

Meeting AW 02M:10/11
Date 16.06.10

South Somerset District Council

Draft Minutes of a meeting of the **Area West Committee** held in the Henhayes Centre, Crewkerne on Wednesday **16 June 2010**.

(5.30pm – 8.20pm)

Present:

Members: Kim Turner (Chairman)

Simon Bending	Carol Goodall	Ros Roderigo
Mike Best	Jenny Kenton (until 6.55pm)	Andrew Turpin
David Bulmer	Nigel Mermagen	Linda Vijeh (until 6.30pm)
Geoff Clarke (until 6.45pm)	Robin Munday	Martin Wale

Somerset County Councillors

John Dyke (until 6.30pm)
Anne Larpent (until 6.30pm)

Officers:

Andrew Gillespie	Area Development Manager (West)
Zoe Harris	Community Regeneration Officer (West)
Nigel Marston	Licensing Manager
Andrew Gunn	Area Lead West (Development Management)
Adrian Noon	Area Lead North/East (Development Management)
Ian McWilliams	Planning Liaison Officer (SCC)
Becky Sanders	Committee Administrator

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

4. Minutes (Agenda item 1)

The Chairman requested that in addition to approving the minutes of the 19 May as shown in the agenda, the Committee were also requested to approve the minutes of the 20 May. The minutes of the meetings held on 19 May 2010 and 20 May 2010, copies of which had been circulated, were taken as read and, having been approved as a correct record were signed by the Chairman.

5. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Councillors Ric Pallister, Dan Shortland and Angie Singleton.

6. Declarations of Interest (Agenda item 3)

Cllr. Jenny Kenton declared a personal and prejudicial interest in agenda item 16, planning application 10/00093/OUT, as she owned some of the properties in Phoenix Courtyard. She confirmed she would leave the meeting when the item was discussed.

Cllrs. David Bulmer and Martin Wale declared personal interests in agenda item 16, planning application 10/00093/OUT, as comments had been submitted by Chard Town Council on which they also served as councillors.

At the time agenda item 16, planning application 10/00093/OUT was being discussed; Cllr. Kim Turner declared a personal interest as a representative of Somerset County Council (Ilminster Division) on the combined Devon and Somerset Fire and Rescue Authority.

7. Public Question Time (Agenda item 4)

There were no questions from members of the public.

8. Chairman's Announcements (Agenda item 5)

The Chairman informed members that:

- Yarlington Housing Group were presenting a report to Area South Committee on 7 July on the care of the elderly in warden assisted housing schemes and the changes to the sheltered housing scheme service, that may be of interest to all members.
- The Members Core Strategy Workshop would take place on 5 July at 9.30am in the Stringfellow Room at the Lace Mill, Chard. The workshop would be followed by a discussion on Chard Regeneration for approximately an hour, commencing at 2.00pm.

The Chairman also thanked members for their support in re-electing her and the Vice-Chairman and she hoped to serve them well over the coming year.

9. Presentation from Opportunity Crewkerne 2009 Winners (Agenda item 6)

Presentation 1 - Crewkerne Aqua Centre had received £3,579 to purchase training equipment for first aid and lifeguard training for young people. Two young ladies gave a demonstration of the resuscitation skills they had learned using a 'Little Annie'. They also explained that several volunteers were due to pass varying levels of qualifications by the end of the year. Councillors were invited to take part in learning the resuscitation skills, to which Cllr Linda Vijeh volunteered, and provided an entertaining demonstration. She commented that the skills were important and the training ought to be provided in schools.

The Community Regeneration Officer noted that the two young ladies were amongst the longest serving in the lifeguard club and were also amongst the first to achieve gold level

in NaRS (National Rescue Standard). The Chairman thanked the young ladies for their informative presentation.

Presentation 2 - Mr Tim Smith gave a brief presentation on the work of the Camelot Credit Union who had received £3,700 to expand their service beyond Yeovil, into Crewkerne. He explained that:

- Credit Unions were popular in Canada, USA and Scotland but that Building Societies had taken on much of the role in England. They were a mutual organisation, democratically owned and controlled by its members.
- They aimed to keep the money in the Credit Union within the community.
- The Opportunity funding had enabled the opening of two collection points in Crewkerne, the Town Hall and the Henhayes Centre. Unfortunately the Town Centre desk had closed due to lack of volunteer cover.
- £2,800 of the funding had been used to give nine loans which had injected approximately £16,000 into the local economy. The remainder of the funding had been used for advertising, training and communications etc.
- In partnership with Yarlington Housing Group (YHG) they could offer emergency loans to disadvantaged people.
- In 2010, it was hoped to expand the Credit Union into Chard and provide a 'one stop shop' with the Citizens Advice Bureau. It was also hoped that there would be a new collection point at the YHG office in Alvington, Yeovil.

In response to questions from members, Mr Smith confirmed that by law all Credit Unions had to be registered under the Credit Union Act and that Camelot Credit Union was registered with the Financial Services Authority. He also noted that legislation required that all work was voluntary.

The Chairman thanked Mr Smith for his presentation and wished the Camelot Credit Union success for the future.

RESOLVED: That the presentations from the Opportunity Crewkerne 2009 winners be noted.

*Zoe Harris, Community Regeneration Officer (West)
zoe.harris@southsomerset.gov or (01460) 260423*

10. Area West 2009/10 Outturn Report (Executive Decision) (Agenda item 7)

The Area Development Manager (West) presented the report and commented that there were no delayed projects in the capital programme and that slippages were within an acceptable range, and concluded that the budget was in a good position. He highlighted to members that the carry forward balances would not be confirmed until the July meeting of the District Executive when the outcome of the Government's June budget would be known. It was possible that the decisions of District Executive could have an impact upon the budget available for Opportunity (Area Forum) events.

The Merriott sports pavilion and tennis court scheme was no longer going ahead. The grant allocation would be returned to the unallocated capital reserve balance. The Area Development Manager (West) also commented that it would be reasonable to expect a revised application for financial support for the Forton Rangers Football Club Pavilion Extension project in the near future as there was difficulty in delivering the scheme as originally intended. It was also noted that £232, being the balance of funding for the

completed Snowdon Park recreation project, would be returned to the unallocated capital reserve. Members were informed that there was a £482 overspend on the Stop Line Cycle Way and the recommendations requested approval to fund this from the unallocated capital reserve.

Members welcomed news that work was to commence in the next fortnight on the Snowdon Park – Mitchell Gardens play area. Members were content to approve all the recommendations.

RESOLVED: That members:

- (1) Reviewed and commented on the outturn position and explanation of variances from budgets for the financial year 2009/10;
- (2) Noted the position of the Area West Reserve;
- (3) Agreed to carry forward the slippage of £37,256 on the Area West Capital Programme;
- (4) Return the unused funding of £15,500, that had been allocated to the Merriott Sports Pavilion and Tennis Court Scheme, to the unallocated capital reserve;
- (5) Return the remaining balance of £232 from the completed Snowdon Park Recreation Project to the unallocated capital reserve;
- (6) Agreed to fund £482 from the unallocated capital reserve for the budget overspend on the Stop Line Cycle Way.

Reason: To inform members of the actual spend against budgets for 2009/10 of the services over which this Committee exercised financial control.

(Voting: unanimous)

*Catherine Hood, Management Accountant
catherine.hood@southsomerset.gov.uk or (01935) 462157*

11. Licensing Service Update (Agenda item 8)

The Licensing Manager introduced the report and gave members an overview of the activities of the Licensing Service during the past year 2009-10. The Licensing Team had continued a proactive approach to the enforcement and monitoring of Hackney Carriage and Private Hire drivers and vehicles, close liaison had continued with partner agencies. Two successful prosecutions had been taken during 2009-10 regarding the operation of unlicensed private hire vehicles and had resulted in large fines.

Street Trading Consents had been successful and the fees charged had enabled the Licensing Team to actively enforce the street trading and pedlars legislation at carnivals.

An EU directive required that the process for making a licensing application and payment be available online. Working in conjunction with the ICT team, this was now possible and was facilitating approximately 15 to 20 applications electronically each week. Members noted that the Licensing Service was a self-financing department.

In response to comments from members the Licensing Manager commented that:

- The increase in the number of complaints was primarily due to people being able to make complaints direct to Licensing rather than via Community Protection (Environmental Health).

- The extension of licensing hours across SSDC appeared to have had less of an impact than the national media had reported. There had been no apparent increase in anti-social behaviour as a direct result of the extended hours.

Cllr Nigel Mermagen, Chairman of the Licensing Committee, commented that changes to licensing had given the ability to shut down premises quickly and the procedure had been successfully used locally until a hearing could be held.

The Chairman thanked the Licensing Manager for his informative report.

RESOLVED: That the Licensing Service update report be noted.

*Nigel Marston, Licensing Manager
nigel.marston@southsomerset.gov or (01935) 462150*

12. Area West Working Groups – Appointment of Members 2010/11 (Executive Decision) (Agenda item 9)

The Committee agreed the appointment of members to serve on the working groups for 2010/11.

- RESOLVED:**
- (1) That Councillor Angie Singleton be appointed to serve on the Crewkerne and Area Community Office Board.
 - (2) That Councillor Martin Wale be appointed to serve on the Area West Community Safety Action Panel.

Reason: To appoint members to working groups for the municipal year 2010/11.

(Voting: unanimous)

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

13. Area West Committee – Appointment of Members to Outside Organisations 2010/11 (Executive Decisions) (Agenda item 10)

The Committee agreed the appointment of members to serve on outside organisations for 2010/11. Members requested that the situation and status regarding member appointments to the Meeting House Trust Management Committee (Ilminster) be clarified for the future. It was commented that the meetings of Chard and District Museum took place at the museum and not in Holyrood Lace Mill as stated in the agenda report.

RESOLVED: That the following members be appointed to the outside organisations for 2010/11 as listed below:

A Better Crewkerne & District (ABCD)	Mike Best
Blackdown Hills AONB	Ros Roderigo
Chard & 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
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
Stop Line Way Steering Group	Andrew Turpin
West One Youth and Community Centre (Crewkerne)	Angie Singleton

Reason: To appoint member representatives for South Somerset District Council on outside organisations for the municipal year 2010/11.

(Voting: unanimous)

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

14. **Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice-Chairman (Executive Decision) (Agenda item 11)**

RESOLVED: That in line with the Development Control Scheme of Delegation, Councillors Nigel Mermagen and Ric Pallister, be appointed to act as substitutes for the municipal year 2010/11 for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s).

Reason: To appoint two substitute members for the Chairman and Vice Chairman to make decisions in their absence during 2010/11 in line with the Development Control Scheme of Delegation.

(Voting: unanimous)

*David Norris, Development Manager
david.norris@southsomerset.gov.uk or (01935) 462382*

15. **Area West Committee – Forward Plan (Agenda item 12)**

The Area Development Manager commented that the report on the Chard Regeneration Scheme was likely to be in October. In response to a comment from members, he confirmed that any issues arising from the Government Budget on 22 June would be discussed or addressed in the next financial report. Members noted that the report on the operations of markets in Area West would be at the September meeting.

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

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

16. Reports from Members on Outside Organisations Agenda item 13)

There were no reports from members on outside organisations.

17. Feedback on Planning Applications Referred to the Regulation Committee (Agenda item 14)

There was no feedback to report as no applications had been referred to the Regulation Committee.

David Norris, Development Manager
david.norris@southsomerset.gov.uk or (01935) 462382

18. Planning Appeals (Agenda item 15)

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

RESOLVED: That the report be noted.

David Norris, Development Manager
david.norris@southsomerset.gov.uk or (01935) 462382

19. Planning Applications (Agenda item 16)

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).

10/00486/FUL - Demolition of existing dwellings and the erection of 21 new dwellings with associated parking facilities – Land at Ken Close, Chard.

Applicant: Mr K Leaver, Yarlinton Homes Ltd

The Area Lead (North and East) explained that shortly before the Area West Committee meeting commenced the applicant had requested that the application be withdrawn. The Chairman apologised to members of the public present for the late notice that the application had been withdrawn.

10/00093/OUT – Residential development – Land rear of The Phoenix Hotel and car park, Fore Street, Chard.

Applicant: Ashdown Investors Ltd

(Cllr. Jenny Kenton having declared a personal and prejudicial interest in the application left the room. Cllrs. David Bulmer and Martin Wale declared personal interests in the application as comments had been submitted by Chard Town Council on which they also served as councillors.)

The Chairman asked if any members had visited the site independently, to which six responded positively and another indicated that they knew the site very well but had not visited on this occasion.

The Area Lead (West) commented that photographs had been received from a resident that indicated the potential impact on their property. The photographs were included in his slide presentation. He informed members that both Highways and the Fire & Rescue Authority had confirmed that in terms of emergency access, the proposed site access was unsuitable. He commented that if the application were to be approved that there would need to be a condition for emergency pedestrian access across the path at the end of Essex Close, prior to commencement of works. Such an access would require an easement from SSDC.

With the aid of slides and photographs, the Area Lead (West) summarised the details of the application as set out in the agenda report and highlighted that the application was for outline consent for a car free residential development, with access being the only reserved matter being sought at this stage. He commented that the access across the Phoenix Courtyard was not in the ownership of the applicant, but they did have a right of access. Members also noted that the cricket club had planning permission granted in 2009 to extend the pavilion to provide changing rooms and to provide a net practice area.

The Planning Officer referred to the key considerations to be taken into account; principle of residential development; parking provision; density of development. Regarding parking provision he commented that parking standards within the town indicated a maximum of one space per unit, and he indicated that members should consider if a car free development was acceptable in the town. He noted that existing public car parks could adequately cater for any need and that a travel plan had been submitted with the application.

The officer commented that concerns regarding the density of development had been received from residents and the town council. To address these concerns he had suggested a recommendation limiting the permission to a maximum of 20 units.

In response to questions the officer confirmed:

- The strength of access rights across the Phoenix Courtyard were not an issue for this planning application.
- There were some listed buildings near to the site
- Only the proposed access across the Phoenix Courtyard was in a conservation area. Part of the site on the southern boundary bordered the conservation area, however the proposed residential development was not in a conservation area.
- Restriction of the Essex Close access to emergency vehicles only would need to be detailed and a satisfactory arrangement in place before any commencement of works.
- The Section 106 leisure contributions would be for local and strategic provision.
- SSDC could not condition outside of the application site and could not control vehicular access across the Phoenix Courtyard.

(As many questions and comments were being made about access for the emergency services, the Chairman, Cllr. Kim Turner declared a personal interest as a representative of Somerset County Council (Ilminster Division) on the combined Devon and Somerset Fire and Rescue Authority.)

Mr Steven Jones, spoke in objection to the application. He explained that residents of Phoenix Courtyard had children who played in the courtyard and was concerned about safety if there was an increase in the number of vehicles using the area for access. He commented that he owned the Phoenix Hotel and there were already seven wheelie bins along the pavement in Fore Street on collection day. If 20 new units were to be permitted there would be 27 bins, and would that be an acceptable street scene every fortnight? He also noted that the side access to the hotel was the patrons smoking area and that if there was increased traffic flow through the courtyard they were likely to relocate to the front of the premises. Mr Jones also raised his concern regarding the dwellings facing southwards to minimise disturbance from the cricket club, as this meant they would face the hotel with music into the early hours as an alternative. He concluded that the proposed development would have a detrimental effect on his business economy if the application were to be approved.

Mr Peter Grubb, a planning consultant for the applicant's agent, spoke in support of the application. He commented that the site could successfully support 20 units of residential development, and the proposals followed Government guidance to make efficient use of land, also objectives to reduce or minimise car use. He reminded members that the final dwelling/unit numbers would not be confirmed until the reserved matters were submitted for approval. Responding to comments about access by emergency services he explained it was a detailed consideration and it would be necessary for the Fire Authority to get to within 45 metres of the building or to have sprinklers installed but it would be an issue for the reserved matters. He concluded that officers had been content with the proposals for local amenity and requested the Committee to consider approving the application.

Ward Member, Cllr Martin Wale, acknowledged the application was for outline permission, but considered that the density of development and parking provision were a concern. He felt it would be difficult for a person to live in Chard without access to private transport. He further commented that construction traffic through the archway could damage the listed building. The Area Lead (West) reminded members that the number of units stated in the application was a suggested maximum. The density could be reduced but the proposals would need to remain as a car free residential development.

Throughout the lengthy, ensuing discussion members raised various comments and concerns including:

- Access to the site for emergency vehicles was not the only issue. Other vehicles would require access to the site including construction traffic, deliveries, refuse vehicles, effectively making Essex Close an alternative access to the site.
- If the specific details of the dwellings were for more than three storeys then pedestrian access by the emergency services was unlikely to be adequate.
- A car free development suggested a reliance on public transport which could be expensive.
- Comments of efficient use of land may be appropriate to cities than relatively small, rural market towns.
- Using the archway and courtyard as the main access to the site was not suitable and would be hazardous to pedestrians.
- Many people would have cars, if unwilling to use public car parks there would be an increase in on-street parking.
- Acknowledge the proposal was a good use of the land but the access arrangements were inadequate for the proposals.

Members were generally minded to go against the officer recommendation of approval, and to refuse the application. It was proposed and seconded to refuse the application for the following reasons:

- Density and scale of the proposed development.
- Not providing safe pedestrian access, or suitable access for emergency and other essential vehicles to the site.
- Potential increase in demand for on street parking.
- Increased use of the sub-standard access through the Phoenix Hotel entrance (archway) would be prejudicial to highway safety.

On being put to the vote, members unanimously voted to refuse the application.

RESOLVED: That planning application 10/00093/OUT be REFUSED for the following reasons:

1. The proposed development by reason of the density and scale would not satisfactorily respect the form, character and setting of the locality, contrary to Policy ST5 and ST6 of the South Somerset Local Plan.
2. The proposed development by reason of the substandard and limited access through the Phoenix Hotel entrance, will not provide a safe means of pedestrian and residential vehicle access nor will it be able to provide vehicular access for emergency and other essential vehicles, contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and policy ST5 and ST6 of the South Somerset Local Plan.
3. The likely increase in demand for on street parking resulting from this proposal would be to the detriment of highway users and pedestrians, and cause harm to the visual character and appearance of the Street scene and Conservation Area, contrary to Policy ST5, ST6 and EH1 of the South Somerset Local Plan.
4. The increased use of the substandard access through The Phoenix Hotel entrance would be prejudicial to highway safety, contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

(Voting: unanimous)

*David Norris, Development Manager
david.norris@southsomerset.gov.uk or (01935) 462382*

20. Date and venue for Next Meeting (Agenda item 17)

Members noted that the next meeting of the Area West Committee would be held at Horton Village Hall on Wednesday 21 July at 5.30pm.

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Chairman