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### South Somerset District Council

**Draft Minutes** of a meeting of the **Area West Committee** held at the Holyrood Academy, Zembard Lane, Chard on **Wednesday 17<sup>th</sup> April 2013**.

(5.30 p.m. – 9.35 p.m.)

**Present:**

<b>Members:</b>	Cllr. Angie Singleton	(in the Chair)
	Mike Best	Sue Osborne
	Dave Bulmer	Ric Pallister
	Carol Goodall	Andrew Turpin
	Brennie Halse	Ros Roderigo
	Jenny Kenton	Linda Vijeh (from 6.25 p.m.)
	Paul Maxwell	Martin Wale
	Nigel Mermagen	

**Officers:**

Andrew Gillespie	Area Development Manager (West)
Mark Williams	Chief Executive
Rina Singh	Strategic Director (Place & Performance)
Helen Rutter	Assistant Director (Communities)
Diane Layzell	Senior Land & Property Officer
Donna Parham	Assistant Director (Finance & Corporate Services)
Paul Philpott	Community Regeneration Officer (West)
Amy Cater	Solicitor
Andrew Gunn	Area Lead West
Dominic Heath-Coleman	Planning Officer
Linda Hayden	Planning Officer
Jo Morris	Democratic Services Officer

**Also Present:**

Neil McWilliams	Assistant Highway Service Manager, Somerset County Council
John Gallimore	Principal Planning Liaison Officer (SCC)

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

#### 137. Minutes (Agenda Item 1)

The minutes of the meeting held on Wednesday 20<sup>th</sup> March 2013, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

**138. Apologies for Absence (Agenda Item 2)**

Apologies for absence were received from Cllrs. John Dyke and Kim Turner.

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**139. Declarations of Interest (Agenda Item 3)**

Cllrs. Dave Bulmer, Jenny Kenton and Martin Wale declared personal interests in planning application no. 12/04319/OUT, as members of Chard Town Council.

Prior to consideration of Agenda Item 10 – Request for Community Grants, Cllr. Sue Osborne declared a personal interest, as she was a resident of Dowlish Wake.

During consideration of planning application no. 12/04319/OUT, Cllr. Martin Wale declared a personal interest, as he was a member of the Chard Regeneration Board.

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**140. Public Question Time (Agenda Item 4)**

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

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**141. Chairman's Announcements (Agenda Item 5)**

No announcements were made by the Chairman.

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**142. 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) reported a number of amendments to the Forward Plan as follows:

- The report on Crewkerne Market Transfer would now be considered at the June meeting;
- The Community Planning update reports for Crewkerne and Ilminster would be considered at the May meeting;
- Consideration of the Mount Hindrance Planning application was now likely to be in June;
- Cllr. Dave Bulmer had requested an item to be included on the Forward Plan in relation to exploring opportunities to improve the under allocation of football pitch provision in Chard.

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

*(Resolution passed without dissent)*

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

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### 143. Area Lean Review Summary Report (Agenda Item 7)

The Strategic Director (Place & Performance) presented the report which gave a summary of the recommendations being implemented following the Lean Efficiency Review of the Area Development Service. The report followed on from the two reports that were presented and agreed by District Executive. She highlighted that:

- An estimated total cashable saving of £197,000 had been achieved from the Review;
- Savings were from management and back office;
- Local projects staffing was maintained;
- The Area Development Service had been refocused with greater importance being given to Economic Development;
- All of the changes agreed following the review were nearly in place. Once completed members would receive an information note detailing staff changes.

During the ensuing discussion, the Strategic Director (Place & Performance) and the Assistant Director (Communities) noted the comments of members and responded to questions on points of detail. Points raised included the following:

- in referring to the reduction in opening hours of the front desks, a member questioned whether there had been any feedback from members of the public. The Strategic Director (Place & Performance) explained that each Area Team was being asked to report back any issues as a result of the changes and make adjustments as appropriate. It was recognised that there would be a period of adjustment for the community;
- in response to a member question regarding accommodation, the Strategic Director (Place & Performance) confirmed that a further saving of £100k was expected to be delivered from property rationalisation as per the District Executive report in February 2012;
- members were informed that Officers were keeping a close eye on the nature of enquiries received and the time taken to deal with responses. Front line staff still had an important role in signposting customers to other services including those provided by other authorities and organisations;
- the Strategic Director (Place & Performance) confirmed that each Area Development Team would be managed by 0.5 FTE Area Development Manager. This had been in place in Area East and Area South for over 18 months and worked well.

**NOTED.**

*(Helen Rutter & Kim Close, Assistant Director, Communities)*  
*Helen.rutter@southsomerset.gov.uk/kim.close@southsomerset.gov.uk*

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### 144. Area West Land and Property (Agenda Item 8)

The Assistant Director (Finance & Corporate Services) presented the report, which updated members of the land and properties interests through ownerships, part-ownership, or leasehold held by South Somerset District Council within Area West.

The Land & Property Officer gave a short demonstration to members of the Committee on how to review land holdings on line using the SSDC Webmap2 system. It was noted that

this facility was also available to members of the public. She reminded members that they had each been sent a booklet showing property and car park ownership within Area West.

During the ensuing discussion, the Assistant Director (Finance & Corporate Services) and the Land & Property Officer noted the comments of members and responded to questions on points of detail. Points raised included the following:

- members welcomed the Webmap2 system and commented that it was a very useful tool and were very appreciative that all the information was available in one place;
- there was a Photo option on the system that allowed you to see historic and photographic overlays of areas;
- the Webmap2 system could be accessed through the internet and was also available in the Members Room. It was hoped that it would be available on the intranet in the future;
- officers were happy to follow up any requests from local communities to acquire land and buildings as in line with SSDC's Asset Transfer Policy.

Members thanked the Assistant Director (Finance & Corporate Services) and the Land & Property Officer for attending the meeting.

**NOTED.**

*(Diane Layzell, Property and Land Officer – 01935 462058)  
(diane.layzell@southsomerset.gov.uk)*

#### **145. County Highway Authority Report (Agenda Item 9)**

The Assistant Highway Services Manager presented the report which informed members of the work carried out by the County Highway Authority and the proposed works programme for 2013/14. He informed members that all remedial works to surface dressing were paid for by the Contractor and not Somerset County Council. It was noted that works undertaken to repair potholes were back on schedule and the schemes listed for completion in the current financial year were funded through capital rather than revenue. He further informed members that grass cutting would commence in mid-May and be completed by August. Members were also informed of the newly implemented gully clearance cycle operating on a 1, 2 and 4 year cycle and that this information was available to parishes upon request.

The Assistant Highway Service Manager noted members concerns about local issues within the area including:

- Resurfacing works in Crimchard;
- Numerous blocked gullies along Church Street and Old Town, Chard;
- Poor visibility along Millfield due to overgrown shrubs;
- Rain water collecting along North Street/West Street, Crewkerne due to irregular road surface.

The Chairman thanked the Assistant Highway Service Manager for his report.

**NOTED.**

*(Mike Fear, Assistant Highway Service Manager, South Somerset Highways - 0845 3459155)  
(Countyroads-south@somerset.gov.uk)*

**146. Request for Community Grant (Agenda Item 10)**

The Community Development Officer (West) introduced the report, which asked Members to consider an application from Dowlish Wake Playing Field Trust for financial assistance towards the replacement of post and rail fencing and two gates. He explained that the village pavilion was a well-used community facility with a number of clubs and organisations using the hall on a regular basis. He also informed members that the Trust had received donations towards the project and a grant from the Parish Council.

Members were shown a number of photographs illustrating the current fencing and gates at the entrance to the playing field which had rotten away in many places.

Members unanimously supported the Officer's recommendation to award the grant in full and requested that a condition be added to the grant to ensure that the old wood fencing was recycled for firewood.

**RESOLVED:** That a grant of £1,000 be awarded to Dowlish Wake Playing Field Trust towards the replacement of post and rail fencing and two gates.

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

*(Voting: unanimous)*

*(Paul Philpott, Community Development Officer (West) – 01460 260359)  
(paul.philpott@southsomerset.gov.uk)*

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**147. 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)*

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**148. Planning Appeals (Agenda Item 12)**

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

**NOTED.**

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

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**149. Planning Applications (Agenda Item 13)**

The Committee considered the applications set out in the schedule attached to the agenda. The Planning Officer 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).

**12/04319/OUT – Erection of 78 dwellings, new access and road (outline), Land at Avishayes Road, Oaklands Avenue, Chard – Mr Philip Storey**

The Area Development Manager (West) explained the context of the application in relation to the Chard Regeneration Scheme. The application site formed part of Option 1 of the Chard Regeneration Plan.

The Area Lead West updated members that following consideration of amended plans, Chard Town Council were recommending refusal on the grounds that the proposed development was too high density and the number of dwellings should be reduced. They also felt that there was insufficient provision for a proposed recreation area and facilities. Members were also updated that the Ecologist was content with the amended plans and that a further seven letters/emails had been received objecting to the scheme on the grounds of similar concerns previously raised.

The Area Lead West with the aid of slides and photographs summarised the details of the application, as set out in the report including the link with the A30 and A358. He referred to the key considerations associated with the application, which included the following:

- It had been long established that the site was suitable for development and formed part of the Chard Regeneration Scheme and the emerging Local Plan;
- The proposed development gave a housing density of 37 dwellings per hectare, which was well within the accepted levels for density;
- The layout was considered to be good quality with deep frontages and allowed for the retention of trees and hedgerows;
- There was a reasonable attempt to spread the 20 affordable housing units throughout the site;
- The proposed development offered a balanced mix of housing types;
- The estate road had been amended in accordance with comments raised by the Highway Authority;
- The Travel Plan would be secured through a Section 106 Agreement;
- The Ecology Officer was content with the proposed buffer strip;
- The current scheme proposed 25% affordable housing of the total number of dwellings, 10% short of the Council's 35% target. The District Valuer's initial view was that he was in broad agreement with the position of the developer although SSDC had not yet received his formal response.

The Area Lead West's recommendation was for approval.

In response to questions, the Area Lead West clarified points of detail raised by members, which included the following:

- There were no cycleways shown on the proposed scheme as the application was for outline permission only. The issue of cycleways could be secured through the Travel Plan or at the Reserved Matters stage;
- There were no grounds to recommend refusal on the grounds of a Travel Plan not being submitted. It was common to condition the submission of a Travel Plan as part of the legal agreement;

- Clarification regarding the comments submitted by the Leisure Policy Officer. It was noted that the preferred option for play provision was on land to the north of the application site;
- In agreement with the Developer, the Area Lead West was more than willing to bring the District Valuer report back to Committee;
- The optimum level of parking was dependent on the types of houses provided;
- Condition 15 outlined in the agenda report dealt with the protection of trees;
- Clarification over the Section 106 Agreement. Members were advised that a Section 106 Agreement should be sought at outline stage rather than at the reserved matters stage. It was noted that the amount and percentages would be subject to further negotiations with the developer having regard to the District Valuer's report on viability;
- The Area Lead West confirmed that the submission of an environmental construction plan could be included as part of Condition 12;
- The four conditions recommended by the Highway Authority related to conditions 7, 8, 9 and 10 as outlined in the agenda report;
- The Chard Regeneration Plan included provision for a new school;
- The Government made it clear that applications should not be stalled due to viability issues.

The Solicitor suggested that given the concerns over viability the Section 106 Agreement should contain an overage provision.

John Gallimore, Somerset County Council's Principal Planning Liaison Officer referred to the use of roundabouts including weaving lengths and cost. He commented that roundabouts used an enormous amount of land and that signal junctions took up less space.

Tony Prior, representing Chard Town Council informed members that the Town Council supported the site allocation in the emerging Local Plan and for the site to be developed but were recommending refusal on the grounds of design, parking and lack of amenity space. He commented that if the area to the north east of the site was made available for play provision some of the concerns of the Town Council would be addressed.

The Committee noted the comments of Anthony Gray, Julian Brooks, Ian Fielder, Darryl Sunnick and David Penticost in objection to the application. Views expressed included the following:

- Development not in keeping with locality in terms of design and density;
- Environmental impact on visual appearance;
- Insufficient car parking provision;
- Residential construction in this area of Chard was in the form of detached and semi-detached and not in terraced form;
- No front gardens;
- Concerns about the location of the bypass;
- No travel plan had been submitted with the application therefore the speeding limit could not be analysed. This was an opportunity to introduce a 20 speed limit zone;
- The need for the new access road to be included as part of the gritting regime;
- No need for more affordable housing;
- Concerns regarding the link road;
- Government incentive should not be at the expense of quality;
- Concerns over the size of the development and number of properties proposed;
- Concerns over traffic congestion.

Doug Cramond, speaking on behalf of the Applicant, referred to the proposed site being first defined in the Local Plan in 1994. The proposal was in accordance with planning policy and also the emerging local plan. He stated that it was not possible to deal with the road in one planning application. Reference was also made to the scheme meeting the housing need for Chard and that currently 466 local people had requested Chard as being their first choice of location. He urged members to support the application and felt that the standards had been set high for further planned developments.

The Applicant's Agent, Paul Harrington commented that the applicant was willing to consider the land to the north of the application site for a play area. He informed members that the area was not suitable for building due to the risk of flooding. The applicant was also willing to consider the provision of cycleways and cycle storage. Reference was also made to the current housing climate and detached properties being unsustainable.

Ward Member, Cllr. Nigel Mermagen commented that he supported the application in principle. He referred to the proposed site being included in the emerging Local Plan and part of the Chard Regeneration Scheme and that it had always been envisaged that Chard would be subject to development in the future. He also referred to the density being acceptable but expressed some reservations over the layout of the scheme and felt that it was unsatisfactory for residents to park away from their properties. He further commented that he had no objections to a certain element of pavement frontage as people tended to prefer to have their gardens at the back. He stated that he would prefer to see a road which ran well beyond the Chard Reservoir and favoured a distributor road north and east of the Reservoir and commented that it made sense for provision for it to be provided within the development. He felt that it was a difficult decision to make but felt that if the application were to be refused, the applicant could win on appeal and the Council could lose control over the development.

At this point in the proceedings Cllr. Martin Wale declared a personal interest in the application, as a member of Chard Regeneration Board.

During the ensuing discussion, Members against the officer's recommendations referred to the following issues:

- It was felt that 2, 3 & 4 bedroom properties would be more fitting for the development;
- Concerns over the density and layout of the proposed scheme;
- A wish to see a scheme acceptable by Chard Town Council and the public without the terraced element;
- Lack of parking provision;
- Proposed layout was unacceptable;
- One member commented that he was unable to make a decision on the application as no travel plan had been submitted which was unacceptable, the issue of leisure facilities was still unresolved and the District Valuer report had not been received.

Members speaking in support of the officer's recommendation made a number of comments which included the following:

- The issue of density was not a valid reason to refuse the application;
- Members would have the ability to influence the design and layout of the scheme at the reserved matters stage;
- The link road was an integral part of the Chard Regeneration Scheme;
- The percentage of affordable housing was still subject to negotiations;
- There were no valid planning reason to refuse the application.



It was proposed and seconded to defer the application in order to allow the density and layout of the scheme to be renegotiated, the submission of a travel plan, the issue of leisure facilities to be resolved and the receipt of the District Valuer's report. On being put to the vote the proposal was lost 5 in favour, 7 against and 1 abstention.

It was subsequently proposed and seconded to approve the application as per the officer's recommendation regarding density and means of access but not the proposed layout and subject to:

- Further details of the Section 106 Agreement to be considered by the Area West Committee at a future meeting following receipt of the District Valuer's report and discussions with Heads of Service;
- Amendment to Condition 3 to include layout;
- Amendment to Condition 12 to include the submission of an Environmental Construction Plan;
- Deletion of the words 'Drawing No: 0942.38E - Illustrative layout and Block plan' in Condition 14;
- An additional condition relating to not approving the submitted Illustrative Layout and Block plan';
- An additional condition to secure the area of land within the northern part of the application site for play area provision.

On being put to the vote the proposal was carried 11 in favour and 2 against.

**RESOLVED:** That planning application no. 12/04319/OUT be approved for the following reason:

01. The proposed development forms part of Option 1 of the Chard Regeneration Plan, will provide 78 dwellings, including affordable homes which will help meet the housing need for Chard. The scheme will also provide a small but important section of the link road proposed as part of the Chard Regeneration Plan. The density and means of access is considered to be acceptable and would not harm the character and appearance of the area, would not be detrimental to residential amenity, would preserve existing hedgerows and trees and would provide adequate mitigation for protected species. The proposal is therefore in accordance with ST5, ST6, ST10, EC6, EC8, TP2, HG7, CR2, CR3, and KS/CHAR/1 of the South Somerset Local Plan, Policies CV1, CV2, CV3 and Policy HG2 of the emerging Local Plan and Chapters 6, 7 and 11 of the NPPF.

Subject to the following:

- (1) Further details of the Section 106 Agreement to be considered by the Area West Committee at a future meeting following receipt of the District Valuer's report and discussions with Heads of Service;
- (2) The conditions and informatives as outlined in the agenda report but with the following amendments:
  - An amendment to Condition 3 to include layout;
  - An amendment to Condition 12 to include the submission of an

- Environmental Construction Plan;
- Deletion of the words 'Drawing No: 0942.38E - Illustrative layout and Block plan' in Condition 14;
- An additional condition relating to not approving the submitted Illustrative Layout and Block plan';
- An additional condition to secure the area of land within the northern part of the application site for play area provision.

*(Voting: 11 in favour, 2 against)*

**12/03221/FUL – Erection of 10 dwellings on land adjacent to Minchingtons Close, Land South of Minchingtons Close, Norton sub Hamdon – Yarlinton Housing Group**

The Planning Officer reminded members that the proposal was for the erection of 10 units of affordable housing and that the scheme was considered by the Area West Committee on Wednesday 19<sup>th</sup> December 2012. It was explained that the applicant had since raised a concern that the third requirement of the Section 106 agreement may lead to delays and was therefore requesting that it be removed from the committee resolution.

It was noted that the third requirement for the Section 106 agreement was added to the recommendation at the request of the County Highway Authority as a 'belt and braces' approach. The Highway Authority had been consulted and raised no objection to the proposed amendment. The Planning Officer recommended that a new resolution be formed to exclude the third element of the Section 106 agreement.

The Chairman clarified that any representations made should relate to the removal of the third element of the Section 106 agreement only.

The Committee was addressed by Mr R Fill, Martyn Shire and Peter Callaghan in objection to the application. Views expressed included the following:

- Reference was made to the petition signed by 180 residents submitted at the December meeting stating that that they would prefer that the 10 new homes for local people currently proposed for land south of Minchintons Close are transferred to the site on New Road;
- The application site was not supported and there were good and sound reasons why an alternative site should be considered;
- Reference was made to the ecology report and the issue of dormice.

The Chief Executive clarified that the application being discussed by members related to one single issue and that if the members of the public were unhappy about other issues relating to this application they were welcome to take them up through the complaints procedure.

Mrs Elizabeth Maunder, Secretary of the Community Land Trust commented that the condition was being removed for the sake of efficiency and common sense.

Cllr. Sylvia Seal referred to complaints that had been made and commented that the Community Land Trust and Secretary of State were both satisfied that the process undertaken was robust.

At this point in the proceedings, the meeting was adjourned due to disturbance from members of the public. Upon reconvening, it was proposed and seconded to approve

the application as per the officer's recommendation outlined in the agenda report. On being put to the vote the proposal was carried 12 in favour and 1 abstention.

**RESOLVED:** That planning application no. 12/03221/FUL be APPROVED subject to:

- a) The prior completion of a Section 106 agreement (in a form acceptable to the Council's Solicitor(s)) before the decision notice granting planning permission is issued to ensure that:-
  1. The agreed contribution to off-site play provision is secured;
  2. To ensure that all the units are affordable and remain available long term to satisfy local need as set out by policy HG9 of the South Somerset Local Plan.
- b) the conditions and informatives outlined in the agenda report.

*(Voting: 12 in favour, 1 abstention)*

**13/00667/S73A – Application to vary condition No. 2 (approved plans) of planning permission 12/03892/FUL, Land at North Perrott Fruit Farm, Willis Lane, North Perrott – Mr Nick Boyle**

The Planning Officer with the aid of slides and photographs summarised the details of the application as set out in the report. The application sought to vary the approved plans condition to allow for the relocation and redesign of the ancillary buildings and changes to the approved fencing. The Planning Officer's recommendation was for approval.

In response to a member question, the Planning Officer confirmed that no representations had been received in response to the application.

The Applicant's Agent, Charlotte McManus, addressed the Committee. She commented that the application sought changes to the relocation of the ancillary buildings and changes to the fencing. She referred to the application being in accordance with national and local planning policies. She also commented that the proposed changes would not affect the visual amenity of the surrounding area and would cause no disturbance to the adjacent property and that there would also be sufficient screening of the development. Reference was also made to the Landscape Officer supporting the proposed changes and no representations being received from members of the public.

Ward Member, Cllr. Ric Pallister expressed his support for the application and informed members that the owners of the adjacent property had been invited to attend a site meeting.

It was proposed and seconded to approve the application. On being put to the vote the proposal was carried unanimously in favour.

**RESOLVED:** That planning application no. 13/00667/S73A be APPROVED as per the officer's recommendation and subject to the conditions and informatives outlined in the agenda report.

*(Voting: unanimous in favour)*

**150. Date and Venue for Next Meeting (Agenda Item 12)**

Members noted that the next scheduled meeting of the Committee would be held on Wednesday 15<sup>th</sup> May 2013 at Holyrood Academy, Zembard Lane, Chard.

**NOTED.**

*(Jo Morris, Democratic Services Officer – 01935 462055)*  
*(jo.morris@southsomerset.gov.uk)*

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Chairman