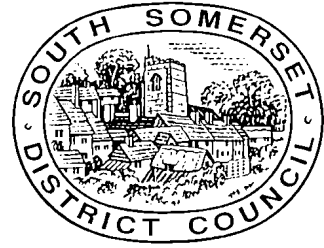


## South Somerset District Council

*Notice of Meeting*



## Area West Committee

*Making a difference where it counts*

### Wednesday 20th July 2016

### 5.00 pm

(The first item on the agenda is confidential and will be taken in closed session. The remainder of the meeting is open to the public and will not start before 5.30pm)

**The Guildhall  
Fore Street  
Chard, TA20 1PP**

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



The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than 7.00pm.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Morris 01935 462055**, website: [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

This Agenda was issued on Monday 11 July 2016.

A handwritten signature in cursive script that reads 'Ian Clarke'.

**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 West Committee Membership

The following members are requested to attend the meeting:

**Chairman:** Carol Goodall  
**Vice-chairman:** Jason Baker

Marcus Barrett  
Mike Best  
Amanda Broom  
Dave Bulmer  
Val Keitch

Jenny Kenton  
Paul Maxwell  
Sue Osborne  
Ric Pallister  
Garry Shortland

Angie Singleton  
Andrew Turpin  
Linda Vijeh  
Martin Wale

## 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

Consideration of planning applications will commence no earlier than 7.00 pm, following a break for refreshments, in the order shown on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

## Highways

A formal written report from the Area Highway Officer should be included on the main agenda in May and September. Alternatively, they can be contacted through Somerset County Council on 0300 123 2224.

## Members Questions on reports prior to the meeting

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

# Information for the Public

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

Decisions made by Area Committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as “key decisions”. Members of the public can view the council’s Executive Forward Plan, either online or at any 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 West Committee are held monthly at 5.30 p.m. on the 3<sup>rd</sup> Wednesday of the month in venues throughout Area West (unless specified otherwise).

Agendas and minutes of Area Committees are published on the Council’s website [www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions](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 about planning applications will be dealt with at the time those applications are considered, rather than during the Public Question Time session.

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

At the Committee Chairman's discretion, members of the public are permitted to speak for up to 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 and/or Agent
- District Council Ward Member

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

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

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

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

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

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

# Area West Committee

**Wednesday 20 July 2016**

## Agenda

### *Preliminary Items*

1. **Exclusion of Press and Public** (Page 9)
2. **Historic Buildings at Risk (Confidential)** (Pages 10 - 20)
3. **To approve as a correct record the Minutes of the Previous Meeting held on 15th June 2016**
4. **Apologies for Absence**
5. **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 Regulation Committee**

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

Councillors Mike Best, Sue Osborne and Angie Singleton

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.

## **6. Date and Venue for Next Meeting**

Councillors are requested to note that the next Area West Committee meeting is scheduled to be held on Wednesday 17<sup>th</sup> August 2016 at 5.30pm at the Henhayes Centre, Crewkerne.

## **7. Public Question Time**

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

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

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

## **8. Chairman's Announcements**

### *Items for Discussion*

- 9. Area West Committee - Forward Plan** (Pages 21 - 24)
- 10. Crewkerne Community Grant Applications (Executive Decision)** (Pages 25 - 32)
- 11. S106 Planning Obligations** (Pages 33 - 54)
- 12. Planning Appeals** (Pages 55 - 60)
- 13. Schedule of Planning Applications to be Determined by Committee** (Pages 61 - 62)
- 14. Planning Application 15/04866/OUT - Land Rear of The Bell Inn, Broadway Road, Broadway** (Pages 63 - 82)

**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>

Ordnance Survey mapping/map data included within this publication is provided by South Somerset District Council under licence from the Ordnance Survey in order to fulfil its public function to undertake its statutory functions on behalf of the district. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey mapping/map data for their own use. South Somerset District Council - LA100019471 - 2016.





# Agenda Item 1

## **Exclusion of the Press and Public**

The Committee is asked to agree that the following item (agenda item 2) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 3: "Information relating to financial or business affairs of any particular person (including the authority holding that information)." It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

# Agenda Item 2

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

Document is Restricted

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

Document is Restricted

# Agenda Item 9

## **Area West Committee - Forward Plan**

*Assistant Director: Helen Rutter (Communities)*  
*Service Manager: Andrew Gillespie, Area Development Manager (West)*  
*Agenda Co-ordinator: Jo Morris, Democratic Services Officer , Legal & Democratic Services*  
*Contact Details: jo.morris@southsomerset.gov.uk or 01935 462055*

### **Purpose of the Report**

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

### **Recommendation**

Members are asked to:-

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

### **Forward Plan**

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

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

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

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

**Background Papers:** *None.*

---

## Notes

- (1) Items marked in italics are not yet confirmed, due to the attendance of additional representatives.
- (2) Further details on these items, or to suggest / request an agenda item for the Area Committee, please contact the Agenda Co-ordinator; Jo Morris, 01935 462055 or e-mail jo.morris@southsomerset.gov.uk
- (3) Standing items include:
  - (a) Chairman's announcements
  - (b) Public Question Time

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
<i>17<sup>th</sup> August 2016</i>	<i>Chard Regeneration Scheme</i>	<i>Confidential verbal update report on progress</i>	<i>David Julian, Economic Development Manager</i>
<i>17<sup>th</sup> August 2016</i>	<i>Environmental Health Service Update Report</i>	<i>Service Update Report</i>	<i>Alasdair Bell, Environmental Health Manager</i>
<i>17<sup>th</sup> August 2016</i>	<i>Community Grant Applications:</i> <ul style="list-style-type: none"> <li>- <i>Hinton St George Village Hall</i></li> <li>- <i>Chard Home Energy Centre</i></li> </ul>	<i>To consider applications for Community Grant requests</i>	<i>Zoe Harris, Area Development Lead (West)</i>
<i>21<sup>st</sup> September 2016</i>	<i>Countryside Service Update</i>	<i>Service update report</i>	<i>Katy Menday, Countryside Manager</i>
<i>19<sup>th</sup> October 2016</i>	<i>Conservation Team Update Report</i>	<i>Service update report</i>	<i>Adron Duckworth, Conservation Manager</i>
<i>19<sup>th</sup> October 2016</i>	<i>South Somerset Careline Annual Report</i>	<i>Service Update report</i>	<i>Alice Knight, Careline &amp; Welfare Manager</i>
<i>19<sup>th</sup> October 2016</i>	<i>Meeting House Arts Centre, Ilminster</i>	<i>Reports from members on Outside Organisations</i>	<i>Cllr. Val Keitch</i>

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
19 <sup>th</sup> October 2016	Crewkerne Leisure Management (Aqua Centre)	Reports from members on Outside Organisations	Cllr. Angie Singleton
16 <sup>th</sup> November 2016	Highways Update	To update members on the highways maintenance work carried out by the County Highway Authority.	Mike Fear, Assistant Highway Service Manager, Somerset County Council
16 <sup>th</sup> November 2016	Crewkerne & District Museum	Reports from members on Outside Organisations	Cllr. Marcus Barrett
16 <sup>th</sup> November 2016	Chard & District Museum	Reports from members on Outside Organisations	Cllr. Amanda Broom
7 <sup>th</sup> December 2016	Area West Development Plan & Budget Progress Report	To present an overview of projects in the Area Development Work Programme	Helen Rutter, Assistant Director (Communities) Zoe Harris, Area Development Lead (West)
7 <sup>th</sup> December 2016	Blackdown Hills Area of Outstanding Natural Beauty (AONB)	To update members on the work of the Blackdown Hills AONB since the last report to Area West Committee.	Zoe Harris, Area Development Lead (West) Cllr. Martin Wale
18 <sup>th</sup> January 2017	Avon & Somerset Policing Update	Report on activities on neighbourhood policing and partnership working to reduce crime and fear of crime.	Sgt Rob Jameson
18 <sup>th</sup> January 2017	Ile Youth Centre Management Committee	Reports from members on Outside Organisations	Cllr. Val Keitch
15 <sup>th</sup> February 2017	Area West Committee Meeting Times and Venue Review	Review of Area West Committee meeting arrangements	Andrew Gillespie, Area Development Manager (West)
15 <sup>th</sup> February 2017	Affordable Housing Development Programme	To update members on the current position with the Affordable Housing Development Programme	Colin McDonald, Corporate Strategic Housing Manager

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
<i>15<sup>th</sup> February 2017</i>	<i>Local Housing Needs in Area West</i>	<i>Service Update Report</i>	<i>Kirsty Larkins, Housing &amp; Welfare Manager</i>
<i>15<sup>th</sup> February 2017</i>	<i>Making It Local Executive Group</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Martin Wale</i>
<i>15<sup>th</sup> March 2017</i>	<i>A Better Crewkerne &amp; District (ABCD)</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Mike Best</i>
<i>19<sup>th</sup> April 2017</i>	<i>Ilminster Forum</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Carol Goodall</i>

# Agenda Item 10

## **Crewkerne Community Grant Applications (Executive Decision)**

*Assistant Director:* Helen Rutter, Communities  
*Lead Officers:* Zoë Harris, Area West Team Leader  
Jake Hannis, Senior Sport and Healthy Lifestyles Officer,  
Community Health & Leisure  
*Contact Details:* zoe.harris@southsomerset.gov.uk or 01460 260423  
jake.hannis@southsomerset.gov.uk or (01935) 462544

### **Purpose of the Report**

To request grants towards 3 projects in Crewkerne: to install floodlights on the rugby pitch at Henhayes Recreation Ground, the provision of a new skate park and an extension to the Henhayes Centre.

### **Public Interest**

Three Community Grant applications from Crewkerne organisations are being considered.

### **Recommendations**

That subject to the standard terms and conditions, Members support the following grant requests, which can be covered with funds from the Area West Capital Reserve:

- 1) £10,000 to Crewkerne Rugby Football Club towards new floodlighting with the following additional terms and conditions applied to any support given to the project:
  - a. The Club receives confirmation in writing of funding from RFU Lead Up and Legacy programme.
  - b. The Club and Crewkerne Town Council agree a satisfactory lease for the use of the existing rugby pitch and floodlights.
  - c. The Club develop a sinking fund in line with Rugby Football Union recommendations to fund future floodlight replacement,
- 2) £12,500 to Crewkerne Town Council towards a new skate park in the town,
- 3) £12,500 to the Henhayes Centre towards a new extension.

### **Crewkerne Rugby Football Club**

Crewkerne Rugby Football Club (CRFC) was established in 1975 and has grown rapidly over the last 5 years. The club currently has 170 members, 55 of whom are full adult members, 75 are junior members and 40 are social members.

At present the club plays on Saturday's and Sunday's and trains Tuesday's and Thursday's all on one rugby pitch at Henhayes Recreation Ground in Crewkerne. This pitch has temporary floodlights down one side, which are not adequate and are dangerous due to their limited light coverage.

The Club fields 6 youth, 1 veteran and 2 senior teams in the county leagues and has grown considerably since developing junior opportunities and establishing a youth section in 2012. The club has fourteen qualified Rugby Football Union (RFU) coaches who run the structured youth coaching sessions for juniors at the weekends and during school holidays.



## Flood lighting

Crewkerne Rugby Football Club's project is to install four 18 metre floodlighting columns to develop the rugby facilities at Henhayes Recreation Ground and enable evening matches and suitable floodlit training to take place.

To floodlight the existing rugby pitch at Henhayes Recreation Ground, in Crewkerne.

*Anticipated costs:* £42,000 (no VAT) for the supply and fit of 4 no 18 metre floodlights

The current floodlights are down one side of the rugby pitch and during a recent non-technical playing pitch assessment for a new South Somerset Playing Pitch Strategy, the grass coverage was rated as 'Poor' on the pitch. The reason for this is that currently Crewkerne RFC are only able to train on the half of pitch which has floodlighting, and the grass cannot recover from also being used for weekend matches.

By installing floodlighting across the entire rugby pitch, the club will be able to ensure that training takes place across the pitch to ensure even wear of the playing surface.

Crewkerne Town Council has agreed to be responsible for the procurement of the floodlights to eliminate the need to pay VAT on the project. This is their contribution towards the project, as the VAT on this project is an additional £8,400. Members would be awarding funding to Crewkerne Town Council and not Crewkerne Rugby Football Club if they supported this project.

## Assessment Scoring

The Senior Sport and Healthy Lifestyles Officer has assessed the grant application and given it the following score:

Category	Maximum Score	Score
A Eligibility	Yes/No	Yes
B Equalities Impact	7	4
C Need for the Project	5	4
D Capacity of Organisation	15	13
E Financial need	7	5
F Innovation	3	2
<b>Grand Total</b>	<b>37</b>	<b>28</b>

A breakdown of funding for this application is detailed in the table below:

Funding Source	%	Amount of funding	Status
Rugby Football Union	48%	20,000	Applied for
Crewkerne Rugby Football Club	28%	12,000	Secure
SSDC	24%	10,000	Applied for
<b>Total scheme cost</b>	<b>100%</b>	<b>42,000</b>	

Councillor Angie Singleton, a Crewkerne ward member, has been consulted and is in support of this project and has stated;

*“Very happy to support the application at Committee - I have been very impressed over the last few years with the way CRFC has increased its youth participation and been actively involved in several community events since finding a new home at the GRC. The addition of these floodlights shows a commitment within the club for continued improvement of their facilities. I wish them every success”.*

The Club has demonstrated that they have exhausted other sources of funding for this project.

Planning permission for the project has been secured.

Crewkerne Rugby Football Club is working closely with both the Somerset RFU and the RFU. Jon Bendle, RFU Area Facilities Manager makes the following comments about the club;

*“I can confirm that Crewkerne RFC has been invited onto the RFU Lead Up & Legacy Capital Investment Programme, and the RFU are working with the club on this project as a high priority within the Somerset RFU Facility Plan.*

*Within the RFU National Facility Strategy, projects are identified locally by constituent bodies based on their playing programme and the facilities needed to either retain or grow activity and players. Those projects that can demonstrate the readiness factors to deliver the project are prioritised for RFU capital investment under the RFU Lead up and Legacy Programme which aims to deliver a network of clubs with the following outcomes”;*

- 1. Improved quality of experience for all users of the club*
- 2. Improved financial sustainability of clubs*
- 3. Improved retention and growth of players (ages 14-24) and volunteers within local club communities*
- 4. A wider range of business and social users outside of rugby*

In view of Crewkerne Rugby Football Club’s impressive growth in developing junior rugby over the last five years and their commitment to increasing local participation in rugby, it is recommended that members provide full support to this project in order that the Club and Town Council can move forwards the scheme.

### **Crewkerne Skate Park**

There was a skate ramp in the Happy Valley Park, it was one of the first of its kind to be installed in South Somerset 16 years ago. It was very popular not just with skateboarders but also children and young people using scooters and bmx bikes, however as new materials became available its design was very outdated. Two years ago a small group of teenagers in the town formed themselves into a working group called ABSIC (A Better Skatepark in Crewkerne) and have worked with the town council to get a modern replacement. During this period, in April 2015, the old skate ramps had to be taken away because they had eroded and become too dangerous to use. The teenagers continued to fundraise themselves and have raised over £2,000 locally; this has included contributions from many families and young people in the town. After a tendering process, which involved ABSIC, Crewkerne Town Council have chosen Maverick Industries to design and install a new skate park.

Maverick Industries are a skater run business specialising in the design and installation of spray in-situ concrete skate parks. The company have been involved in some high profile

projects across the UK and are known to push the boundaries to improve both the design and quality of skate parks.

Maverick have already consulted with the teenagers of ABSIC and pupils at both Wadham and Maiden Beech Schools, to ensure they come up with a design that meets the needs of the children and young people in and around Crewkerne.

The new skate park will be larger and more durable than the metal skate ramp it is replacing. It will be made from spray in-situ concrete, which has many advantages:

- It's an ideal hardwearing riding surface and skaters' and riders' first choice.
- It's vandal-proof, even under the most severe conditions.
- It will not rust, rot, decay, burn, break, or bend, and doesn't contain loose fixings.
- It's much quieter than steel or wood.
- It gives good traction and the least slippery when wet, it also dries the quickest.
- Concrete is far more durable and low maintenance than any other skate park material.

### **Benefit to the community**

The provision of a free to use skate park in Crewkerne will be beneficial for a number of reasons:

- 1) It provides a safe environment for wheeled sports – the few injuries there are related to skate boards and other wheeled sports generally occur outside skate parks and are often caused by irregular surfaces.
- 2) Gives children and young people a safe and attractive space to gather and socialise whilst watching and / or participating in skating, rollerblading or scootering. Comments obtained via a household survey recently carried out for the Crewkerne Community Plan, suggested that more activities and facilities were needed in the town for young people, so a new skate park will help fill that need.
- 3) Provides a fun and positive way for children and young people to take part in exercise and maintain good health. Wheeled sports often appeal to children and young people that do not have an interest in participating in team games like football and cricket. So the provision of the skate park will provide an additional healthy activity in the town.
- 4) Helps reduce anti-social behaviour by bringing more families, children and young people into Happy Valley. This in turn will deter those individuals who use the park for antisocial behaviour. The local beat officer is fully supportive of the project and feels that it will provide a good focal point for the community and neighbourhood police.
- 5) Economic benefit as it will attract 'skate tourists', these are often teenagers that cannot drive, so are reliant upon a lift. It is very usual for parents to arrive in a town, after dropping off their 'Skater' child, where they will spend a few hours shopping, eating and drinking before picking up their son or daughter from the skate park.

As the skate park is located in a public park it will be open to whoever wants to use it. Happy Valley is located just off the main road to Misterton, which makes it easy for teenagers and young people living there to access the facility. As ABSIC will be promoting the new skate

park via their friends and social media, it is likely to attract young people from quite a wide catchment area.

SSDC Community Health and Leisure have been consulted on the project and have said:

“The provision of youth facilities such as skate parks, which provide opportunities for wheeled play and recreation is fully supported by the aims and objectives of the District Council. The proposals put forward by Crewkerne Town Council are well considered and have been led by the young people in the community. The skate park will provide a quality facility that will be well used and valued by the residents and visitors of the town for many years to come, and therefore I give my support to this project.” Rob Parr Senior Play & Youth Facilities Officer.

## Finance

The total cost of the project including design, groundworks, building works and all necessary site security and welfare items is £80,000.

The Town Council proposes to fund the scheme in the following way:

Funding Source	%	Amount of funding	Status
Crewkerne Town Council	19%	£15,000	Secured
ABSIC, local fundraising	2%	£2,097	Secured
S106 Maiden Beech	24%	£19,398	Secured
SSDC	16%	£12,500	Awaiting decision
S106 funds	39%	31,005	Awaiting decision
<b>TOTAL</b>	<b>100%</b>	<b>£80,000</b>	

The Neighbourhood Development Team Leader has assessed and scored the grant application in the following way:

Category	Maximum score	Score
A Eligibility	Y/N	Yes
B Equalities Impact	7	2
C Need for Project	5	5
D Capacity of Organisation	15	13
E Financial need	7	7
F Innovation	3	2
<b>Total</b>	<b>37</b>	<b>29</b>

As the application exceeds the minimum score of 22, it is recommended that the grant should be approved.

## Henhayes Centre

The Henhayes Centre is a charity located in central Crewkerne that provides a building for social, educational and recreational purposes, particularly for the older residents and disabled people in and around the town. The Henhayes Centre is well used by many older people living in and around Crewkerne. The Henhayes provides a freshly prepared meal every day and offers a wide variety of activities primarily aimed at older residents, these include:

- Monday Memory Group for people with dementia

- Physio fit for people unsteady on their feet
- Over 50s keep fit
- Short Mat Bowls
- Pioga for the over 50s
- Tuesday Welcome Group – activities and socials for the over 70s
- Venue for a number of U3A groups
- Musical events

A survey carried out last year showed that 67% of their users live within Crewkerne, with the vast majority of them being in their 70s and 80s. The other 33% live within an 8 mile radius of the centre, mainly living in villages within Area West, as well as Chard and Ilminster. Many of the users live alone and they appreciate the friendliness of the centre and value the social interaction the Henhayes provides.

#### *New extension and its benefits*

The Henhayes Centre has recently been granted planning permission to build a small glazed extension on the front of the building, which will be a new entrance porch. Although modest in size, this new extension will have a number of considerable benefits to both the organisation and more importantly its users:

- 1) **Creation of an informal warm social area.** The users of the Centre would like to use the current lobby area as an informal social space where they can sit and have a chat over a cup of tea. Although this is possible during the summer months, for most of the year, it is too cold and / or draughty for the users of the centre to sit in this area. Every time the automatic entrance doors slide open a blast of cold air comes in, making it difficult for them to keep the area at a constant comfortable temperature. Evidence acquired from a user survey carried out last year, showed that many people want to be able to just pop into the Henhayes Centre for a chat and a cup of tea, rather than get involved with some of the more organised activities that take place in the meeting rooms. The creation of a warm informal social area will be attractive to many older people all year round, and will help reduce social isolation and loneliness amongst the older population.
- 2) **Improved energy efficiency** - The new extension will become the entrance porch and this will create an effective buffer between the elements outside and the informal social area. This will enable the Henhayes to maintain a comfortable warm area in the current lobby.
- 3) **Additional much needed storage space** - Currently any tables and chairs that are not being used are stacked up against the walls in the large meeting room. Not only does this look untidy, it also creates a risk if young children climb on the stacked furniture. This then restricts their ability to hire the room out to groups wanting to use the room for activities with young children. As the Henhayes Centre is reliant on room bookings to cover the running costs of the centre, they want to make the rooms as attractive as possible to all potential room bookers. The new entrance lobby will contain additional storage cupboards, where they can keep many of the items currently stored in the walk in cupboard, located next door to the large meeting room. By freeing up space in that cupboard, they can then store furniture in there, thus removing stacks of chairs and folded up tables from the large meeting room.

## Finance

The cost of the project is outlined below:

Item / activity	Cost (£)
Building works including glazing	35,420
Electrics & heating	6153
Flooring	1178
Storage & furniture	738
Fees	1580
Contingency	£2000
<b>TOTAL</b>	<b>£47,069</b>

All the above costs include delivery and installation.

The Henhayes Centre proposes to fund the scheme in the following way:

Funding Source	%	Amount of funding	Status
Crewkerne Town Council	10%	£4700	Secured
Own funds	3%	£1580	Secured
SDDC	27%	12,500	Secured
Other grants	60%	£28,289	Working towards
<b>TOTAL</b>	<b>100%</b>	<b>£ 47,069</b>	

The remaining balance of £28,289 will be found from a combination of grant trust funds and S106 contributions, which the Neighbourhood Development Team Leader is helping the group secure.

The Neighbourhood Development Team Leader has assessed the grant application and has given it the following score:

Category	Maximum score	Score
A Eligibility	Y/N	Yes
B Equalities Impact	7	6
C Need for Project	5	4
D Capacity of Organisation	15	11
E Financial need	7	5
F Innovation	3	2
<b>Total</b>	<b>37</b>	<b>28</b>

The score exceeds the minimum score of 22 required to recommend approval.

## Financial Implications

If Members agree to all three grants, which would be an allocation of £35,000, this would reduce the Area West Capital Reserve from £57,433 to £22,433.

## Council Plan Implications

Supporting these 3 projects helps address the Health and Communities priority of the SDDC Council Plan in the following ways:

- Free to use skate park provides a social space and healthy activity for children, teenagers and young adults.
- Creation of a warm informal social space for older residents helps combat loneliness and isolation.

Assisting the projects also helps to meet the following action within 2016-17 action plan:

- Support at least 50 community projects

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

The Henhayes extension will help improve energy efficiency in the main building.

### **Equality and Diversity Implications**

The Henhayes Centre is fully accessible to everybody and the new extension will comply with all access requirements.

### **Background Papers**

- Crewkerne Rugby Football Club planning documents 15/03006/FUL
  - Crewkerne Skate Park planning documents 16/02064/FUL
  - Henhayes Centre planning documents 16/00729/FUL
-

# Agenda Item 11

## Section 106 Obligations

*Assistant Director:* Martin Woods (Economy)  
*Service Manager:* David Norris (Development Manager)  
*Lead Officer:* Neil Waddleton, S106 Monitoring Officer  
*Contact Details:* Neil.Waddleton@southsomerset.gov.uk or (01935) 462603

### Purpose of the Report

Section 106 Officer to provide information on signed Section 106 agreements relating to development within Area West. Agreements containing financial contributions will be presented within the monitoring report (Appendix A), **however if any further detail was required on any other agreement it was agreed that this would be undertaken directly with the officer.**

### Public Interest

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

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

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

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

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

### Recommendation

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



## **Background**

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

## **Additional Information**

Since my last report there has been a significant legislation change that will affect the way that we seek financial planning obligations. Members may recall that when I was at the December 2015 Committee I highlighted a change to the way in which the District Council could be securing planning contributions/obligations from developers. In short, the government introduced guidance that sought to prevent local authorities requiring s106 contributions from schemes of 10 dwellings and below. This was subsequently challenged and the High Court decided that the government had not followed the correct procedures and this guidance was rescinded. The government challenged the High Court judgement at the Court of Appeal and they were successful in getting this ruling overturned.

This ruling meant that sites of fewer than 10 homes will no longer have to make an affordable homes contribution and in addition the council will not be seeking contributions towards local community and leisure projects from these smaller schemes unless there is clear and robust evidence to justify an exception.

### CIL Regulations (2011, amended 2013 & 2014)

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

In Area West this legislation change will mean that no more contributions will be sought for swimming pool enhancements at CRESTA or funding towards enhancements AGP at CRESTA through future application processes.

## **Projects**

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

### Chard

- New temporary changing rooms installed at Jocelyn Park.
- Resurfacing AGP project at CRESTA completed May 2016.
- Improvements to Snowden Park planned for 2016/17. Awaiting site survey and then designs can be produced.
- Streetscene to clear and reinstate Plot 5, Jarman Way to create a new area of open space.

### Crewkerne

- Town Council producing strategy to improve playing pitch provision, including floodlighting the rugby pitch at Henhayes.
- Monies allocated towards a skate park at Happy Valley. Consultation, plans approval and quotes obtained by Town Council. Fund raising has begun.

### Ilminster

- Main priority to deliver master plan to develop play area, youth facilities, changing facilities and playing pitches at the Recreation Ground.
- Football pavilion at Shudrick Lane.
- Improvements to the play area at Winterhaye Lane.

### Misterton

- Play area plans approved.

### Merriot

- Parish Council undertaking review of community facilities.
- Area Development working with the Hall Committee to improve/enhance facilities.

### **Financial Implications**

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

### **Corporate Priority Implications**

The effective management of planning obligations will be beneficial in achieving all of the Councils Corporate Priorities.

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

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

### **Equality and Diversity Implications**

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

**Background Papers: None**

---

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> AVISHAYES</p> <p>10/01967/FUL Parish Chard</p> <p>Old Station Yard Victoria Avenue Chard</p> <p>Demolition of buildings and the erection of 46 residential units together with associated car parking and access (Revised Application). (GR 332975/109253)</p> <p>Agreement Date: 13/10/2011</p>	<p><b>Sports and Leisure:</b> Open Space Contribution: £28,500 to fund enhancements to the adjoining recreation areas at Upper &amp; Lower Henson Park.</p> <p><b>Highways:</b> £16560 Towards cost of implementing MOVA system - Payment Received 05/12/11</p>					<p>Agreement allows for 3 permutations. 100% Affordable Scheme or 35% or mix. Or £100k for Sport &amp; Education if 35% Or £3334 Per dwelling sort if different. (See agreement) Payment Received 05/12/11 for MOVA &amp; Open Space &amp; spent.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> AVISHAYES</p> <p>12/02511/FUL Parish Chard</p> <p>Land Between Old Station Court And Great Western Road Chard</p> <p>Erection of 6 No. dwellinghouses, 1 block of 5 No. flats and associated car parking and access (GR: 332916/109165)</p> <p>Agreement Date: 11/03/2013</p>	<p><b>Sports and Leisure:</b> Open Space Contribution: £5,938 to fund enhancements to the adjoining recreation areas at Upper &amp; Lower Henson Park.</p>				<p><b>Status:</b> Development Completed</p>	<p>Requirements on Developer for additional financial contributions written within agreement on disposing of units or change in grant funding. Contact Developer regarding contribution.</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> AVISHAYES</p> <p>08/01695/OUT Parish Chard</p> <p>Land At Touches Lane Chard TA20 1RY</p> <p>Residential development of land by the erection of 14 dwellings ( GR 333495/109451)</p> <p>Agreement Date: 10/01/2011</p>	<p><b>Sports and Leisure:</b> Playing Pitch Contribution: £28,332 comprised of £23,204 for enhancement or improvement of community sports pitches within Chard or local authority maintained school in Chard together with £5,128 for the long term maintenance of those facilities. Youth Facilities Contribution: £2,170 for increasing capacity on the multi-use games area and skate park located at Jenson Park, Chard. Strategic Community Facilities Contribution: £10,768 towards one or more of the following projects: a) the improvement of sports halls &amp; swimming pools within the Chard area b) the provision of synthetic sport pitches within the Chard area. <b>Highways:</b> Contribution towards the MOVA traffic control scheme.</p>	<p>Contributions shall be paid in 3 equal parts on the sale of the 5th, 10th &amp; 14th dwelling</p>		<p><b>Sports and Leisure:</b> £41,270</p> <p><b>Highways:</b> £5,040</p>	<p><b>Status:</b> Underway</p>	<p>SV required to check status of scheme. (14/00554/REM)</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> AVISHAYES</p> <p>10/04523/FUL Parish Chard</p> <p>The Shrubbery Furnham Road Chard TA20 1AX</p> <p>The erection of 3 No. terrace dwellings and a pair of semi detached dwellings (GR 332927/109454)</p> <p>Agreement Date: 21/10/2011</p>	<p><b>Highways:</b> £1.800 towards the cost of the MOVA system</p>				<p><b>Status:</b> Development Completed</p>	<p>Contribution secured and spent.</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> AVISHAYES</p> <p>09/02922/FUL Parish Chard</p> <p>Old Station Building Great Western Road Chard TA201EQ</p> <p>Internal and external alterations, the erection of a rear extension, car parking and the change of use of premises from business use (Class B1) to a shop (Class A1). (GR 332940/109221)</p> <p>Agreement Date: 18/05/2010</p>	<p><b>Highways:</b> Highways contribution, £4,320.00 towards costs of implementing a MOVA traffic control scheme for the traffic lights at the junction of the A358 with the A30 at Chard. Payment Received 26/01/11</p>				<p><b>Status:</b> Development Completed</p>	<p>Agreement also restricts the range of goods sold on the premises. (See Schedule 1)</p> <p>Contributions secured and spent.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> AVISHAYES</p> <p>12/04319/OUT Parish Chard</p> <p>Land at Avishayes Road Oaklands Avenue Chard TA20 1HS</p> <p>Erection of 78 dwellings, new access and road (outline) (GR 333736/109130)</p> <p>Agreement Date: 15/09/2014</p>	<p><b>Sports and Leisure:</b> Offsite Leisure Contribution: £142,691.29 towards enhancing one or more of the facilities in Chard: Changing Rooms, Community Halls, Equipped Play, Playing Pitches and/or Youth facilities. Community Health &amp; Leisure Admin Fee: £1,426.91</p> <p><b>Education:</b> Education: £98,056 as a contribution towards the provision of primary school education within Chard.</p> <p><b>Affordable Housing:</b> <b>Units Agreed:</b> 20</p> <p><b>Miscellaneous Gains:</b> Public Open Space</p>	<p>50% of the Off-site Recreation, Admin Fee &amp; Education contributions payable on or before 25% of the dwellings.</p> <p>50% of the Off-site Recreation Contribution, Admin Fee &amp; Education contributions payable on or before 50% of the dwellings.</p>		<p><b>Sports and Leisure:</b> £144,118.20</p> <p><b>Education:</b> £98,056</p> <p><b>Miscellaneous Gains:</b> Public Open Space</p>	<p><b>Status:</b> Not Commenced</p>	<p>REM Application submitted, currently being determined.</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> COMBE</p> <p>13/01942/FUL Parish Chard</p> <p>Land Off Touchstone Lane Chard</p> <p>Demolish existing buildings and erection of 24 No. dwellings with associated works to include formation of new access (GR 331599/109073)</p> <p>Agreement Date: 18/03/2015</p>	<p><b>Sports and Leisure:</b> Changing Room Contribution: £19,427.45 comprised of £17,980.93 Capital &amp; £1,446.52 Revenue towards enhancing or new provision of changing rooms in Chard. Community Hall Contribution: £11,603.15 towards enhancing existing or provision of new community hall provision in Chard. Administration Fee Contribution: £1,030.48 Equipped Play Contribution: £25,784.78 comprised of £16,344.14 Capital &amp; £9,440.64 Revenue towards play facilities at Redstart Park, new, or existing play area serving the development. Playing Pitch Contribution: £15,175.61, comprised of £8,856.25 Capital &amp; £6,319.36 Revenue towards existing community pitches or new recreation ground in Chard. Youth Facilities Contribution: £4,395.75 comprised of £3,209.24 Capital &amp; £1,186.51 Revenue towards youth facility provision at Redstart Park, Chard. Strategic Facilities Contribution: £26,661.96 towards the following projects: £4,086.03 Swimming Pool at CRESTA £8,504.13 Provision of new 4 court sports hall in Chard or enhancement of exiting sports hall at CRESTA. £5,289.99 Indoor tennis centre £1,794.51 enhancement of AGP at CRESTA £6,986.70 Octagon Theatre, Yeovil</p> <p><b>Affordable Housing: Units Agreed: 8</b> Recent reduction from 8 to 3 low cost homes.</p>	<p>On or before occupation of 6th Dwelling: Admin Fee, Equipped Play and Youth Contributions. On or before 12th Dwelling: Playing Pitch, Changing Room and Community Hall Contributions On or before 18th Dwelling: Strategic Facilities Contribution.</p>			<p><b>Status:</b> Not Commenced</p>	<p>Recent reduction from 8 to 3 low cost homes.</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> COMBE</p> <p>09/01372/FUL Parish Chard</p> <p>Land Off Cedar Close Chard TA20 1DB</p> <p>The erection of 14 dwellings together with garaging and associated site works. (GR 331920/109103)</p> <p>Agreement Date: 14/12/2009</p>	<p><b>Sports and Leisure:</b> Sports and Leisure: £67,211.49 Sports, Art &amp; Leisure Contribution: £41,208.64 for the provision of maintaining sports arts and leisure facilities in the area Equipped Play &amp; Youth Contribution: £26,002.85 for the provision of maintaining equipped play and youth facilities in the area. Payment Received 08/06/11</p>				<p><b>Status:</b> Development Completed</p> <p>Changing Facilities at Jocelyn Park. Chard Cricket Club pitch improvements Equipped Play at Redstart Park.</p>	<p>Payment Received 08/06/11 - No time limits for spending monies.</p>
<p><b>Ward:</b> CREWKERNE TOWN</p> <p>10/03721/FUL Parish Misterton</p> <p>Bradford's Site Station Road Misterton Crewkerne Somerset TA18 8AW</p> <p>The erection of 100 no. dwellings together with associated roads, parking, sub-station, open space and affordable housing provision (GR 345407/108646)</p> <p>Agreement Date: 26/01/2011</p>	<p><b>Sports and Leisure:</b> MUGA Contribution: £100,000 Equipped Play Contribution: £50,000 Off-Site Sports &amp; Recreation Contribution: £135,500 + any surplus monies from other contributions detailed with in agreement from the total secured obligations package of £400,000</p> <p><b>Highways:</b> Pedestrian Crossing Contribution: £50,000 for provision of a pedestrian crossing in Misterton to the Primary School. Green Travel Plan: £50,000 to include works carried out by developer for improvements to Bus Stops, £5,000 commuted sum to be paid to Parish Council.</p>		<p><b>Sports and Leisure:</b> £150,172</p>		<p><b>Status:</b> Underway</p> <p>Pedestrian Crossing contribution passed to SSC.</p> <p>On-site play area plans approved. Developer chased to progress with installation.</p>	<p>Railways Crossing Contribution: £16,500 paid directly by developer to Network Rail.</p> <p>Youth Contribution: (MUGA) secured &amp; Spent</p> <p>MUGA at Misterton Rec opened, June 13.</p> <p>Off-Site recreation Contribution (£150,172) Rec November 2014. To be spent by November 24</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> CREWKERNE TOWN</p> <p>05/00661/OUT Parish Crewkerne</p> <p>Crewkerne Key Site 1 Land East Of Crewkerne Between A30 (Yeovil Road) And A356 (Station Road) Crewkerne Somerset TA18 7HE</p> <p>Comprehensive mixed use development for 525 dwellings, employment (B1, B2, B8) primary school, community facilities, playing fields, parkland, P.O.S. structural landscaping and associated infrastructure including link road and highway improvements. GR (34)</p> <p>Agreement Date: 31/01/2013</p>	<p><b>Sports and Leisure:</b> On-site Leisure &amp; Recreation</p> <ul style="list-style-type: none"> <li>• On-site LEAP &amp; NEAP</li> <li>• POS/Woodland planting</li> <li>• Commuted Sum</li> <li>• Works/Landscaping at site entrance</li> </ul> <p>Off-site Leisure &amp; Recreation:</p> <p>Playing Pitches</p> <ul style="list-style-type: none"> <li>• Floodlights</li> <li>• Changing Rooms</li> <li>• Skate Park</li> <li>• Swimming Pools</li> <li>• Sports Hall</li> </ul> <p>Other Contributions</p> <ul style="list-style-type: none"> <li>• School set up costs</li> <li>• Ecology – Dormice Mitigation</li> <li>• Ecology – Badger protection works</li> <li>• Use of Natural Stone</li> </ul> <p><b>Highways:</b> Highway Contributions</p> <ul style="list-style-type: none"> <li>• Town Centre Improvement</li> <li>• Public Transport/Travel Plans</li> <li>• Off-site traffic calming</li> </ul> <p><b>Education:</b> Education:</p> <ul style="list-style-type: none"> <li>• First School Contributions</li> <li>• Temp Classrooms</li> <li>• Pre-school provision</li> <li>• Middle School Contributions</li> <li>• College Contributions</li> </ul>				<p><b>Status:</b> Underway</p>	<p>DPO application approved but not yet signed.</p> <p>Details of new agreement to be entered once signed.</p>



## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place or remaining	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> CREWKERNE TOWN</p> <p>07/04736/FUL Parish Crewkerne</p> <p>Land At Maiden Beech Cathole Bridge Road Crewkerne Somerset</p> <p>The erection of 114 No. dwellinghouses (GR 343850/108551)</p> <p>Agreement Date: 13/08/2010</p>	<p><b>Sports and Leisure:</b> Changing Room Contribution: £175,378 to be paid immediately following the occupation of 35 Residential Units. To provide new or enhanced changing room facilities within 10 miles of Crewkerne.</p> <p>Playing Pitch Contribution: £40,652 to be paid immediately following the occupation of 35 Residential Units. To provide new or enhanced sports provision within 10 miles of Crewkerne.</p> <p>Equipped Play Area Commuted Sum: £44,000 to be transferred before no more than 50 Residential Units brought into occupation. To be provided to the District Council to adopt the LEAP and the recreational open space upon which it stands.</p> <p>Sports Hall Contribution: £54,822 to be paid immediately following the occupation of 70 Residential Units. To provide new or enhanced sports hall provision within 10 miles of Crewkerne.</p> <p>Swimming Pool Contribution: £28,904 to be paid immediately following the occupation of 70 Residential Units. For new or enhanced swimming pool provision within 10 miles of Crewkerne.</p> <p>Youth Facilities Contribution: £17,028 to be paid immediately following the occupation of 105 Residential Units. To provide or enhance facilities for children above the age of 12 in the Crewkerne area.</p> <p><b>Highways:</b> Highways &amp; Transportation Contribution: £296,000 to be apportioned as follows: First Traffic Management Contribution: £87,000 to be paid immediately following the occupation of 35 Residential Units. Second Traffic Management Contribution: £87,000 to be</p> <p><b>Education:</b></p>		<p><b>Sports and Leisure:</b></p> <p>Youth Facilities Contribution: £19,398</p> <p>Playing Pitch Contribution: £40, 350.91</p> <p>Sports Hall Contribution: £61,314</p> <p>Swimming Pool Contribution: £32,927</p>		<p><b>Status:</b> Underway</p> <p>Sports Pitches/Changing Room Contributions towards George Reynolds Centre</p> <p>TC working on strategy to improve pitch provision.</p>	<p>Indexation received (£39,574) to be split across the various requirements. No time limits on spend.</p> <p>Highways &amp; Education Contributions passed to SCC.</p> <p>Management Company currently being agreed with responsibility of the LEAP.</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

	Education Contribution: £236,251 to be apportioned as follows: Temporary Classroom Contribution: £89,000 to be paid immediately following the occupation of 15 Residential Units. First Education Contribution: £73,625.50 to be paid immediately following t <b>Affordable Housing:</b> <b>Units Agreed:</b> 40 Affordable Housing: Units Agreed: 40				
--	--	--	--	--	--

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> CRIMCHARD</p> <p>12/04283/FUL Parish Chard</p> <p>Land Off Thorndun Park Drive Chard Somerset TA20 1FB</p> <p>The erection of 41 No. dwellings and 1 No. 68 bedroom care home together with associated highway infrastructure, parking, landscaping and footpath links. (GR 333019/109864)</p> <p>Agreement Date: 12/04/2013</p>	<p><b>Sports and Leisure:</b> Leisure Contribution towards enhancing play &amp; leisure facilities at Plot 5 Jarman Way, Chard.</p> <p><b>Affordable Housing:</b> <b>Units Agreed:</b> 41 100% Affordable Scheme with 68 bed care home.</p>		<p><b>Sports and Leisure:</b> £41,643</p>		<p><b>Status:</b> Underway</p>	<p>Contributions to be spent by 30/09/25</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> EGGWOOD</p> <p>12/04940/FUL Parish Merriott</p> <p>Broadway Farm Barn Broadway Merriott TA16 5QH</p> <p>Conversion and extension of barns and stable to form 4 No. two bedroom and 4 No. one bedroom residential units (GR 343956/112541)</p> <p>Agreement Date: 24/10/2013</p>	<p><b>Sports and Leisure:</b> Equipped Play Contribution: £5,428.37 (£3440.87 Capital &amp; £1,987.50 Revenue as a commuted sum) for enhancing the play area facilities at Merriot Playing Field. Changing Room Contribution: £5,792.80 (£5,361.48 Capital &amp; £431.32 Revenue as a commuted sum) towards new or enhancements to existing changing facilities at Merriot Playing Field. Youth Facilities Contribution: £925.42 (£675.63 Capital &amp; £249.79 Revenue as a commuted sum) towards enhancing youth facilities at Merriot Playing Field. Playing Pitch Contribution: £4,525 (£2640.72 Capital &amp; £1884.28 Revenue as a commuted sum) for enhancing playing pitches at the Merriot Playing Field. Community Hall Contribution: £10,263.05 for enhancing the community hall facilities at Merriot Village Hall. Strategic Community facilities Contribution: £9192.42 towards the following projects, £2,083.27 for enhancement/expansion of the Octagon Theatre, Yeovil. £535.08 provision of a 3G pitch in Crewkerne. £2,460.99 provision of a new swimming pool at Yeovil Sports Zone. £1,577.35 provision of a new indoor tennis centre in Yeovil. £2,535.73 enhancement/improvement of sports hall provision in Crewkerne or centrally based competition hall in Yeovil.</p>	<p>Equipped Play &amp; Youth Facilities Contributions payable on or before occupation of 2nd dwelling. Playing Pitch, Changing Room &amp; Community Hall Contributions payable on or before occupation of 4th dwelling. Strategic Community Facilities Contribution payable on or before occupation of 6th dwelling.</p>	<p><b>Sports and Leisure:</b> £27,439.43</p>	<p><b>Sports and Leisure:</b> £19,049.15</p>	<p><b>Status:</b> Underway</p>	<p>Equipped Play, Youth and Administration contributions paid 16/10/2015</p> <p>Equipped Play &amp; Youth Contributions to be spent by October'2019</p> <p>Playing Pitch, Changing Room &amp; Community Hall contributions paid 02/02/2016 and to be spent by Feb '21</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> EGGWOOD</p> <p>12/02126/FUL Parish Merriott</p> <p>Moorlands Farm Moorlands Road Merriott TA16 5NF</p> <p>The erection of a doctor's surgery with attached pharmacy, the conversion of existing farm buildings into 12 No. residential units, the erection of 12 No. dwellinghouses and the erection of garaging and associated works. (GR 344173/112183)</p> <p>Agreement Date: 27/03/2013</p>	<p><b>Sports and Leisure:</b> Sports Arts &amp; Leisure Contribution £45,000 towards providing or enhancing sport and leisure facilities within the village of Merriott.</p>	<p>To pay £15,000 prior to the occupation of 6th dwelling To pay £15,000 prior to the occupation of 12th dwelling To pay balance of contribution prior to occupation of 20th dwelling</p>		<p><b>Sports and Leisure:</b> £45,000</p>	<p><b>Status:</b> Underway</p>	<p>Confirmation of trigger point reached. In contact with developer.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> HOLYROOD</p> <p>12/02448/FUL Parish Chard</p> <p>Land Part Of Playing Field St Marys Crescent Chard</p> <p>Erection of a new single storey medical centre with associated external works and car parking (revised application) (GR 332144/108083)</p> <p>Agreement Date: 13/12/2012</p>	<p><b>Sports and Leisure:</b> Sports and Leisure: £50,000 in mitigation for loss of plying field amenity. To be used to enhance changing facilities at Jocelyn Park or new/existing facilities in Chard.</p>		<p><b>Sports and Leisure:</b> £50,000</p>		<p><b>Status:</b> Development Completed</p>	<p>Monies received 12/03/2013.</p> <p>Monies to be spent by 12/03/2023</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> HOLYROOD</p> <p>11/04212/FUL Parish Chard</p> <p>Land At Mitchell Gardens (Snowdon Farm) Shepherds Lane Chard TA20 1QU</p> <p>Development of 61 residential dwellings with associated vehicular and pedestrian access, landscaping, site re-grading and related infrastructure and engineering works (GR 331600/108500)</p> <p>Agreement Date: 18/10/2012</p>	<p><b>Sports and Leisure:</b> Changing Room Contribution:£53,975 broken down as follows, £50,022 for the provision of new or enhancements of existing changing facilities in Chard. £3,953 towards maintenance of the facilities. Equipped Play Contribution: £83,440 broken down as follows, £53,313 for the provision of enhancements at the Snowdon Park, Chard play area. £30,309 towards the future maintenance of these facilities. Playing Pitch Contribution: £48,852 broken down as follows, £31,580 towards new or existing recreation ground in Chard. £17,272 towards the future maintenance of these facilities. Strategic Contribution: £97,996 towards new or enhanced - swimming pool, sports hall, theatre &amp; arts centre, artificial pitch or provision of indoor tennis centre in Yeovil or Chard. Youth Facilities Contribution: £14,277 broken down as follows, £10,468 towards enhancing facilities at Snowdon Park, Chard and £3,809 towards the future maintenance of these facilities.</p> <p><b>Highways:</b> £10,000 Travel Safeguard contribution payable to SCC Residential Travel Vouchers to be offered as per details within agreement.</p> <p><b>Miscellaneous Gains:</b> Ecological Contribution: £1,000 towards funding of the Chard Reservoir Nature Reserve.</p>		<p><b>Sports and Leisure:</b> Equipped Play Contribution: £90,208</p> <p>Youth Facilities Contribution £15,401</p> <p>Playing Pitch Contribution: £52,699</p> <p>Changing Room Contribution: £58,226</p> <p>Ecological Contribution: £1,078</p>	<p><b>Sports and Leisure: £97,996</b></p>	<p><b>Status:</b> Underway</p>	<p>POS delivered either through commuted sum or transferring to a separate management company.</p> <p>Local contributions received 1st March 2015.</p> <p>Unilateral Undertaking, no time limits to spend obligations.</p> <p>Invoice sent in respect of Strategic Contributions.</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> ILMINSTER TOWN</p> <p>14/00025/FUL Parish Ilminster</p> <p>Summervale Medical Centre Wharf Lane Ilminster Somerset TA19 0DT</p> <p>The erection of 8 No. dwellings and garages, formation of new access (GR 335927/114415)</p> <p>Agreement Date: 15/09/2014</p>	<p><b>Sports and Leisure:</b> Changing Room Contribution: £6,963.69 (£6,445.19 Capital &amp; £518.50 Revenue as a commuted sum) towards new, enhancements or improvements of changing rooms in Ilminster. Community Hall Contribution: £4,159.10 enhancement of exiting or development of a community hall in Ilminster. Equipped Play Contribution: £10,856.76 (£6,881.75 Capital &amp; £3,975.01 Revenue as a commuted sum) towards enhancing existing play area at the Ilminster recreation ground. Playing Pitch Contribution: £5,439.63 (£3,174.48 Capital &amp; £2,265.15 Revenue as a commuted sum) towards enhancements to playing pitches at Ilminster recreation ground. Strategic Community Facilities Contribution: £9,556.64 towards the following £1,464.62 towards for a new indoor swimming pool in Chard or enhancements to the existing pool at CRESTA, Chard. £3,048.27 towards new sports hall in Ilminster or enhancements to existing sports hall at CRESTA, Chard. £1,896.17 towards centrally located district wide indoor tennis centre. £643.23 towards new AGP in Ilminster. £2,504.35 towards enhancements/expansions of the Octagon Theatre. Youth Facilities Contribution: £1,850.84 (£1,351.26 Capital &amp; £499.58 Revenue as a commuted sum) towards youth facilities at Ilminster Recreation Ground. Community Health &amp; Leisure Administration Fee: £388.27</p>	<p>On or before occupation of 2nd dwelling, Equipped Play &amp; Youth Contributions On or before occupation of 4th dwelling, Playing Pitch, Changing Room &amp; Community Halls Contribution. On or before occupation of 6th dwelling, Strategic Community Facilities Contribution.</p>		<p><b>Sports and Leisure:</b> £39,214.93</p>	<p><b>Status:</b> Underway</p>	<p>Open dialogue with developer.</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> ILMINSTER TOWN</p> <p>13/04760/FUL Parish Ilminster</p> <p>Land at Canal Way Ilminster TA19 9BL</p> <p>The erection of 65 No. dwellings and associated works to include play provision (Revised Application). (GR 334845/114681)</p> <p>Agreement Date: 11/03/2014</p>	<p><b>Sports and Leisure:</b> Changing Room Contribution: £55,409.06 (£51,283.44 Capital &amp; £4,125.62 Revenue as a commuted sum) for providing new changing facilities at Ilminster Recreation Ground. Community Hall Contribution: £33,093.37 towards provision of new or expansion/enhancement of existing community hall in Ilminster. Equipped Play Contribution: £149,280 ( £94,624 Capital &amp; £54,656 Revenue as a commuted sum) for the provision of a 500sqm LEAP on-site Landscaping &amp; Open Space: As per schedule within agreement. Playing Pitch Contribution: £43,282.37 (£25,258.91 Capital &amp; £18,023.46 Revenue as a commuted sum) towards enhancements expansion of pitches at Ilminster Recreation Ground. Strategic Facilities Contribution: £76,040.92 towards the following projects. £11,653.78 towards new indoor swimming pool in Chard area or enhancements to existing pool at CRESTA. £15,087.59 provision of new indoor tennis facility located in or near Yeovil. £5,118.12 towards provision of 3G pitches in Ilminster. £19,926.78 towards enhancements/expansion of Octagon Theatre in Yeovil. £24,254.65 towards a new sports hall in Ilminster/Chard or enhancement of existing at CRESTA.</p> <p><b>Highways:</b> Travel Plans as detailed in agreement.</p> <p><b>Education:</b> Education Contribution: £110,313 towards education facilities within the vicinity of the Development.</p> <p><b>Affordable Housing:</b> <b>Units Agreed:</b> 23</p>		<p><b>Sports and Leisure:</b></p> <p>Equipped Play Contribution: £152,064.54</p> <p>Changing Room Contribution: £56,442.61</p> <p>Community Hall Contribution: £33,710.66</p> <p>Playing Pitch Contribution: £44,089.34</p> <p>Youth Facilities Contribution: £14,375.91</p> <p>Strategic Facilities Contribution: £77,459.32</p>		<p><b>Status:</b> Underway</p>	<p>POS &amp; LEAP specifications to be submitted.</p> <p>County seeking money for their contributions.</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> ILMINSTER TOWN</p> <p>06/02906/OUT Parish Ilminster</p> <p>Land At ShudrickLane Ilminster TA19 0BN</p> <p>Residential development and land to be used for badger mitigation strategy (GR 336348 / 114455)</p> <p>Agreement Date: 24/01/2007</p>	<p><b>Sports and Leisure:</b> Leisure &amp; Recreation Contribution: £138,994 to be comprised of Equipped Play, Youth Facilities, Playing Pitch Enhancement &amp; Strategic Leisure Facilities.</p>		<p><b>Sports and Leisure:</b> £138,994</p>		<p><b>Status:</b> Development Completed Pitches/Changing Contributions: CHL working with TC &amp; Clubs on potential projects for the Recreation Ground. Youth: Part of on-going review for Rec Ground. Strategic: Project to be identified - For Ilminster Equip Play: Not yet spent.</p>	<p>Contribution secured 20/06/11. No time limits to spend obligations. Pitches/Changing Contributions: CHL working with TC &amp; Clubs on potential projects for the Recreation Ground. Youth: Part of ongoing review for Rec Ground. Strategic: Project to be ide</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> ILMINSTER TOWN</p> <p>07/05553/FUL Parish Ilminster</p> <p>North Yard 122 Station Road Ilminster Somerset TA19 9BL</p> <p>Erection of 14 no. residential dwellings to include 5 no. 3 bed houses, 6 no. 2 bed houses, 1 no. 2 bed flat and 2 no. 1 bed apartments with associated highway access. (GR 334926/115078)</p> <p>Agreement Date: 23/11/2009</p>	<p><b>Sports and Leisure:</b> Equipped Play Contribution: £12,650, comprised of £6958 for the equipment and £5,692 for the long term maintenance of the equipment. Playing Pitch Contribution: £20,845 towards all or any of the following a) The laying out of new formal playing pitches at the Recreation Ground off Canal Way, Ilminster. b) The reconstruction, improvements or renovation of existing pitches at the same location. c) The improvement of any buildings, structures and facilities used in connection with such pitches. Strategic Community Facilities Contribution: £7,020 for facilities in the Ilminster area. Youth Facilities Contribution: £1633 construction, renovation or improvement of any building /facility for young people of Ilminster.</p>		<p><b>Sports and Leisure:</b> £42,148</p>		<p><b>Status:</b> Development Completed  Pitches/Changing Contributions: CHL working with TC &amp; Clubs on potential projects for the Recreation Ground. Youth: Part of on-going review for Rec Ground. Strategic: Project to be identified - For Ilminster Equip Play: Not yet spent. WH Lane</p>	<p>Contributions secured 07/07/10</p> <p>Contributions to be spent by: 07/07/15 - Local 07/07/20 - Strategic</p>



## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> ILMINSTER TOWN</p> <p>14/01680/FUL Parish Ilminster</p> <p>Gooch &amp; Housego Ltd Cornhill Market Place</p> <p>East Street</p> <p>Ilminster</p> <p>Somerset TA19 0A</p> <p>Proposed mixed use development of 14 residential units (10 houses, 4 flats) and 3 commercial units involving demolition of existing buildings, provision of underground parking area, change of use of 2 existing units from B1 to A1/A2 and retention of one B</p> <p>Agreement Date: 03/04/2015</p>	<p><b>Sports and Leisure:</b> Changing Room Contribution: £11,054 comprised of £10,231 Capital &amp; £823 Revenue towards the provision of changing facilities at Ilminster Recreation Ground. Community Hall Contribution: £6,602 towards existing or development of new community hall provision in Ilminster. Admin &amp; Monitoring Fee: £1074 Equipped Play Contribution: £13,631 comprised of £8,640 Capital &amp; £4,991 Revenue towards enhancements of equipped play area at Ilminster Recreation Ground. Playing Pitch Contribution: £8,635 comprised of £5,039 Capital &amp; £3,596 Revenue towards playing pitch provision at Ilminster Recreation Ground. Youth Facilities Contribution: £2,324 comprised of £1,697 Capital &amp; £627 Revenue towards youth facility provision at Ilminster Recreation Ground. Strategic Facilities Contribution: £15,170 towards the following projects: £2,325 Swimming Pool at CRESTA £4,839 Sports Hall provision at Ilminster or Chard £3,010 Indoor Tennis Centre, Yeovil £1,021 Provision of AGP in Ilminster £3,975 Octagon Theatre, Yeovil</p>	<p>On or before occupation of 4th Dwelling: Admin &amp; Monitoring Fee, Equipped Play &amp; Youth Contributions.</p> <p>On or before occupation of 7th Dwelling: Playing Pitch, Changing Room &amp; Community Halls Contribution</p> <p>On or before occupation of 11th Dwelling: Strategic Facilities Contribution</p>		<p><b>Sports and Leisure:</b> £58,490</p>	<p><b>Status:</b> Not Commenced</p>	<p>Possible marketing for sale of site.</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> ILMINSTER TOWN</p> <p>13/04935/OUT Parish Ilminster</p> <p>Former Factory Winterhay Lane Ilminster TA19 9BB</p> <p>The erection of up to 72 No. dwellings comprising of a mix of two, three and four bedrooms, up to 600m2 of office floor space (Use Class B1) and new access (Outline) (Revised Application). (GR 335206/115028)</p> <p>Agreement Date: 12/01/2015</p>	<p><b>Sports and Leisure:</b> Equipped Play Space Contribution: 97,710.76 towards enhancing existing Winterhay Lane play area. Youth Facilities Contribution: £16,657.57 towards youth facilities at Winterhay Lane or Ilminster Recreation Ground. Playing Pitch Contribution: £48,956.68 towards the enhancement or expansion of the sport pitches ta Ilminster Recreation Ground. Changing Room Contribution: £62,673.18 towards the provision of new changing rooms at Ilminster Recreation Ground. Community Halls Contribution: £37,431.91 towards the enhancement of existing or development of new community hall provision in Ilminster. Community Health &amp; Leisure Service Administration Fee: £2,634.30</p> <p><b>Highways:</b> Education Contribution: £108,579.86 towards the provision of primary school education within or serving Ilminster.</p> <p><b>Affordable Housing:</b> <b>Units Agreed:</b> 25</p> <p><b>Miscellaneous Gains:</b> Employment Land: See 4th schedule</p>	<p>Equipped Play &amp; Youth contributions payable on or before the completion of 25% of the dwellings. Playing Pitch &amp; Changing Room Contributions payable on or before the completion of 50% of the dwellings Community Hall Contribution payable on or before the completion of 75% of the dwellings. Community Health &amp; Leisure Admin Fee payable on or before completion of 33% of the dwellings. Education Contribution: 50% payable prior to first occupation and 50% payable on or before occupation of 30 dwellings.</p>		<p><b>Sports and Leisure:</b> £266,064.40</p> <p><b>Highways:</b> £108,579.86</p> <p><b>Miscellaneous Gains:</b> Employment Land: See 4th schedule</p>	<p><b>Status:</b> Not Commenced</p>	

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> JOCELYN</p> <p>13/02132/FUL Parish Chard</p> <p>Millfield Industrial Estate Millfield Chard TA20 2GB</p> <p>Demolition of existing buildings, erection of 10 No. dwellinghouses including alterations to access and provision of associated parking. (GR 332706/108539)</p> <p>Agreement Date: 15/09/2014</p>	<p><b>Sports and Leisure:</b> Equipped Play Contribution: £5,700 towards enhancements/repairs to equipped play at Jocelyn Park, Chard</p> <p><b>Affordable Housing:</b> <b>Units Agreed:</b> 10</p>	Prior to commencement		<b>Sports and Leisure:</b> £5,700	<b>Status:</b> Underway	Developer invoiced for contributions

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> JOCELYN</p> <p>07/00583/FUL Parish Chard</p> <p>Land And Properties At Auckland Way And Beckington Crescent Montague Way Chard Somerset</p> <p>Demolition of existing houses and erection of 27 flats and 38 houses together with the provision of 94 car parking spaces (332622/108191)</p> <p>Agreement Date: 28/11/2008</p>	<p><b>Sports and Leisure:</b> Playing Pitch Contribution: £5,981 Strategic Sport &amp; Leisure Contribution: £5,802 Off-site Recreation Contribution: £11,385 for provisions at Jocelyn Park, Chard</p>				<p><b>Status:</b> Development Completed</p> <p>Discussions with CRESTA over the strategic contributions. Pitch/Changing Rooms towards provision of temp changing rooms at Jocelyn Park. Floodlights at Chard Tennis Club Pitch improvements at Chard Cricket Club</p>	Contributions Secured & Spent

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> PARRETT</p> <p>12/03221/FUL Parish Chiselborough</p> <p>Land South Off Minchingtons Close Norton Sub Hamdon</p> <p>Erection of 10 dwellings on land adjacent to Minchingtons Close (GR: 347253/115705)</p> <p>Agreement Date: 06/08/2013</p>	<p><b>Sports and Leisure:</b> £8,602.15 enhancement of existing play area at Minchingtons Close.</p> <p><b>Affordable Housing:</b> <b>Units Agreed:</b> 10</p>				<p><b>Status:</b> Development Completed</p>	<p>Financial contributions received 01/02/2015.</p> <p>No repayment clause within agreement.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> TATWORTH AND FORTON</p> <p>13/03067/FUL Parish Tatworth And Forton</p> <p>Land at Langdons Way Tatworth Chard Somerset TA20 2GT</p> <p>The erection of 6 No. dwellinghouses with garages and associated parking (revised application to 11/03966/FUL). (GR 332950/105540)</p> <p>Agreement Date: 05/02/2014</p>	<p><b>Sports and Leisure:</b> Equipped Play Contribution: £8142.56 (£5,161.31 Capital &amp; £2,981.25 Revenue as a commuted sum) towards enhancements at Tatworth Recreation Ground. Youth Facilities Contribution: £1,388.13 (£1,013.44 Capital &amp; £374.69 Revenue as a commuted sum) towards youth facilities at Tatworth Recreation Ground. Strategic Community Facilities Contribution: £7,167.49 towards the following projects, £1,878.26 towards expanding/enhancing Octagon Theatre. £482.43 enhancements to sand based synthetic turf pitches at CRESTA £1,098.47 towards new swimming pool in Chard or the enhancement of existing pool at CRESTA. £1,422.13 provision of new centrally based district wide indoor tennis centre. £2,286.20 towards new sports hall in Chard or enhancements to existing at CRESTA.</p>	<p>£9,697.68 payable upon 25% of dwellings occupied. £7,167.49 payable upon 75% of dwellings occupied.</p>		<p><b>Sports and Leisure:</b> £16,698.18</p>	<p><b>Status:</b> Underway</p>	<p>2 Units built and marketing for sale.</p> <p>DPO Application received.</p>

## AREA WEST SECTION 106 MONITORING REPORT 20<sup>th</sup> July 2016

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p><b>Ward:</b> WINDWHISTLE</p> <p>05/00799/FUL Parish Winsham</p> <p>Land At Western Way WinshamLand At Western Way Winsham Chard TA20 4JH</p> <p>Erection of 4 no. 2 bed terraced houses and 4 no. 3 bed semi-detached with ancillary access road, parking and turning area. RSL GR (337262/106284)</p> <p>Agreement Date: 06/03/2006</p>	<p><b>Miscellaneous Gains:</b> Contribution to upgrade footpath - £5000</p>				<p><b>Status:</b> Development Completed</p>	<p>Contribution secured. Works complete/monies spent</p>

# Agenda Item 12

## **Planning Appeals**

*Assistant Director: Martin Woods (Economy)*  
*Service Manager: David Norris, Development Manager*  
*Lead Officer: David Norris, Development Manager*  
*Contact Details: david.norris@southsomerset.gov.uk or 01935 462382*

## **Purpose of the Report**

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

## **Recommendation**

That the report be noted.

## **Background**

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

## **Report Detail**

### **Appeals Received**

14/01532/FUL – The Lawns Childrens Nursery, Hardy House, 32 Chubbs Lawn, Middle Path, Crewkerne

The erection of a single storey side extension (Revised Application) (GR 343989/109396)

15/05725/PAMB – Land Off Longstrings Lane, Broadshard Road, Crewkerne (Officer Decision)

Prior approval for the change of use of agricultural buildings for 2 No. dwellings (GR 344469/110830)

15/01053/OUT – Land at Vardens Farm, Broadway Street, Broadway, Ilminster (Officer Decision)

Residential development comprising circa 9 No. dwellings and associated parking, landscaping, drainage features and construction of access from Broadway Road (Outline) (Revised Application) (GR 332716/115732)

### **Appeals Dismissed**

15/04104/FUL & 15/04105/LBC – Barn Cottage, East Street, Chiselborough, Stoke Sub Hamdon (Officer Decision)

Replacement of 2 No. dormer windows, front window and front door. (GR 346987/114710)

The Inspector's report is shown on the following page.

**Background Papers:** None

---

## Appeal Decisions

Site visit made on 16 May 2016

**by Jennifer Tempest BA(Hons) MA PGDip PGCertHE MRTPI IHBC**

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

**Decision date: 08 June 2016**

---

### **Appeal Ref: APP/R3325/W/15/3141537**

**Barn Cottage, East Street, Chiselborough, Stoke-sub-Hamdon, Somerset TA14 6TW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Jon Provis against the decision of South Somerset District Council.
  - The application Ref 15/04104/FUL, dated 3 September 2015, was refused by notice dated 12 November 2015.
  - The development proposed is replacement of 2 dormer windows, 1 front window and 1 front door.
- 

### **Appeal Ref: APP/R3325/Y/15/3141539**

**Barn Cottage, East Street, Chiselborough, Stoke-sub-Hamdon, Somerset TA14 6TW**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Mr Jon Provis against the decision of South Somerset District Council.
  - The application Ref 15/04105/LBC, dated 3 September 2015, was refused by notice dated 12 November 2015.
  - The works proposed are replacement of 2 dormer windows, 1 front window and 1 front door.
- 

### **Decision**

1. The appeals are dismissed.

### **Main Issues**

2. The main issues in respect of both appeals are (i) whether the proposals would preserve the listed building known as Barn Cottage (listed as Strapp Farmhouse) or its setting or any features of special architectural or historic interest it possesses; and (ii) whether the proposal would preserve or enhance the character or appearance of the Chiselborough Conservation Area.

### **Reasons**

*Whether the proposal would preserve the listed building and its setting.*

3. The farmhouse was first listed in 1961 and includes a reference to group value. The listing describes the five bay building, which is now Strapp Farmhouse and Granary Cottage, as dating from the 17C and 18C and having been much

modified. The appellant refers to Barn Cottage as being listed 'by association'. The Council consider the property to be a listed building and an application for listed building consent has been submitted and determined. I have determined the appeals on this basis.

4. The appeal property is one of a terrace of four properties comprising Strapp Farmhouse, Granary Cottage, East Cottage and The Old Hay Barn. Windows in the front elevation of Strapp Farmhouse and Granary Cottage are of various dates, including ground floor stone mullioned windows with label moulds, 18C iron framed window and 20C metal framed windows which include top hung opening lights. Although fenestration in Strapp Farmhouse and Granary Cottage varies in age and style, it is an important and readily apparent element of the special interest of the listed buildings and noted within the listing description. The metal framed windows in Strapp Farmhouse and Granary Cottage have slender profiles accommodating single glazing.
5. The evidence indicates that East Cottage and The Old Hay Barn were created from the conversion of a barn during the 1970s. East Cottage and The Old Hay Barn have a lower ridge height than Granary Cottage and Strapp Farmhouse. Ground floor openings in the converted properties have new lintols and the dormers, which vary slightly in design between Old Hay Barn and East Cottage, have painted timber windows. The appellant refers to East Cottage and The Old Hay Barn having been rebuilt. Whilst it is clear that these two properties result from extensive alterations including the insertion of the dormers, other openings and the addition of rainwater goods, there is no evidence before me to confirm that the front walls were rebuilt in their entirety.
6. In 2007, the replacement of rotten timber windows on the rear of Barn Cottage was allowed following an appeal<sup>1</sup> (the 2007 appeal decision). The Inspector endorsed the Council's assessment that the quality of the conversion was poor and the buildings do not have the characteristics of converted barns but appear as cottages poorly renovated. The Inspector continues to quote the Council in stating that 'the setting of the listed building and its outbuildings was lost at the time of the conversion'.
7. The 2007 appeal decision was made in the context of alterations to the rear elevation of Barn Cottage. Reference is made to the former farmyard having been subdivided to provide rear gardens as well as parking and utilitarian garages and domestication having taken place with the erection of sheds, greenhouses and outbuildings. As the current appeal proposals relate to the front elevation of the Barn Cottage rather than the rear, I am satisfied that the 2007 appeal decision does not create a precedent in relation the proposals which are before me to determine.
8. The existing dormers and the timber windows in the front elevation of Barn Cottage are wholly domestic in appearance and their design and profile does not relate in a sympathetic manner to either Granary Cottage or Strapp Farmhouse. Whilst I have noted the appellant's comments that the windows and front door in The Old Hay Barn have been replaced and are now out of keeping, I am not provided with any planning history in this regard. However, I observed during my site visit that windows frames in the front and side elevations of The Old Hay Barn are timber.

---

<sup>1</sup> APP/R3325/E/07/2040569



9. The appeal proposals would replace the window frames and door in the front elevation of the appeal property with uPVC frames and door, finished in a white wood-grained effect and incorporating double glazed units. The general pattern of the door and that of the windows in terms numbers of opening lights and means of opening would be based on the existing windows and door. Grey panels proposed for the dormer cheeks would be manufactured to reflect the grey panels on the front and sides of the existing dormers.
10. Limited information is provided with regard to detailed design and frame dimensions. The drawings do not specify a scale, nor are there cross section drawings to show the profile of the frames although I note there is reference to them being fully sculptured. Notwithstanding the lack of detailed drawings, experience indicates that the proposed window frames and surrounds would have a profile which would be considerably wider than that of the metal framed windows of Granary Cottage and Strapp Farmhouse.
11. The existing timber windows in the front elevation of appeal property do not have a slender profile. However, their replacement with windows which also lack a slender profile but in addition would be constructed from non-traditional materials would harm the appearance of Barn Cottage when it is considered in the context of the short terrace of properties of which it forms part. The incorporation of a wood-grain finish to the uPVC is not sufficient to overcome the use of an inappropriate material. The plastic rainwater goods on the property do not create a precedent for the uPVC finish on the proposed windows.
12. The proposals would adversely affect the setting of Granary Cottage and Strapp Farmhouse and further emphasise the contrast between the traditional fenestration of these properties and that of Barn Cottage. Although the appellant suggests that the narrowness of East Street prevents the group of four properties being seen as a whole, I observed during my site visit that Barn Cottage can clearly be seen as an integral part of the Strapp Farmhouse group in both face-on and oblique views.
13. Whilst the proposals would not result in any loss of historic fabric, the proposals would diminish the significance and harm the setting of Strapp Farmhouse and Granary Cottage. Hence, having regard to the provisions of Sections 66(1) and 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposals would fail to preserve the setting of the listed building.

*Effect on the character and appearance of the Conservation Area*

14. Strapp Farmhouse and its attached neighbours face directly onto East Street. On the opposite side of the street is a detached agricultural building which retains much of its agricultural character and the door and other openings are boarded rather than glazed. This grouping of buildings makes an important contribution to both the character and the appearance of this part of the conservation area.
15. For the reasons given above, the proposals would detract from the character and appearance of the group of buildings of which Barn Cottage forms part, and in particular from Strapp Farmhouse and Granary Cottage.

16. The appellant refers to a number of properties within the village which have been altered by the introduction of windows in a uPVC finish although not necessarily incorporating the wood grain effect finish of the appeal proposals. Many of these examples are within the conservation area and I observed some of them during my site visit. However, I am not provided with the planning history of these alterations, nor whether any relate to listed buildings. Whilst I acknowledge that there are various examples of such windows in the village, these do not alter my views on the appeal proposals which I have judged on their own merits.
17. The proposals would fail to preserve and therefore would not enhance either the character or the appearance of the conservation area.

*Other matters*

18. The appellant's evidence includes a page<sup>2</sup> which refers to an interview with a representative from the Ombudsman's office and the page appears to be written comments requested at that interview. The author of the page is not stated, and I am not provided with full details of the circumstances relating to the report nor a complete copy of the report. However, I note that the text includes wording similar to that which appears in the 2007 appeal decision, and includes a statement that the historic and architectural interest of the outbuildings were lost when the original conversion took place, due to the interventions into the building and the design and form. These are matters which I have dealt with above.
19. Notwithstanding the need to comply with health and safety regulations which are outside the planning process, I have taken into account the appellant's comments regarding the use of ladders and scaffolding and the implications for decorating the front of the appeal property given its proximity to the street. However, such circumstances are not uncommon in village locations and this matter does not alter my consideration of the main issues.
20. I have taken into account that the Parish Council had no issue with the proposals and no comments were made by the occupiers of Strapp Farmhouse and Granary Cottage.
21. The appellant's comments regarding aspects of the Council's handling of the applications made to them by the appellant and those relating to the neighbouring property are noted. However, these are not matters which have a direct bearing upon my consideration of these appeals, which I have determined on their merits.
22. Accordingly, none of the other matters raised are sufficient to alter my findings in relation to the main issues.

**Conclusions**

23. The National Planning Policy Framework (Framework) sets out that great weight is to be given to the conservation of designated heritage assets. Whilst the harm the proposals would cause to heritage assets would be less than substantial harm in the context of paragraph 134 of the Framework, the limited public benefits arising from this proposal are not sufficient to outweigh the harm to heritage assets.

---

<sup>2</sup> Item 6 appended to grounds of appeal.

24. The proposals would fail to comply with Policy EQ3 of the South Somerset Local Plan (2006 – 2028) adopted in March 2015. This policy requires, amongst other matters, that heritage assets are conserved and where appropriate enhanced, including safeguarding the significance, character and setting of heritage assets and through the use of appropriate materials and techniques. The proposal would also fail to comply with elements of Policy EQ2 of the Local Plan which require development to reinforce local distinctiveness and respect local context.
25. For the reasons given above, and having taken into account all matters raised, I conclude that the appeals should be dismissed.

*Jennifer Tempest*

INSPECTOR

# Agenda Item 13

## **Schedule of Planning Applications to be Determined by Committee**

*Assistant Director: Martin Woods, Economy*  
*Service Manager: David Norris, Development Manager*  
*Contact Details: david.norris@southsomerset.gov.uk or 01935 462382*

### **Purpose of the Report**

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

### **Recommendation**

Members are asked to note the schedule of planning applications.

***Planning Applications will be considered no earlier than 7.00 pm.***

Members of the public who wish to speak about a particular planning item are recommended to arrive for 6.50 pm.

<b>SCHEDULE</b>					
<b>Agenda Number</b>	<b>Ward</b>	<b>Application</b>	<b>Brief Summary of Proposal</b>	<b>Site Address</b>	<b>Applicant</b>
14	NEROCHE	15/04866/OUT	Outline application for residential development (for up to 25 No. dwellings) with associated vehicular access arrangements, relocation of parking for Norbeth and The Bell Inn. (GR 332383/115392)	Land Rear Of The Bell Inn Broadway Road Broadway	G Pavier And M Baird

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

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

### **Referral to the Regulation Committee**

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

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

### **Human Rights Act Statement**

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

---

# Agenda Item 14

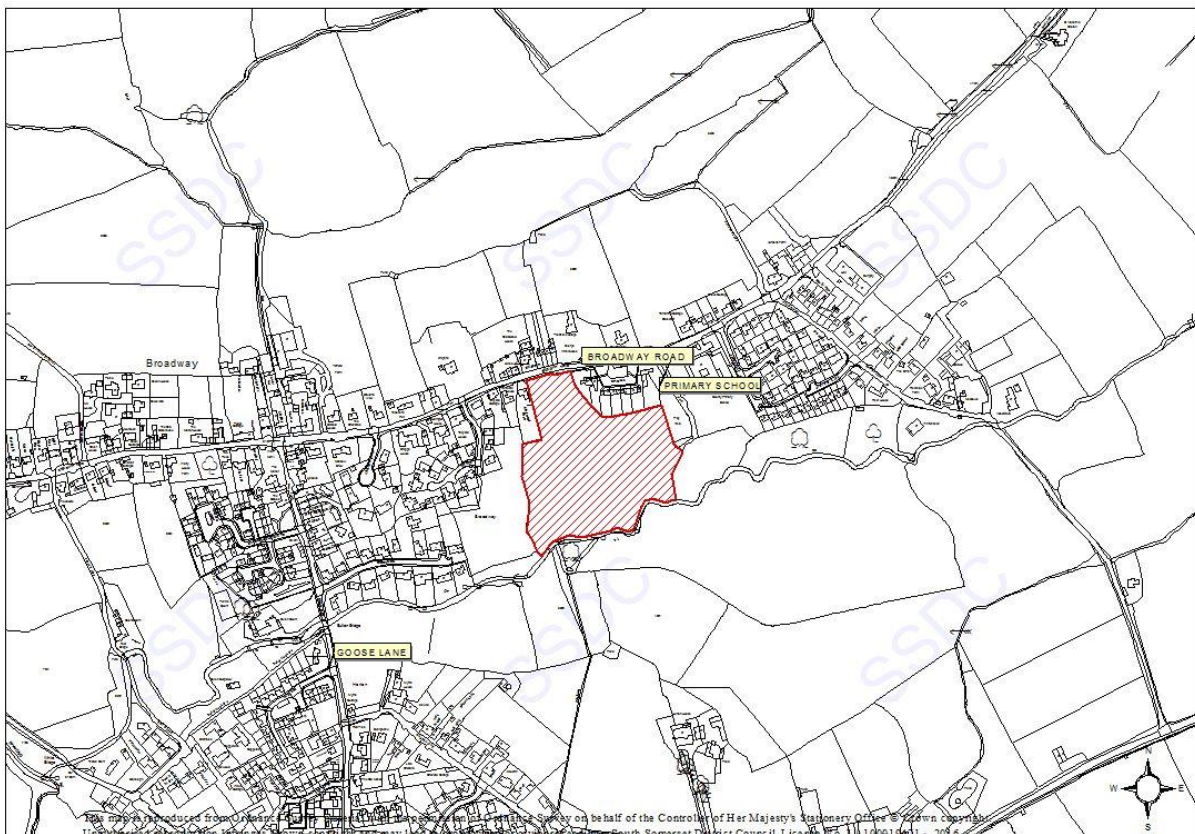
## Officer Report On Planning Application: 15/04866/OUT

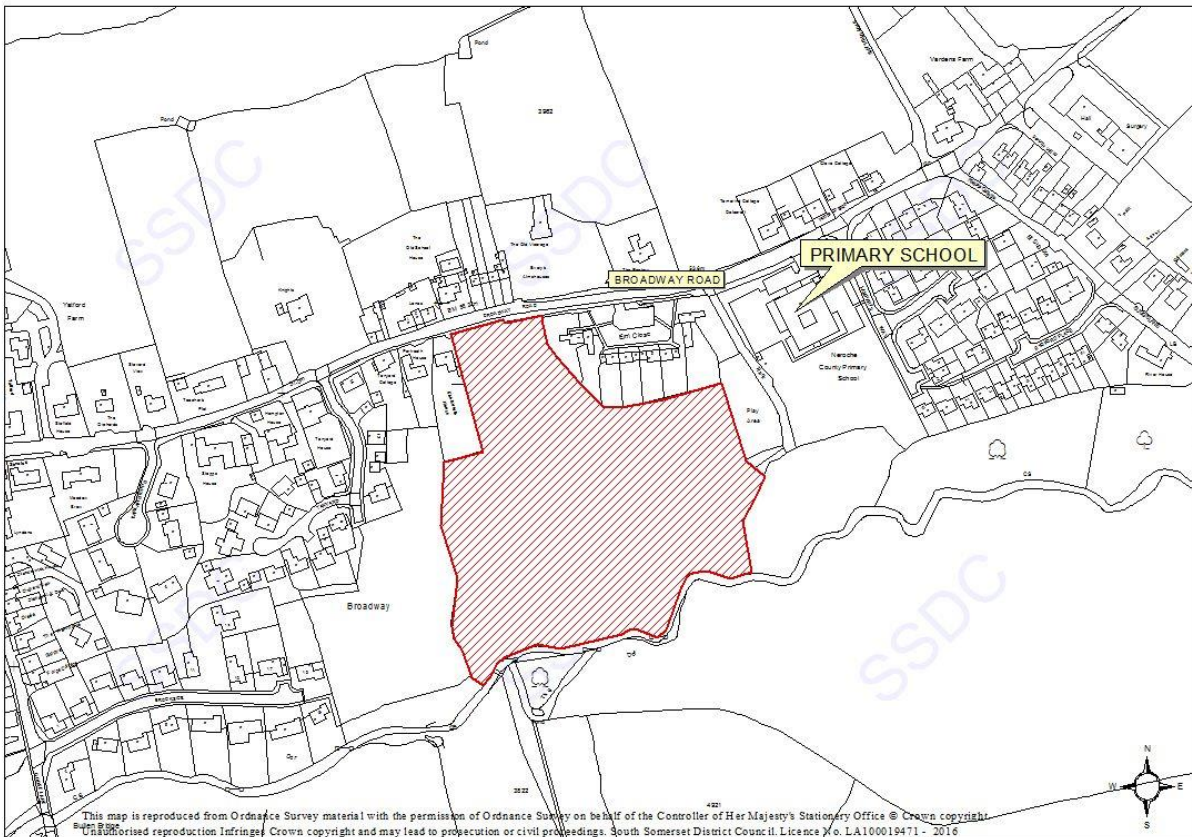
<b>Proposal :</b>	Outline application for residential development (for up to 25 No. dwellings) with associated vehicular access arrangements, relocation of parking for Norbeth and The Bell Inn. (GR 332383/115392)
<b>Site Address:</b>	Land Rear Of The Bell Inn Broadway Road Broadway
<b>Parish:</b>	Broadway
<b>NEROCHE Ward (SSDC Member)</b>	Cllr L P Vijeh
<b>Recommending Case Officer:</b>	Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk.
<b>Target date :</b>	3rd February 2016
<b>Applicant :</b>	G Pavier And M Baird
<b>Agent: (no agent if blank)</b>	Shaun Travers Boon Brown Architects Motivo Alvington Yeovil, Somerset, BA20 2FG
<b>Application Type :</b>	Major Dwlg 10 or more or site 0.5ha+

### REASON FOR REFERRAL TO COMMITTEE:

This application was considered by members at the June committee and deferred to allow members to undertake a site visit. The following report should be read in conjunction with the original committee report from the June Committee which is attached to the end of this report.

### SITE DESCRIPTION AND PROPOSAL





In response to the debate by members at the committee meeting in June, this report provides further comment in relation to highway impacts, conservation issues, housing numbers and sewage infrastructure.

Additionally the Councils Highway Consultant has provided some additional comments and as requested by members will be in attendance at the July meeting.

In response to concerns over the access the applicant has submitted a revised plan showing an increased radius at the eastern side of the proposed junction. Revised vehicle tracking details are submitted which demonstrate that an 11.4 metre refuse vehicle could negotiate the junction without conflicting with parked cars opposite the junction.

Additionally, Somerset Waste partnership have confirmed that refuse collections in this area are normally carried out by the smaller 26 tonne vehicles which are 10.4 metres long and therefore have tighter turning circles than is shown on the vehicle tracking plan.

The Councils Highway Consultant and the Highway Authority have been consulted. Their responses are as follows:

**Highway Authority:**

*Whilst we do not object to the development in principle we are concerned about the relationship between the revised radii and the potential for increased speeds of left turning vehicles entering the site and the pedestrian crossing point. However I do not believe these changes will result in a severe impact on highway safety and am happy that any such matters of detail can be resolved satisfactorily during the S38 adoption process should the development be approved.*

**SSDC Highway Consultant:**

*I refer to the amended plans submitted by the agent indicating the alteration of the eastern junction radius. The swept path analysis plans indicate that a large 4-axle refuse collection vehicle (which it appears is larger than the current 3-axle vehicle that operates in the area) can satisfactorily enter and exit the site without conflicting with the on-road parking outside the Alms Houses.*

*I am therefore satisfied that the plans indicate the provision of a safe and suitable/convenient means of access to serve the residential development.*

*With regards to traffic impact of the scheme, I have considered the TRICS analysis set out in the Transport Statement which indicates that the proposed development is likely to generate around 20 vehicular movements in the AM and PM peak hours. This equates to an average of one vehicle movement every three minutes during the busiest times of the day. Consequently, I do believe that such traffic impact can be considered as 'severe' in reference to paragraph 32 of the NPPF.*

*Having regard to the above it is considered that the junction would meet the relevant technical standards and as such the proposal is considered to be acceptable in relation to highway safety.*

**Conservation:**

Concerns were raised at the committee meeting in relation to the impact of the proposed development on the grade II listed Almshouses. The Councils Conservation Officer has provided some additional comments and these are set out below:

*"There are some historic properties close to the site, with the Almshouses being listed. These are opposite the site and set back, fronted by a hedge. The site is at a transition point in the village where the stone walls to the front of dwellings change to hedges. There are a number of modern properties to the west of the site.*

*The new access would result in the loss of a section of wall to the front of the pub car park which is to the west of the building. There is no wall to the front of the public house, this area may have been marked out for off road parking, but on my visits I have not seen it is use as such.*

*There are clearly a number of planning issues to be considered, with my remit relating to the setting of the listed building. We have a statutory duty to have special regard to the setting of listed buildings, with the NPPF giving great weight to the conservation of heritage assets. Any harm results in a statutory objection which has to be weighed against the public benefits.*

*In this case the alterations are not to the buildings, or within the curtilage, but are indirectly across the road. It is difficult to read the new access and the listed building together. There is no inter-visibility. Therefore for me, the issue is whether the alterations to the street scene are harmful to the wider setting.*

*The drawing we have is indicative, but shows what we would largely expect of an estate road. The roadside wall is regularly punctuated by drives and accesses, some built with waiting bays. The wall to the public house is missing across the front of the building opening the road out. Walls would be rebuilt, but could perhaps be longer and better positioned.*

*In context I do not see that this access is, in principle, harmful to the setting of the listed building.*



*I do see that this drawing for information does leave some queries: The walls should be to the back of the pavement and should continue into the new road. I would like to see as much of the front of the public house with a wall, but this may not be within the control of the applicant. The tactile surfacing needs thought, as it may be implemented in a way which is somewhat stark. How the pavement is handled across the pub frontage needs careful thought so as that the engineering and design are also not too overt. In summary we need to ensure the access blends in as it should.*

(Case officer comment: The paragraph below from the Conservation Officer is in response to comments from the Parish Council that the Conservation Officer had previously objected to almost all housing proposals where there were grade II listed buildings in close proximity, including the Vardens Farm application).

*With regard to Vardens Farm, my view is not in relation to views of the Church, but how the village would be moving towards an historically isolated church building, which has a much wider setting than the Almhouses”.*

Having regard to the above comments, the principal impact would relate to the insertion of the estate road and associated loss of existing stone wall. Given the visual separation of the access from the Listed building and the modern context of the area to the south of Broadway Road, it is considered that the alterations would not be so significant so as to harm the setting of the listed building. Furthermore, the reserved matters application can ensure the provision of appropriate boundary treatment to the sides of the access which should consist of a continuation of the natural stone walling adjoining Broadway Road. The applicants agent has confirmed that stone walls in these locations would be acceptable to the applicants and that this could be made a condition of an approval. Accordingly it is considered that the setting of the listed building would be preserved in line with Policy EQ3 of the South Somerset Local Plan (2006-2028).

#### **Housing numbers:**

Clarification has been requested in relation to the acceptability of the cumulative number of houses resulting from this development and the recently approved scheme at Tanyard which is for 16 dwellings.

The Council currently cannot demonstrate a 5 year housing land supply. The latest position in this regard was reported to members at the Councils District Executive meeting on the 7<sup>th</sup> of July. This confirms that currently the housing supply is 4 years and 2 months which equates to a cumulative identified shortfall of 998 dwellings across the district.

Each application needs to be considered on its individual merits in terms of the acceptability of its impacts. As the Council cannot demonstrate a 5 year housing land supply the assessment of planning applications for housing is made against the context of paragraph 14 of the NPPF which states:

*Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

The case officer was requested to compare Broadway with other similar sized villages in terms

of applications/approvals for housing. However, given the above requirement of paragraph 14 and the principle of assessing on individual merits, whilst a check on recent housing applications in other villages is informative, it is not a material consideration that should be given much weight in assessing the merits of the application.

**Sewerage Infrastructure:**

The Parish Council and local Ward Member have requested further clarification in relation to the lack of objection from Wessex Water. It is understood that there have been instances of a manhole in Suggs lane overflowing. Wessex Water have been monitoring the situation and have confirmed that blockages in the sewer were identified. As a result of this and further flooding in 2015/16 routine jetting has been extended in the village. A scheme to carry out a full hydraulic appraisal of the network is also being planned. Wessex Water further confirm that the foul outflow from 25 properties will be very low and no objections are raised on the basis of capacity.

Given the comments from Wessex Water, it is considered that there is sufficient capacity in the network to accommodate the proposed development. The identified issues are pre existing and there is ongoing assessment by Wessex Water of the maintenance regime for the village. As such these issues are not related to the proposed development and it would therefore not be reasonable to refuse planning permission for the proposed development on this basis.

**Other issues:**

One of the benefits of the proposed scheme is that it would provide the opportunity for improved parking facilities for the public house and this weighs in favour of the scheme. Concerns were raised at the committee meeting that the public house could be converted or demolished to provide additional houses. Whilst the public house is within the red line site area, the public house is not included within the application or description of development for demolition or conversion. Nevertheless to mitigate these concerns it is considered that a condition can be imposed which clarifies that the permission would not grant consent for the change of use of the public house to residential use.

**Conclusion:**

It is considered that provision of up to 25 dwelling houses with 35% affordable housing would be acceptable in principle within this sustainable location. The access is considered to have no adverse impact on highway safety. Financial contributions towards sports and leisure facilities are considered necessary to mitigate the impact of the development. The provision of public open space will enhance the facilities within the village and will be a significant positive outcome from the proposal.

**Section 106 Planning Obligations:**

The application be approved subject to:

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

1 At least 35% of the dwellings as affordable dwellings of a tenure and mix that is acceptable to the Corporate Strategic Housing Manager.

2 Contribution of £4752.00 per dwelling towards the provision of sport, play, open space and strategic facilities.

3 Transfer of the open space to either the Parish Council or the District Council and provision of a commuted sum of upto £55,131.33 for the future maintenance of the open space.

b) The following conditions as outlined below:

## **RECOMMENDATION**

Approve for the following reason:

The proposed development is located in a sustainable location, provides considerable social benefits such as affordable housing and will contribute to overall housing supply within the district. The impacts of the scheme will be acceptably mitigated through planning obligations and is considered to be acceptable in terms of residential amenity, highway safety and visual amenity. The development will not harm the setting of the adjacent Grade II Listed Building. Planning conditions would ensure that protected species are not harmed and that there were ecological enhancements within the site. As such, is considered that the proposal would accord the requirements of policies SS4, EQ2, EQ3, HG3, TA5 and TA6 of the South Somerset Local Plan (2006-2028).

Approve as per conditions and 106 obligations recommended to the Committee in June with the addition of a condition to clarify that the public house and its curtilage do not form part of the consent for residential use.

## **JUNE REPORT:**

This is an outline application for residential development comprising of up to 25 no. dwellings, associated parking, landscaping and construction of access. The outline is to agree the principle of development and access only, all other matters are reserved.

The site comprises of an undeveloped field situated to the south of The Bell Inn public house within the village of Broadway. Vehicular access would be gained from Broadway Road to the north of the site via a new estate road to be constructed in-between the Bell Inn public house and an adjoining detached dwelling, 'Norbeth.

The southern site boundary is formed by the River Ding and beyond this there is open countryside. There is an adjoining paddock located to the west of the site that has recently received outline planning permission for up to 16 dwellings. There is existing development to the north of the site fronting Broadway Road and a primary school to the north east.

## **HISTORY**

None relevant to the application site.

Adjacent site:

16/03636/OUT- Outline application for a residential development comprising of up to 16 No. dwellings, associated parking, landscaping and construction of access - Allowed on appeal under reference 3063738.

## **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.

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

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

Relevant Development Plan Documents:

South Somerset Local Plan (2006-2028):

SS1 - Settlement Strategy - identifies Broadway as a Rural Settlement

SS2- Development in rural settlements

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

SD1 - Sustainable Development

HG3 - Provision of affordable housing

TA5 - Transport Impact of New development

TA6 - Parking Standards

EQ2 - General development

EQ3 - Historic Environment

EQ4 - Biodiversity

National Planning Policy Framework

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

## **ENVIRONMENTAL IMPACT ASSESSMENT**

None required

## **CONSULTATIONS**

### **Broadway Parish Council:**

This planning application was received and considered at a meeting of Broadway Parish Council held on 7 December 2015 attended by 33 members of the public. The Parish Council unanimously resolved that it did OBJECT to the proposal for the following reasons:

- Local Planning Policy - it is felt that this proposal does not meet the criteria of Planning Policy SS2. It is also felt that it does not meet the criteria of the Local Plan Paragraph 5.25 - 'Future delivery of housing and economic activity in rural locations needs to carefully balance the sustaining of communities against protecting and enhancing the rural environment'.
- 'Cumulative Effect' - currently SSDC has five planning applications under consideration for Broadway which, if all granted, would yield up to a total of 59 dwellings. Although it has been understood from SSDC that it is too early to argue the 'cumulative effect', which is felt does not reflect the Local Plan Policy SS2 and Paragraph 5,25, it is felt that a request should be made to SSDC as to whether this could be taken into consideration. Broadway Parish Council is working towards commissioning a Housing Needs Survey during 2016 which will provide evidence of the specific housing needs for the Parish. There are concerns the SSDC currently identified shortfall of the 5 year housing supply needs could fail to take into account housing requirements across the entire district.
- Adverse Village Impact - based on the 2015/16 Council Tax Base the number of properties in Broadway Parish is 325 houses. An additional 25 houses in a single development would represent an increase of 7.7%. The latest population count as of the 2011 census (the latest information available) was 740. Using the average number

of residents per household in the UK as being 3 then this could represent an additional 75 residents i.e, a 10% increase in the village population. It is felt the density and scale of this proposed development, when combined with the other proposed developments in Broadway, could affect the amenity and rural character of the village if it was approved without giving consideration to the aggregate effect of all the currently proposed developments in the village.

- **Flooding and Ecology** - the Parish Council has concerns the studies do not adequately address the impact of this development on the existing issues in the areas due to flooding particularly in the way that the site acts as a flood plain/overflow area for the River Ding. The density and hard landscaping of the proposal could well alter the way in which the site deals with the inundation that occurs, leading to adverse impacts on any proposed new properties, nearby properties, watercourses and public foul sewerage systems. There is an ongoing known problem with sewage and foul water flooding the area down-stream of the site - particularly in Suggs Lane - which occurs when the Ding rises significantly or floods the area - which causes the drains to overload and bring sewage up through the drain covers which is then deposited on private residential property and the road. This problem has been brought to the attention of both Wessex Water and SSDC but to date the issue has failed to be addressed. It is felt that no further development should be undertaken along this route until this drainage issue can be satisfactorily resolved.
- **Highway Safety** - the proposed new access road, both to the proposed pub parking and wider development, is considered to be far too tight, narrow and potentially dangerous. It is felt the proposal for a footway to be provided only along one side of the proposed new road is unacceptable and a wider splay onto Broadway Road, which is barely wide enough itself at this point, needs to be provided. The proposed new access road would be located directly opposite the 1588 Grade 2 listed Alms Houses which have no parking facilities other than at the front of these properties on Broadway Road. There are already concerns regarding highway safety along the whole stretch of Broadway Road due to the volume of traffic, narrowness of the carriageway and sparse footway provision. It is felt the introduction of a new roadway to service up to 25 houses and a pub would make a narrow and congested stretch of Broadway Road significantly worse.

**Landscape Officer:**

The site is a large grass field, currently grazed at low-intensity, which lays to the south of the main Broadway Street. Along with smaller paddocks to its sides, it is the main contributor to an open pasture area that separates the Tanyard/Brookside Close development to the west, from the Primary School and Lamparts Way area at the east end of the village. The open nature of the site also helps to maintain continued separation of Horton from Broadway. As such, it contributes to local character, and I view this as a strategic landscape space between these two Broadway housing areas to the north of the River Ding, and Horton to the south, particularly with its public access via local footpaths, and links with the school's playing field, that has great value to local amenity.

Broadway is not a major settlement, and as I understand it, has no allocation for additional residential development. Amongst its many objectives, national planning guidance seeks to protect the countryside, and our local plan policy SS2 seeks to strictly control the extent of development, unless community benefit and support can be gained. By definition, the proposal will clearly result in an erosion of the countryside - by virtue of domestic expansion into agricultural land, and this is a clear negative impact. On this basis, an in-principle case for refusal could be made, substantiated by the erosion of this open space area that contributes to the character and distinctiveness of the locality, thus failing to satisfy adopted LP policy EQ2.

The design and access statement submitted in support of this proposal offers a layout that constrains development to the north side of the field, to thus relate it to the development form associated with the main street and so assist assimilation of the proposal into this village edge context, whilst the indicative plan shows housing drawn well back from the immediate edge of the River Ding, such that a large area of the field remains open, with a potential to dedicate this land as public open space, which can be viewed as a potential community benefit. Consequently, whilst I consider that development of this site will lead to an erosion of local character, to thus provide landscape grounds for objection as set out above, should the Policy view be that Broadway is in need of local homes, and the open space has a capacity to come forward for community benefit (and this can be secured) then cognisant of the limited development potential elsewhere on land at Broadway's edge, I consider that these may provide circumstances where I would not argue that the case for a landscape objection is so strong as to provide a sole and over-riding basis for refusal of this application.

**SSC Highways:**

No objections subject to conditions relating to the submission of a Construction Environmental Management Plan, technical details of the estate roads, provision of footpaths to each dwelling prior to occupation, cycleway and footpath connections within the development to be agreed, surface water right of discharge and travel plan.

Comments as follows:

The proposed access is within the built up area and is to be provided with visibility splays that are appropriate for the speed limit on Broadway Road. The proposed access road will need to be constructed to an adoptable standard and a condition will be imposed to require full details to be submitted and approved prior to work starting on site. The estate road as proposed does not permit the design refuse vehicle from entering and leaving the site without crossing the centre line but this is not unusual in villages and as it will only be a once a week event it is not considered to result in a severe highway danger as required by NPPF. The peak hour traffic as identified in the Transport Assessment is not considered sufficient to produce severe congestion issues on the surrounding highway network.

**Local Lead Flood Authority:**

No objections to the application as submitted provided that a drainage condition is imposed requiring details of surface water drainage details and details of its maintenance and management of the for the lifetime of the development to be agreed in writing.

**Environment Agency:**

No objections subject to a condition requiring that levels within the open space are not raised. Standard informatives are recommended relating to pollution prevention, land drainage consent, and ecology.

**Wessex Water:**

There is adequate available capacity within the existing water supply network to serve the proposals; point of connection subject to application and agreement. Building above two storeys will require on site boosted storage. Standard informatives required.

**SSDC Ecologist:**

No objections subject to recommended conditions relating to landscaping details, including ecological enhancements and management of the open space and a slowworm survey/protection measures to be carried out.

**SSC Education:**

The local school, Neroche Primary currently, currently has capacity. Whilst an accumulation of

planning consents in the area will increase the pressure on this school I understand from my colleagues in Education Commissioning that a number of the pupils attending this school are from out of the area. Thus it would not be equitable in this instance for SCC to seek an Education contribution.

**SSDC Environmental Protection Unit:**

Expressed concern over the impact of the beer garden on neighbour amenity if it is situated to the rear of the public house. No objections are raised to siting the garden to the front/side of the public house.

Recommended a contaminated land watching brief to be secured by condition due to the potential for contamination from the old tannery to the west of the site.

**SCC Rights of Way:**

Commented that the development will obstruct the footpaths. Further commented that no objections are raised provided that the applicant is informed that a diversion order is applied for.

**SSC Archaeology:**

No objections

**SSDC Housing Development Officer:**

35% be provided as affordable housing (9 affordable dwellings from a total of 25). 2/3rds (6) should be provided at social rent and up to 1/3rd (3) may be provided as some other intermediate solution such as shared ownership, discount market, Affordable rent, etc.

I would like to propose the following property mix based on the current Housing Need Register data for Ilminster, and considering the stock levels and turnover in this area. I would also expect that our prevailing minimum space standards are adhered to:-

- 2 x 1 bed (2person) - 47sqm
- 5 x 2 bed (4 person) - 76sqm
- 1 x 3 bed (6 person) - 86sqm
- 1 x 4 bed parlour (8 person)- 126sqm

**SSDC Sports, Art and Leisure:**

Request a total contribution of £4752.00 per dwelling towards local and strategic facilities with a breakdown as follows (assuming 25 dwellings):

Local facilities:

- Equipped play space - £21,220.00 (plus commuted sum of £12,257.00)
- Youth facilities - £4,167.00 (plus commuted sum of £1540.00)
- Playing pitches - £9,789.00 (plus commuted sum of £6985.00)
- Rural community halls - £38,043.00

Strategic facilities:

- Theatre and art centres - £7722.00
- Artificial grass pitches - £1983.00
- Swimming pools - £4516.00
- Sports halls - £9399.00

**Conservation Officer:**

I don't consider that the proposal is harmful to the listed building (Almshouses) in this context. What would improve the proposal is a stone wall running across the front of the public house,

allowing for access to their car park and field access at the east end.

## REPRESENTATIONS

42 neighbours were notified and a site notice displayed. There were objections from 21 adjoining occupiers, 1 in support and 1 letter making representations. The following comments are made in objection:

- The proposal is overdevelopment particularly given recent approvals such as at Tanyard.
- No evidence of need for the houses.
- Increased traffic and resulting parking and safety issues. The locality is very congested during school drop off times and therefore the location is not appropriate for the proposed access.
- The local road network is unsafe and there are deficiencies in pedestrian facilities in the area.
- Concerns over flooding.
- Sewerage infrastructure is not able to cope.
- School is already oversubscribed.
- Adverse impact on wildlife.
- There are brownfield sites that could be developed as an alternative.
- There is little public transport in the village.
- Adverse impact on rural character.
- Policy SS2 places development in the hands of the Parish.
- Limited facilities in the village- no shop.

The following comments were made in support:

- The amenities are generous for a small village.
- The proposed housing is needed and if affordable housing is proposed would provide opportunities for the younger generation to stay in the village.
- The school has extended its catchment area to maintain numbers.

The following comments were made as a general representation:

- The access should be revised to allow better arrangements for pedestrians.
- The enhancements for the public house should be more comprehensive such as a larger beer garden.
- Parking provision should be realistic.
- Fewer, perhaps larger homes are better than small terraced dwellings.

In addition to the above, representations have been received from Somerset Wildlife Trust which endorse the recommendations of the ecological survey. It is also requested that external lighting should be reduced to a minimum and landscaping to consist of native species.

## CONSIDERATIONS

### **Principle of development/sustainable development:**

As set out above, the starting point for decision-making is the statutory development plan, which is the South Somerset Local Plan (2006 - 2028). Adopted in March 2015, this provides the policy framework through which to make decisions on whether or not to grant planning permission for development in the district.

However, the lack of a five-year housing land supply means that policies relating to the supply of housing should not be considered up-to-date. As such, proposals for residential



development fall to be determined in light of Paragraph 14 which states that where development plan policies are out-of-date planning permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

According to the recent High Court decision (Woodcock Holdings Ltd) in reaching a conclusion on an application, the appropriate weight to be attached to 'out-of-date' housing supply policies needs to be considered in the 'planning balance' of whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. It falls to the local planning authority to strike the appropriate balance between the very clear benefits stemming from the delivery of houses to meet the Council's shortfall and any harmful impacts arising from this proposal. The NPPF is very clear that, without a 5 year housing land supply, housing application should be considered "in the context of the presumption in favour of sustainable development" (para. 49) and that any adverse impacts would need to significantly and demonstrably outweigh the benefits when assessed against the policies in the framework taken as whole; or specific policies in the Framework indicate development should be restricted. (para.14).

Having regard to the above, the planning merits of the proposal are considered against the aims of the NPPF and these considerations are set out below:

**Sustainability of the settlement:**

It is considered that Broadway is a sustainable location for housing development given the facilities that the village provides. In terms of connectivity to facilities, the school is located approximately 150 metres to the east of the site and is accessible for pedestrians via a footway. Additionally there is a GP surgery, village hall and play area within a short walk of the site. This good level of connectivity to existing services and facilities is considered to weigh in favour of the proposal.

It is further noted that in allowing the appeal for the adjoining site, the planning inspector commented that the scheme of upto 16 dwellings stated that:

"The proposed mix of affordable and open market housing would increase the overall sustainability of the settlement, including support for key services. The proposal would not undermine the sustainability of Broadway".

As such the proposal would comply with the relevant sections of the NPPF in respect to locating housing within existing communities where existing services and facilities would be maintained and enhanced.

**Number of dwellings proposed:**

The applicant has not submitted an indicative layout, however these details would be part of a reserved matters submission.

The design and access statement confirms that 25 dwellings within the area proposed would represent a density of 18 dwellings per hectare. The application is for upto 25 dwellings and as such the Local Planning Authority have control over the final number having regard to matters such as general amenity and parking provision. It would be for a developer to assess the market demand which would affect the composition and final number of dwellings proposed.

**Community facility:**

The proposal involves securing the space to the south of the site for community use and the developer has come up with the concept of a 'rural park'. It is considered that footways within the park would improve access to this area for the community, particularly for those with limited mobility. Additionally this facility would improve connectivity to the school from houses to the west of the site and gives potential for children to walk to the school whilst avoiding the road. These benefits to the community are considered to be very positive and weigh significantly in favour of the scheme.

**Landscape Character/ Visual amenity/Listed Building:**

The Landscape Architect has been consulted and his comments are quoted in the consultation section of this report. In summary the Landscape Officer raised some concern over the impact of the proposal on landscape character, however notes the retention of the lower portion of the site as open space and the benefits this brings in landscape terms.

The Landscape Officer further comments that on the basis of landscape impact only there is potential conflict with the Local Plan and that this needs to be weighed against the potential for the community benefit arising if the future of the public space is secured.

Considering that the site to the west of the subject site has recently secured outline planning permission on appeal and presence of existing residential development to the north and west of the site, in the absence of a 5 year housing land supply it is considered that the development is sufficiently well located in relation to existing development and would present an appropriate 'rounding off' of development in this location. The finding of some landscape impacts as a result of the development would not be sufficient to warrant a refusal particularly given the other benefits of the scheme.

There is a grade II listed building located to the northern side of Broadway Road. The access would be located opposite. Given the limited scale of the access and the partially modern context it is considered that there would be no harm to its setting as a result of the proposal.

**Flooding/sewerage infrastructure:**

Objections have been received with regard to flooding of both the site from the river Ding, foul water flooding from the sewer pipes along with ground water flooding within the site.

The Environment Agency have raised no objection to the proposal subject to conditions and informatives. The condition would require that no part of the open space is raised above the pre developed level as any raising of ground level could deflect flood waters to other areas.

Wessex Water has been consulted and do not object as there is sufficient capacity in the local sewer network. Informatives are recommended in relation to consents for connecting to existing infrastructure.

**Ecology:**

The councils ecologist does not object to the proposal subject to conditions being included within the decision notice. The area is identified as being a foraging and commuting route for bats particularly along the southern boundary and eastern and western hedgerow boundaries. The provision of buffers to the eastern and western boundaries can be secured through a condition. The 50 metre buffer to the river and a lighting strategy for the development will ensure that appropriate mitigation is undertaken for bats.

The ecology survey concludes that there are small areas that may be a suitable habitat for slowworms. The Councils Ecologist has commented that reptile survey should be secured through a planning condition which would also secure a method statement and mitigation plan

should their presence be confirmed. This approach is consistent with the approach taken by the Planning Inspector on the adjacent site and is considered appropriate given the small scale of the potential habitat in relation to the wider site.

The Councils Ecologist has requested a further planning condition requiring a management plan for the open space, including ecological enhancements.

**Highway Safety:**

Objections have been raised over the increase in traffic on Tanyard and parking along with the general increase of traffic within the village itself.

During consideration of the application additional plans illustrating refuse vehicle tracking have been submitted and additional plans of the access were submitted due to concerns raised by the Councils Highway Consultant that the visibility splays were not achievable. The Councils Highway Consultant has since commented that the visibility splays stated would be achievable and acceptable.

In addition to the above, the County Highway Authority have confirmed that they have no objections to the proposal subject to conditions relating to various technical matters. Comments are provided confirming that the proposed visibility splays would be acceptable for this location and that the locality can accommodate the additional vehicular movements.

Objections have been raised in relation to the impact on residents cars parked opposite the proposed access which is a parking area generally used by occupants of Every's Almshouses. The Highway Authority are satisfied that the manoeuvre can be carried out safely. Additionally this issue has been discussed with the Councils Highway consultant who is satisfied on the basis of the swept path analysis plan that a large refuse vehicle turning right would not conflict with cars parked outside the Almshouses.

**Residential Amenity:**

Objections have been raised with regard to the general disturbance from the increase in traffic and lighting along with disturbance whilst construction works take place and once the new houses are occupied. The site lies alongside an existing residential area and as such it is considered that once constructed the level of disturbance will not be above and beyond the general expectation within a residential area. A construction Environmental Management Plan is proposed which will assist in limiting the impact of the development.

**Contaminated Land:**

Some concern was expressed by the Environmental Protection Department (EPU) in relation to the potential for contamination due to the proximity of the old tannery which was located to the west of the site. In response EPU have suggested a condition to report certain findings once the development is commenced.

Concern was raised over the change of use of land to the rear of the public house to a beer garden and this would potentially disrupt adjoining neighbours. Since this objection was submitted, the applicant has withdrawn this element of the scheme from the proposals.

**Rights of Way:**

The County Council Rights of Way Department do not object subject to an informative relating to the need to divert several of the footpaths. The footpaths would have to be carefully considered prior to submission of the reserved matters application. It is considered that there are no reasons why the footpaths cannot be accommodated acceptably within the reserved matters submission.

The footpath to the south of the dwellings would not require diversion as it is located within the open space.

**Developer Obligations:**

Paragraph 204 of the NPPF makes clear that planning contributions should only be sought in order to make development acceptable in planning terms and be directly related to the impacts of that development.

The Councils Sports and Leisure department have assessed the impact of the proposals upon local leisure infrastructure. An overall contribution of £4752.00 per dwelling is sought.

The County Council have commented that they would not be seeking contributions towards the Local Primary School as a result of the development.

In relation to the public open space there are options for the land to be transferred to either the Parish Council or to the District Council with a commuted sum to be paid for maintenance. The agent who has submitted this application is understood to have had some discussions with the Parish Council although the parish have not accepted at this stage that they would like to take on management of the space. Whilst adoption by the Parish Council is considered to be the preferred option, the Street Scene department have confirmed that they would be willing to adopt the space and undertake future maintenance if required. A commuted sum of upto £55,131.33 would be payable upon transfer of the land to either the Parish Council or District Council.

The development would be subject to Policy HG3 which requires that 35% affordable housing is provided.

**Conclusion:**

It is considered that provision of up to 25 dwelling houses with 35% affordable housing would be acceptable in principle within this sustainable location. The access is considered to have no adverse impact on highway safety. Financial contributions towards sports and leisure facilities are considered necessary to mitigate the impact of the development. The provision of public open space will enhance the facilities within the village and will be a significant positive outcome from the proposal.

**Section 106 Planning Obligations:**

The application be approved subject to:

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

- 1 At least 35% of the dwellings as affordable dwellings of a tenure and mix that is acceptable to the Corporate Strategic Housing Manager.
- 2 Contribution of £4752.00 per dwelling towards the provision of sport, play, open space and strategic facilities.
- 3 Transfer of the open space to either the Parish Council or the District Council and provision of a commuted sum of upto £55,131.33 for the future maintenance of the open space.

b) The following conditions as outlined below:

## RECOMMENDATION

Approve subject to conditions and 106 obligations.

### SUBJECT TO THE FOLLOWING:

01. Approval of the details of the layout, scale and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

02. The landscaping scheme required by condition 1 shall include the retention of the existing hedges to the east and western site boundaries and details of measures for their protection in the course of the development and measures for the protection of any trees within the development site. The landscaping scheme shall include details of any changes proposed in existing ground levels, the construction, location and finish of footpaths through the open space and proposed planting, seeding and turfing. The landscaping scheme shall be carried out and completed in accordance with a timetable to be agreed in writing. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Policy EQ2 of the South Somerset Local plan (2006-2028).

03. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason: In the interests of highway safety and general amenity to accord with Policy TA6 and EQ2 of the South Somerset Local Plan (2006-2028).

04. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details

to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA6 of the South Somerset Local Plan (2006-2028).

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

Reason: In the interests of highway safety to accord with Policy TA6 of the South Somerset Local Plan (2006-2028).

06. In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA6 of the South Somerset Local Plan (2006-2028).

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

Reason: In the interests of highway safety to accord with Policy TA6 of the South Somerset Local Plan (2006-2028).

08. The new development shall not be commenced until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the new development shall be occupied prior to implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation. Those parts of the Approved Travel Plan that are identified therein as capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In the interests of highway safety to accord with Policy TA6 of the South Somerset Local Plan (2006-2028).

09. Prior to the occupation of any of the dwellings hereby approved are first occupied, a 1.8 metre wide footway shall be constructed across the site frontage with Broadway Road as illustrated on the site location plan no. 3448/PL/001 in accordance with a specification to be approved by the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA6 of the South Somerset Local Plan (2006-2028).

10. No development shall be commenced until surface water drainage details together with a programme of implementation; maintenance and management of the sustainable drainage scheme, for the lifetime of the development have been submitted to and approved by the Local Planning Authority. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- Flood water exceedance routes, both on and off site, note: no part of the site shall be allowed to flood unless specifically designed to do so.
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development.

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

11. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey to determine presence/absence of slow worms and if present, a mitigation plan or method statement detailing measures to avoid harm to slow worms, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection and conservation of priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

12. The layout of the site shall include the provision of buffers to the existing hedges to the east and western boundaries in accordance with details that shall be submitted and approved in writing by the Local Planning Authority. A scheme of ecological enhancement measures that shall include a scheme for the eradication of Himalayan balsam and fencing to prevent access to the river bank and the provision of bat and bird boxes shall be submitted and approved in writing by the Local Planning Authority.

Reason: For the protection and conservation of priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

13. No development shall commence until details of a lighting strategy, designed to be sensitive to bats, and the timing of any construction works during the period March to October (inclusive), has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: For the protection and conservation of priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

14. There shall be no land raising in the areas defined at flood risk on the Environment Agency Flood Map for Planning (Rivers and Seas).

Reason: To ensure there is no additional flood risk as a result of the development in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028).

15. In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or remains from the past industrial use, are found in the soil at any time when carrying out the approved development 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 Planning Policy EQ7 of the South Somerset Local Plan (2006-2028).

#### **Informatives:**

01. The applicant is advised that there must be no building within 3 metres of existing sewers crossing the site and no tree planting within 6 metres. There must be no surface water connections to these existing sewers. The discharge of surface water at an attenuated rate to a watercourse will require the approval of the Planning Authority and the Local Lead Flood Authority. The applicant is further advised to consult with Wessex Water for further advice in relation to adoptable standards for drainage.
02. Further advice on the Himalayan Balsam on the legal position and how to deal with it can be found at:  
<https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>

#### **Land Drainage Consent**

Under the terms of the Land Drainage Act 1991 the prior written Land Drainage Consent of the Lead Local Flood Authority (Somerset County Council in this case) is required for any proposed works or structures that could affect the flow of an ordinary watercourse (all non-main river watercourses/streams/ditches etc). To discuss the scope of their controls and please contact Flood Risk Management Team at Somerset County Council.

#### **Pollution Prevention During Construction**



Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site.

Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

#### Waste Management

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction.

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>

---