

MEETING AW.11:1112  
DATE 18:04:12

## South Somerset District Council

**Draft Minutes** of a meeting of the **Area West Committee** held at Tatworth Memorial Hall, Kents Road, South Chard on **Wednesday, 18th April 2012.**

(5.30 p.m. – 8.55 p.m.)

### Present:

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

Michael Best	Paul Maxwell
David Bulmer	Ric Pallister
John Dyke	Ros Roderigo
Carol Goodall	Kim Turner
Brennie Halse	Andrew Turpin
Jenny Kenton	Martin Wale

### Officers:

Andrew Gillespie	Area Development Manager (West)
Zoe Harris	Community Regeneration Officer (West)
Paul Philpott	Community Development Officer (West)
Chris Cooper	Streetscene Manager
David Norris	Development Manager
Andrew Gunn	Area Lead West - Development Management
John Millar	Planning Officer
Chloe Beviss	Planning Assistant
Angela Watson	Legal Services Manager
Andrew Blackburn	Committee Administrator

### Also Present:

John Gallimore Principal Planning Liaison Officer - Somerset County Council

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

### 131. Minutes (Agenda item 1)

The minutes of the meeting held on the 21st March 2012, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

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

Apologies for absence were received from Cllrs. Nigel Mermagen and Sue Osborne.

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

The following members declared their personal and prejudicial interests in agenda item 7 (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. John Dyke - as he had been appointed as the District Council's representative on Crewkerne Heritage Centre.

Cllr. Angie Singleton - as she had been appointed as the District Council's representative on West One Youth and Community Centre, Crewkerne.

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 7) because they were also members of Chard Town Council who were awarding 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 7) because they were also members of Crewkerne Town Council who were awarding grants to those organisations.

The following members declared their personal interests in agenda item 8 (Area West - Requests for Community Grants) because they were also members of town councils who were awarding funding to Chard Cricket Club and Filmcrew Film Community Group who had applied for a grant from the District Council for those projects detailed in the agenda report:-

Cllr. David Bulmer	Chard Town Council
Cllr. Brennie Halse	Chard Town Council
Cllr. Jenny Kenton	Chard Town Council
Cllr. Martin Wale	Chard Town Council
Cllr. Mike Best	Crewkerne Town Council
Cllr. Angie Singleton	Crewkerne Town Council

Cllr. Angie Singleton further declared her personal interest in the application for grant submitted by Chard Cricket Club (agenda item 8) because her brother in law was a member of Chard Cricket Club.

Cllrs. Mike Best and Angie Singleton declared their personal and prejudicial interests in the application for grant submitted by Crewkerne Town Council (agenda item 8) because they were also members of the Town Council. Cllr. Singleton also mentioned that she was the District Council's representative on, and a trustee of, Crewkerne Leisure Management (Aqua Centre), which would benefit from the Town Council's project. Cllr. Best further mentioned that he was also a trustee of Crewkerne Leisure Management.

Cllr. Carol Goodall declared her personal and prejudicial interest in the application for grant submitted by Ilminster Town Council (agenda item 8) because she was also a member of the Town Council.

Cllrs. Angie Singleton, Martin Wale, Jenny Kenton and Kim Turner referred to planning application no. 11/04212/FUL (Development of land at Mitchell Gardens (Snowdon Farm) Shepherds Lane, Chard) and mentioned that they also served on the Chard Regeneration Project Board but would keep an open mind when considering the details of this application at the meeting. Similarly, Cllr. Ric Pallister mentioned that he was the Chairman of the Local Development Framework Project Management Board.

Cllrs. Dave Bulmer, Brennie Halse, Jenny Kenton and Martin Wale declared their personal interests in planning application no. 11/04212/FUL as comments had been submitted by Chard Town Council on which they also served as councillors.

Cllr. Andrew Turpin declared his personal interest in planning application no. 11/04212/FUL as comments had been submitted by Tatworth and Forton Parish Council on which he also served as a councillor.

Cllr. Brennie Halse declared her personal and prejudicial interest in planning application no. 11/4212/FUL because, along with her husband, she owned land adjacent to the proposed development.

Cllr. Paul Maxwell declared his personal and prejudicial interest in planning application no. 11/04806/FUL (Installation of a solar photovoltaic array and associated equipment at Manor Farm, Lower Street, Merriott) because he knew the farmer of Manor Farm on whose property the photovoltaic array was to be installed and also knew the occupier of the listed house adjacent to the site.

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

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

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

The Chairman welcomed back Cllr. Kim Turner who had been unable to attend meetings recently because of a bout of ill health.

The Chairman referred to the community grant application submitted by Crowshute House, Chard, consideration of which had been deferred at the January meeting of the Committee. She reported that, as Portfolio Holder, she had made the decision to award the grant towards the installation of replacement windows and doors. She commented that it was thought beneficial to agree the grant as soon as possible to pay for urgent repairs and the decision had been published in the Council's Executive Bulletin.

### **136. 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.

Cllr. Martin Wale referred to the appointment of members to outside organisations 2012/13, which was scheduled to be considered at the June 2012 meeting. He commented that a Scrutiny task and finish group was currently looking at partnership working, the outcome of which may have an impact on appointments to outside organisations. He was not sure whether the group would have finished by June. The Area Development Manager (West), in noting the comments made, informed members that he would discuss this matter with the Scrutiny Manager but in the meantime felt that the item regarding appointments to outside organisations should remain in the Forward Plan as scheduled for the time being with which members concurred.

A member referred to the implementation by Somerset County Council of on-street parking enforcement and understood that there was a programme for the provision of enforcement signage. It was suggested that perhaps information could be given by the Assistant Highway Service Manager when he presented his highway maintenance programme report to the Committee. Members concurred with the suggestion and asked that the Assistant Highway Service Manager be requested to provide this information.

**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)*

---

### **137. Area West - Community Grants (Executive Decision) (Agenda item 7)**

Reference was made to the agenda report and the Committee considered applications for “tapering” revenue grants from eligible organisations in Area West for 2012/13.

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 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.

During consideration of the applications, the Committee noted the comments of Mr. T. Prior from Chard Museum who thanked the Committee for its previous support of the organisation and spoke in support of their current application. Mr. Prior also referred to the announcement by the Chairman earlier in the meeting about the award of the grant to Crowshute House, Chard, whom he also represented, and thanked the Council for its support. He further informed members that Chard Town Council had awarded a grant to Crowshute House for the project the previous day.

Those members who mentioned their personal and prejudicial interests in individual grant applications (Minute 133 refers) left the meeting during the consideration and determination of the relevant applications.

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 consideration of those applications.

In referring to the application for grant from the Ile Youth and Community Centre, the Committee noted that officers were offering further advice to the organisation in relation to renewing the service level agreement for 2012-13 and that it was proposed to bring a report to the Committee as soon as possible. Members indicated, however, that they were content to delegate the decision on the application to the Area Development Manager (West) in consultation with the Area Chairman.

The Committee was, otherwise, content to approve the applications for grant set out in the agenda report.

**RESOLVED:** (1) that the award of grants as shown below be approved;

Chard Museum	£3,420
Chard Young People's Centre	£1,766
Crewkerne Heritage Centre	£1,409
West One Youth and Community Centre	£1,248

(2) that the decision on the application for grant submitted by Ile Youth and Community Centre be delegated to the Area Development Manager (West) in consultation with the Chairman of the Committee.

(Resolution passed without dissent)

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

*(Zoë 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)*

### **138. Area West - Requests for Community Grants (Executive Decision) (Agenda item 8)**

The Community Development Officer (West) referred to the agenda report, which provided an update on the Area West Community Grant Scheme and asked members to consider four specific grant applications.

Prior to considering those applications, the Community Development Officer (West) referred to the first project to receive a grant under the scheme having been completed and the grant paid. The project was for a replacement kitchen at Combe St. Nicholas Village Hall and he showed photographs of the work being undertaken and of the completed project. He further reported that details of the grants awarded to date were included in the agenda report and could also now be viewed on the Council's website.

The Committee was asked to consider grant applications submitted by Chard Cricket Club, Filmcrew Film Community Group, Crewkerne Town Council and Ilminster Town Council, during which the circumstances of each were duly considered. Each application was considered in turn.

During consideration of the applications, the Committee noted the comments of Kevin Clancy from Chard Cricket Club, Rick Canning from Filmcrew Film Community Group, Town Councillor Sue White from Crewkerne Town Council and Town Councillor Emma Jane Taylor from Ilminster Town Council, who spoke in support of their respective applications.

The Committee also noted the comments of ward members who spoke in respect of the applications.

Those members who had mentioned their personal and prejudicial interests in individual grant applications (Minute 133 refers) left the meeting during the consideration and determination of the relevant applications.

The Chairman, Cllr. Angie Singleton, having declared her personal and prejudicial interest in the application submitted by Crewkerne Town Council vacated the chair and, after exercising her right under the Code of Conduct to make representations, withdrew from the

meeting during the determination of that application. The Vice-Chairman, Cllr. Paul Maxwell, took the chair for the consideration of that application.

Having considered the projects in each case, the Committee was content to approve the applications.

- RESOLVED:** (1) that a grant of £5,610 be awarded to Chard Cricket Club towards a mobile wicket cover and drainage piping for the cricket field;
- (2) that a grant of £1,250 be awarded to Filmcrew Film Community Group towards a set of black out curtains;
- (3) that a grant of £5,925 be awarded to Crewkerne Town Council towards a bin store and cycle shelter;
- (4) that a grant of £10,000 be awarded to Ilminster Town Council towards a new skate park.

(Resolution passed without dissent)

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

*(Zoë 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)*

---

### **139. Report for Area West Committee on the Performance of the Streetscene Service (Agenda item 9)**

The Streetscene Manager summarised the agenda report, which informed members of the performance of the Streetscene Service in Area West for the period March 2011 - February 2012.

During the ensuing discussion, the Streetscene Manager noted the comments of members and responded to questions on points of detail. Points raised included the following:-

- a member referred to the Streetscene team's excellent performance in picking up fly tipping;
- reference was made to the good job that had been carried out by the team in maintaining the Cartgate picnic area and members shared the Streetscene Manager's disappointment that the contract for the Council to carry out this work had now been withdrawn;
- a member commented on the exceptional work carried out at Snowdon Park, Chard in planting trees and bulbs. Other members also commented favourably on the horticultural work carried out by the team;
- it was hoped that the compensation from Somerset County Council for the District Council's increased workload on clearing fly tipping due to the reduction in household waste recycling centre hours would continue;
- reference was made to the cutting of highway verges and a member hoped that, if any issues arose concerning potential cuts in funding by the County Council for



this work, the District Council would do their utmost to urge them to continue the funding;

- the Streetscene Manager confirmed that Reed Close, Chard had been included in the mowing schedule. He also responded to a member's concerns about the mowing and damage caused to trees at Rackclose Park, Chard and reported that Somerset County Council had been contacted about that matter and the damaged trees had been taken out;
- in response to a question, the Streetscene Manager informed members of the latest position with regard to the Council's participation in the probation service scheme whereby work was carried out in the community by offenders who had received community service orders;
- members were informed of the basis on which town centre street cleaning was carried out. The Streetscene Manager also mentioned that litter picking was a priority and, in response to a comment about the removal of chewing gum, he indicated that although this could be done it would be necessary for the parish to pay for the cleaning, which would be authorised by the Highway Authority;
- reference was made to the removal of cigarette ends outside pubs and a member queried whether landlords were requested to remove them. The Streetscene Manager indicated that an area would be targeted periodically, which was sometimes well received and sometimes less so;
- the Streetscene Manager clarified that following budget cuts, it had been agreed by members that the formal inspection process would no longer be delivered and the local area quality inspections that were carried out with local members were also suspended. He confirmed, however, that should members wish to discuss their local concerns or priorities, his officers would be available to discuss how to find solutions to local matters.

The Chairman thanked the Streetscene Manager for his informative report, which was noted by the Committee. She also remarked that the service was very much valued.

**NOTED.**

*(Chris Cooper, Streetscene Manager – 01935 462840)  
(chris.cooper@southsomerset.gov.uk)*

---

#### **140. Reports from Members on Outside Organisations (Agenda item 10)**

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

---

#### **141. 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)*

---

## 142. 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.

NOTED.

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

---

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

Members noted that the next scheduled meeting of the Committee would be held on Wednesday, 16th May 2012 at 5.30 p.m. at the Henhayes Centre, South Street Car Park, Crewkerne.

NOTED.

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

---

## 144. 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, at the request of the Chairman, those members who had declared interests at the beginning of the meeting in respect of the planning applications (details of which are set out in minute 133 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.

**11/04212/FUL (Pages 1-38) - Development of 63 (amended to 61) residential dwellings with associated vehicular and pedestrian access, landscaping, site re-grading and related infrastructure and engineering works (GR 331600/108500), land at Mitchell Gardens (Snowdon Farm) Shepherds Lane, Chard - Redrow Homes South West.**

Prior to considering the application, the Legal Services Manager, at the request of the Chairman, clarified the position with regard to a letter, which had been sent by the applicants to the planning officer and members since the agenda had been published but before the day of the meeting. She advised that in accordance with the Council's relevant protocol the letter had been received in sufficient time to enable the planning officer to respond appropriately at the meeting.

The Area Lead West, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. In making his report he responded to points raised by the applicants, which they had made in support of their proposals, including those where the applicant had felt that their comments had not been properly reflected in the agenda report.



The Area Lead West first dealt with the principle of the development and referred to the key local issue being the Chard Regeneration Scheme, which would feed into the Council's draft Core Strategy and included options for forwarding development in Chard. He indicated that option 3 within the Scheme had been adopted as the preferred approach. He also explained the reasons why option 4 within which this site was situated, was discounted. He referred to much work having been carried out on the Chard Regeneration Scheme and advised members of the weight that could be attached to it and the emerging draft Core Strategy as well as to the saved policies in the existing South Somerset Local Plan. He further commented that there was a clear strategy for housing, employment and other facilities in Chard, which would provide for the needs of the town in the future without this site coming forward now.

In referring to the highway issues, the Area Lead West mentioned that the Highway Authority had no objections subject to conditions. There were issues, however, with regard to the capacity of the junction of the A30 with the A358 (Convent Junction) where upgrades to the traffic signals had been made. There were concerns about this development taking up the additional capacity created by the installation of the MOVA system, thereby compromising the sequence of the Chard Regeneration Scheme. It was the local planning authority's view that additional capacity should be taken up by strategic growth rather than ad hoc developments.

The Area Lead West then referred to housing land supply and, contrary to the views of the applicant, it was considered that an adequate land supply could be demonstrated and that this site was not required to meet that need. Comments had also been raised by the applicant about the deliverability of the key site scheme (Chard Eastern Development Area), which were not accepted by the local planning authority whose clear stance was that the scheme was deliverable.

The Area Lead West then summarised the details of the proposals during which he clarified that the number of dwellings to be provided had been amended to 61 and not 60 as stated in the agenda report. Reference was made to the site layout, impact on the conservation area and its setting, relationship of new dwellings with old dwellings, affordable housing provision, ecological issues, drainage issues, design of the dwellings, mix of properties, range of house types, street scene, boundary materials, adoptable roads within the development and key linkages through the development including pedestrian access and open space.

In updating members, the Area Lead West reported that the Environment Agency and English Heritage had no further comments. He also mentioned that 35 additional neighbour comments had been received but no new issues had been raised.

The Area Lead West referred to the key considerations to be taken into account including the justification for the development, non-compliance with the Chard Regeneration Scheme, design and layout and relationship with adjacent properties. The Committee noted that the recommendation was one of refusal for the reasons set out in the agenda report.

The Area Lead West then responded to members' questions on points of detail. Points addressed included whether provisions had been made for safe cycling routes from the site; clarification of the position regarding non-compliance with development plans; reference to the town wall; distribution of the affordable housing units on the site and the style of design of the dwellings. The Principal Planning Liaison Officer from the Highway Authority also responded to points raised including times when the site was visited; observation of traffic movements at the junctions that may be affected by the site and confirmation that vehicles parking in Crowshute/Mitchell Gardens had been taken into account.

The Committee noted the comments of Mr. T. Prior, Chairman of Chard Town Council's Planning and Highways Committee. He indicated that the application had been considered on three occasions and refusal had been recommended unanimously because the proposals were outside of development limits, the proposed site was outside the Local Plan and contrary to the emerging Core Strategy and Chard Regeneration Scheme, highway concerns including insufficient provision for increased traffic and the detrimental impact on wildlife.

The Committee also noted the comments of Bert Sams (also speaking on behalf of Mitchell Gardens Residents Association), Rosemary Davis, Sally Fox and Margaret Hannam in objection to the application. Views expressed included the following:-

- the proposals would have a detrimental impact on traffic in the town adding to congestion problems including in and around the Mitchell Gardens/Crowshute area. Reference was also made to many cars parking in Mitchell Gardens. The impact on the already busy main roads was mentioned together with the impact on the capacity of the Convent junction;
- if this development took place now, the chance to proceed with the Chard Regeneration Scheme could be lost;
- the distance of the development from existing trees was inadequate and concerns expressed about the impact the dwellings may have on the trees. The trees may also be a problem for future occupiers of the houses;
- harmful impact on wildlife;
- one of the proposed dwellings was close to an existing wall made of local flint and concerns were expressed that excavation could damage the wall;
- concerns expressed about overlooking;
- reference was made to a restrictive covenant attached to the land, which prevented the construction of buildings.

The applicant's agent, Andy Cockett from Nathaniel Litchfield, explained why he questioned the authority's position in stating that it could demonstrate a 5 year plus housing land supply. He expressed their view that there was only a 3.6 year supply and referred to there being no evidence submitted by officers to dispute this. He also explained the reasons why he was of the view that other strategic sites in Chard were unrealistic and may not come forward when anticipated, especially given the possible need to use compulsory purchase powers. He felt that the housing predictions were over optimistic and that windfall sites alone could not make up for any lost delivery on other proposed sites. He also felt that the housing land supply was a material consideration and that the emerging Core Strategy had limited weight, which could not be used to resist this development. He urged the Committee to approve the application to ensure that housing came forward while waiting for other sites to be delivered.

The representative of the applicant's, Lee Hawker, referred to the design and layout issues of the site itself. He commented that he was keen to work with the local authority with regard to the site and to bring investment to the town, details of which he mentioned. He referred to the site being in close proximity to High Street, schools and other services and to the applicant having worked hard with officers to bring forward the scheme. He also referred to changes that had been made to the layout and explained the reason for the proposed groupings for the affordable housing. He commented that

the proposals addressed the short term supply for housing and was of the view that Chard could not stand still until the eastern development area came on line.

Cllr. Brennie Halse, ward member, who had declared a personal and prejudicial interest in the application exercised her right under the Code of Conduct to make representations before withdrawing from the meeting. She indicated that she objected to the proposed development because of its implications on a greenfield site outside of development limits and non-compliance with the proposed Chard Regeneration Scheme phasing strategy. In referring to the Chard Regeneration Scheme she mentioned that Option 3 had been chosen as the preferred option for growth in Chard and to that having been agreed by the Committee at its last meeting when the draft report on the Core Strategy to be submitted to District Executive was endorsed. She referred to the site subject of this application being a part of Option 4, which had not been adopted. Reference was also made to the impact on the Convent junction and she referred to the authority's position being that any additional capacity created by the MOVA traffic control system should be taken up by strategic growth rather than ad hoc development. She also referred to one of the plots on the proposed development being tight and commented that it may not allow a refuse lorry or emergency vehicle to get through. She further commented that the affordable housing provision was shown as terraced rather than spread throughout the development and that the private market houses were all detached. The scheme would not therefore assist in creating a mixed community, which was not in line with policy. She also mentioned the large number of letters, which had been received in opposition to the proposed development and urged the Committee to reject the application. Cllr. Halse then withdrew from the meeting during the member debate and voting on the application.

During the ensuing discussion, a member asked for clarification with regard to the reference to a covenant during the public participation period of the meeting. The Legal Services Manager advised that generally covenants were private interests and not relevant to the determination of a planning application. She also indicated that the Council would not be liable in any legal process as the authority would be exercising its statutory duties in accordance with planning legislation. She further mentioned that the developer may have some liability if the site were developed in breach of any covenant.

In response to further questions, the Area Lead West commented that there was nothing to suggest that the boundary wall would be affected by the development. The Development Manager also indicated that it would be unreasonable to include the lack of provision of a cycle route to the town's employment areas as a reason for refusing the application.

During the discussion, having considered the issues raised in this case, members indicated that they could not support the application. Comment was expressed that the site was outside of development limits and not in compliance with the proposed Chard Regeneration Scheme, which would form part of the Core Strategy. Reference was also made to a lot of work having been carried out including full consultation with regard to the Chard Regeneration Scheme. It was noted that the applicants disputed the conclusions with regard to the housing land supply and deliverability of the eastern development area but the stance of the authority with regard to those matters was supported by the Committee. It was generally felt that this site was in the wrong location and that the application had been submitted at the wrong time.

**RESOLVED:** that planning permission be refused for the following reasons:-

1. The proposed development is located on a green field site outside of the development area as defined in the South Somerset Local Plan. In addition, the site is not included within the preferred Growth Option for Chard as outlined in the draft Core Strategy. No overriding need has been justified for this development. Therefore

the development is contrary to the aims and objectives of Policy ST3 of the South Somerset Local Plan and to Chard Growth Option 3 in the draft Core Strategy.

2. The proposed development by reason of its fragmented house layouts, unacceptable house design and the provision of affordable housing in terraced blocks concentrated in one large group, would not create a quality built environment nor would it deliver an inclusive and mixed community, contrary to the aims and objectives of Chapters 6 and 7 of the NPPF.

(11 in favour, 0 against, 0 abstentions)

**12/00312/FUL (Pages 39-49) - Alterations to include formation of vehicular access and the erection of detached double car port (GR 347231/110737), The Old Vicarage, Claycastle, Haselbury Plucknett - Mr. and Mrs. T. Kirkwood.**

**12/00313/LBC (Pages 50-58) - Alterations to include formation of vehicular access and the erection of detached double car port (GR 347231/110737), The Old Vicarage, Claycastle, Haselbury Plucknett - Mr. and Mrs. T. Kirkwood.**

The Planning Assistant, with the aid of slides and photographs, summarised the details of the applications as set out in the agenda report. She referred to the key considerations to be taken into account being the character and appearance of the conservation area, character and setting of the listed building and highway safety. The Committee noted that the recommendations were ones of approval subject to conditions.

In response to questions, the Planning Assistant clarified points of detail raised by members about the vegetation that would be removed, traffic movements along the road and the design of the vehicular access bearing in mind that the site was located in the conservation area and was part of the setting of a Grade II listed building.

The applicants' agent, Clive Miller, commented that there had been much discussion with officers to find an acceptable solution in respect of the proposals and that a lot of effort had been put in to addressing the conservation issues that had been raised, including the position regarding trees and planting. He referred to the residents and visitors to the property having to turn in the street. He also mentioned the Highway Authority's concerns regarding vehicles having to wait on the highway whilst the automated gates opened and expressed his view that in reality that would be only a little time. He indicated that the applicant was content with the recommended conditions if the application were approved.

Cllr. Ric Pallister, ward member, indicated that he could not support the comments of the Highway Authority in this case. He referred to neither the village nor the applicant wanting the gates set back and was of the view that the application should be granted.

Other 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. 12/00312/FUL be granted subject to conditions 1-11 as set out in the agenda report;

(Resolution passed without dissent)

- (2) that application no. 12/00313/LBC be granted subject to conditions 1-6 as set out in the agenda report.

(Resolution passed without dissent)

**11/04806/FUL (Pages 59-63) - Installation of a solar photovoltaic array and associated equipment with a maximum array height of 2.6m and a maximum installed capacity of 50kW (GR 344640/112567), Manor Farm, Lower Street, Merriott - E-Tricity Ltd.**

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. He referred to the key considerations to be taken into account being the historic context and the landscape character of the area. He reported that the recommendation was one of refusal for the reason set out in the agenda report.

In response to questions from members, the Planning Officer clarified the location of the listed building and explained the reason why the Council's Climate Change Officer had not been consulted in this instance.

Cllr. Paul Maxwell, ward member, who had declared a personal and prejudicial interest in the application exercised his right under the Code of Conduct to make representations before withdrawing from the meeting. He commented that he had difficulty with photovoltaic arrays from an aesthetic aspect as they were not always attractive. He did not feel that these proposals would tidy up the area and unless the array was well screened and the listed building unaffected he felt that the application should be refused. Cllr. Maxwell then withdrew from the meeting during the member discussion and voting.

During the ensuing discussion, the majority of members indicated that they could not support the application. Comment was expressed that although the idea was right, the proposed array was in the wrong location.

**RESOLVED:** that planning permission be refused for the following reason:-

The proposed solar pv array and associated security fencing, by reason of their siting, form, scale, mass and height, will have an adverse impact on the setting of the adjacent listed building and its contribution to the local scene. It is also considered to have a detrimental impact on the distinctive character and quality of the local landscape and fails to respect and relate to the character of its surroundings and as such is contrary to the aims and objectives of policies 5, 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 11 and 12 of the National Planning Policy Framework.

(1 against)

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

.....  
 Chairman