

South Somerset District Council

Notice of Meeting



Area West Committee

Making a difference where it counts

Wednesday 15th March 2017

5.30 pm

**The Guildhall, Fore Street, Chard, TA20
1PP**

(Disabled access and a hearing loop are available at this meeting venue)



The following members are requested to attend this meeting:

Jason Baker
Marcus Barrett
Mike Best
Amanda Broom
Dave Bulmer
Carol Goodall

Val Keitch
Jenny Kenton
Paul Maxwell
Sue Osborne
Ric Pallister
Garry Shortland

Angie Singleton
Andrew Turpin
Linda Vijeh
Martin Wale

Consideration of planning applications will commence no earlier than 7.00pm.

For further information on the items to be discussed, please contact the Democratic Services Officer on 01935 462055 or democracy@southsomerset.gov.uk

This Agenda was issued on Tuesday 7 March 2017.

Ian Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app



INVESTORS IN PEOPLE

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”. The council’s Executive Forward Plan can be viewed online for details of executive/key decisions which are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

At area committee meetings members of the public are able to:

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

Meetings of the Area West Committee are held monthly, usually at 5.30pm, on the third Wednesday of the month (except December) in village halls throughout Area West (unless specified otherwise).

Agendas and minutes of meetings are published on the council’s website
www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for ‘mod.gov’ in the app store for your device, install, and select ‘South Somerset’ from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

Public participation at committees

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

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and 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.

Comments should be confined to additional information or issues, which have not been fully covered in the officer’s report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should

also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the planning officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The planning officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

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

The order of speaking on planning items will be:

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

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

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

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

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<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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Area West Committee

Wednesday 15 March 2017

Agenda

Preliminary Items

- 1. To approve as a correct record the Minutes of the Previous Meeting held on 15th February 2017**
- 2. Apologies for Absence**
- 3. Declarations of Interest**

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

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. As a result of the change made to the Code of Conduct by this Council at its meeting on 15th May 2014, where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

Planning Applications Referred to the Regulation Committee

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

Councillors Mike Best, Sue Osborne and Angie Singleton

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

4. Date and Venue for Next Meeting

Councillors are requested to note that the next Area West Committee meeting is scheduled to be held on Wednesday 19th April 2017 at 5.30pm at the Henhayes Centre, Crewkerne.

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

- 7. Area West Committee - Forward Plan** (Pages 6 - 8)
- 8. Provision of Local Information Centres in Area West (Executive Decision)** (Pages 9 - 11)
- 9. One Public Estate Programme - Proposals for South Somerset Advice Hubs** (Pages 12 - 14)
- 10. Annual Licensing Report to Area West Committee** (Pages 15 - 19)
- 11. S106 Obligations** (Pages 20 - 38)
- 12. Area West - Reports from Members on Outside Bodies** (Pages 39 - 40)
- 13. Schedule of Planning Applications to be Determined by Committee** (Pages 41 - 42)
- 14. Planning Application: 16/03404/FUL - Land At Hoarstones Cricket St Thomas, Limekiln Lane, Winsham** (Pages 43 - 53)
- 15. Planning Application: 14/05511/FUL - Land North Of Dolling Close, Chard** (Pages 54 - 61)
- 16. Planning Application: 17/00074/OUT - Land Rear Of The Phoenix Hotel And Car Park, Fore Street, Chard** (Pages 62 - 67)

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.

Agenda Item 7

Area West Committee - Forward Plan

Assistant Director: Helen Rutter (Communities)
Service Manager: Zoe Harris, Area Development Lead (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.
- (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) Chairman's announcements
 - (b) Public Question Time

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
19 th April 2017	Chard Regeneration	Update Report from the Chard Regeneration Board	David Julian, Economic Development Manager
19 th April 2017	Local Housing Needs in Area West	Service update report	Kirsty Larkins, Housing & Welfare Manager
19 th April 2017	Community Health & Leisure Service Update	Service update report	Lynda Pincombe, Community Health & Leisure Manager
19 th April 2017	Area West Development Team Annual Report 16/17	End of year report for Area West Development	Zoe Harris, Area West Team Lead
17 th May 2017	Ilminster Forum	Reports from members on outside organisations	Cllr. Carol Goodall
17 th May 2017	Arts and Entertainment Service Update Report	Annual Update Report	Adam Burgan, Arts & Entertainments Manager Pauline Burr, Arts Development Officer
17 th May 2017	Highways Update Report	To update members on the highways maintenance work carried out by the County Highway Authority.	Mike Fear, Assistant Highway Service Manager, Somerset County Council

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
17 th May 2017	Area West Development Plan 2017/2018	Area West Development Plan 2017/18 and financial outturn.	Helen Rutter, Assistant Director (Communities) Zoe Harris, Area West Team Lead
21 st June 2017	Appointment of Representatives on Outside Bodies and Working Groups	To review the appointment of members to various Working Groups	Jo Morris, Democratic Services Officer
21 st June 2017	Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice Chairman	To review the appointment of members to various working groups and outside organisations.	Jo Morris, Democratic Services Officer
<i>21st June 2017</i>	<i>Report on the Performance of the Streetscene Service</i>	<i>Service report on performance and priority issues in Area West</i>	<i>Chris Cooper, Streetscene Manager</i>
<i>21st June 2017</i>	<i>One Public Estate Programme</i>	<i>Update report on the One Public Estate Programme</i>	<i>Nena Beric, Project Manager</i>

Agenda Item 8

Provision of Local Information Centres in Area West (Executive Decision)

Director: Rina Singh, Deputy CEO and Strategic Director
Assistant Director: Helen Rutter, Communities
Lead Officer: Zoe Harris, Area West Team Lead
Contact Details: zoe.harris@southsomerset.gov.uk or 01460 260423

Purpose of the Report

For members to consider the future arrangements for supporting the provision of local and tourist information in the 3 market towns.

Public Interest

Local Information Centres provide a wealth of useful information to both residents and visitors. SSSC provides an annual grant towards their running costs to ensure the continuation of the service.

Recommendations

Members are asked to:

1. Agree, in principle, supporting Ilminster and Crewkerne Local Information Centres at the current SLA arrangement for 2017/18;
2. Bring Chard TIC in line by reducing the SLA sum to £500 per year;
3. Agree to carry forward the balance of £2500 from the 2016/2017 Service Level Agreement with Chard Town Council, to be paid subject to the following conditions:
 - The new website promotes Chard's events, activities, leisure facilities, tourist attractions in and around the town and visitor related businesses
 - The work is completed by September 2017

Background

In March 2010, the grants for all the Local and Tourist Information Centres, not operated by SSSC, were moved from the SSSC Tourism budget to Area Committees. At that time Chard was the only town with a designated Tourist Information Centre registered with Enjoy England, which meant it had a dedicated paid member of staff working solely on tourism. The other towns have Local information Centres, which are predominantly staffed by volunteers and generally have shorter opening hours.

As Chard Town Council is registered as a Tourist Information Centre, as opposed to a Local Information Centre, their grant was £5,000 per year, whereas all the Local Information Centres in South Somerset received £500 per year. Each year since, the same level of funding has been awarded to each of the centres in Area West.

Provision of services

Each town has a slightly different arrangement for delivering local and tourist information.

Chard TIC is located inside the Guild Hall and is run by Chard Town Council. The service is no longer staffed by a dedicated Tourism Officer instead it is staffed by a few volunteers and the staff at the main Guild Hall reception desk. The facility provides:

- A number of leaflet racks and posters providing information about activities, services and events happening in and around the town
- Reception staff can also use the Internet to answer enquiries

Crewkerne's LIC is located in the large foyer area of Crewkerne Town Hall alongside the SSDC Community Office. The facility provides:

- A number of leaflet racks providing a wealth of information about the town & surrounding area, South Somerset and nearby attractions further afield in Somerset, Dorset and Devon
- Desk and computer with internet access regularly staffed by volunteers
- Crewkerne LIC website – www.aboutcrewkerne.co.uk
- Facebook page with over 1000 followers
- Twitter account with 430 followers

Iminster LIC is run by Iminster Tourism, a small constituted community organisation. The facility is located just inside the door of the Iminster Arts Centre and includes:

- Some leaflet racks and a small table for leaflets
- A part-time volunteer located at the main Arts Centre reception desk to answer queries in the morning during the main tourist season
- Iminster LIC works in partnership with Iminster Forum to deliver a number of projects that enhance the service, this includes the www.visitilminster.co.uk a Visit Iminster brochure and numerous local walks leaflets

Service Level Agreements

Each facility has had a Service Level Agreement with Area West Development since 2010. As part of that Service Level Agreement the numbers of enquiries dealt with by the office are recorded over the year. The table below provides detail on the number of enquiries each office dealt with from April 2015 to end of March 2016:

	Chard	Crewkerne	Iminster
Opening times	9:00am to 5:00pm Monday to Thursday, 9:00am to 4:30pm Friday, 9:00am to 1:00pm Saturday	9:00am to 3:30pm Monday to Friday. Closed 1:00pm on Thursday. 10:00am to 12noon 3 rd Saturday of the month	10:00am to 1:00pm Monday to Saturday from 1 st April to 31 st October
Number of visitors through the door	3186	4389	Estimated 5000
Number of tourism enquiries in person	3186	4389	Estimated 2500
By email	Not applicable	417	Not applicable
By telephone	267	84	Estimated 100
By letter	2	16	10
Total enquiries	3455	4906	Estimated 7600

As Chard no longer employs a dedicated Tourism Officer and the number of enquiries received are less than Crewkerne, it is recommended that future annual awards to Chard are reduced and brought in line with the other LIC services across South Somerset.

As Chard is the only town in Area West without a dedicated website promoting the town to visitors and residents, it was agreed that as part of the Service Level Agreement for 2016/17 Chard Town Council should spend 50% of their £5,000 allocation on a new website. That website would give residents and visitors information about the town and the surrounding area, including its attractions, local events and activities and relevant visitor businesses. Work is currently underway to progress this work and it should be complete later in the year.

Financial Implications

The £2,500 already allocated through the Service Level Agreement will be carried forward to the 2017/18 grants budget.

Members confirm in principle that they wish to support all 3 LICs with an SLA and payment of £500 towards running costs for 2017/18.

Council Plan Implications

Working in partnership with the 3 tourism services helps SSDC address the Economy focus of the SSDC Council Plan:

- Capitalise on our high quality culture, leisure and tourism opportunities to bring people to South Somerset

Also helps address the Health and Communities focus of the plan by promoting local facilities, which:

- Help people live well by enabling quality cultural, leisure, play, sport and healthy lifestyle facilities and activities

Carbon Emissions & Climate Change Implications

All 3 Local Centres provide information on public transport, which enables people to reduce their carbon footprint.

Equality and Diversity Implications

Each centre is committed.

Background Papers

None

Agenda Item 9

One Public Estate Programme – Proposals for South Somerset Advice Hubs (For information)

Director: Clare Pestell (Commercial Services & Income Regeneration)
Assistant Director Laurence Willis/ Helen Rutter
Lead Officer: Nena Beric, Project Manager
Contact Details: nberic@somerset.gov.uk / helen.rutter@southsomerset.gov.uk

Purpose of the Report

To make the Committee aware of the One Public Estate Programme (OPE). To inform members of the proposals and approach to develop feasibility studies to support the creation of multi-service hubs with partner agencies in Chard and Yeovil.

Public Interest

In July 2016 in partnership with Somerset County Council (SCC), other local authorities, Health and the emergency services; a countywide submission was made as part of the LGA and Cabinet Office run One Public Estate Programme to develop a shared asset programme within Somerset. The bid had a focus on the following:

- Creating customer hubs for local public sector/third sector partners
- Creating back office hubs for local public sector/third sector partners
- Creating business incubator hubs
- Regenerating the surplus public estate

The bid was successful and funding has been allocated to the Partnership to develop shared asset proposals across Somerset. Part of that funding has been allocated to SSDC to develop feasibility studies to support the creation of multi-service hubs in Chard and Yeovil focusing on the Holyrood Lace Mill and Petters House as potential venues. This report provides information about the programme and details the approach to be taken in South Somerset with a particular focus on Chard.

Recommendation

That the Committee notes and supports the approach being taken to establish the viability of a multi-agency hub in Chard.

Background

The national One Public Estate (OPE) Programme is an initiative managed by the Cabinet Office Government Property Unit (GPU) and Local Government Association (LGA) to provide support and funding to local authorities to deliver ambitious, property focussed programmes in collaboration with central government departments and other public sector partners. The Somerset OPE Partnership has been working to pilot a blueprint for a new, more integrated approach to shared hubs and customer service in Somerset. Wherever possible, hubs will be located in existing, high quality, public sector buildings located conveniently for customer access. Although, it is recognised that investment in internal remodelling to create the appropriate welcoming space will be required. Somerset's hub programme aims to not only transform assets, but also to provide a catalyst for service transformation and integration. The overriding hub design principles are; affordability, flexibility, efficiency and sustainability. The customer service aim is to provide a seamless and effective first point of contact for customers, irrespective of organisational boundaries.

The opportunity in Chard focusses on the existing five-floor Grade 2 Listed Holyrood Lace Mill. The building currently has 2 vacant floors and capacity in other occupied areas. The feasibility will assess the possibility of rationalising the public sector estate within the town, plus the associated financial benefits and alternative uses on existing sites. The project could see the co-location of a range of public sector organisations and activities so that customer access to services is improved, and will enable public sector partners to work more collaboratively. It is anticipated that a hub could include the existing housing and benefits advice service, registrars, and library with other services such as police, family support, health visitors, public health services and planning/technical services. A work hub to support and incubate new business enterprises with a focus on creative industries is also planned. It is expected that at least 3 existing public sector assets will be made surplus or available for other use.

Proposed Approach

SCC has taken the overall lead in the OPE Programme Management and in December 2016 it was agreed that a Project Manager from SCC would manage the overall development of both projects in South Somerset. Nena Beric will be working with SSDC over the next 18 months and will be based in Yeovil and Chard for some of her time. By appointing one project manager for both projects it is hoped that South Somerset's projects will achieve some consistency, whilst retaining an emphasis on the needs of the local community. Nena will work closely with SSDC's Transformation team to ensure that the final proposals align with the future vision for SSDC. It is recognised that the property needs of all partners is dynamic and dependent on a wide range of national, regional and local, economic and policy decisions. It is therefore important that there is sufficient flexibility within the programme to accommodate the changing needs of partners.

The objectives are for the Project Manager to develop viable proposals for hubs in Chard and Yeovil which are acceptable to SSDC members and other key stakeholders. This will be achieved using a robust project management approach with Business Case production, approval and sign off. This approach provides a process for approval which is flexible and scalable along with a range of tools that can be applied to provide clarity in the decision support process. The approach also provides a clear audit trail for public accountability.

The approach will be as follows:

Chard - Short term (February – May 2017)

- Early SSDC stakeholder engagement including report to Area West Committee – Mar 2017
- Baseline data gathering to gain an understanding of the 'as is' position (what SSDC and partners currently deliver and how) – Mar 2017
- Engagement of key public sector partners – Apr 2017
- Identifying and developing arrangements for service synergies (grouping together complementary services) – Apr 2017
- Develop an outline feasibility report and cost benefit analysis – May 2017

It is anticipated that the outline feasibility report and recommendations will be added to the agenda and shared with the Area West Committee in the late spring. This report will also contain a list of medium and longer term tasks however it is anticipated once a strategic route is agreed a full business case and impact assessment will be developed in the summer for a decision.

Project Governance arrangements

There will be clear lines of reporting and an operational OPE Project Board will be established with clear terms of reference. It is anticipated this Board will meet monthly. Within SSDC the project governance arrangements will align with those for the Transformation project.

Financial Implications

A full cost benefit analysis will be undertaken as the feasibility study for each area develops, and will be reported back to the committee at the relevant time. The expected benefits however are as follows and will be delivered over a 10 year period:

- Savings in property running costs
- Savings in service delivery achieved through shared triage and service design
- Inward investment to Yeovil and Chard
- Regeneration benefits to Yeovil and Chard town centres

Council Plan Implications

A priority project in the 2016/17 Corporate Plan

Carbon Emissions & Climate Change Implications

None at this stage

Equality and Diversity Implications

A town Centre multi agency hub should be well placed to better meet the needs of all sectors of the population

Background Papers

None

Agenda Item 10

Annual Licensing Report to Area West Committee

Assistant Director: Laurence Willis, Assistant Director Environment
Service Manager: Nigel Marston, Licensing Manager
Lead Officer: Nigel Marston, Licensing Manager
Contact Details: nigel.marston@southsomerset.gov.uk or (01935) 462150

Purpose of the Report

The report provides an annual update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi Legislation together with other general licensing matters for the financial year 2015/16

Public Interest

The report gives an overview of the work of the Licensing department of the Council. The report shows the various types of licenses, permissions and consents that are issued by the Council.

Recommendation

That the Committee note the report. Future reports will be provided on an annual basis.

Report Detail

Licensing Act 2003

Within the Licensing Authority's district there are currently 698 licensed premises. 670 of those hold Premises Licences while the remaining 28 benefit from Club Premises Certificates. In addition the authority is responsible for the issue and continued administration of 2,207 personal licences.

The Licensing Team also deal with approximately 550 Temporary Event Notices per year.

177 of these licensed premises are within Area West.

Inspections

Licensed premise inspections are carried out using a risk based approach. The higher the premise scores the more frequently it will be inspected. There are no premises in Area West that are considered to be high risk. The majority of premises are graded as medium to low risk, this will generally mean that they will be inspected every 2 to 3 years. There are currently 85 premises scheduled for inspection in Area West during this current financial year.

In order to further develop working relationships with premises in Area West, there is now a dedicated licensing officer for the area. That officer is Anita Legg. It is very much hoped that by having a dedicated officer for the area, businesses will find it easier to discuss any issues, concerns or questions they might have in relation to licensable activities.

Enforcement

The pro-active educational partnership approach to enforcement with the aim of compliance through consent continues to be successful. Formal action against licensed premises following inspection visits has not been necessary.

Hearings

In the last financial year there were 12 applications for licences that were the subject of objections and were therefore scheduled to be heard by a licensing sub-committee. Hearings were only required in 7 cases as licensing officers were able to negotiate with the applicants and objectors to agree conditions that were suitable to both parties. Of the 7 hearings that took place, two were refused in their entirety and the remaining 5 were permitted with conditions. Only 2 of these hearings was in relation to a premise situated in Area West.

The Council has not received any applications to review any licenses this year.

In addition there are no outstanding appeals to the Magistrates' Court against the decisions of this Council's licensing sub committees.

Licensing Officers continue to offer advice and guidance to applicants and liaise regularly with partner agencies to ensure the best possible service is provided by the Licensing Authority.

Gambling Act 2005

Within the Licensing Authority's area there are now 25 premises licensed under the Gambling Act. Three of these premises are situated in Area West. There are also 220 Small Society Lotteries registered across the district.

Premises Inspections

The Licensing Authority is required to inspect premises licensed under the Gambling Act in accordance with the advice given by the Gambling Commission. I can report that all premises licensed under the Gambling Act were inspected this year.

Enforcement

Currently the Authority's role remains one of education and assistance. To date no formal enforcement action has been required and it is anticipated that as with the Licensing Act close working with partner agencies will prove most beneficial.

Hearings

Since the last update report there has been no requirement for any hearing relating to applications made under the Gambling Act. As is the case with the Licensing Act 2003 if there are no representations made against an application and in all other respects the application is properly made then there is no requirement for a hearing.

Taxis

Within the Licensing Authority's district there is currently a fleet of 285 licensed Vehicles, the split between the various vehicle types is shown below:

	April 2016	WAV %	2015 DfT return ¹	WAV %	2013 DfT return	WAV %
Total Fleet	285	10.1	326	3.98	246	4.8

1

DfT = Department for Transport

HCV's & PHV's (WAV's in brackets)	(29)		(13)		(12)	
HCV's (WAV's in brackets)	175 (20)	11.4	234 (13)	5.5	181 (11)	6.07
PHV's (WAV's in brackets)	110 (9)	8.1	92 (0)	0.0	65 (1)	1.5

There are currently 351 licensed drivers and 45 licensed private hire operators across the district.

Enforcement

The Licensing Team has continued the education based enforcement and monitoring approach to the Hackney Carriage and Private Hire drivers and vehicles we have used with the Licensing Act. Again close liaison is maintained with partner agencies and the taxi trade to ensure that the principles of consistency, transparency and proportionality are maintained.

The Licensing Service's taxi enforcement operations are continuing with the police and other partner agencies, although due to police resources we are unable to undertake as many of these operations as we would like. Two large-scale stops were organised in the last year along with several smaller scale operations. Further dates are currently being arranged.

The Enforcement Officer continues to carry our regular weekly day time checks and late night checks on taxis. These checks are carried out across the district.

Sixty three taxi/private hire related complaints were received in the past six months, which resulted in the issuing of seven stop/prohibition notices, three for vehicle damage, two for tyres at or below minimum tread level and two for failure to provide proof of insurance.

The Enforcement Officer has issued penalty points on thirty occasions for more minor issues in line with the Taxi Licensing Policy & Guidance:-

- Eight for failing to notify licensing of driving endorsements.
- Ten for failing to declare endorsements on application for renewal of drivers badge.
- Three for leaving vehicle unattended on a taxi rank.
- Three for failing to display rear plate correctly.
- Two for failing to notify licensing of change of address.
- Two for failing to display a roof sign on a Hackney Carriage Vehicle
- One for failing to notify Licensing of an accident involving a Hackney Carriage Vehicle.
- One for not having badges whilst working.

Hearings

There has been one hearing relating to Hackney Carriage and Private Hire licensing during 2015/16. As a result of the hearing the applicant was refused the renewal of his hackney carriage drivers badge.

The applicant appealed the decision to the Magistrates Court and the case was heard before District Judge Taylor on the 4th October. The judge dismissed the applicants appeal and awarded cost of

£4321.12 to be paid by the appellant. The judge praised the Council's preparation and evidence during his judgement. He was also complimentary of the Council's Taxi Licensing Policy.

Street Trading Consents

A total of 150 Street Trading Consents have been issued, these are 7 permanent consents and 143 casual consents.

Animal Welfare

The table below shows the number of licenses issued in the year.

	Area North	Area East	Area South	Area West	Total
Animal Boarding	20	11	9	16	56
Pet Shops	2	1	0	0	3
Dangerous Wild Animals	0	1	1	0	2
Dog Breeding Establishments	1	0	0	1	2
Riding Establishments	2	2	1	1	6

All animal welfare establishments' are subject to annual inspection. 100% of these premises were inspected during 2015/16

Scrap Metal Dealers

The licensing enforcement officer carried out bi-monthly compliance inspections on all scrap metal collectors and three monthly inspections for scrap metal site licence holders to ensure they are compliant with the requirements of the Scrap Metal dealers Act.

Due to police restructuring the assistance of a dedicated Police Officer to accompany and assist the Enforcement Officer on these inspections is no longer available.

SSDC currently licence seventeen sites and thirteen collectors. Two sites are located within Area West and 2 registered collectors reside within the area.

Road Closures

SSDC issued 46 road closures in the last year. These are issued to allow events, processions, carnivals etc. to take place safely. Of the total issued 17 were in Area North.

Legal Implications

There are no legal implications contained within the report.

Financial Implications

The Licensing Section generated an annual income of £297,436 in 2015/16, against a budgeted income of £312,050. Expenditure was £262,088 against a budgeted expenditure of £246,060.

Expenditure was high due to the costs of legal advice and appeals. This accounts for approximately £13k of additional expenditure.

Income was down as predicted and stated in last year's final figures. This was due to preventing out of area drivers from licensing with South Somerset. This was a loss of approximately £16k of income when compared to the previous year.

Corporate Priority Implications

Increase economic vitality and prosperity – The Licensing service contribute to this priority by ensuring businesses are not overburdened by inspections, and that all inspections are targeted based on a risk assessment protocol.

Ensure safe, sustainable and cohesive communities – The licensing service are at the forefront of balancing the needs of the night time economy with the needs of local residents and ensuring the safety of the public.

Deliver well managed, cost effective services valued by customers – The Licensing Service provide valuable help and guidance on all licensing matters, which is valued by customers. The service also generates a substantial income, which enables it to be virtually self-funding. It is not possible for the service to be fully self-funding as several licences and permits do not require a fee to be paid or the statutory fee set by Government does not adequately cover the cost of the particular licensing regime.

Carbon Emissions & Climate Change Implications

None

Equality and Diversity Implications

None

Background Papers: None

Agenda Item 11

Section 106 Obligations

Director: Martin Woods – Service Delivery
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

Section 106 Officer to provide information on signed Section 106 agreements relating to development within Area West. Agreements containing financial contributions will be presented within the monitoring report (Appendix A), however if any further detail was required on any other agreement it was agreed that this would be undertaken directly with the officer.

Public Interest

Section 106 Obligations are a key aspect of most major planning development approvals granted by the Authority however they are also necessary to provide additional control in relation to smaller schemes. The items captured within Section 106 Obligations usually deal with the additional infrastructure costs that will be incurred within the area of the Authority arising from the completion of a development. Depending on the scale of the proposed development the sums of money associated with a Section 106 Obligations can be considerable.

This may take the form of changes to highways, contributions toward increased schools provision, creation/maintenance of open spaces, recreational areas and so on. The costs arising from these are often significant and require negotiation and settlement between officer and the developer, through the use of nationally agreed formulae.

There is a variety of ways in which these requirements can be delivered. Normally the developer makes a payment to allow the relevant authority to provide the requirement e.g. Schools or Play areas. Alternatively, the developer may be charged with completing the work directly for example a new highway junction.

By their very nature Section 106 Obligations require specified actions/payments to take place within a pre-defined timescale or event (known as 'triggers') and it is essential that the Section 106 officer has a system and processes in place that ensures the agreements are effectively managed.

Members will appreciate that the level of contribution that was secured from each development was dependent upon several factors, particularly the 'formula' that was being used for calculating the Sports, Arts and Leisure, Education and Highway contributions at the time of each application. It is also important to emphasise that it is very difficult to make meaningful comparisons between obligations that were sought on different developments, as each scheme has to be considered on its own merits.

Recommendation

Members note and comment on the report and verbal update and endorse the actions taken in respect of the monitoring and managing of Section 106 Planning Obligations.

Background

A Section 106 Officer was appointed on 1 April 2010. This post sits within the planning team with the specific responsibility for ensuring that all requirements of S106 obligations, including the collection and spending of financial contributions are monitored and managed.

Projects

Members may wish to note that the main projects delivered/under way or priorities as a result of appropriate collected S106 monies are:

Chard

- Improvements to Snowden Park planned for 2017. Sketch designs produced. In dialogue with lease of the land.
- Streetscene to clear and reinstate Plot 5, Jarman Way to create a new area of open space.
- Feasibility work be undertaken whether existing pool at CRESTA can be improved or a future new pool.

Crewkerne

- New Skate Park completed September 2016, at Happy Valley.

Iminster

- Main priority to deliver master plan to develop play area, youth facilities, changing facilities and playing pitches at the Recreation Ground.
- Improvements to the cricket pavilion.
- Football pavilion at Shudrick Lane.
- Improvements to the play area at Winterhaye Lane.

Misterton

- Play area plans approved.

Merriot

- Parish Council undertaking review of community facilities.
- Community Hall to improvements.

CIL (Community Infrastructure Levy)

The Community Infrastructure Levy (CIL) was introduced by the Planning Act (2008) and is defined through the Community Infrastructure Levy Regulations 2010 (as amended). It is intended to establish a clearer, more certain process for collecting contributions from development to help deliver infrastructure improvements.

The CIL is payable on new residential development and new retail floor space in out of town centre locations. It will be charged by South Somerset District Council, and money received will be collected by the District Council.

Under the terms of the CIL Regulations, 15% of the monies received would automatically be passed to the Parish or Town Council where the development occurred.

South Somerset approved a CIL Charging Schedule on the 17th November 2016. At the same time, it was agreed that CIL would be implemented from the 3rd April 2017. For clarity, the approved Charging Schedule is set out below.

Type of Development	Levy Rate
Yeovil Sustainable Urban Extensions	£0 (zero) per square metre
Chard Eastern Development Area	£0 (zero) per square metre
All Other Residential Development	£40 per square metre
Convenience-based Supermarkets and Superstores, and Retail Warehouse Parks (outside of defined Town Centres and Primary Shopping Areas)	£100 per square metre
All Other Uses	£0 (zero) per square metre

A number of internal changes within the Council are required to ensure that the Charging Schedule and the levy are implemented effectively. This includes adopting new IT software; integrating working practices between planning, legal, and finance teams; and establishing new governance arrangements for the management and spending of monies accrued via the levy.

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 & Climate Change Implications

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*

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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</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. 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>Highways: £5,040.00</p>	<p>Status: Underway</p>	<p>SV required to check status of scheme. (14/00554/REM)</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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</p> <p>12/04319/OUT Parish Chard</p> <p>Land at Avishayes Road Oaklands Avenue Chard TA20 1HS</p> <p>Erection of 78 dwellings, new access and road (outline) (GR 333736/109130)</p> <p>Agreement Date: 15/09/2014</p>	<p>Sports and Leisure: Offsite Leisure Contribution: £142,691.29 towards enhancing one or more of the facilities in Chard: Changing Rooms, Community Halls, Equipped Play, Playing Pitches and/or Youth facilities.</p> <p>Community Health & Leisure Admin Fee: £1,426.91</p> <p>Education: Education: £98,056 as a contribution towards the provision of primary school education within Chard.</p> <p>Affordable Housing: Units Agreed: 20</p> <p>Miscellaneous Gains: Public Open Space</p>	<p>50% of the Off-site Recreation, Admin Fee & Education contributions payable on or before 25% of the dwellings.</p> <p>50% of the Off-site Recreation Contribution, Admin Fee & Education contributions payable on or before 50% of the dwellings.</p>		<p>Sports and Leisure: £144,118.20</p> <p>Education: £98,056</p> <p>Miscellaneous Gains: Public Open Space</p>	<p>Status: Not Commenced</p>	<p>REM Application approved. Due to commence shortly.</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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: COMBE</p> <p>13/01942/FUL Parish Chard</p> <p>Land Off Touchstone Lane Chard</p> <p>Demolish existing buildings and erection of 24 No. dwellings with associated works to include formation of new access (GR 331599/109073)</p> <p>Agreement Date: 18/03/2015</p>	<p>Sports and Leisure: Changing Room Contribution: £19,427.45 comprised of £17,980.93 Capital & £1,446.52 Revenue towards enhancing or new provision of changing rooms in Chard.</p> <p>Community Hall Contribution: £11,603.15 towards enhancing existing or provision of new community hall provision in Chard.</p> <p>Administarion Fee Contribution: £1,030.48</p> <p>Equipped Play Contribution: £25,784.78 comprised of £16,344.14 Capital & £9,440.64 Revenue towards play facilities at Redstart Park, new , or existing play area serving the development.</p> <p>Playing Pitch Contribution: £15,175.61, comprised of £8,856.25 Capital & £6,319.36 Revenue towards existing community pitches or new recreation ground in Chard.</p> <p>Youth Facilities Contribution: £4,395.75 comprised of £3,209.24 Capital & £1,186.51 Revenue towards youth facility provision at Redstart Park, Chard.</p> <p>Strategic Facilities Contribution: £26,661.96 twoards the following projects:</p> <p>£4,086.03 Swimming Pool at CRESTA £8,504.13 Provision of new 4 court sports hall in Chard or enhancement of exiting sports hall at CRESTA. £5,289.99 Indoor tennis centre £1,794.51 enhancement of AGP at CRESTA £6,986.70 Octagon Theatre, Yeovil</p> <p>Affordable Housing: Units Agreed: 8 Recent reduction from 8 to 3 low cost homes.</p>	<p>On or before occuaption of 6th Dwelling: Admin Fee, Equipped Play and Youth Contributions.</p> <p>On or before 12th Dwelling: Playing Pitch, Changing Room and Community Hall Contributions</p> <p>On or before 18th Dwelling: Strategic Facilities Contribution.</p>			<p>Status: Not Commenced</p>	<p>Recent reduction from 8 to 3 low cost homes.</p> <p>Revised application received.</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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: COMBE</p> <p>09/01372/FUL Parish Chard</p> <p>Land Off Cedar Close Chard TA20 1DB</p> <p>The erection of 14 dwellings together with garaging and associated site works. (GR 331920/109103)</p> <p>Agreement Date: 14/12/2009</p>	<p>Sports and Leisure: Sports and Leisure: £67,211.49</p> <p>Sports, Art & Leisure Contribution: £41,208.64 for the provision of maintaining sports arts and leisure facilities in the area</p> <p>Equipped Play & Youth Contribution: £26,002.85 for the provision of maintaining equipped play and youth facilities in the area.</p> <p>Payment Received 08/06/11</p>				<p>Status: Development Completed</p> <p>Changing Facilities at Jocelyn Park.</p> <p>Chard Cricket Club pitch improvements</p> <p>Equipped Play at Redstart Park.</p>	<p>Payment Received 08/06/11 - No time limits for spending monies.</p>
<p>Ward: CREWKERNE TOWN</p> <p>10/03721/FUL Parish Misterton</p> <p>Bradfords 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 pedestrian 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.</p>				<p>Status: Underway</p>	<p>Railways Crossing Contribution: £16,500 paid directly by developer to Network Rail.</p> <p>MUGA at Misterton Rec opened, June 13.</p> <p>Off-Site recreation Contribution (£150,172) Rec November 2014. To be spent by</p> <p>** Verbal update available for POS/Landscaping/ Play Area</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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 (34)</p> <p>Agreement Date: 31/01/2013</p>	<p>Sports and Leisure: On-site Leisure & Recreation</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:</p> <p>Playing Pitches</p> <ul style="list-style-type: none"> • Floodlights • Changing Rooms • Skate Park • Swimming Pools • Sports Hall <p>Other Contributions</p> <ul style="list-style-type: none"> • School set up costs • Ecology – Dormice Mitigation • Ecology – Badger protection works • Use of Natural Stone <p>Highways: Highway Contributions</p> <ul style="list-style-type: none"> • Town Centre Improvement • Public Transport/Travel Plans • Off-site traffic calming <p>Education: Education:</p> <ul style="list-style-type: none"> • First School Contributions • Temp Classrooms • Pre-school provision • Middle School Contributions • College Contributions 				<p>Status: Underway</p>	<p>DPO application approved but not yet signed.</p> <p>Details of new agreement to be entered once signed.</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: CREWKERNE TOWN</p> <p>07/04736/FUL Parish Crewkerne</p> <p>Land At Maiden Beech Cathole Bridge Road Crewkene 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. 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. Equipped Play Area Commuted Sum: £44,000 to be transferred before no more than 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. 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. 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. 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: First Traffic Management Contribution: £87,000 to be paid immediately following the occupation of 35 Residential Units. Second Traffic Management Contribution: £87,000 to</p> <p>Education: Education Contribution: £236,251 to be</p>				<p>Status: Underway</p> <p>Sports Pitches/Changing Room Contributions towards George Reynolds Centre</p> <p>TC working on strategy to improve pitch provision.</p>	<p>Highways & Education Contributions passed to SCC.</p> <p>Management Company agreed with responsibility of the LEAP.</p> <p>Awaiting confirmation from Persimmon that site passed to MGT Company</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

	apportioned as follows: Temporary Classroom Contribution: £89,000 to be paid immediately following the occupation of 15 Residential Units. First Education Contribution: £73,625.50 to be paid immediately followi Affordable Housing: Units Agreed: 40 Affordable Housing: Units Agreed: 40				
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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: CRIMCHARD</p> <p>12/04283/FUL Parish Chard</p> <p>Land Off Thorndun Park Drive Chard 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>		<p>Sports and Leisure: £41,643</p>		<p>Status: Underway</p>	<p>Contributions to be spent by 30/09/25</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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>12/04940/FUL Parish Merriott</p> <p>Broadway Farm Barn Broadway Merriott Somerset TA16 5QH</p> <p>Conversion and extension of barns and stable to form 4 No. two bedroom and 4 No. one bedroom residential units (GR 343956/112541)</p> <p>Agreement Date: 24/10/2013</p>	<p>Sports and Leisure: Equipped Play Contribution: £5,428.37 (£3440.87 Capital & £1,987.50 Revenue as a commuted sum) for enhancing the play area facilities at Merriot Playing Field.</p> <p>Changing Room Contribution: £5,792.80 (£5,361.48 Capital & £431.32 Revenue as a commuted sum) towards new or enhancements to existing changing facilities at Merriot Playing Field.</p> <p>Youth Facilities Contribution: £925.42 (£675.63 Capital & £249.79 Revenue as a commuted sum) towards enhancing youth facilities at Merriot Playing Field.</p> <p>Playing Pitch Contribution: £4,525 (£2640.72 Capital & £1884.28 Revenue as a commuted sum) for enhancing playing pitches at the Merriot Playing Field.</p> <p>Community Hall Contribution: £10,263.05 for enhancing the community hall facilities at Merriot Village Hall.</p> <p>Strategic Community facilities Contribution: £9192.42 towards the following projects, £2,083.27 for enhancement/expansion of the Octagon Theatre, Yeovil. £535.08 provision of a 3G pitch in Crewkerne. £2,460.99 provision of a new swimming pool at Yeovil Sports Zone. £1,577.35 provision of a new indoor tennis centre in Yeovil. £2,535.73 enhancement/improvement of sports hall provision in Crewkerne or centrally based competition hall in Yeovil.</p>					<p>Equipped Play, Youth and Administration contributions paid 16/10/2015</p> <p>Equipped Play & Youth Contributions to be spent by October 2019.</p> <p>Playing Pitch, Changing Room & Community Hall contributions paid 02/02/2016 and to be spent by Feb 2021</p> <p>Strategic Contributions paid 26/05/16 and to be spent by 25/05/26.</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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</p> <p>Moorlands Farm Moorlands Road Merriott 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. (GR 344173/112183)</p> <p>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>	£15,615.85	Sports and Leisure: £30,000	Status: Underway	1 st instalment paid 31/08/2016. To be spent 30/08/2021.

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: HOLYROOD</p> <p>12/02448/FUL Parish Chard</p> <p>Land Part Of Playing Field St Marys Crescent Chard</p> <p>Erection of a new single storey medical centre with associated external works and car parking (revised application) (GR 332144/108083)</p> <p>Agreement Date: 13/12/2012</p>	<p>Sports and Leisure: Sports and Leisure: £50,000 in mitigation for loss of playing field amenity. To be used to enhance changing facilities at Jocelyn Park or new/existing facilities in Chard.</p>		Sports and Leisure: £50,000		Status: Development Completed	<p>Monies received 12/03/2013.</p> <p>Monies to be spent by 12/03/2023</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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: HOLYROOD</p> <p>11/04212/FUL Parish Chard</p> <p>Land At Mitchell Gardens (Snowdon Farm) Shepherds Lane Chard 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 enhancements 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 Reservoir Nature Reserve.</p>		<p>Sports and Leisure:</p> <p>Equipped Play Contribution: £90,208</p> <p>Youth Facilities Contribution £15,401</p> <p>Playing Pitch Contribution: £52,699</p> <p>Changing Room Contribution: £58,226</p> <p>Ecological Contribution: £1,078</p> <p>Strategic Contribution: £103,468</p>	<p>Sports and Leisure: £97,996</p>	<p>Status: Development Completed.</p>	<p>POS delivered either through commuted sum or transferring to a separate management company.</p> <p>Local contributions received 1st March 2015.</p> <p>Strategic Contribution received 19/09/2016</p> <p>Unilateral Undertaking, no time limits to spend obligations.</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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>14/00025/FUL Parish Ilminster</p> <p>Summervale Medical Centre Wharf Lane Ilminster TA19 0DT</p> <p>The erection of 8 No. dwellings and garages, formation of new access (GR 335927/114415)</p> <p>Agreement Date: 15/09/2014</p>	<p>Sports and Leisure: Changing Room Contribution: £6,963.69 (£6,445.19 Capital & £518.50 Revenue as a commuted sum) towards new, enhancements or improvements of changing rooms in Ilminster.</p> <p>Community Hall Contribution: £4,159.10 enhancement of exiting or development of a community hall in Ilminster.</p> <p>Equipped Play Contribution: £10,856.76 (£6,881.75 Capital & £3,975.01 Revenue as a commuted sum) towards enhancing existing play area at the Ilminster recreation ground.</p> <p>Playing Pitch Contribution: £5,439.63 (£3,174.48 Capital & £2,265.15 Revenue as a commuted sum) towards enhancements to playing pitches at Ilminster recreation ground.</p> <p>Straetgic Comuunity Facilities Contribution: £9,556.64 towards the following £1,464.62 towards for a new indoor swimming pool in Chard or enhancements to the existing pool at CRESTA, Chard. £3,048.27 towards new sports hall in Ilminster or enhancements to existing sports hall at CRESTA, Chard. £1,896.17 towards centrally located district wide indoor tennis centre. £643.23 towards new AGP in Ilminster. £2,504.35 towards enhancements/expansions of the Octagon Theatre.</p> <p>Youth Facilities Contribution: £1,850.84 (£1,351.26 Capital & £499.58 Revenue as a commuted sum) towards youth facilities at Ilminster Recreation Ground.</p> <p>Community Health & Leisure Administration Fee: £388.27</p>	<p>On or before occupation of 2nd dwelling, Equipped Play & Youth Contributions</p> <p>On or before occupation of 4th dwelling, Playing Pitch, Changing Room & Community Halls Contribution.</p> <p>On or before occupation of 6th dwelling, Strategic Community Facilities Contribution.</p>		<p>Sports and Leisure: £39,214.93</p>	<p>Status: Underway</p>	<p>Open dialogue with developer.</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>13/04760/FUL Parish Ilminster</p> <p>Land at Canal Way Ilminster Somerset TA19 9BL</p> <p>The erection of 65 No. dwellings and associated works to include play provision (Revised Application). (GR 334845/114681)</p> <p>Agreement Date: 11/03/2014</p>	<p>Sports and Leisure: Changing Room Contribution: £55,409.06 (£51,283.44 Capital & £4,125.62 Revenue as a commuted sum) for providing new changing facilities at Ilminster Recreation Ground. Community Hall Contribution: £33,093.37 towards provision of new or expansion/enhancement of existing community hall in Ilminster. Equipped Play Contribution: £149,280 (£94,624 Capital & £54,656 Revenue as a commuted sum) for the provision of a 500sqm LEAP on-site Landscaping & Open Space: As per schedule within agreement. Playing Pitch Contribution: £43,282.37 (£25,258.91 Capital & £18,023.46 Revenue as a commuted sum) towards enhancements expansion of pitches at Ilminster Recreation Ground. Strategic Facilities Contribution: £76,040.92 towards the following projects. £11,653.78 towards new indoor swimming pool in Chard area or enhancements to existing pool at CRESTA. £15,087.59 provision of new indoor tennis facility located in or near Yeovil. £5,118.12 towards provision of 3G pitches in Ilminster. £19,926.78 towards enhancements/expansion of Octagon Theatre in Yeovil. £24,254.65 towards a new sports hall in Ilminster/Chard or enhancement of existing at CRESTA.</p> <p>Highways: Travel Plans as detailed in agreement.</p> <p>Education: Education Contribution: £110,313 towards education facilities within the vicinity of the Development.</p> <p>Affordable Housing: Units Agreed: 23</p>		<p>Sports and Leisure:</p> <p>Equipped Play Contribution: £152,064.54</p> <p>Changing Room Contribution: £56,442.61</p> <p>Community Hall Contribution: £33,710.66</p> <p>Playing Pitch Contribution: £44,089.34</p> <p>Youth Facilities Contribution: £14,375.91</p> <p>Strategic Facilities Contribution: £77,459.32</p>		<p>Status: Underway</p>	<p>POS & LEAP specifications to be submitted.</p> <p>County seeking money for their contributions.</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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 Lminster 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</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 Ilminster Equip Play: Not yet spent.</p>	<p>Contribution secured 20/06/11.</p> <p>No time limits to spend obligations.</p> <p>Pitches/Changing Contributions: CHL working with TC & Clubs on potential projects for the Recreation Ground.</p> <p>Youth: Part of ongoing review for Rec Ground. Strategic: Project to</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: ILMINSTER TOWN</p> <p>07/05553/FUL Parish Ilminster</p> <p>North Yard 122 Station Road Ilminster 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. (GR 334926/115078)</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. 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. Strategic Community Facilities Contribution: £7,020 for facilities in the Ilminster area. Youth Facilities Contribution: £1633 construction, renovation or improvement of any building or facility for young people of Ilminster.</p>				<p>Status: Development Completed</p> <p>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 Ilminster Equip Play: Not yet spent. WH Lane</p>	<p>Contributions secured 07/07/10</p> <p>Contributions to be spent by: 07/07/20 20 - Strategic</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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>14/01680/FUL Parish Ilminster</p> <p>Gooch & Housego Ltd Cornhill Market Place East Street Ilminster TA19 0A</p> <p>Proposed mixed use development of 14 residential units (10 houses, 4 flats) and 3 commercial units involving demolition of existing buildings, provision of underground parking area, change of use of 2 existing units from B1 to A1/A2 and retention of one B</p> <p>Agreement Date: 03/04/2015</p>	<p>Sports and Leisure: Changing Room Contribution: £11,054 comprised of £10,231 Capital & £823 Revenue towards the provision of changing facilities at Ilminster Recreation Ground.</p> <p>Community Hall Contribution: £6,602 towards existing or development of new community hall provision in Ilminster.</p> <p>Admin & Monitoring Fee: £1074</p> <p>Equipped Play Contribution: £13,631 comprised of £8,640 Capital & £4,991 Revenue towards enhancements of equipped play area at Ilminster Recreation Ground.</p> <p>Playing Pitch Contribution: £8,635 comprised of £5,039 Capital & £3,596 Revenue towards playing pitch provision at Ilminster Recreation Ground.</p> <p>Youth Facilities Contribution: £2,324 comprised of £1,697 Capital & £627 Revenue towards youth facility provision at Ilminster Recreation Ground.</p> <p>Strategic Facilities Contribution: £15,170 towards the following projects:</p> <p>£2,325 Swimming Pool at CRESTA £4,839 Sports Hall provision at Ilminster or Chard £3,010 Indoor Tennis Centre, Yeovil £1,021 Provision of AGP in Ilminster £3,975 Octagon Theatre, Yeovil</p>	<p>On or before occupation of 4th Dwelling: Admin & Monitoring Fee, Equipped Play & Youth Contributions.</p> <p>On or before occupation of 7th Dwelling: Playing Pitch, Changing Room & Community Halls Contribution</p> <p>On or before occupation of 11th Dwelling: Strategic Facilities Contribution</p>		<p>Sports and Leisure: £58,490</p>	<p>Status: Not Commenced</p>	<p>Possible marketing for sale of site.</p>

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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>13/04935/OUT Parish Ilminster</p> <p>Former Factory Winterhay Lane Ilminster TA19 9BB</p> <p>The erection of up to 72 No. dwellings comprising of a mix of two, three and four bedrooms, up to 600m2 of office floor space (Use Class B1) and new access (Outline) (Revised Application). (GR 335206/115028)</p> <p>Agreement Date: 12/01/2015</p>	<p>Sports and Leisure: Equipped Play Space Contribution: 97,710.76 towards enhancing existing Winterhay Lane play area.</p> <p>Youth Facilities Contribution: £16,657.57 towards youth facilities at Winterhay Lane or Ilminster Recreation Ground.</p> <p>Playing Pitch Contribution: £48,956.68 towards the enhancement or expansion of the sport pitches at Ilminster Recreation Ground.</p> <p>Changing Room Contribution: £62,673.18 towards the provision of new changing rooms at Ilminster Recreation Ground.</p> <p>Community Halls Contribution: £37,431.91 towards the enhancement of existing or development of new community hall provision in Ilminster.</p> <p>Community Health & Leisure Service Administration Fee: £2,634.30</p> <p>Highways: Education Contribution: £108,579.86 towards the provision of primary school education within or serving Ilminster.</p> <p>Affordable Housing: Units Agreed: 25</p> <p>Miscellaneous Gains: Employment Land: See 4th schedule</p>	<p>Equipped Play & Youth contributions payable on or before the completion of 25% of the dwellings.</p> <p>Playing Pitch & Changing Room Contributions payable on or before the completion of 50% of the dwellings Community Hall Contribution payable on or before the completion of 75% of the dwellings.</p> <p>Community Health & Leisure Admin Fee payable on or before completion of 33% of the dwellings.</p> <p>Education Contribution: 50% payable prior to first occupation and 50% payable on or before occupation of 30 dwellings.</p>		<p>Sports and Leisure: £266,064.40</p> <p>Highways: £108,579.86</p> <p>Miscellaneous Gains: Employment Land: See 4th schedule</p>	<p>Status: Not Commenced</p>	

AREA WEST SECTION 106 MONITORING REPORT 15th March 2017

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>15/00830/FUL Parish Winsham</p> <p>Land At WesternWay Winsham</p> <p>The erection of 12 No. dwellings to include 4 No. affordable flats with associated parking (31 No. spaces) and the change of use of land to the south to form car park (34 No. parking spaces) and public open space. (GR 337254/106275)</p> <p>Agreement Date: 29/11/2016</p>	<p>Sports and Leisure: Changing Room Contribution: £9,183 comprised of £8,499 capital and £684 revenue as a commuted sum towards the enhancement of the existing changing room facilities at the Winsham Recreation Ground. Community Hall Contribution: £16,268 towards the enhancements of the Jubilee Village Hall in Winsham. Sports Hall Contribution: £4,019 towards new or enhancements of existing sports hall at CRESTA. Youth Facilities Contribution: £1,826 comprised of £1,333 capital and £493 revenue towards provision of new youth facilities in Winsham. CH&L Fee: £313</p> <p>Affordable Housing: Units Agreed: 4</p> <p>Miscellaneous Gains: Community Car Park.</p>			<p>Sports and Leisure: £31,609</p>	<p>Status: Not Commenced</p>	<p>On site landscaping to be agreed by 10th dwelling occupied.</p>

Agenda Item 12

Area West – Reports from Members on Outside Bodies

Assistant Director: Helen Rutter, Communities
Lead Officer: Zoe Harris, Area Development Team Leader
Contact Details: zoe.harris@southsomerset.gov.uk or 01460 260423

Purpose of the Report

To introduce reports from members appointed to outside bodies in Area West.

Public Interest

Each year Area West Committee appoints local Councillors to serve on outside bodies (local organisations) in Area West. During the year Councillors make a report on the achievements of those organisations and other relevant issues.

Background

To replace “Reports from members on outside organisations” as a generic standing agenda item it was agreed at the August 2012 meeting to include specific reports about each organisation in the Committee’s forward plan.

Members were appointed to serve on ten outside bodies at the June 2016 meeting.

Reports

Reports can be verbal or written. There is no standard format, but if possible they include an explanation of the organisations aims, their recent activities, achievements and any issues of concern.

This month the member reports are :

A Better Crewkerne & District (ABCD) – Cllr. Mike Best (report attached)
Making It Local Executive Group – Cllr. Martin Wale (verbal update)

Recommendation

That the reports are noted.

Financial Implications

None.

Council Plan Implications

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

Background Papers: None

A Better Crewkerne and District (ABCD) update

ABCD continue to actively work in the town, since the last update to Area West in March 2016, ABCD has achieved the following:

Creative Crewkerne

This working group have been extremely busy. Last April saw 2 weeks of Pom-pom bombing across the town. Thousands of pompoms were used to decorate the town centre and other key buildings and locations in the town. This was a hugely successful arts project which brought together a wide range of people who made the pom-poms at various workshops in the cafes, pubs and community buildings around the town. The event was so successful that Creative Crewkerne (a working group of ABCD) are now running pom-pom making workshops ready to decorate the town again this spring, commencing on 22nd April for two weeks.

In June, Creative Crewkerne organised the Community Singing event at the Henhayes Fete, a hugely successful event involving 3 schools and 2 community choirs. In October, Creative Crewkerne arranged for Dinosaur Park, a very funny show which sold out at the Edinburgh Fringe, to be performed in the town.

As well as another Pom-Pom event, plans are now in place to put on a day of Art in the Gardens in July 2017.

Community Plan 2016 - 2026

The completed Crewkerne Community Plan with accompanying Action Plan of projects was published in the autumn. A full copy is available on the ABCD website and a summary was printed and distributed in the Town Council newsletter, which went out to every household.

ABCD met with Crewkerne Town Council and Crewkerne Chamber of Trade, who have agreed to take the lead on a number of relevant projects outlined in the Action Plan. ABCD are just launching a consultation with local businesses to help inform a local economic strategy for the town.

Bus Shelter

Members of ABCD have been exploring the possibility of relocating the bus stops from Market Square to Market Street, if this happens it would enable the provision of a much needed bus shelter.

Skate Park

ABCD worked with Crewkerne Town Council and a group of enthusiastic young people to secure funding, finalise the design and build a new skate park in record time.

ABCD continues to work in partnership with a number of local organisations to help progress the projects identified through the consultation. Partner organisations include: Crewkerne Town Council, SSDC, Friends of Henhayes Play Park, Friends of Crewkerne Station, Chamber of Commerce and Crewkerne Heritage Centre.

Cllr. Mike Best

Agenda Item 13

Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods, Service Delivery
Service Manager: David Norris, Development Manager
Contact Details: david.norris@southsomerset.gov.uk or 01935 462382

Purpose of the Report

The schedule of planning applications sets out the applications to be determined by Area West Committee at this meeting.

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 7.00 pm.

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

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
14	WINDWHISTLE	16/03404/FUL	Alterations to access and erection of two adjoining agricultural buildings with silage pit and yard area.	Land At Hoarstones Cricket St Thomas, Limekiln Lane, Winsham	Mr Stephen Taylor
15	CHARD CRIMCHARD	14/05511/FUL	The erection of 5 No. dwellinghouses and a block of 4 No. flats with associated vehicular access, parking, landscaping and the formation of an area of equipped public open space (revised application) (GR 332870/109782)	Land North Of Dolling Close, Chard	Mr Jonathan Thornton
16	CHARD COMBE	17/00074/OUT	The erection of two dwellings (outline)	Land Rear Of The Phoenix Hotel And Car Park, Fore Street Chard	Mr & Mrs A Kenton

Further information about planning applications is shown below and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda had been prepared.

Referral to the Regulation Committee

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

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

Human Rights Act Statement

The Human Rights Act 1998 makes it unlawful, subject to certain expectations, for a public authority to act in a way which is incompatible with a Convention Right. However when a planning decision is to be made there is further provision that a public authority must take into account the public interest. Existing planning law has for many years demanded a balancing exercise between private rights and public interest and this authority's decision making takes into account this balance. If there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues then these will be referred to in the relevant report.

Agenda Item 14

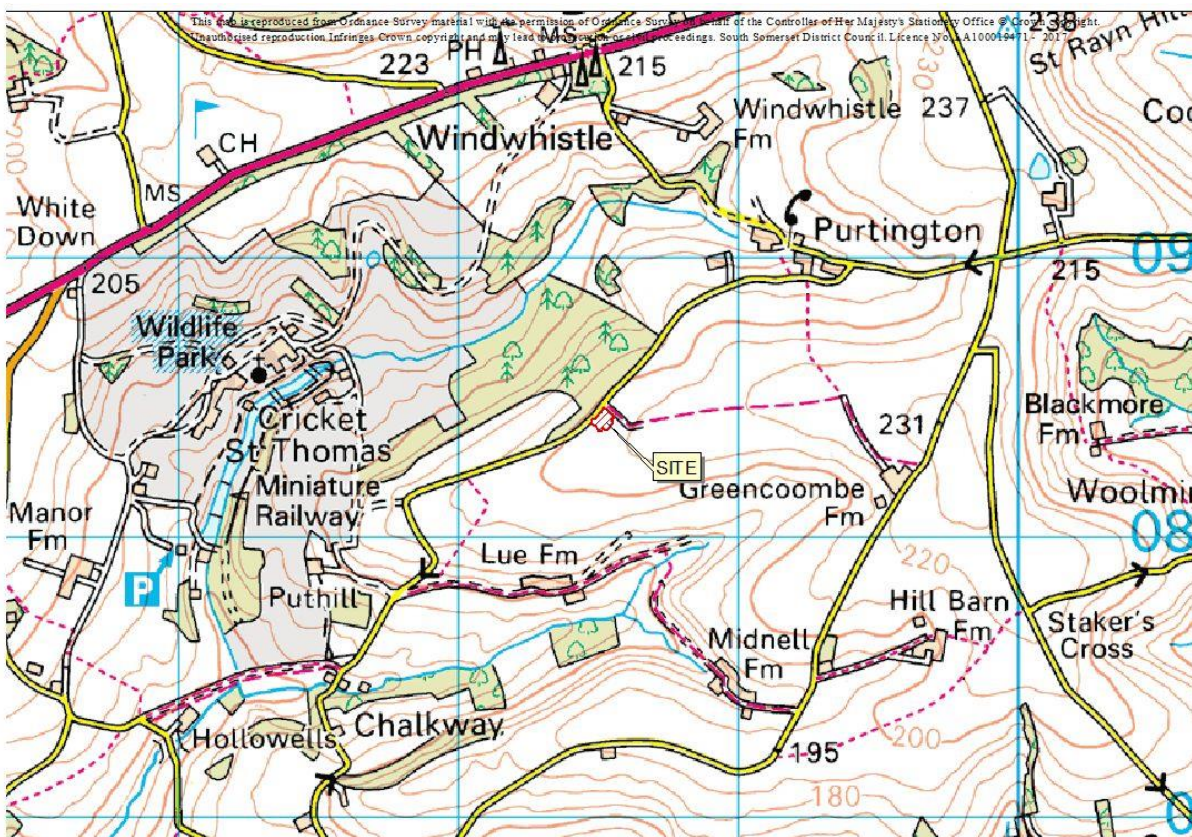
Officer Report On Planning Application: 16/03404/FUL

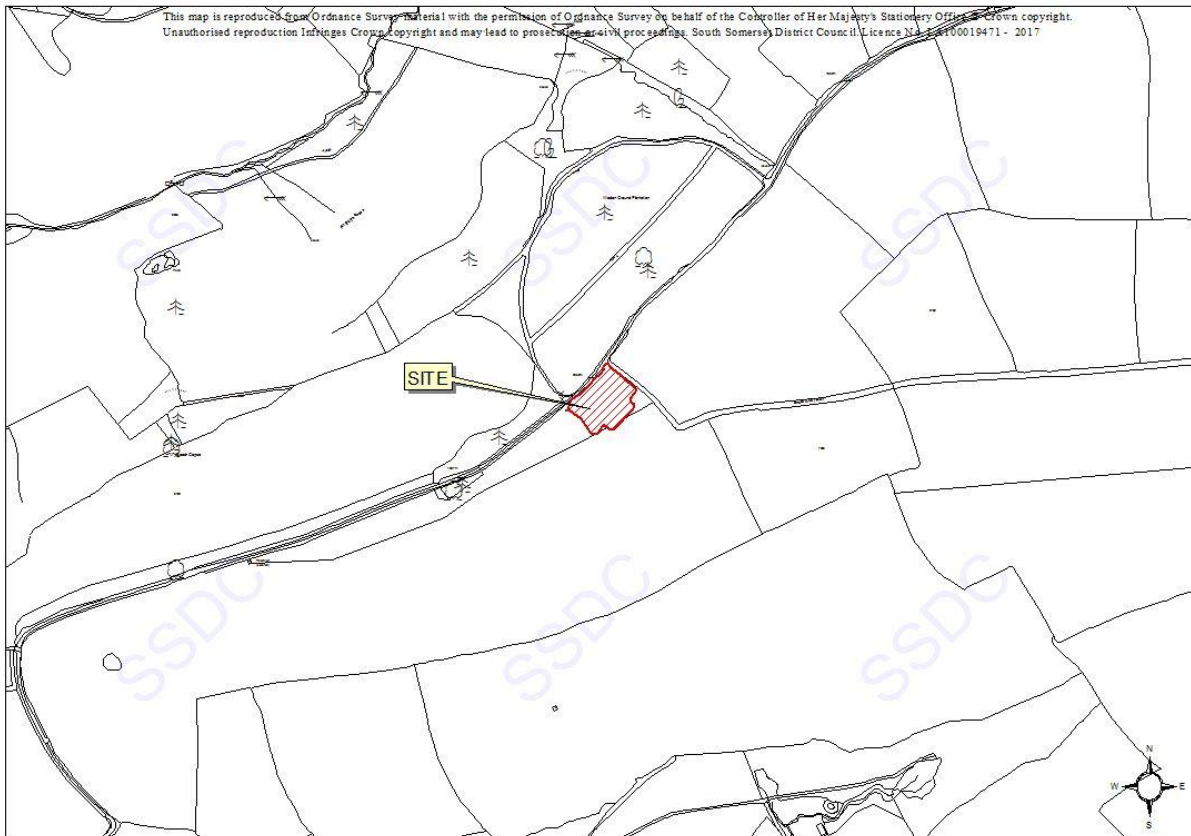
Proposal :	Alterations to access and erection of two adjoining agricultural buildings with silage pit and yard area.
Site Address:	Land At Hoarstones Cricket St Thomas Limekiln Lane Winsham
Parish:	Winsham
WINDWHISTLE Ward (SSDC Member)	Cllr S Osborne
Recommending Case Officer:	Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk.
Target date :	6th December 2016
Applicant :	Mr Stephen Taylor
Agent: (no agent if blank)	Greenslade Taylor Hunt Winchester House Deane Gate Avenue Taunton TA1 2UH
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The application is being referred to committee because of the local concerns about the proposal on a variety of issues.

SITE DESCRIPTION AND PROPOSAL





The application site consists of open agricultural land located within the Cricket St Thomas estate, a land holding of approximately 860 acres. The site is located on gently rising ground, approximately 300 metres to the south east of the Grade II Listed Cricket St Thomas Park Historic Park and Garden (HP&G). The site is accessed via an unclassified highway to the northern end of the site. There is a bridleway along a green lane running alongside the north eastern side boundary that is accessed adjacent to the proposed vehicular access for the development.

The proposed development consists of two agricultural buildings (1 livestock and 1 general store), hardstanding, vehicular access and silage pit. The livestock building would measure 36.5 by 25 metres. It would have a dual pitched roof with a maximum height of 6.4 metres. The application proposes external materials of green profiled sheeting for the roof and Yorkshire boarding and concrete block for the walls. The general storage building would measure 19 by 24 metres. It would have a dual pitched roof with a maximum height of 5.8 metres. The silage pit would consist of concrete block walls with a maximum height of 2.5 metres.

The buildings and hardstanding would be cut into the sloping site. Additional plans have clarified that a proportion of the excavated spoil would be distributed to the rear of the buildings in the form of an earth bund.

The access into the site would be hard surfaced at a gradient of no more than 1 in 10.

HISTORY

10/02986/FUL - Demolition of agricultural building and erection of 20 holiday lodges with reception/swimming pool - Permitted with conditions (contrary to officer recommendation).

10/00030/DPO - Application to modify a section 106 agreement dated 1/11/1999 and Section 52 agreements dated 23/11/1987

And 17/05/1984 to allow leasing of land to facilitate holiday lodge development permitted under planning permission- Application permitted.

07/04050/FUL- Proposed demolition of agricultural buildings and erection of 20 holiday lodges and 1 administration lodge with associated access, car parking and landscaping works- Withdrawn.

04/00564/COU - Change of use from agricultural to equestrian use including horse manege, horse walker, use of buildings for stabling, exercise track across country and use of field for practice jumps - Permitted with conditions (contrary to officer recommendation).

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 the decision 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 considers that the relevant policy framework is provided by the National Planning Policy Framework and the South Somerset Local Plan (2006-2028). The Local Plan was adopted by South Somerset District Council in March 2015.

The National Planning Policy Framework (NPPF) is a material consideration. The following chapters are of most relevance:

National Planning Policy Framework Chapter 7 - Requiring Good Design Chapter 11 - Conserving and Enhancing the Natural Environment

Local Plan (2006-2028) The following Local plan policies are considered to be relevant:

EQ2- General Development

EQ3- Historic Environment

TA5- Transport impact of new development

EQ7- Pollution Control.

National Planning Practice Guidance: The following sections have the most relevance:

Determining an application.

Design

Heritage Assets

Other Policy Considerations Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

Winsham Parish Council:

No objection. The Council requests the following conditions are included:

A Flood Risk Assessment is conducted.

That there is an appropriate scheme for clean and dirty water.

PROW CH30/19:

- New planning permission is sought should the owners wish to create an access onto the bridleway.
- The plans show a possible reduction in the bridleway entrance width. This is not acceptable, the Parish Council request that this not be changed.
- That the hedgerow that abuts the proposed site is maintained and not removed or significantly replaced.

County Council Highway Authority:

Standing Advice applies.

SSDC Highway Consultant:

No significant highway issues- no objection.

County Council Public Rights of Way:

I don't see too much of an issue as long as there's a standard note around the improvement of the entrance off the road (this should require them to apply for a s171 licence). This may be in the Standing Advice already from Highways. Improvement of the junction/ entrance area will more than likely interfere with the extent of the public highway, more so than with the public bridleway width. That said, the works to the road could affect use of the bridleway in terms of possibly needing a temporary closure for the bridleway during works. Also, as part of the s171 licence process consideration will need to be given to how the new improved junction affects horse riders primarily, as we would not want to have a tarmac finish that is too slippery for horse shoes.

I note the comments about other access into the field from the lane and in that respect I assume the white rectangle on the masterplan labelled 'access to field' is internal access between the barns and the pasture.

Landscape Officer:

First response:

I have undertaken pre-app on this proposal, which included a review of potential sites. That review was against the backdrop that much of the estate encompasses the HP&G (Historic park and garden) and given the landscape sensitivity of this heritage asset, the potential for additional development within the HP&G is precluded in most part, unless such can be undertaken by some consolidation of existing building groups.

The site before us lays outside the HP&G, and is a little removed from the core of the estate, laying alongside Limekiln Lane, to the southwest of the HP&G. The proposal intends two buildings and a silage clamp, with the profile of the land being cut to help reduce the visual profile of the new build.

The site is in an elevated and singular location, toward the head of one of the dissected plateau to the south of the main extent of Windwhistle Hill. It has some advantage in laying between a low ridge line to the south, and established woodland to the north, that would provide some visual containment, though it will introduce a bulk of built form that is currently not present along the lane, and generate additional vehicular activity. Whilst this will impact negatively on the immediate landscape character of the lanes environs, I also note that singular farm building groups are found elsewhere on the upper hillsides of the dissected plateau, thus the location for a farm building is not at variance with that wider characteristic of Windwhistles agricultural landscape.

Given the relative isolation of the location, and the lack of built form associated with Limekiln Lane, a new build proposal will clearly impact upon the character of the local landscape. However, as set out above the proposal has come forward after consideration of options within the HP&G, where there appeared to be little scope for a sympathetic siting. Consequently, providing (i) you are satisfied that the case is made for these structures, and (ii) there is no suggestion of establishing an allied farm residence, then with appropriate landscape treatment, I would not discount this as an agricultural development site. If minded to approve, please condition a detailed landscape proposal, which should address long views along the lane, as well as from the immediate lane and bridleway. It will also be necessary to ensure that the hedgerow oaks in the green lane to the northeast are not impacted upon by any on-site engineering works, and a tree protection plan would also be a requirement.

Second response:

I would have no issue with a bund to 1.5m. max build up over existing ground level along the southeast boundary, providing;

- (a) the profile is as gentle as inferred by section AA " detailed ground modelling detail should be conditioned.
- (b) the precise areas of planting are agreed pre-determination. I consider the bund profile needs to be tempered by a robust plantation.

SSDC Ecologist:

I note the bulk of this site is an agricultural field that is unlikely to have any significant wildlife importance. The layout plan suggests there will be a small buffer to the boundary hedges.

As has been claimed, I consider the presence of dormice in local woods and the hedge network to be quite feasible or likely. It appears a small amount of hedge may have been removed next to the site's entrance. I consider this small amount of removal is very unlikely to have had a significant impact upon dormice.

Whilst slow worms may be present in the area, they are more likely to be associated with residential gardens and are unlikely to be present on the agricultural land of the application site and adjoining fields. I therefore have no objections to the proposed development. However, one omission from the application is any detail regarding location(s) for the tipping of spoil. Given there are potentially sensitive habitats on the estate that could be damaged by such an operation, I recommend further details are requested.

REPRESENTATIONS

Following consultation representations have been received from 12 nearby occupiers, 1 making representations and 11 objecting to the proposal. In addition representations have been received from Somerset Ramblers and Somerset CPRE. The following comments are made:

Agricultural justification:

- The animals do not belong to the Cricket St Thomas estate but to the tenant farmer.
- Other buildings are available.
- Applicant has deliberately reduced the number of buildings available. History of farm buildings being converted into other uses or demolished to make way for other development justified on the basis of lack of agricultural need.
- No business case.

Highway safety:

- Danger to other highway users such as walkers, horse riders etc.
- Adverse impact on adjacent bridleway.
- Limekiln lane is narrow with few passing places. The lane and banks are already being damaged by vehicles.
- Impact on the village of Purtington from vehicles.

Visual amenity:

- Adverse impact on landscape including historic park and garden.
- Light pollution.
- No landscape and visual impact assessment submitted.
- Suggestion that barns are moved further from road frontage/bridleway.
- Hedges should be retained/maintained if approved.

Flooding/drainage:

- Development will generate a significant amount of dirty water.
- Drainage measures not detailed enough.
- Increased runoff from hardstanding.
- There is a watercourse within 2 metres of the site.

Other matters:

- Dormice may use the roadside hedge.
- The area around the estate being degraded by the land owner.
- If approved could give rise to a dwelling in this location.
- Dumping spoil in the adjacent woodland is unsatisfactory.
- Suggestion that permitted development rights are removed if approved.
- Concerns over noise/smells and impact on residential amenity from construction and later use of buildings.

CONSIDERATIONS

Principle of development:

Consideration has been given to the principle of the development in terms of agricultural need and justification. Whilst the proposal would be sited on agricultural land and therefore would be an appropriate use in this context, the locality is sensitive given that it is within the setting of the HP&G.

It is acknowledged that in many circumstances the issues relating to agricultural need are not given such detailed consideration. Given that the site is located within the setting of the HP&G and considering the size of the proposed buildings, it is considered that an assessment of the justification and need for the building is pertinent. The grant of permission for a building for a use where there is not sufficient justification could result in a building in a sensitive location being used for a less suitable purpose or unused. As such, particularly where there is landscape impact, in order to guard against inappropriate development, it is considered reasonable to take this approach in determining the application. This approach has been upheld in appeal decisions and in High Court judgements.

Additionally, of some concern is the number of agricultural buildings within the land holding that have been proactively converted to other uses in recent years with lack of agricultural need cited by the owner of the estate and therefore it is necessary to consider whether the proposal is as a result of a genuine change in agricultural need/ circumstances having arisen.

Justification/need:

The application is made by the land owner who rents the land to a local farmer who farms cattle and ewes. The justification for the proposal centres around the need for the tenant farmer to have sufficient adequate accommodation to house the current livestock numbers and to provide some scope for numbers to be increased in the near future. The tenant farmer owns Horn Farm several miles away where there are three livestock buildings and several general storage buildings. The farmer rents several other sites including Knightshouse Farm, Cricket St Thomas (including storage buildings at Lue Farm) and buildings at Broadenham. The site at Knightshouse Farm has been sold so these buildings are no longer available. In addition, the buildings at Lue farm and Broadenham are understood to be rented on insecure tenancies.

The farmer currently has approximately 550 cattle, the majority of these (approximately 300) are kept at Horn Farm with the remainder spread around the various other rented sites. The site at Horn Farm is understood to be over its intended capacity and buildings which were intended for general storage are being used for cattle.

The proposed building would accommodate approximately 80-100 cattle. Along with an additional nearby building located at Puthill, there would be a total capacity for approximately 160 cattle within the vicinity. Given the sensitivities of the site and the history of the holding the acceptability of the justification could be argued positively and negatively. There can never be a guarantee of intent by a land owner to use agricultural buildings in perpetuity for agricultural purposes. As such, the rationale provided by an applicant needs to be taken at face value to a certain degree. It is considered that the submitted justification is reasonable having regard cattle numbers owned by the tenant farmer, over

capacity at existing sites and lack of other buildings on a secure tenancy. Having regard to the above it is considered that there is sufficient justification for the proposal in relation to agricultural need. Notwithstanding this, it is considered reasonable to restrict permitted development rights to dwellings and commercial uses for the proposed buildings.

Landscape Impact/Impact on Historic Park and garden:

The councils Landscape Officer has been consulted. It is noted that the application follows a review of potential sites within the estate by the Landscape Officer. Looking solely at landscape impact, the review identified a hierarchy of preference of locations for development resulting in the proposed site being suggested as not ideal but preferable to other locations.

The Landscape Officer notes that the site is isolated from other development but that it is located outside the HP&G and preferable to other potential sites within the land holding. Furthermore, that the agricultural need for the buildings must be considered and accepted and that reassurance given that there is no suggestion of proposing an allied farm residence.

There will be some visual impact on the immediate locality, however the site is considered to have an acceptable impact on the wider landscape. The setting of the Historic Park and Garden would not be harmed due to the distance from its boundary, intervening woodland and agricultural character of the development.

On the basis of the agricultural need being accepted, and subject to conditions, it is considered that the landscape impact of the development will be at an acceptable level to ensure that there will not be undue harm to landscape character and the setting of the

Historic Park and Garden and general local landscape character:

The Landscape Officer does not object to the amended plans showing an earth bund to the rear of the buildings provided that the bund profile is maintained in accordance with the submitted plan and that areas for planting are agreed prior to determination. These details can be secured through a planning condition. In relation to the materials for the roof it is considered that an anthracite grey would be more appropriate. The applicant has since confirmed by email that anthracite grey would be an acceptable finish for the roof. This detail will be secured via a planning condition.

Overall, subject to conditions it is considered that the proposal would have an acceptable impact on landscape character and the setting of the nearby Historic Park and Garden would not be harmed. The proposal would therefore accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

Residential amenity:

The nearest residential properties are approximately 600 metres to the north east of the proposed site. Given this distance, it is therefore considered that there would be no harm on the amenities of these adjoining occupiers in relation to noise, odour or general disturbance. Accordingly it is considered that the development would accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

Highway Safety:

Concerns have been expressed by local residents about the inadequacies of the highway infrastructure leading to the site. The Councils Highway Consultant has not raised concerns over the proposal. It is acknowledged that the lane leading to the site is narrow, however this is consistent with a significant proportion of the agricultural land within the district for which access is required for farming activities. It is therefore generally accepted that access to such locations will very often be substandard and farmers generally are used to managing their method of access accordingly.

Concerns have also been raised over a pinch point within Purtington and the general impact on these residents from increased traffic. The applicants accept that some larger vehicles would not be able to navigate this turn and state therefore that smaller vehicles would travel from this direction. Some of the

larger vehicles would be able to travel from the crossroads to the east of Purtington thereby negating the need to travel through the village centre. The applicants further contend that the site is accessible from internal farm tracks from within the estate, the main route joining the highway at the site of the existing agricultural building at Puthill to the west of the site.

In terms of gaining access into the site, during consideration of the application the applicant has increased the width of the proposed access to assist in overcoming concerns over larger vehicles entering the site, this widening would necessitate the removal of a telegraph pole. Overall the access is considered to be acceptable in terms of providing an effective access into the site.

There is a public right of way (Bridleway CH 34/19) adjacent to the site entrance. Concerns have been raised by contributors in relation to the impact on users of the bridleway. The County Council Rights of Way Officer has not raised an objection but has commented that a S.171 licence may be required for the works to the entrance and that a temporary closure may be required. It is recommended that these matters are included as an informative on the decision notice.

Overall, the relationship of the vehicular access with the bridleway is not considered to be unusual. Considering the relatively low level of vehicular movements that would result from the proposed development it is considered that there would be no undue harm to the safety of users. The landscaping condition will ensure that the hedge bordering the bridleway is retained.

Drainage:

Concern has been raised over various drainage matters such as surface water from the site, dirty water, impact on watercourses and the highway. Subject to a condition relating to drainage matters, the proposal is considered to be acceptable in this regard. In terms of pollution, the housing of the livestock within the building would allow the cattle to be housed on a loose bed system which minimises the discharge of slurry. A separate soakaway will be provided for clean roof water in accordance with details to be submitted and approved. Additionally the applicant has proposed that effluent from the silage clamp would be drained

It should be noted that the control of pollution, waste and the appropriate provision of drainage in relation to agricultural developments are controlled by separate legislation, which is enforced by the Environment Agency. These matters need to accord with guidance such as DEFRA publication 'Protecting our water, Soil and Air: A Code of Good Practice for Farmers, Growers and Land Managers.' And the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010.

An adverse impact on local water supply will only be caused where the applicant fails to adhere to the relevant regulations and codes of practice. In this respect, the Local Planning Authority have no control over how the site will be managed but are entitled to assume that it will be well managed and maintained in accordance with this relevant legislation. For this reason, it is not considered reasonable to refuse planning permission on these grounds and it is not considered reasonable to attempt to condition foul drainage such as slurry unless there are exceptional circumstances as these matters are covered by other legislation. Nevertheless it is considered appropriate to impose a condition to secure details of surface water drainage, including from the roof, hardstanding and measures to prevent discharge of water onto the highway. This will allow some Local Planning Authority control in respect to drainage provision were the proposed management arrangements to change in the future. Informatives relating to pollution will be included within the decision notice.

Ecology:

Concerns have been raised over the potential for dormice to reside in the roadside hedge. The Councils Ecologist has been consulted and has commented that the removal of the small section of hedge is very unlikely to have any impact on dormice. It is noted that a small additional section of hedge row would be removed to provide the widened access, however given the comments from the ecologist it is considered that impacts upon dormice are very minimal. In relation to slow worms the Councils ecologist

has commented that their presence is very unlikely within this location. Having regard to the above it is considered that there is no appreciable risk of harm to protected species as a result of the proposed development.

RECOMMENDATION

Approve with conditions.

01. The proposal, by reason of the proposed agricultural use and accepted justification represents an appropriate land use within this isolated countryside location. The size, design, siting and materials would represent a development that would respect the landscape character of the area and would not harm the setting of the nearby grade II Listed Historic Park and Garden. The development would have no adverse impact on neighbour amenity or highway safety. As such the proposed development would accord with the aims and objectives of Policies EQ2, EQ3, EQ7 and TA5 of the South Somerset Local Plan (2006-2028).

SUBJECT TO THE FOLLOWING:

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

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

02. Other than as required by conditions the development hereby permitted shall be carried out in accordance with the following approved plans: 1513J-PL-01 Rev. D; 1513J-PL-02; 1513J-PL-03; 1513J-PL-04; 1513J-PL-015; Fri 03/02/2017 09:37 only.

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

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no permitted development of the development hereby permitted under Schedule 2, Part 3, Class Q and R of the said order without the prior express grant of planning permission.

Reason: To safeguard the amenities of the area and to protect the local water environment, in accordance with policy EQ7 of the South Somerset Local Plan (2006-2028).

04. Notwithstanding the details submitted with the application and as shown on the approved plans, finish for the external surfaces of the roofs of the buildings hereby approved shall be anthracite in accordance with the email sent by the applicant on Fri 03/02/2017 09:37. The development shall be carried out in accordance with these approved details and shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the area, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028).

05. No development shall be carried out on site unless surface water drainage details to serve the development hereby approved, including measures to prevent discharge of water onto the highway, have been submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation or implementation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To safeguard the amenities of the area and to protect the local water environment, in accordance with policy EQ7 of the South Somerset Local Plan (2006-2028).

06. No later than within the first planting season following the substantial completion of either of the buildings hereby approved a soft landscaping scheme shall be completed in accordance with details that shall have been submitted and approved in writing by the Local Planning Authority. The scheme shall include the retention of all hedges within the site (other than for provision of the access hereby approved) details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity to accord with policy EQ2 of the South Somerset Local Plan (2006-2028).

07. Prior to the commencement of any works on site, details of hedge protection measures for all hedges, hedgerows and trees immediately adjoining the development site, including details of the construction and finish of the 'access to field' as illustrated on plan No. 1513J-PL-01 Rev. D shall be submitted to and approved by the Local Planning Authority. Any part(s) of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the area, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028).

08. No means of external lighting or other illumination shall be installed on or within the building hereby approved or operated on any part of the subject land unless details of all new lighting have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written agreement of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the area, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028).

09. The finished levels of the development hereby approved shall accord with the details on the approved plan, drawing No. 1513J-PL-01 Rev. D.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the area, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028).

Informatives:

01. 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.

Public Right of Way:

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group.

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would

- make a PROW less convenient for continued public use (or)
- create a hazard to users of a PROW

then a temporary closure order will be necessary and a suitable alternative route must be provided. A temporary closure can be obtained from Sarah Hooper on (01823) 357562.

02. Drainage:

The site must be drained on a separate system with all clean roof and surface water being kept separate from foul drainage. There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

Pollution Prevention during Construction Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover: - the use of plant and machinery - oils/chemicals and materials - the use and routing of plant and vehicles - the location and form of work and storage areas and compounds - the control and removal of spoil and wastes. The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Nitrate Vulnerable Zones

If the site is located within a Nitrate Vulnerable Zone (NVZ) then the Nitrate Pollution Prevention Regulations 2008 may apply. The applicant should refer to DEFRA at the following link: <http://www.defra.gov.uk/food-farm/land-manage/nitrates-watercourses/nitrates/>
Manure Manure/dung heaps must be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off. The subsequent disposal of collected wastes must be undertaken in accordance with the "Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land managers" which can be found at: <https://www.gov.uk/government/publications/protecting-our-water-soil-and-air>

Oil and Chemical Storage

If any oil or chemical storage facilities are required as part of the operations on the site then they should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.

Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which can be found at: <http://www.environment-agency.gov.uk/business/topics/oil/>

Please contact the Environment Agency Local Environment Management team via 03708 506 506 if you have any queries.

Agenda Item 15

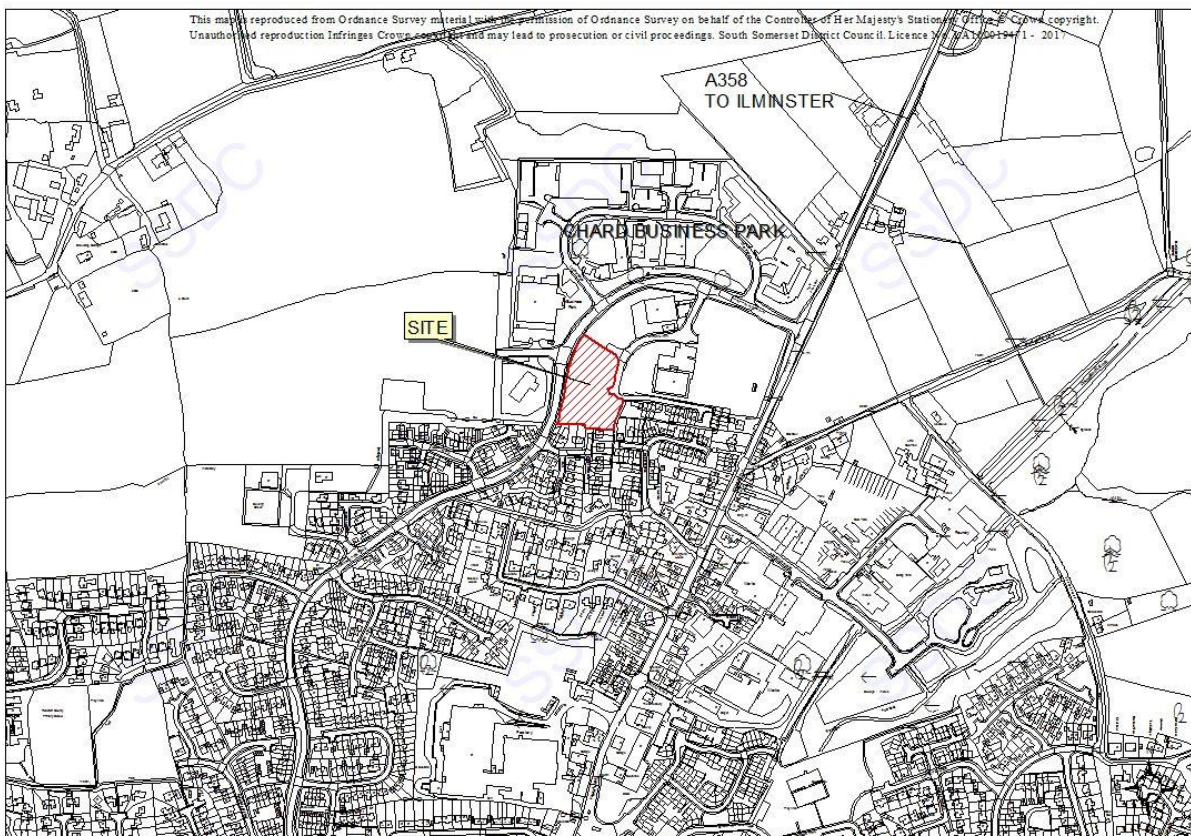
Officer Report On Planning Application: 14/05511/FUL

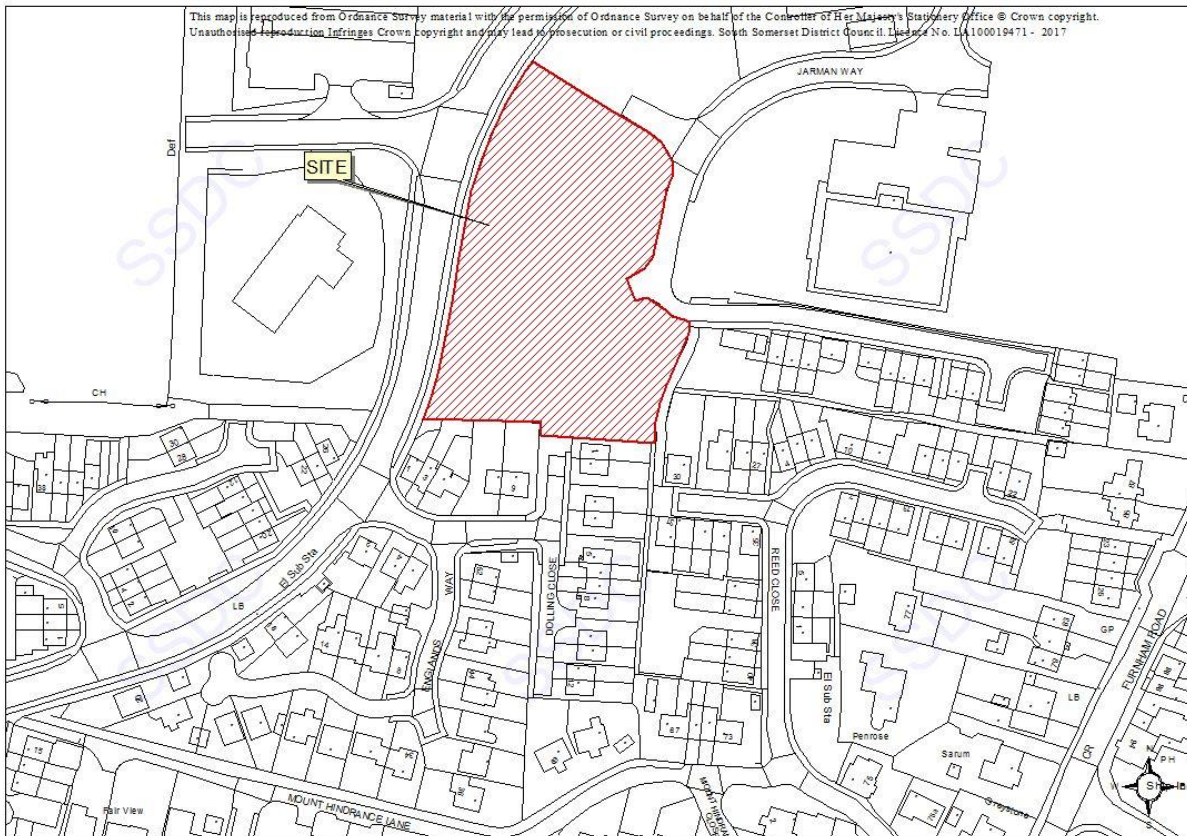
Proposal :	The erection of 5 No. dwellinghouses and a block of 4 No. flats with associated vehicular access, parking, landscaping and the formation of an area of equipped public open space (revised application) (GR 332870/109782)
Site Address:	Land North Of Dolling Close Chard
Parish:	Chard
CRIMCHARD (CHARD) Ward (SSDC Member)	Cllr J Kenton
Recommending Case Officer:	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
Target date :	24th March 2015
Applicant :	Mr Jonathan Thornton
Agent: (no agent if blank)	Mr Mike Payne Boon Brown Architects Motivo Alvington Yeovil, Somerset, BA20 2FG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON(S) FOR REFERRAL TO COMMITTEE

This application is referred to Area West Committee as South Somerset District Council owns part of the land within the application site and an objection to the proposal has been received.

SITE DESCRIPTION AND PROPOSAL





The site is located towards the northern edge of Chard, on the eastern side of Thorndurn Park Drive and west of Jarman Way. It is located within a larger area originally granted consent in the 1980's for employment uses, known as Chard Business Park. The site, known as Plot 5, extends to 0.58 hectares and comprises a grassed/scrub area with a number of protected trees including Oak, Scots Pine and Field Maple. Residential properties are located to the south and south east with employment units to the north east and west. To the immediate north is a further grassed area.

This application seeks permission for the erection of 9 affordable dwellings, comprising 5 terraced houses and a block of 4 flats along with associated vehicular access, parking, landscaping and the formation of an area of equipped play and open space. The 5 terraced houses will be located on the western side of the site with the 4 flats on the eastern side. The scheme includes a total of 19 parking spaces comprising 15 allocated spaces and 4 visitor spaces. 2 spaces are also provided for motorbikes. Vehicular access will be gained via an extension to Jarman Way which in turn will lead to the parking area which will be located in between the 2 blocks of housing. An area for cycles and bin storage is provided.

The terraced dwellings will front onto the play/open space area and will rise gradually in height. The dwellings will be constructed using brick, with brick quoins along with a tiled roof. Each of these will have a rear garden with a shed. Existing firs and silver birch trees (none protected) will be removed. The rear gardens will be bounded by 1.8 metre wooden panel fencing. The 4 flats will be rendered with brick quoins with a tiled roof. A communal amenity space is provided along with bin storage.

The central and northern part of the site will be used for the provision of equipped play and open space. Members will note the application from 2012 which granted consent for the change of use of the current application site from employment to public open space use. Whilst this consent has now lapsed, it established the principle of the change of use from employment to a different use. This change of use had been accepted due to the lack of any progress in developing the site for employment purposes over 20 years due largely to the protected trees creating a significant site constraint. In addition, this area of

Chard is deficient in play facilities and is considered to be a good location for such provision. The residential element of the scheme will enable a planning obligation to be secured towards the equipped play on the site. This will total £81,000 and, along with the previous commuted sum of £41,000 from the residential development of Plot 1, will enable the equipped play facilities to be delivered.

The application was accompanied by an Ecological Survey report and a Reptile Survey report. This revealed the existence of a low population of slow-worms and a mitigation strategy has been proposed to provide the safe capture and translocation of slow-worms to the northern part of the site.

Members will note the lengthy timescale that this application has taken to process. This has been due to resolving legal issues in respect of the collapse of Brookvale Homes, who were part landowners. Those legal issues have now been resolved.

RELEVANT HISTORY

Application No: 14/00845/FUL: The erection of 5 No. dwellinghouses and a block of 4 No. flats with associated vehicular access, parking, landscaping and the formation of an area of equipped public open space (application withdrawn).

12/04262/COU - Use of land as Public open Space (application approved).

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 (adopted 2015)

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS5 - Delivering New Housing Growth.

HG3 - Provision of Affordable Housing

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision of open space, outdoor playing space, sports, cultural and community facilities in new development.

National Planning Policy Framework

Core Planning Principles

Chapter 6 - Delivering a wide choice of high quality homes

Chapter 7 - Requiring good design

Chapter 8 - Promoting healthy communities

Somerset County Council Adopted Parking Standards

CONSULTATIONS

Chard Town Council:

Recommend approval.

Highway Authority:

The Highway Authority have not raised an objection subject to 3 conditions. These refer to estate road details, properly constructed and consolidated roads and footpaths, keeping parking and turning areas clear of obstruction and not to be used other than for parking and turning.

The Highway Authority have advised that this development will provide an opportunity to enable the adoption of Jarman Way road. They have advised the applicant to discuss this with them along with some other highway details at the technical approval stage.

Ecologist:

The ecologist is satisfied with the submitted ecological survey. No objection is raised subject to a condition requiring mitigation in respect of slow worms. In addition, an informative is required in regard to nesting birds.

Senior Play and Youth Facilities Officer:

A contribution of £81,000 towards the provision and management of an equipped play area on the adjacent area of open space has been requested. The officer has advised against the provision of footpaths through the public open space, until the final design and layout for the play and open space areas have been subject to consultation and final design criteria. Also asked if a draft Unilateral Undertaking has been prepared/submitted for this application.

Environmental Health Officer:

No objection subject to the imposition of 2 conditions in respect of dealing with any contamination that may be found on site.

Crime Prevention Officer:

No objection raised but advised about the following:

- Consider removing the footpath/desire line at the rear of plot 5 if this is proven not be a right of way. This pathway would make this into an easy escape route for criminals.
- Removal of part of the wall between parking places for plot 5 to increase surveillance to the parking court from the bedroom windows.

REPRESENTATIONS

1 email has been received objecting to the scheme. The writer states that he was told that no houses would be built on this land as it is an industrial estate. It would mean cramming houses into an industrial estate.

CONSIDERATIONS**Principle**

The site forms part of the wider Chard Business Park which has now largely been developed for employment uses over the last 20 years. However, it has previously been accepted that employment delivery on this particular plot (number 5) has not occurred due to the existence of protected trees and close proximity to existing dwellings. Previous consent was granted for a change of use of this site to open/play space use. Whilst this permission has now lapsed, it clearly established the principle of other uses on this site. In addition, given the deficiency of play space in this part of the town and a commuted sum having been secured from development of Plot 1 towards play facilities on this plot, the principle is accepted.

In regard to the provision of housing, given the Council's current lack of a 5 year supply, including a significant affordable housing shortage, the scheme would deliver 9 much needed affordable homes and will secure an obligation to provide equipped play on the site. Given the historical difficulty in delivering employment use on this site and the previous change of use permission, the provision of housing on part

of this site is considered to be acceptable.

Highway/Parking

Vehicular access will be gained via a relatively small extension to Jarman Way on the eastern side of the site. The Highway Authority has raised no objection to the proposal subject to conditions and advice in regard to some technical changes to the layout which would be addressed during the technical approval stage. The scheme will provide a total of 19 spaces (including 4 visitor spaces) plus 2 motorbike spaces. These will be provided in the form of a parking court in-between the 2 blocks of houses. Given the constrained site and relatively low number of houses, a parking court with allocated parking spaces in close proximity to the dwellings is considered to be appropriate. The number of spaces meets the adopted County parking standards and is acceptable. Accordingly, there are no highway objections to the scheme.

Design and layout

The proposed dwellings are located in 2 separate blocks on the eastern and western sides of the site. The 5 dwellings are arranged in a simple 2 Storey terraced form facing onto the open/play space each with rear gardens. The flats will be in a 2 Storey block, again facing the play area. These will have a communal area along with bin and bike storage. The use of brick, render, and tiles is acceptable. The Crime prevention officer has not raised an objection to the scheme but advised in regard to the height of the wall/fencing next to the parking area for plot 5 and to omit the rear pathway behind plots 2-5. A condition shall be attached in respect of the height of the wall. The pathway does allow access to the rear of those properties connecting with adjacent residential and employment areas. Subject to agreeing via condition, an appropriate height for boundary fencing, this path would be overlooked by the new properties and is considered to be acceptable. On the basis of the above, the design and layout of the scheme is considered to be acceptable.

The current plot of land does provide access between housing and employment with desire lines running across the site. Appropriate access across the land will be provided as part of the scheme for the equipped play and formal public open space. As members will note from the report above, the precise layout for the play and equipped play will be subject to consultation and agreement lead by the Council's play officer.

Residential amenity

The closest residential dwellings are located to the south of the site in England's Way. It is considered that given the distance between the new and proposed dwellings and, along with appropriate boundary treatment, the scheme would not create any adverse impact to residential amenity. Moreover, given the existing relationship between the current dwellings and employment uses, and with the proposed area of open/play space on the rest of the site to the north of the new dwellings, it is not considered that there would be any adverse amenity issues to future occupiers.

Ecology

As members will have noted, the application was accompanied by an Ecological Survey report and a Reptile Survey report. This revealed the existence of a low population of slow-worms and a mitigation strategy has been proposed to provide the safe capture and translocation of slow-worms to the northern part of the site. The Council's Ecologist has accepted the recommendations and mitigation measures proposed. Accordingly, there are no objections to the scheme on ecological grounds.

SECTION 106 PLANNING OBLIGATION/UNILATERAL UNDERTAKING

The application be approved subject to:

a) the prior completion of a S106 planning obligation (in a form acceptable to the Council's Solicitor), before the decision notice granting planning permission is issued, the said planning permission to cover the following issues:

1) The provision of at least 35% affordable housing and

2) A contribution towards the provision and management of equipped play facilities and open space on the application site.

b) the following conditions

RECOMMENDATION

Grant permission.

01. The proposed development will provide much needed affordable housing in a sustainable location, will provide a safe means of access, provide adequate off street parking and would not harm residential amenity. The scheme would also make a contribution in the form of a planning obligation to assist the delivery of children's play facilities. The scheme is therefore in accordance with Policies SD1, SS1, SS5, HG3, TA5, TA6, and HW1 of the South Somerset Local Plan and guidance in the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

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

Drawing numbers: 3319/200 Rev E, 3319/001 Rev F, 3319/002 Rev D, 3319/003 Rev E and 3319/004.

Reason: For the purposes of clarity and in the interests of proper planning.

03. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

04. 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 to accord with Policy TA5 of the South Somerset Local Plan.

05. The area allocated for parking and turning on the submitted plan, drawing number 3319/001C 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.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

06. The development hereby permitted shall not be commenced (including any ground works or site clearance) until mitigation measures to avoid harm to slow worms, as detailed in the 'Reptile Survey Report' (Michael Woods Associates May 2014), have been implemented. The works shall be implemented in accordance with the approved details and timing of the mitigation plan, unless otherwise approved in writing by the Local Planning Authority.

Reason: For the protection of a legally protected species to accord with Policy EQ4 of the South Somerset Local Plan.

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

Reason: To protect the amenity of the area to accord with Policy EQ2 of the South Somerset Local Plan.

08. In the event that contamination is found or is suspected to be present, at the site when carrying out the approved development then development shall be halted (unless otherwise agreed in writing with the Local Planning Authority), and it must be reported in writing to the Local planning authority. An investigation and risk assessment must be undertaken, in accordance with the requirements of BS10175 Year 2011 - Investigation Of Potentially Contaminated Sites Code of Practice, BS8485 year 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments, and CLR 11 Model Procedures For The Management Of Land Contamination, issued by The Environment Agency, and any remedial proposals submitted and agreed in writing prior to the recommencement of the development.

Reason: In the interests of environmental health to accord with the NPPF.

09. Prior to commencement of the proposed use of the site, written confirmation that no contamination was found or suspected, or if remedial actions were required, independent validation that proposed remedial measures have been carried out in accordance with the agreed scheme. The validation report shall contain:
- (i) A full description of the works undertaken in accordance with the Remediation Proposals.
 - (ii) Results of any additional monitoring or testing carried out between the submission of the Remediation Proposals and the completion of remediation works.
 - (iii) Movement permits of all materials taken to and from the site
 - (iv) A statement signed by the developer or the approved agent, confirming that all the works specified in the Remediation Proposals have been completed.

Reason: In the interests of environmental health to accord with the NPPF.

10. The proposed wall between the car parking places for plot 5 and to the rear of plots 2-5 shall not be erected until its height has been agreed in writing by the Local Planning Authority. Once erected, the wall shall be permanently retained and maintained at the agreed height thereafter.

Reason: In the interests of crime prevention to accord with Policy EQ2 of the South Somerset Local Plan.

Informatives:

01. The Wildlife and Countryside Act 1981 makes it an offence to disturb a nest of any wild bird whilst it is in use or in the process of being built. Clearance of trees, scrub, ivy, bramble or other dense vegetation could cause disturbance to nesting birds, and it is advisable to carry out such works outside of the main nesting season of 1st March to 31st August inclusive, unless a prior check by a competent person has confirmed the absence of nesting birds.
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Agenda Item 16

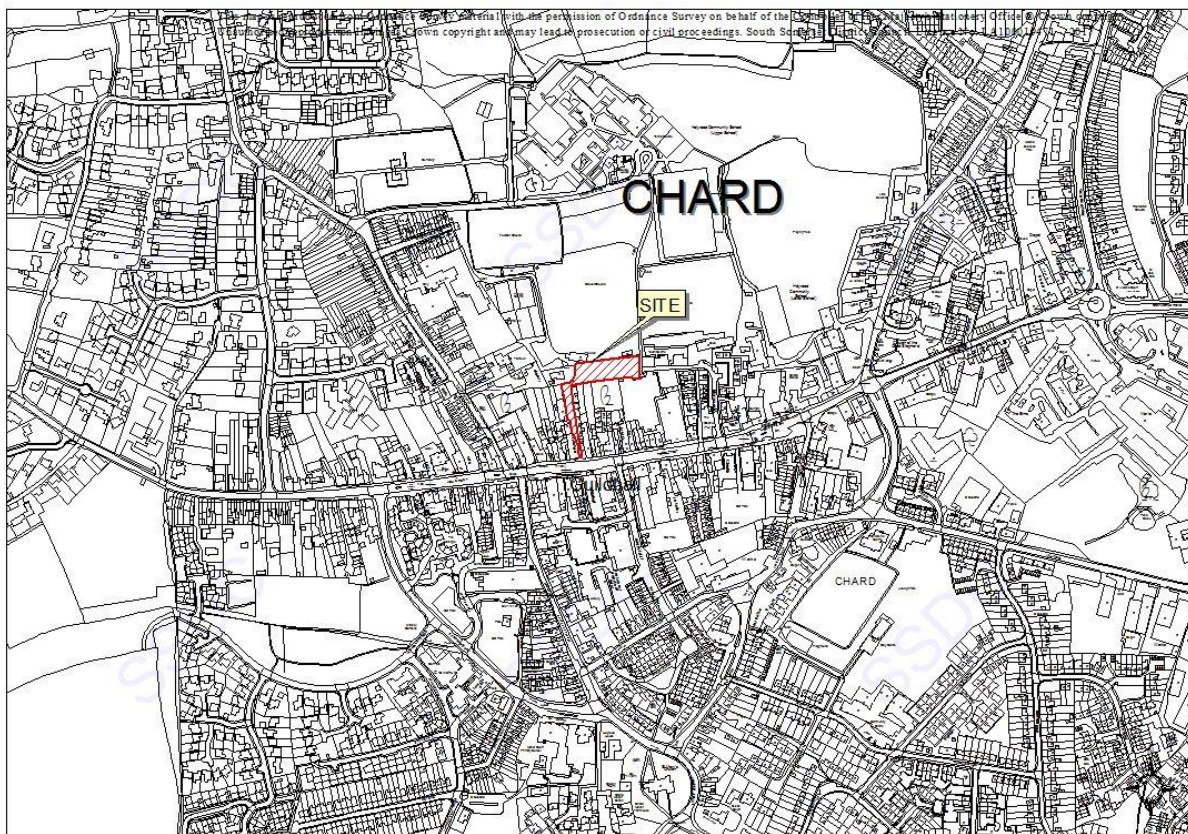
Officer Report On Planning Application: 17/00074/OUT

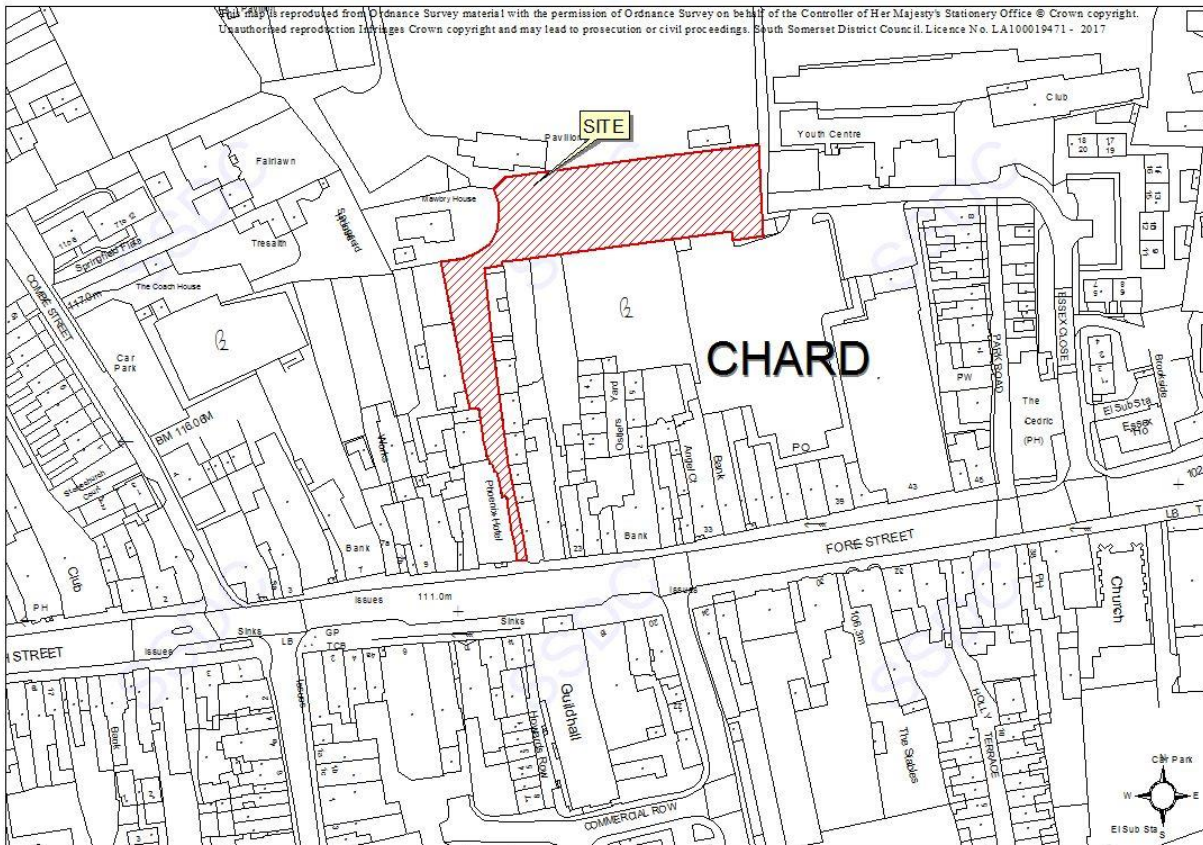
Proposal :	The erection of two dwellings (outline)
Site Address:	Land Rear Of The Phoenix Hotel And Car Park Fore Street Chard
Parish:	Chard
COMBE (CHARD) Ward (SSDC Member)	Cllr A Broom
Recommending Case Officer:	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
Target date :	3rd March 2017
Applicant :	Mr & Mrs A Kenton
Agent: (no agent if blank)	Mr Paul ROWE CAPARO 11 Mervyn Ball Close CHARD TA20 1EJ
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON(S) FOR REFERRAL TO COMMITTEE

This application is referred to committee as one of the joint applicants is an elected District Councillor.

SITE DESCRIPTION AND PROPOSAL





The application site is located within the centre of Chard, 90 metres to the north of Fore Street, comprising an area of 0.19 hectares. It is currently a redundant site, largely overgrown with vegetation, with a mix of fencing, walling and vegetation on the boundaries. The Cricket Club adjoins to the north, with a specialist care home to the west, car park and residential use to the south, with a youth centre to the east. Pedestrian and vehicular access is gained from Fore Street through the Phoenix Hotel Archway. The Conservation Area Boundary runs along the western side of the application sites southern boundary. A couple of trees subject to a Tree Preservation order are located to the east of the site.

The application seeks outline consent for residential development with access being the only reserved matter being sought at this stage. Appearance, layout, scale and landscaping are reserved for later approval. An indicative plan has been submitted showing a possible layout for the 2 dwellings. A Planning Statement was submitted with the application outlining the site context and surroundings, photographs, planning history, proposal details and the relevant planning policies/considerations.

HISTORY

There have been a large number of applications dating back to the 1970's in connection with the pub and associated outbuildings. A number of residential conversions have been created at the back of the pub as a result of these permissions. The most relevant application with regard to this current application however is the application outlined below.

10/0093/OUT - Residential development (application refused and appeal dismissed).

The above application did not specify the total number of units although the submitted documentation indicated a figure of around 20 units in the form of a 3 storey block of flats. The application was refused by Area West Committee for 4 reasons. The reasons were:

- 1) density and scale not satisfactorily respecting the form, character and setting of the locality;

- 2) Highway safety concerns in regard to the substandard and limited access through the Phoenix Hotel entrance not providing a safe means of pedestrian and residential vehicle access, and access concerns for emergency vehicles;
- 3) the likely increase in demand for on street parking resulting from this proposal would be detrimental to highway users and pedestrians, and cause harm to the visual character and appearance of the street scene and conservation area; and
- 4) the increased use of the substandard access through The Phoenix Hotel entrance would be prejudicial to highway safety.

A subsequent appeal was made to the Planning Inspectorate. The appeal was dismissed by the Inspector upholding concerns about highway/pedestrian safety, density, scale of development and impact on the Conservation Area. Reason 3 was not upheld nor in regard to the access for emergency vehicles.

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 (adopted 2015)

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS5 - Delivering new housing growth.

HG4 - Provision of affordable housing

TA5 - Transport Impact of New Development

TA6 Parking Standards

EQ2 - General Development

EQ3 - Historic Environment

Other Relevant Documents:

National Planning Policy Framework

Core Planning Principles

Chapter 7 - Requiring good design

Chapter 11 - Conserving and Enhancing the historic Environment

CONSULTATIONS

Chard Town Council:

Resolved that this application should be approved subject to a report on archaeological discoveries requested by the Senior Historic Environment Officer.

Highway Authority:

Standing Advice applies.

SSDC Highway Consultant:

Has visited the site with the agent and provided informal advice. On this basis, no advice has been given to the Council.

County Archaeologist:

The site lies within the Area of High Archaeological Potential and in the medieval settlement area so

development is likely to impact on remains relating to occupation activity. For this reason I recommend that the applicant be required to provide archaeological monitoring of the development and a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of model condition 55 attached to any permission granted.

REPRESENTATIONS

2 letters/emails have been received. Neither raised any objection to the proposal. The first writer sought more information as to the precise location of the development and the type of dwellings proposed. The case officer replied advising that the development site is not adjacent to their property and that the details of the dwellings are not known at this outline stage.

The second writer was the Secretary of Chard Cricket Club whose playing pitch immediately adjoins the application site to the north. No objection is raised but if the development is approved have requested that some form of physical protection from cricket balls is given to future occupiers. Having spoken to the secretary and applicant, it has been agreed that netting will be erected along the northern boundary of the application site. A condition shall be attached accordingly with details of the proposed netting to be submitted and secured through any subsequent reserved matters application.

CONSIDERATIONS

Principle

The site occupies a central location within Chard, within easy walking distance of the town centre and its range of services and facilities. The principle of residential development in this location is therefore accepted in principle.

Highways/Parking

Access to the development would be obtained through the Phoenix Hotel archway on Fore Street. Members will note that the previous scheme was refused due to highway safety concerns, in particular concern in respect of pedestrian safety. It is accepted that this access does not meet current standards. However, it is a long established access for the hotel/pub along with a number of residential units in the rear courtyard. Given the very significant reduced number of units now proposed, and the current use by the pub/hotel and existing residential properties, it is not considered that the proposed development would result in a severe highway impact warranting refusal.

Adequate on-site parking provision can be provided; the precise layout for these spaces would be agreed at any future reserved matters stage.

Impact on the setting of the Conservation Area

Part of the southern boundary of the developable area adjoins the boundary of the Conservation Area. Members will note the previous application which, amongst other reasons, was refused because of the adverse impact on the setting of the Conservation Area. The previous scheme proposed a 3 storey building comprising up to 20 flats. The current scheme is significantly different in that it proposes 2 dwellings and the previous concerns in regard to the scale, dominance and appearance has been suitably addressed. Whilst the details of the proposed dwellings are not known at this stage, it is considered that 2 well designed dwellings can be accommodated on site that will enhance the setting of the adjoining Conservation Area. It should also be noted that the site is currently vacant and overgrown and certainly does not positively enhance the setting of the Conservation Area. This scheme would positively enhance the current appearance of the site.

Residential amenity

Whilst the design, scale and layout of the proposed dwellings would be determined at any future reserved matters stage, it is considered that given the distance from existing residential properties, 2 dwellings can be accommodated on site without any detrimental harm to residential amenity. In regard to the adjacent

cricket club, it has been agreed with the applicant and cricket club, that netting would be installed within the application site to protect future occupiers from loose cricket balls. A condition shall be attached accordingly.

Other issue

During discussions between the case officer and secretary of the cricket club, the secretary wished to express the club's support for the proposal. In particular, given the overgrown and relatively secluded nature of the site, the redevelopment of the site would make it more secure and, therefore, significantly reduce the opportunity for third parties to gain unauthorised access onto cricket club land and property from this site.

SECTION 106 PLANNING OBLIGATION/UNILATERAL UNDERTAKING

The scheme does not meet the threshold for planning obligations and therefore a legal agreement is not applicable to this application.

RECOMMENDATION

Grant Permission.

01. The proposed development would make a contribution towards meeting the Council's housing need in a sustainable location within walking distance of the town centre. It would not harm residential amenity, would provide an acceptable means of access and would enhance the character and appearance of the Conservation Area. The development is in accord with Policies SD1, SS1, SS5, HG4, TA5, TA6, EQ2, EQ3, and guidance in the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

03. Approval of the details of the scale and appearance of the building(s), the landscaping and layout of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

04. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing number KPOLP1 - Site Location Plan with an indicative layout only.

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

05. Before the dwellings hereby permitted are first occupied a properly consolidated and surfaced access into the developable site shall be constructed (not loose stone or gravel) details of which

shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

06. The development hereby approved shall not be occupied until the parking areas to serve each of the dwellings have been fully constructed in accordance with details submitted to and approved in writing by the Local Planning Authority. Once constructed, the parking areas shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby approved.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

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

Reason: To provide archaeological monitoring of the development and a report on any discoveries made as per guidance in the National Planning Policy Framework.

08. Any reserved matters application submitted shall include details of the protective measures to be installed within the application site to protect future occupiers and property from any cricket balls from the adjacent cricket club. Once agreed and installed, the protective measure shall be permanently retained and maintained thereafter.

Reason: To protect residential amenity to accord with Policy EQ2 of the South Somerset Local Plan.
