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**APPL.NO: 07/01276/FUL APPLICATION TYPE: Full Application**

**PARISH: Seavington St Mary WARD: SOUTH PETHERTON**

**DESCRIPTION: Erection of a single storey community village shop and cafe  
(GR/340682/114643)**

**LOCATION: Land Adjacent Millenium Hall, Water Street, Seavington St Mary, Ilminster  
Somerset**

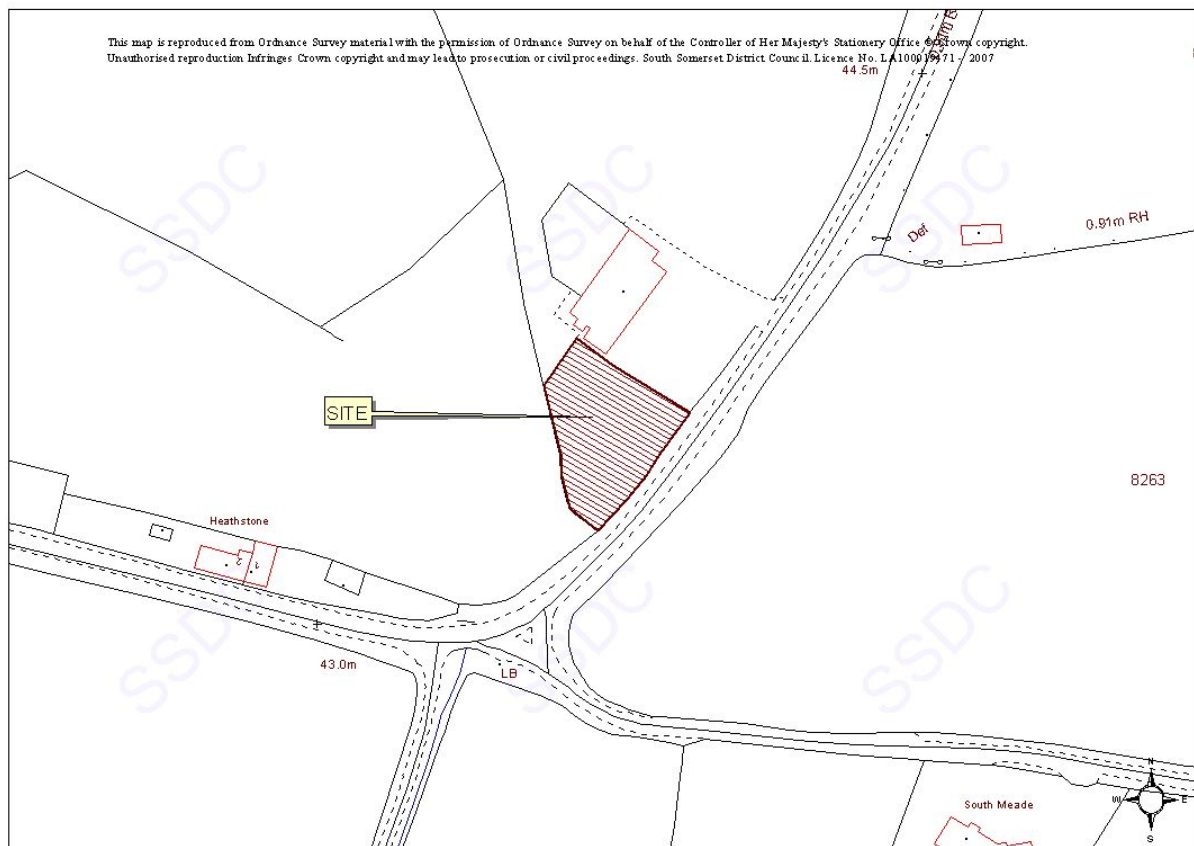
**APPLICANT: Seavington Community Shop & Services Association**

**AGENT: Chris Baranowski DIP.ARCH(AA)RIBA, Higher Dairy House, Allowenshay,  
Hinton St George, Somerset TA17 8TB**

**DATE ACCEPTED: 14 March 2007**

### **Reason for Referral to Committee**

The application is brought forward to Area North Committee at the request of Cllr Patrick Palmer. The reason being that Members wish the Committee to consider the need for the provision of local facilities.



### **SITE DESCRIPTION AND PROPOSAL**

The site is located to the south west of the village of Seavington St. Micheal outside of the defined development area at Water Street. The site lies immediately south of the existing Millennium Village Hall and currently there is a wooded copse providing natural screening to the village hall. The recreation field and associated play facilities lie immediately to the north. There is an existing tarmac car parking area to the front elevation of the village hall that currently serves the existing users of the village hall and the recreation field.

The proposal seeks full planning permission for the erection of a detached single storey village shop and café with a terrace. The building is orientated so as to face towards the existing car park to form a courtyard. The existing access to the site will be retained for customers of the shop and café. A new access is to be formed to the south of the building for delivery vehicles and volunteers who work in the shop/café. It is proposed to create a patio/terrace area to the north east with access from the café area.

In terms of scale, the building measures externally 18.5m x 12m. Internally, the floor area of the shop measures 12.3m x 10m, the floor area of the café measures 5m x 8.3m. Additional facilities such as a kitchen, larder, disabled toilet, plant room and office make up the remaining floor area. The building is proposed to be constructed of reconstituted stone with a fibre cement roof. It is proposed to fell the existing trees within the site to make way for the building. New planting is proposed to replace the lost trees.

## **HISTORY**

No planning history directly relating to this site.

Various planning approvals relating to the erection of the adjacent village hall, recreation field and associated car park extending back to 1973.

## **POLICY**

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

Central Government Guidance:

PPS7 - Countryside  
PPG6 - Retail

Relevant Development Plan Documents

Regional Spatial Strategy:  
Policy VIS 2: Principles for Future Development

Somerset and Exmoor National Park Joint Structure Plan:  
P19 - Employment and Community Provision in Rural Areas  
STR1 - Sustainable Development  
STR6 - Development Outside of Towns, Rural Centres and Villages

South Somerset Local Plan (Adopted April 2006)  
ST3 - Development Outside Defined Development Areas  
ST6 - The Quality of Development

## **CONSULTATIONS**

Seavington St. Mary Parish Council - 'no objections'

County Highways - 'In principle the site is located outside of the development boundaries for Seavington and given the fact that there are limited footway facilities connecting to the site, the customers are likely to arrive by private vehicles. Such fostering of growth in the need to travel would be unsustainable. In detail, the parking facilities at the site are of a sufficient level to enable traffic to park within the curtilage of the site and not on the highway.'

As a result, whilst the site is located in an unsustainable location it must be a matter for the Local Planning Authority to determine whether or not the benefits of the development in this location outweigh the sustainable transport objectives that seek to reduce the reliance on the private vehicle'.

SSDC Planning Policy - 'The proposals seem relatively large when compared to the scale of the villages and the existing village hall'.

SSDC Economic Development - 'no objection to idea of shop project and that local demand is genuine however need to ensure long term viability as project proposed to be run by volunteers - project shows only marginal profit based on crude business plan'.

SSDC Landscape Officer - 'no objection provided replacement planting is undertaken around the village hall and this site'.

## **REPRESENTATIONS**

2 letters of representation received objecting to the development. No letters of support received for the application.

Concerns relate to:

Scale and need for the development:

'Although in theory this seems a good idea we feel it is on too large a scale for such a small village. We don't consider there is even a need for this development to take place. The village is well served by several mobile business people including a fishmonger, fruit and vegetable man and a milkman who sells a wide variety of goods. All necessary provisions can be brought to our doors. We also have a local café and shop at Lopen Head and a public house in Seavington St. Michael that more than caters for local needs and provides meeting places for local residents. The Millennium Hall also offers a small meeting room for hire.'

Wildlife and Landscape Impact:

'The proposed site falls outside the village limits and should be kept free from development to retain the beauty of the area. In the recent 2005 Village Plan it was mentioned by the local tree wardens that the Spinney at the southern corner of the playing field provided important amenity and wildlife value to this public space. We therefore feel that development here would be inappropriate'.

Flooding:

'The grassed farmland to the south west of the proposed site floods in heavy rain. The reductions of open land and vegetation and increase in solid area i.e. village shop would reduce natural drainage and increase the risk of flooding to our property'.

Parking and Traffic:

'Water Street is an area in Seavington where speeding is an issue and any increase in traffic be of concern as we have a children's play area. The Millennium Hall was also highlighted in the village plan as being an area of particular concern as regards parking especially people parking on the roadside verges.'

'We do not object to the village shop, but are concerned about the parking. The present hall car park is not always adequate and cars park on Water Street, that causes problems for passing traffic and the shop will cause more traffic.'

Security:

'Our concern over security is the secluded nature of the site. The village hall garage which is next to the site has been broken into on several occasions and petty vandalism is on going. We feel the shop would also incur such problems at this site'.

Long Term Viability of the Shop:

'In order for this project to succeed, it is necessary to rely on a large numbers of volunteers. What would happen if the shop closes? Would it be converted to housing and set a precedent for the area?'

The Applicants Case:

A brief for Councillors outlining the context of the planning application is attached to rear of this report.

## **CONSIDERATIONS**

The main considerations in this case relate to a number of planning issues. The principle of developing in this location outside of the defined development area of Seavington, the scale of the building proposed in this location, any highway implications and the uses incorporated within the building. The applicants charitable status and how the project may be funded relating to its long-term feasibility is not a planning consideration in this case.

In principle, the site is located outside the defined development areas of Seavington St. Michael and St. Mary and is therefore within open countryside whereby new development is strictly controlled by Local Plan Policy ST3:

'Outside the defined development areas of towns, rural centres and villages, development will be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel'.

In addressing further the proposed use of the building as a village shop outside of the defined development area, Policy MS3 may be applicable in this case:

'Proposals for the provision of small scale shops will be permitted in settlements that are not defined development areas provided they are on a scale commensurate with the shopping needs of the settlement or immediate locality'.

However, further consultations with SSDC Planning Policy has revealed that Policy MS3 may not apply to isolated sites such as this. The aim and spirit of Policy MS3 is to apply to those settlements (i.e. small villages) which do not have a defined development areas such as Hambridge, Beercrocombe etc so as to ensure a village shop can exist when demand creates a need. The purpose of Seavington St. Michael and Seavington St. Mary having a defined development area is to focus new development in these areas and avoid new build developments occurring within the open countryside. A new retail outlet in open countryside is not considered sustainable.

Comments from SSDC Economic Development Services has confirmed there is a genuine need for a village shop to serve the two villages due to working alongside the formation of

the Village Plan. However, to locate the shop in-between the two villages as per this application is not the best option when considering land use planning.

With regard to Policy ST3 and proposals which may benefit economic activity in the rural area, it has not been demonstrated by the applicant how this would benefit the local economy. It is proposed to be run on a charitable basis by volunteers so would not therefore create new employment opportunities in the immediate locality contrary to the aims of Policy ST3 whereby new development may be allowed if there is economic benefit to the area.

The applicant has mentioned alternative sites in the supporting information that are in the defined development area but have been dismissed for other reasons. These options have not been explored by virtue of separate planning applications.

In addition, the scale of the building is comparable to the scale of the adjacent village hall and would encroach unnecessarily into the open countryside contrary to Policy ST3 and the spirit of Policy MS3 should this apply. The proposal incorporates a café which unnecessarily adds to the bulk of the building. There is no policy in the Local Plan which permits a new build café in the open countryside. The applicant states that a café is required to provide refreshments and provide an extra meeting room for the village hall. It is considered that this requirement could be better dealt via a separate application for an extension to the village hall. Also, kitchen facilities are already in existence at the village hall.

Comments from County Highways indicate that the site is unsustainable and would increase use of the private car. In addition, comments from local residents substantiate this by their recent experiences of living close to the village hall site and the associated parking problems. The proposal is therefore considered to foster the need to travel to the site by private car contrary to Policy ST3. In addition, no additional parking has been allocated for the shop and café development and none is shown on the plans. It is considered conflict may well arise with potentially four different users of the car park, customers of the shop, customers of the café, users of the village hall and users of the recreation field. The applicant has given no details as to the potential hours of operation for the proposed shop and café, no detail as to when the café may be used as a meeting room and for which community groups.

The application is therefore recommended for refusal on the basis the proposed development would be outside of the defined development area, the scale of development is inappropriate due to the inclusion of a café and the fact that the proposal would be unsustainable in that it would encourage the use of the private car due to its isolated location. The proposal is therefore contrary to Policies STR1 and STR6 of the Somerset and Exmoor Joint Structure Plan and Local Plan Policies ST3, ST6 and MS3.

## **RECOMMENDATION**

### **REFUSE**

01. The site is located outside of the defined development areas of Seavington St. Michael and Seavington St. Mary whereby new development is strictly controlled. The proposal therefore represents the development of a new retail outlet and café in the open countryside whereby no economic benefit to the local area has been proven, would not demonstrably maintain or enhance the environment due to the scale of the building and also would foster growth in the need to travel by private car contrary to Government guidance in PPS7 and Policies ST3 and ST6 of the South Somerset Local Plan 2006.
02. The proposed development would be located where it is remote from other services, employment, education, public transport etc and will therefore increase the need for

journeys to be made by private vehicles which is non- sustainable and is in conflict with the advice given in PPG13 and Policy STR1 of the Somerset and Exmoor National Park Joint Structure Plan and Policy ST6 of South Somerset Local Plan 2006.

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## **Proposed Community Shop to Serve The Seavingtons**

### **Brief for SSSDC Area North Councillors**

During 2004 the Seavington Parish Council was engaged jointly by South Somerset District Council (SSDC) and the Community Council for Somerset as part of an area wide effort to persuade each community, or parish, to prepare a formal plan for its future development. A small community working group acted on behalf of the Parish Council to take this concept forward with financial and other support from both organisations.

Thus, during 2005, a comprehensive campaign involving open residents' meetings and a formal written survey of residents in Seavington St Mary and Seavington St Michael was conducted. The 16 page questionnaire, which included space for unstructured comments, was returned by some 50% of households; this is considered by research organisations to be an extremely good response rate.

The resulting Village Plan was adopted and published by the Parish Council in December 2006 and, at the same time, the Council set up a Parish Council Support Group (PCSG) comprising a small group of residents, to take implementation forward.

Amongst the many responses of the residents were requests to consider the establishment of a village shop, to replace the original privately owned shop, and the improvement of social cohesion through the provision of an informal venue for coffee etc. The plan also highlighted the need to supplement the existing village hall with a medium sized meeting room suitable for small clubs and societies.

On the matter of the request for a shop the PCSG contacted the Village Retail Support Association (ViRSA), a part of the charitable Plunket Foundation. ViRSA stated that there were some 160 community built and operated village shops in England which had been opened in the past few years (NB by December 2006 this figure had risen to 180).

These were operated as social enterprises and capital costs could usually be supported with the help of Government and other grant aid. ViRSA advocated a detailed survey focused specifically on the shop and venue issue and provided a model questionnaire covering existing shopping habits as well as residents' wishes for any Seavington shop venture.

With support from ViRSA's local field worker, the survey was completed and analysed during the first half of 2006. Again, more than 50% of households responded with some 36 expressing a willingness to work towards establishing the shop or voluntarily working there, were it established; five respondents stated that they would not use the shop. The sample size, at 50% of the population, means that we can be very confident that the survey results give a true picture of the wishes of the entire community.

Again, with assistance from ViRSA, the Village Shop Committee has visited a number of existing community shops, chosen because their populations and situations are similar to the Seavingtons. In Somerset there are several: Bathford, Bicknoller, Bradford-on-Tone, Brompton Ralph, Crowcombe, Lympsham, Stawley, Wellow, Wooton Courteney and Winsham. A further shop project at Middlezoy has just been awarded a grant by the Sedgemoor District Council.

The Shop Committee has explored a number of options for siting the proposed shop:

1. By conversion of the "Snug" bar in the local Volunteer Inn, Seavington St Michael. SSSDC planners indicated that planning permission for change of use was unlikely to be granted on grounds of lack of parking and its location on a main route to Ilminster. Further, ViRSA advised that the bar did not offer sufficient space for a viable shop

and there was no space for storage.

2. Use of a “studio/workshop”, created from an old barn in Seavington St Mary. Again, ViRSA advised that there was insufficient floor area for a community shop. The conversion had proved contentious with the SSDC planners and it was considered unlikely that planning permission for any extension would be granted. These two locations also suffered from the common problem that they would be convenient for one of the two Seavington villages but unattractive to residents from the other. This led to consideration of a position conveniently placed for both villages, preferably within walking distance. The location was available – the site of the, relatively new, Millennium Hall which sits by the village playing field and childrens’ playground at the point where the two villages touch.
3. Consideration was given to use of space within the existing Millennium Hall. However, there was no room, other than the main hall, which is of sufficient size and, quite clearly, it is not feasible to equip this as a shop and then clear it for hall bookings by other groups. Further, the hall is in such demand that, already, there have been occasions when bookings by villagers, individually or in groups, have been refused because of lack of capacity. This latter point is reinforced by the Village Plan Survey suggesting the need for an extra meeting room suitable for use by small clubs and associations. Conversion of an equipment store at the side of the hall was also considered but rejected because of insufficient size and the potential impact on the SPFA’s charitable status and current exemption from VAT charges.

The Trustees of the Hall were prepared to consider a lease of land, not useable as part of the playing field, for the erection of a community shop. However, the site of the hall is outside the current development boundary for the two villages, an exception having been made for the hall itself. For this reason the SSDC Community Development Officer, who had been actively involved in the work to date, arranged an on-site meeting with the Area Planning Officer.

After discussion which included consideration of such options as adding an extension to the Hall, the Area Planning Officer advised that he believed that planning consent could be granted to what would be an extension of the community services offered to villagers. He understood the argument that a shop linked directly to the Hall would imperil the latter’s charitable status and open a possible HMRC claim for repayment of VAT which was waived at the time the Hall was built.

After seeking residents’ views at a well-attended, public meeting and with financial support from SSDC, the Parish Council and Somerset County Council through the Rural Renaissance Scheme an architect was employed to design a shop within the parameters deemed acceptable to the Area Planning Officer. These were discussed at a further site meeting with the Area Planning Officer and the SSDC Landscape Architect.

Discussion centred on the precise location of the building, its visual relationship with the existing hall, and the impact of the removal of some small trees and rough scrub. The Landscape Officer was satisfied that this loss was insignificant and, if required could readily be offset by planting elsewhere in the playing field. Both officers suggested changes to the finish of the proposed building which have been incorporated into the final design.

The Seavington Community Shop and Services Association was formed on 6<sup>th</sup> December 2006 and has 106 subscribing members drawn from the two villages 220 households. An active committee has developed the shop concept from the village questionnaire results and consultation with other community shops.

The intention is to provide economic convenience shopping, some postal facilities and



agency for a number of services such as dry cleaning and shoe repairs. Analysis of the responses in the survey indicate that this will save some 140,000 car miles with a reduction of 40 tonnes of carbon emissions.

This intention is in direct synergy with the South Somerset Local Plan both in terms of objectives, planning conditions and environmental benefits - see extracts at Annex A to this note. It is noted that there have been two comments to the Planning Office, both from the proposed shop's immediate neighbours, as a part of the consultative process involved in considering the grant of planning permission. Both cover potential parking issues whilst the second raises a number of other issues as well.

### 1. Parking

The Millennium Hall has a car park judged adequate for local needs at the time it was built. This was based on the planning assertion that the hall was to serve the local community most of whom would walk. There are two situations in which the car park proves inadequate and both arise because users from outside the community refuse to use the, more than adequate, overflow facilities on the playing field.

It is understood that the Playing Field Association already intends to address this through provision of a surfaced footpath and discreet lighting. It is expected that there will be no more than six occasions in the year when this situation clashes with shop opening hours.

The proposed shop site, like the hall, is within easy walking distance of most homes in the two villages. Mothers with young children already walk to the play area and, for villagers' occasional shopping, the proposal cannot be seen as creating a significant parking problem; the apron in front of the shop will create a small number of extra parking spaces.

### 2. Alternative shopping mechanisms

The Seavington shop survey accurately records people's existing shopping habits for both convenience and bulk shopping. The proposed shop will deal with the former, resulting in fewer car journeys out of the village. These trips are made today in spite of the existing itinerant traders suggesting that their services do not meet current needs. The Trading Post at Lopen is definitely a car journey way and is a speciality and organic shop rather than a general convenience store. The shop survey found only 10 Seavington residents using this shop, preferring instead to travel to nearby towns even for convenience shopping.

### 3. Meeting facilities

The Millennium Hall has proved extremely popular and hosts meetings and events from a number of other communities. As a result it is heavily over booked. Although a small meeting room was designed in to the hall this was converted to a bar and second kitchen with a hatchway to the main hall. The effect of this was firstly to reduce the floor area so that it can serve as a meeting room for no more than 5 / 6 persons and secondly the transfer of noise between the hall and bar, in both directions, inhibits the use of both. Indeed, recently, it has been ruled impossible for this room to be used by a small group of youths in committee. A further problem is that this room has no access to the main hall entrance other than by passing through the hall itself.

The Volunteer Inn, admirable as it is for those seeking a "pub" atmosphere and facilities offers nothing for mothers and children during the day or for those who desire to socialise in other than a "boozy" environmental; it is certainly not suitable for a youth group, another requirement from the Village Plan.

### 4. Ecological and flooding issues

The area of scrub and bushes to the rear of the proposed shop site has not flourished since it was planted when the Millennium Hall was built. One of the Tree Wardens spoke on this at

the 6th December public meeting and supported the currently proposed site of the shop. Much open farmland in Seavington (on the edge of the Somerset Levels) is prone to flooding in heavy rain and the field adjacent to the shop will be no exception. However, when building the shop the water falling on the area occupied by the building will be channelled away in accordance with the requirements of the building regulations. In fact, a ditch separates the shop site from the field and, more distant, complainant's home so the shop would have no influence on any flooding problem in the complainant's area.

#### 5. Security

There has been extensive consultation with the Police Architectural Liaison Officer and, wherever possible, his advice, including inter-building geometry, has been incorporated into the design. The small amount of petty vandalism around the hall is, at least in part, carried out by youngsters who have no facilities within the village. The proposed café goes some way to providing a facility for their use.

#### 6. Viability

It should be recognised that we are not proposing a shop which will be run as a commercial profit centre. Once such a venture becomes a social enterprise the economics change dramatically. Some 180 community shops similar to the proposal are already well established. The advice of ViRSA whose framework was used for the shop survey, is that the proposed Seavington shop is viable. This view has also been taken by the Somerset Rural Renaissance Partnership to the extent that they have funded much of the design work.

Were the shop to close, whatever the reason, the building would either be demolished at the request of the landlord, the Seavington Playing Field Association, or be transferred to the Association to provide extra village amenities.

## **Annex A to Area North Brief – Seavington Community Shop**

### **Relevant Planning Policies Extracts from South Somerset Local Plan Shopping And Services Outside Town Centres**

#### **Local Plan Objectives**

8.45 The main objectives are to maintain and improve the provision of local shops and services in new and existing housing areas, villages, and rural areas. In order to achieve these objectives, policies in this plan are designed to maintain and enhance such local services.

#### **Policies**

8.46 Local services provide for day-to-day needs of a community - small scale items, usually convenience shopping (food, confectionery, post office, etc.) on a regular basis. They provide valuable and important facilities, particularly for the least mobile members of the community, especially in rural areas, where there are few if any readily accessible alternatives. Such services also contribute to the rural economy. Across the District these services appear to be well supported by local people and the Council considers it important that such valuable facilities continue to be accessible.

**Policy MS2** - Proposals for shops and services in suburban areas of towns, rural centres, villages, and new residential developments will be permitted provided that they are of a scale to serve no more than the local area.

**Policy MS3** – Proposals for the provision of small scale shops will be permitted in settlements that are not defined development areas, provided that they are on a scale commensurate with the shopping needs of the settlement or immediate locality.

#### **Community Facilities**

##### **Local Plan Objectives**

11.47 The Local Plan includes the following objectives in respect of community facilities:

- To support development proposals for community facilities and to encourage and recognize the existence of special community need.
- To encourage the development of community facilities in locations which reduce dependence on the private car and enable the use of public transport, walking or cycling.

#### **Somerset and Exmoor Joint County Structure Plan**

##### **Policy 19 - Employment And Community Provision In Rural Areas**

In rural areas provision should be made for development which creates or enhances local employment, shopping or community facilities, including development necessary for the purposes of agriculture and development associated with the diversification of agricultural units.

##### **Regional Planning Guidance Note 10 (RPG10)**

###### **Policy SS 19: Rural Areas**

Outside market towns, development should be small scale and take place primarily within or adjacent to existing settlements, avoiding scattered forms of development. Local authorities in their development plans should:

- set out policies for supporting sustainable farm diversification schemes which help to maintain the viability of the agriculture sector and rural economic vitality;
- seek ways of providing for essential shops and services to serve the rural areas;

- promote improved and integrated public transport, communications and service delivery and support innovative community based solutions to public transport and communications, in order to increase access to jobs, housing and facilities

### **Draft South West Regional Spatial Strategy (RSS)**

(The Draft RSS can currently be viewed as a Material Consideration in determining planning Applications)

#### **Policy SD1 - The Ecological Footprint**

The region's Ecological Footprint will be stabilised and then reduced by:

- Minimising the need to travel by better alignment of jobs, homes and services, reducing the reliance on the private car by improved public transport and effective planning of future development, and a strong demand management regime applied in the region's main centres in particular.

#### **Policy SD4 - Sustainable Communities**

Growth and development will be planned for and managed positively to create and maintain Sustainable Communities throughout the region by:

- Linking the provision of homes, jobs and services based on role and function so that cities, towns and villages and groups of places have the potential to become more self contained and the need to travel is reduced

#### **Development Policy C - Development in Small Towns and Villages**

In small towns and villages development will be appropriate where it:

- Supports small-scale economic activity which fits the scale of the settlement and can accommodate the future growth of businesses in the development permitted
- Extends the range of services available including outreach delivery of services, making use of existing premises where possible
- Does not significantly increase traffic on local roads and where traffic implications can be demonstrated to be acceptable
- Promotes self containment, strengthens local communities, and helps to support key services