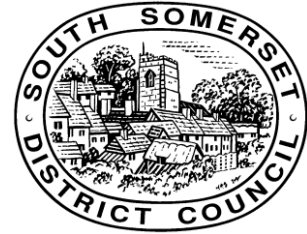


# South Somerset District Council

*Notice of Meeting*



## Area West Committee

*Making a difference where it counts*

**Wednesday 15<sup>th</sup> May 2013**

**5.30 pm**

**Holyrood Academy  
Zembard Lane  
Chard  
Somerset TA20 1JL**

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



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The public and press are welcome to attend.

**Please note: Planning applications will be considered no earlier than 6.15 pm**

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](mailto:jo.morris@southsomerset.gov.uk)

This Agenda was issued on Tuesday 7<sup>th</sup> May 2013

*Ian Clarke, Assistant Director (Legal & Corporate Services)*

**This information is also available on our  
website: [www.southsomerset.gov.uk](http://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

## **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**

Consideration of planning applications will commence no earlier than 6.15 pm, following a break for refreshments, in the order shown on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

## **Highways**

A 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 SDC council office, to see what executive/key decisions are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

At Area Committee meetings members of the public are able to:

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the Area Committee Chairman’s discretion, members of the public are permitted to speak for up to up to 3 minutes on agenda items; and
- see agenda reports.

Meetings of the Area West Committee are held monthly at 5.30 p.m. on the 3<sup>rd</sup> Wednesday of the month in venues throughout Area West.

Agendas and minutes of Area Committees are published on the Council’s website [www.southsomerset.gov.uk](http://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 and/or 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.

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# Area West Committee

Wednesday 15<sup>th</sup> May 2013

## Agenda

### *Preliminary Items*

1. **To approve as a correct record the minutes of the previous meeting held on 17<sup>th</sup> April 2013**
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**

*Items for Discussion* *Page Number*

6.	Area West Committee - Forward Plan.....	1
7.	Community Justice Panel .....	4
8.	Feedback on Planning Applications referred to the Regulation Committee .....	7
9.	Planning Appeals.....	8
10.	Planning Applications .....	9
11.	Date and Venue for Next Meeting .....	10

**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 – 15<sup>th</sup> May 2013

## **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, Democratic Services Officer , Legal & Democratic Services  
*Contact Details:* jo.morris@southsomerset.gov.uk or (01935) 462055

### **Purpose of the Report**

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

### **Recommendation**

Members are asked to:-

- (1) comment upon and note the proposed Area West Committee Forward Plan as attached at pages 2-3;
- (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.

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**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

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer</b>
19 <sup>th</sup> June 2013	Section 106 Obligations	Monitoring Report	Neil Waddleton, Section 106 Monitoring Officer
19 <sup>th</sup> June 2013	Crewkerne Market Transfer	To recommend arrangements for the transfer of Crewkerne Market	Zoe Harris, Community Regeneration Officer
19 <sup>th</sup> June 2013	2012/13 Budget Outturn Report	To inform members of the actual spend against budgets for 2012/13 over which the Committee exercises financial control.	Catherine Hood, Corporate Accountant Andrew Gillespie, Area Development Manager (West)
19 <sup>th</sup> June 2013	Crewkerne Community Planning Update	For Information	Zoë Harris, Community Regeneration Officer Area Development (West)
19 <sup>th</sup> June 2013	Ilminster Community Planning Update	For Information	Zoë Harris, Community Regeneration Officer Area Development (West)
19 <sup>th</sup> June 2013	Area West Working Groups – Appointment of Members 2013/14	To review the appointment of members to various working groups.	Jo Morris, Democratic Services Officer
19 <sup>th</sup> June 2013	Appointment of Members to Outside Organisations 2013/14	To review the appointment of members to serve on outside organisations.	Jo Morris, Democratic Services Officer

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer</b>
19 <sup>th</sup> June 2013	Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice-Chairman	To review the appointment of two members to act as substitutes for the Chairman and Vice-Chairman in the exercising of the Scheme of Delegation for planning and related applications.	Jo Morris, Democratic Services Officer
17 <sup>th</sup> July 2013	Area West Community Safety Police Performance and Neighbourhood Policing	Report on the activities and achievements on neighbourhood policing and partnership working to reduce crime and the fear of crime.	Inspector Tim Combe Sgt. Richard Barnett
17 <sup>th</sup> July 2013	Environmental Health Service Update	An update on the work of the Environmental Health Service in Area West.	Alasdair Bell, Environmental Health Manager
17 <sup>th</sup> July 2013	Countryside Service Update	An update on the work of the Countryside Service in Area West.	Katy Menday, Countryside Manager
21 <sup>st</sup> August 2013	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)
<i>To be confirmed</i>	<i>Chard and District Museum Society</i>	<i>Reports from Members on Outside Organisations</i>	<i>Deferred</i>
<i>To be confirmed</i>	<i>Area West Community Safety Devon &amp; Somerset Fire &amp; Rescue Service</i>	<i>Update on the work of the Fire and Rescue Service to promote fire safety</i>	

Area West Committee – 15<sup>th</sup> May 2013

## 7. Community Justice Panel

*Strategic Director:* Rina Singh (Place & Performance)  
*Assistant Director:* Helen Rutter / Kim Close (Communities)  
*Service Manager:* Andrew Gillespie, Area Development Manager (West)  
*Lead Officer:* Valerie Keitch, Community Justice Panel Manager  
*Contact Details:* valerie.keitch@southsomerset.gov.uk or 01460 260375

### Purpose of Report

To note changes proposed to the management and operation of the current Community Justice Panel project in South Somerset in 2013/4 and to note performance figures for 2012/3.

### Recommendation

To note the report.

### Background

The CJP has been supported by SSDC since its inception in 2004. In the detailed report made to Area West Committee in July 2011, twin objectives were agreed to; -

- seek core funding from 2013 through the budget of the Police and Crime Commissioner and, funding permitting
- establish a Charitable Trust to take the project forward from April 2013

In the last progress report to Area West Committee in July 2012 it was noted that a Community Justice Panel Trust had been established to replace the previous Management Group with a view to responsibility for project staff being transferred from SSDC to the trust by March 2013.

### Funding

It was also noted that through fundraising and planned economies every effort was being made to ensure that the CJP had sufficient funds to carry on until April 2013, by which time it was anticipated that the prospects for long term funding would be clear enough to allow the Trustees to take decisions about the future. This timing was a further reference to the possibility of funding being made available via the Police and Crime Commissioner's Office (PCCO).

The 2011/12 budgeted annual cost of the CJP project, by then operating across South Somerset and 2 other Somerset Districts was reported as £105,000. This included the in kind cost of a full time seconded Police Officer, Sgt Bill Geddes. That secondment ended when Sgt Geddes retired in January 2012.

As reported in July 2012, further economies were made to lower costs and the 2012/13 outturn cost was £43,636 against an income of £29,761, leaving a shortfall of £13,875.

SSDC submitted a funding bid to the Safer Somerset Partnership for inclusion in its bid for community safety funding from the PCCO. That did not receive sufficient priority in relation to other proposals and therefore did not achieve a share of the £193,000 budget that was allocated to Somerset. Consequently the CJP Trustees are not able to take responsibility for project staff. Both part time posts of Project Manager and Panels Coordinator will not continue and the office based at Holyrood Lacemill in Chard will close as soon as is practicable.

### The Future of the CJP project in Somerset

With the support of Kim Close, AD Communities, the CJP Trust has been encouraged to develop a forward plan for the project that relies solely on volunteers and so far this approach has been endorsed by some existing volunteers and key referral agencies. The Police have offered support and accommodation for the project. Safer Somerset Partnership still have £10,000 of PCC partnership funding that is unallocated and so a further bid has been submitted and this is currently under consideration.

### Activity report 2012/13

During the last year 74 cases were dealt with involving nearly over 240 people. Of that total 24 were in Area West and involved 70 people. There were some complex cases involving more than one offender and victim.

The chart below shows types of cases and outcomes:

Type of offence	Number	Referred by	Adults/Young people	Outcomes
Assault	5	Police	Both	ABC'S
Common Assault	5	add	add	add
Criminal damage	2	Police	Both	ABC,S
Sec 5 Public Order Act	4	Police	A	ABC
Neighbour disputes	1	Yarlington Housing Group	A	Acceptable Agreements
Theft and Shoplifting	3	Police	Y	ABC
Noise nuisance	1	Police	A	ABC

Malicious Communication	1	Police	YP	ABC
Racially aggravated assault	1	Police	YP	ABC
Arson	1	Police	YP	ABC

Conditions were attached to ABC's and varied between compensation, unpaid work, apologies and agreement not to commit such offence in future

### **Breach of orders**

There were NO breaches.

### **Training**

Volunteer training took place again last year. Since the Projects inception, some 41 volunteers have been trained in Restorative Practice facilitating Skills.

### **CJP Project Manager's comments**

The Manager would like to acknowledge all the support given by the Area West Committee over the past 9 years, without which the Project would surely have faltered at a very early stage.

### **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**

None

### **Equality and Diversity Implications**

None

### **Financial Implications**

Despite the economies that were made and reported previously, the original budget allocation, including external fundraising, was not sufficient to cover all necessary expenditure. The 2012/13 shortfall of £13,875 will be met from other balances.

**Background Papers:**            *Progress Report to AWC July 2012*  
   *Request for bridge funding report AWC 20<sup>th</sup> July 2011*

Area West Committee – 15<sup>th</sup> May 2013

**8. Feedback on Planning Applications referred to the Regulation Committee**

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

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Area West Committee – 15<sup>th</sup> May 2013

## **9. Planning Appeals**

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

### **Purpose of the Report**

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

### **Recommendation**

That the report be noted.

### **Background**

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

### **Report Detail**

#### **Appeals Received**

Ilminster – Alterations and the conversion of 1 No. dwellinghouse into 2 No. dwellinghouses (GR336075/114134), 19 The Cross, Orchard Vale, Ilminster, TA19 0EH – Mr Jonathan Raw

***Background Papers: None***

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Area West Committee – 15<sup>th</sup> May 2013

## 10. 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 at page 11.

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 – 15<sup>th</sup> May 2013

**11. Date and Venue for Next Meeting**

The next scheduled meeting of the Committee will be held on Wednesday, 19<sup>th</sup> June 2013 at 5.30 p.m. at Holyrood Academy, Zembard Lane, Chard, Somerset. TA20 1JL

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## Planning Applications – 15<sup>th</sup> May 2013

### Planning Applications will be considered no earlier than 6.15pm

Members of the public who wish to speak about a particular planning item are recommended to arrive for 6.05pm.

#### 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
12	Jocelyn (Chard)	12/04194/FUL	Formation of an agricultural access and installation of gate. (GR 333357/108568)	Land Rear Of Nursery Gardens And Fordham Grange Nursery Gardens Chard	Mr & Mrs R Trott
20	Crewkerne	13/00033/R3D	Formation of permanent car park and associated street lighting to replace existing temporary car park. (GR 344363/109664)	Recreation Ground Henhayes Lane Crewkerne	South Somerset District Council
30	Coombe (Chard)	13/00222/FUL	The erection of a pair of semi detached dwellings. (GR 331923/108607)	Land Rear Of 16 High Street Chard	Mr R Holland

Area West Committee – 15<sup>th</sup> May 2013

**Officer Report On Planning Application: 12/04194/FUL**

<b>Proposal:</b>	Formation of an agricultural access and installation of gate. (GR 333357/108568)
<b>Site Address:</b>	Land Rear Of Nursery Gardens And Fordham Grange Nursery Gardens Chard
<b>Parish:</b>	Chard
<b>JOCELYN (CHARD) Ward (SSDC Member)</b>	Cllr D M Bulmer
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date:</b>	3rd January 2013
<b>Applicant:</b>	Mr & Mrs R Trott
<b>Agent: (no agent if blank)</b>	Miss Sarah Hall Hawkridge House Chelston Business Park, Wellington Somerset, TA21 8YA
<b>Application Type:</b>	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, having been deferred at the meeting of 20th February 2013. It is before 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 on local amenity.

**SITE DESCRIPTION AND PROPOSAL**





The application relates to a small square-shaped field, which adjoins a number of larger fields on the east edge of Chard, just to the south of the A30. It is within the proposed CEDA (Chard Eastern Development Area), which forms part of the Chard Regeneration Scheme. The land is owned by the occupiers of Fordham Grange, a residential dwelling, also adjoining the application site. The west boundary is alongside Nursery Gardens, with the road and turning head stopping just short of the field boundary. The two properties at the end of the cul-de-sac, one of which is a bungalow and the other a house, immediately adjoin the site. There is a small strip of land between the site and the existing carriageway, which is suggested to be in the ownership of these two neighbouring properties, 31 and 32 Nursery Gardens. It is also noted that this strip of land is indicated as being part of the adopted public highway and is shown as such in the County Council's records.

The application is made to create a vehicular access into the site from Nursery Gardens and install a gate, as well as associated engineering operations comprising grading of soil to create the access into the field.

## HISTORY

12/03170/AGN: The formation of an access and installation of a gate - Planning permission required.

03/02050/FUL: Erection of 16 dwellings and associated road - Refused.

## 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 5 - Landscape Character  
 Policy 49 - Transport Requirements of New Development

South Somerset Local Plan 2006:  
 ST5 - General Principles of Development  
 ST6 - The Quality of Development  
 EC3 - Landscape Character  
 EC8 - Protected Species  
 EP9 - Control of Other Potentially Polluting Uses

### Policy-related Material Considerations

National Planning Policy Framework (March 2012):  
 Core Planning Principles - Paragraph 17  
 Chapter 7 - Requiring Good Design  
 Chapter 10 - Climate Change and Flooding  
 Chapter 11 - Conserving and Enhancing the Natural Environment

South Somerset Sustainable Community Strategy (2008-2026):  
 Goal 11 - Environment: Protection and enhancement of our material environment and biodiversity.

## **CONSULTATIONS**

### **Parish Council:**

Recommend refusal on highway safety grounds as it is not considered that the access is suitable for agricultural vehicles.

### **SSDC Technical Services:**

Looking at the site using Google 'Street View' I note that the agricultural land falls in a general North/South direction and is about 0.75m above the road which is situated to the west. I would not expect any issues to do with surface water run-off from the agricultural land but to safeguard against this the applicant could be required to install a stone-filled drain across the entrance. To be honest I'm surprised that the County Council haven't requested this as it is fairly standard practice where access onto the highway is being proposed. There could of course be an issue to do with depositing mud on the highway when the access is in use but this is a highway enforcement matter rather than a planning issue.

### **County Highway Authority:**

Initial Comment: The County Highway Authority consider that the proposal would result in an increase in vehicle movements on Nursery Gardens however they conclude that this is unlikely to be significant enough to warrant an objection by the Highway Authority on these grounds.

In regard to the detail, it is noted that the proposed access would be higher than the existing carriageway and as a consequence the applicant would be required to re-grade the proposed access so it is at the same level as the road. The application detail also shows that the access would be gated for which the Highway Authority would require the entrance gates to be open inwards and set back from the carriageway edge. The Highway Authority are content for these details to be attached as a pre commencement

condition, however amended plans have been supplied with these some details included. It is noted that there have been questions raised over whether the section of land between the back edge of the highway and the fence and its ownership. This matter was due to be investigated with further comments attached below.

To conclude, the proposal is considered unlikely to generate a significant increase in vehicle movements on Nursery Gardens and therefore no objection is raised by the Highway Authority, subject to the imposition of conditions relating to re-grading of the access, it's surfacing and position of the proposed gate.

Further Comment: The Highway Authority requires the gradient of the access to be no steeper than 1:10 (applicant has indicated 1:20) and also confirmed that the road record shows that the highway is adopted all the way to the boundary with the field. This has also been confirmed by checking the original adoption papers. In regard to the register of title provided by adjacent neighbours, it is advised that it may be that their ownership would go to the centre line of the highway, however the Highway Authority has adopted the top, which should also be their responsibility to maintain.

## REPRESENTATIONS

The application has been advertised by site notice for the requisite period. Letters of objection have been received from 16 local residents and a petition has also been received with 66 signatures on it. The main issues raised are as follows:

- There is no need for agricultural access. The site is a paddock, which is not used for grazing any livestock and there are already several access points.
- Nursery Gardens is a quiet cul-de-sac, unsuitable for use as a through route. It is narrow in places and has restricted visibility at the junction onto the A30, where road users often exceed the speed limit. As such any additional traffic (particularly as a result of large agricultural vehicles) is likely to be detrimental to highway and pedestrian safety, particularly children who play in the street.
- Increased traffic will cause disturbance to residents (i.e. noise and mud on the roads), which will be detrimental to their residential amenity.
- The strip of land between the public highway and the site is owned by the residents at the end of the cul-de-sac and has been maintained to a high standard, being grassed and planted with a high hedge and flower beds. There has never previously been any access via the cul-de sac, in the forty years that the estate has existed.
- Permission was refused in 2003 for the erection of houses on this site. The creation of an access may set a precedent for approving a future application. In addition, it is noted that the revised application makes reference to Summerfield Development (SW) Ltd, which further exacerbates the concerns that this application will lead to development of the adjoining land.
- The removal of the hedge would be detrimental to wildlife in the area.
- When the A30 Crewkerne Road was resurfaced, part of the works involved the road at the top of Nursery Gardens being replaced. There is concern that the required depth of substrate was not met, increasing the likelihood of erosion of the road, if heavy agricultural vehicles use Nursery gardens for access.

## CONSIDERATIONS

### Principle of Development

The proposal relates to the provision of a new access, and associated gate, from Nursery Gardens into the application site. The site itself is a small field, referred to as a

paddock on previous planning application 03/02050/FUL. As such, it is agricultural land in open countryside. The site is however within the defined development area of Chard, despite being beyond the existing developed limits of the town. Furthermore, it is within the proposed CEDA (Chard Eastern Development Area), which forms part of the agreed phased growth plan for Chard, as identified by the Chard Regeneration Scheme.

There is existing access to the field from the applicant's property and other adjoining fields and it would appear that there is no formal agricultural business being carried out. At the time of visiting the site, no animals were present on site. Several of the objections have made reference to a lack of use of the site for agricultural purposes, highlighting a lack of need or justification. It is noted that no justification has been provided for the new access, however it is acknowledged that there is no need for the applicant to justify the proposal. It is for the Local Planning Authority to assess the proposal on its own merits and in this case, the main considerations will be impact on local landscape character and visual amenity, highway safety and the residential amenity of local residents.

### Scale and Appearance

The proposal is relatively small-scale, in terms of appearance, involving the removal of a section of hedge 3m wide and the insertion of a 6 bar metal field gate, consistent with the type used on agricultural land. There is a difference of levels between the carriageway and the application site, however required excavations would be limited. The field to the north of the hedge is at the same level as the top of the grass bank, as seen from Nursery Gardens. In terms of visual impact, it is not considered that the proposal would have any adverse impact on the character of the built environment or local landscape character.

### Highway Safety and Local Amenities

The main areas of concern relate to the impact the scheme may have on highway safety and residential amenity due to increased and potential larger vehicle movements. Objectors refer to the junction of Nursery Gardens and the A30 having restricted visibility, along with cars exceeding the speed limit, making this unsuitable for agricultural vehicles, as well as the cul-de-sac being narrow in places and difficult for larger vehicles to manoeuvre. It is also pointed out that the cul-de-sac is currently relatively quiet and safe and as a result, there is potential for increased traffic to pose a risk to the safety of highway users and pedestrians, as well as increased disturbance to local residents. It is noted that permission for a new housing development in 2003, which would have also derived access at this point, was refused with one of the reasons being impact on highway safety and loss of residential amenity.

In terms of impact on highway safety, the County Highway Authority have considered the proposal and raised no objections. They acknowledge that there may be an increase in vehicle movements but these will not be significant enough to recommend refusal. County Highways have requested that the gate be set back 4.5m from the carriageway edge, which has been agreed by the applicant. Amended plans have since been received and consulted on showing the gate set 4.5m back from the field boundary and the extent of the re-grading works required to provide access with a gradient less than the 1:10 requested by the County Council.

In regard to residential amenity, it is not considered that the proposal will cause any unacceptable harm. Even though it is not a through road to any further development, Nursery Gardens is a residential area, with regular vehicle movements expected. As with the issue of highway safety, the proposed development is unlikely to create any significant increase in traffic movements and as a result increased disturbance is likely to

be minimal. Notwithstanding this, it should however be noted that the approved master plans within the 'Chard Regeneration Framework - Implementation Plan (October 2010)', indicate that a link will be provided at this point, into the proposed future road network between Millfield and the A30 Crewkerne Road. In approving the 'Regeneration Plan', the acceptability of the junction of Nursery Gardens and the A30 would have been considered, as well as the ability of the local road network to accommodate through traffic in relation to the future road network serving the proposed CEDA development.

Concerns have been raised that this proposal could set a precedent for future development; however this should not be the case as a result of this application. The proposal is for an agricultural scale access into this field. Any future development proposal will be considered on its own merits and the level of traffic movements would be one of the key considerations. A larger scale development, or link road as referred to above, would also require significantly greater alterations to ensure that the road is constructed to a suitable adopted standard, a level of work not proposed at this time. It is likely that there could be future development proposals coming forward, however this would be due to the application site being within the CEDA, rather than as a result of an agricultural access being provided. Ultimately the particulars of any future development, the manner in which it is accessed and also the final layout of any road network associated with the CEDA will be subject to separate applications and final consideration, separate from this process.

#### Other Issues

One objector has referred to the potential impact on wildlife as a result of the loss of a section of hedgerow. In this case, the area of hedge to be removed is approximately 5m in width and it is considered that this is a small scale loss that would have no adverse impact on local ecology. The proposed removal of this section of hedgerow would also constitute permitted work under the Hedgerow Regulations 1997 so no separate consent is required for its removal, if this application for planning permission is granted.

Consideration had been given to the potential impact of surface water run-off from the field onto the highway but the Council's Engineer does not consider that there is likely to be additional runoff than would be experienced at present. Despite this, they have suggested that a stone-filled drain across the proposed site entrance would safeguard against any potential issue. A standard condition may be imposed to request details of drainage provision to ensure that there is no run-off onto the highway.

An issue raised in relation to this application and the previous one, is that the strip of land over which the access will be derived between the highway and the application site, is within the ownership of the adjoining residents at 31 and 32 Nursery Gardens. The applicant is certain that the land is owned by the County Highway Authority and has provided a highway map indicating that the land is part of the highway. However land registry documents were provided as part of application 03/02050/FUL, which showed that the strip of land was owned by the occupiers of these two neighbouring properties. These documents have been provided again as part of this application, with further correspondence from the applicant's agent, which would seem to confirm that the land was adopted by the County Council, as part of the highway following a legal agreement entered into in 1971. The County Highway Authority have now confirmed that despite the land being laid out as garden, the road records show that the adopted highway does run right up to the boundary with the field, a point that has again been confirmed by checking the original adoption papers.

Notwithstanding these issues of land ownership, the grant of planning permission does not override any other legal requirements, for example the need to gain another land



owner's consent to carry out works on their land. In this case, there is a contentious point that the adjoining residents claim they should have had appropriate notice served on them as part of the planning process, due to their claim of ownership. The applicant contends that the works required to provide the access will take place solely within land controlled by the Highway Authority and therefore such notice is not required. The Council's Legal Services Team have considered the case and are of the opinion that it is not necessary for the applicant to serve Certificate B on the neighbours on this occasion. As such, it is deemed that the application has been made properly and all requirements have been complied with.

### Conclusion

Overall, the proposed development is considered to be acceptable. The visual impact of the proposal will be limited, with no adverse impact on the established street scene or on local landscape character. The potential increase in vehicle movements is not considered to be significant and as a result will have no detrimental impact on highway safety or cause any unacceptable harm to the residential amenity of neighbouring residents. Furthermore, it is not considered that the proposal will increase the likelihood of surface water run-off beyond the site.

### **RECOMMENDATION**

Approval with conditions

01. The proposed development, by reason of its size, scale and materials, respects and relate to the character of the area and causes no unacceptable harm to residential amenity, highway safety, landscape character or local ecology, in accordance with the aims and objectives of policies 5, 49 and STR1 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5, ST6, EC3 and EC8 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 10 and 11 and the core planning principles 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 be carried out in accordance with the following approved plans: drawing number '001 Rev B', received 18th March 2013 and '1:2500 location plan' and '1:500 block plans', received 16th April 2013.

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

03. The layout of the access hereby approved, including the grading of the access, proposed changes in existing ground levels, position of the gate and the details of new boundary treatments shall be carried out in accordance with details as indicated on approved plan '001 Rev B'. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and highway safety, in accordance with policies STR1, 5 and 49 of the Somerset and Exmoor National Joint Structure

Plan, saved policies ST5, ST6 and EC3 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 11 of the National Planning Policy Framework.

04. The design and finish of the field gate hereby permitted shall be carried out in accordance with the details submitted in correspondence, received 8th November 2012.

Reason: In the interests of visual amenity, in accordance with policies STR1 and 5 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5, ST6 and EC3 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 11 of the National Planning Policy Framework.

05. Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5m from the carriageway edge.

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.

06. Prior to the access hereby permitted being first brought into use, the section of highway between the edge of the carriageway and the entrance gate shall be properly consolidated and surfaced (not loose stone or gravel).

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.

07. 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 occupied. 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 and local amenity, in accordance with policies 49 and STR1 of the Somerset and Exmoor National Joint Structure Plan Review, saved policies ST5, ST6 and EP9 of the South Somerset Local Plan and the provisions of chapter 10 of the National Planning Policy Framework.

**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, South Somerset Area Highway Office, Mead Avenue, Houndstone Business Park, Yeovil, Tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.
-

Area West Committee – 15<sup>th</sup> May 2013

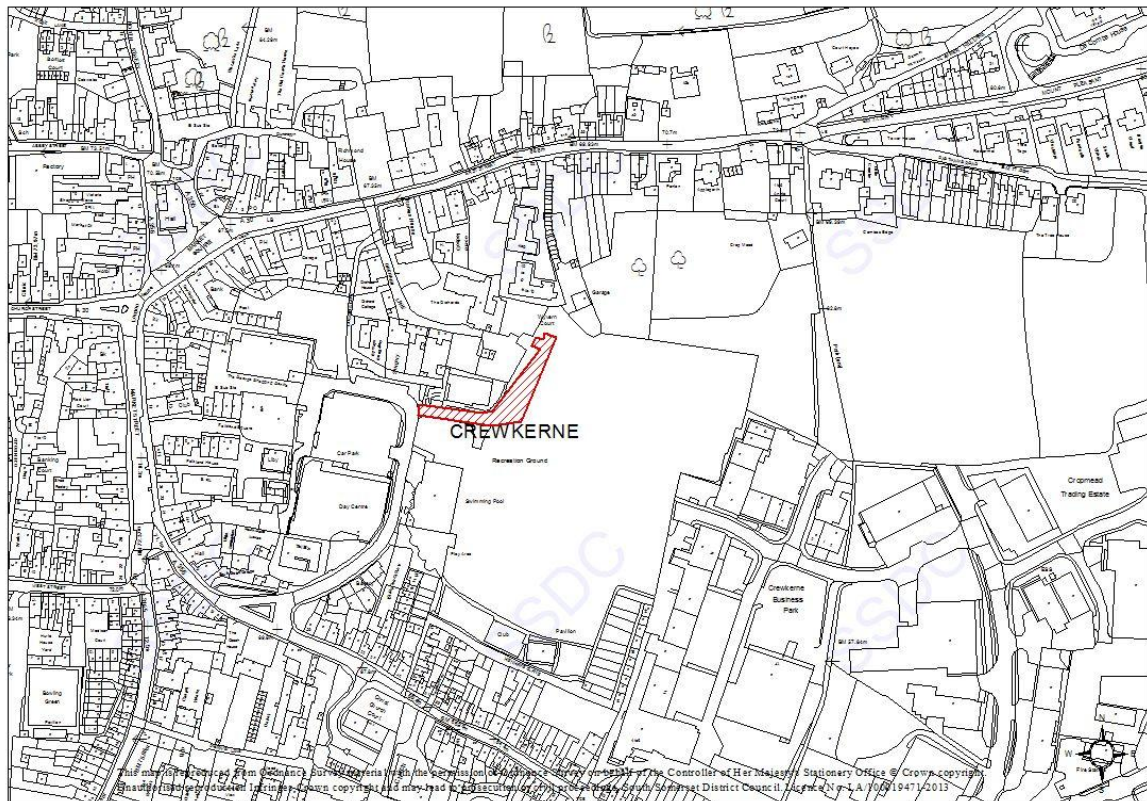
**Officer Report On Planning Application: 13/00033/R3D**

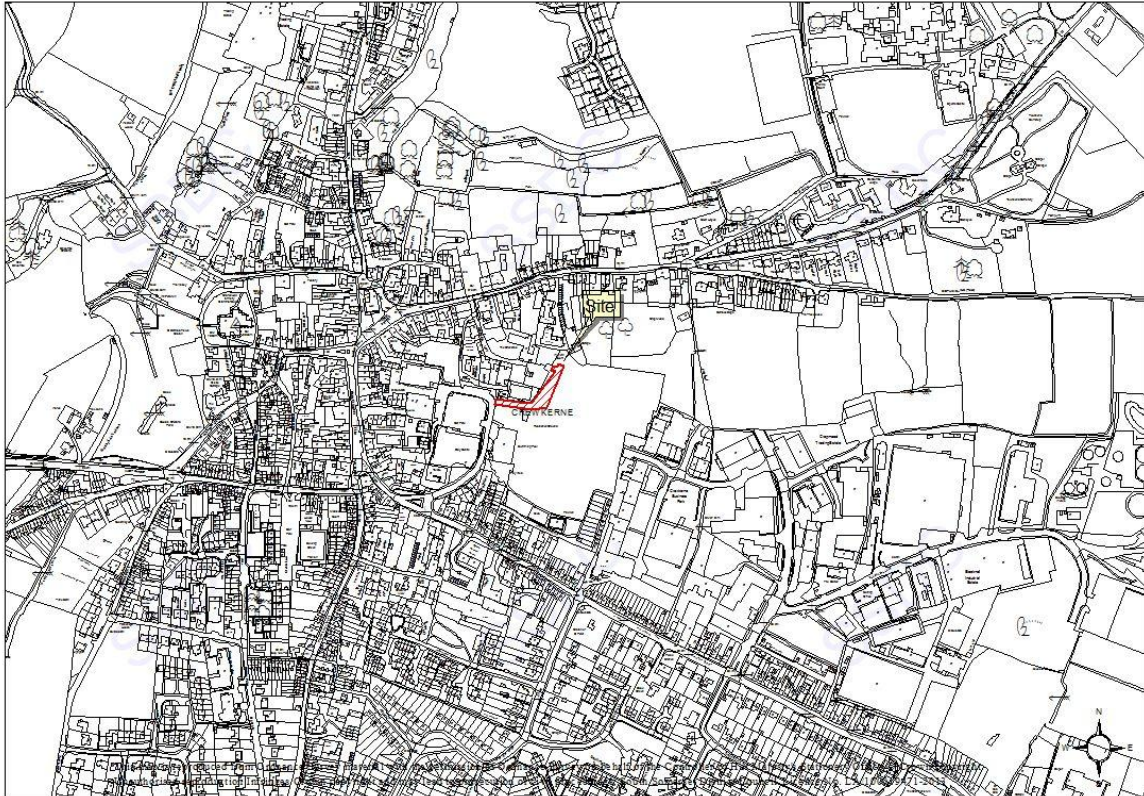
<b>Proposal:</b>	Formation of permanent car park and associated street lighting to replace existing temporary car park. (GR 344363/109664)
<b>Site Address:</b>	Recreation Ground Henhayes Lane Crewkerne
<b>Parish:</b>	Crewkerne
<b>CREWKERNE TOWN Ward (SSDC Member)</b>	
<b>Recommending Case Officer:</b>	Louisa Brown Tel: (01935) 462344 Email: <a href="mailto:louisa.brown@southsomerset.gov.uk">louisa.brown@southsomerset.gov.uk</a>
<b>Target date:</b>	4th March 2013
<b>Applicant:</b>	South Somerset District Council
<b>Agent: (no agent if blank)</b>	
<b>Application Type:</b>	Minor Other less than 1,000 sq.m or 1ha

**REASON(S) FOR REFERRAL TO COMMITTEE**

The application has been referred to the Area West Committee as the District Council is the applicant.

**SITE DESCRIPTION AND PROPOSAL**





The site comprises a tarmaced area of 0.19 hectares located in the north western corner of the Henhayes sports ground. It is located to the east of the Henhayes Centre. Wooden post and rail fencing has been installed along the eastern and southern boundary of the car park.

The site currently has temporary permission for 51 car parking spaces, though these are not all available following the construction of the George Reynolds Centre to the south of the car park.

Previously, the area between the football and rugby pitches provided around 180 parking spaces during the construction of Waitrose supermarket. This larger parking provision was removed at the end of the temporary permission, which expired on 02/02/2009. An additional temporary consent was granted in February 2010 for a period of 2 years and subsequently another temporary permission was granted in April 2011 for a period of two years from February 2011 till February 2013, to allow time for alternative sites to be investigated for a more permanent solution.

This proposal is for a permanent long stay car park to provide 31 spaces (of which 2 will be dedicated for disabled parking). A number of alterations will take place as part of the proposal:

- the existing timber post and rail fence along the east boundary will be re-positioned into the car park by 2.1 metres.
- Pedestrian gate and vehicle gate to be located to the east of the George Reynolds Centre (these are already in place).
- Clothes and shoe bank to be removed from the site.
- Pumping station access to be fenced with access gate and ground marked "Keep Clear - Access at all times".
- Motorcycle bay in front of pumping station.
- Relocation of signage.
- Removal of Grasscrete and Kerbing and reconstruct in tarmac.

- Removal of trolley storage rails.
- Replacement of speed humps.
- New lamp column: 5m flat post top lantern, to match existing.

## **HISTORY**

11/00109/R3D Planning permission granted for the retention of part of Henhayes temporary car park for a period of two years.

10/04095/FUL Planning permission granted for the erection of a two storey sports centre and community centre.

08/03498/S73 Planning permission granted for the variation of condition 1 of 06/00999/COU to require the cessation of the car park use on or before 1st February 2009.

06/00999/COU Planning permission granted for use of land as temporary car park (06/10/06). Condition 1 stated:-

"Permission hereby granted shall be for a limited period of 24 months or until the opening of the decked car park proposed as part of the supermarket submitted under application No. 06/01012/FUL. Upon the expiration of that period the playing fields shall be reinstated in accordance with a method-statement and specification, including a time scale for such re-instatement, to be submitted and approved in writing by the Local Planning Authority prior to commencement of any development on the site."

06/01004/FUL Planning permission granted for new Day Centre (to replace existing facility), associated access road and parking, amendments to the Orchard Nursing Home and Aqua Centre Car Parking (06/10/06)

06/01012/FUL Planning permission granted for construction of food store, associated service area and decked car parking (06/10/06)

## **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:

Government Guidance:

National Planning Policy Framework:

Chapter 2: Ensuring the Vitality of Town Centres

Chapter 7: Requiring Good Design

Chapter 8: Promoting Healthy Communities

Chapter 12: Conserving and Enhancing the Historic Environment

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

Saved Policy STR1 - Sustainable Development

Saved Policy STR2 - Towns

Saved Policy STR4 - Development in Towns

Saved Policy 9 - The Built Historic Environment

Saved Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (Adopted April 2006):  
 Saved Policy ST3 - Development Area  
 Saved Policy ST5 - General Principles of Development  
 Saved Policy ST6 - The Quality of Development  
 Saved Policy EH1 - Conservation Area  
 Saved Policy TP6 - Parking  
 Saved Policy CR1 - Existing Playing Fields

## **CONSULTATIONS**

### **Crewkerne Town Council:**

"All councillors declared prejudicial interests as the Council owns the land and therefore agreed not to convey any comments."

### **Highways:**

"The application is for the formation of a permanent car park which is accessed via the road into the South Street car park. The temporary car park has been in operation for a period of two years and seems to have been operating satisfactorily during that period.

In terms of the layout this has been reduced to 31 spaces including 2 no. disabled parking bays. This is to allow a safer access area between the recreation ground and car park. In addition, the reduction will be likely to lead to less vehicle movements. As such the proposal is considered acceptable in principle.

I note from the application that the car parks surface dressing is to be addressed and the construction will be in tarmac. The street lighting is to be improved along with a speed reduction feature to be installed. All of which are acceptable in highway terms.

Therefore given that the proposal would not appear likely to result in an increase in vehicle movements to the site, nor would it have a detrimental effect on the existing highway network there is no objection to this proposal from the highway authority."

### **Area Engineer:**

No comment

### **Environmental Protection unit:**

No observations to make

### **Sport England:**

No comments received at time of report. Any comments received will be verbally updated.

### **SSDC Landscape Officer:**

"I note the latest application seeking to establish a permanent car park in place of the temporary car parking on Henhayes Field. My response to Andrew Gunn at the time of the previous submission (January 2011) follows:

'I note the latest application to extend use of the temporary car park to the east of the Henhayes Centre, for a further two years.

You will know that the provision of the current temporary site was a necessity to enable the construction of the Waitrose development. Whilst the completed Waitrose site now provides additional parking over that originally supplied by the South Street car park, we are advised that there remains a need for further parking, primarily to provide for long-stay. I have not seen the figures to substantiate the case for additional spaces, but

having noted the Waitrose underground car park to be little-used during the week, then the need for additional parking should be justified, and I see no such evidence forming part of this application. Neither is there any evidence of a sequential search for a permanent site, and this surely should also form part of the application? Without such justification I cannot see grounds for approval.

Henhayes Field is the town's prime playing field area; it directly abuts the Conservation Area to the southeast, and is overlooked by many properties to the north, as well as the town's main leisure facilities at the field's west edge, which will in due course include the recently consented sports pavilion. As such, Henhayes Field is clearly an integral component of the town's core, with landscape and community value. The long term establishment of a car park along its edge is not a favoured solution, and if not acceptable in the longer term, then a temporary consent is also inappropriate, other than if it establishes a time limit for a permanent solution to be found.

I see no evidence that the case is made for this further time extension of the car park, and there is no landscape support for it. However, given the current state of play I suspect that an extension may be unavoidable. To ensure the sympathetic long-term growth of Crewkerne's centre, and the conservation of its landscape assets, any potential consent should be conditional upon requiring an undertaking to develop a long-term solution for parking that is complementary to the town's character; current needs; and future development potential. If this is part of a forward looking town centre plan - possibly along the lines of that envisaged by the EbD 6 years ago - then this interim use of Henhayes for parking might yet prove to be worthwhile.'

From a landscape perspective, little has changed, and much of the above response remains pertinent. It is noted that the construction of the George Reynolds Centre has created a greater built context for this development, yet I still consider the use of this land for car parking, with its consequent hard-surfaced layout and vehicular dominance to be inappropriate for the immediate setting of the town's conservation area (adjacent the northwest edge). It also creates an unsympathetic divide between the town and one of its prime green spaces, and I view this as an adverse impact upon both the conservation area, and the field. Whilst I am aware that there has been some further investigation of other options in recent years, nothing is contained within the application, and without the case being made (i) for parking provision, and (ii) an appraisal of options leading to the selection of this site, there remains a landscape objection to this application, policies ST6 (Quality of development) and EH1 (setting of a conservation area)."

## REPRESENTATIONS

Twenty-seven neighbours were notified and a site notice displayed. One letter of support was received from the Henhayes Centre. Two letters of objection have been received raising the following comments:

- This land is public open space, covered by byelaws. (Officer comment: this is not a material planning consideration, it is a legal matter)
- This temporary car park was constructed as part of a larger one whilst Waitrose was constructed.
- The Town Council promised to reinstate all of the land occupied by the temporary car park, the area in question was green general amenity land.
- No conclusion can be arrived at from the public consultation carried out by the Town Council.
- As a hard surfaced area it will be a further urbanisation of the area, a harsh break in the former green link between the town and the open space.

- Residents of Wyvern Court have to put up with the vision of vehicles, noise and fumes 24 hours a day.
- Vehicles in car park will be at risk of damage by cricket and rugby balls.
- The Council is making no offer of acquiring further land to make good the loss.
- No mention of if the car park will remain part of the public open space or be sold off to another District Council committee.
- Councils are experiencing a time of severe austerity so where will the finance come to upgrade the car park.
- Would the revenue made by a permanent car park go to Crewkerne Town Council?
- What was the result of the report to be undertaken by the Council following the last temporary approval to investigate alternative sites and approach Waitrose to use their car park.
- The development of Waitrose resulted in provision of extra car spaces, before the development long stay car parking seemed to be adequate.
- West Street car park always seems to have spaces.
- The car does not have to be master in our town, there is a decline in shopping, will this mean a reduced demand for car parking?
- How the car park at Waitrose can continue to operate at under 50 percent of capacity while the Council is creating a new car park less than 50 metres away is a travesty.
- Is there not a travel plan that means Waitrose staff can park in their own car park and not Henhayes?

## CONSIDERATIONS

The site is within the designated development area, is on the edge of the Conservation Area and on land previously used as recreational use.

The key issues to assess are the need for a permanent car park, impact on the use of the sport pitches, impact on the Conservation Area, visual amenity and landscape character, impact on highways and the impact on residential amenity.

Need for a permanent car park:

The previous temporary approval in 2011 gives insight to the history of the site; "The commencement of the Waitrose development resulted in the loss of a significant proportion of the town centre car park in South Street. This necessitated a requirement to find a short term parking solution before a satisfactory long term solution was found.

In addition to the need for additional capacity for Crewkerne identified in the Car Parking Strategy, the survey undertaken in October 2010 reveals that whilst the two existing permanent long stay car parks in the town (Abbey St and West St) have spare capacity (around 40-45 spaces between them most days), this spare capacity is very likely to be fully absorbed should the Henhayes car park no longer exist. Moreover, the loss of the Henhayes car park without any suitable replacement parking provision is very likely to mean that both the Abbey Street and West Street car parks would exceed 85% occupancy which is considered to be the optimum occupancy for car parks.

It should also be noted that based on the car park study undertaken in October 2010, the South Street car park operates at a near 100% capacity, thus there is no or very little ability for this car park to absorb any of the current Henhayes users."

Approval was granted on a temporary basis to allow additional time to find a permanent solution.



Objectors have raised the issue that the informative shown on the previous approval have not been undertaken. This is not enforceable by the planning authority as informatives are merely there as recommended advice, however the points raised have been looked into and comments made on them.

The informatives were:

Members of the Area West Committee resolved to grant a further 2 year temporary consent for the car park but stressed the importance of seeking a long term solution for parking, particularly long stay parking in the town. In order to facilitate this process, Area West Committee resolved to include the following informatives:

01. *Every effort be made to find a long term solution to the long stay parking provision in Crewkerne including negotiations with Waitrose with regard to their providing long stay parking provision within part of the store's underground car park;*

The Agent has stated that on-going discussion have taken place with the developer Somerfield to look at the provision of long stay car parking within their development plan but with no success. Other options were also looked at but the Council does not own the land and due to a downturn in the economic climate no opportunities have come forward.

The SSDC Engineering and Property Services Manager verbally consulted Waitrose around February 2011 asking about some long stay provision on the lower deck, they declined, this was followed up again around August/September 2011 and the same response received. Evidence has been submitted showing that an email was sent to the store manager in February 2013, their email response states;

"I have been in communication with my head office and have concluded that there should not be any provision in the lower car park for long stay/all day parking as it will constrain future growth not only for ourselves but for the town as well." (Branch Manager Waitrose Crewkerne)

SSDC legal team have said that the lease would need to be changed to reflect any changes to the car park tariffs in place if Waitrose were in agreement to facilitating part of their car park, but as they are against this there is no use in pursuing it.

02. *The Travel Plan submitted by Waitrose as part of the planning approval for the store be examined to see if it was being complied with and whether it covered parking for their own staff;*

Condition 9 of permission 06/01012/FUL stated;

"The Travel Plan submitted by the Glanville with letter dated 9th August shall be implemented in connection with the operation of the supermarket. Operation of the store should take place in accordance with the requirements of the Plan or any variations thereto as subsequently may be approved in writing by the Local Planning Authority."

The travel plan has the following advice contained within it;

Paragraph 1.4:

"The focus and motivation of this Travel plan will be to provide staff and customers with a choice of practical and real alternative transport modes that can be considered before the car when planning a visit to the branch.

Paragraph 6.22:

It is Waitrose policy to discourage staff from parking in branch car parks as it recognises that the majority of staff live in the vicinity of the branch and that many branches are in town centre locations. Waitrose does not provide staff car parking facilities except for those with special needs."

As such there is no requirement within the travel plan to ensure staff park at Waitrose and not in Henhayes, in fact Waitrose do not allow staff to park within their own car parks.

03. *Improvements to the car park signing in the town be explored and carried out as soon as possible;*

The Agent has stated;

"Improvement to the signage has taken place especially within South Street car park to identify the 'Waitrose' car park area as being available for the public on the lower deck. The other car parks within Crewkerne are well used and also at near capacity so additional signage to that over and above what is there is not really necessary."

04. *A report be submitted to the Committee in 12 months, or earlier if possible, to enable the Committee to review the progress being made in seeking the replacement of the temporary Henhayes car park and a long term solution in respect of the strategic need for the provision of long stay car parking in Crewkerne. An item is to be included in the Area West Committee's forward plan.*

The Agent has responded;

"My understanding is that no follow up report has been presented due to no new developments having come forward. The Town Council and local members are well aware of the work that has been on-going to look at the long stay car parking provisions in Crewkerne and have been proactive in moving solutions forward where possible in conjunction with SSDC officers. Obviously most of these discussions have been with developers at feasibility stage and should remain private until something is presented by the developers and comes into the public domain.

The Forward Plan is a record of reports due to be presented to Committee in the next 3 to 9 months. It is published in every Area Committee agenda each month so that Councillors & the public can see what is due to be discussed in future. However if there had been anything to report then it would have come forward to Committee. If there was nothing to report then the Chairman and Vice-Chairman can take a view to defer any items."

This application has been delayed in coming to the Area West Committee meeting to allow the Car Parking Strategy Review, which has been in development since June 2012, to go to the District Executive Meeting on the 9 May 2013. This had not taken place at the time of writing this report, though the agenda is in the public domain. A verbal update of the outcome will be made at the Area Committee. The Car Parking Strategy Review (currently shown on the Agenda for the District Executive meeting) states;

"The town by town analysis of supply, demand and capacity shows that there is a need in the short term to address capacity in Bruton, Crewkerne, Ilchester, Langport, Somerton, Wincanton and short stay in Yeovil.

Town by Town Action Plan:

Crewkerne

Key Issue: Small surplus, but Waitrose lower deck is currently underutilised. Temporary provision at Henhayes is helping to address long stay shortfall.

Action: To seek more long stay parking in Crewkerne. To engage with Waitrose to increase occupancy in the Waitrose lower deck car park."

The Car Parking Strategy Review clearly shows that there is a need for more long stay parking in Crewkerne which is currently being helped by the Henhayes car park. The

way forward is to engage with Waitrose, however as outlined in this report, this has been undertaken without any success.

It is considered that there is evidently a need for a permanent long stay car park within Crewkerne. Alternative sites have been investigated but without success.

**Impact on sports/recreational use:**

Comments from Sport England had not been received at the time of writing this report; a verbal update will be given at the Area West Committee meeting.

Previously they have objected to the temporary permissions on the basis that the proposals have not met any of their exceptions to their playing field policy.

This application sees the new car park being set 2.1 metres in from the existing boundary adjacent to the recreation ground to allow a greater safety margin area between the rugby pitch and the car park as requested by the Rugby Club (in talks with the agent). The rugby, cricket and football pitches are still able to be satisfactorily accommodated within the recreation ground and available for use. On this basis, should an objection be received, it is not considered that the car park has such a detrimental impact on the use of the sports pitches to warrant a refusal.

**Highways Impact:**

The highway authority has no objection to the proposal based on the reduction in spaces which will result in less vehicle movements. They have recommended conditions in regard to the surfacing being undertaken as shown on the approved plans with proper drainage and a scheme of street lighting to be agreed. The plans show the addition of new street lighting that appears to be acceptable, as such it is not felt necessary to condition a scheme of street lighting to be agreed.

**Residential Amenity:**

It is not considered that the normal use of this car park would give rise to any undue adverse impact on the amenities of the occupiers of Wyvern Court. Concern has been raised about noise levels and fumes caused by cars. However, the police should be contacted regarding concerns about any antisocial behaviour that may be occurring in the car park and the SSDC Environmental Protection Team has no observations to make on the proposal.

**Visual Amenity, Landscape Character and Conservation Area:**

A Landscape objection has been received stating that the car park "creates an unsympathetic divide between the town and one of its prime green spaces, and I view this as an adverse impact upon both the conservation area and field."

The site is on the edge of the Conservation Area and is the divide between the Conservation Area and field. This permanent proposal will see the car park reduced in size and the site remaining closely linked to the Henhayes Centre and George Reynolds Centre. As it is still closely related to the build line within the area and does not progress too much into the adjoining field, it is considered that it will preserve the views out of a Conservation Area and will not adversely affect visual amenity.

The landscape objections are noted however it is considered that given the evidence for the need of the long stay car park in Crewkerne, its reduction in size and evidence that there are no immediate alternative sites, on balance a refusal on landscape grounds is not substantiated.

**Conclusion:**

The NPPF and saved policy CR1 (SSDC Local Plan) seek to retain recreational areas and resist development. However this site has operated as a temporary car park for a number of years with no evidence of an adverse impact on the use of the recreational area. Moreover this application will reduce the size of the car park. Furthermore a need for additional long stay car parking has been identified in Crewkerne with no immediate availability of any other site.

It is considered that on balance the need for a car park in this location outweighs the concerns raised and is therefore recommended for approval.

**RECOMMENDATION**

Approve with conditions

01. The use of this land as a permanent car park will ensure the provision of adequate long stay car parking facilities to serve the town centre. It will not cause any adverse impact on the provision of sporting facilities/activities on the playing fields in the town or result in undue detriment to the character and appearance of the Conservation Area or harm to residential amenity. As such the proposal complies with saved policies ST5, ST6, EH1, EP6 and CR1 of the South Somerset Local Plan (adopted April 2006), saved policies STR1, 9 and 49 of the Somerset and Exmoor National Park Joint Structure Plan (adopted 2000) and NPPF Chapters 2, 7, 8 and 12.

**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. CP/36/6/4 received 7 January 2013

Drawing no. CP/36/6/5 received 7 January 2013

Drawing no. CP/36/6/1D/REV B received 7 January 2013 (including all specifications detailed on the plan)

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

03. Before any of the development hereby permitted is brought into use the car park area shown on the approved plan shall be suitably surfaced, drained and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To obviate the depositing of deleterious matter on the highway by vehicles leaving the site.

Area West Committee – 15<sup>th</sup> May 2013

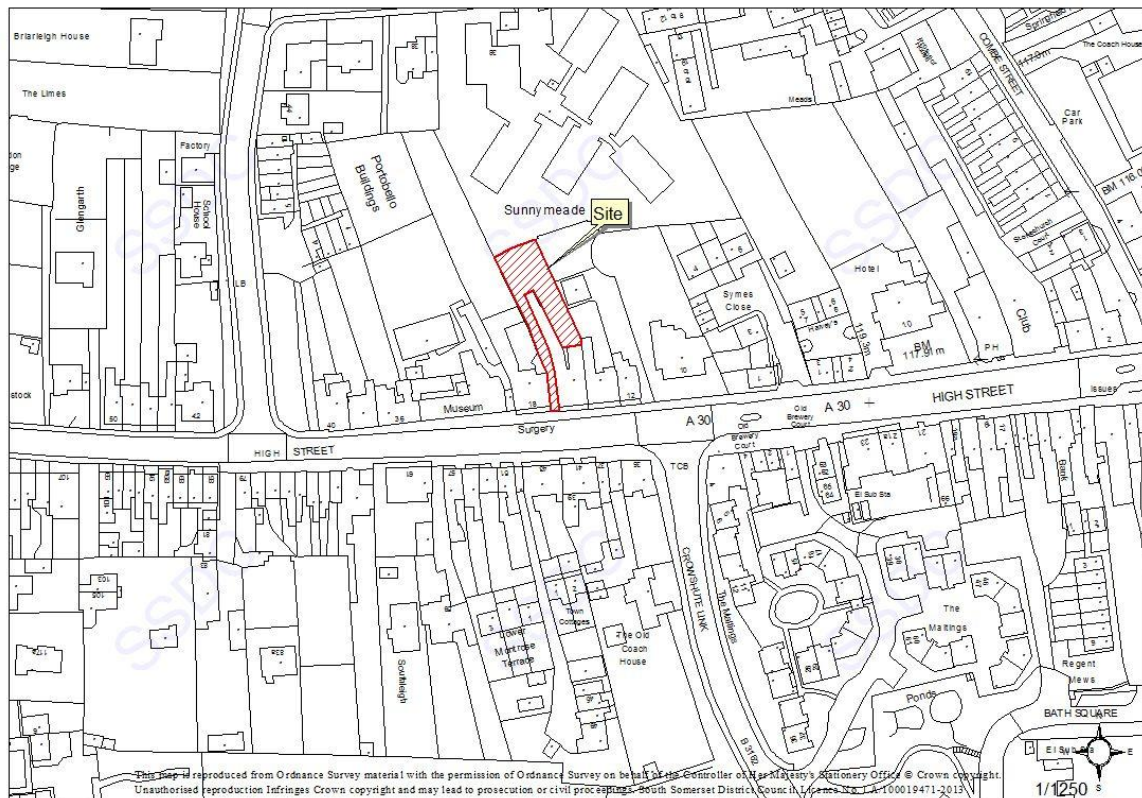
**Officer Report On Planning Application: 13/00222/FUL**

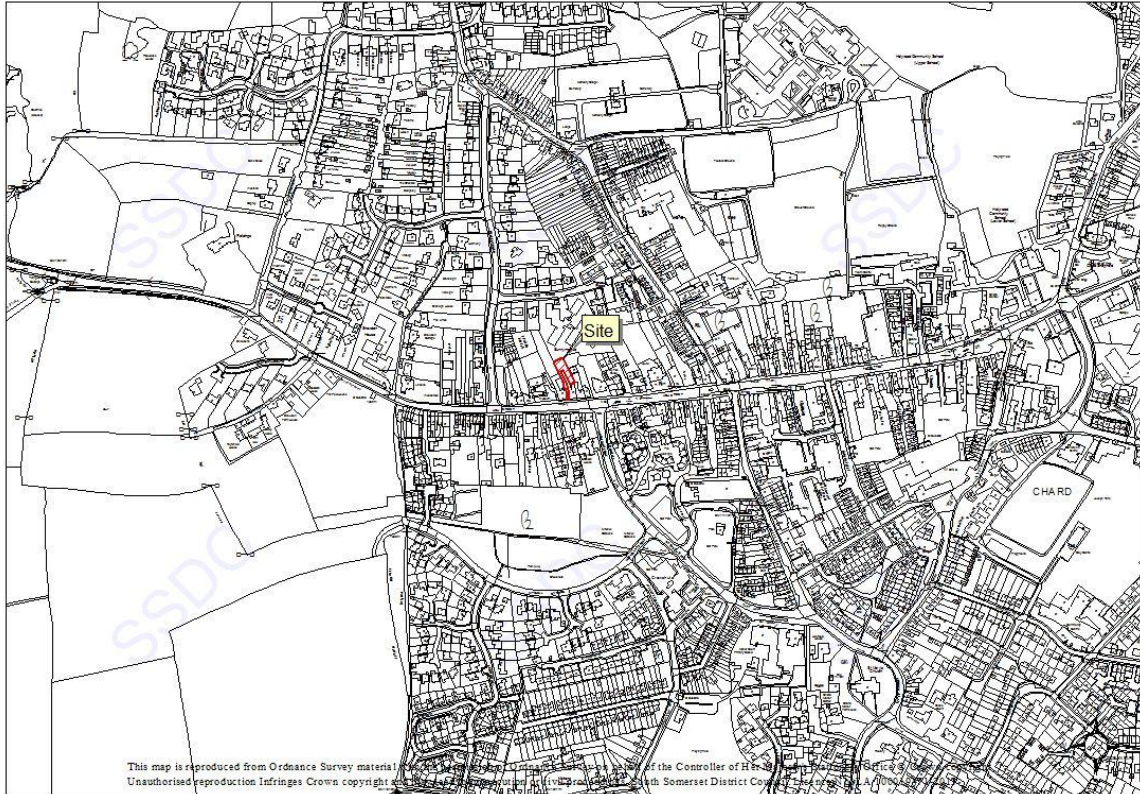
<b>Proposal:</b>	The erection of a pair of semi detached dwellings. (GR 331923/108607)
<b>Site Address:</b>	Land Rear Of 16 High Street Chard
<b>Parish:</b>	Chard
<b>COMBE (CHARD) Ward (SSDC Member)</b>	Cllr M Wale
<b>Recommending Case Officer:</b>	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
<b>Target date:</b>	22nd March 2013
<b>Applicant:</b>	Mr R Holland
<b>Agent: (no agent if blank)</b>	Paul Rowe Caparo 11 Mervyn Ball Close Chard Somerset TA20 1EJ
<b>Application Type:</b>	Minor Dwellings 1-9 site less than 1ha

**REASON FOR REFERRAL TO COMMITTEE**

The application is presented to the Committee at the request of the Ward Member and with the agreement of the Area Chair in order for the Committee to consider the various planning issues.

**SITE DESCRIPTION AND PROPOSAL**





The application site is located at the rear of No. 16 High Street within the centre of Chard. The main property (No. 16) is a three storey dwelling that benefits from use as a 'house in multiple occupation' and has recently undergone renovation.

The application proposes the erection of a pair of semi-detached 1½ storey dwellings, comprising living room/kitchens on the ground floor with a single bedroom and shower room above (within the roof space). The proposed building would be rendered with a slate tile roof. The site is bounded by high natural stone walls and mature hedge; it is accessed from the High Street via a narrow access between No. 16 and No.18 High Street. Two parking spaces would be provided at the rear along with an amenity area that would be shared with the existing units within No.16. Currently there is no formal parking provision on the site.

The site is situated within the Chard Conservation Area and the properties on either side are listed buildings. The property was previously listed but has now been delisted.

## HISTORY

07/03117/FUL and 07/01714/LBC - Demolition of garages and alterations to convert premises from a dwelling to two self-contained flats. Applications withdrawn 2007.

04/02743/LBC - Installation of new window frames with sealed double glazed units matching existing and installation of new front door. Refused 2005.

04/01860/LBC - Replacement of plastic double glazed V-shaped doors with wooden single glazed and installation of a downstairs bathroom. Approved 2004.

01/00117/FUL and 01/00134/LBC - Alterations, conversion and extension to provide 5 flats. Approved 2001.

901436 and 901199(LBC) - Formation of new door opening and construction of external fire escape. Approved 1990

851218 and 851264(LBC) - Alterations and improvements to car park. Approved 1985.

802342 - Use of property as a rest home. Approved 1981.

35650/A - Erection of a private garage and use of existing access. Approved 1970.

35650 - Use of two ground floor rooms as business offices. Approved 1957.

20425 - Conversion of living accommodation into a shop. Refused 1953.

## **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

STR2 - Towns

STR4 - Development in Towns

8 - Outstanding Heritage Settlements

9 - The Built Historic Environment

49 - Transport Requirements of New Development

South Somerset Local Plan 2006:

Policies:-

ST2 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EH1 - Conservation Areas

EH5 - Development Proposals Affecting the Setting of Listed Buildings

EH12 - Areas of High Archaeological potential

TP7 - Residential Parking Provision

The starting point for the exercise of listed building control is the 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' (section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

Sections 16 and 66 of the Act require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function.

Section 72 of the Listed Buildings Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character

or appearance of a conservation area. This requirement extends to all powers under the Planning Acts, not only those that relate directly to historic buildings. The desirability of preserving or enhancing the area should also, in the Secretary of State's view, be a material consideration in the planning authority's handling of development proposals that are outside the conservation area but would affect its setting, or views into or out of the area.

National Planning Policy Framework (NPPF):-

Chapters:-

- 6. Delivering a wide choice of high quality homes.
- 7. Requiring good design.
- 12. Conserving and enhancing the historic environment

Other Relevant Documents

Somerset County Council Parking Strategy

## CONSULTATIONS

### Chard Town Council:-

Recommend refusal on the grounds of:-

- Traffic access and egress is dangerous
- Not in keeping with adjacent properties in the Conservation Area.
- Overcrowding - too high density.
- Listed Wall which would be adjoining the site.

### County Highway Authority:-

'In detail the application is to build a pair of semi-detached dwellings to the rear of no.16 High Street, Chard. The vehicular access is via an existing shared access and the proposed parking and turning arrangements have been incorporated into the proposal. Given the development will not see a material increase in vehicle movements it would be unreasonable for the Highway Authority to raise an objection.

Drawing No. H16HSNAUP1 shows that the site will retain a suitable parking and turning arrangement for the pair of detached dwellings. The turning area will allow motor vehicles to turn within the site and exit onto the highway in a forward gear, which is essential onto a classified road.'

As a result, the Highway Authority raises no objection to this proposal subject to the imposition of a condition to require that the parking and turning is maintained.

### Conservation Officer:-

Does not consider that the proposal impacts upon the setting of the listed building and the plans have been slightly amended in accordance with the design advice of the Conservation Officer.

### County Archaeology:-

Advise that the site lies within the Area of High Archaeological Potential and is within a medieval burgrave plot. Therefore the development is likely to impact upon medieval and later occupation remains and a condition should be attached requiring archaeological monitoring of the development.

### Environmental Protection Unit:-

No observations.



**Area Engineer, Technical Services Department:-**

No observations.

**REPRESENTATIONS**

Four letters of objection have been received, the objections are on the following grounds:-

- The additional of further dwellings will put a huge strain on the already over populated area of High Street; development represents overdevelopment. Both No. 16 and 18 have been converted into flats with no parking and limited on-street parking.
- The recent construction works have caused disruption to the neighbouring bed and breakfast and resulted in loss of potential business.
- Further development will result in more disruption to residents and businesses in the vicinity.
- The site is in a Conservation Area but Chard is becoming a less desirable place to live and visit which can only harm its long term prosperity.
- Vehicular access is by permission and adjacent owners are unwilling to alter this agreement.
- Any increase in traffic will be dangerous to pedestrians and further burden traffic problems in the High Street.
- Reiterate concerns expressed in response to application 01/00117/FUL.
- Concerned about storage and collection of refuse, especially when all units are occupied.
- Concerned that given previous history the site will not be developed in accordance with the submitted plans.
- Privacy of garden will be compromised as there is a window in the end wall.
- Concerned that footings will damage trees in adjacent garden which are used by bats.
- There were once trees on the site, these were removed and the site was concreted over.
- Will be able to see the proposed building from the road.
- There was a listed garage on the site that was removed whilst the property was still listed (there are photos to prove this).
- Existing residents are throwing cigarette stubs into neighbouring gardens.
- The proposal will further diminish the value of neighbouring properties.

**CONSIDERATIONS**

The site is located within the defined development boundary and, therefore, the principle of developing this site for residential development is established. Therefore, there are considered to be three main planning issues in this case; the sites location within the conservation area and adjacent to listed building curtilages; highway safety and parking; and impact upon neighbouring amenity.

Impact on conservation area and adjacent listed building curtilages

In design terms, the application proposes a relatively simple pair of dwellings, low in height with first floor accommodation to be located within the roof space. The building has been designed to appear as an ancillary building to the main dwelling and the simple design is to ensure that it does not compete with the surrounding historic buildings. The properties are proposed to be constructed in render with a slate roof. The site is bounded by high stone walls to two sides with a mature hedge to the other boundary; the proposed building will not be attached to any part of the surrounding stone walls. The proposed location at the rear of the site means that the building will not be highly visible from the street and only partial glimpses will be possible. It is therefore considered that

the development is unlikely to have any significant impact upon the setting of the adjacent listed buildings. The Conservation Officer has been involved in discussions regarding the application and is content that the proposal will not significantly detract from the setting of the listed building or harm the character and appearance of the conservation area.

It is, therefore, considered that this is a low key development that is unlikely to have any significant impact upon the setting of the surrounding listed buildings and will preserve the character and appearance of the conservation area.

### **Highways Issues**

This site is situated within the centre of Chard and as such is within easy walking distance of a significant range of services (shops, schools, health centres etc.). As such, the provision of one parking space per one bedroom unit is considered to be acceptable. It is noted that currently the property provides no formal parking spaces for any of the units and this is how the building has operated historically. As the proposed units will benefit from the establishment of a formal parking area that will allow for turning of vehicles within the site it is not considered that an objection on highway safety grounds could be sustained.

The issue of the right of way over the access is a private matter between the landowner and the developer. The plans clearly show that the access is within the red line and as such the applicant believes that he has the necessary rights to use the access.

### **Impact upon neighbouring amenity**

Protection of privacy - Whilst there is a window proposed in the side elevation this is at ground floor level and as such appropriate screening can be installed to protect privacy. There is an existing hedge within this location and as such it is considered that appropriate screening exists to protect neighbours privacy.

Overdevelopment - This site is situated within the centre of Chard and the surrounding area is characterised by a mix of commercial uses and high density housing. As such, it is not considered that the additional units, being only one bedroom dwellings, would result in such a significant increase in noise and disturbance as to justify refusal of this application.

Disruption from construction activity - Unfortunately construction by its very nature is disruptive and this can rarely, if ever, justify with holding permission as it will be for a temporary period only. An hours of construction condition can be imposed in order to protect neighbouring amenity during the construction phase.

Storage of refuse - A condition can be imposed to require details of refuse storage to be submitted and agreed.

Trees - There are no trees on the site, the developer will be responsible for ensuring that any work respects neighbouring property/trees.

Removal of previous garage - It appears that a building was removed from the site during 2007 however there is no record of any enforcement action being taken, officers were clearly aware that the building had been removed. As such, it has been assumed that there was no objection to the removal of this building as no action was taken to seek its rebuilding. Therefore, it would not now be appropriate to use this issue as a reason to refuse permission for alternative development.

Issues with existing residents/devaluation of neighbouring properties - Unfortunately

these issues are not material planning considerations and as such can only be given very limited weight in the determination of this planning application.

### **Summary**

This is considered to be a well-designed proposal that is deliberately low-key in nature in order to ensure that it does not compete with the surrounding historic building and preserves the character and appearance of the conservation area. In terms of the impact upon neighbouring properties, the single storey nature of the development ensures that there will be no significant loss of amenity to neighbouring properties. Finally, the site is in a highly sustainable location within the town centre and the scheme will provide for the provision of formal parking spaces along with appropriate turning space and as such it is not considered that the development will adversely impact upon highway safety.

### **RECOMMENDATION**

Approve

01. The proposal, by reason of its size, scale and materials, represents sustainable development that respects the setting of the adjacent listed buildings; preserves the character and appearance of the conservation area; and causes no unacceptable harm to residential amenity or highway safety. This is in accordance with the aims and objectives of policies STR1, STR2, STR4, 8, 9 and 49 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST2, ST5, ST6, EH1, EH5, EH12 and TP7 of the South Somerset Local Plan 2006 and the advice contained within 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 be carried out in accordance with the following approved plans: H16HSNAUP1 received 21 February 2013.

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

03. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the setting of the adjacent listed buildings and character and appearance of the conservation area having regard to the provisions of saved Policies EH1 and EH5 of the South Somerset Local Plan 2006.

04. No approval is granted hereby to the type and colour of the materials proposed in the application or specified on the submitted plans for the doors and windows in the development. Before the development hereby permitted is commenced details of the material and external finish to be used for all windows (including rooflights), doors, boarding and openings shall be approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the setting of the adjacent listed buildings and character and appearance of the conservation area having regard to the provisions of saved Policies EH1 and EH5 of the South Somerset Local Plan 2006.

05. Before the development hereby permitted shall be commenced details of all eaves/fascia board detailing, guttering, downpipes and other rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the setting of the adjacent listed buildings and character and appearance of the conservation area having regard to the provisions of saved Policies EH1 and EH5 of the South Somerset Local Plan 2006.

06. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: The site lies within the Area of High Archaeological Potential and is within a medieval burgrave plot; therefore the development is likely to impact upon medieval and later occupation remains. This is in accordance with saved Policy EH12 of the South Somerset Local Plan (2006).

07. Before the dwellings hereby permitted are occupied the driveway, parking and turning areas shall be constructed, drained, suitably surfaced (no loose stones or gravel) and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason:- To ensure appropriate provision of parking and in the interests of highway safety, 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. No construction deliveries or construction work shall take place outside of the hours of 8am-6pm Monday to Friday, 8am-1pm on Saturdays. No construction deliveries or construction work shall take place on a Sunday or Public/Bank Holidays.

Reason: To protect residential amenity to accord with Policy ST6 of the South Somerset Local Plan.

09. Adequate provision for the storage and collection of refuse shall be provided on the site in accordance with details to be submitted and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interest of residential amenity and highway safety further to policy ST6 of the South Somerset Local Plan 2006.

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

other external alteration (including porches) made without the prior express grant of planning permission.

Reason: To safeguard the setting of the adjacent listed buildings and character and appearance of the conservation area having regard to the provisions of saved Policies EH1 and EH5 of the South Somerset Local Plan 2006.

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