

South Somerset District Council

Minutes of a meeting of the **Area West Committee** held at the **Henhayes Centre, Crewkerne** on **Wednesday 18 January 2017**.

(5.30 - 8.40 pm)

Present:

Members: Councillor Carol Goodall (Chairman)

Jason Baker	Paul Maxwell
Marcus Barrett	Sue Osborne
Mike Best	Ric Pallister
Amanda Broom	Andrew Turpin
Val Keitch	Martin Wale
Jenny Kenton	

Officers:

Helen Rutter	Assistant Director (Communities)
Jo Morris	Democratic Services Officer
Paula Goddard	Senior Legal Executive
Mike Hicks	Planning Officer
Adrian Noon	Area Lead (North/East)
Mike Bellamy	Highway Consultant

Also Present:

Sgt. Rob Jameson Avon and Somerset Constabulary

NB: Where an executive or key decision is made, a reason will be noted immediately beneath the Committee's resolution.

96. To approve as a correct record the Minutes of the Previous Meeting held on 7th December 2016 (Agenda Item 1)

The minutes of the meeting held on 7th December 2016, copies of which had been circulated, were taken as read, and having been approved were signed as a correct record of the proceedings.

97. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Dave Bulmer, Garry Shortland, Angie Singleton and Linda Vijeh.

98. Declarations of Interest (Agenda Item 3)

Councillor Andrew Turpin declared a personal interest in Planning Application No. 15/02733/OUT – Land and Premises Barley Farm, House Lane, Tatworth as a member of Tatworth & Forton Parish Council.

Councillor Mike Best declared a personal interest in Planning Application No. 16/03186/FUL – Kings Arms, Market Square, Crewkerne as a member of Crewkerne Town Council.

99. Date and Venue for Next Meeting (Agenda Item 4)

Members noted that the next meeting of the Area West Committee would be held on Wednesday 15th February 2017 at 5.30pm at the Archie Gooch Pavilion, Ilminster.

100. Public Question Time (Agenda Item 5)

There were no questions from members of the public.

101. Chairman's Announcements (Agenda Item 6)

There were no announcements from the Chairman.

102. Area West Committee - Forward Plan (Agenda Item 7)

The Assistant Director (Communities) advised that the report on Local Housing Needs in Area West would be considered at the April meeting.

In response to a member question regarding Transformation and reports to Area Committees on how they would work in the future, the Assistant Director (Communities) advised that it was likely that locality arrangements would be discussed with all members sometime in the future and she would let members know any information when known.

Members noted that an update report from the Chard Regeneration Board would be added to the Forward Plan for April subject to their agreement.

RESOLVED: That the Area West Committee Forward Plan be noted as attached to the agenda subject to the above amendments.

103. Promoting Community Safety in Area West - Police Performance and Neighbourhood Policing (Agenda Item 8)

Sgt. Rob Jameson from Avon and Somerset Constabulary was welcomed to the meeting and he gave a short presentation on local issues, crime trends and initiatives. Particular reference was made to the following:

- The current structure of the Neighbourhood Team comprised five Beat Managers and nine PCSOs;

- The Neighbourhood Team would not be affected by the future budget review;
- Crewkerne and Ilminster offices were now closed. The only front office in Area West was located in Chard. The public are able to access the service through the beat webpage and updates are given on social media;
- All Officers are now equipped with Bodycams which are working effectively and helping to improve behaviour;
- Chard One Team was still operating well;
- There has been a change in the way that crime is recorded;
- The amount of recorded crime was up by 30%;
- Theft from a motor vehicle has increased and was often down to 1 or 2 active criminals;
- The 'County Lines' problem was affecting the area and the Force was actively involved in disrupting the drug dealers and prosecuting drug offences.

In response to questions from members, Sgt. Jameson informed members of the following:

- Crime figures were up 30% across the board other than the spike in car crime and fraud which had remained the same;
- If Parish Councils had a particular issue the relevant PCSO could attend a Parish Council Meeting but this was no longer happening as a matter of routine;
- In terms of rural crime trends, there was a spike in Land Rover thefts and livestock offences;
- The provision of prison transport at peak times would help with the closure of charging facilities at Yeovil Police Station.

Members noted that the new Chief Constable would be attending Full Council on 23rd February 2017.

The Chairman thanked Sgt. Jameson for attending the meeting and providing an informative update.

104. Report to Area West Committee - Avon and Somerset Police and Crime Panel (Agenda Item 9)

Councillor Martin Wale introduced his report updating members on the Avon and Somerset Police and Crime Panel.

He informed members about two new funding streams; the Commissioner Community Action Fund and the Police Community Trust Road Safety Fund.

RESOLVED: That the report be noted.

105. Area West Committee - Review of Arrangements (Agenda Item 10)

The Assistant Director (Communities) advised the report was a periodic review of the Area Committee working arrangements and the recommendations outlined in the report were based upon the majority views of councillors responding to the options set out in the member survey.

The Assistant Director (Communities) advised that there would probably be changes to Area Committees once Transformation has taken place. Members would be involved in this process.

At the conclusion of the debate, members unanimously confirmed the recommendations of the report.

- RESOLVED:**
1. That the start time for Area West Committee remains at 5:30pm;
 2. The rotation around the most suitable venues in Area West continues, with new venues being trialled where the meeting space meets our criteria;
 3. The order of the agenda remains the same with planning applications determined in the second half of the meeting.

(Voting: unanimous)

106. Area West - Reports from Members on Outside Bodies (Agenda Item 11)

Members noted the verbal update by Councillor Val Keitch on the Ile Youth Centre Management Committee.

107. Planning Appeals (Agenda Item 12)

Members noted the report which outlined the appeals received and dismissed.

108. Schedule of Planning Applications to be Determined by Committee (Agenda Item 13)

Members noted the schedule of planning applications to be determined as outlined in the agenda.

109. Planning Application: 15/02733/OUT - Land And Premises Barley Farm, Houses Lane, Tatworth (Agenda Item 14)

(Councillor Andrew Turpin declared a personal interest in the application as a member of Tatworth & Forton Parish Council)

The Planning Officer reminded members that the application had been deferred from the December Area West Committee meeting for additional highway information. He reminded members of the key considerations which were impact on visual amenity/setting of listed buildings, highway safety, drainage and sustainability/5 year land supply. He advised that an additional site location plan had been received together with a swept path analysis.

The Highway Consultant referred to the vehicle tracking plan showing the extent of the proposed visibility splays and confirmed that he felt comfortable with the splays being proposed. He felt that it was not appropriate to have an over engineered tarmac and to take account of service vehicles was suggesting that the hatched areas could be formed

from grasscrete. He also referred to a plan showing that a 7.5t vehicle can access the site and reverse out with a 5 metre radius. With regard to refuse vehicles he anticipated the Waste Partnership sending vehicles down Houses Lane and considered the situation to be no different than in other rural locations. The distance to the bin store was a suitable distance. He was of the view that a fire appliance would be able to access the site. The guidance was set within 45 metres and the depth of the site was 30 metres. In conclusion he confirmed that the access arrangements submitted were acceptable.

The Committee was addressed by Clive Watson and Martin Turner in objection to the application. Concerns expressed related to the following:

- Over development;
- Road safety;
- Removal of the Devon bank;
- Adverse impact on listed buildings;
- Local opposition overwhelming;
- Concerns over accessibility for fire appliances.

The Committee was addressed by Terry Bailey in support of the application. He advised that he was born and grew up in Tatworth. He commented that Tatworth was such a popular village but it was impossible for professionals to afford a property.

The Applicant's Agent commented that the development offered much needed housing in a sustainable location. He referred to the swept path analysis which demonstrated that any vehicle could access the site. He referred to there being no known history of flooding on the site and that surface water could be contained. There was no impact on the listed buildings and the development positively contributed to the setting.

The Ward Member, Councillor Andrew Turpin raised the concern that the Parish Council had not had sufficient time to consider the additional information. He was in favour of the application being deferred until the statutory consultees had been consulted.

The Area Lead North/East explained that the Parish Council had been notified about the additional information out of courtesy. The information provided sought to address the concerns raised in their response as set out in the report and simply clarified what had already been submitted by adding vehicle tracking paths to the submitted drawings. The Senior Legal Advisor confirmed that information being requested at a previous meeting would not normally trigger a formal consultation process.

It was proposed and seconded to defer the application for formal consultation. On being put to the vote the proposal was lost by 2 votes in favour and 9 against.

In response to a member comment regarding the concerns raised over accessibility for fire appliances, the Highway Consultant was of the view that a fire engine could operate without going into the site through a sprinkler system if necessary this would be addressed at the building control stage. There was no other access point appropriate for emergency vehicles but the junction radii could be slackened to accommodate movements which could be undertaken through an appropriate condition.

Ward Member, Councillor Andrew Turpin, commented that he was unable to support the application. Although he was not against some development on the site he was of the view that the access was unsuitable and the proposal was overdevelopment.

During the discussion on the item, some members were of the view that there were solutions to overcome the problems with the access and were supportive of the junction radii being amended.

At the conclusion of the debate, it was proposed and seconded to approve the application as per the Planning Officer's recommendation subject to an amendment to Condition 4 as suggested by the Area Development Lead/North.

04. At the accesses hereby approved there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays (drawn 2.4m back from the carriageway edge) as illustrated on approved drawings P-150 Rev.C and P-151 The accesses and visibility splays shall be formed in accordance with full technical details, including surfacing details, junction radii and footpath details to be submitted to and approved in writing by the local planning authority prior to their construction. Once approved such details shall be fully implemented and the accesses provided in accordance with the approved details prior to the occupation of the dwelling(s) to which they relate and shall thereafter be maintained at all times.

On being put to the vote the proposal was carried by 9 votes in favour and 2 against.

RESOLVED: That Planning Application No. 15/02733/OUT be APPROVED as per the Planning Officer's recommendation outlined in the agenda report subject to an amendment to condition 4 for the following reason:

01. The proposed development is located in a sustainable location, provides social benefits in the provision of housing and will contribute to overall housing supply within the district. The impacts of the scheme will be acceptably mitigated through planning obligations and is considered that an acceptable scheme can be achieved in relation to residential amenity, highway safety, visual amenity and would not harm the setting of the adjacent Grade II Listed Building. Planning conditions would ensure that protected species are not harmed and that there are ecological enhancements within the site. An appropriate drainage scheme would ensure that the proposal does not increase the risk of flooding off site. As such it is considered that the proposal would accord with the requirements of policies EQ1, EQ2, EQ3, HG3, TA5 and TA6 of the South Somerset Local Plan (2006-2028).

SUBJECT TO THE FOLLOWING:

01. 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 and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

02. The development hereby approved shall be carried out in

accordance with the following approved plans: P-100; P-150 Rev. B only.

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

03. The landscaping scheme required by condition 1 shall include the retention of the existing hedges to the north, east and western site boundary fronting Houses Lane (other than for the provision of the visibility splay required by this permission), details of measures for their protection in the course of the development and measures for the protection of any trees within the development site. The landscaping scheme shall include details of any changes proposed in existing ground levels, the construction, location and finish of hardstanding and all proposed planting, seeding and turfing. The landscaping scheme shall be carried out and completed in accordance with a timetable to be agreed in writing. 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: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Policy EQ2 of the South Somerset Local plan (2006-2028).

04. At the accesses hereby approved there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays (drawn 2.4m back from the carriageway edge) as illustrated on approved drawings P-150 Rev.C and P-151 The accesses and visibility splays shall be formed in accordance with full technical details, including surfacing details, junction radii and footpath details to be submitted to and approved in writing by the local planning authority prior to their construction. Once approved such details shall be fully implemented and the accesses provided in accordance with the approved details prior to the occupation of the dwelling(s) to which they relate and shall thereafter be maintained at all times.

Reason: In the interests of highway safety to accord with Policy EQ2 of the South Somerset local Plan (2006-2028).

05. 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 TA6 of the South Somerset Local Plan (2006-2028).

06. The reserved matters application required by condition 01 shall include a detailed surface water drainage scheme together with a programme of implementation; maintenance and management of the sustainable drainage scheme, for the lifetime of the development have been submitted to and approved by the Local Planning Authority. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- Flood water exceedance routes, both on and off site, note: no part of the site shall be allowed to flood unless specifically designed to do so.
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage, constructed to the approved details, thereafter implemented, retained, managed and maintained as per the approved details for the lifetime of the development and in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

07. The reserved matters application required by condition 01 shall include details of the design of building foundations and the layout, with positions, dimensions and levels, of service trenches, ditches, drains and other excavations on site, insofar as they may affect trees and hedgerows on or

adjoining the site, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Policy EQ2 of the South Somerset Local plan (2006-2028).

08. The dwellinghouse(s) to be erected within the area annotated as 'plot 7' illustrated on the approved plan, drawing No. PL-150 Rev. A shall be of single-storey construction only with no accommodation in the roof space.

Reason: In the interests of preserving the setting of the adjacent Listed Building to accord with Policy EQ3 of the South Somerset Local plan (2006-2028).

09. Prior to commencement of this planning permission, site vegetation clearance, demolition of existing structures, ground-works, heavy-machinery entering site or the on-site storage of materials, an Arboricultural Method Statement and a Tree and Protection Plan shall be prepared in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and these details shall be submitted to the Council. On approval of the tree protection details by the Council in-writing, a site-meeting between the appointed building/groundwork contractors, the Site Manager and the Council's Tree Officer (Phil Poulton: 01935 462670 or 07968 428026) shall be arranged at a mutually convenient time. The locations and suitability of the tree protection measures (specifically the fencing & signage) shall be inspected by the Tree Officer and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree protection requirements shall be implemented in their entirety for the duration of the construction of the development and the protective fencing may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of protected trees in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

10. Prior to the occupation of any of the dwellings hereby permitted, a scheme for the management and responsibility of the mature Ash tree positioned at the junction of Houses lane and Tatworth Street as illustrated on the approved site layout plan, drawing No. P- 150 Rev. B shall be

submitted to and approved in writing by the Local planning Authority. The approved scheme shall be implemented in accordance with the agreed details in perpetuity.

Reason: To preserve the health, structure and amenity value of protected trees in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

11. No removal of any hedge (or part thereof) shall be undertaken until a Method Statement detailing precautionary measures for the avoidance of harm to dormice has been submitted to and approved in writing by the local planning authority. All hedge removal shall be undertaken in full accordance with the approved Method Statement unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance (dormouse) in accordance with NPPF, and of legally protected species in accordance with Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

12. No buildings identified as having low potential to support bats in the Preliminary Ecological Appraisal (Richard Green Ecology Ltd, August 2014) shall be demolished until a dusk emergence or dawn re-entry survey for bats has been undertaken in the period of May to September by an appropriately qualified person (preferably a licenced bat consultant) in accordance with current best practice and the survey report has been submitted to and approved in writing by the Local Planning Authority. The survey shall be completed prior to submission of any full or reserved matters planning application.

In the event of the above survey(s) concluding any potential impact to bats, full details of a mitigation plan or method statement containing measures for the avoidance of harm, mitigation and compensation, shall also be submitted to and approved in writing by the Local Planning Authority. The approved mitigation plan shall be implemented in complete accordance with its contents, unless otherwise agreed in writing by the local planning authority.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan (adopted).

Informatives:

01. Water Supply Connections

New water supply connections will be required from Wessex water to serve this proposed development.

Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk.

Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply.

The applicant is advised that the existing Ash tree at the junction of Houses Lane and Tatworth Street is subject to a Tree Preservation Order. The Tree Preservation Order protects the tree above and below ground and prevents the cutting down, topping, lopping, uprooting, wilful damage or destruction. Any proposed works to the tree require the written consent of the Local Planning Authority. If further advice is required please contact the Councils Tree Officer on 01935 462670.

(Voting: 9 in favour, 2 against)

110. Planning Application: 16/03186/FUL - Kings Arms Market Square Crewkerne (Agenda Item 15)

(Councillor Mike Best declared a personal interest as a member of Crewkerne Town Council)

The Area Lead North/East introduced the report and with the aid of slides and photographs summarised the details of the application. He advised that there were no updates to the report. He highlighted the key issues associated with the application which were Highway Safety: – lack of adequate visibility splays, inadequate parking and turning and Residential amenity: - poor private amenity space and noise disturbance. The Planning Officer's recommendation was for refusal.

In response to questions from Members, the Area Lead North/East confirmed:

- There was no parking specifically for the pub shown on the drawings submitted;
- Crewkerne was not considered to be a town where zero car ownership was a viable option;
- There was no longer a policy encouraging low or zero levels of parking provision;
- There would be a sense of overlooking due to the height of the building opposite;
- Parking standards for the proposed development were on the low side and access was poor with concerns that people would reverse out onto the road;
- If a statutory noise nuisance was found this would impact upon the pub;
- The Highway Consultant confirmed that the Highway Authority would not support the use of mirrors;
- The vehicles currently parked at the rear of the Kings Arms belonged to pub staff;
- The installation of a gate could be conditioned but it would be difficult to control who would be given the entrance code;
- A planning application had been submitted for the provision of more pavement outside the Bonsoir factory building. The proposed increase would make no difference to the proposed access arrangements.

The Committee was addressed by Ben Hodgson representing Crewkerne Town Council. He commented that two small units were much needed in Crewkerne. The proposed development would be located on a brownfield site and considered there to be insufficient reasons to warrant a refusal.

The Committee was addressed by Andy Relf and Tina Tarnowski in support of the application. Views expressed included the following:

- Vehicle and pedestrian use of the road was light;
- As a resident living near the proposed development little noise if any was experienced by the Kings Arms;
- Getting out onto the road was not a problem;
- The area allocated for turning space was adequate.

The Applicant, Richard Hall, informed members that the road was hardly used and he had recorded 12 cars in 2 hours going up the road. The access had been used for a number of years therefore the development would not be creating a new access.

Ward Member, Cllr. Mike Best, commented that the proposed development was not creating a new access and that vehicles have always parked behind the Kings Arms. He was of the view that any potential resident would be aware that the property was located next door to a pub. He didn't feel that the concern of overlooking was a major issue. He expressed his support for the proposal which he felt would tidy up a group of derelict buildings.

Ward Member, Cllr. Marcus Barrett, expressed his support for the application and was of the view that urban living should be encouraged and that the small courtyard could be made attractive. He considered there to be adequate turning facilities. The development would tidy up the buildings and make the area more positive.

During the discussion on the item, members expressed their support for the prior completion of a Section 106 agreement to secure non-fragmentation.

It was proposed and seconded to approve the application contrary to the Planning Officer's recommendation subject to the prior completion of a Section 106 agreement to secure non-fragmentation.

The reasons for approval were suggested by the Area Lead North/East and agreed by members as follows:

The proposed conversion of this listed building to two dwellings would provide an adequate standard of amenity for future and existing residents without significant detriment to highways safety or harm to visual amenity, the character and appearance of the conservation area or this listed building. As such the proposal complies with policies EQ2, EQ3, TA5 and TA 6 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.

Condition suggested by the Area Lead North/East and agreed by members related to:

- Time limit
- List of approved Plans
- Window and door details to be agreed

On being put to the vote the application was unanimously approved.

RESOLVED: That Planning Application No. 16/03186/FUL be APPROVED contrary to the Planning Officer's recommendation subject to the prior completion of a Section 106 agreement to secure non-fragmentation for the following reason:

The proposed conversion of this listed building to two dwellings would provide an adequate standard of amenity for future and existing residents without significant detriment to highways safety or harm to visual amenity, the character and appearance of the conservation area or this listed building. As such the proposal complies with policies EQ2, EQ3, TA5 and TA 6 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.

Subject to the following conditions:

- Time limit
- List of approved Plans
- Window and door details to be agreed

(Voting: unanimous)

111. Planning Application: 15/04770/FUL - North Street Trading Estate North Street Crewkerne (Agenda Item 16)

It was proposed and seconded to defer the application for further highway comments.

RESOLVED: That Planning Application No. 15/04770/FUL be DEFERRED for further comments from the County Highway Authority.

(Voting: unanimous)

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Chairman