

MEETING AW.05:1112
DATE 19:10:11

South Somerset District Council

Draft Minutes of a meeting of the **Area West Committee** held at the Shrubbery Hotel, Station Road, Ilminster on **Wednesday, 19th October 2011**.

(4.00 p.m. – 6.00 p.m.)

Present:

Members: Angie Singleton (in the Chair)

Michael Best	Sue Osborne
David Bulmer	Ric Pallister
John Dyke	Kim Turner (from 5.05 p.m.)
Carol Goodall	Andrew Turpin (until 5.00 p.m.)
Jenny Kenton (from 4.25 p.m.)	Linda Vijeh (from 4.20 p.m.)
Paul Maxwell	Martin Wale (from 4.25 p.m.)

Officers:

Andrew Gillespie	Area Development Manager (West)
Zoe Harris	Community Regeneration Officer (West)
Andrew Gunn	Area Lead West – Development Control
John Millar	Planning Officer
Chloe Beviss	Planning Assistant
Amy Cater	Solicitor
Andrew Blackburn	Committee Administrator

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

49. Minutes (Agenda item 1)

The minutes of the meeting held on the 21st September 2011, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

50. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Cllrs. Brennie Halse, Nigel Mermagen and Ros Roderigo.

51. Declarations of Interest (Agenda item 3)

Cllr. John Dyke declared his personal and prejudicial interest in agenda item 7 regarding the request for a capital grant submitted by Crewkerne Heritage Centre as he had been appointed by the District Council to serve on that organisation.

Cllrs. Angie Singleton and Mike Best declared their personal interests in agenda item 7 regarding the request for a capital grant submitted by Crewkerne Heritage Centre as they were members of Crewkerne Town Council who supported this organisation financially and wished to see it continue to be able to operate as it was an important part of the cultural and economic life of the town.

Cllrs. Angie Singleton and Mike Best also declared their personal interests in planning application nos. 11/02224/FUL (the erection of a pair of semi-detached houses, land adjoining 6 Bowditch Row, South Street, Crewkerne) and 11/02209/LBC (application for the demolition of curtilage structures prior to the erection of a pair of semi-detached dwellinghouses, land adjoining 6 Bowditch Row, South Street, Crewkerne) as comments had been submitted by Crewkerne Town Council on which they also served as councillors.

52. Public Question Time (Agenda item 4)

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

53. Chairman's Announcements (Agenda item 5)

The Chairman reminded members that the Area West meeting with parishes to discuss mainly the provision of affordable housing was to be held on Thursday, 10th November 2011 at 7.00 p.m. in the Stringfellow Room, Holyrood Lace Mill, Chard. All parishes in Area West had been invited to send representatives. Members of the Committee were also welcome to attend the meeting.

Members were also reminded that the public consultation event regarding the Chard Town Centre regeneration proposals would be taking place on Saturday, 29th October 2011 in the Guildhall, Chard from 10.00 a.m. to 3.30 p.m.

54. Area West Committee – Forward Plan (Agenda item 6)

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

The Area Development Manager (West) confirmed that a progress report on the Chard Regeneration Scheme would be submitted to the Committee's next meeting on 16th November 2011.

He also reported that consideration of the Infrastructure Delivery Plan, which had been scheduled for the December 2011 meeting, would now be discussed together with the formal consideration of the Draft Core Strategy, which had been postponed until early in the new year.

The Area Development Manager (West) further indicated that the report updating members on the Blackdown Hills AONB, which had been scheduled for December 2011, had been able to be brought forward for consideration at this meeting.

In response to comments made by a member regarding the wording of one of the Council's current corporate themes, Cllr. Ric Pallister, Leader of the Council, mentioned that the corporate plan was being reviewed and all members would be consulted as part of the process. Members were advised to submit any comments they may have at that time.

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)*

55. Area West – Request for Capital Grant (Executive Decision) (Agenda item 7)

Cllr. John Dyke, having declared his personal and prejudicial interest in this item, withdrew from the meeting during its consideration and determination.

The Community Regeneration Officer (West) summarised the agenda report and asked members to consider an application for a capital grant submitted by Crewkerne Heritage Centre towards work on a staircase wall, details of which were set out in the agenda report.

The Community Regeneration Officer (West) also informed members of details of the usage of the premises by the local community.

Members indicated that they were content to support the grant application.

RESOLVED: that a capital grant of £2,500 be awarded from the Area West Capital Programme to Crewkerne Heritage Centre towards work on a staircase wall.

Reason: To determine an application submitted by Crewkerne Heritage Centre for grant funding.

(Resolution passed without dissent)

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

56. Area West Street Markets (Executive Decision) (Agenda item 8)

The Community Regeneration Officer (West) summarised the agenda report, which updated members on the progress being made by the Area West Markets Improvement Group. The Committee was also asked to allocate specific funding to help promote the markets and make it easier to manage the market in Chard, details of which were included in the agenda report.

During the ensuing discussion, the Community Regeneration Officer (West) answered members' questions. Points raised included the following:-

- reference was made to the work to relocate the market in Crewkerne from its current position in South Street Car Park. It was noted that two potential sites had been identified and the Community Regeneration Officer (West) reported that the relevant landowners had been contacted. It was hoped that further progress would be made in the next couple of months. She also indicated that planning permission would need to be applied for in respect of any new site. She further mentioned that markets were often quiet in the winter months and that the aim was for the market to move in spring next year;
- a member referred to the location of the junction of the A358 with the A30 and comment was expressed that people could drive through Chard without necessarily needing to go through the town centre. The Community Regeneration Officer (West) commented that this issue had been looked at and it was intended to provide temporary banners in the town advertising the market, which could be seen by drivers;
- the proposed 'no parking on market days' sign for the northern side of Fore Street, Chard would be of a temporary nature, which would be put out on a Saturday morning and taken down at the end of the market;

- members were informed of the publication in which it was intended to place the advertorials for the markets in the five week period before Christmas and also that they would comprise half a page in total with a mix of text and photographs.

Members thanked the Community Regeneration Officer (West) for her work in conjunction with the Markets Improvement Group on the project so far. It was recognised that there was more work to do and support was shown for the recommendations in the agenda report to help with the promotion and marketing of all three markets and the management of Chard market.

RESOLVED: that the report of the Community Regeneration Officer (West) be noted and £1,390 be allocated to help with the promotion of all three Area West markets and the management of Chard market from the £20,000 set aside in November 2010 for the improvement of Area West markets.

Reason: To allocate funding towards the promotion of Area West markets and the management of Chard market.

(Resolution passed without dissent)

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

57. **Blackdown Hills Area of Outstanding Natural Beauty (AONB) (Agenda item 9)**

The Community Regeneration Officer (West) summarised the agenda report, which updated members on the work of the Blackdown Hills AONB to which the District Council provided joint funding.

During her presentation she informed members of the many projects, activities and countryside events that had taken place making particular reference to those specific to South Somerset. She also referred to a document, which had been produced regarding the use of renewable energy in the AONB and to the content of the Blackdown Hills Community Plan. Information was also given on projects that had benefited South Somerset through the 'Making It Local' grant scheme, a Local Action for Rural Communities Fund that was available in and around the Blackdown Hills and East Devon AONBs.

In response to questions from a member, the Community Regeneration Officer (West) reported that the AONBs had been affected by the Government's financial cutbacks. The Blackdown Hills AONB had lost staff and was looking at its costs including the possibility of sharing work with the East Devon AONB. She also indicated that continuation of the AONB's Sustainable Development Fund, which was one of two grant schemes for the local community and businesses, was decided on a yearly basis. The AONB was keen to continue the fund, which although a comparatively small pot of money, enabled more to be levered in from other funding schemes.

The Chairman thanked the Community Regeneration Officer (West) for her presentation and commented that she felt that the District Council received good value for its funding contribution. The details of the report were noted by the Committee.

NOTED.

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

58. Reports from Members on Outside Organisations (Agenda item 10)

Cllr. Andrew Turpin referred to a Christmas safety fair being organised by the South West Home Safety Partnership in Chard on 9th November 2011 with the aim of promoting safety in the home especially to more vulnerable groups including young families and the elderly. Representatives from organisations such as the Fire Service, Age UK, Gas Safe and the District Council's Environmental Health Service would be involved. He referred to accidents diminishing lives and to the huge financial cost to the country but understood that accident prevention was not part of any government department's responsibility. He commented that this event would be a prototype for the Royal Society for the Prevention of Accidents to look at and encouraged members to attend. He also thanked Chard Town Council for its support.

NOTED.

59. Feedback on Planning Applications Referred to the Regulation Committee (Agenda item 11)

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)

60. Planning Appeals (Agenda item 12)

The Committee noted the details contained in the agenda report, which informed members of a planning appeal that had been dismissed.

The Chairman referred to the comments made at the last meeting by representatives of Misterton Parish Council who had expressed their disappointment about the appeal decision in respect of planning application no. 10/02454/OUT and had felt that the appeal process followed had been unsatisfactory. Members of the Committee had also expressed concern and asked the Area Lead West to seek further advice about whether there was any action that could be taken.

The Chairman queried if any progress had been made and the Area Lead West indicated that although he was not able to report further at present he would keep the Chairman informed and report back to members in due course.

NOTED.

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

61. Date and Venue for Next Meeting (Agenda item 14)

Members noted that the special meeting that was scheduled to take place on Wednesday, 2nd November 2011 had now been cancelled because the consideration of the Local Development Framework: Draft Core Strategy by the Area Committees had been postponed until the new year.

Members also noted that the next scheduled meeting of the Committee would be held on Wednesday, 16th November 2011 at 5.30 p.m. at Horton Village Hall.

NOTED.

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

62. Planning Applications (Agenda item 13)

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).

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 51 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.

11/02224/FUL (Pages 1-11) – The erection of a pair of semi-detached houses (GR 344313/109548), land adjoining 6 Bowditch Row, South Street, Crewkerne – Jacobs Partnership Llp.

11/02209/LBC (Pages 12-16) – Application for the demolition of curtilage structures prior to the erection of a pair of semi-detached dwellinghouses (GR 344313/109548), land adjoining 6 Bowditch Row, South Street, Crewkerne – Jacobs Partnership Llp.

Prior to consideration of the above applications, the Chairman informed members that, although a request had been made, a representative of the Highway Authority was not in attendance at the meeting and the Council's legal section had recommended that consideration of the application be deferred until a highway officer could attend as one of the main issues related to the impact of the development on highway safety.

Members noted that although there were highway issues, overall the Highway Authority had no objection to the application. The solicitor advised that members had to make an informed decision and if the Committee decided to refuse the application on highway grounds without having had the opportunity to question the comments of the Highway Authority this may present a problem in the event of the Council needing to defend any appeal by the applicant.

A discussion ensued during which disappointment was expressed that an officer from the Highway Authority had not attended the meeting. A member commented that, although acknowledging the advice of the solicitor, he felt that it was unfair to the applicant and members not to determine the application at this meeting. The view was also expressed that where a specific request was made a representative of the Highway Authority should attend the meeting and that the Highway Authority should be informed that if an officer could not attend, applications would be determined in any case.

The Committee noted the comments of the representative of the applicants, Mr. B. Jacobs, who referred to the length of time the application was taking to be determined. He understood that the Highway Authority's comments were set out in the planning officer's report and expressed his concerns about any further delay in determining the applications, especially given the current economic climate.

In response to a question, the solicitor advised members regarding the possibility of costs being awarded in the event of any appeal for non-determination.

Comment was expressed by the ward members that although the officer's recommendation was one of approval, Crewkerne Town Council and the ward members disagreed with the comments made by the Highway Authority and felt that consideration of the applications should be deferred to enable members to have the opportunity to challenge the views of the Highway's Officer.

After further debate a proposal to defer consideration of the applications to enable an officer from the Highway Authority to be present at the Committee was duly seconded but on being put to the vote, the motion was lost (4 in favour, 6 against, 1 abstention).

The Committee then proceeded to consider the applications and the Planning Officer, with the aid of slides and photographs, summarised the details of the proposals as set out in the agenda report. Reference was made to the key considerations to be taken into account being the design and appearance, highway safety and parking provision and the scale of development. It was noted that the recommendation was one of approval subject to conditions.

The officers then responded to members' questions on points of detail. Points addressed included clarification of the nature and use by other residents of Bowditch Row; the views of the Highway Authority in respect of this application in comparison with those given during discussions regarding the siting for the new sports centre on the recreation ground, particularly with regard to the suitability of Henhayes Lane as an access; clarification of the meaning of a car free development and details of the extant permission for one dwelling on this site compared with the current proposals.

The applicant's representative, Mr. B. Jacobs, referred to the officer's report having evidenced why the application should be approved. He also referred to the length of time that the application had been with the Council. Reference was made to another site in the district where approval had been given, which he used as a comparison in explaining the reasons why he felt the proposed development should be granted. He mentioned that the two most affected neighbours supported the proposals. He further referred to the final design having been reached after discussions with the planning and conservation officers and felt that the development would improve a derelict site, which had been an eyesore.

Cllr. Mike Best, one of the ward members, expressed concerns about the highway safety aspects of the proposals. He referred to the Highway Authority having said that it was extremely difficult for two vehicles to pass in Henhayes Lane. He expressed his view that it was impossible for two cars to pass in the part of the lane which led onto South Street and mentioned that the lane was also used by pedestrians as a cut through between the recreation ground and the town centre. He felt that public safety was at risk and that traffic should be minimised. He further referred to the visibility at the junction of Henhayes Lane with South Street being very poor and to other applications having been turned down with better access. Comment was also expressed that a car free development really meant development without parking provision. He felt that the majority of people had cars and that parking was becoming saturated and that more developments of this nature would mean more cars parking on the streets.

Cllr. John Dyke, another ward member, concurred with the comments of Cllr. Best and confirmed that the lane was used as a cut through by pedestrians. He felt that the pedestrian safety element was paramount.

Cllr. Angie Singleton, also a ward member, mentioned that in addition to the highway issues, she considered the proposals to constitute overdevelopment of the site. She also referred to the proposals for a Juliette balcony being the only community space and to the potential for overlooking and noise.

During the ensuing discussion, the majority of members, although noting the comments of the ward members, considered the proposed development to be acceptable. Comment was expressed that the site had an existing planning permission, which could generate a similar number of vehicles to the current proposals. It was also commented that the Government had not yet changed the policies relating to car free development and that there was a public car park in the vicinity of the proposed development. Reference was also made to an Inspector's decision on another site where an application had been refused because of a lack of parking provision but had been overturned by an Inspector and costs awarded. Further comments were expressed that the Conservation Officer was content with the proposals and that the amenity space was similar to that of a flat.

In conclusion, the majority of members indicated that they were content with the proposals and that planning permission and listed building consent should be granted as recommended by the officers.

RESOLVED: (1) that application no. 11/02224/FUL be granted subject to conditions 1-14 as set out in the agenda report;

(8 in favour, 3 against)

(2) that application no. 11/02209/LBC be granted subject to conditions 1-2 as set out in the agenda report.

(Resolution passed without dissent)

11/03468/FUL (Pages 17-20) – The installation of a photovoltaic array in rear garden (GR 345523/108204), The Old Post Office, Middle Street, Misterton – Mr. John Richardson.

The Planning Assistant, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. Reference was made to the key considerations to be taken into account being the impact on the character and appearance of the conservation area and the provision of renewable energy. It was noted that the recommendation was one of approval subject to conditions.

In response to a question from a member, the Planning Assistant confirmed that no representations had been received from local residents or others regarding the proposals. The Parish Council's comments, who were in agreement with the proposals, were set out in the agenda report.

During the ensuing discussion, members indicated their support for the application. A member referred, however, to arrays being coloured in either silver or black. He felt that silver may stand out more than black and asked if the colour could be conditioned. The Planning Assistant reported that the applicant would also be installing an array on the roof of the dwelling, which constituted permitted development irrespective of design, style or colour, and, therefore, a condition in respect of the colour of the array subject of this application would not be considered reasonable. In response to a question, however,

the Planning Assistant reported that an informative note could be included on the decision notice indicating that members of the Area West Committee would encourage the applicant to consider the use of photovoltaic panels, which were black in colour and did not have silver surrounds or inserts to minimise the impact on the character and appearance of the conservation area.

In conclusion, members indicated that they were content with the proposals but asked that an informative note as mentioned above be included on the decision notice.

RESOLVED: that planning permission be granted subject to conditions 1-3 as set out in the agenda report and to an informative note to the effect that members of the Area West Committee would encourage the applicant to consider the use of photovoltaic panels, which are black in colour and do not have silver surrounds or inserts to minimise the impact on the character and appearance of the conservation area.

(Resolution passed without dissent)

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

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Chairman