

South Somerset District Council

Notice of Meeting



You are requested to attend Area West Committee

Making a difference where it counts

Wednesday 15th August 2012

6.00 pm

**Horton Village Hall
Broadway Hill
Horton
Somerset TA19 9QR**

(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, Jo Morris on Yeovil (01935) 462462
email: jo.morris@southsomerset.gov.uk

This Agenda was issued on Monday, 6th August 2012

Ian Clarke, Assistant Director (Legal & Corporate Services)

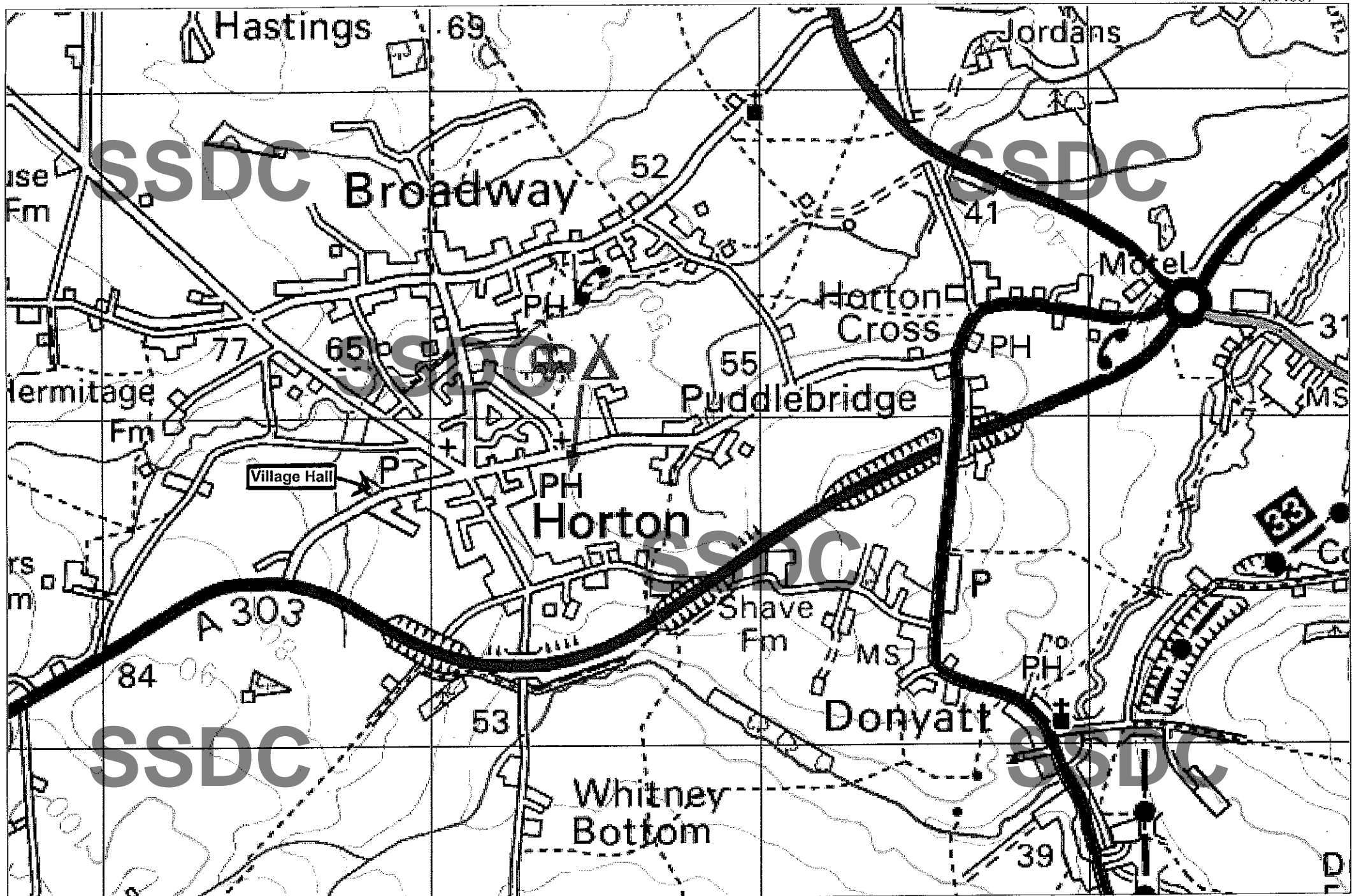


2007-2008
Neighbourhood and
Community Champions:
The Role of Elected Members
2006-2007
Improving Rural Services
Empowering Communities
2005-2006
Getting Closer to Communities

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



INVESTOR IN PEOPLE



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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)

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

Scrutiny Procedure Rules

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

Consideration of Planning Applications

Members of the public are requested to note that the Committee will break for refreshments at approximately 6.30 p.m. Planning applications will not be considered before 6.45 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 attend the Committee quarterly in February, May, August and November. They 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 Disclosable Pecuniary Interest (DPI) or a personal and prejudicial interest

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

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

Area West Committee

Wednesday 15th August 2012

Agenda

Preliminary Items

1. **To approve as a correct record the minutes of the previous meeting held on 18th July 2012**
2. **Apologies for Absence**
3. **Declarations of Interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9. In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

Planning Applications Referred to the Regulation Committee

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

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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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 – 15th August 2012

6. Area West Committee - Forward Plan

Strategic Director: Rina Singh (Place and Performance)
Assistant Director: Helen Rutter / Kim Close (Communities)
Service Manager: Andrew Gillespie, Area Development Manager (West)
Agenda Co-ordinator: Jo Morris, Committee Administrator, Legal & Democratic Services
Contact Details: jo.morris@southsomerset.gov.uk or 01935 462055

Purpose of the Report

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

Recommendation

Members are asked to:-

- (1) comment upon and note the proposed Area West Committee Forward Plan as attached at pages 2, 3 and 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; Jo Morris, 01935 462055 or e-mail jo.morris@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	Lead Officer
19 th September 2012	Management of Markets in Area West	Report on progress	Zoe Harris, Community Regeneration Officer
19 th September 2012	Chard Regeneration Scheme	Report on progress	Andrew Gillespie, Area Development Manager (West) David Julian, Economic Development Manager David Norris, Development Manager
19 th September 2012	Stop Line Way	Report on progress	Andrew Gillespie, Area development Manager (West)
17 th October 2012	Affordable Housing Development Programme	To update members on the current position with the Affordable Housing Development Programme.	Colin McDonald, Corporate Strategy Housing Manager
17 th October 2012	Blackdown Hills AONB Partnership	Report on progress	Zoe Harris, Community Regeneration Officer
21 st November 2012	Quarterly Budget Monitoring Report	To update members on the current financial position of the Area West budgets	Catherine Hood, Corporate Accountant Andrew Gillespie, Area Development Manager (West)

Meeting Date	Agenda Item	Background / Purpose	Lead Officer
21st November 2012	Highways Maintenance Programme	To update members on the highways maintenance work carried out by the County Highway Authority	Mike Fear, Assistant Highway Service Manager, Somerset County Council
16 th January 2013	Historic Buildings at Risk	Update report.	Adron Duckworth, Conservation Manager
Regular reports	monthly Community Grant Applications	To consider grant applications.	Paul Philpott, Community Development Officer Zoë Harris, Community Regeneration Officer Area Development (West)
Reports at July 2012 meeting	Blackdown Hills AONB	Ros Roderigo	
<i>To be confirmed</i>	<i>Chard and District Museum Society</i>	<i>Reports form Members on Outside Organisations</i>	<i>Deferred</i>
<i>To be confirmed</i>	<i>Crewkerne Heritage Centre</i>	<i>Reports form Members on Outside Organisations</i>	<i>Cllr John Dyke - September 2012</i>
<i>To be confirmed</i>	<i>Crewkerne Leisure Management (Aqua Centre)</i>	<i>Reports form Members on Outside Organisations</i>	<i>Cllr Angie Singleton September 2012</i>
<i>To be confirmed</i>	<i>Ile Youth Centre Management Committee (Ilminster)</i>	<i>Reports form Members on Outside Organisations</i>	<i>Cllr Kim Turner – October 2012</i>
<i>To be confirmed</i>	<i>Ilminster Forum</i>	<i>Reports form Members on Outside Organisations</i>	<i>Cllr Carol Goodall - October 2012</i>
<i>To be confirmed</i>	<i>Meeting House Arts Centre, Ilminster</i>	<i>Reports form Members on Outside Organisations</i>	<i>Cllr Carol Goodall - November 2012 Cllr Sue Osborne</i>
<i>To be confirmed</i>	<i>Stop Line Way Steering Group</i>	<i>Reports form Members on Outside Organisations</i>	<i>Cllr Andrew Turpin - November 2012</i>
<i>To be confirmed</i>	<i>West One Youth and Community Centre (Crewkerne)</i>	<i>Reports form Members on Outside Organisations</i>	<i>Cllr Angie Singleton – December 2012</i>
<i>To be confirmed</i>	<i>A Better Crewkerne & District (ABCD)</i>	<i>Reports form Members on Outside Organisations</i>	<i>Cllr Mike Best – December 2012</i>

Meeting Date	Agenda Item	Background / Purpose	Lead Officer
<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>	<i>Donna Parham, Assistant Director (Finance and Corporate Services) Andrew Gillespie, Area Development Manager (West)</i>
<i>To be confirmed</i>	<i>Review of Area Working</i>	<i>To consider the outcome of the Area Review</i>	
<i>To be confirmed</i>	<i>Area West Community Safety Devon & Somerset Fire & Rescue Service</i>	<i>Update on the work of the Fire and Rescue Service to promote fire safety</i>	
<i>As necessary.</i>	<i>Crewkerne Community Planning Update</i>	<i>For Information</i>	<i>Zoë Harris, Community Regeneration Officer Area Development (West)</i>
<i>As necessary</i>	<i>Ilminster Community Planning Update</i>	<i>For Information</i>	<i>Zoë Harris, Community Regeneration Officer Area Development (West)</i>

Area West Committee – 15th August 2012

7. Request for a Community Grant – Forton Community Association (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: Paul Philpott Community Development Officer and
Contact Details: paul.philpott@southsomerset.gov.uk or 01460 260359

Purpose of the Report

To consider an application for financial assistance towards the construction of Forton Community Centre.

Public Interest

Forton Community Association has applied for financial assistance towards construction of a new Community Centre on the Forton recreational ground.

Recommendation

That a provisional grant offer of £12,500 be made to Forton Community Association towards the Forton Community Centre Project, subject to the necessary funds to complete the project being raised within the next 12 months.

Name of Applicant	Forton Community Association
Project	Erection of a new community centre
Phase 1	Completion of groundworks. Erection and waterproofing of the shell.
Phase 2	Fitting Out
Project Cost Phase 1	£48,348
Project Cost Phase 2	£100,000
Total	£148,348
Amount requested from SSDC	£12,500 (towards Phase 1)
Application assessed by	Paul Philpott, Community Development Officer.

Background

Forton is a small rural village comprising 120 houses with a population of approximately 350. At present the only community facility in the village is a small clubhouse for the football team. For many years there has been strong local support for the creation of a better community building.

A grant application was submitted to SSDC in 2007 by Forton Rangers Football Club towards an extension to their clubhouse. A grant of £12,500 was approved towards this project at the April 2007 Area West Committee. However, the applicants could not take forward their project for a variety of design and financial reasons.

Forton Community Association was formed three years ago. Following village surveys, it was agreed that a new purpose built community centre would better serve the

aspirations and needs of the community and the interest groups that would use it. These groups include

Forton Rangers Football Club
 The Pre school group
 The Line Dancing club
 Skittles groups
 Exercise groups
 Coffee morning groups and
 The Cricket Club.

A report was made by the Area Development Manger to the Area West Committee of September 2011. The Committee was advised that the change to both project and responsible body had resulted in a formal withdrawal of the original grant offer. However the new Community Association were encouraged to submit a new grant application as soon as they were ready. The Community Association has continued to work hard to develop plans for the new Community Centre.

Project Description

The centre will have dimensions of 27.6 metres x 14 metres and a seating capacity of 120 people. The building will have disabled access and toilet facilities. The centre will incorporate changing rooms, a kitchen, bar, meeting room and skittles alley. It will also accommodate a mobile stage. The existing small clubhouse will be retained and continue to be used. Externally provision will be made for bicycle racks. Forton Community Association will also be liaising with the South Somerset Disability Forum and the SSDC Community Cohesion Officer to inform the internal design of the Centre.

Drawing for external layout attached at Appendix 1.

Project costs

Project costs were sought this year with the most competitive quote established at £212,000 plus VAT.

To seek a more economic solution, the community came together to pool their resources and expertise to drive the project costs down. Village tradesmen have been identified to undertake the work, and 20 skilled volunteers will contribute in an unpaid capacity.

Tatworth and Forton Parish Council have also provided a £5,000 grant to the football club to extend the existing sewerage pipe system to their pavilion. The contractor for this work will install a water pipe in the same trench and extend the trench and the water and sewage pipes the short distance from the football pavilion to the site of the community centre. This will reduce the cost of groundwork even further. The total cost is now projected at £148,348, which is a significant saving.

Table 1:

Groundworks	£6,664
Erection of the centres shell	£23,684
Windows and doors	£7,000
Contractors charge	£8,000
Fees and expenses (planning / building control)	£3,000
Fitting out	£100,000
Total Project Cost	£148,348

Funding

Forton Community Association plan to complete the project in two phases. The cost of phase 1 is £48,348. In addition VAT will be charged at 20%. This charge is refundable upon completion and will be met by a private loan.

So far, Forton Community Association has raised £35,848. They have requested the maximum Area West capital grant of £12,500 to meet the balance of the cost to enable them to complete phase 1.

Table 2:

Funding Source	Amount	Status
Own Funds	£35,848	Confirmed
SSDC	£12,500	Pending
Big Lottery/Sport England/ Local Fundraising	£100,000	Pending
Total Project Cost	£148,348	

Assessment

Table 3

Category	Score	Maximum score
Eligibility	Y	
Target Groups	6	7
Project	4	5
Capacity of Organisation	14	15
Financial need	5	7
Innovation	2	3
TOTAL	31	37

The Community Development Officer has assessed the application and the project has reached an overall score of 31 as outlined in the table above. This application exceeds the minimum score required for funding to be considered.

The Association have provided details of fund raising for phase 1 of their project, but funding for phase 2 which totals £100,000 has not yet been secured. There is therefore a risk that the project will not be completed.

Nevertheless, as described above, Area West Committee has indicated its “in principle” support for the Forton Community Centre Project and this ought to extend to the fundraising effort needed to build it.

Forton Community Association expect to raise the majority of funds they still need from Sport England and the Big Lottery and they are at present preparing detailed grant applications to these bodies.

These applications are more likely to be successful if they can demonstrate significant local support, including that of SSDC.

Recommendation

Therefore, it is recommended that a provisional grant offer of £12,500 be made to Forton Community Association towards the Forton Community Centre Project, subject to the necessary funds to complete the project being raised within the next 12 months.

Financial Implications

The Community Grant Scheme budget is £107,000. To date £54,246 of grant funding has been approved. This leaves a remaining budget of £52,754. The grant requested in this report for £12,500 can be funded from this budget.

Council Plan Implications

Focus Four: Health and Communities – We want communities that are healthy, self reliant and have individuals who are willing to help each other.

Carbon Emissions & Adapting to Climate Change Implications (NI 188)

The centre will have provision for cycle racks to encourage local use of bicycles. A community centre may also reduce car journeys to attend clubs and events elsewhere.

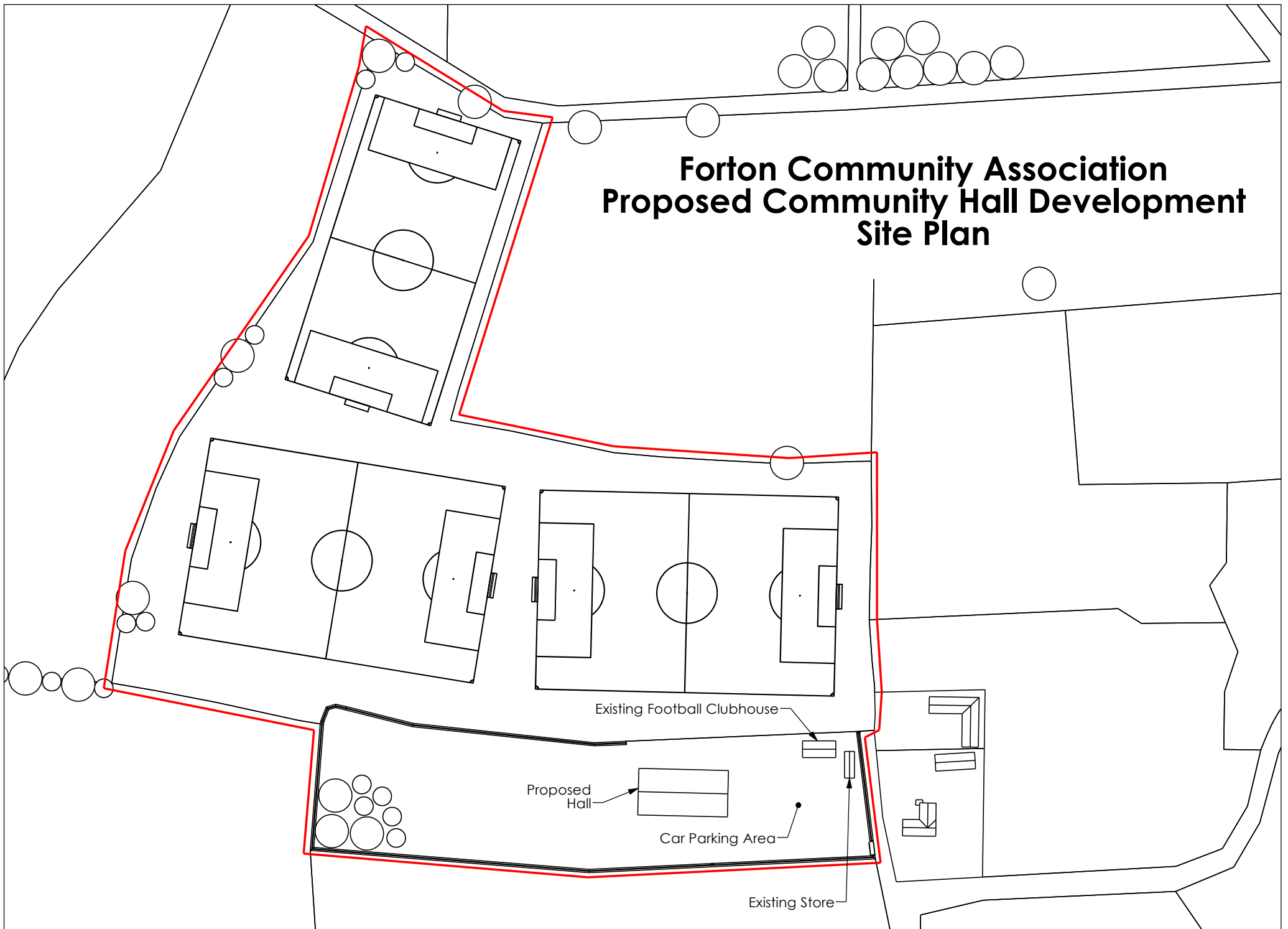
Equality and Diversity Implications

Forton Community Association has confirmed that disabled access and disabled toilet facilities will be provided. The Association will also work the SSDC Community Cohesion Officer and the South Somerset Disability Forum to inform the internal Centre design for phase 2.

Appendix 1: *Location map*

Background Papers: *Community Grant Criteria
(www.southsomerset.gov.uk/communities/funding-for-your-group-or-project)
Grant applications on File
AW Committee March 2011 Capital Grants*

Forton Community Association Proposed Community Hall Development Site Plan



Area West Committee – 15th August 2012

8. Budget Monitoring Report for the Period Ending 30th June 2012

Chief Executive: Mark Williams, Chief Executive
 Assistant Director: Donna Parham, Assistant Director – Finance and Corporate Services
 Service Manager: Amanda Card, Finance Manager
 Lead Officer: Catherine Hood, Corporate Accountant
 Contact Details: Catherine.hood@southsomerset.gov.uk or (01935) 462157

Purpose of the Report

The purpose of this report is to update Members of the current budgetary position of the Area West Committee as at the end of June 2012.

Public Interest

This report gives an update on the financial position of Area West Committee after three months of the financial year 2012/13.

Recommendations:

Members are recommended to:

- (1) review and comment on the current financial position of Area West budgets; and
- (2) note the position of the Area West Revenue Reserve.

REVENUE BUDGETS

Background

Full Council in February 2012 set the General Revenue Account Budgets for 2012/13 and delegated the monitoring of the budgets to the four Area Committees and District Executive. Area West now has delegated responsibility for the Area West development revenue budgets, which include revenue grants and regeneration, the Area West Capital Programme and the Area West Reserve.

Financial Position

The table below shows the position of revenue budgets as at 30th June 2012. This includes transfers to or from reserves.

	£
Approved base budget as at Feb 2012 (Original Budget)	312,470
Budget Carry forwards approved June 2012	18,080
Revised Budget as at 30th June 2012	330,550

A summary of the revenue position as at 30th June 2012 is as follows:

Element	Original Budget	Revised Budget	Year End Forecast	Favourable Variance	Adverse Variance	%
	£	£	£	£	£	
Development						
Expenditure	365,420	386,870	386,870			-
Income	(73,140)	(79,310)	(79,310)			-
Projects						
Expenditure	18,630	42,150	42,150			-
Income	(13,930)	(37,450)	(37,450)			-
Grants						
Expenditure	35,520	38,320	38,320			-
Income	(20,030)	(20,030)	(20,030)			-
Group Total						
Expenditure	419,570	467,340	467,340			-
Income	(107,100)	(136,790)	(136,790)			-
Net Expenditure	312,470	330,550	330,550			-

AREA RESERVE

The position on the Area West Reserve is as follows:

		£
Position as at 1st April 2012		54,120
Less amounts transferred for use in 2012/13:	0	
Current balance in Reserve at 30th June 2012		54,120
Less amounts allocated but not yet transferred:		
Underwrite Community Grants	(40,500)	
Provision for Street Market improvements (some contribution agreed in principle – subject to detail)	(13,500)	
		(54,000)
Uncommitted balance remaining		120

CAPITAL PROGRAMME

The revised capital programme for this financial year and beyond is attached following this report together with a progress report on each scheme either Area or District Wide that are current within Area West. Currently the estimated spend for the Area West programme is £30,755 which is all profiled for the current financial year.

In addition there are reserve schemes (approved in principle and unallocated) totalling £121,779 as detailed in the table below.

Schemes	Provision 2012/13 £	Est. Spend 2012/13 £	Future Spend £	Grand Total £
Markets Improvement Group	5,660			
Community Grants		31,745		
Ilminster Community Office			20,000	
Unallocated Capital Reserve			64,394	
TOTALS	5,660	31,745	84,394	121,779

If Members would like further details on any of the Area West budgets or services they should contact the relevant budget holder or responsible officer.

Corporate Priority Implications

The budget is closely linked to the Corporate Plan.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

There are no implications currently in approving this report.

Equality and Diversity Implications

When the Area West budget was set any savings made included an assessment of the impact on equalities as part of that exercise.

Background Papers – Financial Services Area West budget file

AREA WEST CAPITAL PROGRAMME 2012/13 - 2015/16

	2012/13 Estimate Spend	Actual Spend to 30/6/2012	Remaining spend	Future Spend	Responsible Officer(s)	Responsible Officers comments on action on slippage and performance against targets
	£	£	£	£		
Health and Well Being						
Chard Football Club	1,000	0	1,000	0	A Gillespie	Granted awarded 16.3.2012 for floodlights. Scheme complete. Claim received 6.7.2012
Chard Cricket Club	5,610	2,463	3,147	0	A Gillespie	Grant awarded 18.4.2012 for drainage piping and mobile wicket cover.
Crowhsute House, Chard	2,220	0	2,220	0	A Gillespie	Grant awarded 5.4.2012 for replacement windows and doors
Ilminster Town Council	10,000	0	10,000	0	A Gillespie	Grant awarded 18.4.2012 for skate park
Total Health and Well Being	18,830	2,463	16,367	0		
Environment						
Crewkerne Town Council	5,925		5,925	0	A Gillespie	Grant warded 18.4.2012 for a bin store and cycle shelter
Total Environment	5,925	0	5,925	0		
Economic Vitality						
Hinton St George Village Shop	6000	6000	0	0	A Gillespie	Grant awarded 18.1.2012 for infrastructure repairs to the community shop
Total Economic Vitality	6,000	6,000	0	0		
Total West Capital Programme Approved in Detail	30,755	8,463	22,292	0		

Approved in Principle and Unallocated

Ilminster Community Office	0		0	20,000	A Gillespie	
Area West Markets Improvement Group (Nov 2010 committee)	5,660		5,660		A Gillespie	

AREA WEST CAPITAL PROGRAMME 2012/13 - 2015/16

	2012/13 Estimate Spend	Actual Spend to 30/6/2012	Remaining spend	Future Spend	Responsible Officer(s)	Responsible Officers comments on action on slippage and performance against targets
	£	£	£	£		
Community Grants (January 2012 committee)	31,745		31,745	0	A Gillespie	£70,000 allocation to community grants budget agreed at Area West Committee January 2012. This is the balance of the funding after projects have been moved to approved programme (as detailed above).
Unallocated Programme	0		0	64,394	A Gillespie	As projects are agreed at committee funding is shown in main programme above. Additional £25,000 awarded February 2012 for 2012/13
Total Approved in Principle and Unallocated	37,405		37,405	84,394		

Summary

West Capital Programme	30,755	8,463	22,292	0
Reserve Schemes (Approved in Principle and Unallocated)	37,405		37,405	84,394
Total Programme to be Financed	68,160	8,463	59,697	84,394

Corporate Capital Programme Schemes in Area West

Community Play Scheme 2007-03 bid	66,000	2,200	63,800	25,000	R Parr	Redstart Park - plans being finalised for final spend. Blackdown View Ilminster & Furzehill Chard consultation and sketch designs complete, final designs being drawn. Packers Way Misterton profiled for 2013/14.
Youth Facilities Development 2007-10 bid	20,000	0	20,000	0	R Parr	Broadway, Combe St Nicholas, West and Middle Chinnock and Misterton projects all under review.
Multi Use Games Areas 2008-05 bid	35,000		35,000	0	R Parr	Ilminster fundraising to achieve project budget.
Grants to Parishes with Play Area	12,500		12,500	0	R Parr	Henhayes Crewkerne profiled for 2013/14

Corporate Capital Programme Administered by Area West

Market Town Vision - All Areas	142,000	0	142,000	68,000	A Gillespie	50k committed to specific Market Town Improvement schemes in June 2012. Further schemes will come forward in the next 2 quarters.
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Area West Committee – 15th August 2012

9. 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 – 15th August 2012

10. Motions

Motion Submitted by Cllr. Andrew Turpin

That in order to promote or facilitate greater use of public transport in getting to meetings, that Area West Committee venues are sited where there is public transport available.

Area West Committee – 15th August 2012

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 – 15th August 2012

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

Report Detail

Appeals Received

Chard – The erection of a detached garage/store, Lilac Cottage, Tolleys Lane, Lydmarsh, Chard, Somerset, TA20 4AA – Mr Adam Marsden - 12/00515/FUL

Iminster – The erection of a detached dwellinghouse and alterations to access, Brightstone, Love Lane, Iminster, Somerset, TA19 0AR – Mr & Mrs B Grinter – 11/04459/FUL

Appeals Dismissed

Crewkerne – The erection of dwelling and alterations to access and parking, The Old Mill House, 47 North Street, Crewkerne, Somerset, TA18 7AX – Mr F & Mrs M Benson – 11/02405/OUT

The Inspector's decision letter is attached at pages 15 – 16.

Background Papers: *Application files – 12/00515/FUL, 11/04459/FUL & 11/02405/OUT*



Appeal Decision

Site visit made on 14 May 2012

by **John Wilde C.Eng M.I.C.E.**

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

Decision date: 9 July 2012

Appeal Ref: APP/R3325/A/12/2171524

Land adjacent to 47 North Street, Crewkerne, Somerset, TA18 7AX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs Francis and Marie Benson against the decision of South Somerset District Council.
 - The application Ref 11/02405/OUT, dated 23 June 2011, was refused by notice dated 30 September 2011.
 - The development proposed is a dwelling and improvements to access and parking.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. The application has been made in outline with all matters reserved.

Main Issue

3. The main issue is the effect of the proposed development on highway safety.

Reasons

4. The appeal site is situated directly off the A356, which is designated as a County Route, and has a 30mph limit in the area of the site. The road is busy and slopes down past the appeal site from right to left as you exit the site, such that the speed limit would be more difficult to adhere to. The site currently contains a garage and further car parking spaces.
5. The highway authority point to the status of the road and consider that visibility splays should be provided in line with the Design Manual for Roads and Bridges (DMRB), which requires a splay from a point 2.4m from the edge of the carriageway giving a visibility of 90m. The appellants in turn point to the nature of the road, being an urban street lined with residential buildings, and contend that visibility splays (or stopping sight distance (SSD)) should be provided in line with Manual for Streets (MfS). This document, by reference to table 7.1, requires a SSD of 40m.
6. I saw at my site visit that the visibility when looking to the right from the proposed access is very limited, at only about 30m. This is occasioned by the curvature of the road and also by the positioning of meter boxes on the front elevation of an adjacent property. The proposed alterations to the front wall of the appeal site would not therefore significantly help to increase this distance.

The proposed development would therefore attain neither the visibility required by the DMRB, nor that required by MfS.

7. I am mindful that the site is currently used for the parking of cars belonging to the owner, and that consequently the access is already in use. However, at present the configuration of the existing garage and the parking area is such that vehicles are able to turn within the site and exit in a forward gear, unless all of the space to the side of the garage is taken up. The proposed layout would result in four cars parking at the rear of the site with very little room to turn, particularly those cars parked in the rearmost two spaces. There would therefore be more likelihood of vehicles reversing out into the road, which would be detrimental to both pedestrians using the adjacent footway and to drivers.
8. I accept that the actual entrance would be wider, allowing cars to enter and leave the site at the same time. Notwithstanding this however, in light of the restricted visibility and the likelihood of cars reversing out onto the main road, I consider that the proposed development would be detrimental to highway safety. It would therefore conflict with policy ST5 of the South Somerset Local Plan and policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review. The former of these seeks to ensure, amongst other things, that development makes provision for a satisfactory means of access, while the latter seeks to ensure that development provides safe access to roads of adequate standard.
9. My attention has been drawn to a permitted development in East Street Crewkerne, which forms part of the A30, where permission was granted despite a recommendation for refusal from the highway authority, based on visibility grounds. From the information available to me however, it would seem that at the time there were proposals to place a 20mph limit on this section of the A30 and also a pedestrian crossing in close proximity to the proposed access, and these factors were taken into consideration by the Council in arriving at their decision. I have to take the development before me on its own merits, and have found that the visibility would be restricted and reversing movements likely. I am aware that the proposed development may well have a beneficial effect on the character and appearance of the area and would provide housing in a sustainable area. These factors do not however outweigh the detriment to highway safety that has been identified.

Conclusion

10. For the reasons given above I find that the proposed development would be detrimental to the interests of highway safety. Having regard to all other matters raised, I conclude that the appeal should be dismissed.

John Wilde

Inspector

Area West Committee – 15th August 2012

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 .

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 – 15th August 2012

14. Date and Venue for Next Meeting

The next scheduled meeting of the Committee will be held on Wednesday, 19th September 2012 at 5.30 p.m. Venue to be confirmed.

Planning Applications – 15th August 2012

Planning Applications will be considered no earlier than 6.45pm

Members of the public who wish to speak about a particular planning item are recommended to arrive for 6.35pm.

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	NEROCHE	12/01783/ FUL	Alterations and the erection of a two storey extension to dwellinghouse, conversion of existing garage into habitable room, the erection of a detached double garage and the formation of a new vehicular access	The Mole Hole, Hare Lane, Broadway	Mr C Mould
8	CREWKERNE	12/01610/ FUL	Change of use of 4 No. Units from office units (Use Class B1) to 4 No. residential flats	1, 2, 5 & 6 The Barley Yard, Crewkerne,	Boldacre Estates
16	CHARD HOLYROOD	12/02242/ FUL	Alterations and the change of use of premises from financial and professional services (Use Class A2) to 1 No. residential unit	36A Holyrood Street, Chard	Mike Loveless & Sons
21	ILMINSTER	12/01946/ FUL	Formation of new access and parking	17 The Beacon, Ilminster	Mr T Broom
26	EGGWOOD	12/01858/ LBC	The carrying out of alterations to include replacement of window and doors on west elevation with glazed screen	Tower House, 19 Brettingham Court, Gas Lane, Hinton St George	Mr & Mrs R Kennedy

Area West Committee – 15th August 2012

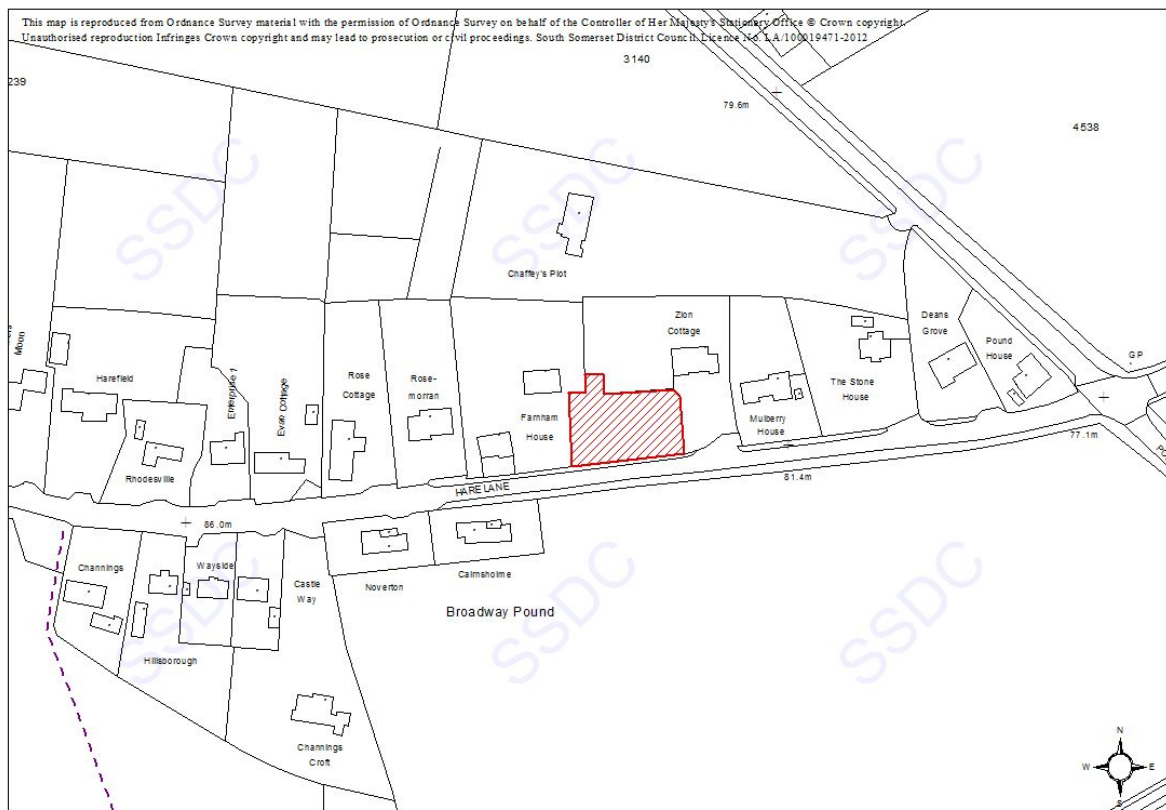
Officer Report On Planning Application: 12/01783/FUL

Proposal :	Alterations and the erection of a two storey extension to dwellinghouse, conversion of existing garage into habitable room, the erection of a detached double garage and the formation of a new vehicular access (GR 331296/115295).
Site Address:	The Mole Hole, Hare Lane, Broadway
Parish:	Broadway
NEROCHE Ward (SSDC Member)	Ms. L P Vijeh (Cllr)
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date :	16th July 2012
Applicant :	Mr Colin Mould
Agent: (no agent if blank)	Mr Simon Stroud 4 Ham Lane, Burnham On Sea , Somerset TA8 1QA
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

The Area Chair agrees with the Ward Member that in light of the neighbour objections the application should be considered by the Area West Committee.

SITE DESCRIPTION AND PROPOSAL



The application relates to a property on the northern side of Hare Lane near the junction with Pound Road, 700ms to the west of Broadway. The property is relatively unusual in that it faces east (into the front garden) rather than facing the road. It is adjoined by residential properties to three boundaries with the rear elevation forming the boundary with the property to the west.

The application proposes the erection of two storey extensions to the side and front elevations to provide a kitchen/dining room and pool room on the ground floor with an additional bedroom and bathrooms above. The extensions would be constructed in materials to match the existing property which has rendered elevations with a Redland tile roof. The plans have been amended to remove a proposed balcony and reduce the size of the two storey side addition.

HISTORY

790168 – Alterations and extension. Approved 1979.

53876 – Formation of vehicular access. Approved 1961.

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.

Relevant Development Plan Documents

Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policies:-

STR1 – Sustainable Development

STR6 – Development outside towns, rural centres and villages

South Somerset Local Plan 2006:

Policies:-

ST3 – Development outside development areas

ST5 – General Principles of Development

ST6 - The Quality of Development

CONSULTATIONS

Broadway Parish Council (in response to original plans):-

'The proposed building –

- too big for the land on which it stands
- it will change the ambience of the village
- problems with overlooking the neighbours' property
- two windows on the first floor overlook the patio of Farnham House – it was felt these should be removed and some sort of venting system to be installed in their place
- front elevation is not in keeping with Hare Lane.'

In response to amended plans:-

- 'It was noted that the original concerns of the balcony and overlooking windows had been addressed.
- The buildings are still very large on a small plot. (It was originally a cottage in a cottage garden).
- There is reduction of outlook by both the house and the garage, to one neighbour.
- There is an issue of invasion of privacy with the bathroom windows on the back of the house.'

County Highway Authority:-

The proposed vehicle access would be a direct replacement for the existing access, which use will be abandoned once the new access has been constructed. The proposed access will provide improved visibility, over the current access arrangements, when a vehicle is exiting onto Hare Lane. As a consequence the Highway Authority has no objections to this element of the proposal.

Hare Lane is designated as a Classified Un-numbered highway as such the applicant was informed during pre application discussions that turning would be required within the site to allow vehicles to leave in a forward gear. From the details provided on Drawing No. CM12/06 I am satisfied that the turning area proposed is sufficient to allow a vehicle to turn and leave the site in a forward gear. Although I would note that no details have been provided on the finishing of the parking and turning area. This would need to be properly consolidated and surfaced and should not be finished in loose stone or gravel.

The proposal will see the loss of the existing garage, which is to be converted to living accommodation. To compensate for this the applicant has provided a new double garage to the east of the existing dwelling. The proposed garage's internal dimensions measure 6.0m x 6.0m, which is in accordance with the design guidelines set out in the Local Parking Strategy.

Finally it is noted that no drainage details have been provided. The applicant will need to provide suitable drainage to alleviate any concerns the Highway Authority may have over surface water discharge onto the adopted highway.

Therefore taking into account the above information I raise no objection to this proposal.'

If planning permission is granted they require the conditions/informative to be attached.

Area Engineer, Technical Services Department:-

No comments.

REPRESENTATIONS

Four letters of objection were received in response to the original plans, the objections are summarised as follows:-

- Object to the first floor windows at the rear of the building as they will overlook neighbouring property
- Gross overdevelopment of what was a reasonable sized cottage in a pretty garden
- Most of garden would disappear under the proposals which are not appropriate to the character of the Lane.

- It would appear to be intrusive to neighbouring properties particularly regarding the balcony.
- Extension at the side would be extremely overbearing and would dominate adjacent property; removing current open aspect.
- Extension will shadow and dominate neighbouring garden as land is higher
- Doors and windows will overlook neighbouring bedrooms and garden resulting in a loss of privacy.
- Proposed garage will result in loss of open rural aspect and cause loss of sunlight.
- Concerned about increase in traffic and clients of applicant visiting property
- Extensions would be harmful to rural character of Lane.
- Dispute the red line showing landownership

In response to these comments the applicant wrote to advise (summarised):-

- The Land Registry has confirmed the boundaries of the property and its neighbour
- Do not agree that the proposal represents overdevelopment merely providing a family home.
- The proposed extension will be no higher than the existing property and has no windows looking north or east except a bathroom window which would be obscure glass.
- Existing development is within the view of the neighbouring property.
- The cottage was in need of considerable renovation and improvement and believe that the works that have taken place have seen an improvement to the building.
- Office will be home study and no clients will visit.
- There is an existing balcony on the opposite property that already overlooks neighbouring house.
- Agree to pave the frontage of the proposed drive.

In response to the amended plans, three letters of objection have been received, their comments are summarised as follows:-

- Still concerned about the proposed bathroom windows on the rear elevation due to overlooking and noise disturbance.
- Do not considered that amendments have addressed the concerns of neighbours or the Parish Council – extension is still overlarge and will give an overbearing appearance.
- The existing balcony to the other neighbour does not cause any overlooking.
- Actual footprint has not been reduced
- There will still be overlooking from new windows.

CONSIDERATIONS

The main planning considerations in this case are considered to be the impact upon the character of the dwelling and street scene; and the impact upon neighbouring amenity.

The impact upon the character of the dwelling and street scene

This property is unusual in that it does not face the road but is at right angles to Hare Lane. Therefore, it is important to recognise that significant work could be carried out to the property without the need to apply for planning permission. Single storey additions could be attached to both the front and side of the property to a height of 4 metres, in

addition windows can be inserted in both the front and rear elevations at both ground floor and first floor level without the need for permission; the 2008 regulations only control the insertion of windows into side elevations. As such, these proposals have to be seen in the light of what is already permissible at the property.

In terms of the specific proposals, the extension to the front is of a relatively modern design that incorporates large areas of glazing to the elevation that faces the road. The remaining materials will be to match the existing property and the roof will be no higher than the existing with the majority of the addition being at a lower level. The property is a simple design and therefore such an addition would not be at odds with the character of the building. Furthermore, there is no cohesive design in terms of the street scene and therefore the addition will not be unduly disruptive to the overall character of the area.

With regard to the side addition, this will not be publicly visible from the street and also incorporates the use of matching materials. It has been reduced in size from that originally proposed so that the first floor accommodation is now within the roof void. This has ensured that the addition is set at a subservient level that will not overly dominant the house.

The proposed garage is sited to the east of the site and, again, will be finished in materials to match the existing house. The building is 0.6m over what would normally be allowed under permitted development and is set back from the roadway edge. The garage is of a traditional design and will allow for a driveway and turning space. As such, it is considered to be acceptable in design terms.

Overall, the amended proposals are considered to be of an acceptable design that will not adversely impact upon the character of the dwelling or the street scene in general. In terms of 'overdevelopment' it is considered that the proposals can be adequately accommodated on the site whilst still retaining an adequately sized garden.

Impact upon neighbouring amenity

As stated above, this property is unusual in that it does not face the road. The extensions have been amended to try and address the neighbours concerns about overlooking and domination of the neighbouring property. The proposed balcony has been deleted from the plans and there are no new windows proposed at first floor on the side elevation (there is an existing window that will be retained). Whilst it is accepted that the proposals are for relatively large extensions these are considered to be a sufficient distance from the houses on either side and it is not therefore considered that the proposals would result in such a significant loss of amenity as to justify refusal of the application.

In terms of overlooking, there is one window proposed at first floor level on the front elevation however it must be noted that the house already benefits from two first floor windows on this elevation. In addition, the proposed window would only provide for overlooking of the front driveway and a small part of the side of the adjacent dwelling; it would not result in direct overlooking of the rear garden. In addition, there is considered to be sufficient distance between the two properties to ensure that there would not be significant overlooking of private amenity space.

The new windows proposed at the rear of the house to serve two bathrooms do not require planning permission. However, the applicant has shown them as high level windows that are to be obscurely glazed. In the circumstances, it is not considered that one could sustain an objection to these two windows.

Summary

These proposals are considered to be of an acceptable design and will form appropriate additions to the property. The proposals have been amended and as such it is not considered that they would result in such a significant loss of amenity as to justify refusal of this application.

RECOMMENDATION

Approve

01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of policy ST5 of the South Somerset Local Plan 2006.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No's CM12/05 received 21 May 2012; CM12/06 received 6 June 2012 and; CM12/03 Rev A and CM12/04 Rev A received 6 July 2012.

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

03. The external surfaces of the development hereby permitted shall be of materials as shown on the submitted application form and elevation plans hereby approved and no other materials shall be used without the written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

04. Prior to the development hereby approved being first brought into use the bathroom windows in the rear (west) elevation shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interests of residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

05. The proposed access shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

06. 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.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) the use of the garage hereby permitted shall be limited to the domestic and private needs of the occupier and shall not be used for any business or other purpose whatsoever.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

08. Before the access hereby permitted is first brought into use the turning space shown on the submitted plan shall be properly consolidated and surfaced in accordance with the submitted plan. Such turning space shall be kept free of obstruction at all times.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

09. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 39m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

Informatives:

01. Having regard to the powers of the Highway Authority under the Highway Act 1980 the applicant is advised that the creation of a new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager, South Somerset Area Highway Office, 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.

Area West Committee – 15th August 2012

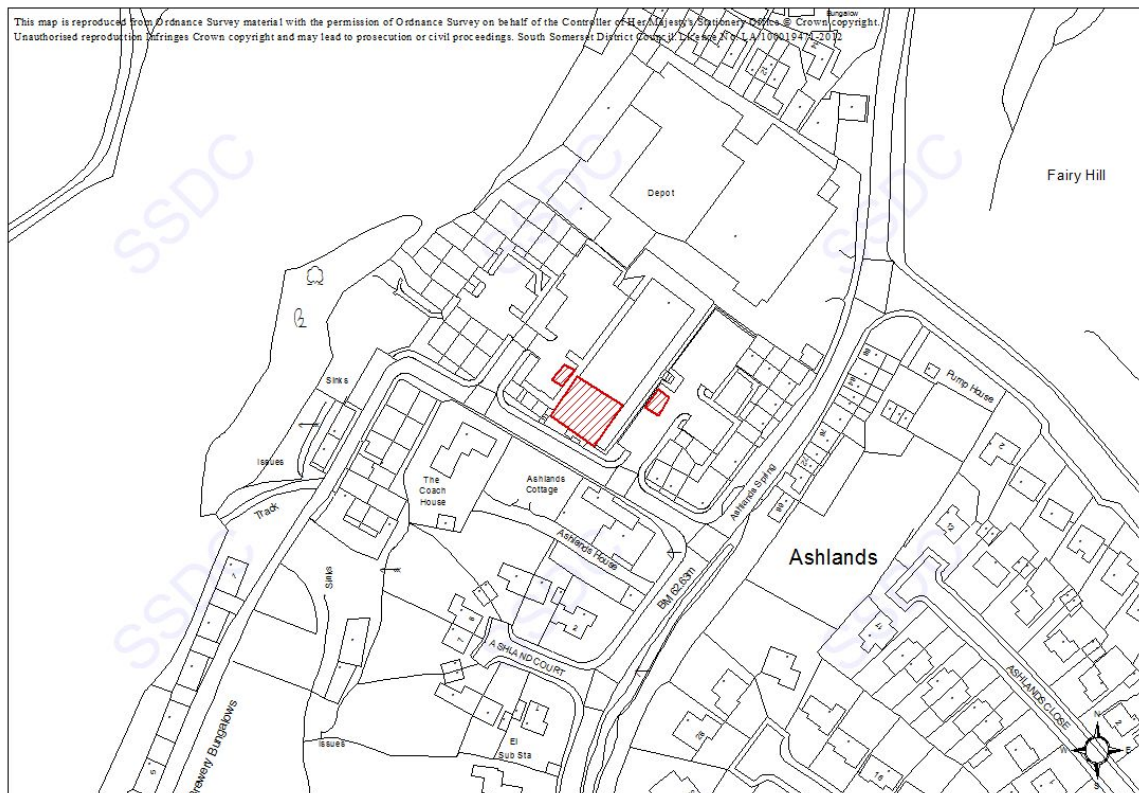
Officer Report On Planning Application: 12/01610/FUL

Proposal :	Change of use of 4 No. Units from office units (Use Class B1) to 4 No. residential flats (GR 344142/110470)
Site Address:	1, 2, 5 & 6 The Barley Yard, Crewkerne, Somerset
Parish:	Crewkerne
CREWKERNE TOWN Ward (SSDC Members)	Mr J Dyke (Cllr) M Best & (Cllr) Ms A M Singleton (Cllr)
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	25th June 2012
Applicant :	Boldacre Estates
Agent: (no agent if blank)	Paul Dance, Foxgloves, 11 North Street Stoke Sub Hamdon, Somerset TA14 6QR
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee at the request of the Ward Member, with the agreement of the nominated substitute Vice Chair. It is felt that the application should be given further consideration by members, to consider the potential impact of the proposed development in terms of the loss of small scale business units within Crewkerne.

SITE DESCRIPTION AND PROPOSAL



This application relates to four business units (B1) on the ground floor of the old brewery buildings at The Barley Yard development off North Street, Crewkerne. The site is mostly surrounded by residential properties, with the application premises forming part of the wider mixed use development on this former industrial site. It is located within the Crewkerne defined development area but is beyond the designated Town Centre. Each of the units has one allocated parking space. Planning permission has recently been refused to change the use of the units from B1 business premises to residential (C3). This followed a previous application, which was withdrawn following concerns by SSDC Planning Policy and Economic Development in regard to the robustness of marketing of the application premises.

The proposal is a resubmission for the change the use of the units to residential and includes additional marketing details and justification, not provided in the previously refused application, 11/04975/FUL.

HISTORY

- 11/04975/FUL: Change of use of 4 No. Units from office units (Use Class B1) to 4 No. residential flats – Refused.
- 11/03309/FUL: Change of use of 5 no. units from office suites (use class b1) to 5 no. residential flats - Application withdrawn.
- 04/03161/FUL: Refurbishment of old Brewery buildings and new buildings to provide a mixed use development, including 35 no. apartments, 27 no. houses and cottages, 10 no. office/studio/workshop spaces and 1 no. convenience store - Permitted with conditions.
- 04/01874/FUL: Description Conversion and part demolition of brewery building to form 21 No. apartments and 6 No. B1 Business units, 12 No. town houses and 3 No. apartments, 12 No. affordable apartments and retail convenience stores - Application Withdrawn

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
STR4 - Development in Towns
Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (Adopted April 2006)
ST5 - General Principles of Development
ST6 - The Quality of Development
ME3 - Employment within Development Areas
ME6 - Retention of Land and Premises

Policy-related Material Considerations

National Planning Policy Framework (March 2012):

Chapter 1 - Building a Strong Competitive Economy
 Chapter 2 - Ensuring the Vitality of Town Centres
 Chapter 4 - Promoting Sustainable Transport
 Chapter 6 - Delivering a Wide Choice of High Quality Homes

South Somerset Sustainable Community Strategy (2008-2026):

Goal 5 - High Performance Local Economy: A competitive, high performing economy that is diverse, adaptable and resource efficient.

Goal 8 - Quality Development: Sustainably sited and constructed high quality homes, buildings and public spaces where people can live and work in an environmentally friendly and healthy way.

Goal 9 - Homes: A balanced housing market with a range of low carbon affordable homes with the flexibility to meet the changing needs of the population.

Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

Town Council: The Council remains unconvinced about the need for additional dwellings and still believes that the commercial units are suitable for small starter units and therefore the reasons for refusal of this application are similar to the previous application (11/04975/FUL):

Recommend refusal on the following grounds:

- No amenity space for dwellings
- The commercial units are particularly suitable for small starter units and the Council would not wish to prevent employment and new business opportunities; maintaining a supply of such units in the town is deemed important. There remains no overriding need for additional dwellings – there are plenty of new builds on the Maiden Beech and CLR Keysites and other property conversions around the town

SSDC Technical Services: No comment.

County Highway Authority: I refer to the above mentioned planning application received on 9 May 12. The Highway Authority was consulted on a previous scheme for this site on 30 Jan 12 and responded on 8 Feb 12. The proposal has not changed and the comments made previously still apply and are reproduced below:

Proposal relates to the change of use of four office units to four flats.

The four office units were granted permission in 2005 along with the surrounding residential units. The Highway Authority has no objection in principle to this proposal as it is likely that the level of vehicle movements is comparable between the two uses.

In terms of the detail relating to the provision of parking, ideally the Highway Authority would require that two spaces are provided per residential unit. It is evident from the submitted documents that parking will be provided on a ratio of one space per unit. This would usually be a cause of concern for the Highway Authority however it is apparent that the surrounding residential units are served by a similar parking provision.

Therefore taking into account the above information I raise no objection to this proposal.

SSDC Environmental Protection Unit: No observations.

SSDC Planning Policy: (As supplied for previous application 11/03309/FUL)

Evidence of Need for Employment Land

I have evidence of a long-term need for employment land in Crewkerne - the Draft Core Strategy seeks to deliver approx 10.5 hectares of employment land in Crewkerne to 2028, whilst in October 2010, there was a supply of 10.83 hectares of employment land (identified in the South Somerset Employment Land Review). All of this outstanding supply (approx 10.5 hectares) is however tied up in the Crewkerne Key Site, and as the ELR states, "due to the phasing requirements of the proposed Crewkerne allocation, the needs of the immediate market cannot be met." I have no evidence of the immediate need for employment land and premises in Crewkerne, or of the unit types required, but I believe Economic Development are researching this.

For information, approx 2.3 hectares of employment land has been lost, or is likely to be lost (planning permission has been awarded) to other uses between 1st April 2006 and 31st March 2010.

Evidence of Need for Small Residential Units

In terms of the need for residential units, the Strategic Housing Market Assessment (2009) provides evidence on the requirements for the mix of market housing, but only at a District level. The table below (which is reproduced in the Draft Core Strategy) shows the possible profile for new market housing, taking into account supply and demand for each type and size of dwelling:

Dwelling Type (Percentage Required)

Detached House (32%)
Semi-detached house (28%)
Terrace house (12%)
Bungalow (18%)
Flat/maisonette (10%)

1 bedroom (5%)
2 bedroom (32%)
3 bedroom (43%)
4+ bedroom (20%)

I have no other information on the need for one/two bedroom units.

Marketing

The applicant has not followed the guidance in the Council's document, "Commercial Marketing of Property in relation to Planning and Listed Building Applications" (2008), and I would urge them to do so.

SSDC Economic Development Unit: Further to our discussion, I write to offer a summary of the SSDC Economic Development Service view on the above application. This follows our meeting with the applicant Boldre Estates Ltd, their agents and the receipt of a far more detailed breakdown of the marketing that has taken place in respect of these properties.

Previously, we questioned the degree to which these premises had been robustly marketed. They remain well advertised online and after reviewing the breakdown of additional marketing spend since 2006, we can now see that genuine attempts to fill the premises for the intended use have indeed been made by Boldre Estates Ltd - using numerous methods, over 6 years and at considerable expense.

It was not possible to reach this conclusion on the strength of the marketing report previously submitted for consideration.

While maintaining a view that there remain commercial prospects for the properties in this location, we accept that to ask the applicant to continue with marketing expenditure for a greater length of time with little evidence of a general upturn in market demand for small office space would be unwarranted.

We must also consider whether permitting this COU would have a significant (adverse) impact on the economy of Crewkerne. We maintain a view that it is possible for certain commercial activity to be sustained here, however, as noble an aspiration it is to defend commercial use, there is only so far we can insist that a small company continue to spend in pursuit of this. The Barley Yard development is not a primary trading location and there remain other empty commercial units to provide for future demand.

It was noted that our previous recommendation that the COU be refused was made in the absence of more robust financial information and evidence of robust local marketing. Had this been provided sooner, our consideration would have altered considerably. We withdraw our recommendation that this application be refused.

REPRESENTATIONS

The application has been advertised by site notice for the requisite period. One letter of objection has been received from a neighbouring resident. The following comments were made:

- Lack of parking to the rear of the building to allow for additional residents – unless they are allocated/meant to be parking at the front of the building.
- 4 additional families/couple would lead to a significant increase in refuse. Bere Court bin store struggles with collections every two weeks as it is. Increased refuse and possibly overflowing poses a vermin risk as well as unfair “penalty” charges being pushed onto existing residents because of additional refuse.

CONSIDERATIONS

The application seeks to change the use of four B1 business units to flats for residential purpose. The site is located within the defined development area of Crewkerne but just beyond the designated Town Centre.

Objections have been registered by local residents and the Town Council. These revolve around concerns about parking, additional refuse, pressure on existing utilities, lack of amenity space and loss of local employment premises, particularly those suitable as starter units.

Loss of Employment Premises

When permission was granted for the original redevelopment of this former industrial site in 2004, consent was granted on the understanding that the development would be a mixed-use site, comprising workshops, offices, houses, a shop and a doctor's or dentist's surgery. Particular emphasis was given to the provision of an element of business use. In response to this application, particular concern has been raised by Crewkerne Town

Council, as they contend that the units are suitable for starter units and they would wish to see a supply of business/commercial units maintained in the town.

In considering the loss of existing employment land and premises, saved policy ME6 of the South Somerset Local Plan is of particular relevance. This states:

"Proposals for the alternative use of existing and allocated employment land and premises, which would have a significant adverse effect on employment opportunities will not be permitted except where:

1. There is an overriding need which outweighs the employment value of the land and premises and for which there is no suitable alternative site; or
2. Significant environmental benefits would result which outweigh the employment value of the land or premises

Such exceptions will only be permitted where the following criteria are satisfied:

- The development satisfactorily respects the form, character and setting of the settlement and its historical and architectural heritage;
- There is no significant adverse impact on the amenities of nearby residents resulting from noise, disturbance, smell or litter;
- The development would not give rise to serious problems of access, road safety or traffic congestion;
- Proposals attracting large numbers of people should be easily accessible by a variety of means of transport, including public transport."

The previous application (11/04975/FUL) was refused on the basis that it was considered that no adequate overriding need had been identified for the loss of these employment units and that there was insufficient evidence provided to show that there has been a robust and extensive approach to marketing the premises. This resubmission includes a great deal more information that had not previously been made available to the local Planning Authority and includes details of marketing by four separate estate agents, in excess of 5 years, and the costs associated with this marketing.

This information has been further considered by the Council's Economic Development Team and as a result, the previous recommendation of refusal has been withdrawn. Economic Development recognise that the properties have indeed been marketed using numerous methods and at considerable expense. It is therefore considered that genuine attempts have been made to market the business units in a robust manner. Even though it is not accepted that it would not be possible for certain commercial activities to be sustained at this location, it is acknowledged that The Barley Yard is not a primary trading location and it is now clear that there has been a lack of demand for these premises, which is not helped by restrictive covenants preventing occupation for any B1 use other than as offices due to the mainly residential nature of the rest of the development. Even with these restrictions being present, the applicant has proposed generous incentives such as competitive rents and even rent free periods but despite these, there has been little or no interest. It is noted that the original development of The Barley Yard included the expectation that the business units should be available for a wide range of B1 uses, rather than just office use, so weight does have to be given to this in assessing the application and considering whether the marketing approach is appropriate. The restrictive covenant has been put in place by the landlord and is beyond the applicant's control so while this does not preclude the Local Planning Authority considering that the units should have been marketed beyond just office use, it is considered that there is limited prospect of them becoming available for the wider B1 use.

Considering the lack of interest and length of vacancy, it is considered unreasonable to take the view that the loss of these business units will have a significant adverse affect on employment opportunities locally. While it may be desirable to hold on for economic improvement and continue to retain these units for business use, the Economic Development Unit have concerns about doing so where this would require a small business to continue to spend in pursuit of this aim, even though there may be little prospect of it coming forward.

This view is further supported by paragraph 22 of the recently adopted National Planning Policy Framework, which states “planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”

Other Issues

Concerns are also raised in regard to the impact that the use of the premises as residential units will have on the amenity of neighbouring residents and future occupiers of the dwellings. Specific areas of concern are the perceived lack of parking for existing residents, pressure on existing utilities such as water drainage and refuse, the requirement for sound insulation, as well as concerns about the lack of private amenity space to be provided.

In regard to parking, it is noted that despite existing problems, each of these units has one allocated parking space, which will be available to residents. This is consistent with the existing provision for other properties within the development and as a result, the proposed parking provision is considered to be acceptable. The County Highway Authority have advised of the usual requirement for two spaces but as the potential vehicle movements are likely to be similar to the permitted use and taking into account existing parking arrangements, no objection is raised.

The concerns regarding drainage, fresh water, electricity and refuse provision are not considered to be matters that will cause significant harm to the amenities of local residents. Some of these issues are dealt with under building regulations approval, however in planning terms, there are existing units, which include toilets, water and electricity. The proposed change of use is not considered to have a significant impact on the existing arrangements.

While the lack of private amenity space is of some concern, it is noted that these are small flats and it is not uncommon for such developments to have limited provision for amenity space. It is noted that there are other flats within this development site, which do not benefit from private amenity space.

CONCLUSION

Overall, it is not considered that the proposed development would lead to a significant adverse affect on employment opportunities or have a detrimental impact on highway safety or the residential amenity of the occupiers of neighbouring properties. As such, the recommendation to Members is to approve planning permission for the change of use of these units for residential purposes.

RECOMMENDATION

Approve with conditions

01. The proposed change of use is considered to be an acceptable form of development, which is not considered to have a significant adverse affect on employment opportunities or have a detrimental impact on highway safety or to the amenities other local residents, in accordance with the aims and objectives of policies STR1 and 49 of the Somerset and Exmoor National Joint Structure Plan Review, saved policies ST5, ST6 and ME6 of the South Somerset Local Plan 2006 and the provisions of chapters 1, 2, 4 and 6 of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: 'BB2/002', 'BB2/005' and 'BB2/006', received 19th April 2012.

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

03. The area allocated for parking on the approved plans, 'BB2/005' and 'BB2/006', shall be kept clear of obstruction and shall not be used other than for parking 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.

Area West Committee – 15 August 2012

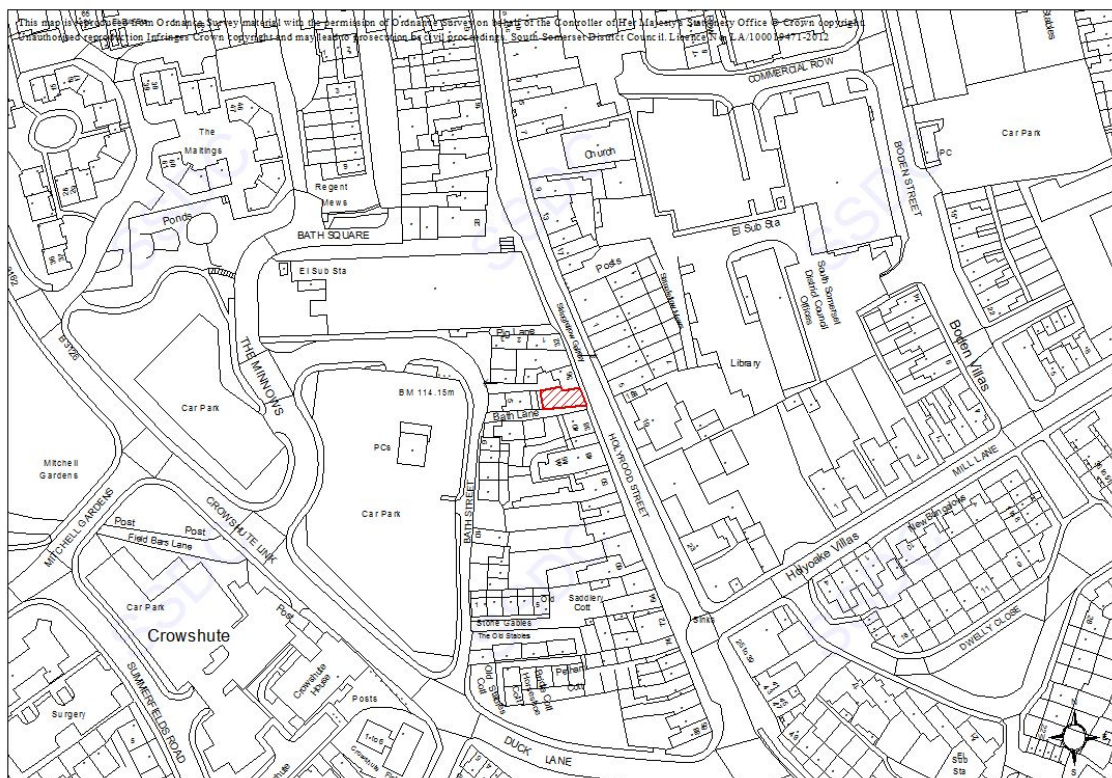
Officer Report On Planning Application: 12/02242/FUL

Proposal :	Alterations and the change of use of premises from financial and professional services (Use Class A2) to 1 No. residential unit (GR 332169/108418)
Site Address:	36A Holyrood Street, Chard, Somerset
Parish:	Chard
HOLYROOD (CHARD) Ward (SSDC Member)	Ms B Halse (Cllr)
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	25th July 2012
Applicant :	Mike Loveless & Sons
Agent: (no agent if blank)	Greenslade Taylor Hunt 1 High Street, Chard, Somerset TA20 1QF
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON(S) FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee at the request of the Ward Member, with the agreement of the Area Chair. It is felt that the application should be given further consideration by members, to consider the potential impact of the proposed development in relation to the guidelines set out within the recently adopted County Parking Strategy.

SITE DESCRIPTION AND PROPOSAL



The property is a vacant ground floor commercial premises, last used as a betting office, located on the west side of Holyrood Street. The site is within the Chard defined development area, conservation area and within the designated Town Centre. There are a mix of residential and retail premises in the immediate vicinity and two separate flats above the unit. The majority of premises to the north are retail, as they are within the primary shopping frontage area and the properties to the south are a higher percentage of residential, with some ground floor retail units. The properties to the rear of the site, on Bath Street, are mostly residential. A high number of the properties to the south are also listed buildings.

The application is made for the change of use of the ground floor unit from A2 use to be used as a residential unit. The proposal includes some internal alterations to subdivide the rear of the unit to provide two bedrooms and a bathroom. Externally, the frontage of the property will remain as existing, with the signage removed. There is a door and two windows to the side of the property, along Bath Lane, which are proposed to be replaced providing three new casement windows.

HISTORY

01/02510/COU: Use of retail premises as a betting shop - Permitted with conditions.

Various other consents for the change of use of other floors for separate residential accommodation and the provision of new residential properties to the rear.

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
STR2 - Towns
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
EH5 - Development Proposals Affecting the Setting of Listed Buildings
MC4 - Other Uses in Town Centres

Policy-related Material Considerations

National Planning Policy Framework (March 2012):
Chapter 2 - Ensuring the Vitality of Town Centres
Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design

Chapter 12 - Conserving and Enhancing the Historic Environment

South Somerset Sustainable Community Strategy (2008-2026):

Goal 8 - Quality Development: Sustainably sited and constructed high quality homes, buildings and public spaces where people can live and work in an environmentally friendly and healthy way.

Goal 9 - Homes: A balanced housing market with a range of low carbon affordable homes with the flexibility to meet the changing needs of the population.

Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

Town Council: Recommend refusal - on the grounds that normal parking provisions do not apply.

SSDC Technical Services: No comment.

County Highway Authority: The proposal relates to the alterations and change of use from Class A2 to Class C3.

The application site is located in the centre of Chard as such under the new guidelines set out in Somerset County Council's Parking Strategy a two bed-roomed residential unit should have two parking spaces provided. From the details submitted as part of the planning application it appears that no parking has been provided. This would usually result in an objection from the Highway Authority.

However it is apparent that the previous use of the site would have generated significantly more vehicle movements to those which would be associated with the proposed use. Therefore on this basis the Highway Authority raises no objection to this proposal.

REPRESENTATIONS

The application has been advertised by press and site notice for the requisite period. No comments have been received.

CONSIDERATIONS

The application is made for the change of use of the ground floor of the property from betting office (A2 use) to a residential unit. The property has been vacant since August 2011, with the unit being advertised to let since then, however there has been minimal interest from prospective tenants. The site is within the designated Town Centre but beyond the primary shopping frontages. Policy MC4 states that within defined town centres but outside of the primary shopping frontages, a variety of uses will be acceptable provided they don't lead to a concentration of such uses that would be harmful to the vitality and viability of the centre. The accepted uses included offices for financial and professional services, premises for sale of food and drink, non-residential institutions, assembly and leisure and residential. It is noted that the change of use away from retail is already established so consideration has to be given to the impact of further change to residential. The recently adopted 'National Planning Policy Framework' also acknowledges the need to support the vitality and viability of town centres, including the

recognition that *"residential development can play an important role in ensuring the vitality of centres"* and that Local Planning Authorities should *"set out policies to encourage residential development on appropriate sites"*.

In this case, it is not considered that the proposed change of use will have any detrimental impact on the vitality and viability of the town centre. There is a good mix of retail and residential in this area beyond the core shopping frontages and it is not considered that the change of use to residential will lead to a harmful concentration of such uses.

In terms of impact on the character and appearance of the building itself, the conservation area, and nearby listed buildings, there are no changes proposed to the front elevation, with the only works being to replace the windows and door to the side, which is along a narrow row of properties, providing access from Holyrood Street to Bath Street. This external alteration is not considered to have any material affect on the appearance of the property to the side and as such will have cause no harm to the character and setting of the immediate area.

The proposal does not include the provision of any outdoor amenity space, however while not being ideal, this is a similar arrangement to the existing flats above and other local properties within the town centre. In terms of impact on residential amenity, the proposal will not lead to any direct overlooking of neighbouring properties or other detrimental impact and as such there are no amenity concerns.

There is also no parking provision proposed, despite usual requirements for two spaces under the County Parking Strategy. This lack of parking has lead to an objection from the Town Council. This issue has however been considered by the County Highway Authority and they note that the previous use would have generated significantly more vehicle movements than those associated with the proposed use. For this reason, no objection is received and the proposal is viewed as being acceptable. Due to the proposal receiving support from the Highway Authority, it is considered appropriate to recommend approval of the scheme.

Overall, it is considered that the proposal is acceptable in principle, will cause no unacceptable harm to residential amenity or highway safety and will not have any adverse impact on the character and appearance of the conservation area and nearby listed buildings or have a detrimental impact on the vitality or viability of the town centre. As such, the recommendation to Members is to approve planning permission.

RECOMMENDATION

Approval with conditions

01. The proposed change of use of the premises to a residential unit is acceptable and will not create a concentration of such uses that would be harmful to the vitality and viability of the town centre. Furthermore, it has no adverse impact on the setting of the nearby listed buildings or conservation area and causes no unacceptable harm to residential amenity or highway safety, in accordance with the aims and objectives of policies 9, 49, STR1 and STR2 of the Somerset and Exmoor National Joint Structure Plan Review, saved policies ST5, ST6, EH1, EH5 and MC4 of the South Somerset Local Plan 2006 and the provisions of chapters 2, 4, 6, 7 and 12 of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: '1958-03', '1958-04', and '1958-05', received 30th May 2012.

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

Area West Committee – 15th August 2012

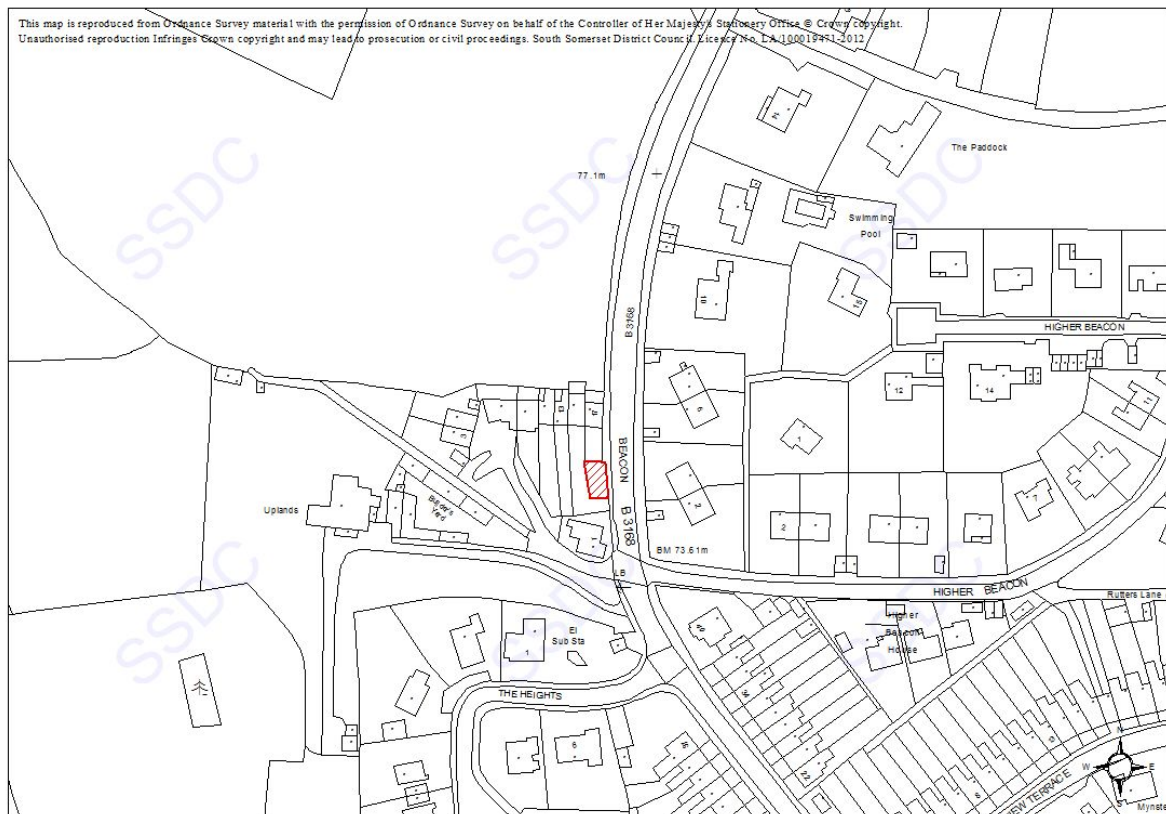
Officer Report On Planning Application: 12/01946/FUL

Proposal :	Formation of new access and parking (GR 335647/114990)
Site Address:	17 The Beacon, Ilminster, Somerset
Parish:	Ilminster
ILMINSTER TOWN Ward (SSDC Members)	Carol Goodall (Clr) & Ms. K T Turner (Cllr)
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	23rd July 2012
Applicant :	Mr Trevor Broom
Agent: (no agent if blank)	
Application Type :	Other Householder - not a Change of Use

REASON 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 Chair. It is felt that the application should be given further consideration by members, to consider the potential impact of the proposed development on highway safety along a classified road.

SITE DESCRIPTION AND PROPOSAL



The application relates to a rectangular shaped area of land, measuring approximately 6m by 10m, to the front of 17 The Beacon, an end of terrace cottage, located on the west side of The Beacon. The land in question fronts the adjoining highway, which is a classified 'B' road (B3168) and is separated from the remainder of the domestic land associated with 17 The Beacon by a public footpath running northwards from The Beacon and beyond the adjoining properties. The site is partially enclosed by a gate, but is otherwise open fronted and has until recently been used as off-street parking for the occupiers of 17 The Beacon. There was previously a hedge enclosing the remainder of the land, possibly with a fence behind.

The application is made to provide vehicular access and parking on the site.

HISTORY

12/01621/FUL: Alterations and erection of a two-storey extension with balcony - Approved with conditions.

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 49 - Transport Requirements of New Development
Policy 51 - Road Hierarchy

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

Policy-related Material Considerations

National Planning Policy Framework (March 2012):
Chapter 4 - Promoting Sustainable Transport

CONSULTATIONS

Town Council: No objections.

SSDC Technical Services: No comment.

County Highway Authority: 2nd July 2012: The proposed development would result in the creation of parking area and the dropping of the footway to allow vehicle access.

The proposed access will be created from the B3168, which is designated as a County Route under Policy 51 of the Somerset and Exmoor National Park Joint Structure Plan (The Structure Plan) and is a Class 2 highway under the road classification. Policy 49 of

the Structure Plan states that direct access onto a County Route should be strictly prohibited unless there is an overriding need or benefit to do so. As a consequence the Highway Authority would usually raise objection to any proposal, which would depart from this policy.

However, it is apparent that the proposed development would create off road parking for vehicles, which are currently parked on the adopted highway. In addition it is apparent from visiting the site that a number of properties in the vicinity of the site have direct access from The Beacon. As a consequence it may be considered acceptable to allow the creation of this new access.

In terms of the detail the proposed parking area would need to be properly consolidated and surfaced. It should be noted that this should not include loose stone or gravel as this could present a potential highway risk to other road users if it were to be deposited on the highway. It is apparent from no drainage information has been submitted. A suitable drainage system would need to be provided to alleviate any concerns over surface water discharge onto the adopted highway. The proposal would also include the dropping of the kerbs on The Beacon and creating a vehicle cross-over. This would need to be carried out under licence from the Area Highway Office for South Somerset.

Therefore based on 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:

- The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access.
- The proposed parking area shall be 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.

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, Area Highway Office for South Somerset, 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.

17th July: Further to your e mail dated 16th July 2012 I have the following response in regards to the comments raised.

The attached resident e mail raises concerns over the creation in the drop kerbs resulting in a loss of on street parking. It should be noted that technically no one has the right to park on the adopted highway (unless it is in a specific residential parking zone). As a consequence this application was viewed by the Highway Authority on the bases that it would result in the creation of an off-road parking area, which would remove cars from parking on the adopted highway which would be seen as a benefit to highway safety.

REPRESENTATIONS

The application has been advertised by site notice for the requisite period. The following responses have been received:

2 letters from neighbouring residents objecting to the proposal on the basis of loss of on street parking for existing residents with no alternative but to park on the public highway and the impact on highway safety as a result of additional vehicles reversing onto The Beacon, which is a busy classified road with cars already parked either side of the highway. Both of these neighbours make reference to having no objection in principle to one off street parking space being created.

CONSIDERATIONS

The proposal is made for the provision of a formal access off the B3168, with associated off-street parking in association with 17 The Beacon. The main considerations will be the impact on visual amenity of the area, residential amenity of neighbouring residents and highway safety. The submitted plans show two parking spaces marked, however the width of the parking area and access point is just over 8m, allowing space for up to three vehicles to park off road.

Firstly it is not considered that the proposal will cause any adverse impact in terms of visual appearance and residential amenity. With the exception of providing a properly consolidated surface and possibly levelling off part of the site, there will be no difference to existing and also the site is at an adequate distance from adjoining residential premises to avoid impact on residential amenity.

The main concern is the impact on highway safety as the application is for parking straight off the public highway, with no turning provision on site and also the loss of parking spaces on The Beacon. Objections have been received from two neighbouring residents, advising that many of the neighbouring properties have no access to off-street parking and are reliant on parking on the highway. They are therefore concerned about the impact the proposed development would have on highway safety as a result of increased pressure to park on the highway and also as a result of potential for up to three vehicles being able to reverse onto the classified highway at this point. In this case, the County Highway Authority have commented but chosen to raise no objection. It is noted that the access is onto a classified 'B' road and as such there would usually be a requirement for turning on site but the Highway Authority are of the view that the proposed access will be similar to several accesses in the vicinity of the site, including one immediately to the south. It is also considered that local highway safety could be improved by the removal of cars, currently parked on the adopted highway.

For the above reason, it is not considered that the proposed development will have a detrimental impact on highway safety at this point. As such, the recommendation to Members is to approve planning permission.

RECOMMENDATION

Approval with conditions

01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no unacceptable harm to residential amenity or highway safety, in accordance with the aims and objectives of policies STR1 and 49 of the Somerset and

Exmoor National Joint Structure Plan, saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and the provisions of chapter 4 of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plan: '1:500 Site Plan', received 28th May 2012.

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

03. The proposed access and parking area shall be properly consolidated and surfaced (not loose stone or gravel), details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such approved details shall be provided 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 and saved policy ST5 of the South Somerset Local Plan.

04. Provision shall be made within the site for the disposal of water so as to prevent its discharge on to 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. Following its installation such approved scheme shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

Informatives:

01. 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, Area Highway Office for South Somerset, 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.

02. The access hereby permitted should not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access.

Area West Committee – 15th August 2012

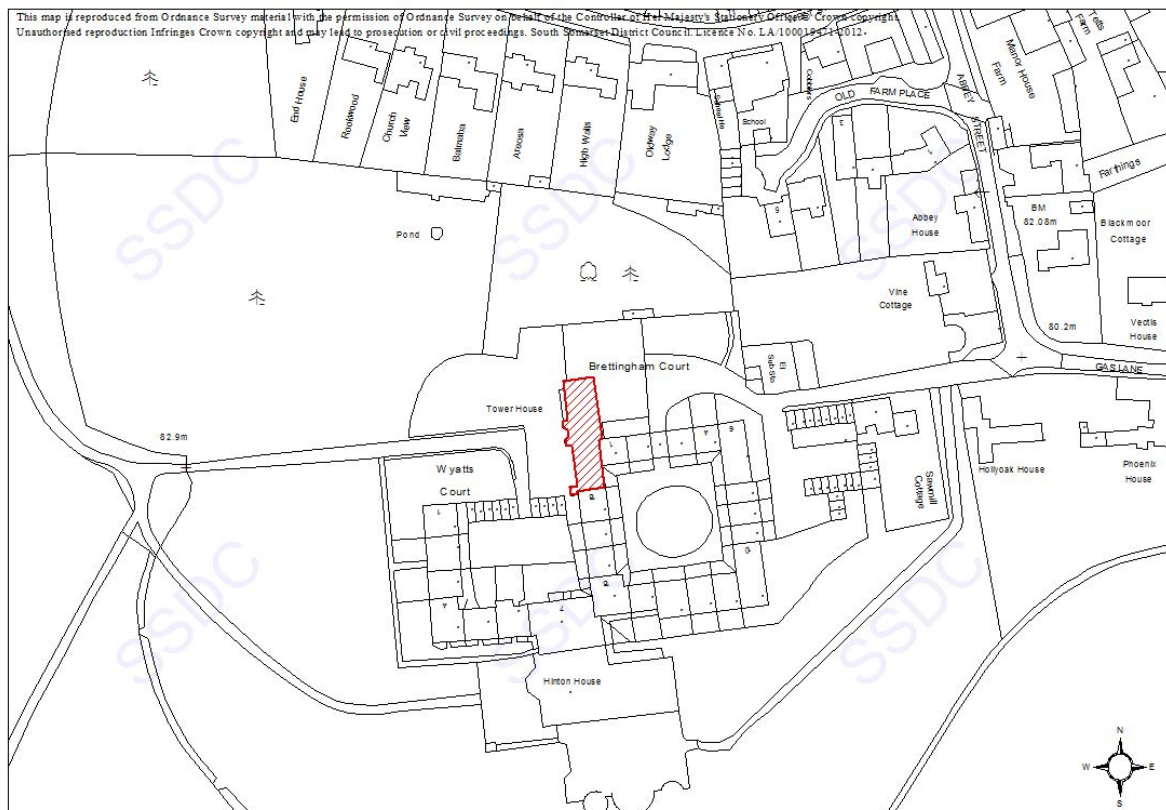
Officer Report On Planning Application: 12/01858/LBC

Proposal :	The carrying out of alterations to include replacement of window and doors on west elevation with glazed screen. (GR 341813/112451)
Site Address:	Tower House 19 Brettingham Court Gas Lane
Parish:	Hinton St George
EGGWOOD Ward (SSDC Member)	Mr P M Maxwell (Cllr)
Recommending Case Officer:	Chloe Beviss Tel: (01935) 462321 Email: chloe.beviss@southsomerset.gov.uk
Target date :	13th July 2012
Applicant :	Mr & Mrs R Kennedy
Agent: (no agent if blank)	Llewellyn Harker Architects Home Farm, East Pennard, Shepton Mallet BA4 6TT
Application Type :	Other LBC Alteration

REASON FOR REFERRAL TO COMMITTEE

This application has been referred to the Area West Committee at the request of the Area Chair in order to allow the views of the Parish Council and Ward Member to be considered.

SITE DESCRIPTION AND PROPOSAL



The application property is a Grade II listed dwellinghouse, formerly the porte cochere of Hinton House situated on the south western outskirts of Hinton St George.

The Tower House, as it is known, was converted in the 1970's at which point the western entrance was blocked up with boarded doors beneath an ornamental leaded fanlight.

To improve views out and light in, it is proposed to remove the 1970's doors and stained glass above and replace with full height double glazing within a grey powder coated aluminium frame of three equal panes which is to be set within the existing stone rebate precisely following the line of the stone arch. A personnel door will be located centrally in the framing at 2.4 metres above finished floor level to be in proportion to the size of the opening.

HISTORY

35863/R: Conversion of entrance tower to self contained dwelling and erection of private garage. Conditionally approved 23.2.71

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'

National Planning Policy Framework: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

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 the NPPF.

Somerset and Exmoor National Park Joint Structure Plan (2000):

Policy 9 - Historic Environment

South Somerset Local Plan (2006):

Policy EH3 - Listed Buildings

Policy EH5 - Setting of Listed Building

National Planning Policy Framework - March 2012:

Chapter 12 - Conserving and enhancing the historic environment

CONSULTATIONS

Hinton St George Parish Council: Appreciate the need to replace the door on this property but would like to see something in keeping with the original structure and style of the building and without the need to remove the glass above the present door.

SSDC Conservation Officer: This building is a house, converted from the porte cochere of Hinton House, that is an open covered area for carriages to draw into to set down their passengers.

The door appears to be a later insertion, and not of great significance to the building. As such I am happy with its removal as it confuses the function and design of the building.

I am happy with the replacement screen to fill the archway.

Area Engineer: No comment.

REPRESENTATIONS

Site notice posted. No representations received.

CONSIDERATIONS

The main consideration in this case is the impact on the listed building and its setting.

The Conservation Officer has confirmed he has no objections to the proposal given the door and stained glass above are later additions and not therefore of great significance to the building.

The original character of the porte cochere would have been an open area for carriages to draw into to set down their passengers. It is considered the later insertions confuse the original function and design of the building and their replacement with a large glazed screen, with a door of proportions to match, will create an openness that better respects the original character of the building.

The Conservation Officer is happy that the replacement screen will fill the archway.

Conclusion

It is considered the proposal is acceptable and will not adversely affect the character of the listed building, its setting or any features of special architectural or historic interest which it possesses which is in accordance with Policies EH3 and EH5 of the South Somerset Local Plan (2006), Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (2000) and in line with government guidance set out in the NPPF. As such the application should be recommended for approval.

RECOMMENDATION

That Listed Building Consent be granted.

01. The proposal, by reason of its scale, siting, appearance, design and its replacement of later additions, is considered to respect the historic and architectural interests of the building and not adversely affect its character or setting in accordance with Policies EH3 and EH5 of the South Somerset Local Plan (2006), Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan (2000) and the policy set out in the NPPF.

SUBJECT TO THE FOLLOWING:

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Drawing no. 3628/1 received 3rd May 2012
Drawing no. 3628/2 received 3rd May 2012
Drawing no. 3628/7 received 3rd May 2012
Drawing no. 3628/8 received 3rd May 2012
Drawing no. 3628/9 received 3rd May 2012
Drawing no. 3628/10 received 3rd May 2012

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

03. No work shall be carried out on site unless details of the precise colour finish for the new framing have been provided to and approved in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building and in accordance with the saved policy EH3 of the South Somerset Local Plan (2006).
