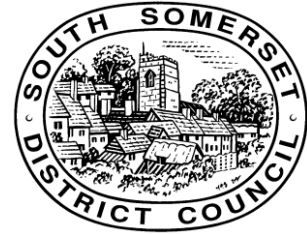


South Somerset District Council

Notice of Meeting



Area West Committee

Making a difference where it counts

Wednesday 19th June 2013

5.30 pm

**Henhayes Centre
South Street Car Park
Crewkerne
Somerset TA18 8DA**

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



The public and press are welcome to attend.

Please note: Planning applications will be considered no earlier than 7.00 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

This Agenda was issued on Monday 10th June 2013

Ian Clarke, Assistant Director (Legal & Corporate Services)

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



INVESTOR IN PEOPLE

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 7.00 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 3rd Wednesday of the month in venues throughout Area West.

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

The Council’s Constitution is also on the web site and available for inspection in council offices.

Further information about this Committee can be obtained by contacting the agenda co-ordinator named on the front page.

Public Participation at Committees

This is a summary of the Protocol adopted by the Council and set out in Part 5 of the Council’s Constitution.

Public Question Time

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the Chairman of the Committee. Each individual speaker shall be restricted to a total of three minutes.

Planning Applications

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the Public Question Time session.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the Planning Officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The Planning Officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the Committee Chairman's discretion, members of the public are permitted to speak for up to 3 minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

Town or Parish Council Spokesperson
Objectors
Supporters
Applicant 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 19th June 2013

Agenda

Confidential Item

The Committee is asked to agree that the following item (1) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 3: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)." It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

1. Scrutiny Task and Finish Review of Councillor representation on Outside Bodies (Confidential)

See Confidential Report attached at the end of the agenda (for members and officers only).

Preliminary Items

2. To approve as a correct record the minutes of the previous meetings held on 15th and 16th May 2013

3. Apologies for Absence

4. 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.

5. 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.

6. Chairman's Announcements

Items for Discussion* *Page Number

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11. Area West Committee - Appointment of Members to Outside Organisations 2013/14 (Executive Decision).....	23
12. Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice-Chairman for 2013/14 (Executive Decision).....	27
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**Please note that the decisions taken by Area Committees may be called in for scrutiny by the Council's Scrutiny Committee prior to implementation.
This does not apply to decisions taken on planning applications.**

Area West Committee – 19th June 2013

7. 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.

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) Reports from Members on Outside Organisations
 - (b) Feedback on Planning Applications referred to the Regulation Committee
 - (c) Chairman's announcements
 - (d) Public Question Time

Meeting Date	Agenda Item	Background/Purpose	Lead Officer
17 th 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 Coombe Sgt. Richard Barnett
17 th July 2013	Crewkerne Market Transfer	To update members on work to launch a new market in Crewkerne.	Zoe Harris, Neighbourhood Development Officer
17 th 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 th July 2013	Countryside Service Update	An update on the work of the Countryside Service in Area West.	Katy Menday, Countryside Manager
21 st August 2013	Transfer of Chard Market Charter	To agree the transfer of Chard Market Charter from SSDC to Chard Town Council	Zoe Harris, Neighbourhood Development Officer
18 th September 2013	Crewkerne Community Planning Update	For Information	Zoe Harris, Neighbourhood Development Officer
18 th September 2013	Ilminster Community Planning Update	For Information	Zoe Harris, Neighbourhood Development Officer

Meeting Date	Agenda Item	Background/Purpose	Lead Officer
18 th September 2013	Historic Buildings at Risk	Confidential report to update members on current Historic Buildings at Risk cases in Area West.	Greg Venn, Conservation Officer
16 th October 2013	Blackdown Hills AONB Partnership	Report on progress.	Zoe Harris, Community Regeneration Officer
20 th November 2013	Area West Development Work Programme Overview 2013-14	To present an overview of projects in the Area West Development Work Programme 2013-14.	Andrew Gillespie, Area Development Manager (West)
20 th November 2013	Affordable Housing Development Programme	To update members on the current position with the Affordable Housing Development Programme.	Colin McDonald, Corporate Strategic Housing Manager
20 th November 2013	Highways Maintenance Programme	To update members on the highways maintenance work carried out by the County Highway Authority.	Mike Fear, Assistant Highway Service Manager, Somerset County Council
<i>To be confirmed</i>	<i>Chard Regeneration Scheme</i>	<i>Report on progress.</i>	<i>Andrew Gillespie, Area Development Manager (West)</i> <i>David Julian, Economic Development Manager</i> <i>David Norris, Development Manager</i>
<i>To be confirmed</i>	<i>Reports from members on outside organisations</i>		

Area West Committee 19th June 2013

8. Section 106 Obligations

Strategic Director: Rina Singh (Place & Performance)
Assistant Director: Martin Woods (Economy)
Service Manager: David Norris, Development Manager
Lead Officer: Neil Waddleton, Section 106 Monitoring Officer
Contact Details: neil.waddleton@southsomerset.gov.uk or (01935) 462603

Purpose of the Report

It was agreed at the regular meeting of the Area Chairs that it was necessary for the Section 106 Monitoring Officer to attend the Area Committees on a regular basis and provide information in relation to Section 106 agreements for that area. As requested, agreements containing financial contributions have been presented within the monitoring report attached, however if any further detail was required on any other agreement it was agreed that this would be undertaken directly with the officer.

The Section 106 Monitoring Officer will give a brief verbal update on recent progress followed by questions.

Recommendation

Members note the report and endorse the actions taken in respect of the monitoring of Section 106 Planning Obligations.

Additional Information

The monitoring report now details identified projects and where appropriate money spent. This will enable Members to track financial planning obligations from the point they are secured through the planning approval through to time in which they are spent.

Financial Implications

No direct financial implications from this report however members will be aware that ineffective management of planning obligations does have the potential to require the district council to refund contributions to developers.

Corporate Priority Implications

The effective management of planning obligations will be beneficial in achieving all of the Councils Corporate Priorities.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby contributing to a reduction in carbon emissions and helping to adapt to climate change.

Equality and Diversity Implications

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby ensuring access to facilities, homes and services for all members of our community.

Background Papers: None

SECTION 106 MONITORING REPORT – AREA WEST 19th June 2013

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: AVISHAYES (CHARD)</p> <p>09/02922/FUL Parish Chard Developer: Rollo Homes Ltd</p> <p>Old Station Building Great Western Road Chard Somerset TA201EQ</p> <p>Internal and external alterations, the erection of a rear extension, car parking and the change of use of premises from business use (Class B1) to a shop (Class A1). (GR 332940/109221)</p> <p>Agreement Date: 18/05/2010</p>	<p>Highways: Highways contribution, £4,320.00 towards costs of implementing a MOVA traffic control scheme for the traffic lights at the junction of the A358 with the A30 at Chard.</p> <p>Payment Received 26/01/11</p>	<p>The Owner shall pay the District Council or if the District Council shall so direct the Somerset County Council a sum of £4,320 to be used as a contribution towards the cost of implementing a MOVA traffic control scheme for the traffic lights at the junction of the A358 with the A30 at Chard such payment to be made on or before the commencement of the Development</p>	<p>Highways: £4,320.00</p>		<p>Status: Development Completed</p>	<p>Agreement also restricts the range of goods sold on the premises. (See Schedule 1) Contribution Secured. Payment Received 26/01/11</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: AVISHAYES (CHARD)</p> <p>08/01695/OUT Parish Chard</p> <p>Land At Touches Lane Chard Somerset TA20 1RY</p> <p>Residential development of land by the erection of 14 dwellings (GR 333495/109451)</p> <p>Agreement Date: 10/01/2011</p>	<p>Sports and Leisure: Playing Pitch Contribution: £28,332 comprised of £23,204 for enhancement or improvement of community sports pitches within Chard or local authority maintained school in Chard together with £5,128 for the long term maintenance of those facilities.</p> <p>Youth Facilities Contribution: £2,170 for increasing capacity on the multi-use games area and skate park located at Jenson Park, Chard.</p> <p>Strategic Community Facilities Contribution: £10,768 towards one or more of the following projects: a) the improvement of sports halls & swimming pools within the Chard area b) the provision of synthetic sport pitches within the Chard area.</p> <p>Highways: Contribution towards the MOVA traffic control scheme.</p>	<p>Contributions shall be paid in 3 equal parts on the sale of the 5th, 10th & 14th dwelling</p>		<p>Sports and Leisure: £41,270.00</p> <p>Highways: £5,040.00</p>	<p>Status: Not Commenced</p>	

SECTION 106 MONITORING REPORT – AREA WEST 19th June 2013

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: AVISHAYES (CHARD)</p> <p>12/02511/FUL Parish Chard</p> <p>Land Between Old Station Court And Great Western Road Chard Somerset</p> <p>Erection of 6 No. dwellinghouses, 1 block of 5 No. flats and associated car parking and access (GR: 332916/109165)</p> <p>Agreement Date: 11/03/2013</p>	<p>Sports and Leisure: Open Space Contribution: £5,938 to fund enhancements to the adjoining recreation areas at Upper & Lower Henson Park.</p>			<p>Sports and Leisure: £5,938</p>	<p>Status: Not Commenced</p>	<p>Requirements on Developer for additional financial contributions written within agreement on disposing of units or change in grant funding.</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: AVISHAYES (CHARD)</p> <p>10/01967/FUL Parish Chard</p> <p>Old Station Yard Victoria Avenue Chard Somerset</p> <p>Demolition of buildings and the erection of 46 residential units together with associated car parking and access (Revised Application). (GR 332975/109253)</p> <p>Agreement Date: 13/10/2011</p>	<p>Sports and Leisure: Open Space Contribution: £28,500 to fund enhancements to the adjoining recreation areas at Upper & Lower Henson Park.</p> <p>Highways: £16,560 Towards cost of implementing MOVA system.</p>		<p>Sports and Leisure: £28,500</p> <p>Highways: £16,560</p>		<p>Status: Underway</p>	<p>Agreement allows for 3 permutations.</p> <p>100% Affordable Scheme or 35% or mix.</p> <p>Or</p> <p>£100k for Sport & Education if 35%</p> <p>Or</p> <p>£3334 Per dwelling sort if different. (See agreement)</p>

SECTION 106 MONITORING REPORT – AREA WEST 19th June 2013

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: AVISHAYES (CHARD) 10/04523/FUL Parish Chard</p> <p>The Shrubbery Furnham Road Chard Somerset TA20 1AX</p> <p>The erection of 3 No. terrace dwellinghouses and a pair of semi detached dwellinghouses (GR 332927/109454) Agreement Date: 21/10/2011</p>	<p>Highways: £1,800 towards the cost of the MOVA system</p>	To be paid on or before commencement		<p>Highways: £1,800.00</p>	Status: Underway	Chase developer for contribution
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CREWKERNE TOWN 10/03721/FUL Parish Misterton</p> <p>Bradforths Site Station Road Misterton Crewkerne Somerset TA18 8AW</p> <p>The erection of 100 no. dwellings together with associated roads, parking, sub-station, open space and affordable housing provision (GR 345407/108646)</p> <p>Agreement Date: 26/01/2011</p>	<p>Sports and Leisure: MUGA Contribution: £100,000</p> <p>Equipped Play Contribution: £50,000</p> <p>Off-Site Sports & Recreation Contribution: £135,500 + any surplus monies from other contributions detailed with in agreement from the total secured obligations package of £400,000</p> <p>Highways: Pedestrian Crossing Contribution: £50,000 for provision of a pedestrain crossing in Misterton to the Primary School.</p> <p>Green Travel Plan: £50,000 to include works carried out by developer for improvements to Bus Stops, £5,000 commuted sum to be paid to Parish Council. Any remaining monies towards detailed footpath & GTP.</p> <p>Affordable Housing: Units Agreed: 10</p>	<p>Railway Crossing Contribution: On commencement Pedestrian Crossing: On commencement.</p> <p>GTP Fund: On Commencement, Footpath, prior occupation 5th dwelling, GTP prior sale of 1st unit.</p> <p>Muga: Before occupation of any dwelling.</p> <p>LEAP: Plan submitted before first occupation, facility in place by 5th occupation.</p> <p>Off-Site Sports & Recreation Contribution: 50% before sale of 25th dwelling & 50% on completion of 75th dwelling.</p>	<p>Sports and Leisure: £100,00.00</p> <p>Highways: £55,000.00</p>	<p>Sports and Leisure: £185,000.00</p> <p>Highways: £45,000.00</p>	<p>Status: Underway</p> <p>Grant offer accepted by Parish Council. Completion hopefully end of May?</p>	<p>Railways Crossing Contribution: £16,500 paid directly by developer to Network Rail.</p> <p>Youth Contribution: (MUGA) secured.</p>

SECTION 106 MONITORING REPORT – AREA WEST 19th June 2013

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CREWKERNE TOWN</p> <p>11/04923/FUL Parish Crewkerne</p> <p>Roundham House Oxen Road Crewkerne Somerset TA18 7HN</p> <p>Conversion of commercial building to form 6 residential apartments with the retention of 2 commercial units (Use Class B1) (GR 344034/109620)</p> <p>Agreement Date: 25/05/2012</p>	<p>Sports and Leisure: Equipped Play Contribution: £3,496 enhancement or improvement of the play area at Henhayes Recreation Ground in Crewkerne, with a commuted sum of £1987.50 to provide for the long term maintenance of those facilities.</p> <p>Changing Room Contribution: £4,369 for enhancement of changing room facilities at the Henhayes Recreation Ground in Crewkerne, with a commuted sum of £345.28 to provide for the long term maintenance of those facilities.</p> <p>Playing Pitch Contribution: £2,758 for enhancement of existing playing pitches at the Henhayes Recreation Ground in Crewkerne, with a commuted sum of £1508.43 to provide long term maintenance of those facilities.</p> <p>Strategic Community Facilities Contribution: £8,559 towards the following projects</p> <ul style="list-style-type: none"> * £1,970 towards competition swimming pool in Yeovil or enhancement of the facilities at the Crewkerne Aquacentre. * £1,263 towards the provision of new indoor tennis facilities in Yeovil. * £1,668 towards enhancement/expansion of Octagon Theatre in Yeovil * £428 towards provision of an artificial grass pitch in Crewkerne * £3,230 towards competition sports hall in Yeovil or enhancement of sports hall in Crewkerne. 	<p>On or before first Occupation.</p>	<p>Sports and Leisure: £0.00</p>	<p>Sports and Leisure: £23,023.21</p>	<p>Status: Not Commenced</p>	

SECTION 106 MONITORING REPORT – AREA WEST 19th June 2013

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CREWKERNE TOWN</p> <p>05/00661/OUT Parish Crewkerne</p> <p>Crewkerne Key Site 1 Land East Of Crewkerne Between A30 (Yeovil Road) And A356 (Station Road) Crewkerne Somerset TA18 7HE</p> <p>Comprehensive mixed use development for 525 dwellings, employment (B1, B2, B8) primary school, community facilities, playing fields, parkland, P.O.S. structural landscaping and associated infrastructure including link road and highway improvements. GR (345354/109767)</p> <p>Agreement Date: 31/01/2013</p>	<p>Highway Contributions: £635,624</p> <ul style="list-style-type: none"> • Town Centre Improvement • Public Transport/Travel Plans • Off-site traffic calming <p>Education: £2,000,000</p> <ul style="list-style-type: none"> • First School Contributions • Temp Classrooms • Pre-school provision • Middle School Contributions • College Contributions <p>On-site Leisure & Recreation: £2,210,446</p> <ul style="list-style-type: none"> • On-site LEAP & NEAP • POS/Woodland planting • Commuted Sum • Works/Landscaping at site entrance <p>Off-site Leisure & Recreation: £260,000</p> <ul style="list-style-type: none"> • Playing Pitches • Floodlights • Changing Rooms • Skate Park • Swimming Pools • Sports Hall <p>Other Contributions: £3,477,062</p> <ul style="list-style-type: none"> • School set up costs • Ecology – Dormice Mitigation • Ecology – Badger protection works • Use of Natural Stone 			<p>£635,624</p> <p>£2,000,000</p> <p>£2,210,446</p> <p>£260,000</p> <p>£3,477,062</p>	<p>Status: Underway</p>	<p>REM application received, currently being validated.</p>

SECTION 106 MONITORING REPORT – AREA WEST 19th June 2013

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CREWKERNE TOWN</p> <p>07/04736/FUL Parish Crewkerne</p> <p>Land At Maiden Beech Cathole Bridge Road Crewkerne Somerset</p> <p>The erection of 114 No. dwellinghouses (GR 343850/108551)</p> <p>Agreement Date: 13/08/2010</p>	<p>Sports and Leisure: Changing Room Contribution: £175,378 to be paid immediately following the occupation of 35 Residential Units. To provide new or enhanced changing room facilities within 10 miles of Crewkerne.</p> <p>Playing Pitch Contribution: £40,652 to be paid immediately following the occupation of 35 Residential Units. To provide new or enhanced sports provision within 10 miles of Crewkerne.</p> <p>Equipped Play Area Commuted Sum: £44,000 to be transferred before no more that 50 Residential Units brought into occupation. To be provided to the District Council to adopt the LEAP and the recreational open space upon which it stands.</p> <p>Sports Hall Contribution: £54,822 to be paid immediately following the occupation of 70 Residential Units. To provide new or enhanced sports hall provision within 10 miles of Crewkerne.</p> <p>Swimming Pool Contribution: £28,904 to be paid immediately following the occupation of 70 Residential Units. For new or enhanced swimming pool provision within 10 miles of Crewkerne.</p> <p>Youth Facilities Contribution: £17,028 to be paid immediately following the occupation of 105 Residential Units. To provide or enhance facilities for children above the age of 12 in the Crewkerne area.</p> <p>Highways: Highways & Transportation Contribution: £296,000 to be apportioned as follows:</p> <p>First Traffic Management Contribution: £87,000 to be paid immediately following the occupation of 35 Residential Units.</p> <p>Second Traffic Management Contribution: £87,000 to be paid immediately following the occupation of 70 Residential Units.</p> <p>Third Traffic Management Contribution: £87,000 to be paid immediately following the occupation of 105 Residential Units.</p> <p>Traffic Management Contributions towards County Council costs of implementing the proposals contained in the Town Centre Study relating to the management of traffic in the town centre of Crewkerne and highway works in the immediate vicinity of the application site.</p>	<p>Temp Class Room Contribution: Occupation of 15 Residential Units</p> <p>Changing Rooms, Playing Pitch, First Education, First Traffic, Rural Bus Interchange Contributions: Occupation of 35 Residential Units.</p> <p>Equipped Play Commuted Sum: Occupation of 50 Residential Units.</p> <p>Second Education, Second Traffic, Sports Hall, Swimming Pool Contributions: Occupation of 70 Residential Units.</p> <p>Third Traffic & Youth Facilities Contributions: Occupation of 105 Residential Units.</p>	<p>Sports and Leisure: £299,756.00</p> <p>Highways: £209,000.00</p> <p>Education: £147,251.00</p>	<p>Sports and Leisure: £61,028.00</p> <p>Highways: £87,000.00</p> <p>Education: £89,000.00</p>	<p>Status: Underway</p> <p>Sports Pitches/Changing Room Contributions towards George Reynolds Centre</p>	

SECTION 106 MONITORING REPORT – AREA WEST 19th June 2013

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
	<p>Rural Bus Interchange Contribution: £35,000 to be paid immediately following the occupation of 35 Residential Units. To be put towards cost of the rural bus interchange within Crewkerne.</p> <p>Education: Education Contribution: £236,251 to be apportioned as follows:</p> <p>Temporary Classroom Contribution: £89,000 to be paid immediately following the occupation of 15 Residential Units.</p> <p>First Education Contribution: £73.625.50 to be paid immediately following the occupation of 35 Residential Units.</p> <p>Second Education Contribution: £73.625.50 to be paid immediately following the occupation of 70 Residential Units.</p> <p>Contributions for enhancing education facilities in the Crewkerne area and particularly within the catchment area where in lies the application site.</p> <p>Affordable Housing: Units Agreed: 40</p>					
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CRIMCHARD (CHARD)</p> <p>12/04283/FUL Parish Chard Land Off Thorndun Park Drive Chard Somerset TA20 1FB</p> <p>The erection of 41 No. dwellings and 1 No. 68 bedroom care home together with associated highway infrastructure, parking, landscaping and footpath links. (GR 333019/109864)</p> <p>Agreement Date: 12/04/2013</p>	<p>Sports and Leisure: Leisure Contribution towards enhancing play & leisure facilities at Plot 5 Jarman Way, Chard.</p> <p>Affordable Housing: Units Agreed: 41 100% Affordable Scheme with 68 bed care home.</p>	Contributions split between the occupation of first dwelling in each of the two phases.	Sports and Leisure: £0.00	Sports and Leisure: £41,000.00	Status: Not Commenced	Viability assessment undertaken during application process.

SECTION 106 MONITORING REPORT – AREA WEST 19th June 2013

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: EGGWOOD</p> <p>12/02126/FUL Parish Merriott Moorlands Farm Moorlands Road Merriott Somerset TA16 5NF</p> <p>The erection of a doctors surgery with attached pharmacy, the conversion of existing farm buildings into 12 No. residential units, the erection of 12 No. dwellinghouses and the erection of garaging and associated works. Agreement Date: 27/03/2013</p>	<p>Sports and Leisure: Sports Arts & Leisure Contribution £45,000 towards providing or enhancing sport and leisure facilities within the village of Merriott.</p>	<p>To pay £15,000 prior to the occupation of 6th dwelling</p> <p>To pay £15,000 prior to the occupation of 12th dwelling</p> <p>To pay balance of contribution prior to occupation of 20th dwelling</p>		<p>Sports and Leisure: £45,000</p>	<p>Status: Not Commenced</p>	
<p>Application Details Location and Description</p>	<p>Planning Obligations Secured</p>	<p>Trigger Point</p>	<p>Monies Received Or Infrastructure in place</p>	<p>Outstanding Obligations</p>	<p>Status & Projects Funded/ Lead Officer</p>	<p>Comments/ End Date</p>
<p>Ward: HOLYROOD (CHARD)</p> <p>11/04212/FUL Parish Chard</p> <p>Land At Mitchell Gardens (Snowdon Farm) Shepherds Lane Chard Somerset TA20 1QU</p> <p>Development of 61 residential dwellings with associated vehicular and pedestrian access, landscaping, site re-grading and related infrastructure and engineering works (GR 331600/108500)</p> <p>Agreement Date: 18/10/2012</p>	<p>Sports and Leisure: Changing Room Contribution:£53,975 broken down as follows, £50,022 for the provision of new or enhancement of existing changing facilities in Chard. £3,953 towards maintenance of the facilities.</p> <p>Equipped Play Contribution: £83,440 broken down as follows, £53,313 for the provision of enhancements at the Snowdon Park, Chard play area. £30,309 towards the future maintenance of these facilities.</p> <p>Playing Pitch Contribution: £48,852 broken down as follows, £31,580 towards new or existing recreation ground in Chard. £17,272 towards the future maintenance of these facilities.</p> <p>Strategic Contribution: £97,996 towards new or enhanced - swimming pool, sports hall, theatre & arts centre, artificial pitch or provision of indoor tennis centre in Yeovil or Chard.</p> <p>Youth Facilities Contribution: £14,277 broken down as follows, £10,468 towards enhancing facilities at Snowdon Park, Chard and £3,809 towards the future maintenance of these facilities.</p> <p>Highways: £10,000 Travel Safeguard contribution payable to SCC</p> <p>Residential Travel Vouchers to be offered as per details within agreement.</p> <p>Miscellaneous Gains Ecological Contribution: £1,000 towards funding of the Chard Reevior Nature Reserve.</p>	<p>Equipped Play & Youth Contributions to be paid on or before 15 dwellings occupied.</p> <p>Playing Pitch & Changing Rooms Contributions to be paid on or before 30 dwellings occupied.</p> <p>Strategic Contributions to be paid on or before 45 dwellings occupied.</p> <p>Ecological Contribution to be paid as follows, £500 within month of commencement and remainder within year of commencement.</p>		<p>Sports and Leisure: £298,540.00</p> <p>Highways: £10,000.00</p> <p>Misc Gains £1,000.00</p>	<p>Status: Underway</p>	<p>POS delivered either through commuted sum or transferring to a separate amangement company.</p>

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: ILMINSTER TOWN</p> <p>07/05553/FUL Parish Ilminster</p> <p>North Yard 122 Station Road Ilminster Somerset TA19 9BL</p> <p>Erection of 14 no. residential dwellings to include 5 no. 3 bed houses, 6 no. 2 bed houses, 1 no. 2 bed flat and 2 no. 1 bed apartments with associated highway access.</p> <p>Agreement Date: 23/11/2009</p>	<p>Sports and Leisure: Equipped Play Contribution: £12,650, comprised of £6958 for the equipment and £5,692 for the long term maintenance of the equipment.</p> <p>Playing Pitch Contribution: £20,845 towards all or any of the following a) The laying out of new formal playing pitches at the Recreation Ground off Canal Way, Ilminster. b) The reconstruction, improvements or renovation of existing pitches at the same location. c) The improvement of any buildings, structures and facilities used in connection with such pitches.</p> <p>Strategic Community Facilities Contribution: £7,020 for facilities in the Ilminster area.</p> <p>Youth Facilities Contribution: £1633 construction, renovation or improvement of any building or facility for young people of Ilminster.</p>		<p>Sport and Leisure: £42,0148.00</p>		<p>Status: Development Completed Pitches/Changing Contributions: CHL working with TC & Clubs on potential projects for the Recreation Ground. Youth: Part of on-going review for Rec Ground. Strategic: Project to be identified - For Iminster Equip Play: Not yet spent. WH Lane</p>	Contributions secured.
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: ILMINSTER TOWN</p> <p>06/02906/OUT Parish Ilminster</p> <p>Land At ShudrickLane Ilminster Somerset TA19 0BN</p> <p>Residential development and land to be used for badger mitigation strategy (GR 336348 / 114455)</p> <p>Agreement Date: 24/01/2007</p>	<p>Sports and Leisure: Leisure & Recreation Contribution: £138,994 to be comprised of Equipped Play, Youth Facilities, Playing Pitch Enhancement & Strategic Leisure Facilities.</p>		<p>Sports and Leisure: £138,994.00</p>		<p>Status: Development Completed Pitches/Changing Contributions: CHL working with TC & Clubs on potential projects for the Recreation Ground. Youth: Part of on-going review for Rec Ground. Strategic: Project to be identified - For Iminster Equip Play: Not yet spent.</p>	Payment secured

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: JOCELYN (CHARD)</p> <p>07/00583/FUL Parish Chard Developer:</p> <p>Land And Properties At Auckland Way And Beckington Crescent Montague Way Chard Somerset</p> <p>Demolition of existing houses and erection of 27 flats and 38 houses together with the provision of 94 car parking spaces (332622/108191)</p> <p>Agreement Date: 28/11/2008</p>	<p>Sports and Leisure: Playing Pitch Contribution: £5,981</p> <p>Strategic Sport & Leisure Contribution: £5,802</p> <p>Off-site Recreation Contribution: £11,385 for provisions at Jocelyn Park, Chard</p>	Financial Contributions to be paid prior to the first occupation of any dwelling.	Sports and Leisure: £23,168.00		<p>Status: Development Completed</p> <p>Discussions with CRESTA over the strategic contributions. Pitch/Changing Rooms towards provision of temp changing rooms at Jocelyn Park.</p>	Contributions Secured.
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: JOCELYN (CHARD)</p> <p>10/02904/FUL Parish Chard</p> <p>Land At Ken Close Chard Somerset</p> <p>Demolition of existing dwellings and the erection of 21 new dwellings with associated parking facilities (GR 332545 / 108141)</p> <p>Agreement Date: 23/02/2011</p>	<p>Highways: Highway Contribution: £2,520 towards cost of implementing a MOVA traffic control scheme for the traffic lights at the junction of the A358 with the A30 at Chard.</p>		Highways: £2,520.00		<p>Status: Development Completed</p>	Financial Contribution Secured.

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Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: TATWORTH AND FORTON</p> <p>12/03272/OUT Parish Tatworth And Forton</p> <p>Land At Langdons Way Tatworth Chard Somerset TA20 2TG</p> <p>Erection of 5 No. detached dwellinghouses with garages (outline) (GR 332950/105540)</p> <p>Agreement Date: 19/03/2013</p>	<p>Sports and Leisure: Equipped Play Contribution: £6,785.47 towards enhancement & maintenance of Tatworth Recreation Ground.</p> <p>Youth Facilities Contribution: £1,156.78 towards enhancement & maintenance of Tatworth Recreation Ground.</p> <p>Playing Pitch Contribution: £3,399.77 towards enhancement & maintenance of Tatworth Recreation Ground.</p> <p>Strategic Contribution: £7,878.08 comprising of:</p> <p>£1565.22 towards enhancing/expanding of Octagon Theatre £402.02 towards artificial grass pitch (CRESTA) £915.30 towards enhancements to the swimming pool at CRESTA £1,185.11 towards provision indoor tennis centre in Yeovil. £1,905.17 towards new or existing sports hall in Chard (CRESTA)</p>	Contributions to be paid on or before 3rd occupation		Sports and Leisure: £19220.10	Status: Not Commenced	
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WINDWHISTLE</p> <p>05/00799/FUL Parish Winsham</p> <p>Land At Western Way</p> <p>WinshamLand At Western Way Winsham Chard Somerset TA20 4JH</p> <p>Erection of 4 no. 2 bed terraced houses and 4 no. 3 bed semi-detached with ancillary access road, parking and turning area. RSL GR (337262/106284)</p> <p>Agreement Date: 06/03/2006</p>	<p>Miscellaneous Gains Contribution to upgrade footpath</p>		Misc Gains £5,000.00		Status: Other	Contribution secured. Works complete.

Area West Committee – 19th June 2013

9. Area West Outturn Report 2012/13 (Executive Decision)

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

Purpose of the Report

The purpose of this report is to inform Members of the actual spend against budgets for 2012/13 of the service over which this Committee exercised financial control.

Public Interest

This report gives an update of the Area West Committee's financial outturn for the twelve months ended 31st March 2013.

Recommendations

Members are recommended to:

- (1) Review and comment on the outturn position and explanation of variances from budgets for the financial year 2013/14;
- (2) note the position of the Area West Revenue Reserve;
- (3) carry forward the slippage of £27,166 on approved capital schemes and £9,081 of unallocated capital funds in the Area West capital programme.

REVENUE BUDGETS

Background

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

Financial Position

The table below shows the position of revenue budgets as at 31st March 2013. This includes transfers to or from reserves.

	£
Approved base budget as at Feb 2012 (Original Budget)	312,470
Budget Carry forwards approved June 2012	18,080
Allocation of training budgets	2,390
Revised Budget as at 31st March 2013	332,940

A summary of the revenue position as at 31st March 2013 is as follows:

Element Net Expenditure	Original Budget £	Revised Budget £	Actual Spend £	Carry Forwards £	Actual+ Carry Forwards £	Variance £	%
Development	292,280	309,950	301,211	2,260	303,471	(6,479)	
Projects	4,700	4,700	18,646		18,646	13,946	
Grants	15,490	18,290	8,861	700	9,561	(8,729)	
Area West Total	312,470	332,940	328,718	2,960	331,678	(1,262)	0.4%

Area Development Manager's Comments

The Development element of the budget comprises salary and associated costs and incomes including Street markets. As a result of both managed staffing changes and market redevelopment work this budget was underspent as was the grants budget, as indicated in detailed reports earlier in the year. Our aim is for the Projects budget to be broadly cost neutral, with project costs covered by external income received. The Boden Centre is managed in this way. However, as also indicated in detailed reports earlier in the year, special provision was made in 2012-13 to extend funding for the CJP project.

At only 0.4%, the slight underspend of net expenditure against budget is a good outcome.

Most of the capital allocations referred to as "slippage" are grant allocations to community schemes which had or have completion timetables that run into 2013/14 due to weather related construction delays or in the case of Forton Community Association, the complexity of the funding package.

This is the last monitoring report that you will see in the current format. In agreement with the Area Chairs and Financial Services we plan to bring forward half yearly project investment reports with information about overall investment in schemes and progress by ward. This will link grant funding with Section 106 monies to give a fuller picture of investment in the wards across the Area.

AREA RESERVE

The position on the Area West Reserve is as follows:

		£
Position as at 1st April 2012		54,120
Less amounts transferred for use in 2012/13:		
Contribution to new portable PA System	1000	
Current balance in Reserve at 31st March 2013		53,120
Less amounts allocated but not yet transferred:		
Underwrite Community Grants	(39,620)	
Provision for Street Market improvements (some contribution agreed in principle – subject to detail)	(13,500)	
		(53,120)
Uncommitted balance remaining		0

CAPITAL PROGRAMME

The revised capital programme for this financial year and beyond is attached following this report together with a progress report on each scheme either Area or District Wide that are current within Area West.

In summary the actual spending to 31st March 2013 was £31,913 on an approved 2012/13 programme of £59,079 and a capital budget of £68,160. It is recommended that the slippage of £36,247 for both approved and reserve schemes be carried forward into 2013/14.

The slippage and future spend included £109,394 allocated to the reserve schemes as detailed in the table below.

Schemes	£
Markets Improvement Group	5,660
Community Grants	3,421
Ilminster Community Office	20,000
Unallocated Capital Reserve	89,394
TOTALS	118,475

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

Corporate Priority Implications

The budget is closely linked to the Corporate Plan.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

There are no implications currently in approving this report.

Equality and Diversity Implications

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

Background Papers – *Financial Services Area West budget file
Published Area West Committee Reports 2012/13 covering the
Community Justice Panel Project and the Community Grants
Scheme.*

AREA WEST CAPITAL PROGRAMME 2012/13 - 2015/16

	Management code	2012/13 Estimate Spend £	Actual Spend to 31/03/2013 £	Slippage to Carry Forward £	Future Spend Excluding Slippage £	Responsible Officer(s)	Responsible Officers comments on action on slippage and performance against targets
Chard Football Club	YW701	1,000	1,000	0	0	A Gillespie	Granted awarded 16.3.2011 for floodlights. Scheme complete.
Hinton St George Village Shop	YW700	6,000	6,000	0	0	A Gillespie	Grant awarded 18.1.2012 for infrastructure repairs to the community shop. Scheme complete.
Crowshute House, Chard	YW700	2,220	2,220	0	0	A Gillespie	Grant awarded 5.4.2012 for replacement windows and doors. Scheme Complete.
Chard Cricket Club	YW701	5,610	5,436	174	0	A Gillespie	Grant awarded 18.4.2012 for drainage piping and mobile wicket cover.
Crewkerne Town Council	YW704	5,925	0	5,925	0	A Gillespie	Grant awarded 18.4.2012 for a bin store and cycle shelter.
Iminster Town Council	YW701	10,000	10,000	0	0	A Gillespie	Grant awarded 18.4.2012 for skate park. Scheme complete.
Forton Community Association	YW701	12,500	0	12,500	0	A Gillespie	Provisional grant awarded 15.8.2012 for a Community Centre Project.
Chaffcombe Village Hall	YW700	1,390	1,028	362	0	A Gillespie	Grant awarded 19.9.2012 for repairs and replacement windows and doors and re-pointing of
Clapton and Wayford Village Hall	YW700	6,000	2,570	3,430	0	A Gillespie	Grant awarded 19.9.2012 for replacement of flat roof, entrance doors and upgrading of foyer and inner
Chard Methodist Church Hall	YW700	3,659	3,659	0	0	A Gillespie	Grant awarded 19.9.2012 for replacement kitchen
West & Middle Chinnock Village Hall		4,775	0	4,775	0	A Gillespie	Granted awarded 21.11.2012 for replacement Kitchen.
Total West Capital Programme Approved in Detail		59,079	31,913	27,166	0		

Approved in Principle and Unallocated

Iminster Community Office		0		0	20,000	A Gillespie	
Area West Markets Improvement Group (Nov 2010 committee)		5,660		5,660		A Gillespie	
Community Grants (January 2012 committee)		3,421		3,421	0	A Gillespie	£70,000 allocation to community grants budget agreed at Area West Committee January 2012. This is the balance of the funding after projects have been moved to approved programme (as detailed above).
Unallocated Programme		0		0	89,394	A Gillespie	As projects are agreed at committee funding is shown in main programme above. Additional £25,000 awarded February 2013 for 2013/14
Total Approved in Principle and Unallocated		9,081		9,081	109,394		

Summary

West Capital Programme		59,079	31,913	27,166	0
Reserve Schemes (Approved in Principle and Unallocated)		9,081		9,081	109,394
Total Programme to be Financed		68,160	31,913	36,247	109,394

AREA WEST CAPITAL PROGRAMME 2012/13 - 2015/16

	Management code	2012/13 Estimate Spend	Actual Spend to 31/03/2013	Slippage to Carry Forward	Future Spend Excluding Slippage	Responsible Officer(s)	Responsible Officers comments on action on slippage and performance against targets
		£	£	£	£		

Corporate Capital Programme Schemes in Area West

Community Play Scheme 2007		19,000	14,900	4,100	72,000	R Parr	Redstart Park Chard - one piece of equipment to be adjusted will be completed early 2013/14. Blackdown View Ilminster - Equipment ordered, start date for construction is early June. Furzehill Chard - Equipment ordered, start date for construction is early July. Packers Way Misterton - Profiled for 2013/14.
Youth Facilities Development 2007		20,000	0	20,000	0	R Parr	Broadway, Combe St Nicholas, West and Middle Chinnock and Misterton projects all under review.
Multi Use Games Areas 2008		35,000	0	35,000	0	R Parr	Ilminster - Other Fundraising needed to achieve project budget.
Grants to Parishes with Play Area		0	0	0	12,500	R Parr	Henhayes Crewkerne - Profiled for 2013/14 spend

Corporate Capital Programme Administered by Area West

Market Town Vision - All Areas		65,000	26,500	38,500	145,000	A Gillespie	The funding mix of some projects were reviewed and revised following agreement to allocate additional HSIF (High Street Initiative Fund) £66k (Revenue) to MTIG (Market Town Investment Group) of which c. £50k has been allocated. This accounts for the capital programme slippage.
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Area West Committee – 19th June 2013

10. Area West Working Groups - Appointment of Members 2013/14 (Executive Decision)

Strategic Director: Mark Williams, Chief Executive
Assistant Director: Ian Clarke, Legal and Corporate Services
Service Manager: Angela Cox, Democratic Services Manager
Lead Officer: Jo Morris, Democratic Services Officer
Contact Details: jo.morris@southsomerset.gov.uk or (01935) 462055

Purpose of the Report

As the Council has entered a new municipal year the Committee is asked to review the appointment of members to its working groups.

Recommendation

It is recommended that the Committee reviews the appointment of a member on the following group:-

Crewkerne and Area Community Office - Board Representation

The Crewkerne and Area Community Office Board maintains a watching brief over the Community Office. The Board is made up of one officer and one member from the Crewkerne Town Council and South Somerset District Council.

The previous member representative for the District Council was Cllr. Angie Singleton.

Background Papers: *Minutes of Area West Committee, 26th June 2012*

Area West Committee – 19th June 2013

11. Area West Committee - Appointment of Members to Outside Organisations 2013/14 (Executive Decision)

Strategic Director: Mark Williams, Chief Executive
Assistant Director: Ian Clarke, Legal and Corporate Services
Service Manager: Angela Cox, Democratic Services Manager
Lead Officer: Jo Morris, Democratic Services Officer
Contact Details: jo.morris@southsomerset.gov.uk or (01935) 462055

Purpose of the Report

As the Council has entered a new municipal year, the Committee is asked to review the appointment of its members to serve on outside organisations.

Recommendation

The Committee is asked to review and appoint members to the outside organisations listed below.

Background

Set out below are those organisations to which representatives are appointed by this Committee. Further information is attached at pages 25-26.

Organisation	Representation 2012/13
A Better Crewkerne & District (ABCD)	Mike Best
Blackdown Hills AONB	Ros Roderigo
Chard and District Museum Society	Appointment of Linda Vjeh deferred pending outcome of the Scrutiny Committee Task and Finish Group's review of outside organisations.
Crewkerne Heritage Centre	John Dyke
Crewkerne Leisure Management (Aqua Centre)	Angie Singleton
Ile Youth Centre Management Committee (Ilminster)	Kim Turner
Ilminster Forum	Carol Goodall
Meeting House Arts Centre, Ilminster	Carol Goodall Sue Osborne
South Somerset Disability Forum	Kim Turner
Stop Line Way Steering Group	Andrew Turpin

Financial Implications

None.

Implications for Corporate Priorities

None.

Background Papers: *Minutes of Area West Committee, 26th June 2012*

AREA WEST OUTSIDE ORGANISATIONS INFORMATION

Name of Organisation	Number of Council Nominees	Period of Appointment	Aims & Objectives	Legal Status	Status of Councillor	Frequency of Meetings	Venue of Meetings
ABCD (A Better Crewkerne & District)	1	1 Year	The promotion of regeneration and the provision, improvement and preservation of amenities for Crewkerne and district.	Registered Charity	Member of Steering Group	Every other month	Crewkerne Heritage Centre
Blackdown Hills AONB Partnership	1	1 Year	To safeguard the distinctive landscape, wildlife, historical and architectural character of the Blackdown Hills whilst fostering the social, economic well being of its people.	Partnership	Member of Management Group	Quarterly	Village Halls in the Blackdown Hills
Chard and District Museum	1	1 Year	The advancement of education, learning and knowledge by the provision and maintenance of a Public Museum. The exhibition of artefacts, pictures, maps, letters and other items of historical, geographical or geological interest.	Charitable Trust	Trustee	Quarterly	Chard and District Museum
Crewkerne Museum & Heritage Centre	1	1 Year	The provision and maintenance of a museum and heritage centre in Crewkerne for the display of exhibits of historical, scientific, literary or artistic significance or interest. The provision of facilities for the display of works of arts.	Company Charitable Trust	Observer	Quarterly	Crewkerne Heritage Centre
Crewkerne Leisure Management Ltd.	1	1 Year	To promote awareness of the benefits of swimming and associated sports.	Company Limited by Guarantee	Board Member	Bi-monthly	Crewkerne Town Hall or Aqua Centre
Ile Youth Centre	1	1 Year	To help and educate young people through their leisure time & activities so as to develop their physical, mental & spiritual capacities that they may grow to full maturity as individuals & members of society.	Management Committee	Committee Member	Every three months.	Ile Youth Centre

Name of Organisation	Number of Council Nominees	Period of Appointment	Aims & Objectives	Legal Status	Status of Councillor	Frequency of Meetings	Venue of Meetings
Ilminster Forum	1	1 Year	To work for the benefit of the community of Ilminster and promote, enhance and further the quality of life of its community in response to their needs.	Company Limited by Guarantee	Observer	Monthly	Shrubbery Hotel, Ilminster
Meeting House Arts Centre, Ilminster	2	1 Year	To provide a financially self-supporting centre for the use and enjoyment of the people of Ilminster. To encourage involvement in the organisation by an increasing range of members and non-members.	Company Limited by Guarantee with Charitable Status	Observer	Quarterly	Meeting House Arts Centre, Ilminster
South Somerset Disability Forum	4 (one from each area)	1 Year	To improve the quality of life for disabled people in South Somerset, by improving access to services, facilities, buildings, leisure, transport and the countryside.	Registered charity	Observer	Bi-monthly forum meetings First Tuesday of Month	Council Chamber, Brympton Way
Stop Line Way Steering Group	1	Not limited	To guide development of Stop Line Way Cycle Route	Advisory Group	Member	Bi-monthly	Various

Area West Committee – 19th June 2013

12. **Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice-Chairman for 2013/14 (Executive Decision)**

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

As the Council has entered a new municipal year, the Committee is asked 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. The previous member substitutes were Cllrs. Nigel Mermagen and Kim Turner.

Recommendation

That, in line with the Development Control Scheme of Delegation, two members be nominated to act as substitutes for the Chairman and Vice-Chairman to make decisions in the Chairman's and Vice-Chairman's absence on whether an application should be considered by the Area Committee where a request has been received from the ward member(s).

Background

The Council's scheme of delegation for Development Control delegates the determination of all applications for planning permission, the approval of reserved matters, the display of advertisements, works to trees with Tree Preservation Orders, listed building and conservation area consents, to the Development Manager except in certain cases, one of which being the following:-

"A ward member makes a specific request for the application to be considered by the Area Committee and the request is agreed by the Area Chairman or, in their absence, the Vice-Chairman in consultation with the Development Manager. (This request must be in writing and deal with the planning issues to ensure that the audit trail for making that decision is clear and unambiguous). In the absence of the Chairman and Vice-Chairman there should be nominated substitutes to ensure that 2 other members would be available to make decisions. All assessments and decisions to be in writing."

Financial Implications

None.

Background Papers: Minutes 36, Council meeting of 21st July 2005

Area West Committee – 19th June 2013

13. Feedback on Planning Applications referred to the Regulation Committee

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

Area West Committee – 19th June 2013

14. Planning Appeals

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

Purpose of the Report

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

Recommendation

That the report be noted.

Background

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

Report Detail

Appeals Dismissed

Horton – The erection of a two storey side extension (Revised Application). (GR332140/114975), 24 St. Peters Close, Horton, Ilminster, TA19 9RW – Mr P Hobbs

Background Papers: None



Appeal Decision

Site visit made on 23 April 2013

by **CD Cresswell BSc (Hons) MA MBA MRTPI**

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

Decision date: 8 May 2013

Appeal Ref: APP/R3325/D/13/2194153

24 St Peters Close, Horton, Ilminster, Somerset, TA19 9RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr P Hobbs against the decision of South Somerset District Council.
 - The application Ref 12/03995/FUL, dated 8 October 2012, was refused by notice dated 5 December 2012.
 - The development proposed is extension and alteration works (amended design).
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - the effect of the proposal on the character and appearance of the area.
 - the effect of the proposal on the living conditions of the occupiers of No 25 St Peters Close with particular regard to outlook, daylight and sunlight.

Reasons

Character and appearance.

3. The appeal property is within of a group of three pairs of semi-detached dwellings situated in a relatively prominent part of St Peters Close, at the entrance of the street near the junction with Goose Lane. The houses are of a different design to others in this part of St Peters Close and unlike other dwellings in the street, they are set back from the road behind a wide grass verge with distinctive spaces between each pair of dwellings. Whilst there are single storey extensions to the side elevations of some of the properties within the group, these are not particularly prominent within the wider street scene as they are partly obscured by hedges and fences which run along the front gardens of the houses. When viewed from the opposite side of the road, the distinctive spaces between the main side elevations of each pair of dwellings are maintained, giving the arrangement of houses a generally consistent and symmetrical appearance.
4. The extension would closely reflect the design of the existing property and in this regard would respect the character of the building. However, being two storeys in height it would be more visually prominent than the single storey extensions to other properties within this group of dwellings. Consequently,

the narrowing of the gap between the appeal property and the neighbouring property would be very apparent when viewed from distance. As a result, there would be a loss of consistency in the spacing between the properties which is an important aspect of their character and distinctiveness. Whilst the appeal property is not a designated heritage asset or situated within a Conservation Area, national and local planning policies place strong emphasis on the importance of good design in all developments. The situation of these particular dwellings, in front of wide grassed area and being of a distinctively different design to others in St Peters Close, makes them particularly prominent and noticeable within the local landscape.

5. I therefore consider that, in this particular case, the proposal would cause harm to the character and appearance of the area. The proposal is therefore not in conformity with policies ST5 and ST6 of the Local Plan and policy STR1 of the *Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011* (The Structure Plan) which seek good design and to maintain local distinctiveness. The proposal is also in conflict with the overarching aim of the *National Planning Policy Framework* (The Framework) to secure high quality design.

Living conditions

6. There is a conservatory on the side elevation of the neighbouring dwelling, No 25 St Peters Close, containing a window that directly faces the side of the appeal property. Although the window is less than a metre from the fenced boundary of the two houses, it nevertheless contributes to a sense of openness within the conservatory. From a seated position, large areas of the sky are visible from the window and there are oblique views of the space to the front and back of the appeal property. The glazed doors of the conservatory face towards the front garden of No 25, including the boundary of the appeal property, and also contribute to this sense of openness.
7. The extension would leave only a narrow space between the side elevation and the boundary of No 25. At such close proximity, the height and width of the extension would significantly reduce views out the conservatory window and the loss of this outlook would therefore lead to a much greater sense of enclosure than exists at present. Similarly, views from the glazed doors of the conservatory to the west would be restricted, contributing further to the loss of openness. The appellant points out that the extension would have a hipped roof and therefore slope away from the boundary of the neighbouring property. However, the side wall of the extension would be a full storey higher than the conservatory and the slope of the roof would do very little to mitigate the loss of outlook from the window.
8. Whilst the conservatory window does not receive a significant amount of direct sunlight due to its orientation, the amount of daylight entering the room would nevertheless be affected. Apart from reducing the amount of sky visible from the conservatory window, the extension would also cause a degree of overshadowing from the south-west, leading to a reduction in the amount of afternoon sun entering the conservatory from the glazed doors. The reduction in natural daylight and sunlight entering the conservatory would lead to the living space becoming gloomier and generally less pleasant. Combined with the loss of outlook from the window, the extension would have a markedly detrimental effect on the living conditions within the neighbouring property.

9. The appellant suggests that the conservatory was built under permitted development rights and it was the neighbouring occupier who chose to provide a window overlooking the boundary. It is also argued that other forms of extension to the appeal property could be built under permitted development rights which would have a similar impact to the current proposal. Whilst there is some disagreement between the parties as to what may be allowed under permitted development rights and what effect this would have on the neighbouring property, it would seem to me that proposal before me would be more harmful than an extension that could be built under permitted development rights.
10. Taking all matters into account, I consider that the resultant change in outlook, daylight and sunlight would cause unacceptable harm to living conditions within No 25. The proposal is therefore contrary to policy ST6 of the *South Somerset Local Plan Adopted April 2006* (the Local Plan) of which criterion 6 aims to protect the amenity of neighbouring occupiers. The proposal is also not in conformity with the Framework which seeks to secure good standards of amenity for current and future occupiers.

Conclusion

11. For the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

CD Cresswell

INSPECTOR

Area West Committee – 19th June 2013

15. 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 35.

The inclusion of two stars (**) as part of the Assistant Director's (Economy) recommendation indicates that the application will need to be referred to the Regulation Committee if the Area Committee is unwilling to accept that recommendation.

The Lead Planning Officer at the Committee, in consultation with the Chairman and Solicitor, will also be able to recommend that an application should be referred to Regulation Committee even if it has not been two starred on the agenda.

Human Rights Act 1998 Issues

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

Article 8: Right to respect for private and family life

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

The First Protocol

Article 1: Protection of Property

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

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

Background Papers: Individual planning application files.

Area West Committee – 19th June 2013

16. Date and Venue for Next Meeting

The next scheduled meeting of the Committee will be held on Wednesday, 17th July 2013 at 5.30 p.m. at The Shrubbery Hotel, Station Road, Ilminster, Somerset. TA19 9AR

Planning Applications – 19th June 2013

Planning Applications will be considered no earlier than 7.00pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 6.50pm.

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
36	ILMINSTER TOWN	13/01340/OUT	The erection of 8 No. dwellings (Revised Application). (GR 335927/114415)	Summervale Medical Centre Wharf Lane Ilminster	Mr Anthony Davey
45	BLACKDOWN	13/00030/S73A	Application to vary condition 03 to alter parking arrangements and to remove condition 09 (holiday restriction) of planning permission 03/00936/FUL dated 02/06/03 (GR 327044/113354)	Church House Birchwood Road Buckland St Mary	Mr John Brooks
52	EGGWOOD	13/01327/FUL	The erection of a double garage. (GR 344299/112167)	Brewery House 15 Knapp Merriott	Mr Robin Chard

Area West Committee – 19th June 2013

Officer Report On Planning Application: 13/01340/OUT

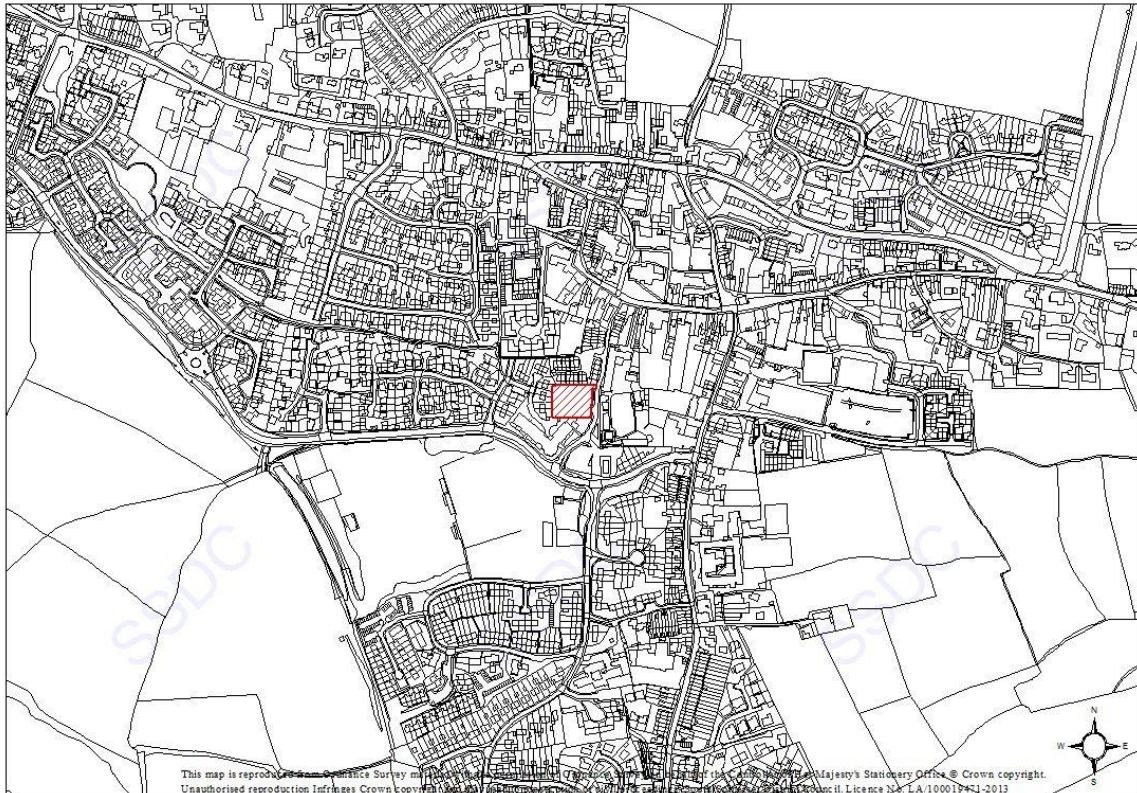
Proposal:	The erection of 8 No. dwellings (Revised Application). (GR 335927/114415)
Site Address:	Summervale Medical Centre Wharf Lane Ilminster
Parish:	Ilminster
ILMINSTER TOWN Ward (SSDC Member)	Cllr C Goodall Cllr K T Turner
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date:	28th May 2013
Applicant:	Mr Anthony Davey
Agent: (no agent if blank)	A Branch Fairway, Venn Farm Lane Higher Exeter Road Teignmouth Devon TQ14 9PB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO PLANNING 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 including marketing of the site.

SITE DESCRIPTION AND PROPOSAL





The application comprises the now vacant doctor's surgery along with associated parking. The building is single storey in design and was constructed in the 1980's of reconstituted stone with tiled roof. It occupies the south-western part of the site with parking to the north and east. A mature beech hedge fronts Wharf Lane. The site is accessed from Wharf Lane at the south-east of the site, with residential housing to the north and west, with Mulchelney House (a sheltered housing scheme for the elderly) to the south. A new surgery has been built to the south of Canal Way to replace the surgery.

The application is in outline (with layout and access to be considered at this stage) for the erection of eight detached houses (the plans have been amended from the nine dwellings originally proposed). The proposed access would be central to the site, with a cul-de-sac form of development running along either side of the access road. This is a revised application following the refusal of a similar application for nine dwellings. The changes are to the layout which now shows a more formal layout. An indicative front elevation is supplied which shows how the front two dwellings could be built to include a carriageway entrance.

The site is within the development area of Ilminster and sits opposite the conservation area boundary which includes Greenflyde First School a Grade II listed building on the opposite side of Wharf Lane.

HISTORY

12/04965/OUT - The erection of nine dwellings. Refused 6/3/2013.

891213 - Alterations and extension to surgery. Approved 1989.

851819 - Reserved Matters (842030) Erection of a doctor's surgery and car parking. Approved 1985.

842030 - Outline: The erection of a Doctor's Surgery together with associated car parking on land off Wharf Lane, Ilminster. Approved 1984.

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

South Somerset Local Plan 2006:

Policies:-

ST5 - General Principles of Development

ST6 - The Quality of Development

ST10 - Planning Obligations

EH1 - Conservation Areas

EH5 - Development Proposals Affecting the Setting of Listed Buildings

TP7 - Residential Parking Provision

CR2 - Provision of Outdoor Playing Space and Amenity Space in New development

CR3 - Off Site Provision

National Planning Policy Framework 2012

Chapters:-

6. Delivering a wide choice of high quality homes

7. Requiring good design

8. Promoting healthy communities

12. Conserving and enhancing the historic environment

SCC Parking Strategy 2012

CONSULTATIONS

Ilminster Town Council:-

Recommend refusal of the original plans for nine dwellings on the grounds of:-

- Over development
- Design over powering
- Concern of drainage
- Loss of amenities
- Impact on listed buildings.

County Highway Authority (as previous):-

As the proposed dwellings would create less traffic movements than the surgery they have no objections subject to the imposition of conditions.

Economic Development (comments on previous application 12/04965/OUT):-

Having considered the marketing of the site as a community use, the Economic Development Team (ED) conclude that the property has not been effectively marketed in association with its current use (Class D1 'Non-residential Institutions) and has not been marketed for an acceptable length of time. ED has assessed the valuation of the site and

concludes that it is satisfactory but advises that an offer by local churches should be thoroughly investigated. ED recommends that the application should be refused and the property more proactively, effectively and accurately marketed under its current use class.

SSDC Community, Health and Leisure Service (comments on previous application 12/04965/OUT):-

They note that their needs assessment for Ilminster shows a shortfall of community hall provision. Their response regarding contributions is based on the erection of nine additional dwellings in the town. Having assessed the application and the increased demand for outdoor playing space, sport and recreation facilities they calculate that the overall level of planning obligation to be sought is £44,116.70, equating to an overall contribution of £4,901.87 per dwelling.

Planning Policy (comments on previous application 12/04965/OUT):-

'I have now had a chance to take a look at the proposal to demolish the Summervale Medical Centre in Ilminster and erect 9 dwellings. The relevant policy considerations are:

- 1) The NPPF - Para 70 states that LPA should guard against the loss of valued facilities and services where this would reduce the community's ability to meet its day to day needs and that the LPA should enable buildings to be developed and modernised in a way that is sustainable and retained for the benefit of the community.
- 2) Saved Local Plan Policy MS1 resists the loss of local services where this results in a significant or total loss of such a service to the community. In such instances the applicant should demonstrate that they have sought to secure a suitable business or local community re-use.
- 3) The emerging Local Plan Policy EP15 resists the significant or total loss of a site/and or premises currently or last used as a community facility, unless the applicant has demonstrated alternative provision or marketing for alternative community/business uses.

In the case of the Summervale Medical Centre, an alternative medical centre has been provided at Canal Way. Unless this is the only community building available in Ilminster and its loss can be deemed significant or prevent the community meeting its day-to-day needs, there is no planning policy objection to the proposed development.'

Wessex Water:-

No objection, give advice about water supply and waste connections.

Area Engineer, Technical Services Department:-

- No apparent increase in impermeable surfaces.
- Site is not within a flood risk area.
- Development acceptable in drainage terms.

Environmental Protection Officer:-

No observations.

Any comments in response to the amended plans will be reported at the meeting.

REPRESENTATIONS

Three letters of objection (one from a local firm of architects) and one letter of representation have been received in response to the original plans for nine dwellings.

The objectors comments are summarised as follows:-

- Dismayed at closeness of Plot 4 to no. 12 Lamplighters; this will block light.
- Query who will be responsible for maintenance of the boundary hedge and seek assurances that drains will not be affected.
- There have been development proposals which increase the population of the town - it will be a pity if this site would be no longer available for use by the community and the site could be used by local schools to cope with increased demand.
- Demolition of the building would be a waste of resources and contrary to need to conserve energy.
- The proposal by virtue of its sub-urban layout does not respect the form, character and setting of the locality or complement its key characteristics to maintain local distinctiveness contrary to Policies ST5 and ST6 of the Local Plan and advice within the NPPF.
- The proposal by virtue of its layout, placing buildings within close proximity to existing residential properties will cause harm to the residential amenity of those dwellings and that of the proposed and as such would be contrary to Policy ST6 of the Local Plan and advice within the NPPF.
- The proposal by virtue of its loose site arrangement reminiscent of 1980's sub-urban layout would be detrimental to the setting of the Ilminster Conservation Area and a nearby Listed Building contrary to Policies EH1 and EH5 of the Local Plan and advice within the NPPF.

The letter of representation advises that there is no objection to the erection of nine dwellings but raises concerns about the amount of traffic that will result especially with a school in such close proximity.

Any comments in response to the amended plans will be reported at the meeting.

APPLICANTS CASE

From previous application 12/04965/OUT:-

- It has been common knowledge in Ilminster that the site has been available for purchase.
- Government policy clearly states that proposals should be approved whenever possible.
- Note that no objections have been received from the residents at Lamplighters.
- There is no realistic bid for a community use at present. The offer made by a local church falls significantly short of the value determined by the District Valuer and is unacceptable to the current owners of the site.
- In the absence of any realistic offer to purchase the building for community use in the last 18 months it is neither sensible nor desirable to resist the application for nine houses. The Planning Committee must recognise that not to do so would be out of step with the national political imperative towards building new houses.

The applicant has agreed to enter into a s106 legal agreement with regard to the contributions required by the Community, Health and Leisure Service.

CONSIDERATIONS

The main planning considerations in this case remain as with the previous application (12/04965/OUT) and are considered to be the principle of residential development in place of an existing community use; impact upon residential amenity; proposed design and impact upon the setting of the conservation area and setting of a listed building; and the issue of highway safety.

The principle of residential development in place of an existing community use

The site is situated within the development area of Ilminster where there is normally a presumption in favour of residential development. However, the existing building currently benefits from a community use and the loss of this building/use has to be assessed. There is clearly concern from the Economic Development Team regarding the way in which the site has been marketed. However, this has to be balanced against the views of the Planning Policy Department who consider that as there has been a new surgery developed as a replacement of the application building then there is no planning policy objection to the proposal. As such, whilst the views of the Economic Team are recognised, it is accepted that the replacement surgery has ensured that there is no net loss of community use within the town and it would not therefore be possible to refuse this application on the basis of the loss of the community building on the site. Therefore, the principle of developing the site for residential development is accepted as being in accordance with both national and local plan policies.

Impact upon residential amenity

The amended plans show an improved relationship between the proposed dwellings and the surrounding properties on in Abbots Close and Lamplighters to the north and west of the site. The gardens for the existing properties are very modest between 5m - 9m in length and as such it was considered important to ensure that the new dwellings were situated at a sufficient distance from the boundaries. The amended plans now show greater distances between the proposed houses and the existing dwellings and as such the relationship, whilst not ideal, is considered to be acceptable. Whilst the back to back distances still fall below the 20m separation one would normally expect for adequate protection of neighbouring amenity, the site is situated within the town centre where more dense forms of development can be considered acceptable. Additionally, conditions can be imposed to ensure that any first floor windows on the sensitive boundaries can only be obscurely glazed.

Proposed design and impact upon the setting of the conservation area and setting of a listed building

One of the reasons for refusal on the previous application related to concerns about the proposed layout and its failure to adequately respect the historic context of the site. The amended plans now show a more formal arrangement of dwellings. The two dwellings at the entrance to the site will now face onto the street and provide an improved street scene that relates well to the historic setting. The plans include an indicative elevation that shows a carriageway entrance to the site and it is considered that this would be an appropriate design solution. As such, it is considered that with the reduction in the number of units, the more formal layout and improved street scene the proposal is now acceptable in terms of its impact upon the setting of the conservation area and listed building.

Highway safety

In light of the significant amount of traffic movements that would have been associated with the use of the building as a surgery it is likely that nine dwellings would generate significantly less traffic movements. In the circumstances, it is not considered that the application could be refused on the basis of highway safety. However, it is noted that by relocating the access to the centre of the site it is likely that much of the mature beech hedge will have to be removed in order to provide appropriate levels of visibility.

Planning Obligations

The SSDC Community, Health and Leisure department have sought contributions towards local and strategic outdoor playing space, sport and recreation facilities of £4,901.87 per dwelling, giving a total of £39,214.96 (which includes a 1% administration fee). The applicant has agreed the total contribution and the application is therefore

considered to comply with policy ST10 of the South Somerset Local Plan.

Summary

Whilst it is accepted that this site can be developed for residential purposes, the proposed layout will result in a significant loss of amenity to neighbouring properties through lack of adequate back to back distances, overlooking of rear gardens and windows and the overbearing nature of the proposed dwellings situated within a few metres of the shared boundary. Furthermore, the suburban design has failed to pay appropriate respect to the historic context and as such it would have an adverse impact on the setting of both the conservation area and adjacent listed building.

RECOMMENDATION

That application reference 13/01340/OUT be approved subject to:-

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:
 - 1) Secure the agreed contribution of £4,901.87 per dwelling towards strategic and local outdoor playing space sport and recreation facilities.
- b) The following conditions:

Justification:

01. Notwithstanding the local concerns, the proposal, by reason of its location, represents appropriate infill within the defined development area that will not adversely impact upon neighbouring amenity, respects the historic character of the area and does not foster growth in the need to travel. It is therefore sustainable development that accords with the aims of objectives of saved policies ST5, ST6, ST10, EH1, EH5, CR2 and CR3 of the South Somerset Local Plan 2006 and advice within the NPPF.

SUBJECT TO THE FOLLOWING:

- 01. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

- 02. The application for approval of the reserved matters shall indicate:
 - a) materials to be used for the external walls and roofs;
 - b) materials to be used for rainwater goods;
 - c) the design (including joinery details where appropriate), type of material, plus proposed colour and finish of all windows and doors plus recesses;
 - d) details of eaves/verges;

- e) location and design details of all vents, flues and meter boxes;
- f) details of all internal and external boundary treatments; and
- g) the surfacing materials (and drainage details thereof) of all areas of hardstanding incl. driveways.

Reason: To maintain the character and appearance of the area to accord with policies ST5 and ST6 of the South Somerset Local Plan (2006).

03. The application for approval of the reserved matters shall include details of the finished floor levels of the buildings to be erected on the site.

Reason: In the interests of the visual and residential amenity of the area, in accordance with Policies ST5 and ST6 of the South Somerset Local Plan (2006).

04. The application for approval of the reserved matters shall include a scheme for foul and surface water drainage. Such approved drainage details, which shall include provisions to prevent the discharge of surface water onto the public highway, shall be completed and become fully operational before the occupation of any dwelling. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure that the development is adequately drained.

05. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 2013/4/2 received 13/01340/OUT (layout only, no approval is given to the indicative front elevation AA).

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

06. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006).

07. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006).

08. There shall be obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 25m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006).

09. Any first floor windows in the rear of the dwellings hereby approved on the northern or western boundaries shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.

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

Informatives:

01. The applicant is advised that depending on the size of the proposed dwellings at the reserved matters stage the respective number of parking spaces shall be determined in accordance with the Somerset County Council Parking Strategy (March 2012).

Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning 01823 355645. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.

The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence Team and will be signed off upon satisfactory completion.

02. The applicant is advised that depending on the size of the proposed dwellings at the reserved matters stage the respective number of parking spaces shall be determined in accordance with the Somerset County Council Parking Strategy (March 2012).
-

Area West Committee – 19th June 2013

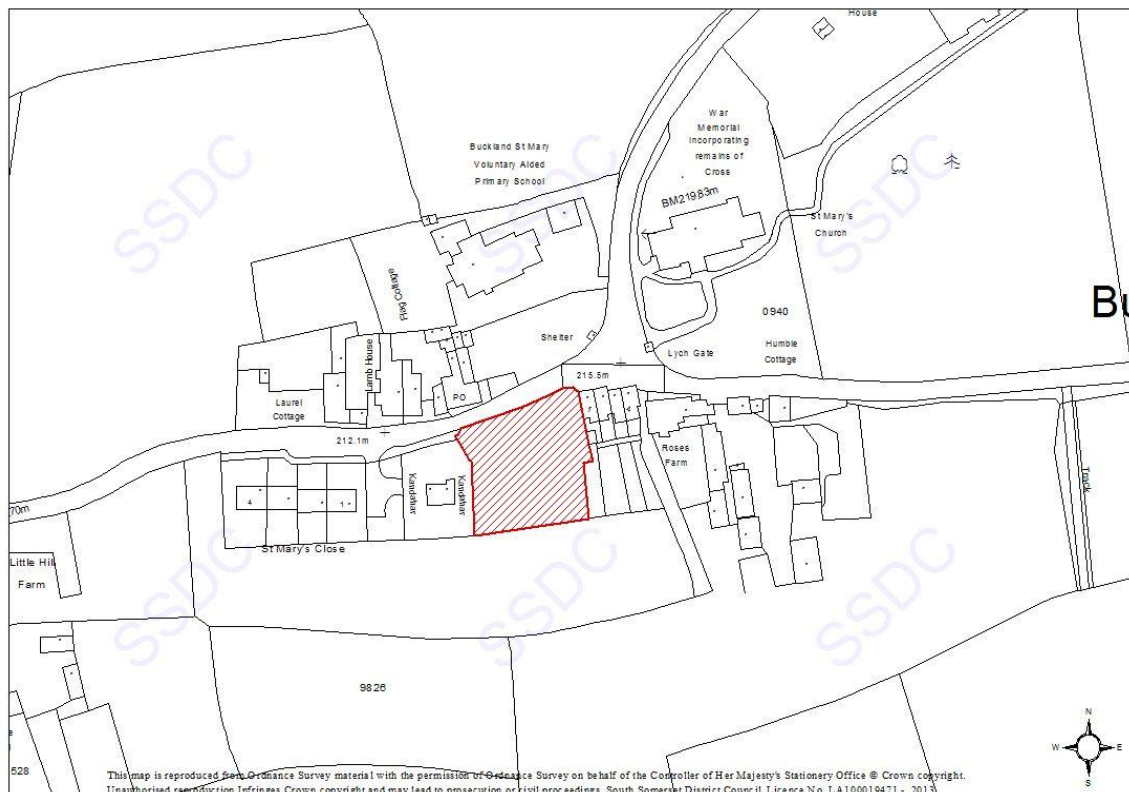
Officer Report On Planning Application: 13/00030/S73A

Proposal:	Application to vary condition 03 to alter parking arrangements and to remove condition 09 (holiday restriction) of planning permission 03/00936/FUL dated 02/06/03 (GR 327044/113354)
Site Address:	Church House Birchwood Road Buckland St Mary
Parish:	Buckland St Mary
BLACKDOWN Ward (SSDC Member)	Cllr R Roderigo
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date:	27th February 2013
Applicant:	Mr John Brooks
Agent: (no agent if blank)	Miss Katy Partridge 24 Fairfield Green Churchinford, Taunton, TA3 7RR
Application Type:	Minor Dwellings 1-9 site less than 1ha

REASON(S) FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee at the request of the Ward Member, with the agreement of the Area Chair. It is felt that the application should be given further consideration by members, to consider the principle of the development proposal.

SITE DESCRIPTION AND PROPOSAL





This application relates to a former outbuilding, within the residential curtilage of Church House. The building was converted and extended following planning permission in 2003 and has since been occupied as holiday-let accommodation. The site is located on the south side of Birchwood Road, right at the centre of the village centre of Buckland St Mary. It is within the local conservation area and the Blackdown Hills AONB and there are two listed buildings close by, the grade II Buckland St Mary primary school opposite and the grade I St Marys Church, to the east.

This application is made to remove condition 9 of planning permission 03/00936/FUL, which restricts the property to being occupied by holiday makers only and for not more than a certain period of time. It is also proposed to amend condition 3, which relates to the area of parking and turning associated with the site. Details have been submitted of a revised parking and turning area for both the application property and the main dwelling, Church House.

HISTORY

03/00936/FUL: Conversion and extension of barn to provide holiday letting accommodation - Permitted with conditions.

02/02612/FUL: Conversion and extension of barn to provide holiday letting accommodation - 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

South Somerset Local Plan 2006:
 ST3 - Development Areas
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EC2 - Areas of Outstanding Natural Beauty
 EH1 - Conservation Areas
 EH5 - Development Proposals Affecting the Setting of Listed Buildings
 ME10 - Tourist Accommodation

Policy-related Material Considerations

National Planning Policy Framework (March 2012):
 Chapter 4 - Promoting Sustainable Transport
 Chapter 6 - Delivering a Wide Choice of High Quality Homes
 Chapter 7 - Requiring Good Design
 Chapter 12 - Conserving and Enhancing the Historic Environment

Somerset County Council Parking Strategy (March 2012)

South Somerset Sustainable Community Strategy (2008-2026):
 Goal 8 - Quality Development: Sustainably sited and constructed high quality homes, buildings and public spaces where people can live and work in an environmentally friendly and healthy way.

CONSULTATIONS

Parish Council: The Parish Council fully supports this application.

SSDC Technical Services: No comment.

County Highway Authority: I refer to the above mentioned planning application received on 10th January 2013 and following a site visit on the 14th January 2013 I have the following observations on the highway and transportation aspects of this proposal.

The proposal relates to the variation of conditions 3 and 9 of planning permission 03/00936/FUL.

The proposed site lies outside any Development Boundary Limits and is therefore distant from adequate services and facilities, such as, employment, health, retail and leisure. In addition, public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependent on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in the National Planning Policy Framework (NPPF) and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000), and Policy ST5 of the South Somerset Local Plan.

Notwithstanding the aforementioned comments, it must be a matter for the Local Planning Authority to decide whether the proposal or any other overriding planning need, outweighs the transport policies that seek to reduce reliance on the private car.

The proposal would result in an increase in vehicle movements as a dwelling can generate 6-8 movements per day when compared to a holiday let which generates 4

movements. However it is unlikely that the additional movements can be considered significant enough to warrant an objection on this element of the proposal.

In terms of the detail the proposal will make use of the existing access. This has limited visibility especially to the left. However the running edge is set away from the wall. As a consequence vehicle would be able move forward slightly from the access to open up the visibility to the left.

The Highway Authority held pre application discussions with the applicant regarding the layout. The Highway Authority requested that provision should be made for two parking spaces and also a turning area. From the submitted details I am satisfied that suitable parking has been provided. Regarding the proposed turning, although the area proposed for turning is a slightly confined I am satisfied that a vehicle would be able to turn and leave in a forward gear.

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

- The development hereby permitted shall not be commenced until two parking spaces for the dwelling and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times.
- The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

SSDC Economic Development:

Comment:

Whilst I can't disagree that the takings for Church House have reduced markedly over the period that the business has been operating, I would disagree that these are purely attributable to trends in the self-catering accommodation sector (as suggested in the applicant's and contributor's letters).

The Blackdown Hills remain a relatively popular destination for UK visitors, and remains an area that does not have an over provision of self-catering accommodation.

Whilst tourism has been hit by both the recession and bad weather in recent years, it is nevertheless an economic sector that has held up reasonably well. The value of Tourism Figures (South West Research) show that the sector remains strong, and whilst there are variances in the composition of the visitor figures (e.g. less overseas tourists, but a stronger home market), the research statistics do not portray a significant downward trend.

Some statistics:

Figures from the South West Tourism Alliance (Holiday Taking in 2010) show that in 2010, 14% of all holidays taken were in self-catering accommodation. This compares to 13% in 2009, thus demonstrating an increase between 2009 and 2010 in self-catering lets.

Of course there are bound to be notable variances from year to year - caused usually by unpredictable and unavoidable factors (the bad weather in 2012 will certainly prove to be one) - so a longer term view needs to be taken to establish a trend. The Value of Tourism Reports for South Somerset (South West Research - between 2012 and 2006) do demonstrate an 11% decline in the value of the self-catering sector between 2005 and 2011. This however is a period of 6 years, showing an overall decline of around 2% per year and perhaps fairly illustrating the gradual long- term effect of the prolonged recession.

It is interesting to note that one planning application received by SSDC in 2012 (to convert a barn to self-catering accommodation) has actually cited the continuing resilience of the self-catering sector in their supporting evidence!

The application:

Whilst we can't dispute the income figures for Church House, they don't appear to fit with the general trend. This in turn begins to question other issues such as extent and effectiveness of business marketing (only one company seems to be used despite the reducing figures). Most self-catering businesses will use a variety of advertising outlets and change them if/when they prove ineffective. Furthermore, the figures provided simply show the commission-based lettings of the one agent used - they perhaps offer only a partial view of the overall business case.

From the information provided, I would say that the applicant has made neither a robust or effective case for change of use and I would find it difficult to support this application.

REPRESENTATIONS

The application has been advertised by press and site notice for the requisite period. Two letters of support have been received from local residents, both on the grounds that there is a decline in business for tourist accommodation and that there is a need for local 'affordable' housing within the village.

CONSIDERATIONS

Principle of Development

The application is made for the removal of a condition on the property, restricting its occupation to just holiday makers, allowing occupation as a separate dwelling in its own right. Associated alterations to parking arrangements will also require the amendment of condition 3, which requires the parking and turning space indicated on the original submitted plan to be kept free of obstruction.

In terms of principle, the building is located within the existing built up area at the centre of the village, however there is no defined development area. Saved policy ST3 of the South Somerset Local Plan states "outside the defined development areas of towns, rural centres and villages, development will be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel." It is noted that SSDC don't currently have the required five year housing supply, which means that the element of the saved policy making reference to housing land supply (i.e. development areas) is considered to be out of date. Notwithstanding this, the elements relating to sustainability aspects are still in line with advice contained within the 'National Planning Policy Framework' (NPPF) and therefore can be afforded weight in determining this application.

National guidance contained within NPPF, supports the potential for conversion of existing buildings where, the development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting. In this case, however the building is already converted and is neither redundant nor dis-used and has until recently been used for a purpose that is considered to benefit the local economy, which would have been the main reason for approving in the first place. Paragraphs 54 and 55 of the NPPF state "In rural areas...local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites, where appropriate." And "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities...local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances." In this case, with the exception of the presence of a primary school opposite the site, there is a general lack of services locally, making it an unsustainable location for housing development. Whilst this was considered to be a suitable location for a holiday cottage/annexe due to the contributions that were made to support the local tourist economy, an open market dwelling would clearly result in unsustainable development as the future occupiers would be dependent upon private vehicles to access any services.

As referred to briefly above, the original planning permission for the conversion of the building was granted on the basis that it would contribute towards the local tourist economy and as such accorded with the relevant local plan policy (ME10) that sought to promote new and improved tourist accommodation. The policy made it clear that such proposals would be subject to conditions restricting the use to holiday accommodation only in order to ensure that the accommodation continued to support the local tourist economy. The NPPF sets out very clear policies that seek to support rural tourism in order to create jobs and prosperity within rural areas. The Council's Economic Development Team have commented on this application and while not disputing the decline in business and associated takings, concerns are raised that this does not fit with the general trend for tourism. In the locality, particularly within the Blackdown Hills AONB, which is not considered to have an over provision of self-catering accommodation. The Economic Development Team are of the view that despite the impact of the recession and bad weather in recent years, the sector has held up reasonably well and tourism figures show that it remains strong. These figures and the lack of overall business case for a change of use away from this economic use have led to an objection being raised on the grounds that no robust or effective case has been made to show that the holiday unit is financially unviable.

Notwithstanding the limited justification on economic grounds, the applicant's main reasoning appears to be through a desire to downsize and discontinue the holiday business. They also argue that the dwelling could make a good centre of village affordable/starter home that would assist in maintaining the vitality of the existing local community. There has previously been a need for affordable housing within the village, which was formally identified in a housing survey carried out prior to the approval of the Rookery Rise development, not far to the west. This four home development carried out by Hastoe Housing Association and was approved under 07/02889/FUL. This time round however, no formal need has been identified and even so, the property would be open market housing, with no guarantees that it would be used to meet a local need. As discussed earlier, while this is at the centre of the village, it is in an unsustainable location, where there is limited access to essential services.

Historic Context, Scale and Appearance

The north elevation of the property forms the roadside boundary of the site so this part is relatively prominent within the local street scene. There are however, no alterations

proposed to the property itself, with the only works comprising the re-arrangement of parking facilities to allow for a separate parking and turning area for the application property and the existing main dwelling, Church House. These arrangements are considered to be acceptable in visual terms and also meet the requirements of the County Highway Authority in terms of highway safety. Overall, the proposed works are contained within the application site and will have no adverse effect on the appearance of the conservation area or the setting of the nearby listed buildings.

Residential Amenity

The site is located to the side of Church House, the curtilage of which currently spreads to the west beyond the holiday-let accommodation and to the south. The application will see the retention of the garden area to the west with the former holiday-let and the rest retained with Church house. The two gardens will remain private from each other and are well contained meaning that there will be no unacceptable levels of overlooking. The same applies to the properties themselves. The drive will be shared but otherwise, there are few openings that will allow interaction between the residents of the two properties and the principal elevations look towards the private amenity spaces associated with each property respectively. The relationship between the two properties is considered to be acceptable with no unacceptable harm to residential amenity. The property is well separated from any other neighbouring dwellings and as such there are no other issues.

Conclusion

In summary, the use of this building as holiday accommodation/annexe was granted permission on the basis that a holiday use would support the local tourist economy and was therefore in compliance with the relevant plan policy. In this case, the removal of condition 9 to allow the re-use of the building as a full residential unit would be tantamount to the creation of a new unit within the countryside, which is considered unsustainable development for which there is no policy support. Furthermore, there is concern that approval in this case would set an extremely undesirable precedent that could impact upon all permissions for holiday accommodation that have been approved in the recent past. This could have a significant and deleterious impact upon the tourist economy of the area contrary to advice within the NPPF. For these reasons, the recommendation to Members is to refuse permission.

RECOMMENDATION

Refuse.

SUBJECT TO THE FOLLOWING:

01. The conversion of this building was approved on the basis that it would provide holiday accommodation that would support the local tourist economy; to allow the building to be used as unfettered residential accommodation would be tantamount to a new dwelling in the open countryside. Such development would be unsustainable and as such the proposal is contrary to saved policy ST3 of the South Somerset Local Plan and guidance contained within the NPPF.

02. The granting of permission in this case would set an extremely undesirable precedent that would make it very difficult to resist the approval of similar applications within the open countryside. The loss of holiday accommodation would have a significant and deleterious impact upon the local tourist economy. This is contrary to saved policies ST3 and ME10 of the South Somerset Local Plan and guidance contained within the NPPF.

Area West Committee – 19th June 2013

Officer Report On Planning Application: 13/01327/FUL

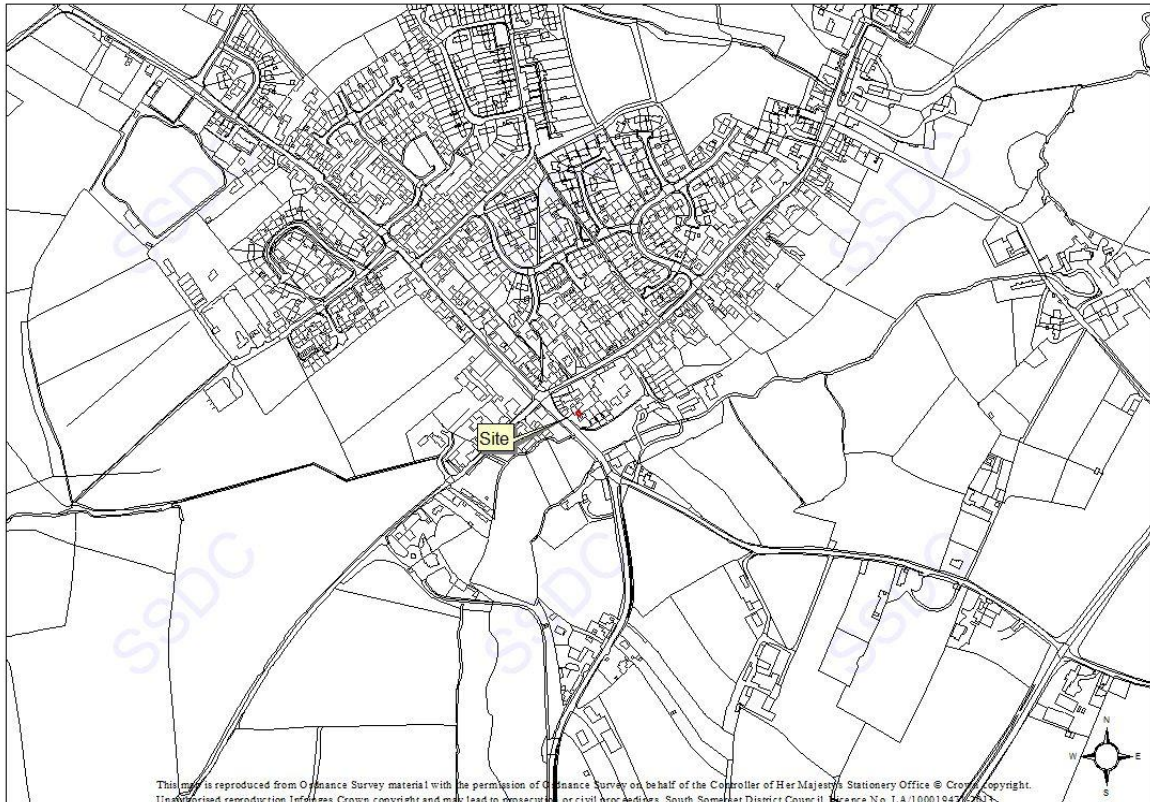
Proposal:	The erection of a double garage. (GR 344299/112167)
Site Address:	Brewery House 15 Knapp Merriott
Parish:	Merriott
EGGWOOD Ward (SSDC Member):	Cllr P Maxwell
Recommending Case Officer:	Chloe Bevis Tel: (01935) 462321 Email: chloe.bevis@southsomerset.gov.uk
Target date:	10th June 2013
Applicant:	Mr Robin Chard
Agent: (no agent if blank)	
Application Type:	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

To enable the issues regarding highway safety to be properly considered and in agreement with the Ward Member and Area Chair.

SITE DESCRIPTION AND PROPOSAL





The application property is two storey individual detached dwelling of natural stone elevations under a slate roof off Knapp on the southern side of the village of Merriott.

The dwelling is set back from the adjoining highway, a classified road, with the application site immediately adjoining the village conservation area.

Surrounding properties vary with an older traditional terrace abutting the road to the north west whilst a small more modern development of three dwellings is situated to the south east with an associated group of three garages backing on to the application site.

The property benefits from a vehicular access from the road which leads to an area of hard standing immediately in front of the dwelling and garden area to the side/rear. The area is surrounded by natural stone and brick walling with a timber fence separating the area from the side garden.

Planning permission is sought to erect a double garage within the area of existing hard standing immediately forward of the garden area to the side of the house. The dual pitched roof garage is proposed with its side gable end orientated to face the road whilst materials are proposed as hamstone to the front and sides, concrete blocks to the rear under a cement fibre slate roof with hamstone water tabling to match the main house.

HISTORY

98/00687/FUL: Erection of a single storey extension. Conditionally approved 1.5.1998.

POLICY

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

unless material considerations indicate otherwise.

For the purposes of determining current applications the Local Planning Authority takes the view that the relevant development plan comprise, the saved policies of the South Somerset Local Plan and the National Planning Policy Framework.

The policies of most relevance to the proposal are:

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

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

Nation Planning Policy Framework (2012):

Chapter 7 - Requiring good design
 Chapter 12 - Conserving and enhancing the historic environment

Documents also relevant:

Somerset County Council Parking Strategy - March 2012

CONSULTATIONS

Merriott Parish Council - Approved.

Area Engineer, Technical Services Department - No comment.

Highway Authority - I refer to the above-mentioned planning application received on 19 April and following my site visit on 29 April 2013, I have the following observations on the highway and transportation aspects of this proposal.

I have the following detailed issues regarding the proposal that I would seek are addressed in the interests of highway safety:

- The Somerset Parking Strategy sets out that the internal dimensions of a double garage/car port should be 6m x 6m, it is noted that the proposed garage does not meet this criteria.
- It is essential that the garage is positioned to enable vehicles to enter and exit the highway in a forward gear, and the area in front of the garage is contrived and does not meet the SCC standard, and is likely to lead to vehicles reversing onto/from the adjoining classified highway. Standard SCC residential turning diagrams are attached for information. The garage would be better positioned alongside the dwelling so vehicles could utilise the whole of the area in front of the house and the existing parking area for manoeuvring. Visibility is restricted where the private drive meets the public highway, as a result of the dwellings that are located along the highway frontage and vehicles having to reverse onto the public highway at this point, (due to turning areas not being to an appropriate size) will further exacerbate highway safety.

REPRESENTATIONS

Nine neighbours notified and site notice posted. No representations received.

CONSIDERATIONS

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

Residential Amenity

Given the proposed siting and scale of the proposed garage in relation to neighbouring properties, it is not considered the residential amenity of neighbouring occupiers will be adversely affected.

No representations have been received.

Visual Amenity and Conservation Area

The proposed garage, in terms of its orientation, materials, design, form, size and siting, is considered acceptable and in keeping with the surrounding area such that the views in and out of the adjacent conservation area will not be adversely affected.

Highway Safety/Parking

The County Highway Officer has visited the application site and highlighted two main issues in respect of Highway Safety. One being the size of the proposed garage falling below the minimum standard of the Somerset County Council Parking Strategy and the second being the room left available for turning. The Highway Officer states:

"It is essential that the garage is positioned to enable vehicles to enter and exit the highway in a forward gear, and the area in front of the garage is contrived and does not meet the SCC standard, and is likely to lead to vehicles reversing onto/from the adjoining classified highway. Visibility is restricted where the private drive meets the public highway, as a result of the dwellings that are located along the highway frontage and vehicles having to reverse onto the public highway at this point, (due to turning areas not being to an appropriate size) will further exacerbate highway safety."

The Highway Officer continues to say that "the garage would be better positioned alongside the dwelling so vehicles could utilise the whole of the area in front of the house and the existing parking area for manoeuvring."

They requested these two issues be addressed in the interests of highway safety.

The applicant, in response, has confirmed that the garage is the size proposed to utilise the room available and to build it to the side of the house is not an option they would consider as it would take up too much of the garden. The applicant further confirms that they currently park cars in the area of the proposed garage and in effect all they are proposing is to put a garage over the parking area. They confirm how they currently manoeuvre within the site and that they never reverse in or out of the drive.

In response, the Highway Officer reiterates that the Authority have standard sizes for garage and turning areas and this proposal does not meet this requirement and therefore their previous comments remain to be applicable.

Conclusion

Notwithstanding the proposed garage being considered acceptable in terms of residential amenity, its visual impact and relationship with the adjoining conservation

area, the proposal is considered to fail to accommodate adequate turning facilities, which combined with substandard internal dimensions for the garage, is likely to lead to a potentially dangerous situation of vehicles reversing onto and from the adjoining classified highway where visibility is already restricted which is contrary to saved Policy ST5 of the South Somerset Local Plan (2006) and the National Planning Policy Framework (2012).

RECOMMENDATION

Refuse.

SUBJECT TO THE FOLLOWING:

01. The proposed garage, by virtue of its substandard internal dimensions and siting, would result in inadequate parking and turning facilities within the site which are likely to lead to vehicles either reversing into the site or onto the public highway at a point of access where visibility is restricted. Such potentially dangerous manoeuvring would be detrimental to highway safety and contrary to saved Policy ST5 of the South Somerset Local Plan (2006) and the National Planning Policy Framework (2012).

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service; and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions and despite communication during the application between the Case Officer, Applicant and Highway Authority there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.
