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South Somerset District Council and Somerset County Council

Minutes of a meeting of the **Joint Area Committee - West** held in the Guildhall, Fore Street, Chard on **Wednesday, 15th July 2009**.

(5.30 p.m. – 9.50 p.m.)

Present:

Members: Cllr. Kim Turner (in the Chair from Item 2 onwards)

Cathy Bakewell (until 7.05 p.m.)	Robin Munday
Simon Bending (from 5.55 p.m.)	Derek Nelson
Michael Best	Ric Pallister
David Bulmer	Ros Roderigo
Geoff Clarke	Dan Shortland (until 7.45 p.m.)
John Dyke (until 7.30 p.m.)	Jill Shortland (until 9.05 p.m.)
Carol Goodall	Angie Singleton
Jenny Kenton	Andrew Turpin
Nigel Mermagen	Linda Vijeh
David Miller	Martin Wale

Officers:

Andrew Gillespie	Head of Area Development (West), SSDC
Zoë Harris	Community Regeneration Officer, SSDC
Julia Cook	Community Justice Panel Assistant Co-ordinator
David Norris	Development Control Team Leader (North/West), SSDC
Linda Haydon	Planning Officer, SSDC
John Millar	Planning Officer, SSDC
Ian McWilliams	Planning Liaison Officer (Highways), SCC
Andrew Blackburn	Committee Administrator, SSDC

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

The meeting was opened by the Vice-Chairman, Cllr. Robin Munday.

1. Election of Chairman (Agenda item 1)

It was proposed and seconded that Cllr. Kim Turner be nominated as Chairman of the Committee.

There being no other nominations it was:

RESOLVED: that Cllr. Kim Turner be elected Chairman of the Joint Area Committee - West for the municipal year 2009/10.

(Cllr. Kim Turner in the Chair)

2. Election of Vice-Chairman (Agenda item 2)

It was proposed and seconded that Cllr. Mike Best be nominated as Vice-Chairman of the Committee.

There being no other nominations it was:

RESOLVED: that Cllr. Mike Best be elected Vice-Chairman of the Joint Area Committee - West for the municipal year 2009/10.

3. Minutes (Agenda item 3)

The minutes of the meeting held on the 20th May 2009, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

4. Apologies for Absence (Agenda item 4)

An apology for absence was received from Julian Gale (Group Manager - Community Governance, SCC).

5. Declarations of Interest (Agenda item 5)

Cllrs. Kim Turner, Linda Vijeh and David Miller declared their personal but non-prejudicial interests in planning application no. 08/04733/FUL (erection of 5 no. dwellings and alterations to vehicular access thereto, land to the rear of Trebarwith, Frog Lane, Ilminster) as comments had been submitted by Ilminster Town Council on which they also served as councillors.

Cllr. Andrew Turpin declared his personal but non-prejudicial interest in planning application nos. 08/04761/FUL and 08/04762/LBC (conversion of outbuilding to 2 no. holiday cottages, Lakehayes, School Lane, South Chard) as comments had been submitted by Tatworth and Forton Parish Council on which he also served as a councillor.

6. Public Question Time (Agenda item 6)

Mr. D. Harcombe referred to a planning application submitted by Forton Rangers Football Club in 2004 for a new clubhouse/community facilities. He expressed concerns about water run-off from the car park and pitches affecting his property. He also referred to a bank that had been removed. He felt that something should be done with regard to the provision of drainage, which, he understood, had formed part of the planning application. He also mentioned that he had spoken to the Council's Planning Enforcement Team Leader about this matter, who would be seeing him during the next week.

The Chairman commented that the Enforcement Team Leader had explained the situation to her. She referred to the meeting that had been arranged with the Enforcement Team Leader and indicated that she had asked him to keep her up to date on progress with this matter.

7. Chairman's Announcements (Agenda item 7)

The Chairman referred to Cllr. Robin Munday having decided to step down from the position of Vice-Chairman of the Committee and thanked him for his help and support over the last two years.

The Chairman also welcomed the County Councillors to their first meeting of the Committee since the County Council elections in May. She also welcomed Cllr. Carol Goodall who had been elected to the District Council in the bye-election for the Ilminster Ward.

The Chairman thanked members for attending the member workshop that had been held the previous week.

8. Promoting Community Safety in Area West (Agenda Item 8)

The Head of Area Development (West) introduced the agenda report and the Committee considered the following three items, which all related to the active promotion of community safety in Area West.

(a) Update on the work of the Area West Community Safety Action Panel

The Community Regeneration Officer summarised her report on the agenda updating members on the work of the Area West Community Safety Action Panel since January 2009.

(b) Community Justice Panel - Update

The Community Justice Panel Assistant Co-ordinator summarised the report on the agenda updating members on the progress of the Community Justice Panel. The report included statistics on the number of cases dealt with by the Panel together with four case studies. She further mentioned that the Panel had just received its 300th case.

(c) Police Performance and Neighbourhood Policing

The Committee welcomed Inspector Andy Pritchard and Sgt. Andy Lloyd to the meeting who gave presentations informing members of both strategic and local issues, including crime trends and initiatives.

Inspector Pritchard referred to having reported previously that the policing area was now coterminous with the District Council's area boundaries. He indicated that the changes were now well established with the Police being more accessible within a more straightforward set up and the feedback had been very positive. Reference was also made to the Policing Pledge, which set minimum standards of service and was now well established and engrained within the service.

Inspector Pritchard also informed members of changes to personnel within the local neighbourhood policing team during which he introduced PC Andy Holloway, who had joined the team as cover for Sgt. Lloyd.

Reference was made to accessibility to the Police by members of the public and Inspector Pritchard mentioned that monthly meetings had been introduced where the public could attend and raise issues with the Police. The PACT (Partners and Communities Together) meetings process was also being developed with enhanced attendance including officers from other organisations to enable specific issues to be given more importance. He further mentioned that area meetings were to be introduced

where Councillors could come along to discuss issues with Police officers with each meeting having around a two hour time period.

Inspector Pritchard also updated members with regard to the use of the mobile CCTV system in the area and the Community Speedwatch Scheme.

Sgt. Andy Lloyd then outlined the latest position with regard to initiatives and issues in the local policing area during which he referred to the successful refurbishment of Chard Police Station including the provision of custodial facilities within the building, which saved much officer time in not having to escort offenders to other facilities. Reference was also made to the introduction of tazers and to officers in the local area having been trained in their use. Information was given on operations that were continuing with regard to licensing work, initiatives that were taking place involving young people and anti-social behaviour and in respect of tackling scams and distraction burglaries. He also mentioned an issue that had been covered by the local media concerning the release of an offender from prison into the community. With regard to community engagement, he mentioned that officers would be present at blood donor sessions in future, which gave another avenue for the public to be able to engage with the Police. Sgt. Lloyd also informed members of the crime statistics for the last few months and commented that he felt that the fear of crime outweighed the reality.

The officers then responded to members' questions and comments during which a number of matters were mentioned including the following:-

- a member referred to recent incidents that had occurred in Chard at weekends during the last two weeks and questioned whether the reports of these incidents were exaggerated or whether there was a downward trend. Sgt. Lloyd informed members of the action taken with regard to the incidents and commented that, although noting the points made, he did not believe that they truly reflected the situation in Chard where, compared to a few years ago, there had been much improvement in community safety;
- in response to a question from a member, who referred to there being a perception that there were not enough Police officers in the smaller towns, Inspector Pritchard commented that the staffing levels in South Somerset were good with sufficient mobile cover and a strong community beat team;
- a member referred to people not necessarily reporting crime. Inspector Pritchard commented that it was paramount for crime to be reported as there was a risk that problems would not be covered if there was not accurate information available. He indicated that he would always encourage people to report crime;
- reference was made to the use of the mobile CCTV camera equipment and Sgt. Lloyd commented that there was only a limited number of cameras available and was content to inform ward members and discuss the positioning of them where they were overt. With regard to a specific crime mentioned in respect of a building, he commented that it may not necessarily be targeted again and that there were other crime prevention measures that may be more appropriate that could be taken around the building itself;
- a member expressed the view that most incidences of broken glass were related to the consumption of alcohol and, in the case of young people, questioned where they were obtaining it if it were not from shops. Sgt. Lloyd indicated that this was a difficult issue and commented generally on measures that could be taken;

- in response to a comment that the press did not always report whether anyone was arrested for a crime, Inspector Pritchard informed members that he had introduced a weekly meeting with the press to update them with regard to crime incidents, which hopefully would make the newspapers more balanced in the way that crime was reported;
- a member referred to crime reduction projects and remedial initiatives and, in response to a question, Sgt. Lloyd commented that there was usually a source of funding within most Community Safety projects to assist with transport to enable people to access these initiatives;
- Inspector Pritchard commented that the public surgeries were worthwhile even if few members of the public attended as they enabled the Police to form stronger working relationships with representatives of other organisations who may also be in attendance;
- in response to a comment, Sgt. Lloyd informed members of the basis on which speed cameras were deployed;
- reference was made to the notification given of officers on duty at various times within the local Police team, which a member commented seemed to have ceased. Inspector Pritchard agreed to see that the lists were circulated.

The Chairman thanked all the officers for their interesting reports regarding community safety issues in the area.

NOTED.

*(Andrew Gillespie, Head of Area Development (West) – (01460) 260426)
(andrew.gillespie@southsomerset.gov.uk)*

9. Review of Opportunity Events (Agenda Item 9)

The Community Regeneration Officer summarised her report on the agenda and the Committee reviewed the Opportunity Events that had taken place over the last two years. The Community Regeneration Officer also informed members of the details of the outcome of the public surveys that had taken place at each of the events. Members' views were sought about holding similar events in the future.

The Head of Area Development (West) referred to the member workshop that had been held the previous week when discussions took place on the best way to support and develop community participation in the future. He summarised the outcome of that discussion for members' information.

During the ensuing discussion, a number of comments were made including the following:-

- reference was made by a member to the budgetary position of the Council and to the savings that were currently having to be made, which would mean that Area budgets would be limited in the future. The view was expressed that there would be a need for a different form of community engagement instead of the Opportunity Events. Although acknowledging that point, another member felt that, in terms of community empowerment, it was important to continue with some form of grants and public events even if they were organised slightly differently;
- a member commented that although she had been concerned about how the Opportunity events had been run she was pleased with how the Head of Area Development had responded to the issues. She also indicated that she was pleased

with the 30% return of the public survey forms. She was, however, concerned about the officer time and cost of hiring rooms for the Opportunity events and suggested that any funding should go back to individual councillors for the award of grants;

- a member expressed his concern about the method of issuing tickets to the public in order for them to attend the Opportunity events. He did not support the continuation of a lottery for members of the public to access the event;
- in response to the comment of a member, the Head of Area Development indicated that the question of how transition communities could be supported in Area West would be on the list of initiatives to look at in terms of community engagement.

The Chairman expressed her view that more work needed to be done in looking at alternatives and that officers should be asked to consider this matter further and bring forward suggestions for consideration by members at another workshop, the outcome of which to be reported back to the Committee for consideration.

The Head of Area Development indicated that he would take into account the comments of members made at the workshop and at this meeting when considering further options for holding community engagement events in the future.

- RESOLVED:** (1) that the Head of Area Development (West) give further consideration to options for holding Opportunity/community engagement events in the future taking into account the views expressed by members;
- (2) that a further report be made bringing forward suggestions for consideration by members at a workshop, the outcome of which to be reported back to the Committee for consideration.

(Resolution passed without dissent)

(Zoë Harris – Community Regeneration Officer)
(zoë.harris@southsomerset.gov.uk or (01460) 260423)

10. Merriott Village Hall - Grant Application (Executive Decision) (Excepted Business) (Agenda Item 10)

Prior to consideration of this item, the Committee noted the comments of Mr. J. Stokes, Chairman of Merriott Village Hall, who spoke in support of the organisation's application for grant during which he gave information on other funding that had been secured towards the project.

The Community Regeneration Officer summarised the agenda report, which asked the Committee to consider an application for financial assistance received from Merriott Village Hall towards energy efficiency improvements at the hall.

Cllr. Simon Bending, ward member, referred to the involvement of members of the Village Hall Committee who had worked extremely hard in bringing this scheme forward. He indicated his support for the scheme and for the approval of the grant application.

In response to questions from members, the Community Regeneration Officer confirmed that this project was part of a larger scheme of work and had been phased within a proper business plan. This matter was confirmed at the meeting by Mr. Stokes. In response to members' further questions, Mr. Stokes gave information regarding funds

received for the sale of adjoining land for housing and the use to which they had been allocated and about the financial reserves held by the Village Hall Committee.

Having discussed the details of the application from Merriott Village Hall, the Committee indicated its support for the grant of £5,200 to be awarded. Disappointment was expressed, however, about the small contribution being made by Merriott Parish Council towards the project. A member also commented that he would normally expect a larger contribution from a parish council towards a local project but in this particular case it was felt that the commitment of the community to the project had balanced that out.

A member questioned whether all village halls would be aware of the reallocation of the remaining funds in the Village Hall budget to support small scale hall projects. It was confirmed that this information had been circulated via the Community Council for Somerset newsletter.

RESOLVED: that a grant of £5,200 be awarded from the South Somerset District Council Village Hall grants programme to Merriott Village Hall towards energy efficiency improvements at the Hall.

Reason: To determine an application from Merriott Village Hall for grant funding.

(Resolution passed without dissent)

*(Zoë Harris – Community Regeneration Officer)
(zoë.harris@southsomerset.gov.uk or (01460) 260423)*

11. Area West Working Groups and Sub-Committees - Appointment of Members 2009/10 (Executive Decision) (Agenda Item 11)

Reference was made to the agenda report and the Committee reviewed the appointment of members to various Working Groups and Sub-Committees.

RESOLVED: (1) Crewkerne and Area Community Office - Board Representation

that Cllr. Angie Singleton be appointed to serve on the Crewkerne and Area Community Office Board;

(2) Area West Community Safety Action Panel

that Cllr. Martin Wale be appointed to serve on the Area West Community Safety Action Panel;

(3) Area West Community Forum Sub-Committees

that appointments to the Area West Community Forum Sub-Committees be deferred pending the completion of the review of the Opportunity events and the holding of similar events in the future.

Reason: To review the appointment of members to working groups and sub-committees for the municipal year 2009/10.

*(Andrew Blackburn, Committee Administrator)
(andrew.blackburn@southsomerset.gov.uk or (01460) 260441)*

12. Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice Chairman (Executive Decision) (Agenda Item 12)

Reference was made to the agenda report and the Committee considered the nomination of two members to act as substitutes for the Chairman and Vice-Chairman in the exercising of the scheme of delegation for planning and related applications.

RESOLVED: that Cllrs. Nigel Mermagen and Ric Pallister be appointed to act as substitutes for the Chairman and Vice-Chairman in the exercising of the scheme of delegation for planning and related applications.

Reason: To appoint two members to act as substitutes for the Chairman and Vice-Chairman in the exercising of the scheme of delegation for planning and related applications for the municipal year 2009/10.

*(Simon Gale, Head of Development & Building Control)
(simon.gale@southsomerset.gov.uk or (01935) 462192)*

13. Joint Area Committee – West - Appointment of Members to Outside Organisations 2009/10 (Executive Decision) (Agenda Item 13)

Reference was made to the agenda report and the Committee reviewed the appointment of members to serve on outside organisations.

During consideration of the appointments, the Committee was informed that 'A Better Crewkerne and District' (ABCD) now had a formal constitution, which only allowed for one nominated member from the Council to be appointed. The Committee was also informed that the Chard Recreational, Educational and Sports Trust Association had now been disbanded and therefore a representative need not be appointed.

Members also noted that the Council had been informed by Yarlington Homes that their Area Resident Partnerships would cease in September 2009 when they were moving to a new structure of tenant participation.

RESOLVED: that the following members be appointed to represent the Council on the outside organisations listed below:-

Organisation	Representation 2009/2010
A Better Crewkerne & District (ABCD)	Mike Best
Blackdown Hills AONB	Ros Roderigo
Chard and District Museum Society	Linda Vijeh
Community Justice Panel	Mike Best Robin Munday Kim Turner
Chard Young People's Centre	Jenny Kenton
Crewkerne Heritage Centre	Angie Singleton

Organisation	Representation 2009/2010
Crewkerne Leisure Management (Aqua Centre)	Geoff Clarke
Crowshute House Management Committee (Chard)	Ros Roderigo
Ile Youth Centre Management Committee (Ilminster)	Carol Goodall
Ilminster Forum	Kim Turner
Meeting House Trust Management Committee, Ilminster	Ros Roderigo Carol Goodall
Yarlington Homes Residents' Partnership	Dave Bulmer
Stop Line Way Steering Group	Andrew Turpin
West One Youth and Community Centre (Crewkerne)	Angie Singleton

Reason: To review the appointment of members to represent the Council on outside organisations for the municipal year 2009/10.

*(Andrew Blackburn, Committee Administrator)
(andrew.blackburn@southsomerset.gov.uk or (01460) 260441)*

14. Joint Area Committee – West Forward Plan (Agenda item 14)

Reference was made to the agenda report, which informed members of the proposed Joint Area Committee – West Forward Plan.

The Committee was further informed of additions/amendments to the Forward Plan and members also suggested items to be included as follows:-

- the Committee noted that the County Council had indicated that a report would be provided for the August 2009 meeting regarding the withdrawal of funding for Council Information Points;
- the County Council had also indicated that a report would be submitted to the Joint Area Committee - West to enable the Schools Review for the Chard, Ilminster and Crewkerne area to be scrutinised. It was noted that it was unclear exactly when the item would come forward to the County Council's Executive but was anticipated to be in early 2010. A report would, therefore, be brought to the Joint Area Committee at the appropriate time;
- a member requested that a standard item be included regarding the Chard Regeneration Scheme, including the Key Site development, and in respect of the Crewkerne Key Site to enable matters to come forward to Committee as necessary;
- a member requested that an item be included at the September 2009 meeting to inform members of enforcement action that was available in respect of the condition

of property including buildings and land (Section 215 - Town and Country Planning Act 1990).

RESOLVED: that the proposed Joint Area Committee – West Forward Plan as attached to the agenda be noted subject to the above amendments.

(Resolution passed without dissent)

*(Andrew Gillespie, Head of Area Development (West) – (01460) 260426)
(andrew.gillespie@southsomerset.gov.uk)
(Julian Gale, Group Manager – Community Governance (SCC) – (01823) 355025)
(jjgale@somerset.gov.uk)*

15. Reports from Members on Outside Organisations (Agenda item 15)

No reports were made by members who represented the Council on outside organisations.

16. Feedback on Planning Applications Referred to the Regulation Committee (Agenda item 16)

There was no feedback to report as there were no planning applications that had been referred recently by the Joint Area Committee – West or the former Area West Committee to the Regulation Committee.

NOTED.

*(David Norris, Development Control Team Leader (North/West) – (01935) 462382)
(david.norris@southsomerset.gov.uk)*

17. Planning Appeals (Agenda item 17)

The Committee noted the details contained in the agenda report, which informed members of planning appeals lodged, dismissed and allowed.

NOTED.

*(David Norris, Development Control Team Leader (North/West) – (01935) 462382)
(david.norris@southsomerset.gov.uk)*

18. Date and Venue for Next Meeting (Agenda item 19)

Members noted that the next scheduled meeting of the Committee would be held at the Henhayes Centre, off South Street, Crewkerne on Wednesday, 19th August 2009 at 5.30 p.m.

NOTED.

*(Andrew Blackburn, Committee Administrator – (01460) 260441)
(andrew.blackburn@southsomerset.gov.uk)*

19. Planning Applications (Agenda item 18)

The Committee considered the applications set out in the schedule attached to the agenda and the Planning Officers gave further information at the meeting and, where appropriate, advised members of letters received as a result of consultations since the agenda had been prepared.

(Copies of all letters reported may be inspected in the planning applications files, which constitute the background papers for this item).

08/04761/FUL (Pages 1-14) – Conversion of outbuilding to 2 no. holiday cottages (revised application) (GR 332694/105596), Lakehayes, School Lane, South Chard – Mr. Simon Tothill.

08/04762/LBC (Pages 15-22) – Conversion of outbuilding to 2 no. holiday cottages (revised application) (GR 332694/105596), Lakehayes, School Lane, South Chard – Mr. Simon Tothill.

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. He referred to the key considerations to be taken into account including the impact on highway safety, character and appearance of the Conservation Area, setting of the listed building, residential amenity and disposal of surface water. It was noted that the recommendation was one of approval subject to conditions.

The Planning Officer and Planning Liaison Officer (Highways) (SCC) then answered members' questions on points of detail regarding the design of the access including the gradient of the slope to the highway and its effect on visibility over the adjacent wall. The Planning Liaison Officer (Highways) mentioned that the gradient of 1 in 3 was of concern and that there was no need for it to be that sharp. He explained that under normal circumstances a gradient of 1 in 10 would be the maximum, however, in this case he suggested that the slope of the access could be moved further back enabling the provision of a slope of 1 in 6, which would still give sufficient height for a driver to see over the adjacent wall. The Planning Officer reported that if there was scope to move the gradient back it could be covered by the recommended condition requiring details of the access to be submitted for approval.

The Committee then noted the comments of Mr. M. Osborne, Mr. R. Hindess and Mr. I. Purdon in objection to the applications. Views expressed included the following:-

- the view of the Environmental Protection Officer that the development would not impact unduly on existing residential properties was questioned. Reference was made to potential noise and disturbance from holiday lets causing a loss of amenity to immediate neighbours being an issue;
- reference was made to the Parish Council and neighbours having objected to the application. The site was also in the Conservation Area;
- reference was made to road safety along School Lane and the potential danger for schoolchildren and other pedestrians who used the lane. It was commented that holidaymakers would not know the road or area, which could compromise road safety;
- reference was made to photographs, which had been provided in accordance with the Council's appropriate protocol, to illustrate concerns about the highway safety aspects, particular reference being made to visibility from the access.

The applicant, Mr. S. Tohill, in response to the statement made about holidaymakers not knowing the local roads, commented that people would be travelling on unfamiliar roads to reach their destination in any case and that he would credit them with travelling safely. He indicated that he would be resident on site and therefore would be available to assist and monitor visitors. He also questioned measurements mentioned in respect of the distance to the school.

Cllr. Andrew Turpin, District Council ward member, referred to the distance between the proposed new access and the watercourse on the southern boundary of the site and expressed concerns that flooding problems would be exacerbated. He also questioned how the development would fit in with the existing septic tank drainage. In mentioning visibility at the access he referred to a comment of the Highway Officer that visibility was not wholly satisfactory and Cllr. Turpin felt, therefore, that it was not good enough. He referred to the road being used by children and to the pavement not going right along it. Although not having information on the volume of use of the proposed development and noting the comment of the applicant about being diligent in monitoring, he felt there was a need to reduce the risk. He also indicated that he did not like the design of the raised driveway. He further commented that when he first joined the District Council he was keen that this area be protected and that people came to this locality because of the quaintness and facade that existed in the locality. He felt that the ambience should not be lost.

Cllr. Jill Shortland, County Council division member, referred to the agenda report indicating that the site was within the defined development area and Conservation Area and that the barn subject of the application was not listed in its own right but, as it fell within the curtilage of Lakehayes, was considered to be listed in association with that property. Reference was also made to the Conservation Officer having stated in the report that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. She further referred to the Conservation Officer having mentioned that applicants need to justify their proposals and to show why works, which would affect the character of a listed building, were desirable or necessary. She referred to the Committee having heard that the outbuildings were in a dilapidated state but she understood that the owners had a duty to maintain the buildings in any case and she did not believe that a case had been justified for these proposals. With regard to whether the proposed development would preserve or enhance the street scene within the Conservation Area, she referred to there being conflicting information within the agenda report. She referred to the Planning Officer having stated that he considered that there would be no adverse affect on the setting of the listed building and that the proposals would enhance the setting and appearance of the Conservation Area. She referred to the Conservation Officer, however, expressing the view that although he would not say that the conversion would enhance the street scene, he felt that it would preserve it. She felt, therefore, that the Planning Officer's comment should be disregarded. She also expressed her opinion that she did not think that the proposals would preserve the street scene.

In response to comments made, the Planning Officer confirmed that the outbuilding was not a listed building but was listed in association with Lakehayes. The full range of criteria relating to listed buildings would not, therefore, necessarily be looked at but rather the impact the conversion may have on the setting of the listed building. With regard to the watercourse and the issue raised about flooding, he indicated that the site was not in a flood zone and that the Council's Engineer had indicated that the proposals should not affect the problems with the watercourse. He also mentioned that the site would have a more permeable surfacing layer. With regard to the location of the school, he reported that it was anticipated that children would use the pavements. He also mentioned that the reference to "enhances" the setting and character of the Conservation Area in the conclusion and recommendation within the agenda report should be amended to "preserves".

During the ensuing discussion, the majority of members, although noting the comments of the local members, were of the view that the proposals were acceptable and that the application should be approved. A number of comments were made. With reference to the flooding issue, a member mentioned that the Council's drainage engineer had indicated that the proposals would not affect the problems associated with the watercourse. The view was expressed that the potential for use of the access under the property's current use was greater than with the proposed use and that in highway terms it had been demonstrated that risk would be reduced. It was felt that moving the access as proposed would improve visibility and be less of a safety risk than the existing access. The Highway Authority had also recommended approval of the application. Reference was made to the site being in the development area and it was not considered that the proposals would affect the residential amenity of neighbouring properties. Although not necessarily enhancing the Conservation Area, comment was expressed that the proposals would not be detrimental to it. With regard to the barns, a member mentioned that whilst not derelict they were in a poor condition and that the conversion of the barns would tidy the locality. It was also considered that there were no planning grounds on which the application could be refused.

Cllr. Andrew Turpin, ward member, in response to comments made, further mentioned that there was no consistent footpath all along the road. He also felt that there was very little space for expansion of the use of Lakehayes as it was at present. He was still concerned about the risk from flooding and to children using the road. He also felt that the relationship of the barns with Lakehayes would change radically and would not enhance the Conservation Area.

The majority of members, in agreeing that planning permission be granted, noted that the issue concerning the gradient of the access could be covered by the recommended condition set out in the agenda report. Comment was expressed by a member that the foul drainage arrangements for the holiday cottages should be subject to a condition requiring that details be submitted to the local planning authority for approval.

In referring to the justification for the granting of planning application no. 08/04761/FUL contained in the officer's recommendation in the agenda report, the Committee agreed that the reference to "enhances" the setting and character of the Conservation Area should be amended to "preserves".

- RESOLVED:** (1) that planning permission be granted in respect of application no. 08/04761/FUL subject to:-
- (i) the reference to "enhances" the setting and character of the Conservation Area in the justification for the granting of the application set out in the agenda report being amended to "preserves";
 - (ii) conditions 1-23 and informative note 1 as set out in the agenda report and to the inclusion of an additional condition requiring the foul drainage arrangements to be submitted to the local planning authority for approval;
- (2) that planning permission be granted in respect of application no. 08/04762/LBC subject to conditions 1-12 as set out in the agenda report.

(10 in favour, 4 against, 1 abstention)

08/04733/FUL (Pages 23-33) – The erection of 5 no. dwellings and alterations to vehicular access thereto (GR 336277/114198), land to the rear of Trebarwith, Frog Lane, Ilminster - Albourne Property plc.

The Planning Officer, with the aid of slides and photographs, summarised the details of the application. She referred to the key considerations to be taken into account including the design of the development, highways and parking and impact upon protected species. It was noted that the recommendation was one of approval subject to conditions.

The officers then answered member's questions on points of detail. Points addressed included matters relating to the relocation of the badgers on the site, location and number of parking spaces, details of the access and size of the dwellings.

The representative of Ilminster Town Council, Mrs. M. Excell, Mayor of Ilminster, commented that the Town Council were strongly of the view that the application should be refused, their reasons for which were set out in the agenda report. She further commented that the site was on the fringe of the Conservation Area. She felt that the proposals would have a lasting effect on the locality and that they should fit in with the context of the area. Reference was made to the site not being flat and the view was expressed that these proposals constituted a cramped form of development and would do little to enhance the area. It was not felt that the proposals represented an imaginative approach to developing this site in the town. The view was also expressed that the parking provision and vehicle turning space was inadequate, especially in a locality where there was no alternative street parking. She referred to the Somerset Wildlife Trust Badger Group being concerned about the relocation of the badgers, which she felt could cause problems for other residents. Reference was made to the site being adjacent to the footpath link from the Tesco Supermarket to the town centre and concern was expressed about the potential conflict between vehicles entering/leaving the site and pedestrians and cyclists, including young people and children, who used the narrow lane and linking foot/cyclepath. She also referred to Frog Lane having no pavement and to it having previously been rejected as a possible ring road. If the development of the site was to be approved she expressed the view that it should be less cramped with more parking facilities and of a standard that the town deserved.

The applicant's agent, Mr. P. Proctor, commented that he had spent considerable time consulting with officers to discuss a number of issues, which had been addressed within the application. He referred to the site being overgrown and in a poor state with badgers having caused problems. He commented that he had involved a consultancy with experience of badgers who had indicated that they could be moved satisfactorily to land to the east. Reference was made to a highways consultant having been involved with the design of the development. It was also indicated that the houses would be lifetime homes with provisions for elderly persons' scooters and cycles. The site was a short walking distance from the town and its facilities and a Tesco Supermarket. Reference was also made to the design of the windows and the natural stone roof.

Cllr. Carol Goodall, one of the ward members, referred to comments about the site being overgrown and commented that the developers had allowed it to get that way and that they had turned down an agreement with the Town Council to maintain the land. She felt that the proposals constituted overdevelopment. Although the design was pleasing in appearance she did not feel that it was compatible with the Conservation Area where the houses were Georgian in style and not rustic. In referring to the recommended conditions, she noted that as part of the protected species mitigation plan an underground chain-link barrier would be required but she felt that the badgers would dig underneath it. With reference to the provision of meter cupboards, she referred to the need to take into account the "Ilminster by Design" document. She also referred to one of the informative notes advising that care should be taken by construction vehicles to

ensure that no damage was caused to trees at the Meeting House but no mention was made of damage to businesses in Frog Lane. She also commented that the foot and cycle traffic in this locality was more than was realised, which together with cars accessing the Meeting House meant that the area was congested.

In response to comments made, the Planning Officer indicated that the site was within the development area and was a flat site. The density was in accordance with Government guidelines and the conditions regarding badgers were recommended by the ecologist. She also indicated that disruption of the use of other properties did not constitute a reason to refuse the application.

The Planning Liaison Officer (Highways) clarified that the level of parking to be provided was acceptable and in accordance with the Local Plan and that there was sufficient room to enable vehicles to turn within the site. He also explained the access arrangements, which recognised that there was a conflict between users and were generally acceptable. He further mentioned that Frog Lane was not considered to be suitable as an inner ring road because of the volume of through route traffic, which would be far greater than that from the proposed development.

Cllr. Kim Turner, also a ward member, commented that she understood the concerns expressed by the occupier of The Coach House relating to problems with badgers. If there was to be a development on this site, she felt that it should be of a smaller scale, especially as it was in the Conservation Area. She also expressed concerns about the access. Given that the proposed development consisted of three bedroom houses, she questioned how many vehicles would be associated with it. Reference was made to Frog Lane being extremely well used, mainly by pedestrians, and to there being very little footpath. Concerns were expressed about the conflict between users if the development took place. She also referred to concerns about badgers being moved again. She mentioned that many relevant points had been made by the Town Council and was of the view that the application should be refused because of the design, overdevelopment, being out of character with the Conservation Area and the conflict between vehicles and pedestrians.

During the ensuing discussion, the majority of members indicated that they felt that the proposed development was acceptable. Reference was made to there being a mix of development and uses in this locality and it was not felt that the proposed dwellings would have a detrimental effect. The site was also in the development area. Views were also expressed that it would be difficult to say that the proposals constituted overdevelopment and that the development would be an enhancement to this utilitarian area of the town. In referring to the access, although recognising that Frog Lane was used a lot by pedestrians, it was commented that residents of the new dwellings would be less inclined to use their cars so often when the site was so close to town centre facilities. It was also noted that the priority for pedestrians would be emphasised and that the Highway Authority had found the proposals to be acceptable. Comment was expressed that there were no planning grounds to refuse the application and it was considered that it should be granted.

RESOLVED: that planning permission be granted subject to conditions 1-19 and informative notes 1-3 as set out in the agenda report.

(10 in favour, 4 against)

(David Norris, Development Control Team Leader (North/West) – (01935) 462382)
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Chairman