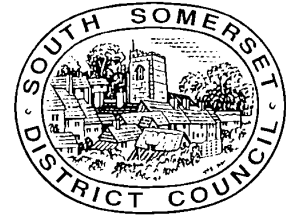


South Somerset District Council
Notice of Meeting



You are requested to attend
Area North Committee

Making a difference where it counts

Wednesday 24 October 2012

2.00pm

**The Village Hall
 New Road
 Norton Sub Hamdon
 TA14 6SF**

(location plan overleaf - disabled access is available at this meeting venue)



The public and press are welcome to attend.

Please note: Planning applications will be considered no earlier than 3.15pm.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, Becky Sanders on Yeovil (01935) 462462.

email: becky.sanders@southsomerset.gov.uk

website: www.southsomerset.gov.uk/agendas

This Agenda was issued on Tuesday 16 October 2012.

Ian Clarke, Assistant Director (Legal & Corporate Services)



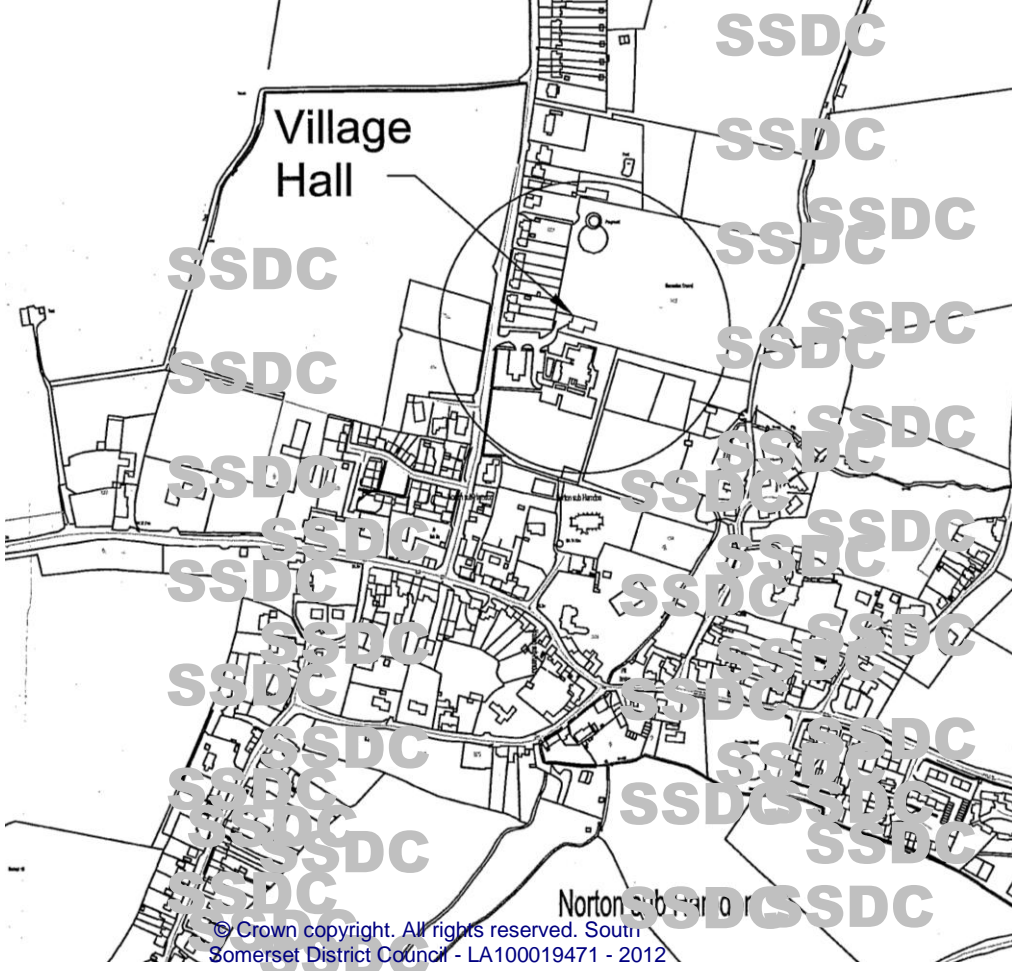
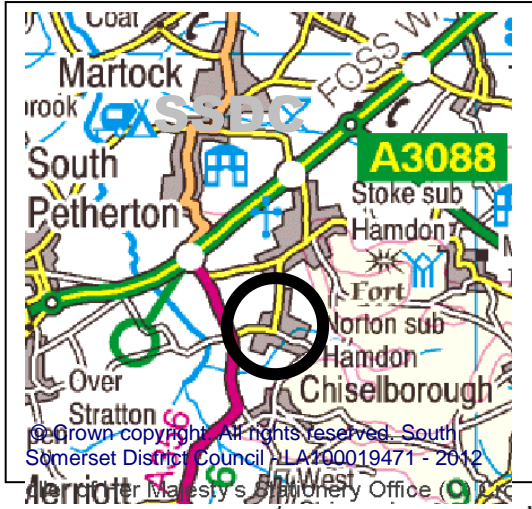
2007-2008
 Neighbourhood and
 Community Champions:
 The Role of Elected Members
2006-2007
 Improving Rural Services
 Empowering Communities
2005-2006
 Getting Closer to Communities

This information is also available on our website
www.southsomerset.gov.uk



INVESTOR IN PEOPLE

Location of meeting venue



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SSDC
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Area North Membership

Pauline Clarke
Terry Mounter
Graham Middleton
Roy Mills
David Norris

Patrick Palmer
Shane Pledger
Jo Roundell Greene
Sylvia Seal

Sue Steele
Paul Thompson
Barry Walker
Derek Yeomans

Somerset County Council Representatives

Somerset County Councillors (who are not also elected district councillors for the area) are invited to attend area committee meetings and participate in the debate on any item on the agenda. **However, it must be noted that they are not members of the committee and cannot vote in relation to any item on the agenda.** The following County Councillors are invited to attend the meeting: John Bailey and Sam Crabb.

South Somerset District Council – Council Plan

Our focuses are: (all equal)

- Jobs – We want a strong economy which has low unemployment and thriving businesses.
- Environment – We want an attractive environment to live in with increased recycling and lower energy use.
- Homes – We want decent housing for our residents that matches their income.
- Health & Communities – We want communities that are healthy, self-reliant, and have individuals who are willing to help each other.

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 for this month's meeting will commence no earlier than 3.15pm, 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 representative from the Area Highways Office will attend Area North Committee quarterly in February, May, August and November – they will be available from 1.30pm at the meeting venue to answer questions and take comments from members of the Committee. Alternatively, they can be contacted through Somerset Highways direct control centre on 0845 345 9155.

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 three minutes on agenda items; and
- see agenda reports

Meetings of the Area North Committee are held monthly, usually at 2.00pm (unless specified otherwise), on the fourth Wednesday of the month in village halls throughout Area North.

Agendas and minutes of area committees are published on the council’s website [www.southsomerset.gov.uk /agendas](http://www.southsomerset.gov.uk/agendas)

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 three minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- Town or Parish Council Spokesperson
- Objectors
- Supporters
- Applicant and/or Agent
- District Council Ward Member

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

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

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 North Committee

Wednesday 24 October 2012

Agenda

Preliminary Items

1. **To approve as a correct record the minutes of the meeting held on 26 September 2012**
2. **Apologies for absence**
3. **Declarations of interest**

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

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

4. **Date of next meeting**

Councillors are requested to note that the next Area North Committee meeting will be held at 2.00pm on **Wednesday 28 November 2012 at the Millennium Hall, Seavington.**

- 5. Public question time
- 6. Chairman’s announcements
- 7. Reports from members

Page Number

Items for Discussion

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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.

Area North Committee – 24 October 2012

8. Area North Community Grants - Curry Mallet & Beercrocombe Village Hall Kitchen Refurbishment (Executive Decision)

Strategic Director Rina Singh, Place and Performance
 Assistant Director Helen Rutter/Kim Close, Communities
 Service Manager: Charlotte Jones Area Development Manager - North
 Lead Officer: Les Collett, Community Development Officer (North)
 Contact Details: leslie.collett@southsomerset.gov.uk or 01935 462249

Purpose of the Report

For members to consider an application for financial assistance to Curry Mallet & Beercrocombe Village Hall for a kitchen refurbishment project.

Public Interest

Curry Mallet & Beercrocombe Village Hall Committee has applied for financial assistance from South Somerset District Council. The application has been assessed by the Community Development Officer who has submitted this report to allow the Area North Committee to make an informed decision on the application.

Recommendation

Approve the award of £3,000 to Curry Mallet & Beercrocombe Village Hall towards refurbishment of the kitchen, from the Area North capital programme subject to the South Somerset District Council (SSDC) standard conditions for Community Grants (see Appendix A) and the following special condition:

a) Applicants must make provision for the future maintenance and replacement of the facilities. SSDC recommends the applicant set up a sinking fund to achieve this condition.

Application Details

Name of Applicant	Curry Mallet & Beercrocombe Village Hall
Project	Village hall kitchen refurbishment
Project description	To refurbish the kitchen and upgrade the electrical supply
Total project cost	£7,670
Amount requested from SSDC	£3,000 (39% of project total)
Application assessed by:	Les Collett, Community Development Officer (Area North)
Contact details:	leslie.collett@southsomerset.gov.uk or 01935 462249

Background Information

The village hall serves the needs of the two neighbouring villages with a total population of 441. A large number of clubs and organisations use the hall during the day and evenings. There is a regular toddler group and older person's luncheon club run by volunteers. Other users include scouts/beavers, bridge, bowls, helicopter flying, youth group. The hall is also hired out for private functions and events organised by the management committee.

Project development / need for the project

Last year the committee undertook a project to extend the hall in order to accommodate more storage, the cost of this project was in excess of £20,000 which was raised by the community and from other grant making organisations. Following this success they are continuing the programme of improvements to the hall and now wish to refurbish the kitchen.

The kitchen was installed when the village hall was built in 1989, it is now in need of a complete renovation to comply with modern Health & Safety and Food Hygiene standards. The hall management committee have been very successful in increasing the use of the hall over the last few years. However, increased use has taken its toll especially in the kitchen; it is used regularly by groups and in particular the senior's lunch club who cook in the hall.

Project description

This project includes the:

- Purchase and installation of a modern stainless steel range of kitchen units and worktops to increase cupboard space and the current limited working surface and to comply with today's hygiene standards.
- Upgrade of the electricity supply to allow the installation of new electrical appliances already donated and carry out necessary plumbing work. The electrical and plumbing work to be undertaken by professionals the remainder of the work to be carried out on a self-help basis by the community.

Anticipated benefits and outcomes

The new kitchen will increase the working surface area and cupboard space and stainless steel makes it an easy wipe clean finish. Increasing the capacity of the electrical system will allow for the more up to date appliances, which have been donated, to be used. All hall users will benefit from this project along with helping to increase the hiring potential of the hall.

Management and ownership

The village hall is a registered charity, owned and managed by the community operating under Charity Commission's model village hall trust scheme.

Consents and permissions

None required

Project Costs

The table below shows the breakdown of the project costs.

Item	Cost £
Stainless steel Units	£6,655
Electrical & Plumbing	£850
Contingency	£165
Total	£7,670

Match funding

Funding Source	Amount £	Status
Parish Councils	£1,000	Confirmed
Own Funds	£2,600	Confirmed
Beercrocombe Village trust	£70	Confirmed
Clarks Foundation	£1,000	Confirmed
SSDC	£3,000	Pending
Total	£7,670	

Parish Information

Curry Mallet & Beercrocombe has combined residents of around 440, so together still quite a small parish. There is a primary school, village shop with post office, two churches, and a public house.

Parish	Curry Mallet & Beercrocombe
Parish population	310 / 131
No. Of Households	137 / 58
Precept 12-13	£3,700 / £1,100
Band D Charge 12/13	£28.31 / £17.12
Parish Council Contribution	£1,000

Evidence of support for the project / consultation

Serving both villages the hall is widely used by both communities with regular input from the user groups. It is widely recognised by all the need to bring the kitchen up to a modern standard which was highlighted by the recent jubilee celebrations.

Community Grants Assessment Score

Under SSDC community grants policies, funding is only recommended for projects scoring 22+.

Category	Score	Maximum
A Eligibility	Y	
B Target Groups	6	7
C Project	4	5
D Capacity of Organisation	13	15
E Financial need	5	7
F Innovation	2	3
Total (minimum 22 required)	30	37

Summary

The hall is well managed with an active and hands on approach taken by the committee and community members. This self-help approach will enable this project to be completed to improve this vital community facility.

Recommendation:

To support the application for the full £3,000 requested.

Financial Implications

There is £25,000 available in the Area North Capital programme for Local Priority Schemes profiled for 2012-13, if the recommended grant of £3,000 to Curry Mallet Village Hall is awarded, £22,000 will remain in this allocation for 2012-13 and £72,658 for future years. In addition there is a further £151,240 in the allocated programme available for local investment.

Council Plan Implications

Focus four: Health & Communities – “We want communities that are healthy, self reliant and have individuals who are willing to help each other”

Other Implications:

Area North priorities: SELF-HELP – we will promote greater levels of self-help to promote the sustainability of local services and facilities for all ages.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

none

Equality and Diversity Implications

This facility is open to all without distinction of political, religious or other opinions. The village hall particularly serves the needs of older and younger people.

APPENDIX A

Standard grant conditions for SSDC Community Grants

The funding has been awarded based on the information provided on the application form for your application number AN12/05 For 49% of the total cost.
The attached signed "Advice of Acceptance of Funding Offer" to be returned before payment is made to SSDC, Unit 10, Bridge Barns, Long Sutton, TA10 9PZ.
Confirmation that all other funding sources are secured.
The applicant demonstrates an appropriate Parish Council contribution.
SSDC is acknowledged on any publicity and on any permanent acknowledgement of assistance towards the project.
The applicant will work, in conjunction with SSDC Officers, to monitor the success of the scheme and the benefits to the community, resulting from SSDC's contribution to the project. A project update will be provided on request.
Should the scheme be delayed or unable to commence within twelve months from the date of this committee, SSDC must be notified in writing.
Should the final cost be less than the estimate considered by the Committee, the funding will be proportionately reduced. However, if the cost exceeds that estimate, no further funding will normally be available.
SSDC must be notified of, and approve, any proposed changes to the project.
The applicant will share good practice with other organisations if successful in securing external funding.
Grants can only be paid for a single year and a second application is not allowed for the same project within 3 years (unless Service Level Agreement).

Area North Committee – 24 October 2012

9. Demonstration of the TEN Performance Management System

Strategic Director Rina Singh, Place and Performance
Service Manager: Sue Eaton, Performance Manager
Lead Officer: Catherine Hodzman, Performance Officer
Contact Details: catherine.hodzman@southsomerset.gov.uk or 01935 462112

The Performance officer will attend the meeting to provide a refresher demonstration on the TEN performance management system.

Purpose of the Demonstration

Members first received a demonstration of the TEN Performance Management System when it was implemented in 2009.

Since then, the system has been developed by the Performance Team and it now has numerous features and reports, which will be of interest to members, including the new performance framework.

In September 2012, Scrutiny and some members of District Executive attended a refresher demonstration. This highlighted how far the system has progressed in terms of what is available and how to use the member specific area. Scrutiny Committee recommended that all members receive the refresher demonstration. There are some members who may not have previously seen the system, so it will be a good opportunity to demonstrate what the system has to offer.

Background Papers: Refreshed Council Plan 2012-15
District Executive report - refresh of corporate indicators –
May 2012

Area North Committee – 24 October 2012

10. Langport and River Parrett Visitor Centre – Update Report & Consultation

Strategic Director: Rina Singh, Place and Performance
Assistant Director: Helen Rutter/Kim Close, Communities
Service Manager: Charlotte Jones, Area Development Manager (North)
Lead Officer: Charlotte Jones, Area Development Manager (North)
Diane Layzell Senior Land and Property Officer
Contact Details: charlotte.jones@southsomerset.gov.uk or (01935) 462252

Purpose of the Report

To provide an update Area Committee on the proposal to change the management arrangements of the Langport Visitor Centre, and to seek initial views from councillors for future use and tenancy arrangements.

A further verbal update will be made at the meeting by the Area Development Manager (North).

Public Interest

The Langport and River Parrett Visitor Centre was built and opened by SSDC in 1998. The centre adjoins the River Parrett and was originally designed to act as a hub for visitors to the Levels and Moors, specifically the River Parrett Trail – a 50 mile network of footpaths following river from 'source to mouth'. The current tenant and manager of the centre – Bow Bridge Cycles – is retiring and so the future use of the property is being reviewed.

Recommendation

Councillors are asked to note and comment on the report and presentation.

Report

The Langport and River Parrett Visitor Centre was built and opened by SSDC in 1998. The centre adjoins the River Parrett and was originally designed to act as a hub for visitors to the Levels and Moors, specifically the River Parrett Trail – a 50 mile network of footpaths following the river from 'source to mouth'. The current tenant and manager of the centre – Bow Bridge Cycles – is retiring and so the future use of the property is being reviewed.

The Centre's floor space is divided into two areas, where 50% of the building has been rented by a commercial business tenant, with the remaining floor space providing a free visitor centre with displays on the Levels and Moors, information about local attractions and a children's "discovery" room.

Since opening, the day to day operation is undertaken by the commercial tenant via a management agreement. The commercial tenant – Bow Bridge Cycles - has given notice to the Council, bringing these arrangements to an end in November 2012.

At the time of writing, it is proposed to move future responsibility for the centre to Property Services, and for the Area Development Manager (North) and Senior Land and Property Officer to undertake a review including local consultation, and to secure alternative arrangements for the occupation and management of the property which suit current needs and circumstances.

Further details of the recent review undertaken by the Assistant Director for Health and Well-Being and the Countryside Manager of the Langport and River Parrett Visitor Centre are published in a recent Portfolio Holder report (Executive Bulletin - 12th October 2012) – see attached we blink:

<http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions/agendas-and-minutes/executive-bulletin/>

Work completed (co-ordinated by the Area Development Manager (North) and Senior Land and Property Officer) in the light of current changes to occupation and management include:-

- Consultation commenced with local councillors and community groups to consider and establish current needs, ideas and opportunities to continue or alter current use of the premises to add value to the local economy, provide educational services and promote access to the countryside.
- SSDC property agent instructed to market the premises seeking expressions of interest from potential businesses / other organisations.
- Pre-application planning advice provided in the event of future use requiring planning consent
- Indicative valuations and assessment of current / local rents, a review of operating costs and future budget requirements
- Review of contents relating to the visitor centre to re-locate if required

A verbal update will be given on the above at the meeting, with views and questions from members of Area North Committee invited.

Financial Implications

None from this report.

Council Plan Implications

Focus One – Jobs:

- Provide targeted support for start-ups and small businesses and those with an aspiration to expand
- Work in partnership to deliver investment and development that local people value...
- Enhance the vitality of town centres

Focus Four: Health and Communities:

- ...align council resources to deliver projects to address local needs [relating to health and well-being].

- Maintain and enhance the network of leisure and cultural facilities optimising opportunities for external funding to promote healthy living.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

The energy performance of the Langport Visitor Centre is monitored by Property Services, and will be considered as part of this review.

Equality and Diversity Implications

The building is accessible including toilets and pathways and is well-connected to the town centre via the Cocklemoor Bridge and pathways. Future proposals for use / management will be assessed for their equalities impact.

Background Papers: *Portfolio Holder Report - Changes to the future management of the Langport and River Parrett Visitor Centre, Langport 12th October 2012.*

Area North Committee – 24 October 2012

11. Area North Committee – Forward Plan

Strategic Director: Rina Singh, Place and Performance
Assistant Directors: Helen Rutter & Kim Close, Communities
Service Manager: Charlotte Jones, Area Development (North)
Lead Officer: Becky Sanders, Committee Administrator
Contact Details: becky.sanders@southsomerset.gov.uk or (01935) 462596

Purpose of the Report

This report informs Members of the Area North Committee Forward Plan.

Public Interest

The forward plan sets out items and issues to be discussed over the coming few months. It is reviewed and updated each month, and included within the Area North Committee agenda, where members of the committee may endorse or request amendments.

Recommendation

Members are asked to:

Note and comment upon the Area North Committee Forward Plan as attached at Appendix A and identify priorities for further reports to be added to the Area North Committee Forward Plan.

Area North Committee Forward Plan

Members of the public, councillors, service managers, and partners may also request an item be placed within the forward plan for a future meeting, by contacting the Agenda Co-ordinator.

Items marked *in italics* are not yet confirmed, due to the attendance of additional representatives.

To make the best use of the 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 and SCC corporate aims and objectives.

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact the Agenda Co-ordinator; Becky Sanders.

Background Papers: None

Appendix A – Area North Committee Forward Plan

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact the Agenda Co-ordinator; Becky Sanders, becky.sanders@southsomerset.gov.uk

Items marked in italics are not yet confirmed, due to the attendance of additional representatives. Key: SCC = Somerset County Council

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
28 Nov '12	Huish Episcopi Leisure Centre – revised management agreement	To present for approval the revised management / grant agreement between Huish Episcopi Leisure Centre and SSDC	Steve Joel Assistant Director (Health and Well-Being)
28 Nov '12	Streetscene Service	Half yearly update on the performance of SSDC Streetscene Services	Chris Cooper, Streetscene Manager
28 Nov '12	Highways Authority	Half yearly report - update on Highways Services.	Neil McWilliams - Assistant Highway Service Manager (SCC)
28 Nov '12	Quarterly Finance Report	Quarterly report on the position of the Area North Development budget, including community grants and the capital programme.	Jayne Beevor, Group Accountant
28 Nov '12	Area Development Plan	Area Development Plan update, including information on the current investment programme of the Market Towns Investment Group (MTIG); and Somerset Levels and Moors Programme.	Charlotte Jones, Area Development Manager (North)
19 Dec '12	S.106 – Six monthly update report	Update report on the progress of collection and expenditure of developer obligations arising from development in Area North.	Neil Waddleton, s.106 Monitoring Officer
19 Dec '12	Presentation – Chilthorne Domer Recreation Trust	Receive a report from Chilthorne Domer Recreation Trust, following recent support from SSDC Area North.	Les Collett, Community Development Officer (North)
19 Dec '12	Rural / Local Transport	Update and options paper to consider use of discretionary financial support.	Teresa Oulds, Community Regeneration Officer (North) / Nigel Collins, Strategic Transport Officer.
27 Mar '13	Community Health & Leisure Service	Service update report.	Lynda Pincombe, Community Health & Leisure Manager

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
<i>TBC</i>	<i>Somerset Water Management Partnership</i>	<i>To learn more about the work of SWMP and its current priorities.</i>	<i>Charlotte Jones, Area Development Manager (North)</i>
<i>TBC</i>	<i>Historic Buildings at Risk</i>	<i>Update report. (This is likely to be a confidential item.)</i>	<i>Ian Clarke – Assistant Director, Legal and Corporate Services.</i>
<i>TBC</i>	<i>Presentation – Stoke sub Hamdon Recreation Trust and Charity Shop.</i>	<i>Receive a report from Stoke-sub-Hamdon Recreation Trust, following recent support from SSDC Area North.</i>	<i>Les Collett – Community Development Officer (North)</i>

Area North Committee – 24 October 2012

12. Planning Appeals

Strategic Director: Rina Singh, Place & Performance
Assistant Director: Martin Woods, Economy
Service Manager: David Norris, Development Manager
Lead Officer: As above
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.

Public Interest

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.

Recommendation

That members comment upon and note the report.

Appeals Lodged

None

Appeals Dismissed

11/03157/FUL – Land rear of West Side, West Street, South Petherton TA13 5DH.
Alterations to access, erection of 2 no. detached chalet bungalows with garaging for both properties and the existing property at 22A West Street.

11/03673/FUL – Land adjoining Laurel Cottage, Main Street, Barrington.
Erection of a dwellinghouse.

Appeals Allowed

None

The Inspector's decision letters are shown on the following pages.



Appeal Decision

Site visit made on 29 August 2012

by Christopher Gethin MA MTCP MRTPI

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

Decision date: 20 September 2012

Appeal Ref: APP/R3325/A/12/2171892

**Land to the rear of West Side, West Street, South Petherton,
Somerset TA13 5DH**

- 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 T Bond against the decision of South Somerset District Council.
 - The application ref. 11/03157/FUL dated 2 August 2011 was refused by notice dated 10 October 2011.
 - The development proposed is two detached chalet bungalows with double garages.
-

Decision

- 1 The appeal is dismissed.

Main Issues

- 2 The principal issues are
 - a) the acceptability of the proposed development outside the defined development envelope of South Petherton, and its effect on the character and appearance of the area
 - b) its effect on highway safety.

Reasons

- 3 The appeal site comprises a roughly rectangular parcel of land lying to the rear of three detached dwellings fronting onto West Street. A single-storey building clad in galvanised iron occupies one corner. The lawful use of the site is for the storage of six vehicles for domestic purposes, but it was vacant at the time of my site visit. Access to the site is via a driveway located between no.22A and West Side.
- 4 The proposal is for the demolition of the existing building and the construction of two chalet dwellings with double garages, together with a double garage for no.22A. The existing access would be widened by taking some land from 22A, and the existing gradient would be reduced.
- 5 The site lies immediately outside the defined development boundary of the settlement. South Petherton is identified as a Rural Centre which has the capacity to absorb further development. The appellant notes that the appeal site is located closer to the town centre than other sites where residential

- development has been approved, and that the proposed dwellings would be in line with dwellings which have been constructed nearby in Bramble Drive.
- 6 The development boundary has been tightly drawn so as to exclude the appeal site. 'Saved' policy ST3 of the 2006 South Somerset Local Plan states that development outside the defined development areas should be strictly controlled, and restricted to development which satisfies three criteria. The site's sustainable location mean that only two of these criteria remain to be addressed in this case.
 - 7 The first requires that the proposed development should benefit economic activity. Insofar as it would consolidate the settlement and provide additional people to support the town's shops, services and facilities, I consider that this criterion would be satisfied.
 - 8 The second requires that it should maintain or enhance the environment. As backland development which would be readily perceptible from public viewpoints at the junction of the driveway with West Street, it would appear alien and out of keeping with the pattern of development in the locality, which is generally characterised by linear housing on single plot depths. I note that the dwellings in Bramble Drive which are adduced as a precedent for the proposed development adjoin a pre-existing terrace at the edge of a different pattern of residential development: no such circumstances justify the proposed backland development in this case. I saw, also, a development of two dwellings to the rear of houses in West Street on a site to the south west, but the circumstances of this site are again different and it has the merit of being located within the development boundary.
 - 9 Although the rear boundary of the appeal site makes a clear demarcation between the low-density domestic use of the site and the agricultural land to the north west, this likewise does not justify the incongruous appearance which the proposed dwellings would present on this backland site.
 - 10 While the appeal site can be classified as previously developed land, the presumption within the 2012 National Planning Policy Framework in favour of sustainable development on such land is outweighed by the harm I have identified. The removal of the existing building on the appeal site would improve the appearance of the area. However, I consider that this benefit is likewise outweighed by the identified harm.
 - 11 I conclude that the proposed development would harm the character and appearance of the area and would thereby fail to be acceptable by reference to policy ST3. It would also be contrary to policies ST5 and ST6 of the Local Plan.

Highway safety

- 12 The existing use of the site, involving up to six cars stored on the site, would be replaced by dwellings and garages accommodating six cars. Allowing for deliveries and so on, I consider that the proposal would be likely to generate significantly more vehicle movements than the existing use. However, it would provide garaging and turning space for no.22A, which presently has no turning facility, giving rise to reversing manoeuvres onto West Street and consequent highway hazard. The gradient of the proposed remodelled access would be significantly improved, as would the available sightlines. I consider that the submitted layout would offer sufficient space for refuse and emergency vehicles to be turned so as to emerge into West Street in forward gear.

- 13 I conclude that the proposed improvements to the existing arrangements outweigh any increased hazard arising from the increase in traffic generation from the site which would result from the proposed development, and that it would be acceptable by reference to policy ST5 of the Local Plan.

Conclusion

- 14 The harm I have identified outweighs the benefits which would result from the proposal in terms of providing two new dwellings in a sustainable location and the more efficient use of the site. I have assessed the proposed development on its own merits.
- 15 For the reasons given above, and having regard to all other matters raised, I conclude on balance that the appeal should not succeed.

Christopher Gethin

INSPECTOR



Appeal Decision

Site visit made on 6 August 2012

by Neil Pope BA (Hons) MRTPI

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

Decision date: 2 October 2012

Appeal Ref: APP/R3325/A/12/2173527

Land adjoining Laurel Cottage, Main Street, Barrington, Somerset, TA19 0JN.

- 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 Bradlock Homes Ltd against the decision of South Somerset District Council.
 - The application Ref. 11/03673/FUL, dated 12 September 2011, was refused by notice dated 9 December 2011.
 - The development proposed is a dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The two main issues are: whether the proposal would preserve or enhance the character or appearance of the Barrington Conservation Area (CA) and; the implications for highway safety along Main Street.

Reasons

Conservation Area

3. The special qualities or significance of the CA include the gardens and many of the green spaces around the dwellings within this attractive village. These provide a pleasing sense of space within the street scene of Main Street and considerably add to the charm and character of the settlement.
4. The appeal site forms one of these important garden/green spaces within the CA. It assists in setting Laurel Cottage apart from neighbouring buildings and the largely unspoilt open qualities provide a pleasing contrast with the group of dwellings on the opposite side of the street. Whilst the existing garage and car port on the site are lacking in architectural merit, these small buildings are set back from the street and do not detract from the significance of the CA. The trees growing within the site add to the unspoilt qualities of this part of the CA.
5. The modest size/proportions of the proposed two storey dwelling and the use of stone, slate, and timber framed windows in a simple design, which includes a chimney stack, would reflect the local vernacular. The new house would be designed to a high standard. However, it would be built very close to the flank wall of Laurel Cottage and would occupy much of the garden to the east of this dwelling. The proposal would considerably reduce the space around the existing cottage and in front of the group of houses on the opposite side of the street. This new building would markedly erode the unspoilt open qualities of

the site and, in so doing, detract from the character and appearance of the CA. This would conflict with the relevant provisions of the development plan¹.

6. There is a difference of opinion between the Council's landscape officer and its conservation officer. Given the site's inclusion within the CA, I attach greater weight to the concerns raised by the conservation officer.
7. In 2010, I found harm in respect of a proposed housing scheme on land at Budds Farm (Refs. APP/R3325/E/10/2116325 & A/10/2116321). That site involved the setting of a listed building and is different to the appeal now before me. Each case must also be determined on its own merits. My findings in respect of Budds Farm do not set a precedent.
8. I conclude on the first main issue that the proposal would harm the character and appearance of the CA.

Highway Safety

9. Part of the site has a long-standing use for the parking of vehicles. Whilst in the past this has been of benefit to some neighbouring residents, the car port/garage and access thereto do not appear to be tied to a particular dwelling. This access also appears to have been used for many years without compromising highway safety interests along Main Street. It would therefore be unreasonable and unnecessary to require improvements to the visibility at the site entrance as part of the scheme. Such works would also be likely to diminish the pleasing contribution the roadside wall makes to the street scene.
10. If permitted, residents who previously used the site would have to find alternative car parking. In all likelihood, this would entail vehicles being parked along Main Street. This would be unfortunate as it could interrupt the free-flow of traffic along this section of the highway.
11. My attention has been drawn to the visitor traffic to the nearby National Trust owned Barrington Court. During my visit, I also saw vehicles, including a bus, negotiating some other parked vehicles along the street. However, I did not witness any congestion and there is nothing of substance to show this is an issue within the village. The very limited number of vehicles that would be displaced from the site as a consequence of the scheme would be unlikely to result in harmful congestion or pose a serious risk to highway safety interests.
12. I conclude on the second main issue that the proposal would not result in any harmful implications for highway safety along Main Street and, in so doing, would accord with the highway provisions of SP policy 49.

Other Matters

13. There is nothing before me to indicate that ground conditions are unstable. Any damage to neighbouring properties during construction works would be a separate matter for the respective parties. There is also nothing of substance to demonstrate that the proposal would harm nature conservation interests.

¹ Policy EH1 of the South Somerset Local Plan and policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (SP)

Overall Conclusion

14. My findings in respect of highway safety do not overcome or outweigh the harm that I have identified to the CA. Furthermore, there are little or no public benefits to weigh with this harm. This in turn leads me to find that the scheme would conflict with the provisions of the National Planning Policy Framework.
15. Given all of the above, I conclude that the appeal should not succeed.

Neil Pope

Inspector

Area North Committee – 24 October 2012

13. Planning Applications

The schedule of planning applications is attached.

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 1998 Issues

The determination of the applications which are the subject of reports in this plans list are considered to involve the following human rights issues: -

1. Articles 8: Right to respect for private and family life.
 - i) Everyone has the right to respect for his/her private and family life, his/her home and his/her correspondence.
 - ii) There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others.
2. The First Protocol

Every natural or legal person is entitled to the peaceful enjoyment of his/her possessions. No one shall be deprived of his possessions except in the public interests and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Each report considers in detail the competing rights and interests involved in the application. Having had regard to those matters in the light of the convention rights referred to above, it is considered that the recommendation is in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

*David Norris, Development Manager
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Background Papers: *Individual planning application files referred to in this document are held in the Planning Department, Brympton Way, Yeovil, BA20 2HT*