

MEETING AW06 12:13
DATE 17:10:12

South Somerset District Council

Draft Minutes of a meeting of the **Area West Committee** held at Merriott Village Hall on **Wednesday, 17th October 2012.**

(5.30 p.m. – 9.55 p.m.)

Present:

Members:	Cllr. Angie Singleton	(in the Chair)
	Michael Best	Sue Osborne
	Dave Bulmer	Ric Pallister
	John Dyke (from 5.55 p.m.)	Ros Roderigo (until 9.50 p.m.)
	Carol Goodall (until 6.30 p.m.)	Kim Turner (until 9.30 p.m.)
	Jenny Kenton (until 6.30 p.m.)	Linda Vijeh
	Paul Maxwell	

Officers:

Andrew Gillespie	Area Development Manager (West)
Colin McDonald	Corporate Strategic Housing Manager
Zoe Harris	Community Regeneration Officer (West)
Adrian Noon	Area Lead North/East
Linda Hayden	Planning Officer
Diana Watts	Planning Officer
Robert Archer	Principal Landscape Officer
Paul Sanders	Senior Environmental Protection Officer
Alasdair Bell	Environmental Health Manager
Amy Cater	Solicitor
Jo Morris	Committee Administrator

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

60. Minutes (Agenda Item 1)

The minutes of the meeting held on the 19th September 2012, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman subject to the inclusion of Cllr. Paul Maxwell under Members present.

61. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Cllrs. Brennie Halse, Nigel Mermagen, Andrew Turpin and Martin Wale.

62. Declarations of Interest (Agenda Item 3)

Cllr. Carol Goodall declared a personal interest in planning application no. 12/02823/FUL, as a member of Ilminster Town Council.

Cllr. Sue Osborne declared a personal interest in planning application no. 12/02823/FUL, as in the past she had rented a property from Dillington Estates.

Cllrs. Mike Best and Angie Singleton declared personal interests in planning application no. 12/02967/FUL, as members of Crewkerne Town Council. At the time of considering the application, Cllr. Angie Singleton declared that she was a regular client of the applicant's existing takeaway business.

Cllr. Ros Roderigo declared a Disclosable Pecuniary Interest (DPI) in planning application no. 12/02927/FUL, as she was the applicant. She indicated that she would leave the meeting prior to consideration of the item.

63. Public Question Time (Agenda Item 4)

No questions or comments were raised by members of the public.

64. Chairman's Announcements (Agenda Item 5)

The Chairman was pleased to report that since the last Area West Committee meeting Clapton & Wayford Village Hall had received notification from Awards for All that their grant application had been successful. They now had all the funding needed to replace the roof and doors and weatherproof the village hall.

65. 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.

With reference to reports from Members on Outside Organisations, the Area Development Manager reminded members that the following reports were included on the Forward Plan for November:

Meeting House Arts Centre, Ilminster - Cllr. Sue Osborne
Stop Line Way Steering Group – Cllr. Andrew Turpin

The report on Ile Youth Centre Management Committee (Ilminster) from Cllr. Kim Turner would be postponed to another month.

RESOLVED: That the Area West Forward Plan be noted as attached to the agenda subject to the above amendment.

(Resolution passed without dissent)

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

66. Area West Committee – Appointment of Members to Outside Organisations 2012/13 (Executive Decision) (Agenda Item 7)

RESOLVED: That Cllr. Kim Turner be appointed as the Area West representative on the South Somerset Disability Forum.

(Resolution passed without dissent)

Reason: To confirm the appointment of a member to represent the Council on the South Somerset Disability Forum for the municipal year 2012/13.

*(Jo Morris, Committee Administrator – 01935 462055)
(jo.morris@southsomerset.gov.uk)*

67. Affordable Housing Development Programme (Agenda Item 8)

The Corporate Strategic Housing Manger introduced the report, which set out the provision of affordable housing in Area West over the past year and anticipated the likely delivery of more affordable homes being constructed during the current financial year. During the report presentation, the Corporate Strategic Housing Manager highlighted a number of points, which included the following:

- An annual report covering the district as a whole was provided to District Executive in August 2012. The delivery in Area West over the past year represented 19% of the district wide total;
- Reference was made to the completed programme for 2011/12 which included schemes at Maiden Beech and Tatworth;
- Housing Associations were now tied to the details of their four year contracts and schemes must be completed by March 2015 in order to avoid HCA funding being withdrawn. All Housing Associations were expected to complete their schemes within this timeframe;
- With reference to the proposed scheme for Norton Sub Hamdon, it was noted that the scheme would be producing homes in Norton Sub Hamdon but as the site straddled the boundary with Chiselborough it would be considered as an Area West scheme;
- Details of a potential Knightstone Housing Association Scheme coming forward in Chard;
- Current programme funding would be coming to an end and prospects for additional schemes within Area West were uncertain. PRC (Precast Reinforced Concrete) redevelopment sites were coming to an end and affordable housing through planning obligations alone would be dependent on the wider economy and private developers bringing sites forward.

Cllr. Dave Bulmer informed members that an open day was being held on 2nd November 2012 at Kenn Close, Chard.

During the ensuing discussion, members referred to the Maiden Beech site being fully occupied and figures showing that 80% of occupants were from within a ratio of Crewkerne. Members were encouraged by the fact that people appeared to be managing their finances in the current financial climate.

Members thanked the Corporate Strategic Housing Manager for his report which members were happy to note.

RESOLVED: That the outturn position of the Affordable Housing Development Programme 2011/12 be noted.

(Resolution passed without dissent)

*(Colin McDonald, Corporate Strategic Housing Manager – 01935 462331)
(colin.mcdonald@southsomerset.gov.uk)*

68. 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 partnership during the last 12 months to which the Council provided joint funding.

During her presentation she informed members of the many activities and projects that were taking place within the Blackdown Hills. She referred to a Hedgerow Event taking place in Wambrook in November at which the AONB team was organising a demonstration on hedgerow management for wood fuel. Information was given on some of the AONB wider activities and projects that have taken place during 2012/13 including various Countryside Events and a Blackdown Hills Heritage Day.

In response to member questions, the Community Regeneration Officer (West) agreed to provide further information to Cllr. John Dyke regarding the allocation of the Sustainable Development Fund. The Blackdown Hills AONB had a dedicated member of staff who dealt with planning issues and would be able to provide further information relating to the Design Guide for Houses and how it fits in with the Local Plan.

The Chairman thanked the Community Regeneration Officer (West) for her presentation. The details of the report were noted by the Committee.

NOTED.

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

69. Area West – Reports from Members on Outside Bodies (Agenda Item 10)

Crewkerne Leisure Management

A report by Cllr. Angie Singleton updating members on Crewkerne Leisure Management (CLM) was circulated to members at the meeting.

Iminster Forum

Cllr. Carol Goodall gave a presentation updating Members on Iminster Forum. Members were informed about recent activities that had taken place including litter picks, monthly market, Library Garden and marketing Iminster.

NOTED.

70. 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)*

71. Planning Appeals (Agenda Item 11)

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

NOTED.

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

72. Date and Venue for Next Meeting (Agenda Item 13)

Members noted that the next scheduled meeting of the Committee would be held on Wednesday 21st November 2012 at the Henhayes Centre, Crewkerne.

NOTED.

*(Jo Morris, Committee Administrator – 01935 462055)
(jo.morris@southsomerset.gov.uk)*

73. Planning Applications (Agenda Item 12)

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.

12/02823/FUL – The installation of an extended 7.6MW photovoltaic array, Parsonage Barn, Stocklinch Road, Whitelackington – Solar Century

The application had been deferred at the last Area West Committee meeting in order to allow for the reconsideration of the landscape strategy and to enable the Landscape Officer to attend the Committee.

The Planning Officer updated the report and informed members that 17 additional letters had been received in response to amended plans raising similar objections to those previously submitted. The applicant had confirmed that the land underneath the panels would not be grazed by sheep. Further correspondence had been received from Stocklinch Parish Council and the CPRE (Campaign to Protect Rural England) in objection to the amended plans. No objections had been received from the RSPB. Members were informed that if the application were to be approved there would be a condition requiring that the development would be carried out in accordance with a Farming and Wildlife Advisory Group Management Plan. The Planning Officer suggested a further condition relating to the grid connection.

The Planning Officer, with the aid of slides and photographs summarised the details of the application as set out in the report. She informed Members that since the last Committee meeting the plans had been amended and that 31200 panels were now proposed with the site being reduced from the northern boundary and slightly extended to the west along the A303. She drew members' attention to the amended Landscaping Plan and it was noted that no concreting of the panels was being proposed. The officer recommendation was for approval.

The Principal Landscape Officer displayed a number of photographs showing various viewpoints to the south and north of the current and proposed array. Reference was made to the revised landscaping proposal and comments made included the following:

- The reduced array was an improvement and many of the viewpoints were low;
- The existing array was taller than the proposal;
- There was capacity to screen fairly quickly by the management of hedgerows;
- The proposed planting specification and mix of species was considered appropriate for the development;
- Using smaller planting stock was good practice as it better dealt with poor soils, provided higher success rate, and enabled quicker growth;
- The off-site planting proposals were satisfactory;
- The adjoining hedgerow would form a quick barrier, if the flail was raised this would allow the hedge to rise and would be effective within two planting seasons;
- The revised landscaping proposal would compliment the character of the landscape;
- Bunding would be entirely inappropriate for the site; would have a potential impact on area surface water and flooding; and its construction would delay the planting programme.

In response to questions, the Area Lead North/East, Planning Officer and Principal Landscape Officer clarified points of detail raised by members, which included the following:

- The emerging Local Plan was not dependant on any specific targets, previously set by the RSS relating to renewable energy;
- With reference to lack of consultation, the Planning Officer confirmed that the appropriate planning notices had been displayed and that the agent had contacted the Parish Council;
- The photographs shown had been taken from late Spring onwards (the time the application was submitted);
- The issue of energy tariffs and eco funding arrangements was not a planning consideration and should not be taken into account;
- The public right of way ran along the lower slopes of The Lynchets;
- The Planning Officer was unable to provide a definitive opinion on the land classification matter as the maps held by the Planning Department were not up to date, however the Council held no evidence to dispute the claimed classification;
- It was difficult to reject the application on the basis of cumulative impact, however it could become a consideration for subsequent applications;
- Clarification regarding the permissive access position at The Lynchets;
- The grid connection would be underground.

Cllr. Derek Yeomans, District Councillor for Stocklinch addressed the Committee. He referred to NPPF supporting this type of use of agricultural land for energy generation and the issue of food versus fuel. He stated that fast growing trees would need to be planted and suggested that willows were planted for initial cover, but later removed once other tree species had gained height. He also made reference for the need to properly

maintain the land underneath the panels. He commented that he would like to see a condition regulating the use of herbicides and was disappointed that this was not recommended by FWAG (Farming & Wildlife Advisory Group). In conclusion, he felt that it was a finely balanced application that was difficult to refuse on planning grounds.

The Committee noted the comments of Brian Faulkner, Chair of Stocklinch Parish Council. He informed Members that the Parish Council objected to the proposal and referred to the large scale of the project. If the application were to be approved, he requested that a condition be included to restrict construction traffic from travelling through the village.

The Committee then noted the comments of Claire Hart, Sarah Catchpole, Wendy Lutley, Kate White, Belinda Elks, Henry Best representing CPRE, Alison Boyland and David Tucker, in objection to the application. Points raised included the following:

- The development was contrary to local plan policies and the National Planning Policy Framework;
- Concerns over the adverse effect on the setting of a Grade II listed Church;
- The proposal would be harmful to the character and distinctiveness of the local landscape;
- There were many other viewpoints where the array could be seen than those referred to by the Officer;
- Concerns that the development would become a light industrial site;
- The current array was already seen as a blot on the landscape;
- Approval of the application would set a precedent for future applications;
- Concerns over the scale of the proposed development;
- The proposed development would detract from the amenity enjoyment of the wider rural and historic landscape;
- Despite assurances given over the mix of planting, the majority of the site would still be visible and it would take a long time for the height of the hedgerow to grow to an acceptable level;
- Due to the size of the array it would become a landmark for aircraft and this would result in increased noise and nuisance;
- The proposed development would become highly suitable as a turning point for visual navigation;
- The photographs displayed did not reflect what the naked eye could see;
- The planting would take 10 years to get to anything remotely sensible for screening;
- Concern over the view from The Lynchets and the issue of access;
- Lack of information concerning the quality of the land;
- Concerns over arable land being taken out of food production particularly in a time of rising food prices;
- A request for additional conditions for a 25m bund to speed up screening of the site and for screw piles to be used.

The Applicant's Agent, Mr Andrew Troop apologised to the residents of Stocklinch over the consultation process. He believed that he had made a genuine effort to consult, had spoken to the Chairman of the Parish Council and chased up the reaction of residents but had been told not to attend an arranged meeting in July as not much objection had been raised.

The Area Lead North/East clarified the position over the concerns raised relating to the development becoming a visual aid for aircraft. He thought it likely that the A303 and roundabouts at either end of the Ilminster bypass were already used as reference points by pilots and stated that it was difficult to quantify an increase in noise from an aircraft. It would not be reasonable to pursue this as a line of objection. Reference was also made

to the glint from the panels and that the Highway Authority had raised no objections and the panels were designed to capture as much light as possible.

Ward Member, Cllr. Kim Turner expressed her concerns over the application which related to the volume and size of the proposed development being seen from the roadside, lack of information regarding the grading of the land and the potential for a further application seeking an extension in the future. She also referred to the glare from the Stocklinch flyover and questioned whether this had been examined. She commented that she would like to see robust management of the site including appropriate weeding under the panels and felt that further detail was required.

The Area Lead North/East advised Members that whilst the grading of the land was a material consideration it was only one of many considerations and the Committee should balance the benefits and necessity of the scheme versus the harm. He referred to the National Policy Framework echoing SSSDC policies which both took into account the issue of best and most versatile land. He informed members that the previous applicant going into liquidation was not a material planning consideration. Reference was also made to the acceptable growth time for landscaping to become established.

During the ensuing discussion, the majority of members supported the officer's recommendation and made the following comments:

- The proposal was not considered to be visually intrusive and the biggest feature was the bypass with the dominant feature already being vehicles/traffic noise on the road;
- Reference was made to polytunnels being more intrusive on the roadside which were not controlled by planning;
- The site could be returned to agricultural land in the future;
- There were no planning grounds to refuse the application.

Those members against the officer's recommendation felt that the proposal was visually intrusive, an alien feature that could not be lost in the landscape. Concerns were also expressed over the loss of agricultural land.

The Principal Landscape Officer confirmed that the issue of willow screening could be negotiated with the Highway Authority, but noted that willow scrub had already colonised the highway embankment.

It was proposed and seconded to approve the application as per the officer's recommendation subject to the inclusion of three additional conditions relating to:

- On-site maintenance in accordance with FWAG recommendations;
- Details of underground grid connection to be agreed;
- Construction Management Plan to be agreed to cover hours of working, vehicles to be used etc. but not to seek vehicle routes.

On being put to the vote the proposal was approved with 6 members in favour and 3 against.

RESOLVED: That planning application no. 12/02823/FUL be APPROVED as per the officer's recommendation subject to the conditions and informatives outlined in the agenda report and subject to the inclusion of three additional conditions relating to:

1. On site maintenance in accordance with FWAG recommendations

2. Details of underground grid connection to be agreed
3. Construction Management Plan to be agreed to cover hours of working, vehicles to be used etc. but not to seek vehicle routes.

(Voting: 6 in favour, 3 against)

12/00011/FUL – The erection of 2 No. poultry buildings with associated infrastructure and the removal of existing earth bunds and construction of a new earth bund, Land OS 5954 Part Chaffcombe, Chard – Mr R Lanning

The Area Lead Officer, a resident of Chaffcombe, stepped down and took no part in the debate and was replaced by a Senior Planning Officer.

The Planning Officer updated members that the Environment Agency Guidelines of Developments Requiring Planning Permission and Environmental Permits as referred to on page 50 of the agenda were adopted as of October 2012. She informed members that additional comments had been received from a neighbour and the Environment Protection Unit.

The Planning Officer, with the aid of slides and photographs summarised the details of the application as set out in the agenda report. The main considerations related to landscape character, highway safety, ecology and residential amenity. The officer recommendation was for approval.

The Senior Environmental Protection Officer confirmed that based on the letter received on 14th August 2012 from the Environment Agency, clarifying the Agency's role in controlling odour and other nuisance, it would be difficult for the Environment Protection Unit to defend any appeal.

In response to questions, the Planning Officer, Principal Landscape Officer and Senior Environmental Protection Officer clarified points of detail raised by members, which included the following:

- 12 current vehicle movements per week would increase to 16;
- The applicant was confident that there would not be a significant increase in traffic movements;
- The business was managed from a site office located in the bottom building and currently employed two members of staff;
- Protection of species would be controlled through condition 9 as outlined in the agenda;
- There was no history of complaints with regard to odour from the site;
- There would be some necessity for a Tree Protection Plan in order to ensure no adverse impact;
- The Environment Agency had clarified their position with regard to controlling noise and odour and would take extreme measures if necessary.

The Solicitor, referring to case law and the NPPF explained that the Council should not seek to control odours in a planning permission where these matters could be properly controlled by the Environment Agency who were the enforcing authority.

The Committee noted the comments of Josie Miles, representing Chaffcombe Parish Council. She informed members that lots of concerns had been voiced from the residents of Chaffcombe but only one person had looked at the plans and attended the arranged site visits. Since the Parish Council had considered the application, an

objection had been received from one councillor. Reference was made to drainage issues which had now been resolved. She commented that additional traffic movement was not considered a problem by the Highway Authority and the access bridge was annually assessed and was able to take a 44 tonne lorry.

The Committee then noted the comments of Robert Vincent, Alfie Drewer and Hilary Mead in objection to the application. Points raised included the following:

- Reference was made to the Environment Agency Customer Charter;
- Concerns over impact on residential amenity as a result of increased odour and noise;
- Potential for damage to a bridge on the approach to the site and the village of Chaffcombe;
- Concerns over increase in bioaerosol emissions.

The comments of Michael Mills and John Riddell in support of the application were noted by the Committee. Views expressed included the following:

- There was a clear case for the expansion of food production;
- The proposed development would increase employment opportunities;
- There were other local farms that produce more offensive smells;
- The Environment Agency were very quick to act on problems;
- The existing site was well run and the applicant was highly respected in the poultry farming industry.

The Applicant, Mr Robert Lanning informed members that he was a first generation farmer and currently operated five poultry farms where he grew and sold live birds. He stated that the birds were not kept in cages and were produced to supermarket standard. He had won various awards and operated his business to extremely high welfare standards and was proud to be expanding his business in the current climate. He informed members that he held an open day during which all the plans were displayed and that only one member of the public had attended. He stated that if planning permission were to be approved he would be happy to host another open day for the public.

Ward Member, Cllr. Sue Osborne commented that the applicant had been present at a well-attended Parish Council meeting and that no detailed objections were raised. She referred to the history of the site and previous problems associated with a previous owner. She was confident that the Environment Agency would carry out a vigorous job in controlling the site. Reference was made to the site having a separate water supply and that technology had improved to take into account the issues of odour. She commented that the bridge was also used by another haulage company. She felt that the business was much needed and expressed her support for the application.

A proposal was made, and subsequently seconded to approve the application as per the officer's recommendation. On being put to the vote the proposal was approved with 8 members in favour and 1 abstention.

RESOLVED: That planning application no. 12/00011/FUL be APPROVED as per the officer's recommendation subject to the conditions and informatives outlined in the agenda report.

(Voting: 8 in favour, 1 abstention)

12/02967/FUL - Change of use of ground floor from A2 (Financial and Professional) to A5 (Hot Food Takeaway), 1-3 East Street, Crewkerne – Mr Shi Yun Chen

The Planning Officer, with the aid of slides and photographs summarised the details of the application as set out in the agenda report. The main considerations related to mix of uses in town centre, impact on residential amenity, impact on Conservation area and highway safety. The Planning Officer's recommendation was for approval. The Planning Officer informed members that the applicant had undertaken a parking survey between 27th September and 6th October which showed that there was spare parking capacity as spaces were not constantly occupied during the day and night.

In response to questions, the Planning Officer clarified points of detail raised by members. Members were informed of the following:

- The applicant currently operated a takeaway business in the town and the proposal was introducing an additional takeaway;
- The issue of delivery times was not a fundamental issue to be considered;
- The application could not be judged on the possible introduction of a one way system in the town. The Highway Authority had commented that if the scheme were to go ahead there would be little impact as vehicle movements were less at night than during the day;
- There were 3 empty shops in Crewkerne.

The Committee noted the comments of Mrs Helen Evans in support of the application. She informed members that she was a friend of the applicant, had visited him on numerous occasions, at all different times of the day and evening and had never experienced problems with parking. In conclusion, she reiterated that there were always lots of parking spaces available.

Ward Member, Cllr. Angie Singleton commented that she objected to the application on the grounds of highway safety and supported the views of the Town Council. The proposed takeaway would be located on a busy junction and would result in an increase in parking problems in close proximity to the mini roundabout. The possible introduction of a one way system would increase the number of cars using East Street. She also felt that the proposal would detract from the visual impact of the historic market square.

Ward Member, Cllr. Mike Best referred to the existing problems with people parking illegally on the roundabout.

Ward Member, Cllr. John Dyke expressed his support for the application and commented that there was likely to be more parking spaces in the evening and that the customers of the proposed business would not solely be car users. He felt that there were insufficient grounds to refuse the application.

During the debate, comment was expressed that people using the cash point would cause the same parking problems as those using the proposed takeaway and that the parking problems were a parking enforcement issue. It was felt that there was still a good mix of business uses.

A proposal was made, and subsequently seconded to approve the application as per the officer's recommendation. On being put to the vote the proposal was carried 8 members in favour.

RESOLVED: That planning application no. 12/02967/FUL be APPROVED as per the officer's recommendation subject to:-

a) 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, the said planning permission to cover the following items/issues:

i) Ensure that the whole building known as 1-3 East Street, Crewkerne, is retained in the same ownership as the A5 takeaway business being operated on the ground floor or any subsequent permitted change of use to A4 (Drinking Establishments) or A3 (Restaurant and Café).

Plus the conditions and informatives outlined in the agenda report.

(Voting: 8 in favour)

12/02927/FUL - Alterations and the erection of a two storey rear extension, single storey side extension and veranda, Bereta, Underway, Combe St Nicolas – Mr & Mrs Roderigo

Cllr. Ros Roderigo, having earlier declared a Disclosable Pecuniary Interest (DPI) in the application, left the room prior to consideration of the item.

The Planning Officer, with the aid of slides and photographs summarised the details of the application as set out in the agenda report. The main considerations related to the character and appearance of locality and residential amenity.

During the ensuing discussion, Members expressed their support for the application and agreed that there would be no direct overlooking or loss of light as a result of the proposed development.

It was proposed and seconded to approve the application with conditions as per the officer's recommendation. On being put to the vote, the proposal was carried unanimously.

RESOLVED: That planning application no. 12/02927/FUL be APPROVED as per the officer's recommendation and subject to the conditions outlined in the agenda report.

(Voting: unanimous)

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Chairman