

South Somerset District Council

Notice of Meeting



Area West Committee

Making a difference where it counts

Wednesday 19th October 2011

4.00 pm

(Please note earlier commencement time)

**The Shrubbery Hotel
Station Road Ilminster
Somerset TA19 9AR**

(See location plan overleaf)

The public and press are welcome to attend.

Disabled Access is available at this meeting venue.



If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Andrew Blackburn** on Yeovil (01935) 462462
email: andrew.blackburn@southsomerset.gov.uk

This Agenda was issued on Monday, 10th October 2011

Ian Clarke, Assistant Director (Legal & Corporate Services)

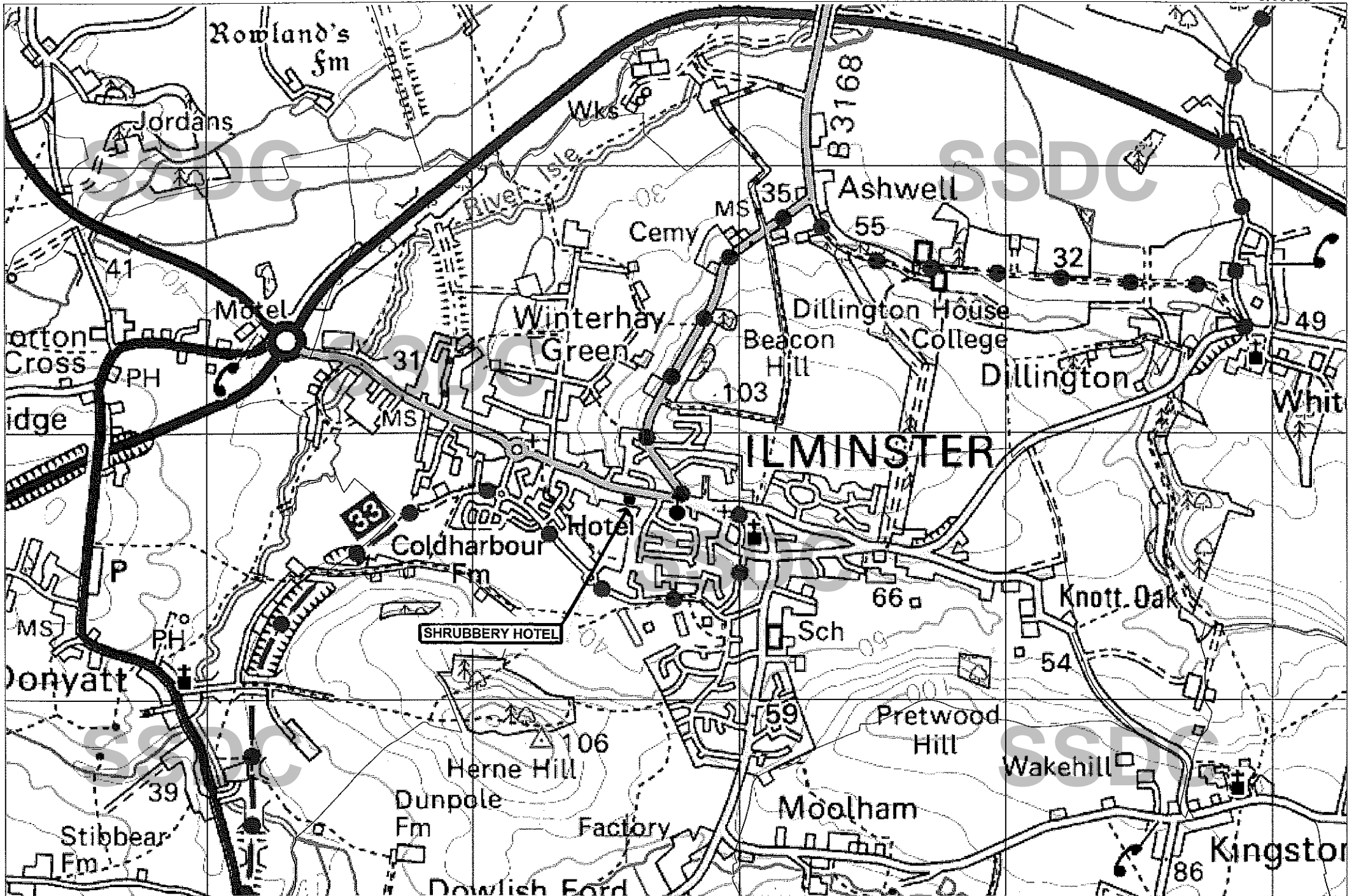


2007-2008
Neighbourhood and
Community Champions:
The Role of Elected Members
2006-2007
Improving Rural Services
Empowering Communities
2005-2006
Getting Closer to Communities

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



INVESTOR IN PEOPLE



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Area West Membership

Chairman: Angie Singleton
Vice-Chairman: Paul Maxwell

Michael Best
David Bulmer
John Dyke
Carol Goodall
Brennie Halse

Jenny Kenton
Nigel Mermagen
Sue Osborne
Ric Pallister
Ros Roderigo

Kim Turner
Andrew Turpin
Linda Vijeh
Martin Wale

Somerset County Council Representatives

Somerset County Councillors (who are not already 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:-

Councillor Cathy Bakewell and Councillor Jill Shortland.

South Somerset District Council – Corporate Aims

Our key aims are: (all equal)

- Increase economic vitality and prosperity
- Enhance the environment, address and adapt to climate change
- Improve the housing, health and well-being of our citizens
- Ensure safe, sustainable and cohesive communities
- Deliver well managed cost effective services valued by our customers

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

Planning applications will not be considered before 5.00 p.m. 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 be available half an hour before the commencement of the meeting 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 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 3rd Wednesday of the month in venues throughout Area West.

Agendas and minutes of Area Committees are published on the Council’s website www.southsomerset.gov.uk

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/Agent
District Council Ward Member
County Council Division 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 personal and prejudicial interest

Under the new Code of Conduct, a Councillor will be afforded the same right as a member of the public, 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.

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Area West Committee

Wednesday 19th October 2011

Agenda

Preliminary Items

1. **To approve as a correct record the minutes of the previous meeting held on 21st September 2011**
2. **Apologies for Absence**
3. **Declarations of Interest**

In accordance with the Council's Code of Conduct, which includes all the provisions of the statutory Model Code of Conduct, Members are asked to declare any personal interests (and whether or not such an interest is "prejudicial") in any matter on the agenda for this meeting. A personal interest is defined in paragraph 8 of the Code and a prejudicial interest is defined in paragraph 10. 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 the 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:

Cllr. Mike Best
Cllr. Ros Roderigo
Cllr. Angie Singleton
Cllr. Linda Vijeh

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

4. **Public Question Time**

This is a chance 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.

5. Chairman’s Announcements

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Items for Discussion

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THE SCHEDULE OF PLANNING APPLICATIONS APPEARS AFTER PAGE 20.

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 West Committee – 19th October 2011

6. Area West Committee - Forward Plan

Strategic Director: Rina Singh (Place and Performance)
Assistant Director: Helen Rutter (Communities)
Service Manager: Andrew Gillespie, Area Development Manager (West)
Agenda Co-ordinator: Andrew Blackburn, Committee Administrator, Legal & Democratic Services
Contact Details: andrew.blackburn@southsomerset.gov.uk or 01460 260441

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 at pages 2-4;
- (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; Andrew Blackburn, 01460 260441 or e-mail andrew.blackburn@southsomerset.gov.uk
- (3) Standing items include:
 - a. Quarterly Budget Monitoring Reports
 - b. Reports from Members on Outside Organisations
 - c. Feedback on Planning Applications referred to the Regulation Committee
 - d. Chairman's announcements
 - e. Public Question Time

Meeting Date	Agenda Item	Background / Purpose	Link to SSDC Area & Corporate Priorities and National Indicators (NI)	Lead Officer
16th Nov. 2011	Chard Regeneration Scheme	Report on progress	SSDC corporate plan key target area 1.9 Increase overall employment rate (Somerset resident population of working age). 1.11 Outcome: A vibrant and sustainable Yeovil, Market Towns and Rural Economy. Measured by: Increased local sustainability. 3.3 Increase the net additional homes provided. 3.5 Increase the supply of ready to develop housing sites.	Andrew Gillespie, Area Development Manager (West) David Julian, Economic Development Manager
16th Nov. 2011	Quarterly Budget Monitoring Report	To update members on the current financial position of the Area West budgets	The budget is closely linked to the Corporate Plan.	Catherine Hood, Corporate Accountant
16th Nov. 2011	Section 106 Obligations	Monitoring Report	Theme 1: Increase economic vitality and prosperity Theme 2: Enhance the environment, address and adapt to climate change Theme 3: Improve the housing, health and well-being of our citizens Theme 4: Ensure safe, sustainable and cohesive communities	Neil Waddleton, Section 106 Monitoring Officer
16th Nov. 2011	Area West Development Work Programme 2011/12	Overview of Work Programme	Theme 1: Increase economic vitality and prosperity Theme 2: Enhance the environment, address and adapt to climate change Theme 3: Improve the housing, health and well-being of our citizens Theme 4: Ensure safe, sustainable and cohesive communities Theme 5: Deliver well managed cost effective services valued by our customers.	Andrew Gillespie, Area Development Manager (West)

Meeting Date	Agenda Item	Background / Purpose	Link to SSDC Area & Corporate Priorities and National Indicators (NI)	Lead Officer
14th Dec. 2011	Community Health & Leisure Service	Service Update	SSDC corporate plan key target area 3.18 Outcome: Individuals & communities enjoying healthier and more active lifestyles. Measured by: Increasing the self-reported measure of people's overall health and well-being. (Place Survey)	Lynda Pincombe, Community Health & Leisure Manager
14th Dec. 2011	Public Transport Provision	Update – Report rescheduled from October to December 2011 to allow inclusion of relevant information from Somerset Public Transport Forum, which is due in November 2011.	Theme 2: Enhance the environment, address and adapt to climate change. 2.18 With partners, identify options to maximise green travel by December 2009 and start one option by 2012.	Nigel Collins, Transport Strategy Officer
14th Dec. 2011	South Somerset Local Development Framework – Draft Core Strategy – Infrastructure Delivery Plan	Formal consideration of Infrastructure Delivery Plan	Theme 1: Increase economic vitality and prosperity Theme 2: Enhance the environment, address and adapt to climate change Theme 3: Improve the housing, health and well-being of our citizens Theme 4: Ensure safe, sustainable and cohesive communities	Andy Foyne, Spatial Policy Manager
14th Dec. 2011	Chard Conservation Area Appraisal and Designation of Extensions to Conservation Area	To approve the Conservation Area Appraisal and to formally designate an extension to the Conservation Area.	Theme 2: Enhance the environment, address and adapt to climate change. SSDC corporate plan key target area 2.0 Outcome: An enhanced natural environment. Measured by: Improved health of the natural environment and 2.6 Outcome: An enhanced built environment. Measured by: Increasing resident satisfaction with the built environment.	Greg Venn, Conservation Officer
14th Dec. 2011	The Role of the Council's Conservation Team and Historic Buildings at Risk in Area West	Report on conservation activities in Area West including a confidential section briefing members on the status of all at risk buildings in the Area.	Theme 2: Enhance the environment, address and adapt to climate change. SSDC corporate plan key target area 2.0 Outcome: An enhanced natural environment. Measured by: Improved health of the natural environment and 2.6 Outcome: An enhanced built environment. Measured by: Increasing resident satisfaction with the built environment.	Adron Duckworth, Conservation Manager

Meeting Date	Agenda Item	Background / Purpose	Link to SSDC Area & Corporate Priorities and National Indicators (NI)	Lead Officer
18th Jan. 2012	Countryside Service	Service Update	Theme 3: Improve the housing, health and well-being of our citizens. SSDC corporate plan key target area 3.18 Outcome: Individuals & communities enjoying healthier and more active lifestyles. Measured by: Increasing the self-reported measure of people's overall health and well-being.	Katy Menday, Countryside Manager
<i>To be confirmed</i>	<i>Review of Area Working</i>	<i>To consider the outcome of the Area Review</i>	Theme 5: Deliver well managed cost effective services valued by our customers.	
<i>To be confirmed</i>	<i>Asset Management Strategy</i>	<i>To discuss with members the principles of the SSDC Asset Management Strategy including asset transfer and the checklist now available for use.</i>	Theme 5: Deliver well managed cost effective services valued by our customers.	<i>Donna Parham, Assistant Director (Finance and Corporate Services) Andrew Gillespie, Area Development Manager (West)</i>
<i>Twice per year.</i>	<i>Crewkerne Community Planning Update</i>	<i>For Information</i>	SSDC corporate plan key target area 4.16 Outcome: An empowered community where all people take part in shaping their neighbourhood. Measured by: Increasing % of people who feel that they belong to their neighbourhood (NI 2).	<i>Zoë Harris, Community Regeneration Officer Area Development (West)</i>
<i>Twice per year</i>	<i>Ilminster Community Planning Update</i>	<i>For Information</i>	SSDC corporate plan key target area 4.16 Outcome: An empowered community where all people take part in shaping their neighbourhood. Measured by: Increasing % of people who feel that they belong to their neighbourhood (NI 2).	<i>Zoë Harris, Community Regeneration Officer Area Development (West)</i>

Area West Committee – 19th October 2011

7. Area West – Request for Capital Grant (Executive Decision)

Strategic Director: Rina Singh (Place and Performance)
Assistant Director: Helen Rutter/Kim Close (Communities)
Service Manager: Andrew Gillespie, Area Development Manager (West)
Lead Officer: Zoë Harris, Community Regeneration Officer
Contact Details: zoe.harris@southsomerset.gov.uk or 01460 260423

Purpose of the Report

For members to consider an application for capital funding from Crewkerne Heritage Centre.

Public Interest

Crewkerne Heritage Centre has submitted an application for financial assistance to carry out essential building works over the winter period. The application has been assessed by the Community Regeneration Officer whose comments and recommendations are contained in this report.

Recommendations

That members approve a capital grant of £2,500 for work on a staircase wall in Crewkerne Heritage Centre.

Grant Application Details

The Heritage Centre is housed in a Grade 2 listed building, which was renovated some 12 years ago under the supervision of SSDC. In addition to the museum exhibition space on the ground floor, the first floor houses the research room and a meeting room, which is rented by groups and used by local schools. The first floor is accessed via a stairwell, which has an original lime plastered wall. The plaster is in an unstable state, and the Trustees have carried out a number of minor repairs to small holes that have appeared along the length of the wall. The Trustees have sought a professional opinion from a trusted builder regarding the current state of the wall and following an inspection the builder has discovered cracking in the plaster, which suggests that adhesion to the laths is 'suspect'. The builder has advised that:

“Due to the age of the property, the plaster can fail due to its weight and being in a dry atmosphere.”

Although Heritage Centre volunteers are happy to carry out minor repairs to the building, as this particular job would involve completely replastering the whole wall it is necessary that the work is carried out by a professional.

As the stairway is regularly used by the public to gain access to both the meeting room and the research room, the Committee would like to remedy the problem before the stairwell becomes unsafe and impossible to use. Such an occurrence would limit their ability to hire out the meeting room, which would affect the amount of income they can secure towards their running costs.

The cost of repair and maintenance to the building has been covered to date by the help of the Friends Association and volunteers giving time to carry out minor works. The

Trustees wish to maintain a high standard of repair to the building ensuring its continued use by the public. Carrying out the repairs to the staircase wall at this stage would be less costly than waiting until more holes appear. The work could be carried out during the closed winter season thus ensuring little loss of income and use of the related area.

The cost to carry out the work will be £2,500, which includes:

- Removing existing plaster
- Moving, setting aside and refitting 2 light fittings
- Refixing / replacing laths where required
- Replastering walls
- Decorating newly replastered walls

Funding Source	Amount
South Somerset District Council	£2,500
TOTAL	£2,500

Crewkerne Heritage Centre is requesting a grant to cover the whole cost of the building work. It should be noted that although Crewkerne Town Council are not contributing financially to this particular building repair project they do regularly provide an annual grant to the Heritage Centre. During the current financial year the Heritage Centre was awarded £1,500 by the Town Council and they have submitted an application to Crewkerne Town Council for help towards their running costs for the financial year 2012-13.

The Crewkerne Heritage Centre is not in a position to fund this work themselves because they operate to a very tight budget. The projected annual running costs for the current year to May 2012 is £9,380 with an expected income of £9,420, which leaves a very meagre profit of £40. The Crewkerne Heritage Centre does have a small pot of reserves of £1,773.31, but given the current economic climate it would be prudent for the Heritage Centre to maintain their reserves in case the projected income does not cover their running costs.

Crewkerne Heritage Centre is one of the organisations that Area West Committee currently supports through an annual Service Level Agreement. This financial year they were awarded £2,114 towards their running costs. The Service Level Agreement was set up with the Crewkerne Heritage Centre in recognition of the important role the museum plays in the town not only culturally but also economically by helping to promote the town and attract visitors to the area.

The Community Regeneration Officer has assessed the application and the table below shows the breakdown of the grant scoring.

Category	Score	Maximum
Target Groups	4	7
Project	4	5
Capacity of Organisation	12	15
Financial need	4	7
Innovation	3	3
Total	27	37

Financial Implications

There is currently a balance of £11,340 in the unallocated capital programme for 2011/12 (£106,448 in total). If this grant for £2,500 is approved the balance in the current year will reduce to £8,840 (£103,948 in total).

Corporate Priority implications

The project helps SSDC meet the following corporate aims and targets:

- 1.11 A vibrant and sustainable Yeovil, market towns and rural economy.
- 3.11 Increased choice & quality of life for older people
- 3.18 Individuals and communities enjoying healthier and more active lifestyles
- 4.16 An empowered community where all people take part in shaping their neighbourhood
- 4.19 Increase civic participation in the area
- 4.22 Sustainable local community

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None.

Equality and Diversity Implications

Crewkerne Heritage Centre promotes its services to all.

Background Papers: *AW Grant applications June 2011*
CRO Assessment on File

Area West Committee – 19th October 2011

8. Area West Street Markets (Executive Decision)

Strategic Director: Rina Singh (Place and Performance)
Assistant Director: Helen Rutter/Kim Close (Communities)
Service Manager: Andrew Gillespie, Area Development Manager (West)
Lead Officer: Zoë Harris, Community Regeneration Officer (West)
Contact Details: zoe.harris@southsomerset.gov.uk or 01460 260423

Purpose of the Report

To update members on the progress of the Area West Markets Improvement Group and request £1,390 to enable the group to progress work.

Public Interest

Since January 2011 a group of Councillors, Market Traders and Council Officers have been working to improve the council run street markets in Chard, Crewkerne and Ilminster. This report provides an update on the work so far and is making a request for specific funding to help promote the markets and make it easier to manage Chard market.

Recommendation

That Members allocate £1,390 from the £20,000 set aside in November 2010, for the improvement of Area West Markets.

Background

In January 2011, in response to previous reports relating to SSDC street markets, a Markets Improvement Group was set up with the remit of regenerating the SSDC Street Markets in Chard, Crewkerne and Ilminster.

An update report from that group was presented to Area West Committee in June 2011. That report identified four main themes for the group to focus on:

- Marketing and Promotion
- Local produce
- Crewkerne Market
- Market Management

Since June the Community Regeneration Officer with the support of the Markets Improvement Group has been carrying out work to address these four themes.

Marketing and Promotion

Signage

Currently there is very little street signage used on market days to attract passing footfall and encourage shoppers to visit the markets. Crewkerne market has two very old looking A boards, whereas Ilminster Market has three old looking painted boards. There is no street signage at all in use in Chard on market day. It was clear from the survey carried

out earlier in the year that many people did not know about the markets, so the use of banners and new signage would help encourage new shoppers to visit the markets.

It is proposed that banners are placed in very visible locations including some of the busier shoppers car parks on market day, informing people that there is a market in town that day. In addition large sail banners can be placed strategically in the town centres letting people know that a market is in progress.

Christmas

The survey carried out highlighted that people do not just visit the market when in town on market day, but will also visit shops, cafes and other businesses. With this in mind the Community Regeneration Officer is proposing that the advertising for the Christmas markets is carried out differently this year with advertorials being used instead of just a small plain advert.

The advertorial will run for 5 weeks and it is proposed that the text that accompanies the advert should include information about each town and the range of businesses people could also visit.

Internet and Social Media

The Community Regeneration Officer is working with Area South to update the markets page on the SSDC website to include more information about the range of goods on sale at each of the markets. In addition work is currently taking place to set up a Facebook page giving details about the regular traders at the Area West markets and the different types of products on sale. Both these pieces of work will be completed in time for the Christmas market promotion.

Other promotion

In addition to the above, Town Council representatives that sit on the Markets Improvement Group have agreed to use Town Council publications to help promote the market in their town.

Local Produce

The survey carried out earlier in the year highlighted the desire amongst residents to see a greater variety of stalls with more local food and crafts available to buy in the markets. Information from the National Market Traders Federation shows that this reflects a trend nationally where markets in smaller towns are seeing a move towards produce markets.

All three markets have space for additional traders, either on a regular or casual basis. A letter has recently been sent to local food producers and crafts people to establish whether any are interested in attending any of the Area West markets on a casual basis. It is hoped that this will generate a number of new traders particularly in the run up to Christmas.

Crewkerne Market

Work is continuing to relocate the market from its current position in South Street Car Park. Two potential sites have been identified and currently the Regeneration Officer is in negotiations with landowners over the feasibility of these locations.

Market Management

The street market in Chard operates in Fore Street on a Saturday morning. On the northern side of Fore Street (the same side as the Phoenix), traders locate their stalls in the parking bays on the side of the road. Currently there is no sign adjacent to the parking bays to tell the public they should not park in those bays on Saturday morning. The consequence is that cars do park in the bays and this makes it difficult for the Market Supervisor to ask drivers to remove their cars so that traders can set up. No parking on market day signs already exist in Ilminster and Crewkerne, therefore one is needed in Chard.

Details of Funding Request

As highlighted above the Markets Improvement Group wish to spend money on items that will help with the promotion and marketing of all three markets and the management of Chard market. The total amount requested at this stage is £1,390, which will be spent in the following way:

Item	Cost
Five weeks advertising for Christmas markets	£530
Two banners with fixtures	£180
Three sail banners and bases	£600
No parking sign for Fore Street, Chard	£80
TOTAL	£1,390

It is envisaged that future funding will be required to help finance the relocation of Crewkerne market and also towards further promotion of the market towns and their markets.

Financial Implications

In November 2010 Members agreed to allocate, in principle, £20,000 towards the cost of revitalising the markets in Area West. This allocation is made up of £5,660 from capital and £14,340 from the Area Reserve. The items listed above are of a revenue nature and they would therefore be funded from the Area Reserve. If Members approve this request for £1,390 that will leave £18,610 of the original allocation remaining.

Corporate Priority Implications

SSDC Corporate Theme 1 is about increasing economic vitality and prosperity, this project relates to Key Target Area:

1.11 a vibrant and sustainable Yeovil, market towns and rural economy

Carbon Emissions & Adapting to Climate Change Implications (NI188)

Markets provide the opportunity for local produce to be sold and bought within a short distance of where it is made, thus reducing food miles.

Equality and Diversity Implications

Markets have the potential to promote diversity, they enable all sections of the community, especially those on a low income to shop and set up a business.

Background Papers: *Area West Committee June 2011 agenda and minutes*
 Area West Committee November 2010 agenda and minutes
 Audit Committee August 2010
 JAC West October 2009 – agenda and minutes

Area West Committee – 19th October 2011

9. Blackdown Hills Area of Outstanding Natural Beauty (AONB)

Strategic Director: Rina Singh (Place and Performance)
Assistant Director: Helen Rutter (Communities)
Service Manager: Andrew Gillespie, Area Development Manager (West)
Lead Officer: Zoë Harris, Community Regeneration Officer (West)
Contact Details: zoe.harris@southsomerset.gov.uk or 01460 260423

Purpose of the Report

To update members on the work of the Blackdown Hills AONB since the last report to Area West Committee in September 2009.

Public Interest

Part of the Blackdown Hills Area of Outstanding Natural Beauty lies within South Somerset, and as such South Somerset District Council contributes an annual grant towards the running costs of the AONB team. This report provides an update of the work of the Blackdown Hills AONB team.

Recommendations

That members note the report.

Background

The Blackdown Hills Area of Outstanding Natural Beauty (AONB) covers 370 sq km of unspoilt countryside straddling the Somerset and Devon border and was designated in 1991. An AONB is a landscape that is considered to be of such importance that it is worthy of protection for the nation. AONBs are of equal status to National Parks in terms of scenic beauty and landscape protection and are designated through the same legislation – the National Parks and Access to the Countryside Act 1949.

The Countryside and Rights of Way Act 2000 strengthened the 1949 Act and placed specific statutory duties on local authorities; these include:

- to have regard to the purpose of conserving and enhancing the natural beauty of the AONB
- to prepare, publish and review a Management Plan for their AONBs at intervals of not more than five years.

The primary purpose of the AONB designation is to conserve and enhance the natural beauty of the area; this includes the distinctive landscape, wildlife and cultural heritage. An AONB also encourages social and economic well-being of its local communities; promotes sustainable development and has regard to the needs of recreation. There are six South Somerset parishes within or partly within the AONB. They are Buckland St Mary, Broadway, Combe St Nicholas, Tatworth & Forton, Wambrook and Whitestaunton.

The AONB is managed by a partnership of the six local authority core funding partners, other public bodies, the AONB's 41 parish councils, community organisations and voluntary groups. The Management Group meet quarterly and Cllr Ros Roderigo represents SSDC at these meetings.

AONB Core Funding

South Somerset District Council, along with five other local authorities (Devon County Council, East Devon District Council, Mid Devon District Council, Taunton Deane Borough Council and Somerset County Council) contributes 25% of the core funding for the AONB, the other 75% comes from DEFRA. This funding ratio is fixed by DEFRA.

Blackdown Hills AONB budget in 2010/11	£248,606
SSDC contribution in 2010/11	£6,000

Therefore for every £1 contributed by South Somerset DC, a further £40 is secured directly by the AONB from DEFRA and the other five local authority partners.

The level of core funding is agreed through a Memorandum of Understanding intended to cover a three year period. Through the Area West budget, SSDC has agreed to contribute £6,000 per annum in the period 2011- 2014.

AONB Management Plan 2009 – 2014

The current plan has five key purposes:

- To highlight the special qualities and issues of the area and the value of its different features.
- To present an integrated vision for the future of the AONB as a whole in the light of local, regional and national priorities.
- To set out agreed policies and objectives with specific targets, which will help secure that vision
- To identify what needs to be done by whom and when in order to achieve these outcomes in a delivery plan
- To state how the condition of the AONB and the effectiveness of its management will be monitored.

The plan is split into three key themes:

- Landscape – this includes work relating to the character of the landscape, natural habitats, geology, renewable energy and climate change.
- Sustainability – includes work that relates to farming, forestry and land management, also planning, development, transport and highways. In addition this theme covers leisure and tourism, the rural economy and community and culture.
- Communication and Management – relates to the way the Partnership works with others and promotes its activities.

Activities and projects specific to South Somerset in 2011/12

- *Planning consultations* – Commented on South Somerset's draft Core Strategy. Consulted on eight planning applications since January (24 applications within AONB).
- *Somerset Batscapes* – key Somerset habitats mapped for eight species of bats, and a Big Bat Survey carried out in June; transects carried out in Whitestaunton and Wambrook.
- *Harvesting Voices* – development of a website that will not only hold the 100 plus interviews collected during phase one but also those from other local collections including Chard Museum.
- *Wambrook Summer Fair* – AONB attended.

- *Blackdown Hills information points* – provided and serviced at Chard Tourist Information Centre, The Eagle Tavern and Ferne Animal Sanctuary.
- *Neroche/Phoenix link* – a horse-riding trail linking the Neroche Herepath with Phoenix Route 1 at Wambrook.
- *Walks leaflet* – new walks leaflet highlighting one walk from five key areas, Chard being one. All other walks, including the six Chard walks can be downloaded from the website: <http://www.blackdownhillsaonb.org.uk/walking-routes.htm>

AONB-wide activities and projects benefiting South Somerset area in 2011/12

- *Blackdown Hills Community Plan* – launched in September, co-ordinated by a consultant funded through the AONB working with all 39 parishes. <http://www.Blackdownhillsaonb.org.uk/Parishes.html>
- *Countryside Design Guide* – residential design guide, which encourages sustainable development and reinforces local distinctiveness, due for completion December 2011.
- *Working Landscapes Programme* – 3-year partnership project encouraging management of both marginal land and small woods through co-operative working (£119k over 3 years)
- *Swift and waxcap surveys* – general public participation surveys across the AONB.
- *Force for Nature* – AONB a partner in an application to Heritage Lottery Fund for a 2-year project to develop volunteering across the AONB (£51k).
- *Countryside events programme* – this is organised twice yearly with a spring / summer programme and an autumn / winter programme. The current autumn / winter programme includes eight specific events in the South Somerset area.

AONB Funding Schemes

The AONB runs two grant schemes for the local community and businesses.

Sustainable Development Fund (SDF)

This has £40,000 to distribute in 2011/12. There is still money available for this financial year and the maximum grant a group could apply for is £5,000.

Making it Local

The grant scheme is part of the Local Action for Rural Communities (LARC), which in turn is part of the Rural Development Programme England. This grant fund covers the Blackdowns Hill and East Devon AONB areas, along with surrounding market towns including Chard. The grant programme had £2.4 million to allocate over four years to 2013.

To date £1.3 million has been allocated through this fund and 17 projects in, or benefiting South Somerset, have received £712,000 for projects totalling £1.256 million.

DEFRA conducted a review of all LARC funding this summer and subsequently made cuts to all the funds, with Making it Local receiving a cut of 30%. This will not affect approved projects that have been allocated funds, however there is now no money left to distribute to other projects.

Financial Implications

The agreed financial contribution can be funded through existing budgets.

Implications for Corporate Priorities

Working in partnership with the Blackdown Hills AONB addresses the corporate aim to

Enhance the environment, address and adapt to climate change

- 2.0 Outcome: An enhanced natural environment measured by: Improved health of the natural environment
- 2.1 Support the exploration of options for biodiversity, conservation and enhancement on land managed by South Somerset Together partners by 2012 and deliver biodiversity projects each year to 2026.
- 2.2 Improve local biodiversity by active management of local sites

With the addition of the 'Making it Local' grant the Blackdown Hills AONB helps SSDC meet their corporate aim to Increase economic vitality and prosperity.

In particular

- 1.11 Outcome: A vibrant and sustainable Yeovil, Market Towns and Rural Economy measured by: Increased local sustainability

Carbon Emissions & Adapting to Climate Change Implications (NI188)

Through the report 'Renewable Energy in the Blackdown Hills' the AONB has provided information on the constraints and opportunities for renewable energy within the Blackdown Hills.

Equality and Diversity Implications

The Blackdown Hills AONB works to ensure that people with limited mobility can enjoy the countryside easily via easy access trails.

Background Papers: *Area West Committee September 2009 agenda and minutes*

Area West Committee – 19th October 2011

10. Reports from Members on Outside Organisations

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

Members are asked to notify the Chairman before the meeting if they wish to make a report.

Area West Committee – 19th October 2011

11. Feedback on Planning Applications referred to the Regulation Committee

There is no feedback to report on planning applications referred to the Regulation Committee.

Area West Committee – 19th October 2011

12. Planning Appeals

Strategic Director: Rina Singh (Place and Performance)
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 Dismissed

Written Representation

Chiselborough – Alterations and the erection of a two storey side extension and detached double garage, Higdene, Cat Street – Mr. J. Mann – 11/01516/FUL.

Delegated Decision – Refusal.

The Inspector's decision letter is attached at pages 17-18.

Background Papers: *Application file –11/01516/FUL.*



Appeal Decision

Site visit made on 13 September 2011

by **Mike Robins MSc BSc(Hons) MRTPI**

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

Decision date: 22 September 2011

Appeal Ref: APP/R3325/D/11/2158737

Highdene, Cat Street, Chiselborough, Somerset TA14 6TT

- 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 John Mann against the decision of South Somerset District Council.
 - The application Ref 11/01516/FUL, dated 17 March 2011, was refused by notice dated 29 June 2011.
 - The development proposed is a two storey side extension and detached garage.
-

Decision

1. The appeal is dismissed.

Main Issues

2. I consider that there are two main issues in this case, firstly, whether the proposal would preserve or enhance the character or appearance of the conservation area, and secondly, the effect on the living conditions of the occupiers of the neighbouring properties, with particular regard to privacy.

Reasons

3. The appeal site is a bungalow located within a small and attractive village, part of which is designated as the Chiselborough Conservation Area. Although the property lies just outside the boundary, a conservation area (CA) is a designated heritage asset and as such developments that could affect them or their setting need to be carefully considered. In this case the South Somerset Local Plan, adopted 2006, (the Local Plan), sets out in Policy EH1 that development that would effect the setting of the CA or views into or out of the area will be required to preserve or enhance the character or appearance of the area.
4. The CA encompasses the traditional heart of the village including the inn, chapel, church and a number of thatched stone cottages. While the development along Cat Street approaching the CA is of more modern form, houses tend to be large and detached, set in spacious plots with well landscaped gardens. This open village fringe provides a setting for the CA itself.
5. The appeal property is located on a slope and rises above nearby properties and notably the converted Old Forge which lies in front of it, and with which there appears to be a shared drive. As a result of the trees at the entrance and the set back of the property, it is not particularly visible from the immediate front, however, because of its raised position, it is a prominent

building seen on entering the village from the southwest, where it appears as a continuation of a row of dwellings including Kabil and Chy an Bre. There are two large outbuildings within the garden; one is shown to be retained while one would be removed to allow for the large side extension.

6. The proposed double garage would sit at the end of the drive, and while matters concerning the shared access are private ones, the garage would be a prominent detached element here. Furthermore, the side extension would present a large two storey gable which would tower above the Old Forge. In combination with the garage this would represent a very considerable increase in the amount of built development. Visually the additions would result in a property which would appear cramped within its own plot and which would have an uncomfortable relationship with the property to the front. Located tight to the boundary of the CA, it would materially harm the setting and fail to preserve the appearance of the CA.
7. The scheme would therefore conflict with Policy EH1 of the Local Plan, as well as Policy ST6, which seeks to ensure that development respects the form, character and setting of the settlement.
8. Turning to living conditions, I accept that there is an existing element of overlooking of the rear of the Old Forge. This property has a small and very enclosed front garden. To the rear, however, lie main habitable room windows and a well laid out and landscaped patio and raised bed garden.
9. The outbuilding to be retained provides some screening of this area from the oblique views from the front windows of Highdene. While I accept that its retention cannot be guaranteed, the introduction of the extension, with further windows at ground and first floor level immediately behind the Old Forge would increase both perceived and actual overlooking, and would result in a material loss of privacy. Although there would also be overlooking to the east and into the gardens of Cross House Orchard, unlike the relationship with the Old Forge, this would only be to a small part of an exceptionally large garden area and would be at some distance from the property itself. The suggestion put forward by the appellant that obscure glazing could be used would not be appropriate here for either the lounge or where the window at first floor provides the sole aspect to that room.
10. The proposal would, therefore, conflict with Policy ST6 of the Local Plan, as the proposed design would unacceptably harm the residential amenity of the occupiers of the adjacent property.
11. I accept that the outcome of this proposal would result in a larger house which could be considered to provide a more efficient use of the land, however, this would not outweigh the harm to the setting of the CA or the privacy of adjoining occupiers that I have identified. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Mike Robins

INSPECTOR

Area West Committee – 19th October 2011

13. Planning Applications

Strategic Director: Rina Singh (Place and Performance)
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

The schedule of applications is attached following page 20.

The inclusion of two stars (**) as part of the Assistant Director's (Economy) recommendation indicates that the application will need to be referred to the 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 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 the schedule are considered to involve the following human rights issues:-

Article 8: Right to respect for private and family life

- (i) Everyone has the right to respect for his 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 interest 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.*

The First Protocol

Article 1: Protection of Property

Every natural or legal person is entitled to the peaceful enjoyment of his 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.

Background Papers: *Individual planning application files.*

Area West Committee – 19th October 2011

14. Date and Venue for Next Meeting

The next meeting of the Committee will be the special meeting to be held on Wednesday, 2nd November 2011 at 5.30 p.m. in the Shrubbery Hotel, Station Road, Ilminster to consider the Draft Core Strategy.

The next ordinary meeting will be held on Wednesday, 16th November 2011 at 5.30 p.m. Venue to be arranged.

Planning Applications – October 2011

Members to Note:

*The inclusion of two stars (**) as part of the Assistant Director's (Economy) recommendation indicates that the application will need to be referred to the 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 Regulation Committee even if it has not been two starred on the agenda.

Page	Ward	Application	Proposal	Address	Applicant
1	Crewkerne Town	11/02224/FUL	The erection of a pair of semi-detached houses	Land Adjoining 6 Bowditch Row South Street Crewkerne	Jacobs Partnership Llp
12	Crewkerne Town	11/02209/LBC	Application for the demolition of curtilage structures prior to the erection of a pair of semi detached dwellinghouses	Land Adjoining 6 Bowditch Row South Street Crewkerne	Jacobs Partnership Llp
17	Crewkerne Town	11/03468/FUL	The installation of a photovoltaic array in rear garden.	The Old Post Office Middle Street Misterton	Mr John Richardson

Area West Committee – 19th October 2011

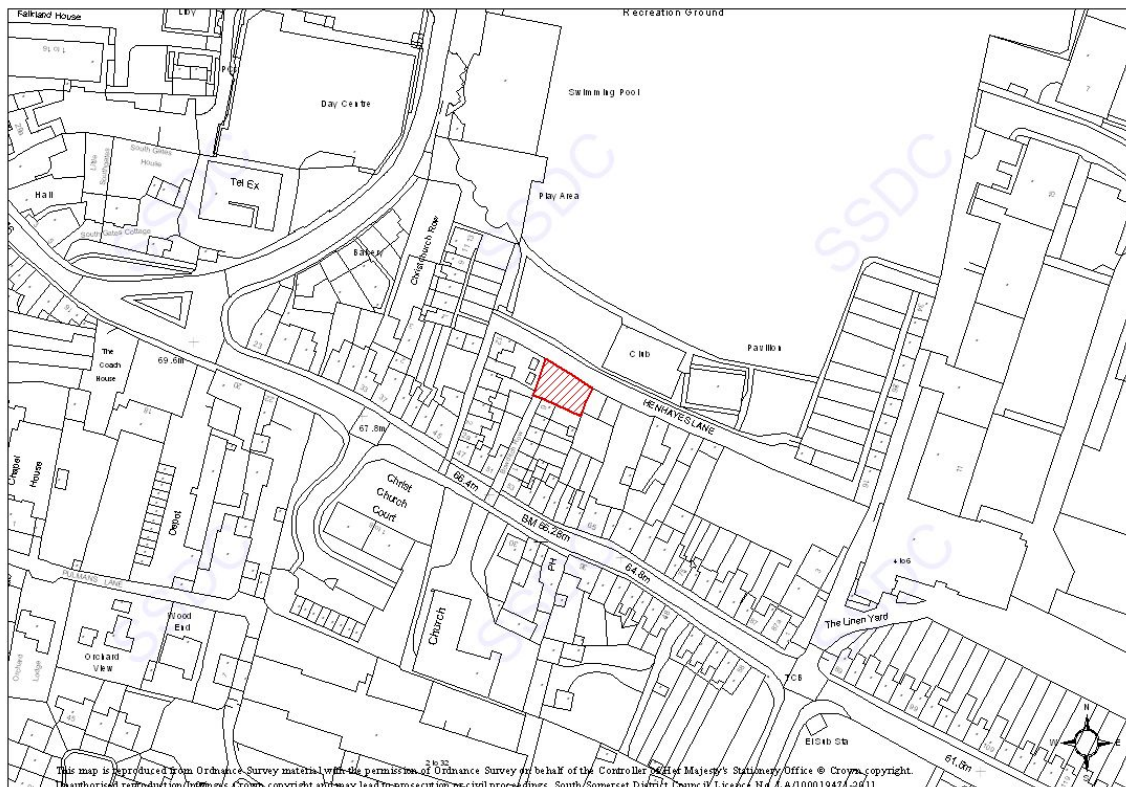
Officer Report On Planning Application: 11/02224/FUL

Proposal:	The erection of a pair of semi-detached houses (GR 344313/109548)
Site Address:	Land Adjoining 6 Bowditch Row South Street
Parish:	Crewkerne
CREWKERNE TOWN Ward (SSDC Member)	Mr M Best (Cllr) Mr J Dyke (Cllr) Mrs A M Singleton (Cllr)
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date:	4th August 2011
Applicant:	Jacobs Partnership Llp
Agent: (no agent if blank)	
Application Type:	Minor Dwellings 1-9 site less than 1ha

REASONS FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee at the request of the Ward Members, with the agreement of the Area Vice Chair. It is felt that the issues should be given further consideration by members, as a result of objections raised by the Town Council and local residents. Of particular concern is the potential overdevelopment of the site and impact on highway safety and the amenities of local residents and future occupiers.

SITE DESCRIPTION AND PROPOSAL



The application relates to an area of land to the side of 6 Bowditch Row, which is one of a terrace of grade II listed cottages off South Street, Crewkerne. It is within the Crewkerne defined development area and is also within the local conservation area. The site formerly comprised a derelict garage and lean-to shed, which was granted consent for demolition

under application 10/04796/LBC and was bounded by natural stone walls alongside the boundary with Henhayes Lane, to the north and stone and brick along the west boundary. The site has previously been used as part of the residential curtilage of 6 Bowditch Row and as such the buildings and boundary walls are considered to be listed in association with the adjoining listed terrace in Bowditch Row.

Previous consents for planning permission (08/03982/FUL) and listed building consent (08/03983/LBC) were also granted for the partial demolition, rebuilding, alterations and extension of the outbuildings to provide a separate individual dwelling.

This application is made for the erection of a pair of semi-detached dwellings. The development will take the form of a single dwelling fronting Henhayes Lane, with a smaller dwelling within a wing to the rear running parallel to Bowditch Row. The development is proposed to be constructed using natural stone with double Roman roof tiles. Private amenity space is to be provided to the rear and side of the dwellings and a garden terrace is proposed to the side of the east of the dwelling above a proposed parking area. An existing vehicular access from Bowditch Row is proposed to be closed, with the boundary treatment comprising timber gates to retain pedestrian access, as appropriate. The other boundaries will be finished with natural stone walls.

HISTORY

11/02224/FUL: The erection of a pair of semi-detached houses - Pending consideration.

10/04796/LBC: Listed building consent granted for the demolition of garden shed and garage (outbuildings and curtilage structures).

08/03982/FUL and 08/03983/LBC: Planning permission and listed building consent granted for demolition, alterations and extension to convert premises to form one unit of living accommodation with no parking provision.

06/01872/FUL and 06/01873/LBC: Planning permission and listed building consent refused for a barn conversion including part demolition and rebuilding.

05/02215/FUL: Planning permission refused for proposed erection of terrace of 3 no. dwellings.

05/02151/FUL: Planning permission refused for the proposed conversion and extension of existing outbuilding to form 1 no. three bedroomed dwelling.

05/01099/FUL and 05/01095/LBC: Planning permission and listed building consent granted to extend and convert existing outbuilding to form 2 bed dwelling.

POLICY

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

Relevant Development Plan Documents

Somerset and Exmoor National Park Joint Structure Plan:
STR1 - Sustainable Development
Policy 9 - Built Historic Environment
Policy 49 - Transport Requirements of New Development

South Somerset Local Plan 2006:
ST5 - General Principles of Development
ST6 - The Quality of Development

EH1 - Conservation Areas
EH3 - Listed Buildings
EH5 - Development Proposals Affecting the Setting of Listed Buildings
EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological Interest.
EP9 - Demolition and Construction Sites.

Policy-related Material Considerations:

South Somerset Sustainable Community Strategy
Goal 8 - Sustainably sited and constructed high quality homes, buildings and public spaces where people can live and work in an environmentally friendly and healthy way.

CONSULTATIONS

Town Council

12th September 2011 Recommend REFUSAL on the grounds of:

- A) Overcrowding on the site
- B) Insufficient parking space in a very narrow lane

11th July Recommend REFUSAL on the grounds of

- A) Overcrowding on the site
- B) Insufficient parking space
- C) Out of keeping with other properties in the vicinity and in the Conservation Area

SSDC Technical Services

No comments.

County Highway Authority

7th September 2011 Further to our conversation earlier today and the details set out in your email received on 6th September 2011. It is apparent that the applicant has indicated that the area inside the site will be used for manoeuvring vehicles rather than a turning area. As a consequence it is likely that the proposal would result in vehicles manoeuvring on the highway.

I have since checked our Road Record, which indicates that Henhayes Lane is designated as an Unclassified Highway. As a consequence the Highway Authority cannot request that turning is provided within the site, although it would be desirable for them to do so.

Taking this information into account I therefore further comments to add to my initial observations.

12th July 2011 The proposal relates to the erection of a pair of semi-detached dwellings.

From the details provided in the Design and Access Statement one parking space will be provided for the dwelling, which has access onto Henhayes Lane, whilst the dwelling on Bowditch Row will be car free.

It is apparent that Henhayes Lane as a means of vehicular access is substandard. Its restricted width and poor alignment makes it extremely difficult for two vehicles to pass. There are also concerns relating to the level of visibility achieved at its junction with the A356. However, on balance the visibility achieved at its junction with the County Route is significantly greater than that achieved from the junction of Bowditch Row. As a consequence vehicle access via Henhayes Lane could be seen as being acceptable.

From the details provided it is apparent that the proposed dwelling at 7 Bowditch Row will be car free. Whilst the Highway Authority remains cautious about car free development, it should be noted that the proposal is within walking distance of the local services such as retail and leisure. It is noted that the site is connected to these facilities by continuous footways and pedestrian facilities. In addition the main bus stop of the town linking Crewkerne with other principal settlements is within easy walking distance. As a consequence car free development could be considered acceptable in this instance.

Drawing No. JP03/1120/03 shows parking and turning area for No.14. This would need to be properly consolidated and surfaced with appropriate surface water drainage provided. The turning area is confined and I am concerned that it does not provide sufficient space to allow a turning manoeuvre to be completed. I would therefore require an amended drawing to be submitted showing that a car can turn and leave the site in a forward gear.

At the point of access onto Henhayes Lane visibility is limited in either direction. This would usually be a cause of concern to the Highway Authority however from my site visit it is apparent that a number of dwellings along this section of highway provide a similar type of access to the highway. As such it would be inappropriate to object to this proposal on these grounds.

Taking into account the above information I raise no objection to this proposal and if planning permission were to be granted I would require the following conditions to be attached.

- Before the dwelling hereby permitted is first occupied a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority.
- Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority.
- The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

PLEASE NOTE:

Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager, South Somerset Area Highway Office, Mead Avenue, Houndstone Business Park, Yeovil, Tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.

County Archaeology

As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

SSDC Conservation Officer

Thank you for your consultation on this application.

You will be aware that the site is within the curtilage of a listed building and in a conservation area.

The main issues are the setting of the listed building and the requirement to have regard to the desirability to preserve and enhance the conservation area (Sections 16 and 72).

You will recall that there have been detailed negotiations with both myself and Adron (Conservation Manager) in relation to the design and a number of options have been discussed. We are now at a point that we are happy with the proposal in relation to the setting of listed building and the conservation area.

Clearly there are a number of matters, which need to be conditioned to ensure a high quality development, and I would be happy to discuss these with you as necessary.

REPRESENTATIONS

The application has been advertised by press and site notice for the requisite period. Between this application and the associated application for listed building consent, there have been 6 letters received from local residents, mostly raising objections but also some general observations. The main points raised include:

- There are current difficulties with parking in and around the Henhayes Lane area. Currently the free parking is used by town centre workers and causes difficulty to homeowners. The erection of two houses will further increase parking problems in Henhayes Lane.
- The junction of Henhayes Lane with South Street is dangerous, particularly due to motorists speeding along South Street with no consideration to those exiting Henhayes Lane. Exiting is made more difficult by cars parked either side of the exit. The addition of two more houses with potential 2-4 more cars would be inappropriate.
- The area is already full of houses and cars, the latter of which is already a risk to pedestrians.
- There is already a high density of development in the area. The proposed development is too large, too high and will dwarf other properties in the vicinity.
- The original building was a brick shed and the new build should be no bigger. The pair of semis that have replaced another workshop already cut out the views of properties along South Street and this would complete the enclosure (of the boundary with Henhayes Lane).
- Is there a planning requirement to remove the existing vehicular access along Bowditch Row? Could this remain to provide parking as per the original garage?
- Does the masonry and timber wall with the boundary of no. 6 Bowditch Row refer to a double boundary with 'no-man's land' in between? This could lead to accumulation of debris and growth of weeds.
- The elevated amenity space does not appear to detail method of construction i.e. timber or steel.
- The 1.8m translucent barrier on the south side would appear to overcome any concern of overlooking properties.
- The proposed dormer windows are out of keeping with this part of the conservation area. Roof lights would be more appropriate.
- The development of the adjoining property 'The Barn' would appear to set a precedent for development as that started off as an outbuilding too. However, object to proposed ground floor windows on northern elevation. On 'The Barn' development, these were not permitted so as to retain the original appearance of the building.
- The large first floor opening, with Juliet balcony, on the northern elevation is out of keeping with the conservation area.
- The proposed gates onto Bowditch Row are retained to replicate the original garage doors. Could the pitched shape of the garage roof also be copied?
- The details of vehicle parking, indicated within the application form, refers to the loss of existing parking space and provision of new access off Henhayes Lane. When approval was granted for the development of 'Henhayes Cottage', the decision indicated that there would be no further access allowed off Henhayes Lane. This was adhered to in the development of 'The Barn', with the proviso that public parking was in easy walking distance. The provision of an access would reduce the limited amount of parking spaces along Henhayes Lane and existing residents will have to find spaces further afield and also make parking in this already congested area impossible.

Since being referred to Ward Members, a further two letters of support have been received, making the following points:

- The site is an absolute eyesore, a patch of scrub with dangerous precarious walls and rusty flapping roofs, which can be seen from both neighbouring properties, the occupiers of which would like to see developed as soon as possible.
- The developer has gone out of their way to consider the wishes of neighbours, who have no complaints.
- Neighbours at no. 10 Henhayes and 6 Bowditch Row have no concerns in regard to the height of the building or potential impact on residential amenity.
- Parking is not an issue. The major cause of the lack of parking is from staff of local shops and services. Henhayes Lane should be made resident parking only. The lack of vehicular access from Bowditch Row is welcome as this is a very serious concern.

CONSIDERATIONS

Principle of Development

The application relates to the erection of two semi-detached dwellings within an area of land, formerly used as residential curtilage of 6 Bowditch Row. The site is within the Crewkerne defined development area and as such development is considered acceptable in principle subject to being in accordance with other Development Plan policies and proposals. The site is within the local conservation area, forms part of what is considered to be part of the 'listed curtilage' of the listed terrace forming Bowditch Row and proposes a new vehicular access onto Henhayes Lane, a narrow lane running parallel to South Street. The main considerations are the impact of the proposal on the setting and appearance of the conservation area, adjoining listed terrace and the general character of the locality, impact on highway safety and impact on residential amenity of the occupiers of neighbouring properties. It is noted that consent has already been granted for the rebuilding and partial conversion of recently demolished outbuildings, providing a new dwelling with no provision for parking within the site.

Objections have been received from local residents and the Town Council, particularly in regard to the scale and appearance of the development, its impact on the conservation area and the impact on highway safety due to limited on-site parking provision and loss of on-street spaces.

Historic Context, Scale and Appearance

The site is located along Henhayes Lane, which is sited to the north of South Street and to the south of the local recreation ground. Henhayes Lane comprises a terrace of properties running perpendicular with the access onto South Street before turning eastwards to run parallel to South Street. This part of the lane has a mix of development comprising a few residential properties, garages and boundary walls to the rear of properties fronting South Street, before ending at the 'Linen Yard' development, with a further terrace of properties to the north.

Saved policy ST6 of the South Somerset Local Plan requires the proposal, in terms of density, form, scale, mass, height and proportions, should respect and relate to the character of its surroundings. Similarly, saved policy ST5 states that it should respect the form, character and setting of the locality. In regard to the historic context, saved policy EH1 requires development that would affect the setting or views in and out of a conservation area to preserve or enhance the character and appearance of that area. Saved policy EH5 also requires development to have no adverse affect on the setting of a listed building or its contribution to the local scene.

The proposed development includes the provision of a pair of semi-detached dwellings, although the design is such that the development will have the appearance of a detached dwelling as a larger dwelling is proposed fronting Henhayes Lane with a smaller unit to the rear, within the wing running parallel to Bowditch Row. Comments have been received

relating to the design of the dwellings, particularly in relation to fenestration, and the size and scale, leading to overdevelopment of the site.

In terms of design and impact on the setting of the conservation area and listed buildings, the applicant has carried out additional pre-application discussions with the Local Planning Authority, resulting in amended plans being received to revise certain elements, including the removal of some dormer windows and the Juliet balcony to the front elevation, as well as other alterations to fenestration and external appearance. The resulting scheme has been considered by the Council's Conservation Unit and is now deemed to be acceptable. The proposed materials finish is in natural stone, with clay double roman tiles, which is appropriate for the area. The roof tiles are specified as 'Farmhouse Red' by Monier Redland, or equal manufacturer. While the use of clay tiles is consistent with the other properties along Henhayes Lane, the exact finish will be dependent on how this relates to the locality. As such, a condition will be imposed to agree the final colour and finish of the roofing tiles, as well as requiring a sample panel of the natural stone finish.

It is considered that the proposal relates to the character of the properties within the locality and has no detrimental impact on the setting and appearance of the conservation area or adjacent listed buildings. The design and scale is in keeping with the other properties along Henhayes Lane and retains key gaps within the street scene.

In regard to overdevelopment of the site, it is acknowledged that the amenity space associated with each dwelling is limited, however the spatial pattern of development in the locality varies greatly, with plots being larger, and in many cases, smaller than the application site. In terms of impact on the general street scene, the proposal will be sited so as to be almost the width of the plot, a pattern of development that is prevalent in the area, which comprises mainly terraced or semi-detached properties within narrow plots.

The provision of a parking space within the site has necessitated breaking through the boundary, however the new boundary treatment comprising natural stone wall and gates is set flush with the existing frontage and will provide continuity in the street scene, while also retaining a break in built form between the application site and that to the east.

Overall, it is considered that the proposed development respects and relates to the character of the properties within the immediate vicinity, preserves the character and appearance of the conservation area and has no adverse affect on the setting of the adjacent listed buildings.

Residential Amenity

The proposed dwellings have been carefully designed to take into account the position of neighbouring properties, which surround the application site on three sides. In regard to overlooking of neighbouring properties and private amenity space, the openings are mostly positioned so as to take advantage of the views over the recreation ground to the north or face blank gable elevations of the properties to either side of the site. There is one bedroom window in the rear dwelling, which faces in the direction of the rear of properties to the west, however any views would be similar to those already gained from the existing terrace in Bowditch Row and are not considered to be unusual within this more urban context. The main area of concern in regard to any overlooking is the provision of a first floor terrace extending off the east gable of the proposed dwelling, to offer additional amenity space for occupiers of the dwelling. Views from this terrace could potentially overlook the rear gardens of the Bowditch Row properties. This issue has been considered however and it is proposed to provide a 1.8m high obscure glass balustrade to the rear of the terrace. The proposed screening will address any overlooking issues, although a condition will be required for this to be provided prior to occupation of the dwellings and retained/maintained thereafter.

The dwellings are to be positioned within the site so as to be set away from any openings in neighbouring properties and also not to extend beyond rear elevations. The siting is such that there will be no overshadowing of neighbouring properties or overbearing impact. One of the neighbouring occupiers of a property facing South Street has objected on grounds that the development will cut off views to the north and complete the enclosure of Henhayes Lane.

While these comments are noted, the loss of a view is not a material planning consideration. The distance of the proposed dwellings from the properties fronting South Street is just over 30m so there will be no overbearing impact on these properties. While the development will lead to some increased enclosure of Henhayes, the development still retains gaps in the built form, as referred to earlier, and it is noted that the previously approved scheme for conversion of the recently demolished outbuildings, was only marginally narrower than this scheme.

While not entirely a residential amenity issue, one comment refers to the proposed masonry and timber boundary treatment between the site and 6 Bowditch Row and queries whether there would be a `double` boundary creating a small unmanaged area between the two sites. By way of reassurance, no such arrangement is proposed. There is a second line shown on the proposed floor plans but this is identified on the east elevation plan as a change in levels rather than a second boundary treatment.

Taking all the above into account, it is considered that the proposed development will cause no unacceptable harm to the residential amenity of the occupiers of neighbouring properties.

Highway Safety

The application site fronts Henhayes Lane, although there is currently no access at present. There is however an existing access along the narrow Bowditch Row, directly onto South Street. The proposal includes the creation of a new access onto Henhayes Lane, with the current access from Bowditch Row being closed to vehicles. It is proposed to retain a set of gates onto Bowditch Road for access to the amenity space behind, with a masonry upstand provided so that vehicular access to the site is controlled. It may be that the masonry upstand will be unable to prevent all types of vehicles entering the site so it is considered appropriate to impose a condition to agree a scheme to ensure that no access is possible at all. The new access will provide a parking space for one of the dwellings, with the other proposed to have no parking provision.

The greatest level of concern in regard to this development would appear to relate to the levels of parking proposed, limited amount of on street parking locally and the potentially dangerous junction and narrow width of Henhayes Lane. The objections relate to the potential impact on highway safety and levels of parking available to existing residents.

The County Highway Authority have considered the proposal and have ultimately raised no objections. There is concern about additional traffic accessing Henhayes Lane, due to the narrow width, poor alignment and levels of visibility at the junction with South Street, however it is noted that the existing access via Bowditch Row is very poor. The County Highway Authority consider the dangers posed by the existing access to be significantly greater than the potential increase in use of Henhayes Lane. It is therefore necessary to condition the agreement of a scheme to permanently prevent access to the site via Bowditch Row. It is noted that the Highway Authority would like to see turning space provided within the site, however this is not proposed, although there is room to park more than one car off the street. While there is the preference for vehicles to be able to enter and leave the site in a forward gear, Henhayes Lane is an unclassified road and as such there is no requirement for this. As such, the Highway Authority have raised no further objection in this regard.

There are also no objections raised by the Highway Authority in regard to the provision of one unit with no parking provision. While it is acknowledged that there is very limited on street parking in the immediate vicinity, the site is closely related to local services by continuous footways. There is also nearby access to public transport and local car parks. Concerns have been received from local residents who are concerned that the development will lead to increased pressure on parking along Henhayes Lane, as a result of additional dwellings along with reduction in spaces along the lane in order to provide the new access. The local residents feel that this could pose a risk to highway safety, as well as inconveniencing existing users of the lane. While there could potentially be a small reduction in the number of spaces available for on street parking, it is not considered that this would be a risk to highway safety. There are only a finite number of on street spaces available along Henhayes Lane and South Street, with other areas being too narrow to park or being restricted. It is not considered

likely that the proposed development would lead to parking in an uncontrolled or dangerous manner. Overall, no objections have been raised by the County Highway Authority and as such it is not considered that the proposal as a whole will be detrimental to highway safety.

Conclusion

Overall, the proposed development comprising two dwellings, is considered to be acceptable as it respects and relates to the character of the area, preserves the character and appearance of the conservation area and has no adverse impact on the setting of the adjacent listed buildings. Furthermore, it is considered that there will be no unacceptable harm caused to the residential amenity of neighbouring residents or to highway safety. Therefore, the recommendation to Members is to grant planning permission subject to the conditions set out below.

RECOMMENDATION

Approval with conditions.

JUSTIFICATION

The proposed development, by reason of size, scale, design and materials, respects the character of the area, preserves the setting and character of the conservation area, does not adversely affect the setting of the local listed buildings and is not considered to cause any unacceptable harm to residential amenity or highway safety, in accordance with the aims and objectives of PPS5, policies 9, 49 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review and policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006.

SUBJECT TO THE FOLLOWING:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: `JP03/1120/02`, received 9th June 2011 and `JP03/1120/03a`, `JP03/1120/008a` and `JP03/1120/09a`, received 17th August 2011.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

3. No works shall be carried out unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority;

(a) materials and colour finish (including the provision of samples and a sample panel, indicating materials, coursing, bonding, mortar profile, colour, and texture along with a written detail of the mortar mix) to be used for all external walls and roofs;

(b) the design, materials and external finish for first floor terrace, all new doors, windows, boarding and openings (including new gates forming part of the boundary treatment);

(c) details of the recess of all windows and doors;

(d) the design and materials of all roof eaves, verges and abutments; and

(e) position of meter cupboards and gas boxes (not to be positioned on the north elevation of the dwellings hereby approved).

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area and listed buildings, in accordance with policies STR1 and 9 of the Somerset and Exmoor National Joint Structure Plan

Review and saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006.

4. The roof lights hereby permitted shall be fitted flush with the roof covering and of conservation type design, in accordance with details as indicated on approved plan `JP03/1120/09a'. Such approved details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area and listed buildings, in accordance with policies STR1 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006.

5. Details of all new guttering, down pipes and other rainwater goods shall be as indicated in the roof drainage detail `JP03/1120/App C', received 9th June 2001. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area and listed buildings, in accordance with policies STR1 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006.

6. All soil and waste plumbing shall be run internally and shall not be visible on the exterior unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area and listed buildings, in accordance with policies STR1 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006.

7. The finished floor levels and ridge heights of the dwellings hereby permitted shall be carried out in accordance with the details as shown on approved plans `JP03/1120/03a', `JP03/1120/008a' and `JP03/1120/09a'. Such approved details, shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the conservation area and listed buildings, in accordance with policies STR1 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006.

8. Before the dwellings hereby approved are first occupied, an obscurely glazed balustrade of 1.8m in height shall be fitted to the first floor terrace, in accordance with details as shown on approved plans `JP03/1120/03a', `JP03/1120/008a' and `JP03/1120/09a' and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interests of residential amenity in accordance with saved policy ST6 of the South Somerset Local Plan 2006.

9. There shall be no vehicular access to the site from Bowditch Row. The development hereby approved shall not be commenced until the existing access onto Bowditch Row has been closed to vehicular traffic, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, and shall thereafter be permanently maintained as such.

Reason: In the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and saved policy ST5 of the South Somerset Local Plan.

10. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use.

Reason: In the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and saved policy ST5 of the South Somerset Local Plan.

11. The area allocated for parking and manoeuvring on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and saved policy ST5 of the South Somerset Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwellings or outbuildings erected without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the conservation area and listed buildings, in accordance with policies STR1 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the dwellings without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the conservation area and listed buildings, in accordance with policies STR1 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006.

14. No development shall be undertaken unless a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the hours of construction, routing for construction vehicles (including measures to ensure that all deliveries are made via Henhayes Lane, with no site traffic accessing via Bowditch Row), all parking for construction and contractor's vehicles, measures to reduce noise and dust from the site and details of site fencing and security for the duration of the construction works. The development shall thereafter be carried out in accordance with such details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the conservation area and listed buildings, in accordance with policies STR1 and 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6, EH1, EH5 and EP6 of the South Somerset Local Plan 2006.

Area West Committee – 19th October 2011

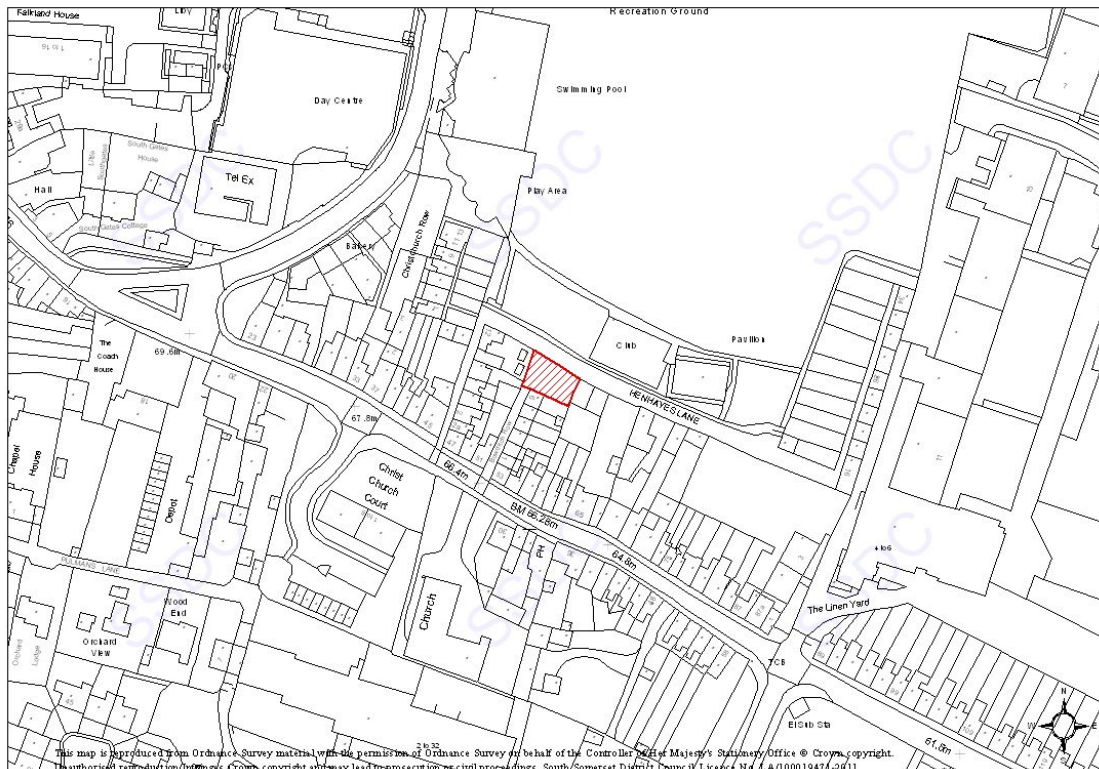
Officer Report on Planning Application: 11/02209/LBC

Proposal:	Application for the demolition of curtilage structures prior to the erection of a pair of semi detached dwellinghouses (GR 344313/109548)
Site Address:	Land Adjoining 6 Bowditch Row South Street
Parish:	Crewkerne
CREWKERNE TOWN Ward (SSDC Member)	Mr M Best (Cllr) Mr J Dyke (Cllr) Mrs A M Singleton (Cllr)
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date:	4th August 2011
Applicant:	Jacobs Partnership Llp
Agent: (no agent if blank)	
Application Type:	Other LBC Alteration

REASONS FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee at the request of the Ward Members, with the agreement of the Area Vice Chair. It is felt that the issues should be given further consideration by members, as a result of objections raised by the Town Council and local residents.

SITE DESCRIPTION AND PROPOSAL



The application relates to an area of land to the side of 6 Bowditch Row, which is one of a terrace of grade II listed cottages off South Street, Crewkerne. It is within the Crewkerne defined development area and is also within the local conservation area. The site formerly

comprised a derelict garage and lean-to shed, which was granted consent for demolition under application 10/04796/LBC and was bounded by natural stone walls alongside the boundary with Henhayes Lane, to the north and stone and brick along the west boundary. The site has previously been used as part of the residential curtilage of 6 Bowditch Row and as such the buildings and boundary walls are considered to be listed in association with the adjoining listed terrace in Bowditch Row.

Previous consents for planning permission (08/03982/FUL) and listed building consent (08/03983/LBC) were also granted for the partial demolition, rebuilding, alterations and extension of the outbuildings to provide a separate individual dwelling.

This application is made to allow the demolition of curtilage structures i.e. boundary wall and outbuildings. These structures have been lawfully demolished in line with the consent granted under 10/04796/LBC. However, that consent requires the developer to reinstate a boundary wall; clearly that would be at odds with the current intention to redevelop the site in line with the approval sought under planning application 11/02224/FUL. Accordingly this application for listed building consent is necessary to agree demolition without the previously agreed replacement boundary.

HISTORY

11/02224/FUL: The erection of a pair of semi-detached houses - Pending consideration.

10/04796/LBC: Listed building consent granted for the demolition of garden shed and garage.

08/03982/FUL and 08/03983/LBC: Planning permission and listed building consent granted for demolition, alterations and extension to convert premises to form one unit of living accommodation.

06/01872/FUL and 06/01873/LBC: Planning permission and listed building consent refused for a barn conversion including part demolition and rebuilding.

05/02215/FUL: Planning permission refused for proposed erection of terrace of 3 no. dwellings.

05/02151/FUL: Planning permission refused for the proposed conversion and extension of existing outbuilding to form 1 no. three bed roomed dwelling.

05/01099/FUL and 05/01095/LBC: Planning permission and listed building consent granted to extend and convert existing outbuilding to form 2 bed dwelling.

POLICY

Section 16 of the Listed Building and Conservation Areas Act is the starting point for the exercise of listed building control. This places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

PPS 5: Planning for the Historic Environment is applicable. Applicants for listed building consent must be able to justify their proposals. They will need to show why works which would affect the character of a listed building are desirable or necessary. They should provide the local planning authority with full information, to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building and on its setting.

Whilst Section 38(6) of the 2004 Planning Act is not relevant to this listed building application, the following policies should be considered in the context of the application, as these policies are in accordance with PPG 15

Relevant Development Plan Documents

Somerset and Exmoor National Park Joint Structure Plan:
Policy 9 - Built Historic Environment

South Somerset Local Plan 2006:

EH1 - Conservation Areas

EH2 - Demolition of Buildings in Conservation Areas

EH3 - Listed Buildings

EH4 - Demolition of Listed Buildings

EH5 - Development Proposals Affecting the Setting of Listed Buildings

CONSULTATIONS

Town Council

12th September 2011 Recommend REFUSAL on the grounds of:

- A) Overcrowding on the site
- B) Insufficient parking space in a very narrow lane

11th July Recommend REFUSAL on the grounds of

- A) Overcrowding on the site
- B) Insufficient parking space
- C) Out of keeping with other properties in the vicinity and in the Conservation Area

SSDC Technical Services

No comments.

SSDC Conservation Officer

Thank you for your consultation on this application.

You will be aware that the site is within the curtilage of a listed building and in a conservation area.

The main issues are the setting of the listed building and the requirement to have regard to the desirability to preserve and enhance the conservation area (Sections 16 and 72).

You will recall that there have been detailed negotiations with both myself and Adron (Conservation Manager) in relation to the design and a number of options have been discussed. We are now at a point that we are happy with the proposal in relation to the setting of listed building and the conservation area.

Clearly there are a number of matters, which need to be conditioned to ensure a high quality development, and I would be happy to discuss these with you as necessary.

REPRESENTATIONS

The application has been advertised by press and site notice for the requisite period. Between this application and the associated application for planning permission, there have been 8 letters of representation received from local residents. The points raised relate to the planning issues and as such are addressed in consideration of that application. No objections have been raised directly in relation to the works proposed under this application for listed building consent or in regard to the impact of the proposed development on the setting of the adjoining listed terrace.

CONSIDERATIONS

This application is made for listed building consent for the demolition of structures on site prior to the erection of a pair of semi-detached dwellings, currently being considered under planning application 11/02224/FUL. Consent has recently been granted for the demolition of boundary walls and an outbuilding and replacement with a new boundary wall. These works, approved under consent 10/04796/LBC, had been commenced at the time of this application being received and all curtilage structures have now been demolished. A number of objections have been received in regard to the overall scheme of redevelopment. The points raised relate to the planning issues and as such are addressed in consideration of that application.

Saved policy EH2 of the South Somerset Local Plan states "development proposals which involve the demolition of a building, or part of a building, whether listed or not, will not be allowed unless the development preserves or enhances the conservation area. A condition linking demolition to a programme of redevelopment will be imposed where it is considered important to prevent unsightly gaps in the conservation area". Similarly, saved policy EH4 states "there is a general presumption in favour of the retention of listed buildings. Applications for the total or partial demolition of a listed building will not be permitted unless ... consideration has been given to the condition of the building and the cost of repair and maintaining it in relation to its importance and the value derived from its continued use".

In considering the principle of the demolition of the curtilage structures, the wall and buildings were in a dilapidated state and while being historic, had been altered significantly. It was considered that these structures were not of such importance that their loss would be damaging to the listed building. In this respect, it is considered that the loss of the outbuildings and the replacement of the boundary walls were acceptable in principle. The main concern is how the site will be left following demolition and whether this will adversely affect the setting of the adjoining listed building and the surrounding conservation area. The previous consent included the rebuilding of a new wall to contain a grassed area to the side of 6 Bowditch Row. This application is to allow the demolition but with an alternative scheme of redevelopment in line with the concurrently running application for planning permission.

The proposed scheme of redevelopment is considered to be acceptable as it relates to the character of the properties within the locality and has no detrimental impact on the setting and appearance of the conservation area or adjacent listed buildings. As such, there is no objection to the demolition of the curtilage structures. Therefore, the recommendation to Members is to grant planning permission subject to the conditions set out below.

RECOMMENDATION

Grant consent with conditions.

JUSTIFICATION

The proposed works are considered acceptable, do not adversely affect the character and setting or the historic and architectural interests of the Listed Building and both preserve and enhance the character and appearance of the conservation area, in accordance with the aims and objectives of PPS5, policy 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies EH1, EH2, EH3, EH4 and EH5 of the South Somerset Local Plan 2006.

SUBJECT TO THE FOLLOWING:

1. Notwithstanding the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 this consent shall be deemed to have been implemented on 21st September 2011 as prescribed by Section 8 of the above Act.

Reason: To comply with section 8 of the above Act.

2. Within 3 months of the date of this decision notice, all material resulting from demolition that is not to be reused in any redevelopment of the site shall be removed in accordance with a scheme, which shall be submitted to and agreed in writing by the Local Planning Authority. In the event that redevelopment does not commence within 6 months of the date of this consent the site shall be secured in accordance with a scheme of works for the making good of boundary treatments that shall have been submitted to and agreed in writing by the Local Planning Authority. Once implemented, such scheme shall be maintained until redevelopment commences unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the works hereby approved are completed and/or not left in a partially completed state for a protracted period detracting from the character and appearance of the conservation area and nearby listed buildings, in accordance with PPS5 and saved policies EH1, EH3 and EH5 of the South Somerset Local Plan 2006.

Area West Committee – 19th October 2011

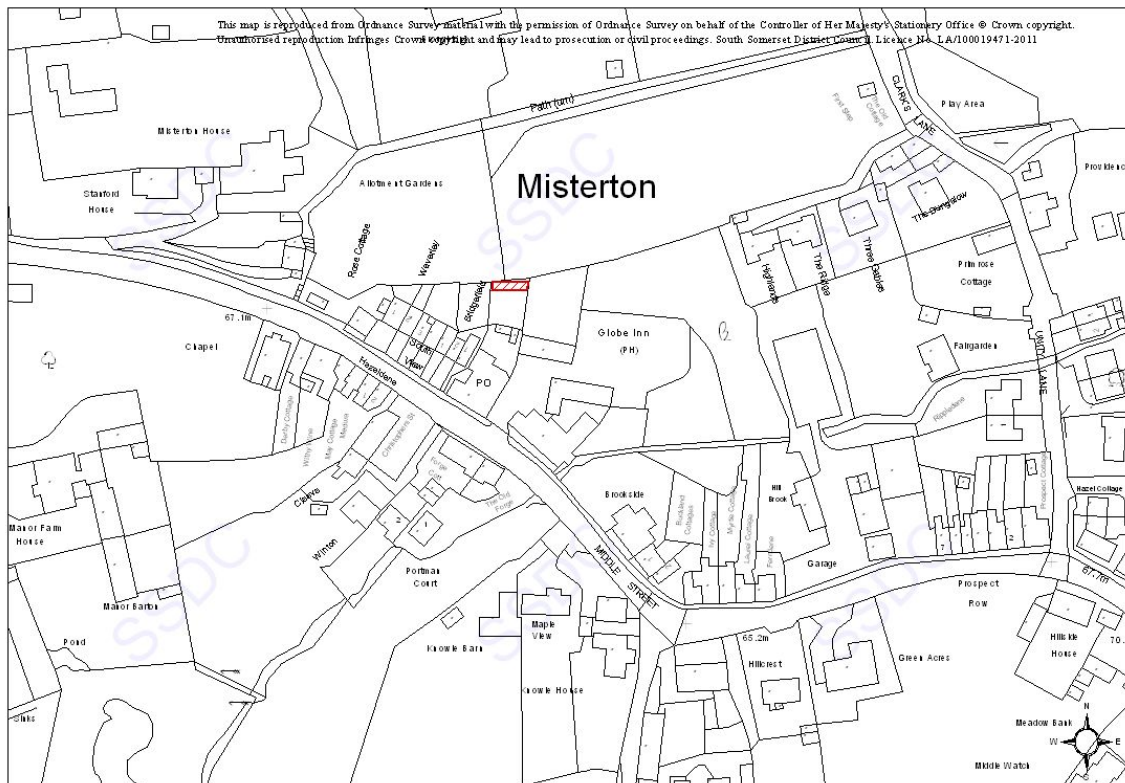
Officer Report on Planning Application: 11/03468/FUL

Proposal :	The installation of a photovoltaic array in rear garden. (GR 345523/108204)
Site Address:	The Old Post Office Middle Street Misterton
Parish:	Misterton
CREWKERNE TOWN Ward (SSDC Member)	Mr M Best (Cllr) Mr J Dyke (Cllr) Mrs A M Singleton (Cllr)
Recommending Case Officer:	Chloe Beviss Tel: (01935) 462321 Email: chloe.beviss@southsomerset.gov.uk
Target date :	2nd November 2011
Applicant :	Mr John Richardson
Agent: (no agent if blank)	
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application has been referred to the Area West Committee as the applicant is a Councillor of South Somerset District Council.

SITE DESCRIPTION AND PROPOSAL



The application property is The Old Post Office in Misterton. The two storey dwellinghouse is situated adjacent to The Globe Inn off Middle Street and within a conservation area.

The garden which serves the property is located to the rear (north) and is split into two sections. A courtyard with a garage is located immediately to the rear of the dwellinghouse on

the same level whilst steep stairs lead up to a parcel of grass which is significantly higher above. This slopes slightly towards the dwellinghouse and is bounded by fencing, a natural stone wall and a rough bank/wall to the rear which has mature trees and separates the garden from the fields to the north.

It is proposed to site a photovoltaic array of 16 panels (2 rows of 8) at the very top of the garden which benefits from an existing patio area. The panels will be arranged on railway sleepers on top of the existing patio slabs and will measure, in total, 8.15 metres wide and 2.02 metres high.

The applicant has confirmed that the array is a domestic installation and would not be used in association with any business use.

HISTORY

No relevant history.

POLICY

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

For the purposes of determining current applications the Local Planning Authority takes the view that the relevant development plan comprises, the saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review and the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the Somerset and Exmoor National Park Joint Structure Plan (April 2000):

Policy STR1 - Sustainable Development
Policy 9 - The Built Historic Environment

Saved policies of the South Somerset Local Plan (April 2006):

Policy EH1 - Conservation Areas
Policy ST5 - General Principles of Development
Policy ST6 - The Quality of Development
Policy ST8 - Sustainable Construction

National Guidance:

PPS 1: Delivering Sustainable Development
PPS 5: Planning for the Historic Environment
PPS 22: Renewable Energy

South Somerset Sustainable Community Strategy:

Goal 8 - Quality Development
Goal 10 - Energy
Goal 11 - Environment

CONSULTATIONS

Misterton Parish Council

We are in agreement that the installation of a photovoltaic array in the rear garden should proceed. We were assured that this would not be a commercial venture (Mr Richardson's company sell photovoltaic arrays) and is purely for private use.

SCC Highways

No observations.

Area Engineer, Technical Services Department

No comment.

SSDC Conservation Officer

There is an advice note from English Heritage on PV's, but no specific advice in relation to ground mounted systems within conservation areas. Therefore it would fall to the statutory duty to preserve or enhance, and the local plan policies.

I have seen your comprehensive set of photographs, and would comment that my view is that the proposal would not be detrimental to the conservation area.

SSDC Landscape Officer

Verbally confirmed no objections, the site is well contained.

REPRESENTATIONS

Four neighbours notified and site notice posted. No representations received at time of writing report. Any comments received after this will be verbally reported at the committee meeting.

CONSIDERATIONS

The main considerations in this case relate to the impact on the character and appearance of the conservation area, residential and visual amenity.

Principle of Development

PPS 22 (Renewable Energy) states: "Small scale renewable energy schemes utilising technologies such as solar panels, Biomass heating, small scale wind turbines, photovoltaic cells and combined heat and power schemes can be incorporated both into new developments and some existing buildings. Local planning authorities should specifically encourage such schemes through positively expressed policies in local development documents."

Whilst only holding limited weight the emerging 'South Somerset District Council Draft Core Strategy' has a chapter dedicated to Environmental Quality and Part 40 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 sets out which installations of domestic microgeneration equipment constitute permitted development. As such, the use of such small scale schemes is actively encouraged and supported although these decisions should be balanced against other relevant policies and guidance where there is planning control.

Residential Amenity

No representations have been received in respect of the proposal.

It is acknowledged that solar panels are specifically designed to absorb, rather than reflect solar radiation, thereby limiting the risk of glint and glare. Even so, the panels the subject of this application are sited significantly higher than neighbouring dwellinghouses, mostly at a level on par with the adjacent roofs and ridgelines, as such the risk of any glint or glare adversely affecting residential amenity is considered to be low.

Conservation Area and Visual Amenity

It is not considered the proposal will cause undue harm to the surrounding landscape or character and appearance of the conservation area. It will be sited at the northern most extreme of the property's garden which is well contained and screened by the existing boundary treatments. In addition, the layout of surrounding buildings will result in only restricted views of the array from public vantage points. The Council's Conservation Officer is of the opinion that the proposal will not be detrimental to the conservation area and the Council's Landscape Officer has no objections.

Conclusion

The proposal seeks to generate sustainable energy that is clearly supported in PPS22. By reason of its scale, siting and the existing boundary treatments, it is considered the character and appearance of the conservation area will be preserved and no adverse affects will be caused to the visual amenity of the area or residential amenity of neighbouring occupiers. This is considered in accordance with Policies EH1, ST5 and ST6 of the South Somerset Local Plan (2006), Policies STR1 and 9 of the Somerset and Exmoor National Park Joint Structure Plan (2000) and meets the aims and objectives of PPS 5 and PPS 22.

RECOMMENDATION

Approve with conditions.

JUSTIFICATION

The proposal, by reason of its siting and scale, will cause no adverse impact to residential amenity, will cause no detriment to visual amenity, will preserve the character and appearance of the conservation area and provide a sustainable form of energy, in accordance with the aims and objectives of Policies EH1, ST5 and ST6 of the South Somerset Local Plan (2006), Policies STR1 and 9 of the Somerset and Exmoor National Park Joint Structure Plan (2000), PPS5 and PPS 22.

SUBJECT TO THE FOLLOWING:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

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

- 1:500 Plan received 5th September 2011
- Installation Diagrams received 5th September 2011

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

3. If the solar equipment is no longer needed for microgeneration it shall be removed within three months of the cessation of its use.

Reason: To safeguard the character and appearance of the conservation area and visual amenity of the area in accordance with Policies EH1, ST5 and ST6 of the South Somerset Local Plan (2006) and the aims and objectives of PPS 22.