

MEETING AW.02:1112  
DATE 15:06:11

## South Somerset District Council

**Draft Minutes** of a meeting of the **Area West Committee** held at Horton Village Hall, Hanning Road, Horton on **Wednesday, 15th June 2011**.

(5.30 p.m. – 9.45 p.m.)

### Present:

**Members:** Cllr. Angie Singleton (in the Chair)

|               |                                 |
|---------------|---------------------------------|
| Michael Best  | Sue Osborne                     |
| David Bulmer  | Ric Pallister                   |
| John Dyke     | Ros Roderigo                    |
| Carol Goodall | Kim Turner (until 9.00 p.m.)    |
| Brennie Halse | Andrew Turpin (until 9.00 p.m.) |
| Jenny Kenton  | Linda Vijeh                     |
| Paul Maxwell  | Martin Wales                    |

### Officers:

|                  |   |
|------------------|---|
| Andrew Gillespie | Area Development Manager (West)               |
| Zoë Harris       | Community Regeneration Officer (West)         |
| Paul Philpott    | Community Development Officer (West)          |
| Alasdair Bell    | Environmental Health Manager                  |
| Adrian Noon      | Area Lead North/East – Development Management |
| John Millar      | Planning Officer (West)                       |
| Andrew Blackburn | Committee Administrator                       |

**(Note:** 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 minutes of the meetings held on the 20th April and 19th May 2011, copies of which had been circulated, were taken as read and, having been approved as correct records, were signed by the Chairman.

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

An apology for absence was received from Cllr. Nigel Mermagen.

#### 6. Declarations of Interest (Agenda item 3)

The following members declared their personal and prejudicial interests in agenda item 10 (Area West – Community Grants) because of their connection to local community organisations who had submitted an application for a grant from the Council as set out below:-

Cllr. Linda Vijeh – as she had been appointed by the District Council to serve on, and was a trustee of, Chard Museum.

Cllr. Jenny Kenton – as she had been appointed as the District Council’s representative on Chard Young People’s Centre for the previous municipal year.

Cllr. Angie Singleton – as she had been appointed as the District Council’s representative on Crewkerne Heritage Centre for the previous municipal year.

Cllr. Angie Singleton – as she had been appointed by the District Council to serve on West One Youth and Community Centre, Crewkerne.

Cllr. Kim Turner – because she was a parent member of Ile Youth and Community Centre, Ilminster. She had also been appointed at this meeting as the District Council’s representative on the organisation for the current municipal year.

Cllr. Carol Goodall – as she had been appointed by the District Council to serve on Ile Youth and Community Centre, Ilminster for the previous municipal year.

Cllr. John Dyke - as he had been appointed at this meeting as the District Council’s representative on the Crewkerne Heritage Centre for the current municipal year.

Cllrs. Linda Vjeh and Carol Goodall further declared their personal and prejudicial interests in the application for grant submitted by Ile Youth and Community Centre (agenda item 6) because they were members of Ilminster Town Council who would also be considering the award of a grant to that organisation.

Cllrs. Dave Bulmer, Brennie Halse, Jenny Kenton and Martin Wale declared their personal interests in the applications for grant submitted by Chard Museum and Chard Young People’s Centre (agenda item 6) because they were members of Chard Town Council who had already awarded grants to those organisations.

Cllrs. Mike Best and Angie Singleton declared their personal interests in the applications for grant submitted by Crewkerne Heritage Centre and West One Youth and Community Centre (agenda item 6) because they were members of Crewkerne Town Council who had already awarded grants to those organisations.

Cllr. Martin Wale further declared his personal interest in the application for grant submitted by Chard Museum (agenda item 6) because he was a member of the “Friends of Chard Museum”.

Cllr. Dave Bulmer further declared his personal interest in the application for grant submitted by Chard Museum (agenda item 6) as he was acquainted with members of the “Friends of Chard Museum”.

Cllr. Angie Singleton declared her personal and prejudicial interest in planning application no. 11/00520/COU (the change of use from residential to a day care nursery (Use Class D1), Shelle House, Court Barton, Crewkerne) as a member of her extended family had made an objection to the application, the outcome of which could be deemed to have a financial impact on his property.

Cllr. Mike Best declared his personal and prejudicial interest in planning application no. 11/00520/COU (the change of use from residential to a day care nursery (Use Class D1), Shelle House, Court Barton, Crewkerne) as his goddaughter was employed by the applicant.

## 7. 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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## 8. Chairman's Announcements (Agenda item 5)

The Chairman welcomed newly elected members and those members returning to the Council following the local elections. She also thanked Cllr. Kim Turner for her work in chairing the Committee for the previous 4 years.

The Chairman congratulated Cllr. Carol Goodall with regard to her success in winning a national award in recognition of her work and achievements in furthering effective scrutiny at the District Council.

The Chairman informed members of proposed dates for three workshops as follows:-

- Core Strategy: Settlement Growth and Policy – Thursday, 21st July 2011, 9.30 a.m. to 1.00 p.m.
- Review of Area Working – Thursday, 8th September & Thursday, 24th November 2011, 6.00 p.m. to 8.00 p.m.
- Affordable Housing Area Roadshow – late September/early October 2011 (final details still to be arranged)

Confirmation of the dates, times and venues for the workshops would be sent to members in due course.

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## 9. Area West Working Groups – Appointment of Members 2011/12 (Executive Decision) (Agenda item 6)

Reference was made to the agenda report and the Committee reviewed the appointment of members to various working groups.

**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. Carol Goodall be appointed to serve on the Area West Community Safety Action Panel.

**Reason:** To review the appointment of members to working groups for the municipal year 2011/12.

(Resolution passed without dissent).

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

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## 10. Area West Committee – Appointment of Members to Outside Organisations 2011/12 (Executive Decision) (Agenda item 7)

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

Upon referring to Chard Young People's Centre, members noted that the Council's current representative, Cllr. Jenny Kenton, wished to step down from this role and also that meetings of the management committee took place at the same time as meetings of the Area West Committee. In response to a question, the Area Development Manager (West) reported that the Committee did not necessarily need to appoint a representative and that officers kept in contact with the organisation in any case.

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

| Organisation                                      | Representation<br>2011/12    |
|---|------------------------------|
| A Better Crewkerne & District (ABCD)              | Mike Best                    |
| Blackdown Hills AONB                              | Ros Roderigo                 |
| Chard and District Museum Society                 | Linda Vijeh                  |
| Chard Young People's Centre                       | No representative appointed  |
| Crewkerne Heritage Centre                         | John Dyke                    |
| Crewkerne Leisure Management (Aqua Centre)        | Angie Singleton              |
| Ile Youth Centre Management Committee (Ilminster) | Kim Turner                   |
| Ilminster Forum                                   | Kim Turner                   |
| Meeting House Arts Centre, Ilminster              | Carol Goodall<br>Sue Osborne |
| 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 2011/12.

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

## 11. Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice-Chairman (Executive Decision) (Agenda item 8)

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.

During consideration of this item, Cllr. Martin Wale asked whether Cllr. Paul Maxwell, Vice-Chairman, had received specific training to enable him to exercise his role under the Scheme of Delegation for planning and related applications. Cllr. Maxwell commented that he was willing to undertake additional training, if necessary, but had some background knowledge. Cllr. Ric Pallister, Leader of the Council, felt that experience would be gained by the Vice-Chairman through undertaking the role and also that there was experienced back-up from the Chairman and the two members who acted as substitutes in exercising the Scheme of Delegation.

**RESOLVED:** that Cllrs. Nigel Mermagen and Kim Turner 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 2011/12.

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

## 12. Area West Committee - Forward Plan (Agenda item 9)

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

The Area Development Manager (West) further reported that the Strategic Housing Manager would be submitting an update on the affordable housing programme to the September 2011 meeting.

The Area Development Manager (West) noted a number of suggestions made by members for items to be included on the forward plan as follows:-

- update on the Licensing Service;
- update on progress with the Stop-Line Way;
- update on public transport provision. Cllr. Ric Pallister, Leader of the Council, commented that although this was a Somerset County Council responsibility it was a community issue and wished the Portfolio Holder – Property and Climate Change and the Transport Strategy Officer to lead on this issue;
- comment was expressed that the review of Area Working should be included as an item on the forward plan. Cllr. Ric Pallister, Leader of the Council, referred to the dates of the workshops announced earlier in the meeting and informed members of how it was anticipated that this review would take place;

- update on the Chard Regeneration Scheme and Crewkerne Key Site. The Area Development Manager (West) reported that an update on the Chard Regeneration Scheme was due at the September 2011 meeting and that the planning application for the Crewkerne Key Site would be submitted to the Committee possibly in October;
- update on the position with the Community Justice Panel.

During consideration of the forward plan, Cllr. Brennie Halse referred to a piece of land owned by the District Council, which she hoped could be converted into a play area. The Chairman suggested that Cllr. Halse speak to the Area Development Manager (West) and Community Development Officer (West) in the first instance about this matter.

Cllr. Ric Pallister, Leader of the Council, mentioned that a review was to be undertaken of land owned by the Council and that members would be receiving a list of landholdings to enable them to give their opinion on whether it should be retained or disposed of. This information would then be collated by the appropriate Economic Development and Property Management officers for further consideration by the Council.

**RESOLVED:** that the Area West Committee Forward Plan as attached to the agenda be noted subject to the above comments being taken into account.

(Resolution passed without dissent)

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

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### 13. Area West – Community Grants (Executive Decision) (Agenda item 10)

Reference was made to the agenda report and the Committee considered applications received by the Council from local community organisations within Area West requesting financial assistance for 2011/12.

The Committee considered each grant application as listed in the agenda in turn. It was noted that the recommended grant awards were based on the Community Grants strategy as determined at the meeting of the Joint Area Committee West in April 2009. The grants recommended to the organisations were, therefore, based on a phased reduction of 20% each year using the 2009 awards as a baseline. The awarding of the grants was, however, still subject to an annual application and approval process.

Those members who had mentioned their personal and prejudicial interests in individual grant applications (minute 6 refers) left the meeting during the consideration and determination of the relevant applications. Some of those members, i.e. Cllrs. Linda Vijeh and Kim Turner, exercised their right under the Code of Conduct to make representations before withdrawing from the meeting.

The Chairman, Cllr. Angie Singleton, having declared her personal and prejudicial interest in the applications submitted by Crewkerne Heritage Centre and West One Youth and Community Centre vacated the Chair and left the meeting during the consideration and determination of those applications. The Vice-Chairman, Cllr. Paul Maxwell, took the Chair for the consideration of those applications.

Prior to the discussion of the applications for grants submitted by Chard Museum and Chard Young People's Centre, Cllr. Martin Wale, who also served as a member on Chard Town Council, confirmed that the Town Council had awarded grants of £1,000 to both those organisations at a meeting held on 13th June 2011.

During discussion of the application submitted by Chard Young People's Centre some of the members, having noted the estimated running costs set out in the agenda report, queried the financial position of the organisation. It was felt that the award of the recommended grant should be subject to confirmation that sufficient funds would be available from other sources.

With reference to the application submitted by the Ile Youth and Community Centre it was considered that the award of the grant should be subject to confirmation that a grant would also be made by Ilminster Town Council.

The applications for grants submitted by Chard Museum, Crewkerne Heritage Centre and West One Youth and Community Centre were approved by the Committee as listed in the agenda.

**RESOLVED:** that the award of grants as shown below be approved:-

- Chard Museum - £5,130.
- Chard Young People's Centre - £2,649 subject to confirmation that sufficient funds will be available from other sources.
- Crewkerne Heritage Centre - £2,114.
- West One Youth and Community Centre - £1,873.
- Ile Youth and Community Centre - £2,037 subject to confirmation that a grant will also be made by Ilminster Town Council.

**Reason:** To determine applications received by the Council for financial assistance.

*(Zoe Harris, Community Regeneration Officer (West) – 01460 260423)*

*(zoe.harris@southsomerset.gov.uk)*

*(Paul Philpott, Community Development Officer (West) – 01460 260359)*

*(paul.philpott@southsomerset.gov.uk)*

## 14. Update on SSDC Street Markets in Area West (Agenda item 11)

The Community Regeneration Officer (West) summarised the agenda report, which updated members on the work of the Council's Area West Street Markets Improvement Group.

During the ensuing discussion, the officers answered members' questions and a number of comments were made including the following:-

- although it may be the case that people chose to visit larger towns on a market day, the street market survey undertaken in Chard, Crewkerne and Ilminster had indicated that a lot of people would not necessarily go to a town because a market was being held;
- reference was made to local village markets where people from the community had stalls rather than businesses. The Community Regeneration Officer (West) indicated that she was aware of the possibility of community groups becoming involved in the street markets although the feasibility of such an initiative had not yet been explored;
- a member expressed concern that the Committee report had been issued without the Area West Markets Improvement Group having been informed. The Community



Regeneration Officer (West) acknowledged the comments made and agreed to inform the Group accordingly;

- discussion took place on the possibility of encouraging traders selling niche products to attend the markets, which people may travel to specifically to buy that product;
- reference was made to those traders who sold local produce, a lot of which was seasonal and for that reason may mean that such traders attendance at markets would be variable;
- a member referred to the need to consider the demographic profile in the areas served by the markets;
- reference was made to there being a good market with many stalls at Bridport, which it was felt attracted people to the town;
- a member commented that where consideration was being given to relocating a market, there was a need for the location to be in a main trading area.

The Community Regeneration Officer (West) was thanked for her work on behalf of the Area West Markets Improvement Group in looking at ways to revitalise the Council's street markets in Area West. The details of the report were noted by the Committee.

**NOTED.**

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

## **15. Area West 2010/11 Outturn Report (Executive Decision) (Agenda item 12)**

The Area Development Manager (West) summarised the agenda report, which informed members of the actual spend against budgets for 2010/11 of the services over which this Committee exercised financial control.

The Area Development Manager (West) referred to the capital programme and with reference to the allocation towards the Neroche Project, commented that the Community Regeneration Officer (West) would be attending a meeting shortly with regard to progress with the project.

Upon discussing the capital programme, particular reference was made to the Pavilion Extension at Forton Rangers Football Club and concern expressed about the length of time the allocation had remained unspent. Members felt that consideration should perhaps be given to setting a deadline. The Area Development Manager (West) noted the request of members that the Community Health and Leisure Manager be asked to submit a report to the Committee giving an update on the latest position.

Reference was also made to the allocation of £20,000 for the Youth Facilities Development 2006 Bid in respect of which the relevant parishes had been contacted to encourage them to move projects forward and giving them a deadline to access the funding. A member referred to the comment in the report that Broadway Parish Council had advised that they did not now require funding, which would mean that £5,000 would remain unallocated. The Area Development Manager (West) indicated that he would query the use of the remaining budget with the officer responsible.



A member commented on the usage of the Snowdon Park/Mitchell Gardens, Chard play area, which she felt was rather low.

In response to a question from a member, Cllr. Ric Pallister, Leader of the Council, explained the discussions that had taken place in respect of the decision made to carry forward £20,000 of Area West's remaining service enhancement budget to 2011/12. He also indicated the position with regard to this budget in the other three areas.

- RESOLVED:** (1) that the outturn position and explanation of variances from budgets for the financial year 2010/11 be noted;
- (2) that the position of the Area West Reserve be noted;
- (3) that the slippage of £5,001 on the Area West capital programme and £17,000 of unallocated capital funds be carried forward to 2011/12;
- (4) that £120, being the balance of funding for the Area West Christmas parking, be returned to uncommitted balances.

**Reason:** To review the outturn position and explanation of variances from budgets for the financial year 2010/11 as part of the monitoring of the Area West Development project and grant revenue budgets, Area West Capital Programme and Area West Reserve.

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

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## 16. Environmental Health Service Update Report (Agenda item 13)

The Environmental Health Manager summarised the agenda report, which updated members on the work of the Environmental Health Service in the last 12 months and looked forward to future challenges.

During the ensuing discussion comments were expressed by members including the following:-

- comment was expressed that the public may generally be unaware of some elements of the service that were carried out behind the scenes, e.g. food and safety, but was nonetheless most important for public safety;
- reference was made to the impact on the Council's ability to carry out work in connection with housing standards because of the cut in Government grant as part of the local government spending settlement;
- a member thanked the Environmental Health Manager for the out of hours work carried out by the team.

The Environmental Health Manager further informed members of a seminar being held on Wednesday, 29th June 2011 on fuel poverty, affordable warmth, energy efficiency and carbon savings and hoped that some of the members would be able to attend.

In conclusion, the Chairman thanked the Environmental Health Manager for updating the Committee on the service, which was appreciated by members.

**NOTED.**

*(Alasdair Bell, Environmental Health Manager – 01935 462056)  
(alasdair.bell@southsomerset.gov.uk)*

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## **17. Reports from Members on Outside Organisations (Agenda item 14)**

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

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## **18. Feedback on Planning Applications Referred to the Regulation Committee (Agenda item 15)**

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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## **19. Planning Appeals (Agenda item 16)**

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

**NOTED.**

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

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## **20. Date and Venue for Next Meeting (Agenda item 18)**

Members noted that the next scheduled meeting of the Committee would be held on Wednesday, 20th July 2011 at 5.30 p.m. Venue to be arranged.

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

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## **21. Planning Applications (Agenda item 17)**

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 file, which constitute the background papers for this item).

Prior to consideration of the planning applications those members who had declared interests at the beginning of the meeting in respect of any of the planning applications (details of which are set out in minute 6 above) did so again bearing in mind that those members of the public who had attended the meeting for the planning applications may not have been present at the beginning of the meeting.

**11/00520/COU – The change of use from residential to a day care nursery (Use Class D1) (GR 343995/109695), Shelle House, Court Barton, Crewkerne – Mrs. Sarah Stuttaford.**

Cllr. Mike Best, having declared his personal and prejudicial interest in this application, withdrew from the meeting during its consideration and determination.

Cllr. Angie Singleton, who had also declared her personal and prejudicial interest in the application, indicated that she wished to exercise her right under the Code of Conduct to make representations but would withdraw from the room during the Committee's debate and determination of the application. As Cllr. Singleton was the Chairman of the Committee, having declared her interest, she vacated the Chair and retired to the public gallery for the Planning Officer's presentation and public participation part of the meeting.

The Vice-Chairman, Cllr. Paul Maxwell, took the Chair for the consideration of the application and explained the procedure to be undertaken in its consideration.

Prior to summarising the details of the application, the Planning Officer, in updating members, reported the details of two further letters of support and of a further letter of objection. He indicated that the letters reiterated issues that had been covered in previous representations. The Planning Officer also indicated that if the application were to be approved he recommended that condition 5 be amended. He reported that further consideration had been given to the robustness of the condition and, rather than limiting the number of children who could use the outside area at any one time, it was considered preferable to control the use of the outside space by basing the condition on the hours during which it could be used. Accordingly, it was recommended that the use of the outside play area should be limited to 09.00 hours to 17.00 hours, Monday to Friday with no use of the area at weekends, evenings or bank holidays.

The Planning Officer, with the aid of slides and photographs, then summarised the details of the application as set out in the agenda report. He further referred to the key considerations to be taken into account including the impact on residential amenity and parking and highway safety. He further reported that the recommendation was one of approval subject to the conditions shown in the agenda report together with the amendment of condition 5 as outlined above.

The Chairman asked if any members had visited the site independently and 10 members indicated positively whilst 2 other members mentioned that they knew the area well.

Cllr. Kim Turner mentioned that she had noticed that there was a reference in the agenda report to the comments of the Early Years Support Officer and declared a personal interest as she also served as a member on Somerset County Council and was shadow Portfolio Holder for Children and Young People.

The Area Lead North/East and Planning Officer (West) then responded to members' questions on points of detail. Points addressed included the number of children looked after; the number of staff to be employed and whether there were any arrangements for staff parking; confirmation that, although there had been a delay in the display of the public notice of the application, a notice was posted at the site giving the required statutory period for responses bearing in mind that the site was within the Conservation Area; confirmation that there were no residents' parking schemes in the locality;

reference to the regulations stipulated by OFSTED regarding internal floor space and access to outdoor space; the criteria for planning permission in respect of the use of premises for childcare use; clarification of the means by which recommended condition 3 could be enforced; confirmation that the need or otherwise for the proposed use was not a planning consideration; confirmation that should the business fail a planning application could be submitted to return the property to residential use; clarification of issues raised regarding traffic movements and parking in the locality and the stance of the Highway Authority; the means by which parents may take and collect children from the proposed nursery and confirmation that the control of the outdoor space would be better by conditioning the hours of its use rather than by the numbers of children using it at any one time. The Area Lead North/East noted the comments of members who expressed disappointment that a legal officer and a representative of the Highway Authority were not present at the meeting.

The Committee then noted the comments of Ms. L. Thackaberry in objection to the application during which she mentioned that she lived in Oxen Road and referred to being severely affected by this proposal. She also referred to conflicting statements that she felt had been made about the amount of on street parking available in Court Barton. She further explained her reasons for being of the view that the application did not comply with a number of planning policies. Concerns were raised about the risk to pedestrians including children in accessing the nursery, especially given the narrow pavements and highway safety issues bearing in mind the likely increased traffic movements, including deliveries, and that Court Barton did not have abundant parking provision. Reference was also made to the application having indicated that there was one parking space, which she questioned. Further concerns were expressed regarding the impact of the proposals on residential amenity including increased disturbance from noise, the risk of smells from soiled nappies stored close to neighbouring gardens, the risk of flooding from sewers, fire risks and disturbance from the delivery of milk early in the mornings. She did not feel that the proposals would improve or safeguard the area.

Mr. R. Bolton also spoke in objection to the application. He mentioned that he lived opposite the site and, although not questioning the parents who would speak in favour of the application, reiterated concerns about the potential danger to children because of the parking, traffic and highway problems in the locality. He also questioned the suggestion that there were continuous footways from car parks to the site and did not feel that the photographs shown at the meeting gave a true representation of the traffic problems. He felt that the proposals conflicted with local guidelines and that no consideration had been given to residents.

Mrs. C. Tims commented that she represented the parents who had chosen to place their children with this childminding business because it was considered that it provided the best childcare in Crewkerne. She spoke in support of the application and referred to the premises being easily accessible in the centre of the community and provided a welcome environment. She also referred to the opportunity given for children to mix with different ages and allowed siblings to play together. Reference was made to the applicants having considerable experience in childcare and to having an outstanding rating from OFSTED. They also used local resources and the children were made to feel part of the community. She felt that the business provided an excellent community resource and that the application would ensure that parents would have a good facility in the future.

Mr. L. Richards also spoke in support of the application. He commented that he lived next door to Shelle House and that he was not affected by noise. He also commented that no one had approached him for his view on the application. With regard to traffic problems, he felt that they were caused by people who were reluctant to pay for car parking. Reference was made to issues raised about problems with sewage when he

indicated that there had been problems but this had been caused by a previous owner of his property.

The business partner of the applicant, Ms. C. Payne, referred to their having run a successful business for over two years and to having received an outstanding OFSTED rating. She referred to the numbers of staff and children involved and to the aim being to provide a nursery in a caring environment. She indicated that they had lived in harmony with the residents and that no objections had been raised with them. She referred to their success having been shown by their provision of flexible outstanding care in a home-style environment. Reference was made to the allocation of future new homes for Crewkerne and to the consequent increased future need for childcare provision. She further mentioned that local facilities were used regularly and that the applicants were quite willing to compromise, which she felt had been shown by their acceptance of the condition regarding use of the outside space. Reference was also made to the numbers of children that arrived on foot and comment expressed that given that care was provided for siblings it meant that they came and left at the same time. She also indicated that it had been assured that milk deliveries would take place at a later time.

One of the objectors, Ms. L. Thackaberry, indicated that she wished to correct comments, which she considered to have been mis-statements. After some points had been made, the Chairman exercised his discretion to bring the public participation part of the meeting to a close.

Cllr. Angie Singleton, having earlier declared her personal and prejudicial interest, left the meeting before the Committee's debate and determination of the application without having made any representations.

Cllr. John Dyke, one of the ward members, referred to having known the area throughout his life. He mentioned that Court Barton was the closest point to the town centre where people could park free of charge and therefore people tended to park there. He also referred to the footways being very narrow in this locality. He felt that the applicants had presented a good case and ran a good nursery but he expressed his concern about highway safety. He commented that references to there being a continuous footway from car parks were not correct and also that people with children lived some way from Court Barton and gave an example of a place that did not have a footway. He expressed his view that there was a danger of cars backing onto the busy A30 road and that he would have liked to have seen some provisions for parking by staff. He reiterated that he felt that the footways were inadequate and that the situation was unsustainable. He proposed that the application be refused on highway safety grounds.

During the ensuing discussion, the majority of members indicated that they felt that the proposals were acceptable and could be granted in accord with the Planning Officer's recommendation. Views were expressed that it was appropriate to have a business of this type in a residential area. Although noting the comments made about noise, a member felt that there was likely to be a continuous background noise in such an area in any case and that any noise from the proposed development would occur during the normal working day. With regard to the highway issues reference was made to staff having to park somewhere but that did not need to be next to the business premises as there were public car parks nearby. Reference was also made to the childcare business having been operating for around two years without problems. Also, it was commented that parents had a choice and if they had concerns about highway safety they had the option not to use the proposed nursery. It was also noted that OFSTED had not raised these issues and that the outstanding rating awarded to the current business was not easily achieved. It was further commented that there had been no evidence of complaints about the premises before the planning application had been submitted.



Arising from discussion of the application, comment was expressed that perhaps the Town Council and District Council could look at the possibility of the provision of some form of residents' parking scheme in the locality. Cllr. John Dyke commented, however, that the Town Council had tried to promote residents' parking but the County Council had not taken this matter up.

After further debate, the proposal of Cllr. John Dyke to refuse the application on highway safety grounds was duly seconded but on being put to the vote, the motion was lost (3 in favour, 9 against).

It was then proposed and seconded that the application be granted as recommended by the officers including the amendment to condition 5 as reported earlier in the meeting. On being put to the vote, the motion was carried (9 in favour, 3 against).

**RESOLVED:** that planning permission be granted subject to conditions 1-4 and 6-7 as set out in the agenda report and the amendment of condition 5 as follows:-

5. The use of the outside play area in connection to the day nursery hereby approved shall be limited to 09.00 hours to 17.00 hours Monday to Friday. No use of this area shall occur on weekends, evenings or bank holidays.

**Reason:** To safeguard the amenities and character of the area and in the interests of residential amenity to accord with saved policies ST6 and EP9 of the South Somerset Local Plan 2006.

(9 in favour, 3 against)

**10/01967/FUL (Pages 10-33) – 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 – Jephson Housing Association/Brookvale Homes (SW) Ltd.**

The Area Lead North/East, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. He reminded members that this application had been approved previously by the Committee subject to certain planning obligations. It was noted that the current application remained identical in terms of layout and detailing but sought an amendment to the Section 106 planning obligation. Although the applicants remained committed to a development of 100% affordable homes as originally approved, they had stated that it could only be achieved with grant funding, which could not be guaranteed in the current economic climate and, therefore, an amendment was sought to the Section 106 planning obligation to allow a fall back position involving 35% affordable housing and 65% open market housing together with a contribution to be made towards education and sports, leisure and arts facilities, which would amount to £100,000. The Area Lead North/East reported that the recommendation was one of approval as set out in the agenda report.

The Area Lead North/East then responded to members' questions on points of detail. Points addressed included whether the mix of requirements within the Section 106 planning obligation could be amended including whether more than 35% affordable housing could be asked for as part of the fall back position and whether an uplift in the amount of affordable housing could be required if economic conditions changed. The Area Lead North/East reported that the District Valuer had assessed the scheme and was of the view that the contributions within the Section 106 planning obligation were reasonable. The Area Lead North/East also mentioned that Government advice was that

local planning authorities should be mindful of economic factors and the viability of a development in making their decision. He further commented that although the Committee could require an uplift, he did not consider it to be reasonable in this case.

The applicants' agent, Mr. S. Travers, commented that this scheme had been approved by the Committee last year but an amendment was now being sought to the Section 106 planning obligation. He mentioned that the previous applicants, Yarlinton Housing Group, had withdrawn and that the Jephson Housing Association had stepped in. He indicated that they recognised the request for 100% affordable housing, however, that did rely on receiving Government grant aid, which under current circumstances was not certain. He further commented that the applicants were working to obtain grant aid but it was necessary for them to have an alternative fall back position, details of which were before the Committee. He referred to the amendments being required to enable the scheme to go forward but it was hoped that the alternative plan would not be necessary.

Mr. P. Reilly, the applicants' representative, commented that the intention was to provide a scheme of affordable housing and that the alternative plan, which had been assessed by the District Valuer, was an exit strategy, which it was hoped would not be needed. He confirmed that a bid had been made to the Homes and Communities Agency for grant funding.

Cllr. Jenny Kenton, who was also a County Councillor in whose division the site was situated, indicated her support for the amended planning obligations.

Cllr. Dave Bulmer, a local member, indicated that he was content to support the amended proposals but expressed his wish that any contribution towards the sports, leisure and arts facilities component of the Section 106 planning obligations should be focused on the enhancement of facilities in the Chard area.

During the ensuing discussion, other members indicated that they were content to accept the proposals and to grant the application in accordance with the recommendations set out in the agenda report, subject to any contribution towards the sports, leisure and arts facilities component of the Section 106 planning obligations being focused on the enhancement of facilities in the Chard area.

**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, in the event that grant funding is available:-
  - A contribution £16,560 is made towards junction improvements at the A30/A358
  - A contribution of £28,500 is made to mitigate the additional wear and tear on the adjoining recreation space that would arise from this development due to the lack of on-site public open space
  - The development provides 100% affordable housing
  - A monitoring fee is provided at a rate of 20% of the application fee

In the event that grant funding is not available the Section 106 agreement shall ensure that:-

- At least 35% of the units are provided as rented affordable housing, to be 67% social rented accommodation and 33%



- affordable rent accommodation and of a mix of sizes to be agreed by the Council's Strategic Housing Manager
  - A contribution £16,560 is made towards junction improvements at the A30/A358
  - A contribution of £28,500 is made to mitigate the additional wear and tear on the adjoining recreation space that would arise from this development due to the lack of on-site public open space
  - £100,000 is provided to mitigate the impact of the development on education and sports, leisure and arts facilities as agreed by the Assistant Director (Health and Wellbeing) and the County Education Officer
  - A monitoring fee is provided at a rate of 20% of the original application fee
- (2) that any contribution towards the sports, leisure and arts facilities component of the Section 106 planning obligations be focused on the enhancement of facilities in the Chard area;
- (3) conditions 1-23 and informative notes 1-2 as set out in the agenda report.

(Resolution passed without dissent).

**11/01835/OLAC (Pages 35-36) – Consultation by West Dorset District Council on the proposed installation of a single 50kW wind turbine at Seaborough Manor Farm, Seaborough, Beaminster, DT8 3QY**

The Planning Officer, with the aid of slides and photographs, summarised the agenda report. He explained that a planning application had been submitted to West Dorset District Council in respect of a single 50kW wind turbine at Seaborough Manor Farm. The site was located three kilometres south of Crewkerne but within the administrative area of West Dorset District Council and South Somerset District Council, as a neighbouring authority, had been consulted with regard to the application. The Planning Officer asked the Committee whether it wished to make any comments to West Dorset District Council in response to the consultation. Details of the application were set out in the agenda report together with the comments of South Somerset District Council's Principal Landscape Officer, which were noted by the Committee.

During the ensuing discussion, Cllr. John Dyke referred to his ward being the nearest affected and to Misterton Parish Council being opposed to the application on the grounds that the wind turbine would be over-dominant in the landscape. He referred to the site being located within the Dorset AONB and given its designation as a protected landscape, commented that there was a need for careful consideration. He referred, however, to the Exmoor National Park Authority having approved small-scale wind turbines that served the locality but had insisted that they be painted a colour that would enable them to blend in better with the landscape. He felt that anything that could be done to enable the wind turbine to blend into the landscape should be considered.

A member expressed doubts about the technology, which it was felt may not produce the desired power. The view was also expressed, however, that pressure would come from the Government to reduce energy usage from fossil fuels and that the proposed wind turbine would promote and generate renewable energy. Reference was also made to the need to consider initiatives to make farming more viable. Members agreed with the comments made about the wind turbine being of a colour to enable it to blend in better

with the landscape. It was also noted that this Council's Principal Landscape Officer had no objection to the proposal.

In conclusion, the objection of Misterton Parish Council was noted, as were the concerns raised by a member regarding the ability of the technology, which may not produce the desired power. The Committee, however, bearing in mind that there was no objection from the Principal Landscape Officer and that the proposed wind turbine would promote and generate renewable energy, indicated its support for the proposals subject to consideration being given to the colour of the wind turbine to enable it to blend in better with the landscape.

- RESOLVED:** (1) that, bearing in mind that there was no objection from the Principal Landscape Officer and that the proposed wind turbine would promote and generate renewable energy, the proposals be supported subject to consideration being given to the colour of the wind turbine to enable it to blend in better with the landscape;
- (2) that West Dorset District Council be informed of the Committee's views regarding this application.

(Resolution passed without dissent)

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