing the number of flytips found in the district, the chart below shows the numbers of fly tips collected from Area North over the year.

<b>AREA South</b>	<b>Apr</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>TOTALS</b>
Barwick	1		3	1	1		1			2	3	2	14
Closworth		1										5	6
East Coker	2	1		6				1				2	12
Hardington Mandeville									2	1	2		5
Odcombe			2	2		1	1	1	1	3	2	3	16
Stoford	1												1
West Coker	2				1	1		1	3	1	1	1	11
Brympton/Yeovil Preston	4	1	2	4	3	4	2	1	3	3		4	31
Yeovil Central	5	1	5	3	8	4	4	6	1	3	8	5	53
Yeovil East	7		5	6	3	6	1	3	2	1	7	3	44
Yeovil South	2			1	1	5	1	2		3	2	3	20
Yeovil West	6	3	1		5	6	3	2	3	3	1	2	35
Yeovil Without	2		3	1	4	1	4		6	7	1	2	31
<b>TOTAL AREA SOUTH</b>	<b>32</b>	<b>7</b>	<b>21</b>	<b>24</b>	<b>26</b>	<b>28</b>	<b>17</b>	<b>17</b>	<b>21</b>	<b>27</b>	<b>27</b>	<b>32</b>	<b>279</b>

In Area South we find that the levels of tipping over the year show 279 instances of dumping compared to 324 reported fly tips for the same period last year. This is very encouraging, although we have seen a small increase in some Areas, we are finding that overall we have a reduction in numbers across the district. During the previous year we cleared 1157 tips across the district compared to 1083 this year.

Having analysed the figures, we believe that the reduction is due to the street cleaning teams collecting single black bags of rubbish as routine litter rather than recording it as small fly tips

We recognise that dumping on private land is not included in this recording and in certain locations this is a problem for members of our community. We will be working to develop ways in which we can assist landowners to address these issues over the coming months.

During the autumn, our teams spent a number of weeks removing leaves from across the area and for the coming autumn we are investigating ways that we could use what we collect to recycle as mulch.

Earlier this year the team supported the Clean for the Queen initiative that was taken up by a number of parishes and towns throughout the district. In Area South we had a good response from East Coker and worked with them to remove the waste that was collected, there may have been other local groups who took part independently to improve their local neighbourhoods. Should any parishes have other cleansing or environmental initiatives that they would like to work with us to deliver, we would be delighted to work with them.

This year we offered free Christmas tree shredding in the towns around the district and in Area South we visited three locations across the town. The scheme received a good response from residents in the town and we recycled a good number of trees, we aim to repeat this scheme next Christmas.

The Parish Rangers employed by the team have been very busy and feedback on the contribution they have made to their respective parishes continues to be very good. We are continuing to develop the scheme with more parishes as requests are received.

We have continued to liaise with the Parish Environmental Wardens across the district. The idea of the scheme is to develop a network of key individuals in each parish which will develop relationships with the service to work with us to address a wide range of environmental issues – from reporting a problem through to working with our teams to deliver locally important projects.

Should members or Parishes be interested in joining this group, please give me a call on the number listed above for a chat or to arrange for us to come and talk with the Parish Council about the scheme. We will very soon be holding an open day/evening for the Wardens to see the range of work that the team carries out which will help us explore options for improvements together.

The Street Cleaning team have continued to successfully work with the Community Payback Service throughout the year and they have been focussing on difficult to access areas around the town, making a notable difference where they have worked.

The team has also linked up with the local PCSO's on a number of issues and we are building good working ties that are resulting in a number of joined up solutions to problems that develop.

Since last summer, the team has been working very closely with the Yeovil Cemetery Team and together we are making notable improvements to the delivery of this service. This is a specialised area of work and there is considerable expertise available within the service. In order to maximise good practice across the district we are available to work with specialist training providers and other burial organisations to compare work practices and ensure that the works are being efficiently delivered and the best work and health & safety practices are being followed.

We continue to develop staff in a range of both operational and managerial areas of work in order to improve capacity, deliver high quality safe services and to equip the team to deal with emergency response works in a professional and safe manner. Recently we have been

speaking with both the Chard cemetery team and the Crewkerne Amenities team to share opportunities for training and development.

In the South West in Bloom competition, we are delighted to find that once again Yeovil was awarded a Gold award. Our teams have just completed this seasons planting and have erected the floral containers around the town. The judges will be visiting us on the 12th July this year and we are working hard to be ready for the inspection. We have also diverted some additional resources into Sydney Gardens in order to develop the horticultural standard of the park.

Last year the team submitted a bid for capital expenditure to improve access for all into and around our open spaces. I am delighted to inform you that phase one of a three phase program was agreed and we will be installing tarmac pathways around Milford Recreation Ground, Howard Road Recreation Ground and Alvington Open Space. We will be submitting a further bid later in the year to extend this work and make our parks and open spaces more useable.

Fortunately this winter we did not suffer from the flooding that has affected the area in the past, however we have focussed on training our staff to work in and around water in order to meet our health and safety responsibilities. This training has presented some challenges to the way that we have always traditionally operated and we are currently reviewing our working practices to ensure that we can operate as safely as possible in response to flooding and other water related works.

### **What's coming next?**

- Summer annual work programmes – hedge cutting, mowing, weed control
- Highway weed control program
- Ongoing development of the Parish Warden Scheme
- Review of working in water practices
- Development of the vehicle workshop to explore efficiencies and income opportunities.

### **Financial Implications**

All of the matters highlighted in the report have been achieved within service budgets.

### **Implications for Corporate Priorities**

\*Continue to deliver schemes with local communities that enhance the appearance of their local areas.

\*Continue to support communities to minimise floodwater risks.

\*Maintain street cleaning high performance across the district.

### **Background Papers**

Progress report to Area Committees on the Performance of the Streetscene service

# Agenda Item 9

## Community Offices Update

*Interim Chief Executive* Rina Singh, Place and Performance  
*Assistant Director:* Helen Rutter, Assistant Director, Communities  
*Lead Officer:* Lisa Davis, Community Office Support Manager  
*Contact Details:* lisa.davis@southsomerset.gov.uk 01935 462746

### Purpose of the Report

To update Councillors on the yearly footfall/enquiry figures across the district.

### Public Interest

South Somerset District Council (SSDC) has 6 community offices which enable the public to access a wide range of Council related information and other assistance. This supplements the other ways of contacting SSDC, which is by phone or the website. This report gives an update of the number of customers who visit the offices from April 15 through to end of March 16.

### Recommendation

That the Area South Committee members comment on and note the contents of this report.

### Background

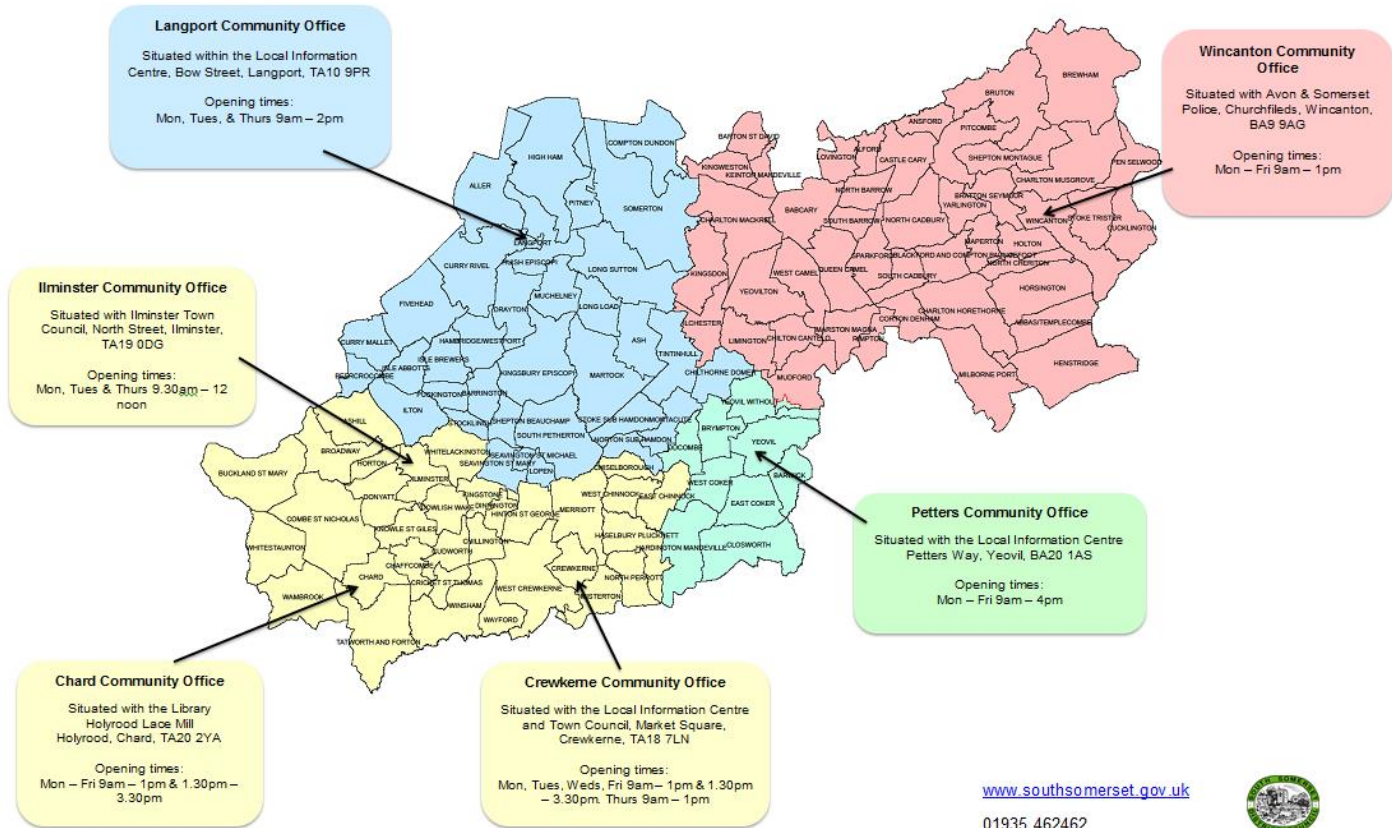
The community offices are located in Yeovil, Crewkerne, Chard, Ilminster, Langport and Wincanton and are managed by the Community Office Support Manager and Deputy Community Office Support Manager, reporting to the Assistant Director, Communities. There are 13 (9.5FTE) Community Support Assistants (CSA) across the team who provide customer access to services assistance at the 6 Community offices. They also provide vital project and administrative support to the Area Development teams.

### The Community Offices

The main SSDC services that customers visit our offices are:

Housing and Council Tax Benefits	Receipt, verification and scanning of applications forms and evidence, general advice and guidance
Council Tax	Advice and guidance on moving in/out of area, discounts and exemptions and instalment plans, processing of payments (debit cards)
Homefinder (online social housing service)	Help with accessing the Homefinder service and weekly bidding process
Waste and Recycling	Advice on collection days, missed collection reports, ordering of new/replacement bins, payment of garden waste bins/bags
StreetScene	Report litter, fly tipping, dead animals, discarded needles, dangerous and stray dogs, dog fouling and graffiti
Community Protection	Report pest problems (rats, wasps, insects)
Horticulture	Report problems with shrub / tree / hedge maintenance
Planning/Building Control	Hand out application forms
Community Safety	Recording incidents

## SSDC Community Offices



Not all offices have exactly the same facilities either due to location or number of customers.

- Cash machines are available in Petters House and Chard. Customers can make payments for council tax, parking fines, planning and building control applications.
- There is free public computer access in Petters House, Chard, Crewkerne & Wincanton allowing customers to access online services through self-service or assisted self-service.
- Free phone access to SSDC services in Petters House, Chard & Wincanton
- All offices are co-located with other authorities/agencies.
- All front offices have a hearing loop.
- All offices are fully accessible, except for Ilminster where it hasn't been possible to fully adapt.

Full Community Office information can be found at <http://www.southsomerset.gov.uk/visit-our-offices/> or on our leaflets located at the offices.

The community offices provide face to face service and enables customers to receive advice and assistance to many SSDC services, as well as the ability to refer or signpost to other agencies where necessary. They ensure vulnerable members of the community and those who find it difficult or unable to contact the council by other means are able to fully access our services.

As well as the community offices, increasingly customers will access SSDC services over the phone and/or via the SSDC website. There are a number of services now available online; completing applications, various payment options, reporting issues (including missed waste and recycling collections) and registering to vote. Homefinder applications can only normally be done via the internet.

All Community Support Assistants are trained to deal with the wide range of front office enquiries and are able to cover any community office ensuring that full opening hours are maintained across the district. Generally there is only one member of staff on the front desk, but back up support is provided in the busier offices (Petters & Chard) to help reduce customer waiting time.

The Community Support team have access to the online referral system which enables them to refer customers as appropriate to the Welfare Benefits team and outside agencies such as CAB, SSVCA. There is a weekly surgery held by the Welfare Benefits team in the Crewkerne Community office and the Welfare Benefits Advisors provide support and advice to many of the visitors to the front office. They work closely with the Community Support team to raise awareness of the benefits that people may be entitled to. During 2015 - 16 the team made around 150 Welfare benefit referrals.

The Community Support Assistants also have the ability to support the Contact Centre by picking up calls from the area offices in order to help reduce call waiting times during busier periods.

Neighbourhoods within Yeovil West and Yeovil Central fall within 10% of the most deprived areas within South Somerset with neighbourhoods within Yeovil East and Chard Jocelyn falling within 20%. (Source: 2015 Indices of Deprivation mapper).

## Highlights

- Across the Community Offices overall footfall has reduced by 8% with core service footfall reducing by 10% from the previous year.
- Web transactions have increased by 20%.
- It should be noted that the offices at Chard, Wincanton & Petters have their own bookable meeting rooms and visitors for meetings are included as part of reception duties footfall.
- Housing & Homelessness footfalls showed a slight increase and during 15-16 applicants were asked to provide supporting evidence for new applications, renewals and updating existing applications. The housing register figures have not increased during the year.
- Around 12,000 (43%) customers (excluding reception footfall) visiting the Community Offices came in for benefits help, queries, or to provide additional information/evidence in support of their benefit applications. 1,800 (12%) customers required additional support or assistance -i.e. help to complete online/paper forms/evidence.

- During 2015 - 16 there were 3,675 benefit application forms received by SSDC, this is a reduction of 6.6% from 2014 – 15. Of this number 17% of applications were received online, compared to 14% in 2014 -15.
- Looking forward the Benefits team will be looking at our on-line provision and how they can make the switch from the majority of forms being paper based to being on-line.
- Universal Credit is due to be fully rolled out across South Somerset in early 2017, this means that anyone of working age who has a rent liability will no longer claim housing benefit from the Council. Instead they will claim Universal Credit from DWP. However, if they are liable to pay Council Tax they will need to make an application for that from the Council.
- Cash machine transactions remained around the same in Chard (6,539 transactions) but reduced at Petters (8,956 transactions – a decrease of around 900 from the previous year). A cash machine was installed at Brympton Way in January 2014 and customers now have two places of access in Yeovil. Transactions at Brympton Way for 2015-16 were 2,489. The number of customers paying their Council Tax by Direct debit has increased with approximately 65% of bills now being paid by Direct Debit.

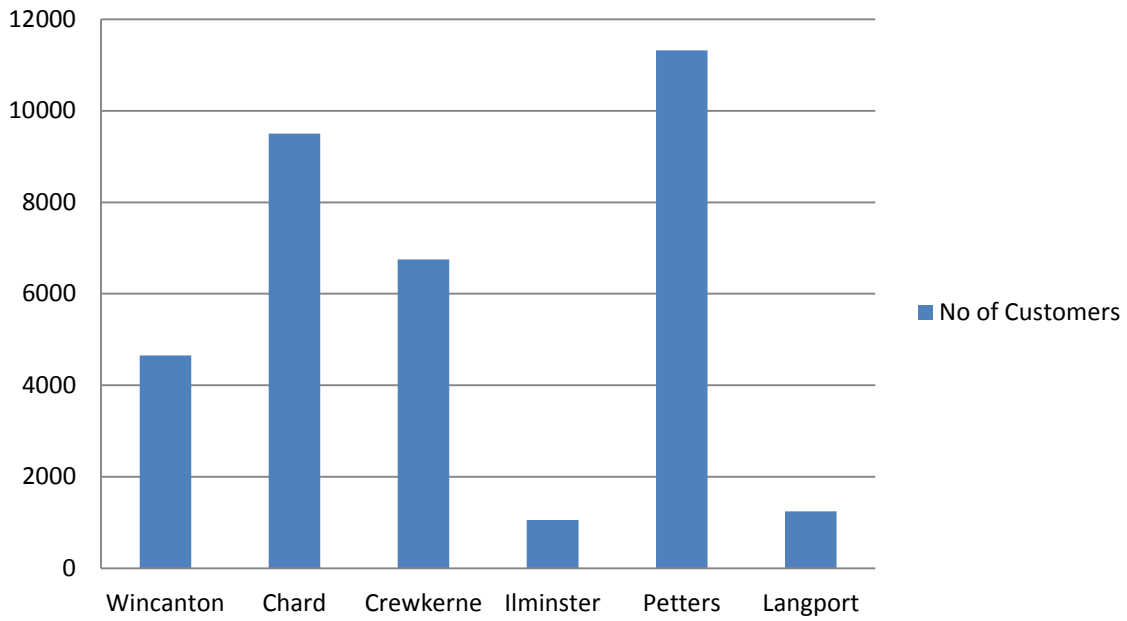
## Footfall figures (Number of customers visiting the Community Offices)

### Total footfall comparisons for all Community Offices from April 2012 - April 2016

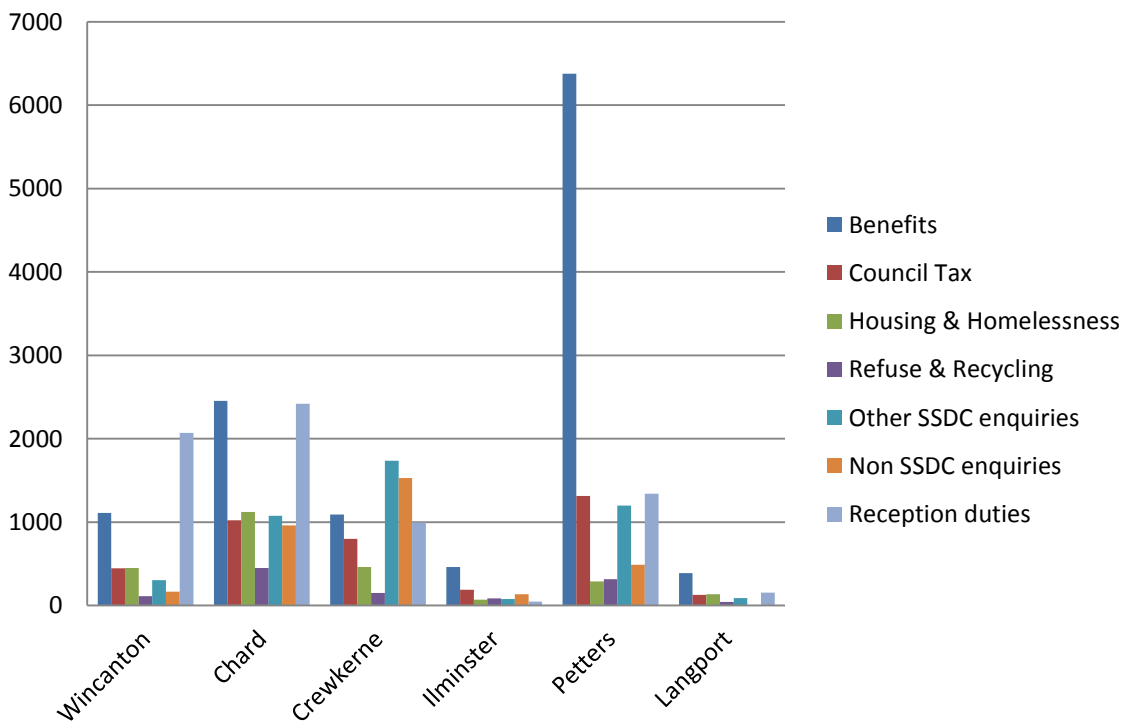
All SSDC Community Offices	2012 - 2013	2013- 2014	% change in footfall 12/13 - 13/14	2014-2015	% change in footfall 13/14 - 14/15	2015-16	% change in footfall 14-15 - 15-16
Benefits	18561	15345	-17%	13560	-12%	11874	-12%
Council Tax	4270	4282	0.3%	4250	-0.7%	3894	-8%
Housing & Homelessness	3450	2608	-24%	2306	-12%	2523	9%
Refuse & Recycling	1882	1411	-25%	1469	4%	1156	-21%
<b>Core services total</b>	<b>28163</b>	<b>23646</b>	<b>-16%</b>	<b>21585</b>	<b>-9%</b>	<b>19447</b>	<b>-10%</b>
Other SSDC enquiries	5768	4067	-29%	4206	3%	4474	6%
Non SSDC enquiries	10522	8102	-23%	6832	-16%	3585	-48%
Reception duties	8462	6189	-27%	4848	-22%	7019	45%
<b>Total Footfall</b>	<b>52915</b>	<b>42004</b>	<b>-21%</b>	<b>37471</b>	<b>-11%</b>	<b>34525</b>	<b>-8%</b>

\*Core services relate to Benefits, Council Tax, Housing & Homelessness and Refuse & Recycling

## Community Office Footfall 2015-16



## Community Office Footfall 15-16





## **Customer satisfaction**

Our annual customer satisfaction survey will be completed in September 2016.

## **The future**

In the coming year we will be looking to increase awareness of the services provided at the Community Offices and ensure that the service provided best meets the needs of the customer. With an increase in digital access there is a continuing need to support customers to access services online and raise awareness of alternative methods to access information and services.

Although still at an early stage, the Council's Transformation Programme will focus on the needs and preferences of customers using the network of community offices. In the meantime we will continue to work with other SSDC services to ensure that we are fully aware of any changes and that the Community Support Assistants have the knowledge and access to the systems to provide the best possible front facing service.

The Community Support team has recently been updated on Business Rates and it is hoped that this will enable more information and support to be provided to local businesses. They will also be receiving training in the near future to assist with the receipt of taxi licences and DBS checks for drivers in the community offices.

The internal SSDC courier will cease at the end of July. Customers who pay Council Tax or other payments via cheque will now be required to post directly to Brympton Way or pay by other means ie cash machine, direct debit or online. The Community Support Assistants will continue to help customers to use alternative methods of payment where possible and monitor impact.

## **Financial Implications**

None arising directly from this report.

## **Council Plan Implications**

Focus on Health and Communities. Continue to provide Welfare Benefits support and advice to tackle poverty for our vulnerable residents.

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

Reduce carbon emissions by increasing awareness of local offices and use of alternative methods of contact i.e. online transactions

## **Equality and Diversity Implications**

All front desk services are accessible, except our Ilminster office, which can only be improved if alternative suitable premises can be found.

**Background Papers:** *Community Office Update Nov 15*

# Agenda Item 10

## **South Somerset Bike Park Proposal**

Assistant Director  
Service Manager  
Lead Officers:  
Contact Details:

Steve Joel, Assistant Director (Health and Well-Being)  
Lynda Pincombe, Community Health and Leisure Manager  
Robert Parr, Senior Play & Youth Facilities Officer  
[rob.parr@southsomerset.gov.uk](mailto:rob.parr@southsomerset.gov.uk) (01935 462413)

### **Purpose of the Report**

The purpose of this report is to consult members on the concept of developing a Bike Park in Yeovil, which would provide a destination facility offering a range of cycling facilities and activities, serving the whole of South Somerset.

To update members of the work carried out so far and to seek members support for the continuation of consultation and feasibility work for this concept.

### **Public Interest**

Creating quality leisure facilities and activities for South Somerset is considered important to the communities' health and wellbeing.

### **Recommendation:**

The committee note and comment on the report and give support (without prejudice) to officers to continue consultation and feasibility work for this concept.

### **Background**

In recent years the idea for a cycle themed park has been informally discussed amongst officers and members as a potentially suitable way to improve the leisure opportunities on the East side of Yeovil, primarily on the former landfill site at Birchfield Park, opposite the new Wyndham Park housing development.

On 12th August 2015 officers organised a successful Bike Festival Day at Birchfield Park (East) to promote cycling and provide a holiday activity for the general public. During the event the public were consulted on the concept of a Bike Park for the area and the feedback was overwhelmingly positive.

Based on the success of this event and the consultation feedback received, it was agreed to install a modular Pump Track at Birchfield Park and this was officially opened on 30<sup>th</sup> September 2015. For members benefit a 'Pump Track' is a closed circuit that can be ridden by using an up and down 'pumping' motion to propel the bicycle forward instead of pedalling. The narrow track and tight corners make for an exciting ride, which you can ride as fast or as slow as your ability allows.

Feedback on the new Pump Track has been extremely positive and it has proven to be a very well used and valued facility in the area.

### **Report**

The success of the Pump Track has reinforced officers view that this site could be developed further to create a destination Bike Park for a wide range of cycling activities and integrate into the wider cycling infrastructure being developed in the town.

In summary the Bike Park would aim to improve:

- Leisure Opportunities for all
- Active Lifestyles
- Green Transport

According to British Cycling who oversees all forms of cycling in Britain, cycling is growing! There are many different types of cycling ranging from BMX, mountain bike, cyclo-cross, road, track, cycle speedway, commuter, leisure, adventure and many specialisms within these types.

Given the constraints of the land at Birchfield Park, facilities for some of the disciplines, such as road riding, would not be possible. However, with careful and creative design there could be opportunities to create facilities that would benefit a wide spectrum of cyclists.

In addition to the new Pump Track, the Bike Park could host a Skills Area, Jump Park offering small and large jumps to allow for progression and utilise gradients at the site to provide Off Road Downhill/Cross Country Trails.

The Bike Park could also provide an entry point to Traffic Free Routes being developed through Yeovil Country Park. In addition to improving transport links they also provide leisure opportunities for families, groups or individual cyclists or walkers, linking to Yeovil Country Park. This would potentially increase the footfall to the new Ninesprings Cafe and access to Ninesprings Play Area, amongst others.

Member's attention must be drawn to the constraints at Birchfield Park, given it was previously a landfill site and consequently requires ongoing specialist management. This previous land use and specialist management requirement means that any proposals could be limited or deemed unviable if they conflict with those constraints.

Should members wish to support this proposal, officers recommend the next stages would be to carry out further consultation with the public at this year's Bike Festival, continue to develop feasibility work looking at how the site could be best used for various types of cycling activities, to develop draft proposals for members to consider and finally explore potential funding opportunities. It is anticipated this consultation and high level feasibility work would be completed over the next 12 months.

The project would cut across the work of multiple internal and external stakeholders, so officers would aim to establish a steering group to help co-ordinate and guide the project in the early stages.

This report therefore seeks member's support for a project that has the potential to inspire a new generation to take up cycling and transform the old landfill site at Birchfield Park into an exciting destination for leisure and recreation.

### **Corporate Priority Implications**

Developing increased cycling opportunities with support the following priorities set out in The Council Plan 2016-21.

- Help people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities.
- Work with partners to tackle health issues such as diabetes and hypertension

### **Carbin Emissions & Adapting to Climate Change Implications (NI188)**

Encouraging people to cycle can reduce transport greenhouse gas emissions

### **Equality & Diversity Implications**

Should the Bike Park concept move forward a equality impact assessment would be completed.

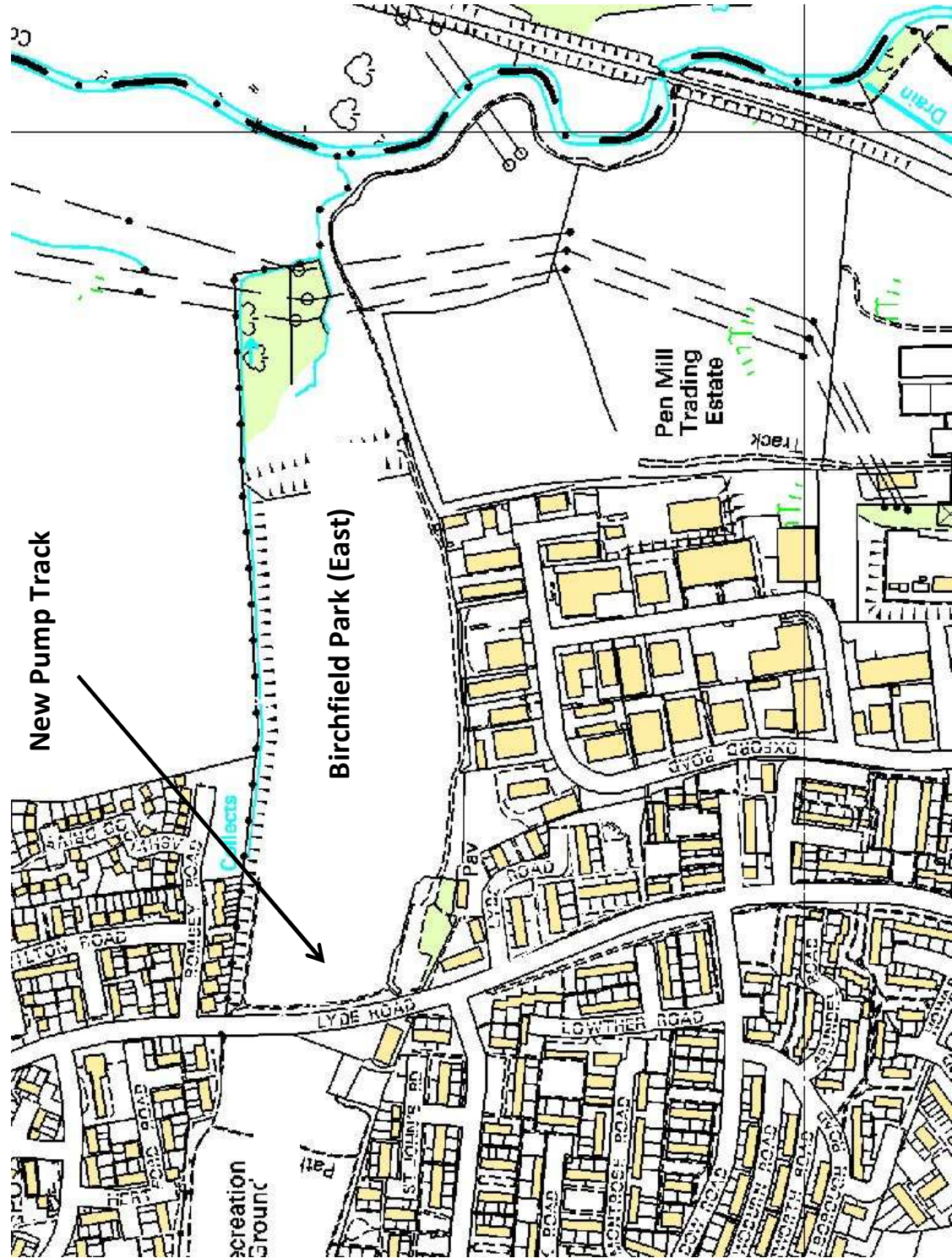
### **Financial Implications**

No financial implications at this time

### **Background Papers**

None

Birchfield Park (East) Location Plan



# Agenda Item 11

## **Dorcas Charitable Trust – Annual Report & Statements for the Year to 31<sup>st</sup> March 2016**

*Strategic Director:* Rina Singh, Director Place and Performance  
*Assistant Director:* Helen Rutter, Assistant Director Communities  
*Service Manager:* Helen Rutter, Area Development Manager South  
*Contact Details:* Helen.Rutter@southsomerset.gov.uk or 01935 465012

### **Purpose of the Report**

To update members of the Area South Committee who collectively act as trustees for the Dorcas House Trust and to approve the 2015/16 Statement of Accounts.

### **Public Interest**

Dorcas House Trust (otherwise known as Portreeves or Corporation Almshouses) is a registered Charity, No. 235337 and is regulated under Charity Commission Schemes dated 3<sup>rd</sup> September 1973 and 1<sup>st</sup> February 1978. The Area South Committee acts as Trustees of the trust.

### **Recommendation**

- (1) To approve the Annual Accounts for the Dorcas House Trust
- (2) To note the update in the annual report

### **Background**

Dorcas House Trust (otherwise known as Portreeves or Corporation Almshouses) is a registered Charity, No. 235337 and is regulated under Charity Commission Schemes dated 3<sup>rd</sup> September 1973 and 1<sup>st</sup> February 1978.

As a local authority SSDC is required to demonstrate compliance with the underlying principles of good governance and that a framework exists to demonstrate this. One of the principles is accountability and by preparing and publishing the annual Statement of Accounts the Council achieves this objective.

The Accounts and Audit (England) Regulations 2011 came into force on 31 March 2011. The Dorcas House Statement of Accounts needs to be evidenced by the Chair of Joint Area Committee South signing and dating the balance sheet and the annual report.

Dorcas House was located in Preston Grove, Yeovil. The land on which it sat was conveyed to the Borough of Yeovil by means of a Deed of Gift on 30th May 1910 as a site for an Almshouse. The trusteeship is vested in South Somerset District Council and delegated to the Area South Committee.

The Council was under obligation to erect an Almshouse. Once built, Dorcas House was only to be used for poor women inhabitants of the Parish of Yeovil. In more recent years SSDC applied to the Charities Commission to have the covenants changed to allow women and their children to reside in the property.

Concerns regarding the ongoing cost of maintaining and managing the building in future years, together with the unsuitability and inflexibility of the accommodation prompted the trustees to consider alternative options to meet the objectives of the trust.

Following advice from the Charities Commission that the Trustees were permitted to sell and re-provide without the need for formal permission, the property was sold in October 2013 producing a net capital receipt of £371,572 and in addition investments were realised for a sum of £52,032. Together with the cash balance there is now a capital fund of £442,851 for replacement properties.

It was proposed to seek replacement properties for the charitable foundation as opportunities arise within the settlement of Yeovil – for example as part of the obligated affordable housing on a qualifying site or as an adjunct to traditional housing association homes on an infill site.

It was proposed that the properties procured are two-bedroomed self-contained houses or flats, possibly in pairs rather than a block of dwellings in a single building as was previously the case.

However very few such sites had come forward in Yeovil. In fact all three key sites have been subject to some renegotiation of the level of obligated affordable housing due to viability and in any event fall largely outside of the formal boundary of Yeovil and inside adjacent parishes.

One possible Housing Association led infill site fell through before reaching planning application stage. However a site has emerged, within the traditional boundaries of Yeovil and with an existing planning permission, which is within the control of one of the Councils main partner Housing Associations. Agreement is in place in principle for the Association to sell a small number of dwellings to the Trust at cost. This means the Housing Association will lose the opportunity to produce the original number of dwellings for its own provision but also, in turn, will require a slightly lower level of public subsidy (in the form of grant either from the Council or from the HCA) for the site as a whole. In turn it is their expectation that the Trust will enter into a managing agent arrangement allowing the Association to retain control over housing management for the entire site.

Once alternative provision has been completed, the original terms of the Dorcas House trust will continue to apply to the new accommodation.

### **Financial Implications**

Dorcas House draft statement of accounts details the financial position of the charity as at 31<sup>st</sup> March 2016 and is submitted at Appendix A for approval by Area South

Committee at this July 2016 meeting. Grant Thornton, the District Auditors, will not review separately the annual Statement of Accounts and supporting working papers as the turnover is below £25k.

### **Corporate Priority Implications**

This work supports the following corporate aims:

- Improve the Housing, Health and wellbeing of our citizens

### **Carbon Emissions & Adapting to Climate Change Implications (NI188)**

Energy leakage from the existing building will be decreased when the new owner redevelops the property. Re-investment of the proceeds of sale will be used for property that will be built to modern standards, which will be more energy efficient.

### **Equality and Diversity Implication**

The nature of the Charitable Trust dictates the client group whose needs are met by this provision. We are in discussion with the Charities Commission about amendment of allowed usage that would broaden the nature of the client group.



DORCAS HOUSE TRUST

STATEMENT OF FINANCIAL ACTIVITIES  
For the Year Ended 31st March 2016

	2015/16 Income Fund		2014/15 Income Fund	
	£	£	£	£
<b>Incoming Resources</b>				
Rental Income (written off as unrecoverable)		(393.61)		(3,425.23)
<b>Investment Income</b>				
Interest on Investment		2,239.69		2,270.65
<b>Total Incoming Resources</b>		<b>1,846.08</b>		<b>(1,154.58)</b>
<b>Resources Expended</b>				
Bad & Doubtful Debt provision for rent	(962.69)		(1,367.57)	
<b>Total Resources Expended</b>		<b>(962.69)</b>		<b>(1,367.57)</b>
<b>Net Resources</b>		<b>2,808.77</b>		<b>212.99</b>
<b>Other Recognised Gains</b>				
Gain on revaluation of investments		0.00		647.65
<b>Net Movement in Funds</b>		<b>2,808.77</b>		<b>860.64</b>
<b>Reconciliation of Funds</b>				
Fund balances brought forward at 1 April 2015		440,042.69		439,182.05
		<b>442,851.46</b>		<b>440,042.69</b>

**DORCAS HOUSE TRUST**

**BALANCE SHEET**

**As at 31st March 2016**

	2015/16		2014/15	
	£	£	£	£
<b>Current Assets</b>				
Investments	0.00		1,456.15	
Debtors	1,414.85		4,575.36	
Cash	441,436.61		434,011.18	
	442,851.46		440,042.69	
<b>Net Current Assets</b>		442,851.46		440,042.69
<b>Represented by:</b>				
Endowment Fund		0.00		1,456.15
Capital/Unrestricted Funds		442,851.46		438,586.54
<b>Total Funds</b>		442,851.46		440,042.69

These accounts were approved by the Trustees on \_\_\_\_\_ and signed on their behalf by:

Peter Gubbins  
(Chairman of Area Committee South)

# Agenda Item 12

## **Area South Committee Forward Plan**

*Strategic Director:* Rina Singh, Acting Chief Executive  
*Assistant Director:* Helen Rutter / Kim Close, Communities  
*Service Manager:* Kim Close, Area Development Manager - South  
*Agenda Co-ordinator:* Jo Boucher, Democratic Services Officer, Legal and Democratic Services SSDC  
*Contact Details:* jo.boucher@southsomerset.gov.uk or (01935) 462011

### **Purpose of the Report**

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

### **Recommendations**

Members are asked to:-

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

### **Area South Committee Forward Plan**

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

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

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

**Background Papers:** None

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## Appendix A

### Notes

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

Meeting Date	Agenda Item	Background/ Purpose	Lead Officer
<b>3<sup>rd</sup> August 2016</b>		<i>Please note this meeting will only be held if there are planning applications to be determined</i>	
<b>7<sup>th</sup> September 2016</b>	Arts & Entertainment Service Update Report	Annual Update Report	Adam Burgan, Arts & Entertainments Manager
	Economic Development Update Report	Annual Update Report	David Julian, Economic Development Manager
	Yeovil Vision Report	Update on Yeovil Vision	Helen Rutter, Assistant Director, Communities
<b>5<sup>th</sup> October 2016</b>	Environmental Services Update Report	Annual Update Report	Alasdair Bell, Environmental Health Manager
	Section 106 Monitoring Report	Six Monthly update report	Neil Waddleton, Section 106 Monitoring Officer
	Countryside Service Update Report	Annual Update Report	Katy Menday, Countryside Manager
	Annual Review of Committee Arrangements	The purpose of this report is for members to consider the current arrangements for Area South Committee	Helen Rutter, Assistant Director, Communities
<b>2<sup>nd</sup> November 2016</b>	Somerset Highways – maintenance programme	A six monthly update report on the current and expected highways maintenance programme in Area South	Mike Fear, Assistant Highway Service Manager, South Somerset Highways
	Westland Leisure Complex, Yeovil	3 monthly update report on the Westland Leisure Complex, Yeovil	Steve Joel, Assistant Director (Health and Well-Being)

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background/ Purpose</b>	<b>Lead Officer</b>
	Affordable Housing Development Programme	The purpose of this report is to update members on the likely outturn position of the Affordable Housing Development Programme in relation to Area South	Colin McDonald, Corporate Strategic Housing Manager
	Area South Development Plan	Six monthly review update report	Helen Rutter, Assistant Director, Communities
<b>30<sup>th</sup> November 2016</b> <i>(Please note revised date for the December meeting)</i>	SSDC Welfare Benefit Work in South Somerset	Annual Update on the Welfare Benefit Work in South Somerset	Catherine Hansford, Welfare Benefits Team Leader

# Agenda Item 13

## **Planning Appeals (For information)**

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

### **Purpose of the Report**

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

### **Recommendation**

That the report be noted.

### **Background**

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

### **Appeals Allowed**

Ward: Yeovil South  
Proposal: Alterations and the change of use of property to a larger House of Multiple Occupation (HMO) (sui generis use) (GR 355165/115265)  
Appellant: Mr B Oozageer  
Site: 83 Hendford Hill Yeovil Somerset BA20 2RE

### **Financial Implications**

None

### **Implications for Corporate Priorities**

None

### **Other Implications**

None

***Background Papers:*** *Planning application files*

## Appeal Decision

Site visit made on 3 May 2016

by **Robert Gully MEng CEng MICE**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 June 2016

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**Appeal Ref: APP/R3325/W/16/3143255**  
**83 Hendford Hill, Yeovil, Somerset BA20 2RE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
  - The appeal is made by Mr B Oozageer against the decision of South Somerset District Council.
  - The application Ref 15/03862/FUL, dated 20 August 2015, was refused by notice dated 6 November 2015.
  - The development proposed is alterations and change of use of property to a House of Multiple Occupation (HMO).
- 

### Decision

1. The appeal is allowed and planning permission is granted for alterations and change of use of property to a House of Multiple Occupation (HMO) at 83 Hendford Hill, Yeovil, Somerset BA20 2RE in accordance with the terms of the application, Ref 15/03862/FUL, dated 20 August 2015, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3858/02 A and 3858/03 A.
  - 3) The development hereby permitted shall be occupied by no more than 10 people and the communal areas (the conservatory, utility and games room) as shown on drawing 3858/02 A shall remain available for all residents.
  - 4) The cycle parking shown on approved drawing 3858/02 A shall be installed before use of the development hereby permitted and thereafter retained for the storage of bicycles in association with the use hereby approved.
  - 5) The area allocated for parking and turning on approved drawing 3858/03 A shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in the location shown and in connection with the development hereby permitted.

### Application for costs

2. An application for costs was made by Mr B Oozageer against South Somerset District Council. This application is the subject of a separate Decision.
-

### **Preliminary Matter**

3. The appeal property comprises a large 3 storey detached house that is already in occupation as a use class C4 HMO for 6 persons, by virtue of permitted development rights. The alterations proposed provide for an additional four bedrooms and en-suite bathrooms to all the proposed 10 bedrooms.

### **Main Issues**

4. The main issues in this case are:
  - whether or not the proposal provides sufficient car parking, having particular regard to the effect on neighbouring roads; and
  - the effect of the proposal on highway safety.

### **Reasons**

#### *Planning Policy*

5. The Council has not identified a 5 year supply of deliverable housing sites. Nonetheless, the planning policies under consideration are general policies seeking high quality development and satisfactory proposals with respect to transport related effects. They do not guide the location of development specifically in the context of this case. On this basis paragraph 49 of the National Planning Policy Framework (the Framework) does not apply in this respect. However, subject to my reasoning below, the presumption in favour of sustainable development would apply.

#### *Parking Provision*

6. One proposed parking space on the development would block unhindered access to a parking space in the existing carport and would also reduce the turning area available. However, the effect on the turning area would not be sufficient to discourage occupants from manoeuvring to exit the property in forward gear. Therefore, whilst the 6<sup>th</sup> parking space might compromise ease of parking slightly, I consider that it would be readily achievable and as such the parking provision would comprise 6 parking spaces.
7. The Somerset County Council Parking Strategy (2013) (the Strategy) should be applied in accordance with Policy TA6 of the South Somerset Local Plan (2006-2028) 'the Local Plan'. Although the Strategy does not address HMO specifically, I do not consider this sufficient reason to disregard it entirely. The strategy includes a helpful explanation of how figures were derived, such that a reasoned assessment can be made as to how it should be interpreted in this case.
8. Yeovil as a whole lies entirely in the Zone A category, where 1 parking space is required for each 1 bed dwelling, on the basis that 1 to 2 residents may occupy such dwellings. I also note that 2 bed dwellings in Zone A are required to have 1 space, but are assumed to accommodate up to 3 persons. On this basis, the strategy clearly makes an allowance for more than 1 resident to be served by a single space. Therefore, in light of the single occupancy of rooms in the appeal proposal, a substantial reduction should be allowed below the requirement for a single space per bedroom.



9. Furthermore, the strategy allows for variation of the optimum parking standards, including a lower requirement where sites are in a more sustainable location. The walking distances to key facilities set out in the appellant's submissions are favourable and likely to provide a substantial incentive to avoid private car use for a wide range of day-to-day needs, whether through walking or cycling. Therefore, whilst the appeal site does not lie in the centre of the town, it does lie in a particularly accessible location and should attract a further modest reduction in parking requirements as a result. Additionally, a cycle space is proposed for every resident of the proposal in accordance with the Strategy, which would support the incentive to avoid private car use.
10. The appellant has cited 3 planning applications in Yeovil, where no parking was provided. However, the full details of these applications are not before me to allow me to conclude that the schemes are comparable and hence I give them limited weight. The appeal case referenced was decided before the adoption of the recent Local Plan and refers to maximum parking standards. Hence the context of the Inspector's reasoning in that case was different and I therefore attribute the case little weight. I give the appellant's reference to other parking standards outside South Somerset district little weight, as they relate to other districts and no evidence is before me to conclude that the context is comparable to this case.
11. Although interested parties have asserted that all 5 spaces are usually in use, rather than 2 as stated by the appellant, no substantive evidence is before me to conclude either way. I therefore give existing usage figures limited weight and form my opinion on the basis of compliance with the Strategy.
12. Taking the above together, I am satisfied that the proposal's single occupancy rooms and its sustainable location would result in a significantly reduced requirement for parking, to the extent that parking need in excess of 6 spaces would be sufficiently unlikely to occur.
13. The appeal property fronts the A30 where there are double yellow lines preventing residents from parking there. The nearest off-site parking would therefore be available in Nursery Road and Southwoods, whose junctions with the A30 are just downhill of the appeal site. Although there are lengths of double yellow lines in these streets, the majority of their length is unrestricted and therefore uncontrolled parking use is available. In this context, I acknowledge local residents' and the Council's concerns regarding the consequences of excess vehicles parking in nearby roads. However, on my visit it was apparent that the majority of properties in Southwoods and Nursery Road have private driveways and garages, such that a reasonable provision of off-highway parking is available to residents there.
14. Notwithstanding my earlier findings on parking provision, I acknowledge there would remain a chance of occasional vehicles arising from the proposal seeking to park in these roads. However, the effect would not be significant in respect of the available private parking and the prevailing situation in relation to on-street parking, such that existing amenity would be materially harmed. I also note that submissions by interested parties identify that a primary cause of current issues is commuters from outside Yeovil parking in the area during business hours. The timing of their use would generally be different to that of occupants of the proposal who would reside in the area. Although the Council refer to cumulative harm, I have to consider this proposal on its own merits

against Local Plan policy and relative to the current parking environment on surrounding roads.

15. Misuse of private parking areas (e.g. the vets) by visitors from outside the area, and inappropriate parking in Nursery Road and Southwoods, are matters that fall to be addressed by other means, rather than being significant considerations in this planning appeal.
16. For the reasons set out above, I conclude that the proposal provides sufficient parking and would not result in an unacceptable effect on neighbouring roads. Policy TA5 of the Local Plan seeks, amongst other things, car parking provision in accordance with Policy TA6, and that the nature of parked vehicles should not have a detrimental impact on amenity of the area. Policy TA6 requires parking provision in accordance with the Somerset County Council Parking Strategy in South Somerset District. In light of my conclusion above, I find that the proposal would accord with these Policies.

#### *Highway Safety*

17. The appellant asserts that only 2 spaces are currently in use, yet in excess of 5 vehicles accessing the site should be considered as the existing situation. I find these matters inseparable and therefore it would be unreasonable to assume no overall increase in vehicle movements.
18. Notwithstanding this, the concerns before me relating to highway safety focus on the constraint to visibility from the wall which borders the footway and extends uphill of the appeal site entrance, and the likelihood of vehicles exiting in reverse gear. In respect of the latter, and in light of my conclusions above, I find that 6 spaces could be achieved in a manner that would not materially be likely to increase the risk of vehicles exiting the parking area in reverse gear.
19. Visibility at entrances is normally considered in both directions along the nearest highway edge. However, a pedestrian island lies on the A30 to the front of the appeal site, such that vehicles travelling downhill would be very unlikely to move into the opposing uphill lane, which is afforded less visibility. Furthermore, whilst the Council assert that existing visibility is sub-standard and should be improved, no evidence is before me as to what the Council would consider as an acceptable visibility splay in light of traffic frequency and speeds on the A30.
20. On this basis, and having observed this matter on my site visit, I am satisfied that visibility to the far side downhill lane is adequate to preserve existing safety in light of any increase in movements.
21. The boundary wall to the right when exiting the appeal site does not extend towards the highway as far as the main front wall to the left and therefore allows better visibility to the nearside lane in this direction. I also note that the Council's highway consultant did not raise a concern in respect of visibility to traffic travelling uphill on the A30.
22. I note the Council's concerns regarding the increase in traffic flows on the A30, in light of substantial housing development nearby in the town. However, it is clear that the A30 Hendford Hill is a busy route, on which flows would not be materially affected by the appeal proposal.

23. For the reasons set out above, I conclude that the proposal would not have an unacceptable effect on highway safety. Therefore, the appeal proposal would comply with Policy TA5 of the Local Plan which seeks, amongst other things, safe and convenient access by foot, cycle and private transport.

### **Other Matters**

24. Bins associated with the development would be located near the boundary under the car port and would not be prominent when seen from the highway. The arrangement of proposed spaces avoids obstructing views of the majority of the front facade. Furthermore, the front wall abutting the footway, which the Council note as making a contribution to the Conservation Area, would be unaffected and would provide screening to parked vehicles.

25. I note that a number of planning applications in the area have been referenced by interested parties as contributing to a cumulative deterioration in character and appearance. However, each case is considered on its merits, and on the basis of my reasoning above I conclude that the proposal would preserve the character and appearance of the Conservation Area, to which I have special regard in line with my statutory duty. The proposal would therefore also be in accordance with the parts of Policies EQ2 and TA5 which seek to preserve character.

26. An interested party has raised concerns with respect to the adequacy of living and kitchen facilities. However, no evidence or policy relating to space standards is before me, sufficient to conclude that the space afforded by the retained kitchen and conservatory would be inadequate for the proposed number of occupants.

27. In light of the existing use by multiple occupants, I find no reason to conclude that noise and pollution either internally or externally would materially increase. The increase in traffic from the proposal would not be sufficient to materially increase noise in this respect.

### **Conditions**

28. In addition to the standard condition which limits the lifespan of the planning permission I have specified the approved plans as this provides certainty.

29. I have included the Council's suggested conditions on occupancy, cycle parking and car parking. However, I have amended the cycle parking condition as the cycle parking comprises part of the development hereby permitted, and therefore should be tied to the use of the development by its occupants rather than commencement of the permission itself. The car parking condition also requires that the area is used as shown in the drawing. This is to ensure adequate turning and to prevent alternative parking arrangements that might detract from character and appearance when appreciated from the highway.

30. I have considered representations regarding a plan to manage issues of off-site parking, which might be covered by condition. However, I have concluded that the proposal would comply with the requirements of the Local Plan in respect of its on-site parking provision. Whilst I acknowledge concerns regarding the cumulative effect of development, I have to consider this case on its own merits. I also note that the Strategy, and the parking figures therein against which I have judged this appeal, is intended to address the effect that uncontrolled parking may have on nearby roads and properties.

**Conclusions**

31. I have concluded that the proposal would preserve the character and appearance of the Conservation Area. The proposal would comply with relevant development plan policy and would provide a modest contribution to the availability of accommodation in Yeovil, which weighs in its favour.
32. I therefore allow the appeal subject to conditions.

*R Gully*

INSPECTOR

## Costs Decision

Site visit made on 3 May 2016

by **Robert Gully MEng CEng MICE**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 June 2016

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### **Costs application in relation to Appeal Ref: APP/R3325/W/16/3143255 83 Hendford Hill, Yeovil, Somerset BA20 2RE**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Mr B Oozageer for a full award of costs against South Somerset District Council.
  - The appeal was against the refusal of the Council to grant planning permission for alterations and change of use of property to a House of Multiple Occupation (HMO).
- 

### **Decision**

1. The application for an award of costs is allowed in part in the terms set out below.

### **Reasons**

2. Planning Practice Guidance (PPG) advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
  3. The PPG makes it clear that a local planning authority is at risk of an award of costs if it fails to produce evidence to substantiate each reason for refusal on appeal and/or makes vague, generalised or inaccurate assertions about a proposal's impact which are unsupported by any objective analysis. While the Council is not duty bound to follow the advice of its professional officers, if a different decision is reached the Council has to clearly demonstrate on planning grounds why a proposal is unacceptable and provide clear evidence to substantiate that reasoning.
  4. The Council's submissions with respect to safe access and egress were not adequately justified or reasoned. Reference was made to the South Somerset highway consultant's preference for a lowered 600mm wall to the frontage and this was shown to accord with the Manual for Streets document. However, this was merely a statement of the maximum height over which visibility should be achieved in a generic case. There was no reasoned or objective discussion of what would constitute an acceptable horizontal or vertical visibility splay in this case, such that it could be concluded why the existing arrangement was unsatisfactory or needed improvement. The basis for an improvement, solely in light of increased vehicle movements, was therefore not adequately reasoned. On this basis the Council's refusal against Policy TA5 of the South Somerset Local Plan (2006 - 2028), the 'Local Plan', was not justified.
-

5. Policy TA6 of the Local Plan, requires development to be compliant with the Somerset County Council Parking Strategy (the 'Parking Strategy') for proposals in South Somerset. There is no requirement within the policy to demonstrate consequential harm. Although the Parking Strategy is silent on HMO specifically, the Council chose to apply the requirement for a single bedroom property, resulting in an overall requirement of 10 spaces.
6. As stated in my appeal decision, it would be inappropriate to disregard the content of the Parking Strategy in its entirety simply because it does not consider HMO specifically. I also note that the South Somerset highway consultant originally stated their preference to the Council that the single bedroom property requirement be met. Therefore, I consider that it was reasonable of the Council to adopt the most comparable standard.
7. The Parking Strategy covers the whole of Yeovil, which has a wide range of sustainability credentials, including areas in the centre with relative increased sustainability. Whilst I concluded differently in my appeal decision, it was therefore reasonable that the Council did not amend the standards required in light of the applicant's submissions. Lastly, even if the Parking Strategy was ignored, Policy TA6 could not be completely disregarded as the applicant asserted should be the case. I therefore find the Council's application of that policy acceptable.
8. Whilst existing parking issues were highlighted, these were not evidenced substantively, other than by reference to the knowledge of Members. Even accepting the Council's argument for a 10 parking space requirement, no objective reasoning was provided as to how a relatively small increase in on-street parking would make a material change to the issues and consequent effects that are clearly already prevalent in the area. Therefore, the reasoning in respect of Policy EQ2 did not satisfactorily demonstrate how the effect of the development would cause discernable and material harm to neighbouring properties. The Council's refusal against Policy EQ2 was therefore unreasonable. Although I noted the Council's concern regarding cumulative effects, insufficient evidence was provided in respect of the merits of this case.
9. Overall, whilst the Council's refusal on the basis of Policy TA6 was justified, it was unreasonable in respect of Policies TA5 and EQ2. On this basis the applicant was required to contest and make submissions on matters relating to those policies in their appeal submissions, which would not otherwise have been the case.

### **Conclusion**

10. I find that the unreasonable behaviour by the Council, resulting in unnecessary and wasted expense, as described in the PPG, has been demonstrated and a partial award of costs is justified.

### **Costs Order**

11. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that South Somerset District Council shall pay to Mr B Oozageer, the costs of the appeal proceedings described in the heading of this decision limited to those

costs incurred in respect of contesting those aspects of the appeal in relation to Policies TA5 and EQ2 of the Local Plan.

12. The applicant is now invited to submit to South Somerset District Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

*R Gully*

INSPECTOR

# Agenda Item 14

## Schedule of Planning Applications to be determined by Committee

*Strategic Director:* Rina Singh, Acting Chief Executive  
*Assistant Director:* Martin Woods, Economy  
*Service Manager:* David Norris, Development Control Manager  
*Contact Details:* david.norris@southsomerset.gov.uk or 01935 462382

### Purpose of the Report

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

### Recommendation

Members are asked to note the schedule of planning applications.

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

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.15pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
15	YEOVIL EAST	16/00389/FUL	Conversion of existing offices to four one bedroom apartments & external alterations to the façade of the approved Mosque	79 Sherborne Road Yeovil Somerset	Yeovil Islamic Association
16	YEOVIL CENTRAL	16/00287/FUL	Demolition of buildings/structures and the change of use of land for a temporary car park	Yeovil Cattle Market Market Street Yeovil	Premier Livestock Auctions

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.

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# Agenda Item 15

## Officer Report On Planning Application: 16/00389/FUL

<b>Site Address:</b>	79 Sherborne Road Yeovil Somerset
<b>Ward :</b>	Yeovil (East) Parishward: New town
<b>Proposal :</b>	Conversion of existing offices to four one bedroom apartments & external alterations to the facade of the approved Mosque
<b>Recommending Officer:</b>	<b>Case</b> Andrew Collins, Planning Officer
<b>Target date :</b>	12th May 2016 10th June 2016
<b>Applicant :</b>	Yeovil Islamic Association
<b>Type : 06</b>	Minor Dwellings 1-9 site less than 1ha

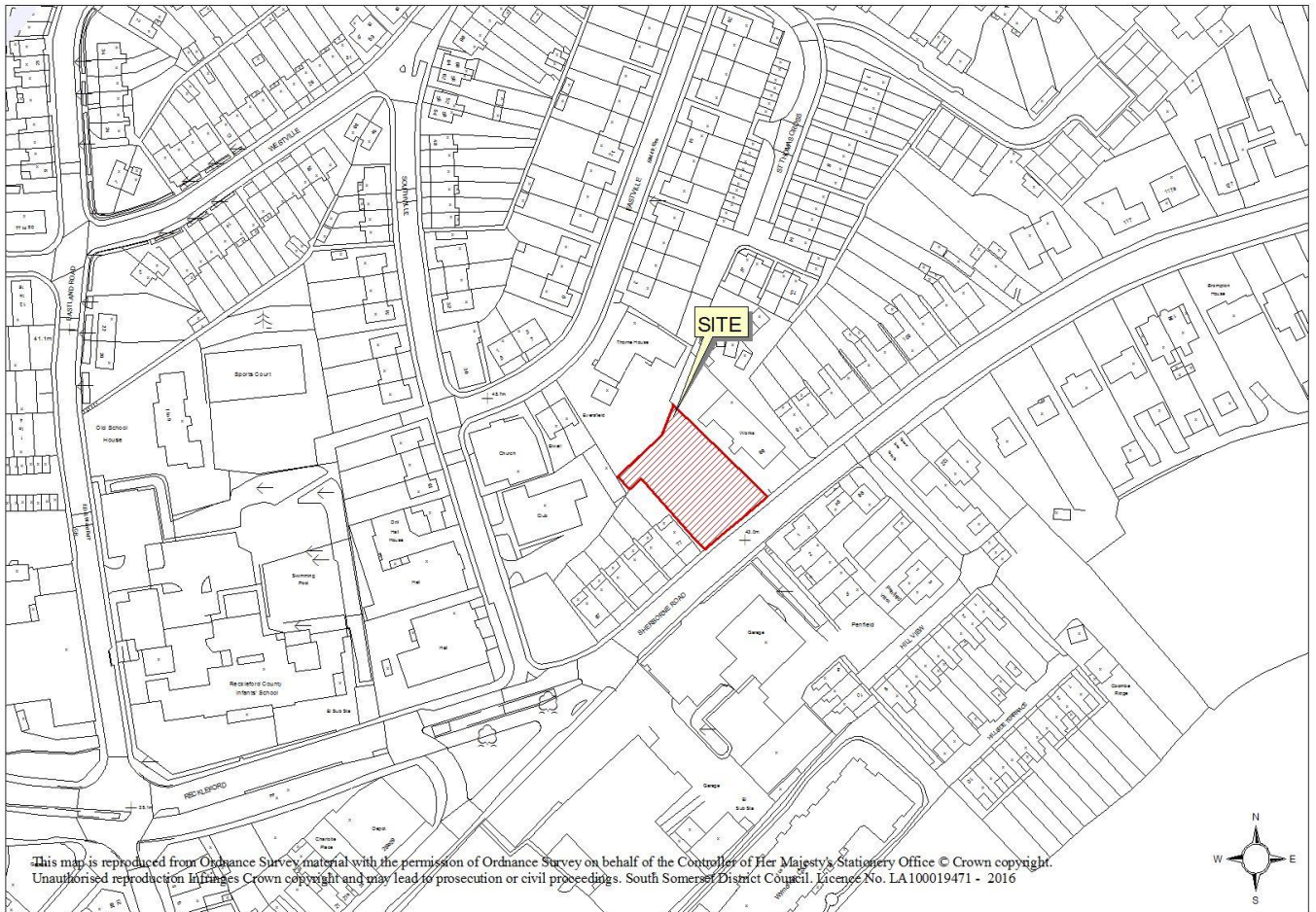
### Reason for Referral to Committee

The application is referred to Area South Committee at the request of Cllr Tony Lock to assess the parking for the site.

### Site Description and Proposal







The site is located on the Northern side of the road, approximately 70m to the East of the Southville junction. The road is an 'A' class road restricted to 30mph.

The site was formerly operated by 'Aardvark Auto Services Ltd' - a mechanics garage and used car sales. Planning permission was granted under application 14/03480/COU for the change of use of the premises to a place of public worship or religious instruction. The front part of the building has been used as school rooms and a prayer hall and the rear part has been used as a principle prayer hall.

Currently on site is a 2 storey pitched roof building that runs at right angles to the road. Later 2 storey flat roof extensions are located to the North and West of the property. To the East and South of the site are parking areas.

This application seeks full planning permission for the internal alterations to the building to subdivide the building for formal prayer rooms, ablutions areas, toilets, a reception and welcome centre and accommodation for the priest. To the front of the building 4 self-contained 1 bed flats are proposed. Externally the area for the mosque is proposed to have the industrial doors replaced with windows and the main entrance having new openings and having ceramic tiles and minarets attached to the building.

A gate is proposed between the parking area for the flats and the mosque. In total 6 spaces are proposed for the flats with 1 disabled space and 9 spaces for the mosque with 1 disabled space. Therefore in total 15 spaces are proposed. A turning space is included to allow entering and leaving the site in forward gear.

The application is supported with a Design and Access Statement. The Design and Access Statement details that the flats would remain within the ownership of the applicants and will not be sold off separately. The flats are needed for the sustainability of the centre as is run as a charity for the benefit of its members.

Amended plans have been received during the course of the application which show a women's entrance at the front of the building, railings to the front and a simplified external appearance. Also a new boundary wall is shown to the north-eastern elevation.

During the course of the application further information has been supplied by the agent / applicant detailing a weekly attendance and how the visitors to the facility got there. Also an amended plan has been provided showing external changes to meet the requirements of Building Control.

## **HISTORY**

Of relevance to this application;

14/03480/COU - Change of use of building from B1 (light industrial) to D1 (h) (for, or in connection with public worship of religious instruction) - Application permitted with conditions - 08/10/14

97/02586/COU - Alterations, the formation of two roller shutter doors and the use of premises as a motor vehicle garage including car sales and vehicle maintenance and repairs - Top Gear, 79 Sherborne Road, Yeovil - Application permitted with conditions - 20/02/1998

92/02579/FUL - CHANGE OF USE OF PREMISES FROM WAREHOUSE TO RESTAURANT WITHOUT COMPLIANCE WITH CONDITION 03 OF DECISION NOTICE NO 912381 DATED 6.2.92 (I.E. NO FOOD TO BE SOLD FOR CONSUMPTION OFF THE PREMISES) - Application Refused - 07/05/1992 - Appeal Dismissed - 21/8/92

91/02844/FUL - THE CHANGE OF USE OF PREMISES FROM WAREHOUSE TO RESTAURANT - Application permitted with conditions - 06/02/1992

91/02843/FUL - THE CHANGE OF USE FROM WAREHOUSE TO FITNESS CENTRE TO INCLUDE HAIR/BEAUTY SALON SPORTSWEAR SHOP AND COFFEE SHOP - Application permitted with conditions - 22/05/1991

21203/B - Erection of an extension to premises for the storage and sale of vehicle accessories - Approved - 17/2/67

21203/A - Extension to warehouse, office and store - Approved - 22/9/65

21203 - Retention of a store shed - Approved - 9/10/53

## **POLICY**

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

South Somerset Local Plan (2006 - 2028)

On the 5th March 2015 this new local plan was adopted and constitutes the development

plan. The most relevant policies are:-

SD1 - Sustainable Development  
SS1 - Settlement Strategy  
YV1 - Urban Framework and Greenfield Housing for Yeovil  
HG4 - Provision of Affordable Housing - Sites of 1 - 5 Dwellings  
TA4 - Travel Plans  
TA5 - Transport Impact of New Development  
TA6 - Parking Standards  
EQ2 - General Development

National Guidance  
National Planning Policy Framework  
Chapter 1 - Building a Strong Competitive Economy  
Chapter 4 - Promoting Sustainable Transport  
Chapter 8 - Promoting Healthy Communities

National Planning Practice Guidance

Paragraph: 031 Reference ID: 23b-031-20160519 (This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014). This basically says that contributions should not be sought for developments less than 10 dwellings, unless the floor area is greater than 1,000m<sup>2</sup>.

Other Relevant Documents  
Somerset Parking Strategy (2012)

## **CONSULTATIONS**

YEOVIL TOWN COUNCIL - *"Refusal on the grounds of insufficient parking."* On the basis of the amended plans, the following comments have been received,

*"I received three responses from the consultation which are listed below:*

- 1. I had no objection to this development when it was originally proposed and I have none now. I think the proposal will significantly enhance that part of the town.*
- 2. When the Town Council met and discussed this application, concerns were raised over the lack of sufficient parking spaces.*

*In the event that planning is granted I would like the planning officer to consider the following conditions*

- a) Restricting the use of the four parking spaces at the front of the building to the users of the flats. To comply with the SPS*
- b) Cycle parking stands to be included within the parking provision.*

*Concerns were also raised that the plans appeared to show a section that could be construed as being a third flat on the first floor. The committee were advised that this was proposed to be a resting area for a visiting Imam. I would ask the planning officer to consider conditioning this use.*

*The amended plans show an additional entrance at the front of the building for female members of the congregation and for use as a secondary means of escape. I share a*

neighbours concerns over the lack of a handrail on the proposed new entrance, given the difference in levels.

3. *Like Gail, I had no objections to the original proposal and more than happy to support it now; taking in to account the advice of the highways consultant and any railings required to make the front entrance safe for all users."*

COUNTY HIGHWAY AUTHORITY - Standing advice applies.

SSDC HIGHWAYS CONSULTANT- Initially raised concerns over the level of parking on the site. On the basis of the additional information made the following comments;

*"I understand that the Muslim Cultural Centre was originally consented with 15 on-site car parking spaces. The current proposal seeks the conversion of existing offices within the building to four 1-bed apartments as well as retaining the Muslim Cultural Centre. The proposed parking layout has been re-configured to show the provision of a total of 16 spaces (including two spaces for people with disabilities) and on-site turning areas. I understand that the apartments are to remain within the ownership of the Yeovil Islamic Association and would not be sold off separately and although they would be offered on the open market for rental it is likely that they would be rented to members of the Islamic community.*

*The Somerset Parking Strategy (SPS) requires an optimum level of one car space per flat and in the region of 16 car spaces for the Muslim Cultural Centre, i.e. a total of 20 car spaces, four spaces above the proposed level of parking. However, the SPS allows for reductions to the optimum levels stating that 'Developments in more sustainable locations that are well served by public transport or have good walking and cycling links may be considered appropriate for lower levels of car parking provision. Proposals for provision above or below this standard must be supported by evidence detailing the local circumstances that justify the deviation and must be included in the developer's Travel Plan.'*

*In this case, the applicant has undertaken a detailed travel survey over a 10-day period. The survey details the number of cars (and occupants) visiting the site at various times of the day, the volume of cars parked elsewhere (off-site) and those that visit the premises by other means of transport. It is evident that with the exception of Friday (12noon to 1.00pm) the maximum number of cars accessing the site in connection with the Muslim Cultural Centre is six cars. During the peak time of Friday (12noon to 1.00pm) it is understood that once the site car park is full, bollards are placed across the access to prevent any further vehicles entering the site with such vehicles parking elsewhere in the vicinity. I am not aware that the parking of vehicles associated with the Muslim Cultural Centre at other off-site locations is causing any inconvenience or issues. I consider the results of the travel survey provides the necessary evidence detailing the local circumstances that justifies a deviation to the standards in this case.*

*The proposed parking layout to the rear of the site is not ideal in terms of providing unfettered access to every parking space but given the nature of the use, it is not uncommon for vehicles to be double parked or blocked in during peak times within car parking areas associated with faith facilities. Accordingly, I do not believe the parking layout would result in any significant highway safety issues, given the local circumstances.*

*I believe four car parking spaces located to the front of the premises should be specifically allocated to the apartments (one space per apartment) but there should be flexibility whereby should any of those spaces not be required by an apartment occupier (due to lack of car ownership, for example), the space(s) could still be used by the Muslim Cultural Centre when*

required.

*Returning to the aforementioned clause within the SPS that permits lower levels of parking in sustainable areas, while the statement alludes to the need for a Travel Plan to justify the departure from standard, in this case, it is evident that many people currently visit the premises by sustainable forms of travel and therefore there may be little benefit in preparing a Travel Plan. However, I do believe there would be merit in providing some secure on-site cycle parking facilities (using Sheffield stands) - such provision could be the subject of a planning condition, and it would appear that four cycle spaces could be provided within the site in the car parking area.*

*Therefore, to summarise, on balance, I believe the development proposal is acceptable, particularly given the evidence-based data that has been submitted (i.e. the travel survey).*

*In the event that permission is granted, I would recommend suitably-worded conditions securing the following:*

1. *No obstruction of a greater height than the current wall across the entire site frontage*
2. *No parking within the 2.4m x 43m visibility splay*
3. *The parking and turning provision as shown with no obstructions to those areas and those areas not to be used for any purpose other than for the parking and turning of vehicles associated with the Muslim Cultural Centre and the four apartments*
4. *The provision of on-site cycle parking facilities."*

ENVIRONMENTAL PROTECTION OFFICER - *"I have no comments"*

## **REPRESENTATIONS**

1 letter of representation has been received from the neighbouring property (No. 77 Sherborne Road). The following comments are made;

- There does not appear to be a safety rail to the side of No 77 and the women's entrance at the front of the building.
- There appears to be no natural lighting for the internal hallway or access stairs to the first floor. The neighbour would not object to the insertion of an obscure window on the south-west elevation.

## **CONSIDERATIONS**

Planning permission was granted under application 14/03480/COU for the use of the building as a place of worship and this has been implemented. Therefore the key considerations in relation to this application are the external alterations, the provision of flats as well on the site and the level of parking proposed.

### Principle

The place of worship use has already been approved and implemented under application 14/03480/COU.

The site is located within the 'Urban Framework of Yeovil' as defined in Policy YV1 and subject to other criteria the focus for new development within the district. As such the principle of providing flats on the site is accepted.

### Impact upon Residential Amenity

The 4no 1 bed flats are proposed at the front of the building with 2 on the ground floor and 2 on the first floor. Windows are proposed in similar positions as existing save for a new high level facing No. 77. On this basis it is not considered that the proposal would result in an adverse impact upon residential amenity. The proposal therefore complies with Policy EQ2.

### Impact upon Visual Amenity

Externally the main part of the building is proposed to have new fenestration on the northwest elevation that better reflects the use of the building. The existing large openings and industrial feel for the building would be removed and large windows from floor to eaves level are proposed. At the northwest end of the building will be a new purpose built entrance and foyer. This part of the building will have traditional tile hanging on the wall. Minarets are shown at points along the building.

The changes to the building's exterior reflect the use of the building, as opposed to the current appearance as a former garage. The changes to the exterior of the building are considered to be appropriate in this location and accord with Policy EQ2.

### Parking

Under the Somerset Parking Strategy places of worship, require 1 car parking space per 34m<sup>2</sup> of floor area. On this basis the mosque should provide 16 parking spaces, whilst the flats should provide an additional 4 spaces. Therefore in total there should be 20 spaces on site. The previous change of use consent showed a total of 15 spaces on site. This proposal now shows 16 spaces on site. Therefore there needs to be an assessment as to whether this level of parking is sufficient on this site.

The Somerset Parking Strategy does allow a reduction of parking provision in sustainable locations that are well served by public transport or have good walking and cycling links may be considered appropriate for lower levels of car parking provision. In this instance in addition a survey has been submitted showing the number of visitors to the faith facility over a 10 day period and how they travelled to the site. The peak time for the number of people visiting the site is Friday lunchtime with the vast majority of visitors walking to the site. This has been witnessed by the case officer. The submitted information is considered sufficient, by the Highways Consultant, to justify a deviation from the Somerset Parking Strategy.

The Somerset Parking Strategy suggests that a reduction in parking provision should be accompanied by a Travel Plan. However the submitted travel survey indicates that visitors to the site are currently using sustainable means of transport and therefore the preparation of a Travel Plan is of little benefit.

Sufficient turning is shown on the submitted plans to ensure that vehicles enter and exit the site in forward gear. The parking arrangement as shown on the submitted plans is not ideal. However the nature of the use and specific times of worship it is not uncommon for vehicles to be double parked on site and blocked in. Therefore the parking layout is not considered to result in any significant highway safety issues given the local circumstances.

The plans show separate parking for the occupiers of the flats. The Highways Consultant considers that one space per flat should be allocated. However it is also considered that there should be flexibility to allow parking by worshippers if the flat occupier does not have a car. It is also noted in the submitted Design and Access Statement that the occupiers of the flats are likely to be members of the faith facility.



In assessing all the above it is considered that the level of parking has been justified and complies with policies TA5 and TA6 of the South Somerset Local Plan.

### Other Issues

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

Internally alterations are being carried out to the building to make it more useable for a place of worship. As the alterations are internal these do not require the express grant of planning permission. The alterations have been discussed at length with the Council's Building Control Department. The internal layout shows an area for a visiting Imam at the rear of the site on the first floor. This has a number of features that could result in an additional self-contained flat. The revised accompanying statement confirms that use of the area and to ensure that it does not become a self-contained flat a condition is required.

### **RECOMMENDATION:**

#### **Grant planning permission for the following reason:**

01. Notwithstanding the interest in this application the proposed alterations to the building are considered to respect visual and residential amenity of the area and it has been demonstrated that the level of parking for the site is sufficient. The proposal therefore complies with Policies YV1, TA5, TA6 and EQ2 of the adopted South Somerset Local Plan (2006 - 2028).

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out in accordance with the following approved plans: 290/01 / S01, 290/01 S02 and 290/01 P05 received 28 January 2016 and amended drawings 290/01 B01, 290/01 B02, 290/01 B03 and 290/01 B04 received 8 June 2016.  
Reason: For the avoidance of doubt and in the interests of proper planning.
03. The proposed first floor window on the Southwest elevation to the flat shall be a minimum of 1.7m above the floor of the room in which the window is installed.  
Reason: In the interests of residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan (2006 - 2028).
04. The first floor Iman accommodation located on the first floor at the north western end of the building shall be used as temporary accommodation for a visiting priest and shall not be used as a separate self-contained flat.

Reason: In the interests of amenity and to clarify the scope of the application in accordance with Policy EQ2 of the South Somerset Local Plan (2006 - 2028)

05. Notwithstanding the approved plans there shall be a safety railing located on the southwest boundary by the women's entrance. Details of which shall be submitted to and agreed in writing by the Local Planning Authority within 3 months of the date of the permission.

Reason: In the interests of health and safety.

06. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level forward of a line drawn 2.4 metres back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be maintained at all times.

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

07. The parking and turning provision as shown on the submitted plan shall have no obstructions to those areas and shall not to be used for any purpose other than for the parking and turning of vehicles associated with the Muslim Cultural Centre and the four apartments.

Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway in accordance with Policy TA6 of the adopted South Somerset Local Plan (2006 - 2028).

08. Provision shall be made for the parking of 4 cycles in accordance with details to be submitted to and approved by the Local Planning Authority within 3 months of the date of this permission. Such provision shall be made within 6 months of the permission hereby being granted.

Reason: In the interests of sustainable transport in accordance with Policy TA5 of the adopted South Somerset Local Plan (2006 - 2028).

# Agenda Item 16

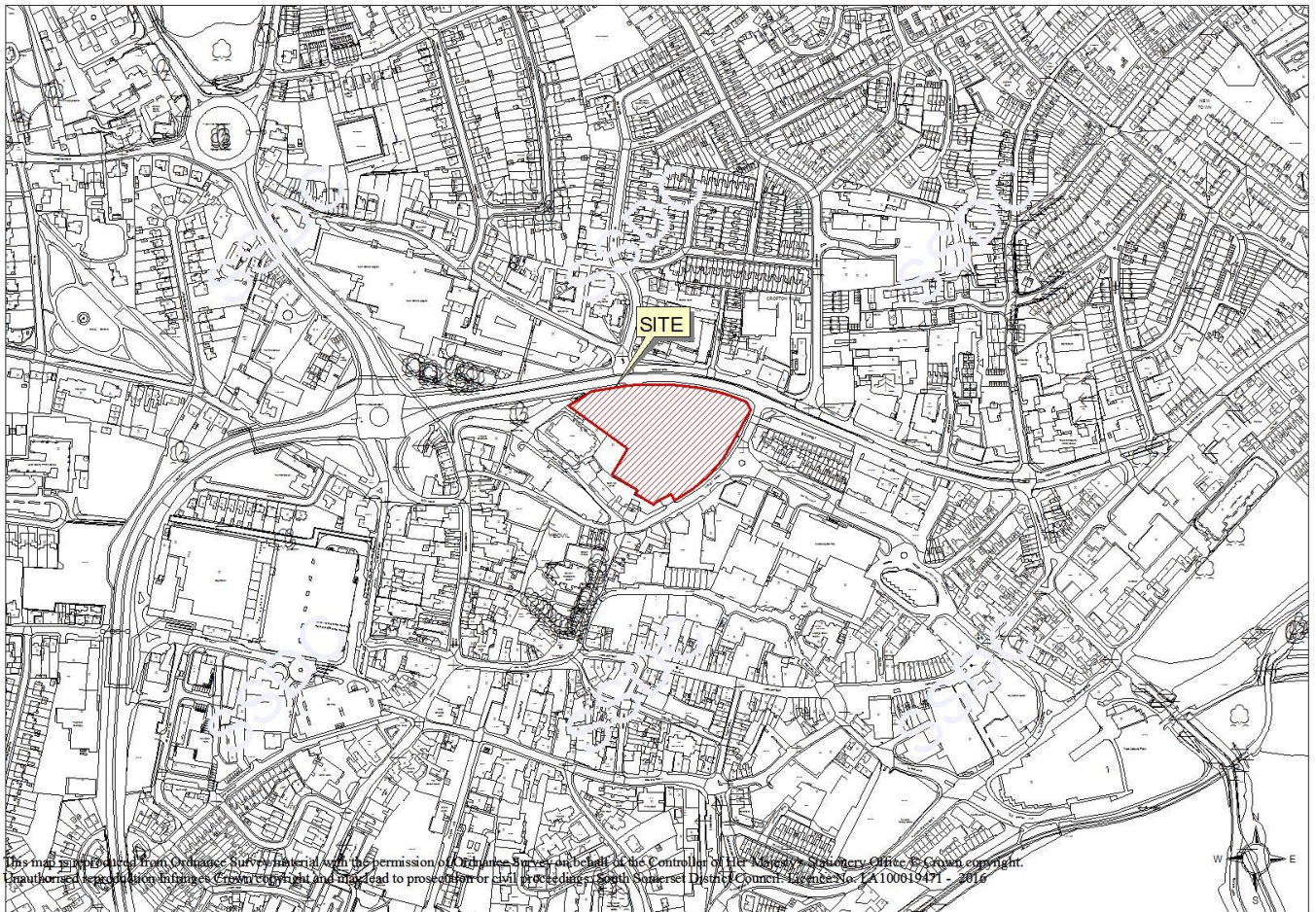
## Officer Report On Planning Application: 16/00287/FUL

<b>Site Address:</b>	Yeovil Cattle Market Market Street Yeovil
<b>Ward :</b>	Yeovil (Central) Parishward: Central
<b>Proposal :</b>	Demolition of buildings/structures and the change of use of land for a temporary car park (GR 355761/116242)
<b>Recommending Case Officer:</b>	Simon Fox, Area Lead Officer (South)
<b>Target date :</b>	7th June 2016
<b>Applicant :</b>	Premier Livestock Auctions
<b>Type : 05</b>	Major Other f/space 1,000 sq.m or 1 ha+

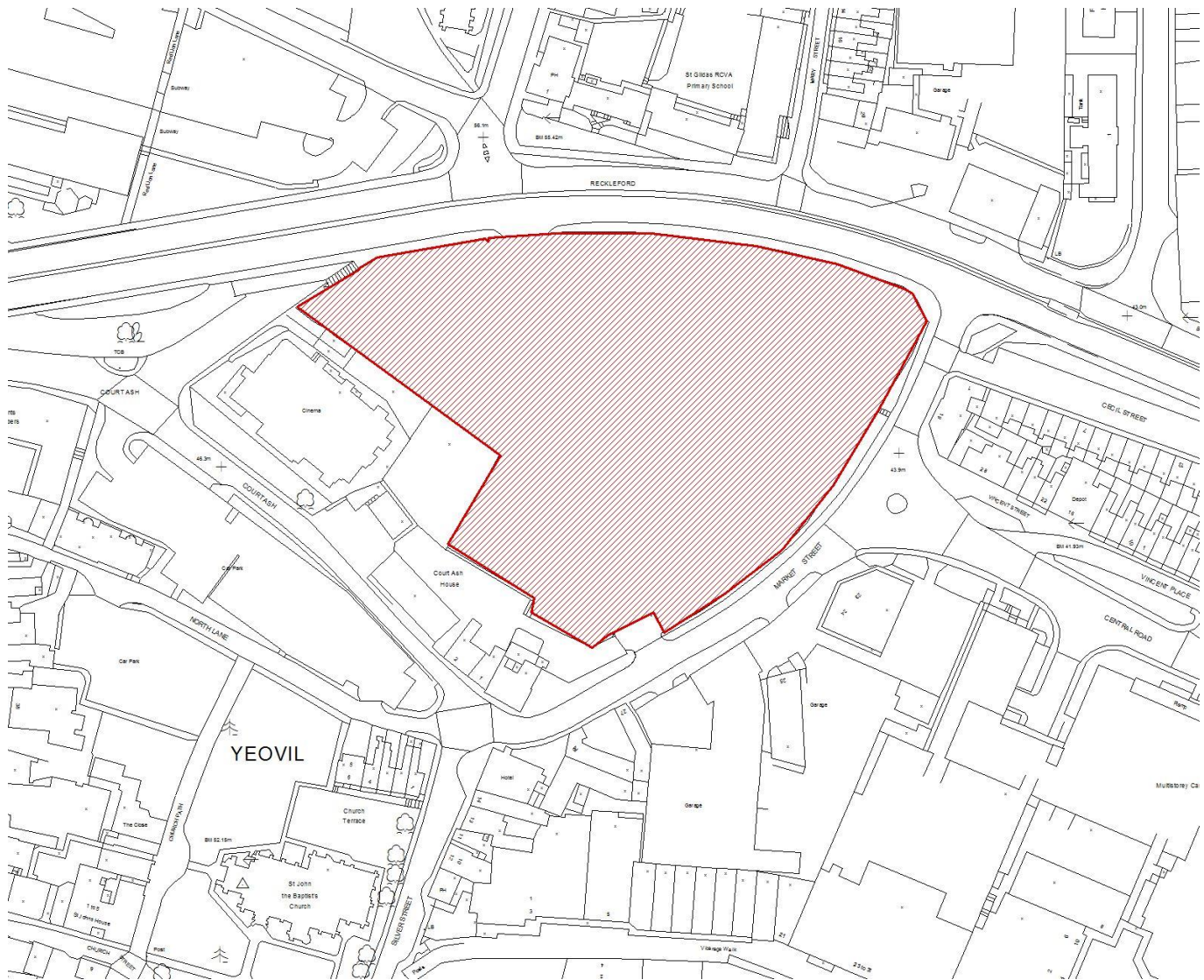
### Reason for Referral to Committee

This application is referred for Committee consideration at the request of the Development Manager in accordance with the scheme of delegation and with the agreement of the Chairman, due to the fact the site is prominent in the town centre and is subject to ongoing efforts to seek a comprehensive development.

### Site Description and Proposal







The application site concerns the Yeovil Cattle Market. The site extends to 1.61ha and has been vacant for many years. Several buildings remain on a multi-tiered site that can be accessed by vehicles from Market Street, Court Ash and Reckleford. Adjacent uses include residential, a council car park, commercial businesses and Yeovil Hospital.

This application, submitted by the owner, initially sought to use two tiers of the site for 300 general public car parking spaces for a temporary period of 2 years. Access to 100 spaces would be via Market Street and access to 200 spaces would be via Court Ash.

During the course of the application the proposal was amended to reduce the number of spaces to 120 on the lower tier only, accessed via Market Street. There would be vehicular or pedestrian access direct from the site to Reckleford or Court Ash.

The application also proposes to gradually demolish the remaining buildings on site.

## HISTORY

08/02378/OUT: Re-development for a mixed use scheme comprising residential (use class C3), a nursing home (use class C2), sheltered accommodation (use class C3), retail (use class A1), together with public realm and ancillary development with associated access and infrastructure works: Application Withdrawn: 30/11/2010

04/02886/FUL: Redevelopment of land and buildings for mixed use development including Retail (Use Class A1), Hotel (Use Class C3) and Food and Drink (Use Class A3) with associated landscaping, parking services, access arrangements and highway works. Appeal lodged for non-determination: Appeal Dismissed.

The principle issues were design and access to the site.

04/01381/FUL: The redevelopment of site to include the erection of 28 flats, retail units, hotel and restaurant together with associated parking, landscaping, servicing, access arrangements and highway works. Appeal lodged for non-determination, Application Withdrawn.

Pre-2004 planning history exists for developments associated with the Cattle Market use.

## **POLICY**

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

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty as respects listed buildings in exercise of planning functions., that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

On 5th March 2015 South Somerset District Council, as Local Planning Authority, adopted its Local Plan to cover the period 2006 to 2028.

On this basis the following policies are considered relevant:-

### South Somerset Local Plan (2006-2028):

SD1 - Sustainable Development

SS1 - Settlement Hierarchy

EQ2 - Design & General Development

EQ3 - Historic Environment

EQ7 - Pollution Control

TA5 - Transport Impacts of New Development

TA6 - Parking Standards

### National Guidance - National Planning Policy Framework:

Chapter 2 - Ensuring the Vitality of Town Centres

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environment

Chapter 12 - Conserving and Enhancing the Historic Environment

## **CONSULTATIONS**

### Yeovil Town Council:

Approve.

### Highways Authority (Somerset CC):

Refer to standing advice: in this regard it is considered the main issue is visibility from the proposed exit.

SSDC Highways Consultant:

For a development of this scale (300 spaces) and nature (even for a temporary use) a Transport Assessment should be submitted. The traffic impact of the development should be assessed at the site accesses, the Hospital r/bt, the Market St/Central Rd junction and the Market St/Reckleford junction. The road narrowing on Court Ash should be assessed and mitigation measures proposed if necessary/appropriate. The detail of the access points need to be submitted - geometric layout, extent of visibility splays (vehicular and pedestrian), width, etc.,). It would be useful to understand how the car park would be managed. Is there a need for such level of parking given the other public car parks in the area?

CPRE:

Questions why the site is not being used for commercial/residential development to take the pressure off greenfield sites for development.

SSDC Environmental Protection:

"I understand that the applicant anticipates that the works required will not include any intrusive excavation of the site. However in the event that such works are in fact required I am concerned about the potential for land contamination at this site" (condition proposed).

**REPRESENTATIONS**

Neighbouring properties/premises to the site have been notified and two site notices have been displayed.

One general observation was received on behalf of Energy Drop Zone Ltd, the developers of Court Ash House Apartments adjacent to the site, as well as in the interest of Court Ash House Management Company.

"With regard to the proposed temporary car park on the site of the old Cattle Market in Yeovil, we believe that the proposed and continued use as a car park would be wrongful development for the site in the long run.

The existing derelict buildings and structures on the site represent visual pollution to the urban fabric for the inhabitants of Court Ash House as well as other residential and commercial units. While we would welcome the demolition of these buildings, it is clear that this should be to open the site up to positive development.

As a brownfield site sitting adjacent to the conservation area in Yeovil Town Centre, it is a key location for residential and commercial units. The CPRE response comments to this effect and that SSDC should utilise it's statutory powers to ensure the 'proper and socially beneficial regeneration of the site'. Due to it's location it plays a key part in the street scene of the Town Centre and therefore should be prioritised as a development site, not retained as a car park.

Obviously the development of a viable scheme for a site of this magnitude is no small task and takes time. The proposed scheme for a temporary car park seems justified if it is for a specific time period e.g. 2 years, in which time an appropriate planning proposal can be designed, developed and submitted. This would facilitate the demolition and clearing of the site ready for said development and expand it's current use as a car park in the meantime, maximising the potential in the short-term.

Therefore we have no objections to the proposal given that it is specifically a temporary permission, after which time the site must be pro-actively developed. It is key for the site and Yeovil as a whole that the Cattle Market not remain 'vacant' for another 10 year stretch".

**CONSIDERATIONS**

The principle issues in this case relate to the provision of additional parking spaces in the town centre, the highway implications and the impact on the future redevelopment of the site

Firstly it should be stated that the use of the site for car parking is not seen as a suitable long term use for this prominent town centre site. It is seen as a temporary measure whilst the landowner and the regeneration arm of the Council continue to progress plans for a future redevelopment of the former Cattle Market.

Concern was raised that the facilitation of a use that generated an income may act as a counter incentive to bring forward the site for a comprehensive development if land values were not met. The landowner rebuked this suggestion stating redevelopment remains a priority.

As such a period of two years has been promoted as suiting both parties. It is agreed that any further clearance of the site and the fact this application includes the ability for the remaining buildings on the site to be demolished all augers well for a potential redevelopment.

The other limiting factor has been the non-submission of a Transport Assessment. In the absence of such the LPA advised it would not be able to support the initial proposal of 300 parking spaces as it could not be certain of the impacts on local highway junctions.

It was felt a more comfortable number of parking spaces used for longer stay parking would limit traffic movements and therefore any perceived strain on local highway junctions. It was also considered that the site would have generated some traffic as a Cattle Market. It is considered this is an acceptable arrangement for the temporary period suggested.

In terms of the access it is via Market Street and via an access that already serves 29 car spaces at the Market St public car park plus the Court Ash apartments which have 24 parking spaces and the parking associated with a couple of commercial premises. The access benefits from good visibility and whilst, in line with the SSDC Highway Consultants advice, it would have been preferable to have a more detailed plan of the access point, the absence of such, against a site assessment which showed the access to be to a good standard, would not appear to be a robust reason to withhold permission.

There is inevitably the question of whether the town centre needs more car parking. There is no policy in the Local Plan that sets out how much car parking there should be in any area. The Council operates the majority of town centre car parks and monitors provision seeking to track trends and ensure supply meets demand. To a certain extent it is not in the Council's interests to operate car parks that are not required, however that is a commercial decision. As such one is therefore led to the simple conclusion that logically the availability of well located, safe and accessible car parking can only be a good thing for the town centre, both for shoppers and workers. The provision of long-stay parking is partly to address a need identified by the applicant but also to temper traffic movements.

Whilst the proposal will not result in substantial improvements visually in the short term the prospect of some buildings being demolished over time is positive. The use of the site for car parking is not considered to have any significant visual impacts or setting issue for nearby heritage assets, given the general context.

There are residential properties in the vicinity but the scaled back proposal is not considered to bring rise to any harm to amenity through noise and disturbance.

The car park is proposed to be open from 7am to 10pm, controlled by a gate. Given the evening use it is appropriate that a condition is imposed seeking confirmation of lighting.

There is mention of a siting a car valeting company offering security and services on the site. This will require a separate planning application to be submitted, but could be acceptable is adequate drainage exists.

### **SECTION 106 PLANNING OBLIGATION**

A planning obligation is not required.

### **RECOMMENDATION:**

#### **Grant planning permission for the following reason:**

01. The proposal by reason of its temporary nature, the potential visual enhancement of the site and safeguarding of adjacent Heritage Assets and the acceptable impact on the local highway network is in accordance with the aims and objectives of the National Planning Policy Framework; the SCC Parking Strategy and policies SD1, SS1, EQ2, EQ3, TA5, TA6 and EP2 of the South Somerset Local Plan (2006- 2028).

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out and operated in accordance with the following approved plans and documents:
  - a) Location Plan (scale 1:1250), SSDC received 08 March 2016
  - b) The Email and attached Site Layout Plan from Mr MacNicol received 09 June 2016.
  - c) Aerial Photo (in so far as showing buildings to be demolished only), SSDC received 18 January 2016Reason: For the avoidance of doubt and in the interests of proper planning.
03. The use hereby permitted shall be discontinued on or before 6th July 2018.  
Reason: The landowner and Local Planning Authority do not consider this to be a long-term use for the site and a temporary permission will therefore not prejudice the general aspiration for a comprehensive development on the site which remains a priority.
04. The total number of car parking spaces provided shall not exceed 120.  
Reason: In the interests of highway safety and in the absence of a Transport Statement that assesses the impact of traffic on local junctions to accord with policy TA5 of the South Somerset Local Plan (2006-2028).
05. There shall be no vehicular or pedestrian access to Reckleford and Court Ash used in connection with the temporary use hereby approved.  
Reason: In the interests of highway safety to accord with policy TA5 of the South Somerset Local Plan (2006-2028).
06. Prior to the first use of the site for the use hereby permitted a scheme of lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall only be operated whilst the car park is open (7am -10pm).  
Reason: In the interests of public safety and residential amenity to accord with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028).
07. Prior to the demolition of any individual building a scheme setting out the method, timings and any mitigation deemed necessary for dust suppression or to protect residential amenity shall be submitted to and approved in writing by the Local Planning Authority.



Reason: In the interests of public safety and residential amenity to accord with policy EQ2 of the South Somerset Local Plan (2006-2028).

08. In the event of intrusive excavation taking place during the demolition/construction phase of the development, any signs of pollution such as, odour, staining of the soil, unusual colouration or soil conditions, or remains from the past industrial use, are found in the soil it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with policy EQ7 of the South Somerset Local Plan (2006-2028).

**Informatives:**

01. This decision does not imply any permission is granted for a valeting company to operate from the site or for advertisements (other than those that benefit from deemed consent) to be displayed in, on or around the site.