

MEETING AW.03:1011  
DATE 21:07:10

## South Somerset District Council

**Draft Minutes** of a meeting of the **Area West Committee** held in Horton Village Hall, Hanning Road, Horton on **Wednesday, 21st July 2010**.

(5.30 p.m. – 9.00 p.m.)

### Present:

**Members:** Cllr. Kim Turner (in the Chair)

Michael Best	Ric Pallister
David Bulmer	Ros Roderigo
Geoff Clarke	Angie Singleton
Jenny Kenton	Andrew Turpin (from 6.35 p.m.)
Nigel Mermagen	Linda Vijeh (until 7.05 p.m.)
Robin Munday	Martin Wale

### Officers:

Martin Woods	Assistant Director - Communities
Andrew Gillespie	Area Development Manager (West)
Zoë Harris	Community Regeneration Officer (West)
Claire Littlejohn	Community Development Officer (West)
Val Keitch	Community Justice Panel Manager
Adrian Noon	Area Lead North/East – Development Control
Linda Hayden	Planning Officer (West)
Paula Goddard	Senior Legal Executive
Andrew Blackburn	Committee Administrator

### Also Present:

Inspector Jackie Gold	Avon & Somerset Constabulary
Sgt. Andy Lloyd	Avon & Somerset Constabulary
Ian McWilliams	Planning Liaison Officer (Highways), Somerset County Council

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

## 21. Minutes (Agenda item 1)

The minutes of the meeting held on the 16th June 2010, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

## 22. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Cllrs. Simon Bending and Carol Goodall and County Cllr. John Dyke.

### **23. Declarations of Interest (Agenda item 3)**

Cllrs. Dave Bulmer, Jenny Kenton and Martin Wale declared their personal but non-prejudicial interests in planning application no. 10/01967/FUL (Demolition of buildings and the erection of 46 residential units together with associated car parking and access, Old Station Yard, Victoria Avenue, Chard) as comments had been submitted by Chard Town Council on which they also served as councillors.

Cllr. Kim Turner declared her personal and prejudicial interest in planning application no. 10/01744/FUL (The erection of an agricultural storage building, land south of Hewish Lane, West Crewkerne) as she knew the landowner. She indicated that she would leave the meeting during the discussion of that item.

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### **24. Public Question Time (Agenda item 4)**

No questions or comments were raised by members of the public or parish/town councils.

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### **25. Chairman's Announcements (Agenda item 5)**

The Chairman referred to Claire Littlejohn, Community Development Officer, who would be leaving the Council to pursue other opportunities. The Chairman spoke on behalf of members of the Committee in thanking her for the contribution she had made during her employment with the Council and wished her well. Claire thanked the Committee for their good wishes.

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### **26. Promoting Community Safety in Area West (Agenda item 6)**

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

#### **(a) Area West Community Safety Panel Update**

The Community Regeneration Officer summarised her report on the agenda updating members on the work of the Area West Community Safety Action Panel. She particularly highlighted the success of the Area West Youth Network event, details of which were set out in the agenda report. She also referred to the 'Last Orders' event and mentioned that it had now taken place and 300 young people had attended. Initial feedback from the shows had been excellent. The Community Regeneration Officer further reported that the Community Safety Family event being organised by the Chard Local Action Group had unfortunately had to be cancelled.

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

- In referring to the Mendip and South Somerset Community Safety Partnership a member queried whether it was the best way for it to be organised, as he felt that it seemed a little unwieldy at present.

The Area Development Manager commented that there had been some concerns over the effectiveness of the Area Community Safety Panels and that most of the work was done by the local action groups. However,

it could differ in each area. He also indicated that he would prefer to see the local action groups retained.

The Assistant Director – Communities referred to a County-wide review taking place, which was looking at the delivery structures for community safety in Somerset and reported that a decision about a County-wide structure was yet to be made. He explained that direct funding from the Home Office had been subsequently transferred to Somerset County Council and ring fenced for community safety. Somerset County Council was now making reductions to its budgets, which had affected crime and disorder reduction work and the current funding would only be maintained until March 2011. A report on the review was due to be submitted to the District Executive this October;

- comment was expressed by members that community safety was high on people's lists of priorities and the view was expressed that a local action approach was preferable. Reference was also made to the funding aspects being of concern and to the review being appropriate. It was also commented that the involvement of local organisations should not be undervalued;
- a member referred to the involvement of Yarlington Homes in the Community Safety Panel and commented that it may be useful for other registered social landlords to be involved. Comment was expressed by another member that it may be unreasonable for all registered social landlords to be involved, but where there were any specific concerns they could be asked to participate. The Community Development Officer mentioned that Yarlington, Raglan and Knightstone had been involved with the Chard Local Action Group;
- given the reduction in funding for community safety, a member queried what would happen with the co-ordination of the Community Speedwatch Scheme. The Committee was informed that the Devon and Somerset Fire Authority had taken on some of this work, particularly the sending of letters to those persons who had been caught speeding. It was not yet clear as to how other support work was to be undertaken;
- reference was made to continuing problems with illegal parking and a member expressed concern that the implementation of the decriminalised parking scheme had not yet been achieved. Members commented that the scheme was up and running in other district council areas and hoped that it could be implemented in South Somerset as soon as possible. The Assistant Director – Communities commented that the function rested with the County Council and although the scheme had not been ignored some problems had been encountered in progressing it.

Members noted the report and the Assistant Director – Communities agreed to forward the comments of members to the Portfolio Holders and Lead Officers as appropriate.

**NOTED.**

**(b) Community Justice Panel – Update**

The Community Justice Panel Manager summarised the report on the agenda updating members on the progress of the South Somerset Community Justice Panel. She also thanked the Area West members for having always been supportive of this unique project, which had been recognised nationally.

During the ensuing discussion, the Chairman congratulated the Panel in being awarded the Queen's Award for Voluntary Service, which had shown that the efforts of the panel and the work of the volunteers had been recognised. She felt that the success of the panel had been shown through the national recognition that it had received and the interest shown by other towns and cities. She also felt that the work of the panel had been appreciated by the local community.

In response to a question from a member, the Community Justice Panel Manager commented that the increase in the number of cases dealt with by the panel was not necessarily because of an increase in anti-social behaviour but rather because there had been a recognition of the success of the panel. A member referred to neighbour disputes and, in response to a question, the Community Justice Panel Manager commented that she was not aware of whether Yarlinton Homes informed new tenants of the existence of the panel but she felt that often awareness of neighbour disputes came too late and that there was a need to address such cases before they escalated.

A member asked if there were any statistics regarding the benefit received by victims through taking their cases to the panel. The Community Justice Panel Manager reported that the panel currently had a PhD student with them and that the Panel was the subject of his thesis, which would show the benefits of restorative justice for victims. Part of the thesis would include a report for the panel.

The Chairman thanked the Community Justice Panel Manager for updating members and asked that the report from the PhD student be submitted to a future meeting of the Area West Committee together with the presentation of the DVD on the work of the panel, which had been made to assist with training and publicity.

**NOTED.**

**(c) Police Performance and Neighbourhood Policing**

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

Inspector Gold referred to information given previously about the 'Policing Pledge', which described how the Police engaged with the community, and informed members that although the initiative was now no longer in being its principles still remained. She further mentioned that nationally there was likely to be changes within the Police in the next few months because of funding issues. She indicated that policing in the area would be looked at including how to make best use of resources. Inspector Gold also circulated to members present at the meeting a list of crime statistics for the last six months for Chard, Crewkerne and Ilminster policing areas. She indicated that overall she was pleased with the figures, which showed a reduction in Area West as a whole compared with the similar period last year although it was noted that there had been an increase in

the Ilminster area. South Somerset had also had the best detection rate with the local policing team performing especially well.

Sgt. Andy Lloyd then gave a comprehensive report on the latest position with the many specific operations and activities in each of the Chard, Crewkerne and Ilminster police team areas.

The officers then responded to members' questions and comments. Points addressed included the position with regard to 'Pubwatch' and related schemes in Chard, Crewkerne and Ilminster and with regard to arson incidents in Chard. Information was also given on the staffing arrangements in the Ilminster policing team including the position regarding the temporary secondment of the regular Beat Manager to other duties and when her return to Ilminster was expected.

In conclusion, the Chairman thanked the officers for attending the meeting and for the comprehensive report they had given. She indicated that the Committee would look forward to seeing them again in January next year.

**NOTED.**

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

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## **27. Area West Committee - Forward Plan (Agenda item 7)**

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

The Area Development Manager (West) referred to the item regarding the feedback from the members' workshop on the Local Development Framework – Draft Core Strategy, which was to be considered at the meeting to be held on 18th August 2010, and indicated that a report would also be included on the Chard Regeneration Scheme workshop that followed.

He also mentioned that the report from the PhD student on restorative justice would be added to the Forward Plan to take place at the same time as the presentation of the DVD on the work of the Community Justice Panel.

**RESOLVED:** that the Area West Committee Forward Plan as attached to the agenda be noted including the above mentioned additional items.

(Resolution passed without dissent).

*(Andrew Gillespie, Area Development Manager (West) - 01460 260426)  
(andrew.gillespie@southsomerset.gov.uk)*

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## **28. Reports from Members on Outside Organisations (Agenda item 8)**

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

Cllr. Linda Vijeh indicated that she would defer her report regarding Chard Museum until the next meeting.

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**29. Feedback on Planning Applications referred to the Regulation Committee (Agenda item 9)**

There was no feedback to report as there were no planning applications that had been referred recently by the Committee to the Regulation Committee.

**NOTED.**

*(David Norris, Development Manager – 01935 462382)*

*(david.norris@southsomerset.gov.uk)*

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**30. Planning Appeals (Agenda item 10)**

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

**NOTED.**

*(David Norris, Development Manager – 01935 462382)*

*(david.norris@southsomerset.gov.uk)*

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**31. Date and Venue for Next Meeting (Agenda item 12)**

Members noted that the next meeting of the Committee would be held at the Guildhall, Fore Street, Chard on Wednesday, 18th August 2010 at 5.30 p.m.

**NOTED.**

*(Andrew Blackburn, Committee Administrator – 01460 260441)*

*(andrew.blackburn@southsomerset.gov.uk)*

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**32. Planning Applications (Agenda item 11)**

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).

**10/01967/FUL (Pages 1-15) – Demolition of buildings and the erection of 46 residential units together with associated car parking and access (Revised Application) (GR 332975/109253), Old Station Yard, Victoria Avenue, Chard – Yarlington Housing Group.**

Prior to summarising the details of the application, the Area Lead North/East updated members and reported that further consultations on amended plans, which contained minor revisions to address officer concerns and minor discrepancies, had taken place. It was noted that Chard Town Council, having considered the amended plans, still maintained their objections to the application. The Area Lead North/East also reported that the Somerset Waste Partnership had raised concerns about the location of the bin store for the apartment block, the distance of which exceeded the maximum of 25 metres from bin store to kerbside specified in the collection contract. The applicants had, however, provided

an alternative location, which officers considered acceptable, however, no consultations on this change had been carried out.

The Area Lead North/East indicated that the recommendation in respect of the application was one of approval subject to the completion of a Section 106 Obligation and conditions as set out in the agenda report. Given the amendments to the bin storage area in respect of the apartment block, however, he recommended that further consultations should take place on the amended plans. Although the recommendation of approval still stood he further recommended that it be also subject to no new material and relevant objections, in the opinion of the Chair of the Area West Committee and ward member, as advised by officers, being made by 5th August 2010.

The Area Lead North/East also reported that the neighbouring resident who had objected to the original application had circulated a further letter to members, to which he had attached a copy of his original objections.

The Area Lead North/East, with the aid of slides and photographs, then summarised the details of the application as set out in the agenda report. In referring to one of the photographs of the site he referred to an unauthorised garden extension onto the land. He indicated that any issues regarding the ownership of the land should be dealt with through civil proceedings between the two parties and was not a planning consideration. He referred to the key considerations to be taken into account including the level of parking, which was now 75 spaces for 46 homes; the impact on properties in Old Station Court; the main part of the proposed apartment block now being two and half storey and the rear wing two storey and the design and layout of the site including the level of development, street scene and detailing.

The officers then answered members' questions on points of detail regarding the proposals. Points addressed included information regarding the gradient/width of the link to the cycleway to the east of the site; whether users other than residents would be able to use the cycleway link and the phasing of its construction; the resurfacing of the cycleway by the developer; confirmation from the highway authority that capacity of the proposed road junction with Great Western Road was not an issue and that there would be no conflict with vehicle movements associated with the new retail store, which had recently been granted planning permission; access arrangements and parking it being noted that a condition was recommended to ensure that a suitable management plan was achieved; the Construction and Environmental Management Plan being implemented satisfactorily; the use of appropriate street names for the development bearing in mind the history of the site; how the mix of properties had changed from the original application and confirmation that it was not possible to condition the number of vehicles kept by residents.

The Committee then noted the comments of Mr. T. Haynes in objection to the application. He referred to the comments made by the Area Lead North/East earlier in the meeting regarding the garden extension onto the land and challenged the information given, which he stated was incorrect. In respect of the current application, Mr. Haynes commented that he had hoped that the developers would have taken into account comments made at the meeting when the original application, which was refused, was discussed. He felt that this had not been the case. He referred to the apartment block, which, although having been reduced to two and half storey, he felt was effectively three storey. He also expressed concerns regarding overlooking, density, impact on residents, including those in close proximity to each other, and was of the view that the flats should be in a less visible location. He also clarified that he was of the view that blocks of flats could lead to higher incidences of anti-social behaviour and not social housing itself as indicated in the summary of his comments in the agenda report. He further commented that no one had been to his property to see what the impact on it would be. Concerns were also expressed about the parking provision and the use of the road junction to the site including its position relative to the access to the nearby retail site. He further indicated that he concurred with

Chard Town Council's comments in expressing its view that the application should be refused.

The applicant's agent, Mr. S. Travers of Boon Brown Architects, commented that the proposals would deliver 46 affordable homes. He referred to a clear need having been identified and to the proposals having the unreserved support of the Strategic Housing Manager. He referred to the total number of dwellings having been reduced by 8 and gave details of the changes in the mix of dwelling types, which included the previous 20 flats having been reduced to 11 and to the number of houses being increased from 34 to 35, which would now include 3 four bedroom houses. Parking had also increased to 75 spaces. Reference was also made to the height of the block of flats having been reduced at the front and by a whole storey at the rear to meet the concerns expressed. He also indicated that a number of flats had been deleted and the street scene opened up. He expressed his view that it was unlikely that the site would come forward for business use and that only housing was suitable, which would make the site a useful and attractive area near to schools and other facilities. He also referred to the distances between the development and the objector's property and felt that there were no justifiable amenity issues or objections. Reference was also made to having submitted amended plans for the location of the bin store.

The Area Lead North/East, in responding to comments made, apologised if he had misunderstood the situation with regard to the garden extension. He also mentioned that although the development could be re-jigged it was not what was before the Committee and he felt satisfied that the relationship with existing properties was satisfactory. With regard to the précis of the objector's comments in the agenda report he referred members to the objector's comments, which were attached to the letter Mr. Haynes had circulated to the Committee.

Cllr. Jenny Kenton, who was also a County Councillor in whose division the site was situated, commented that she was in two minds about the application. She mentioned that her objections would have been about the block of flats but understood that this was not a planning reason to refuse the application. She referred to the number of parking spaces having been increased and to the proposed development providing much needed social housing and indicated that she was tending towards the positive sides of this application.

Cllr. Nigel Mermagen, ward member, commented that this Committee had raised three reasons for the refusal of the previous application, which he had supported. He also stated that the Committee had to decide if the new proposals had addressed those concerns to enable the application to be granted or whether they did not go far enough. He was of the view that it was marginal but on balance felt that he could recommend the proposals for approval. He felt that the introduction of four bedroom houses to the scheme was a bonus. In referring to Chard Town Council remaining in opposition to the scheme, he felt that it would be strange to relocate the flats to the northern end of the site as it was higher and closer to houses in Henson Park. Although he could understand the reasons for the objector's concerns he referred to the height of the flats having been reduced and to the roof being on a level with houses in Old Station Court. Although the development may not be ideal he was of the view that there was a need to be realistic and that the development was acceptable. He referred to the Highway Authority being content with the proposals and felt that, although the design could be quibbled with, it maximised the use of the site. Reference was also made to the comments of the Strategic Housing Manager who had indicated that there was a desperate shortage of housing, which this development would go a long way to addressing. Although appreciating the position of the objector he felt that there had to be a balance and that the proposals would provide 46 residential units. He proposed that the officer's recommendation of approval as amended earlier in the meeting be accepted.



During the ensuing discussion other members also showed their support for the application. A member commented that the opportunities in Chard for social housing were limited unless the key site came forward. It was also commented that the provision of social housing was a material consideration, but to that not being a reason for poor layout or design. Reference was made, however, to some time having been invested in development management, which had given the opportunity to go through the proposals since the refusal of the original application. Reference was made to the potential for flats if not properly managed to create problems but it was commented that this could be addressed by careful housing management.

A member referred to travel planning, which he felt was vital in terms of people's welfare and the environment. In that respect he referred particularly to the "Stop Line Way" cyclepath and to the proposed cycle way link to it from the development. He indicated that he would like to be assured that the highway authority were content with the gradient and asked that the phasing of the construction of the cycle way link be conditioned to ensure that it was finished completely. General support was shown for this matter to be conditioned and the Area Lead North/East suggested an addition to condition 19 to indicate that submitted details include the phasing of all aspects, including the delivery of the cyclepath link to the existing cyclepath to the east of the site and that once approved such details be adhered to at all times thereafter.

Cllr. Dave Bulmer, a local member, expressed his view that the applicant and planning officers had gone a long way to address concerns raised when the original application was considered and felt the Committee would be hard pressed not to accept it. He commented that the reduction in the number of dwellings and increase in parking was to be welcomed. In referring to the Construction and Environmental Management Plan, he referred to other sites where there had been problems and expressed concern that it should be implemented satisfactorily. The member's concern was noted and reference was made to condition 8 requiring that the development be carried out in accordance with such a plan. The Area Lead North/East indicated that it did rely on an amount of good will on behalf of the applicants and that generally developers responded to visits from Development Control staff.

Cllr. Martin Wale, also a local member, acknowledged the need for affordable homes but did not feel it should be at any cost. He acknowledged the reduction in the number of dwellings and the increased parking provision but did not agree that the block of flats was in the right location and could not support the proposals.

The majority of members indicated that they felt that the proposed development was acceptable and that the application should be granted in accordance with the recommendation set out in the agenda report as amended by the Area Lead North/East earlier in the meeting to take into account the need to consult on the amended plans relating to the relocated bin store and subject to the amendment of condition 19 in respect of the phasing of the completion of the cyclepath link.

**RESOLVED:** that planning permission be granted subject to:-

- (1) the prior completion of a Section 106 Planning Obligation (in a form acceptable to the Council's Solicitor(s)) before the decision notice granting planning permission is issued to:-
  - ensure that a contribution of £16,560 is made towards junction improvements at the A30/A358;
  - ensure that a contribution of £28,500 is made to mitigate the additional wear and tear on the adjoining recreation space that would arise for this development due to the lack of on-site POS;

- ensure the delivery of the development as 100% affordable housing;
  - provide for appropriate education, open space and sports, arts and leisure contributions in relation to any houses that are sold on the open market (no more than 10% to be sold);
- (2) no new material and relevant objections, in the opinion of the Chair of the Area West Committee and ward member, as advised by officers, being made by 5th August 2010;
- (3) conditions 1-23 and informative notes 1-2 as set out in the agenda report but with the addition of the following wording to the end of condition 19:-

“The submitted details shall include the phasing of all aspects, including the delivery of the cyclepath link to the existing cyclepath to the east of the site. Once approved such details shall be adhered to at all times thereafter.”

(10 in favour, 1 against)

**10/01744/FUL (Pages 16-19) – The erection of an agricultural storage building (GR 342412/108141), land south of Hewish Lane, West Crewkerne – Mr. Stuart Lee.**

Cllr. Kim Turner, having declared her personal and prejudicial interest in this application, vacated the chair and withdrew from the meeting during its consideration and determination. Cllr. Mike Best, Vice-Chairman, took the chair for this item.

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. In referring to the key issues to be taken into account she mentioned that it was not considered that agricultural justification had been made and that the Council's Landscape Officer felt that the proposal would involve an incidental building in the countryside contrary to local landscape character and was of the view that the application should be refused. It was noted that the recommendation was one of refusal for the reason set out in the agenda report.

The Planning Officer answered members' questions on points of detail. Points addressed included the relative sizes of the top and bottom of the field and the type of trees to be planted.

The representative of West Crewkerne Parish Council, Mrs. J. Borland, commented that it was felt that the proposed wooden building, which was to be used for the storage of equipment, was appropriate in design, size and location. She also commented that the hedges would obscure the view of the building. Reference was also made to the site needing clearing of brambles to use it for agricultural purposes. The Parish Council felt that the building was of a size suitable for the proposed use and had no objections to the application.

The applicant's agent, Mr. M. Frost of Boon Brown Architects, commented that his client had purchased the site for a timber crop and agricultural holding with a view to self-sufficiency. He referred to his client being unable to start work without a building to store tools and machinery. The local authority, however, had indicated that it was not content to allow the proposals because there was no agricultural justification. He referred to a farming forestry plan having been submitted and to 75% of the acreage being used for a timber crop over 15-20 years. With regard to the landscape impact he indicated that care had been taken in the location of the building. He felt that the size was commensurate with the

use and that it was sited sensitively. It was further mentioned that the building would be comprehensively screened and that there would only be glimpsed views from public spaces. In addition to timber, it was also intended to plant some native species. He indicated that the granting of the proposals would allow his client to provide modest economic activity and promote tree planting.

Cllr. Robin Munday, ward member, commented that the definition of agricultural use concerned him and that it was difficult to apply to this site. He referred to the field being steep and to it becoming waterlogged at the bottom and had become an entangled and rough site. He felt that these proposals were one way to tidy the site and commented that he would like to see it being used.

During the ensuing discussion, the majority of members indicated that they felt that the proposals were acceptable. Comments were expressed by members that it was difficult to see how the proposed building could be considered an eyesore and that it would not be seen. It was also mentioned that the Parish Council was content with the application. The view was also expressed that as the site was only five acres the submission of a business plan was not warranted in this case. Reference was also made to there being a wide access to the site.

In conclusion, the majority of members were of the view that the application should be granted as it was felt that the proposals would constitute justified development in the countryside and would not appear visually intrusive or incongruous in the local landscape. As such the proposal complied with policies ST3 and EC3 of the South Somerset Local Plan.

Discussion ensued on the conditions to be attached to any permission and in addition to the standard time limit it was agreed that a condition be included requiring the submission of a landscaping scheme including measures to ensure the protection and retention of the existing hedge and native species screening planting around the approved building. It was also asked that an informative note be included reminding the applicant that the building approved was for agricultural purposes only and that the use of the land remained agricultural. Also that any domestic items such as children's play equipment, caravans, tables and chairs etc. should be removed from the land and not subsequently stored on site.

**RESOLVED:** that planning permission be granted subject to:-

- (1) conditions which shall include:-
  - standard time limit;
  - scheme of landscaping including measures to ensure the protection and retention of the existing hedge and native species screening planting around the approved building;
- (2) an informative note reminding the applicant that the building hereby approved is for agricultural purposes only and the use of the land remains agricultural. Any domestic items, such as children's play equipment, caravans, tables and chairs etc. should be removed from the land and not subsequently stored on site.

(7 in favour, 2 against)

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

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 Chairman